



ZONING BOARD OF APPEALS

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

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ZBA 2018-61

Petition of Christine Norcross
65 Prospect Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 6, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Christine Norcross requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that reconstruction and extension of an existing nonconforming porch with less than required front yard and right side yard setbacks, and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 5,298 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 65 Prospect Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 2, 2018, 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 were Chris Norcross, the Petitioner, Deb VanderVeen, homeowner and David Johnson, Architect.

Mr. Johnson said that there are several nonconformities on the property. He said that it is a 5,300 square foot lot in 10,000 square foot Single Residence District. He said that the existing home was built in 1905. He said that the goal with the renovation and addition is to maintain the look and character of the 1905 structure. He said that there is an existing porch across the front of the house that was filled in during the 1970's. He said that they want to reconstruct the porch to what it would have looked like in 1905. He said that reconstruction of the porch to a more open look will not come forward or into the side yard in excess of the existing setbacks. He said that they will wrap the porch around the house to the new two-story addition on the left side. He said that the two-story addition will conform with setback requirements.

The Chairman said that the Board received a letter from the DPW. Ms. Norcross said that she is aware of the letter. She said that the previous owner built a chicken coop on the back of the garage and built a bird house in a well. She said that both of the encroachments on Town land will be removed. The Chairman said that the DPW requested a condition of approval for removal of any fences, stockpiled material, gardens or other encroachments on Town Property, as well as placement of a concrete boundary marker at the south east corner of the property. Ms. Norcross said that she spoke with the surveyor, who said that he can put the marker in.

A Board member said that it is a nice design solution and will enhance the house.

There was no one present at the public hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 65 Prospect Street, on a 5,298 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 7.2 feet and a minimum right side yard setback of 9.6 feet. The existing nonconforming garage has a minimum right side yard setback of 4.1 feet and no rear yard setback.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that reconstruction and extension of an existing nonconforming porch with less than required front yard and right side yard setbacks, and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 5,298 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 6/6/18, stamped by Michael A. Pustizzi, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 6/20/18, prepared by Studio Twenty Six, and photographs were submitted.

On August 23, 2018, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

Decision

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

It is the opinion of this Authority that although reconstruction and extension of an existing nonconforming porch with less than required front yard and right side yard setbacks, and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for reconstruction and extension of an existing nonconforming porch with less than required front yard and right side yard setbacks, and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, subject to the following conditions:


1. Fences, stockpiled materials, gardens, or other encroachments on Town Property shall be removed.
2. The homeowner shall place a concrete boundary marker at the south east corner of the property.


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

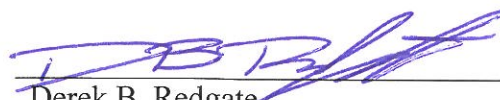
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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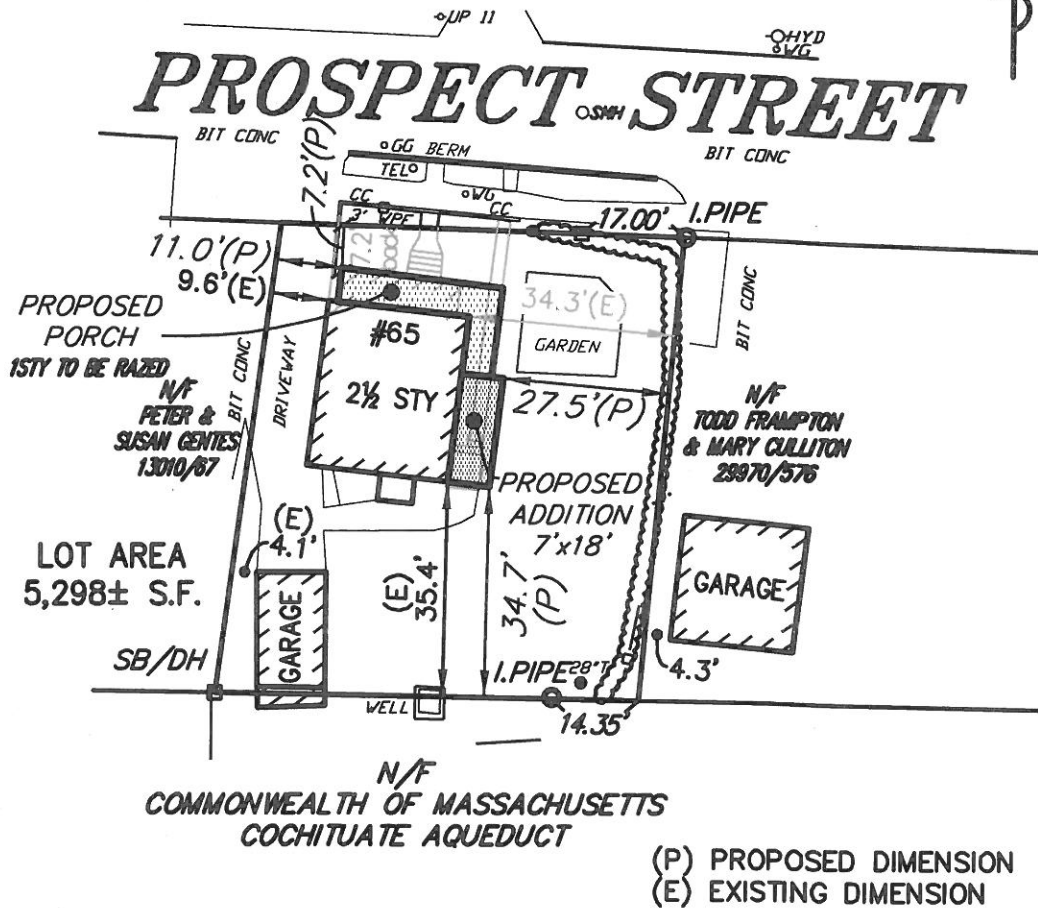
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


David G. Sheffield


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



ZONING DISTRICT: SR-10

LOT COVERAGE:

EXISTING LOT COVERAGE: 1,006± S.F.

EXISTING LOT COVERAGE: 19.0%

PROPOSED LOT COVERAGE: 1,201± S.F.

PROPOSED LOT COVERAGE: 22.6%

I HEREBY CERTIFY THAT THE DWELLING IS
LOCATED AS SHOWN.



MICHAEL PUSTIZZI, PLS

DATE

#65 PROSPECT STREET PROPOSED PLOT PLAN

IN
WELLESLEY, MA
(NORFOLK COUNTY)

SCALE: 1" = 30' DATE: 6/6/2018



Precision Land Surveying, Inc.

32 Turnpike Road

Southborough, Massachusetts 01772

TELE NO: (508) 460-1789 FAX NO: (508) 970-0096

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