



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

APR 8 8 39 AM '94

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ZBA 94-16

Petition of Robert C. and Linda A. Buffam, Jr.
19 Aberdeen Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 24, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ROBERT C. AND LINDA A. BUFFAM, JR. requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the proposed addition to their nonconforming dwelling with less than the required front setback and left and right side yards, at 19 ABERDEEN ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said project shall consist of demolition of an existing porch and construction of a one-story addition approximately 20.7 feet by 12 feet at the right rear corner of their nonconforming dwelling, and will have less than the required right side yard clearance. An attached conforming deck, approximately 6 feet by 9 feet, with a 10.8 foot stair is also proposed.

On March 7, 1994, the petitioners 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 Buffam, Jr., who said that he and his wife purchased the home in January, and plan to move into it in June. They propose to renovate the existing kitchen, and to construct an addition to provide an eating area and additional kitchen storage space. The addition will come no closer to the side line than the existing dwelling.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 19 Aberdeen Road, in a Single Residence District, on a 7,325 square foot lot, which contains a nonconforming two-story dwelling with a minimum front setback of 29.5 feet, a minimum left side yard clearance of 10.3 feet and a minimum right side yard clearance of 13.1 feet; and a nonconforming detached garage with a minimum rear yard clearance of 9.6 feet and a minimum left side yard clearance of 19.6 feet.

The petitioners are requesting a Special Permit/Finding to demolish an existing porch and construct a one-story addition approximately 20.7 feet by 12 feet, which will have a minimum right side yard clearance of 13.1 feet, and a conforming deck approximately 9 feet by 6 feet with a 10.8 foot stair, the last step being 13.7 feet from the right side lot line. The

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lot coverage including the proposed addition, the existing house and garage will be 20.4%.

A Plot Plan dated February 17, 1994, drawn by Joseph E. Marcklinger, Registered Land Surveyor; undated, unsigned Floor Plans and Elevations; and photographs were submitted.

On March 7, 1994, the Wetlands Protection Committee issued an Order of Conditions (DEP 324-195) pertaining to the construction of the addition and deck, which are located within the 100-year floodplain of Fuller Brook.

On March 15, 1994, the Planning Board reviewed the petition and voted to recommend approval of the Special Permit/Finding.

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.

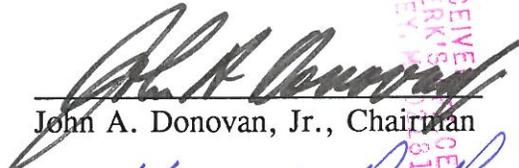
It is the finding of this Authority that the proposed demolition of the existing porch and construction of the one-story addition with less than the required right side yard will not intensify the existing nonconformity or create additional nonconformities as the proposed addition will not encroach further onto the right side lot line.

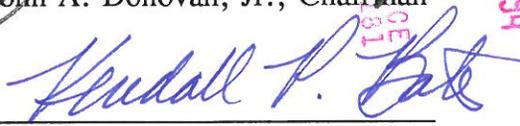
Therefore, a Special Permit is hereby granted for the proposed demolition of the existing porch and construction of the one-story addition, deck and stair subject to construction in accordance with the plot plan and construction sketches as noted in the foregoing Statement of Facts, and subject to the Order of Conditions (DEP 324-195) issued by the Wetlands Protection Committee.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his 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
Inspector of Buildings
Wetlands Protection Committee
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

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PLAN OF LAND
IN
WELLESLEY MASS.
SHOWING PROPOSED ADDITION

SCALE: 1 IN. = 20 FT. FEBRUARY 17, 1994

EVERETT M. BROOKS COMPANY
49 LEXINGTON STREET
WEST NEWTON, MA 02165
(617) 527-8750

Project No. 17780

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