



## ZONING BOARD OF APPEALS

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

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ZBA 2003-32  
 Petition of Donald and Ann Marie McCauley  
 7 Pine Plain Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 3, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of DONALD AND ANN MARIE McCAULEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of an existing nonconforming 8.1 foot by 12.3 foot two-story sunroom and construction of a one-story 13.7 foot by 3.5 foot addition with less than the required front setback from CAVANAUGH ROAD, at their nonconforming dwelling with less than the required front setbacks from both CAVANAUGH AND PINE PLAIN ROADS at 7 PINE PLAIN ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 17, 2003, 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 Donald McCauley, who said their home has two problems: one is that the back stairway is small and tight and needs to be expanded; the second is that their daughter's bedroom on the second floor is small, below code and has little closet space.

Mr. McCauley explained they would like to move the back of the house out about 5 feet, which will conform to the 20 foot rear line requirement, and extend the existing line of the house on the Cavanaugh Road side. This would create the room needed for the bedroom expansion and the stairway.

Mr. McCauley said that the sunroom space would be better utilized as an alcove off of the living room. The addition would be half the size of the sunroom and, as the closet space would be added in the rear, the closet above the sunroom would not be necessary. The addition would be nonconforming, but would substantially reduce the nonconformity on the Cavanaugh Road side. The sunroom is about 23 feet from Cavanaugh Road, while the new addition would be 28.6 feet from the street.

The Board asked about the foundation labeled on the plot plan as "proposed terrace". Mr. McCauley said they planned to construct the foundation, but not build on it at this time. The Board stated that the application contains no reference to a future addition, and that the Special Permit should not be construed to grant any construction on the foundation of the "proposed terrace".

No other person present had any comment on the petition.

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7 Pine Plain Road

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Statement of Facts

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The subject property is located at 7 Pine Plain Road and Cavanaugh Road, in a 10,000 square foot Single Residence District, on a 7,959 square foot lot, and has a minimum front yard setback of 28.3 feet from Pine Plain Road and a minimum front yard setback of 23.7 feet from Cavanaugh Road.

The petitioners are requesting a Special Permit/Finding that the demolition of their nonconforming two-story 8.1 foot by 12.3 foot sunroom, with a minimum front setback of 23.7 feet from Cavanaugh Road, and construction of a one-story 13.7 foot by 3.5 foot addition, with a minimum front setback of 28.6 feet from Cavanaugh Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An existing Plot Plan dated November 1, 1999 prepared by VTP Associates, Inc.; a Proposed Plot Plan dated March 4, 2003, stamped by James J. Abely, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated March 11, 2003, drawn by Shannon Taylor Scarlett Architects; and photographs were submitted.

On March 25, 2003, the Planning Board reviewed the petition and had no objection to the granting of the request.

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 finding of this Authority that the proposed demolition of the existing nonconforming 8.1 foot by 12.3 foot two-story sunroom, and construction of a one-story 13.7 foot by 3.5 foot addition with a minimum front setback of 28.6 feet from Cavanaugh Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the new structure shall reduce the mass of the nonconformance as well as reduce the existing nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to demolish the existing sunroom and construct the one-story 13.7 feet by 3.5 foot addition in accordance with the submitted plot plan and construction drawings, subject to the condition that this Special Permit in no way grants approval for any construction on the foundation labeled "Proposed Terrace" on the submitted plot plan.

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.

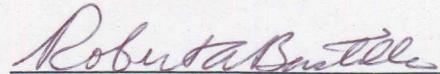
ZBA 2003-32  
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7 Pine Plain Road

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.

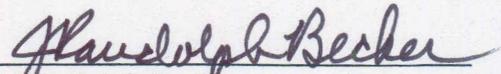
Cc: Planning Board  
Inspector of Buildings  
edg



Richard L. Seegel, Chairman



Robert A. Bastille



J. Randolph Becker

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# PLOT PLAN

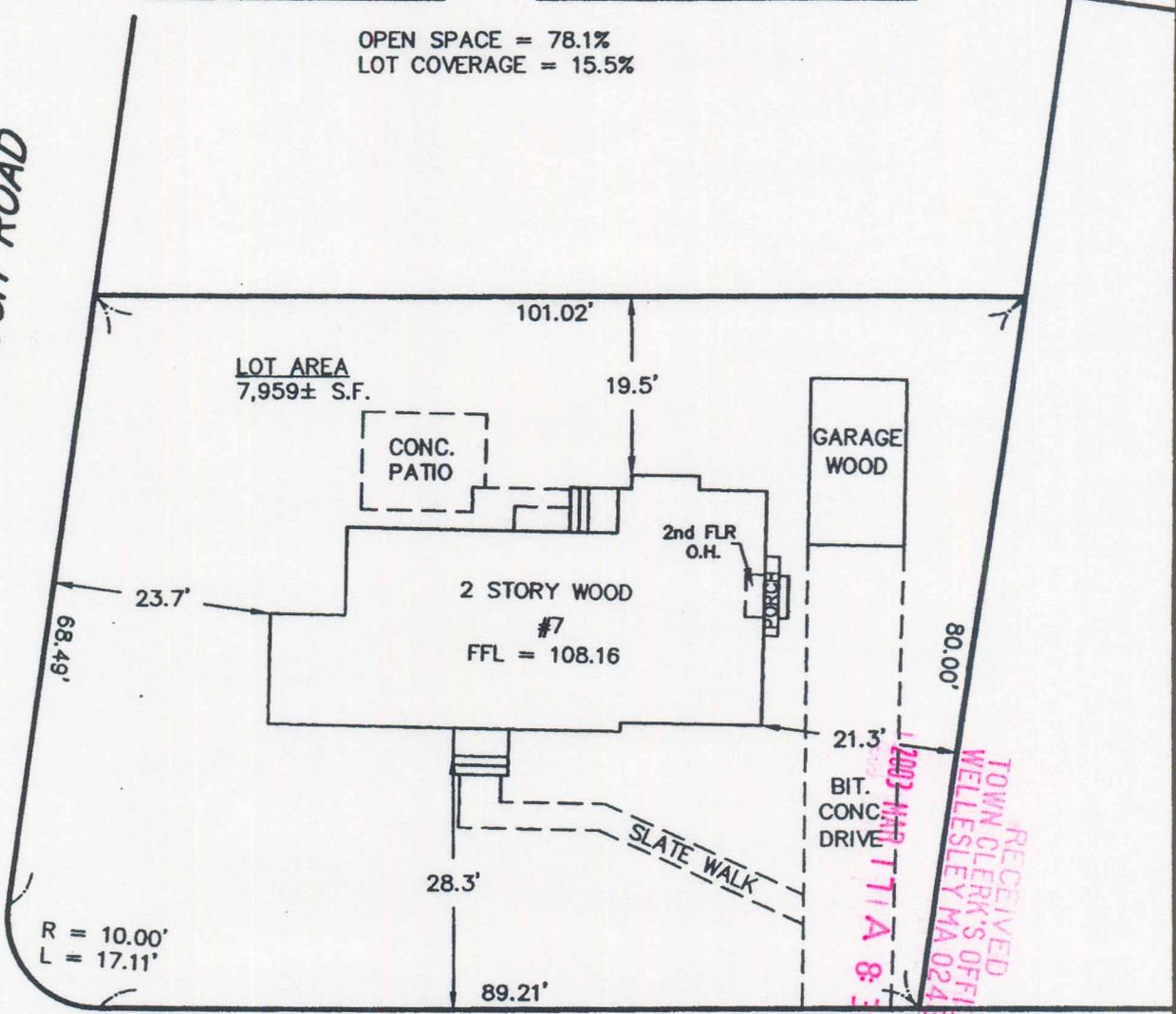
PROPERTY ADDRESS: 7 PINE PLAIN ROAD, WELLESLEY

SCALE: 1 IN.=20 FT.

DATE: NOVEMBER 1, 1999

OPEN SPACE = 78.1%  
LOT COVERAGE = 15.5%

CAVANAUGH ROAD



PINE PLAIN ROAD

**VTP**  
**ASSOCIATES**  
INC.

LAND SURVEYORS - CIVIL ENGINEERS.  
958 WATERTOWN STREET  
WEST NEWTON, MA 02165  
(617) 332-8271

# PLOT PLAN

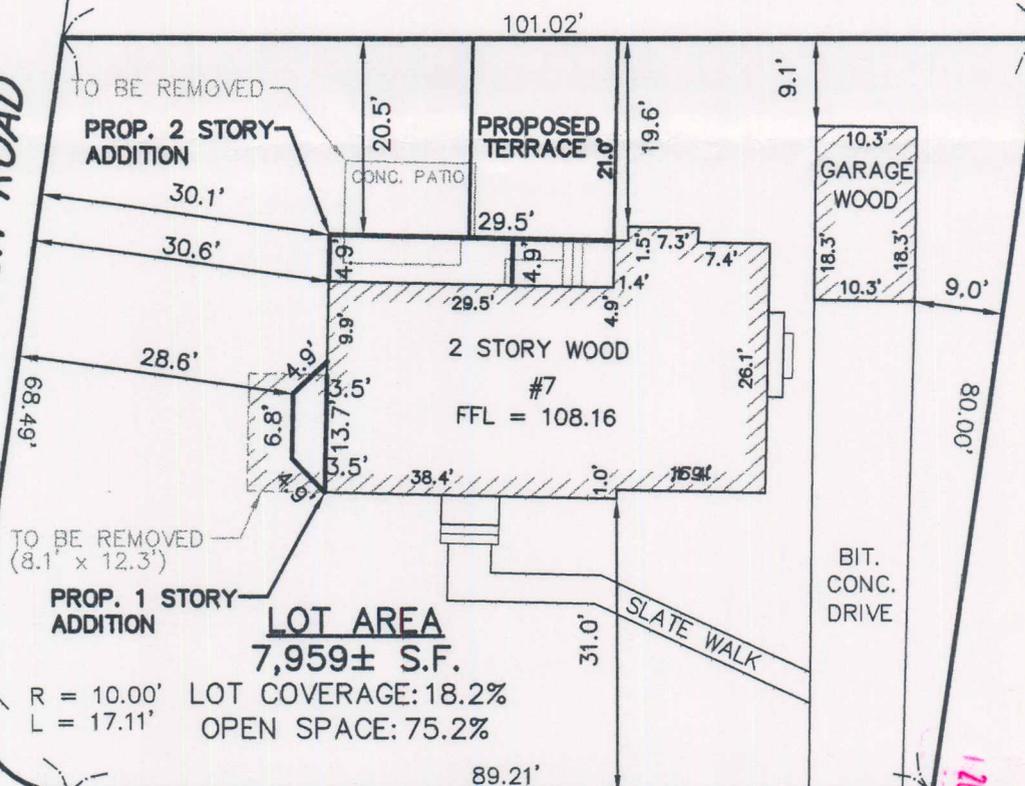
PROPERTY ADDRESS: 7 PINE PLAIN ROAD, WELLESLEY

SCALE: 1 IN.=20 FT.

DATE: MARCH 4, 2003

VTP  
+

CAVANAUGH ROAD



PINE PLAIN ROAD

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