

TOWN OF WELLESLEY



MASSACHUSETTS

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

NOV 22 1999 A 8:28

KENDALL P. BATES, CHAIRMAN  
WILLIAM E. POLLETTA, VICE CHAIRMAN  
RICHARD L. SEEGEL

ELLEN D. GORDON  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 208

ROBERT A BASTILLE  
CYNTHIA S. HIBBARD  
ROBERT W. LEVY

ZBA 99-90  
Petition Gretel Schneider  
9 Cedar Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 18, 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 GRETEL SCHNEIDER requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 13 foot by 22 foot deck with less than the required right side yard setback, at her nonconforming dwelling with less than the required front and right side yard setbacks, at 9 CEDAR STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 1, 1999, the petitioner 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 Gretel Schneider, who said she would like to add a modest deck at the rear of her home, which would be a continuation of the line of the house. The deck would be less nonconforming than the existing house on the right side line.

The Board noted that the Planning Board had recommended that the deck, if allowed, should remain open and uncovered. The Board decided to include the Planning Board recommendation as a condition of approval of the petition.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 9 Cedar Street, in a Single Residence District, on a 14,200 square foot lot, with a minimum front yard clearance of 14.9 feet and a minimum right side yard clearance of 10.5 feet from the right rear corner of the dwelling.

The petitioner is requesting a Special Permit/Finding that construction of a 13 foot by 22 foot deck with a minimum right side yard clearance of 10.5 feet from the right front corner and 11.4 feet from the right rear corner, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

ZBA 99-90  
Petition Gretel Schneider  
9 Cedar Street

A Plot Plan dated 10/25/99, drawn by Peter Michael Ditto, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 10/22/99; and photographs were submitted.

On November 3, 1999, the Planning Board reviewed the petition and recommended that any grant be conditioned on the deck remaining open and uncovered.

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 construction of the proposed 13 foot by 22 foot deck shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the deck, in following the existing line of the house, will not intensify the existing nonconformance, nor will it create new nonconformity.

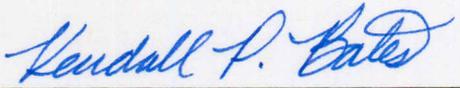
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the deck subject to construction in accordance with the submitted plot plan and construction drawings and subject further to the following condition:

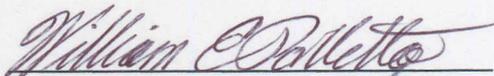
1. The subject deck shall never be enclosed or covered.

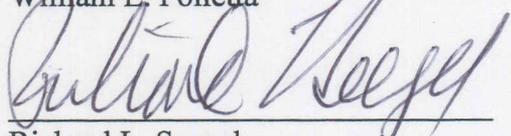
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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  
Inspector of Buildings  
edg

  
Kendall P. Bates, Chairman

  
William E. Polletta

  
Richard L. Seegel

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
1999 DEC -1 A 8:28

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181

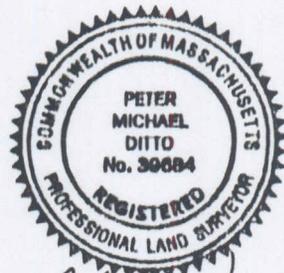
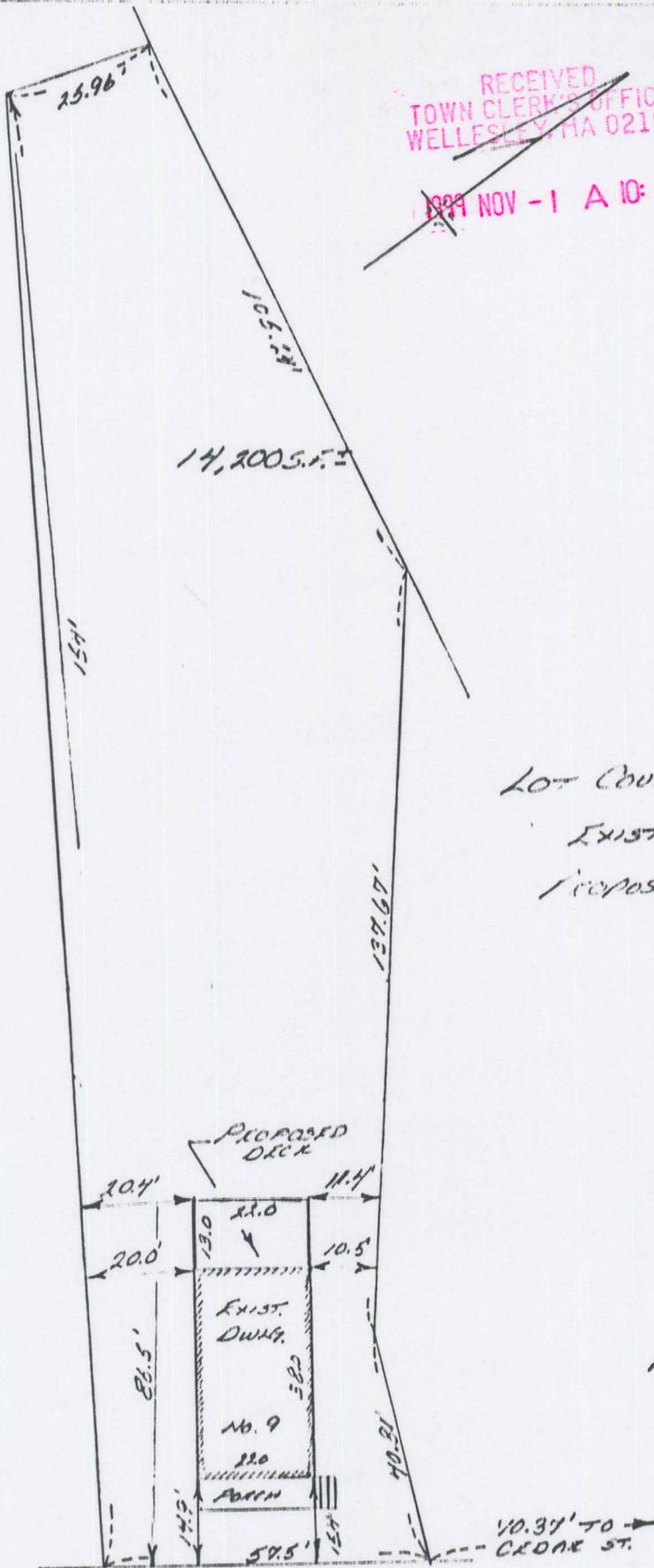
NOV - 1 A 10:59

TOWN  
OF  
WELLESLEY

LOT COVERAGE

EXISTING = 6.9%

PROPOSED = 12.3%



Peter M. Ditto  
10/25/99

RIGHT OF WAY

PREPARED BY: PETER M DITTO  
86 STANLEY ST  
WELLESLEY, MA 02181

PLAN SHOWING  
PROPOSED ADDITIONS  
9 CROAK STREET  
WELLESLEY, MASS.  
SCALE: 1" = 30' DATE 10/25/99