

TOWN OF WELLESLEY



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WELLESLEY, MA 02181

1999 JUL -8 A 10:07

ZONING BOARD OF APPEALS

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ZBA 99-43

Petition of Christopher D.T. and Maura E. Guiffre  
14 Durant Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 24, 1999 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 CHRISTOPHER D.T. AND MAURA E. GUIFFRE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their nonconforming dwelling with less than the required front and right side yard setbacks, at 14 DURANT ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Construction of a 6.1 foot by 15.1 foot one-story addition with less than the required front setback.
2. Raising the ridge line of the existing first story, including the proposed addition, 10 feet to accommodate a full second story addition 39.9 feet by 46 feet with less than the required front and right side yard setbacks.

On June 7, 1999, the petitioners filed a request for 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 Chris Guiffre, who said they are planning to square off the front of the house, which is slightly nonconforming on the right front corner, but veers away from the front lot line moving right to left. In order to construct this addition, they need a variance of about a foot.

Mr. Guiffre said they plan to add a second floor to accommodate their growing family. The proposed second floor would contain four bedrooms. The second story will cover the entire first floor. The house is nonconforming on the right as well as the front, requiring Board approval for the second floor.

Mr. Guiffre explained that their architect had tried to diminish the impact of the addition by keeping the roof line low, and using the gambrel in the rear. The Board agreed that the design shows sensitivity to the neighborhood structures.

The Board noted that the Planning Board had no objection to the request, and further commented that Mr. Guiffre's verbal request for a "variance" was in error, as the request is for a "special permit". No other person present had any comment on the petition.

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### Statement of Facts

The subject property is located at 14 Durant Road, in a Single Residence District, on a 7,500 square foot lot with a minimum front yard clearance of 29.7 feet and a minimum right side yard clearance of 13.7 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a one-story 15.1 foot by 6.1 foot addition with a minimum front setback of 19.4 feet; and raising the ridge line above the entire first floor, including the addition, 10 feet to accommodate a 39.9 foot by 46 foot second story addition, with a minimum front setback of 19.4 feet and a minimum right side yard setback of 13.7 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated May 20, 1999, revised to include the existing and proposed percentage of lot coverage, drawn by Rod D. Carter, Professional Land Surveyor; floor plans and elevations dated May 21, 1999, drawn by James Crowley; and photographs were submitted.

On June 22, 1999, the Planning Board reviewed the petition and had no objection to the request. The second floor expansion maintains the existing building footprint, and the proposed expansion at the front of the house extends no closer to the street than the existing house.

### Decision

This Authority has made a careful study of the material 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 construction of the proposed 15.1 foot by 6.1 foot one-story addition, and the raising of the ridge line of the entire first floor roof 10 feet to accommodate a full second story addition 39.9 feet by 46 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The one-story addition will encroach .3 foot on the front yard setback, which, in the opinion of this Authority, is de minimus and can be allowed. The second story addition will encroach no further on the right side line than the existing structure and no further on the front lot line than the allowed one-story addition.

Therefore, the requested Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of both the one-story and second story additions, subject to construction in accordance with the submitted plot plan and construction drawings.

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.

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14 Durant Road

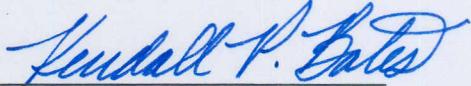
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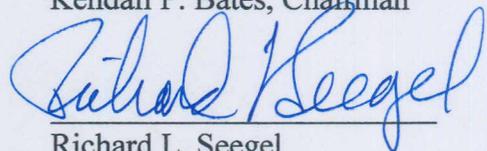
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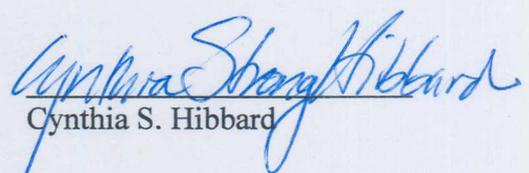
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board  
edg Inspector of Buildings

  
Kendall P. Bates, Chairman

  
Richard L. Seegel

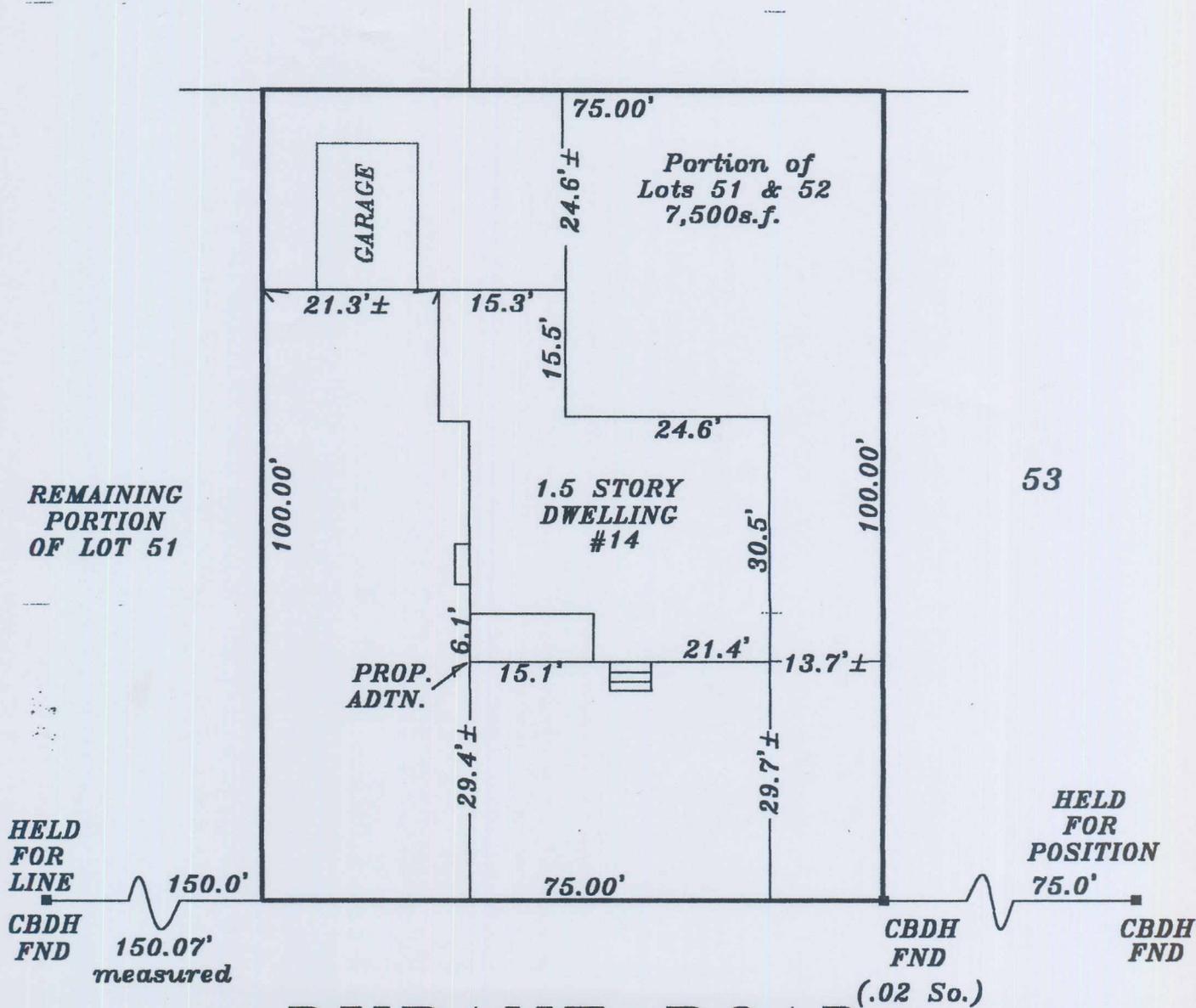
  
Cynthia S. Hibbard

# CERTIFIED PLOT PLAN



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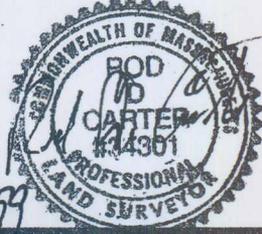
## DURANT ROAD

I, **ROD D. CARTER**, A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE REPRESENTS AN ON GROUND SURVEY BY INSTRUMENT ON, OR ABOUT APRIL 23, 1999

SCALE: 1"=20'

Client Chris Guiffre  
 Address 14 Durant Road  
Wellesley, MA 02181  
 Date April 22, 1999  
 Job # 16334  
 Registry Norfolk  
 Deed Bk/LCC No. Bk 11437 Pg 597  
 Plan Bk 1452 Pg 31

**ROD CARTER LAND SURVEY CO.**  
 5 EVERGREEN LANE SUITE 13  
 HOPEDALE, MA 01747  
 TEL 508-473-1204



*May 20, 1999*