

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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WELLESLEY, MA 02482  
2003 NOV 17 A 8:27  
ROBERT A. BASTILLE  
RANDOLPH BECKER  
ROBERT W. LEVY

ZBA 2003-87  
Petition of Edward and Kathleen Foran  
32 Dunedin Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 6, 2003, at 7:30 p.m. in the Great Hall, at the Town Hall, 525 Washington Street, Wellesley, on the petition of EDWARD AND KATHLEEN FORAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of their existing one-story nonconforming dwelling and construction of a two-story 41 foot by 60 foot two-story dwelling, which shall meet all zoning requirements, on their nonconforming 14, 225 square foot lot at 32 DUNEDIN ROAD, in a 15,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 20, 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 Edward Foran, who was accompanied by his land surveyor, Robert Devlin. Mr. Devlin explained that Mr. Foran, a licensed builder, would construct the home. He said that the existing house was constructed in 1950, and is quite small. The Forans would like to build a colonial house, which would have a floor area of 1,800 square feet on the first floor, resulting in a lot coverage of 13%. The existing lot coverage is 8%. Mr. Foran has visited his neighbors, who have no objections.

The Board expressed pleasure that Mr. Foran was not requesting to build a "mansion". The house would be in keeping with the neighborhood, which has a mix of large and small homes. It appears that the 30 foot front setback, in regard to the "500 foot rule", has been satisfied.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 32 Dunedin Road, in 15,000 square foot Single Residence District, on a 14,225 square foot lot and has a minimum right side yard setback of 17 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming one-story structure, and construction of a two-story 41 foot by 60 foot dwelling, which conforms to all zoning requirements on a 14,225 square foot lot in a Single Residence District in which the minimum lot size required is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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An Existing and a Proposed Plot Plan, both dated 10/11/03, stamped by Robert E. Devlin, Registered Professional Land Surveyor; Proposed Floor Plans and Elevations, prepared by Wellesley Design Service; and photographs were submitted.

On November 4, 2003, the Planning Board reviewed the petition and had no objection to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. Neither the existing structure nor the square footage of the lot conform to the requirements of the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the demolition of the existing structure and construction of the two-story 41 foot by 60 foot structure, which shall comply with all zoning requirements, on the 14,225 square foot lot, in a district in which the minimum lot size required is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the proposed structure shall comply with all zoning requirements except the square footage of the lot.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the existing structure and construction of the two-story 41 foot by 60 structure, in accordance with the submitted Proposed Plot Plan and the construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for construction, subsequent to the demolition of the existing structure, 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

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Richard L. Seegel, Chairman

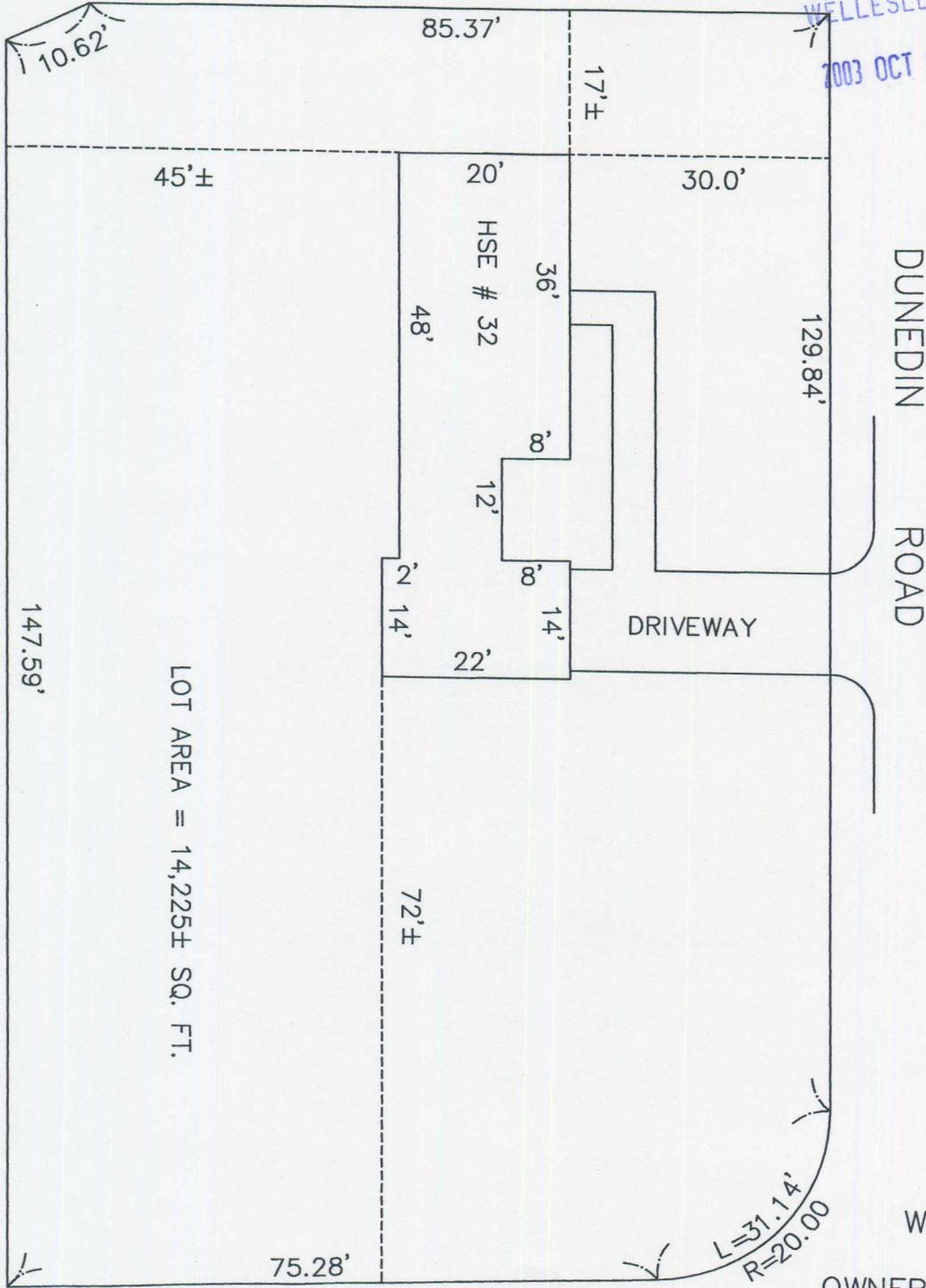
Cynthia S. Hibbard

David G. Sheffield

EXISTING CONDITIONS PLAN



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2003 OCT 20 A 8:51



LOT AREA = 14,225± SQ. FT.

DUNEDIN ROAD

DRIVEWAY

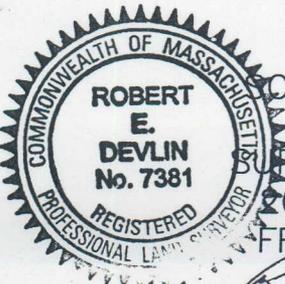
PLOT PLAN  
IN  
WELLESLEY, MASS.

OWNER: EDWARD & KATHY FORAN  
ASHLAND, MASS.

RIGHT OF WAY

LOT AREA = 14,225± SQ. FT.  
HSE = 1,172 SF  
EXISTING LOT COVERAGE =  
1,172/14,225 = 8.3%

SCALE 1" = 20' 10/11/03



SURVEYOR: ROBERT E. DEVLIN  
20 OVERLOOK DRIVE EAST  
FRAMINGHAM, MASS.

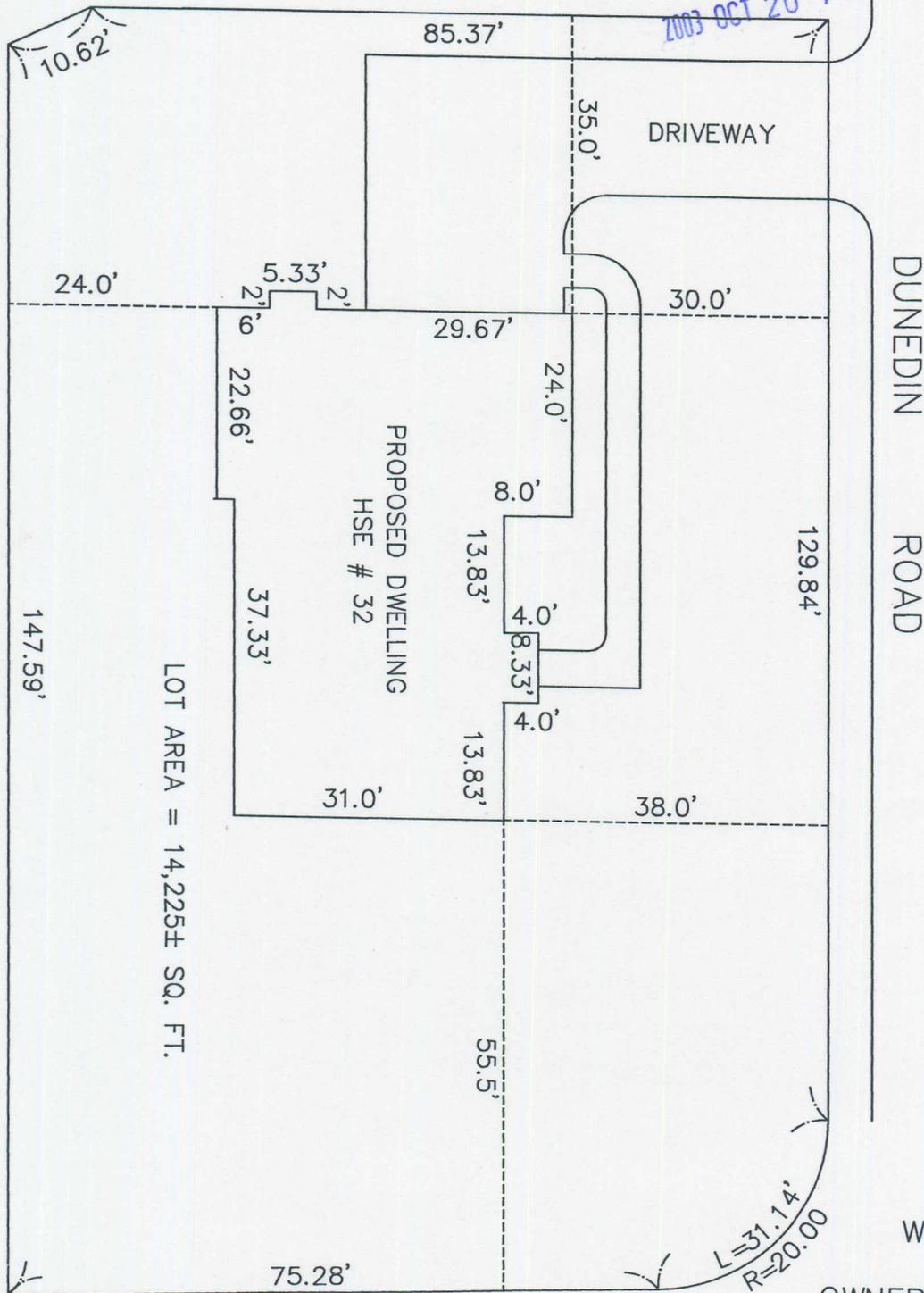
*Robert E. Devlin*

PROPOSED CONDITIONS PLAN



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2003 OCT 20 A 8:57



PLOT PLAN

IN

WELLESLEY, MASS.

OWNER: EDWARD & KATHY FORAN  
ASHLAND, MASS.

SCALE 1" = 20' 10/11/03

SURVEYOR: ROBERT E. DEVLIN  
20 OVERLOOK DRIVE EAST  
FRAMINGHAM, MASS.

*Robert E. Devlin*

LOT AREA = 14,225± SQ. FT.

HSE = 1,874 SF

EXISTING LOT COVERAGE =  
1,874/14,225 = 13.2%

