



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 93-71
Petition of Robert C. Cerulle
20 Durant Road

Pursuant to due notice the Special Permit Granting Authority held a Public Hearing on Thursday, September 23, 1993 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of ROBERT C. CERULLE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw to allow demolition of an existing front porch; construction of a one-story addition approximately 4 feet by 20.5 feet with less than the required front setback; construction of a 4 foot by 4 foot landing and stair; and raising the ridge line of the existing roof approximately 9 feet to accommodate a second story addition approximately 36.4 feet by 24.3 feet above an existing first floor of the same dimensions at his nonconforming dwelling at 20 DURANT ROAD, in a Single Residence District, with less than the required front yard setback. Said addition will also have less than the required front yard setback.

On September 7, 1993, the petitioner requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Robert Cerulle, who said that the house, which was built in the 1930's, has been in disrepair for a long time, prior to his recent ownership. He does not plan to exceed the footprint, except for the addition of a porch at the rear, which will be conforming. The major change will be from a single story dwelling to a two-story center entrance colonial. The house will be occupied by his brother and his family.

The Board noted that the proposed construction will be less nonconforming than the existing porch.

Peter Lowell, 17 Durant Road, expressed strong support for the petition.

Statement of Facts

The subject nonconforming dwelling is located at 20 Durant Road, in a Single Residence District, on a 7,500 square foot lot, and has a minimum front yard clearance of 26.2 feet and a minimum right side yard clearance of 14 feet.

The petitioner is requesting a Special Permit/Finding to allow demolition of an existing nonconforming front porch and construction of a one-story addition approximately 4 feet by

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20.5 feet with a minimum front yard clearance of 29.8 feet; a 4 foot by 4 foot landing and stair with a conforming front yard clearance of 25.8 feet; and a second story addition approximately 24.3 feet by 36.4 feet above the first floor of the same dimensions, which will necessitate raising the ridgeline of the roof approximately 9 feet. The second story addition will have a minimum front yard clearance of 29.8 feet and a minimum right side yard clearance of 14 feet.

A Plot Plan dated August 30, 1993, drawn by Paul J. Sawtelle, Registered Land Surveyor; Floor plans and elevations dated August 27, 1993, drawn by David Phillips; and photographs were submitted.

On September 14, 1993, the Planning Board reviewed the petition and voted to recommend approval of the petition.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that there will be no intensification of the existing nonconformities, nor creation of additional nonconformities. In fact, due to the demolition of the existing front porch, both the proposed one-story addition and the two-story addition will be less nonconforming than the existing nonconforming dwelling.

Therefore, the requested Special Permit is granted for the demolition of the front porch, and all of the construction detailed in the foregoing Statement of Facts, subject to construction in accordance with the submitted plot plan and construction sketches.

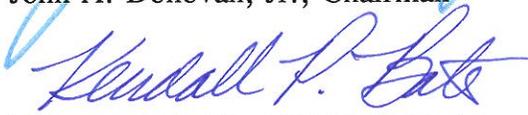
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

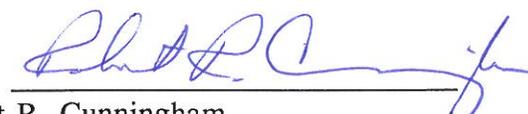
cc: Planning Board
edg Inspector of Buildings



John A. Donovan, Jr., Chairman



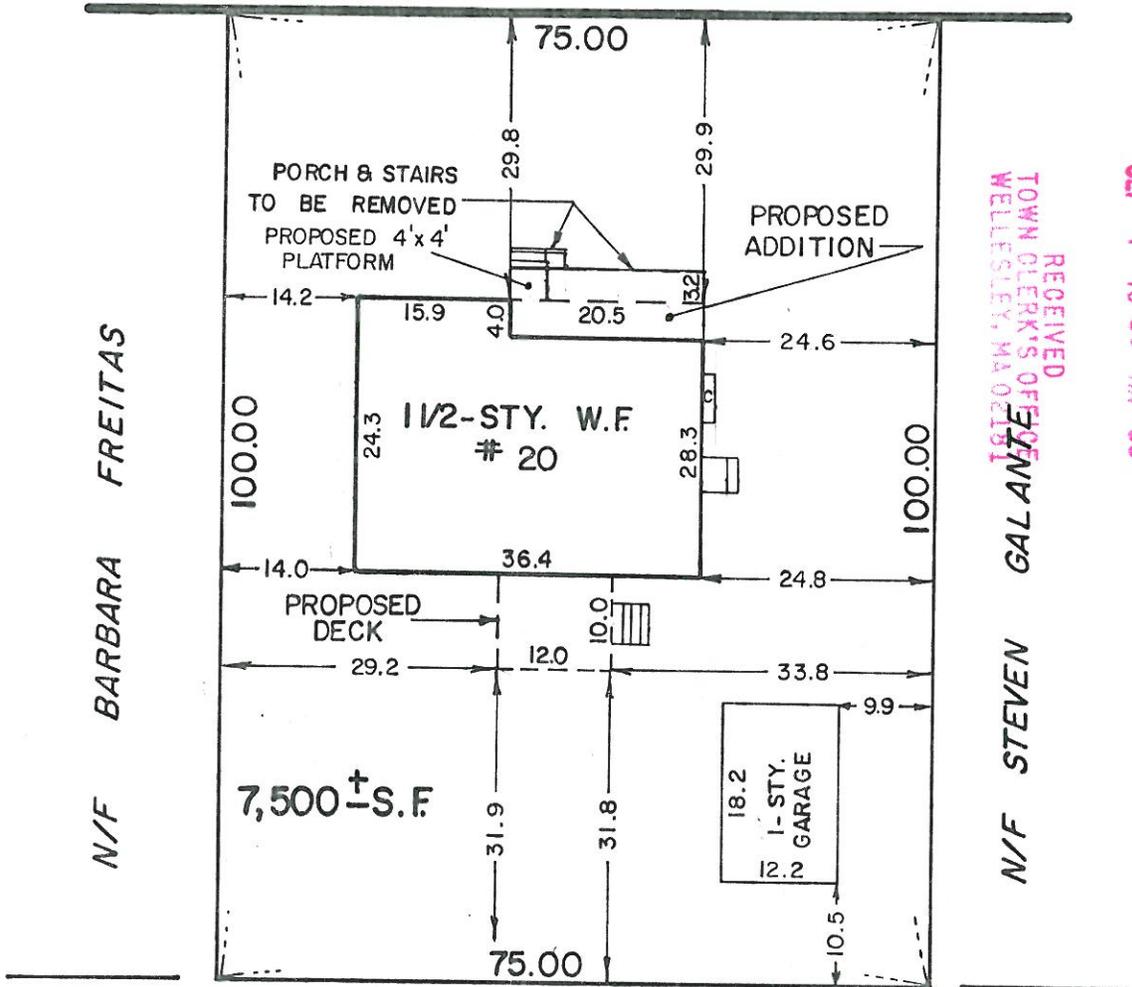
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Robert R. Cunningham

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DURANT ROAD



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N/F BARBARA FREITAS

N/F STEVEN GALANTE

N/F CHARLES A. SWEENEY

N/F JAMES W. TODD

OWNER: ROBERT CERULLE
 ASSESSORS REF: MAP 190, ROUTE 015
 ZONING: RESIDENTIAL 10,000 S. F.
 LOT COVERAGE = 13.6 %



PLAN OF LAND
IN

WELLESLEY, MASS.

SCALE: 1" = 20'
 MASS BAY SURVEY, INC.

AUGUST 30, 1993
 NEWTON, MASS

Paul J. Santella