



ZONING BOARD OF APPEALS

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

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ZBA 2016-89

Petition of Ray & Carolyn Cardin
 17 Clifton Road

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 2016 NOV 17 P 2:30

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 3, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Ray & Carolyn Cardin requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and construction of a one story addition and construction of a deck with less than required left side yard setbacks, and construction of a two-story addition, on an existing nonconforming structure with less than required left side yard setbacks, in a 10,000 square Single Residence District at 17 Clifton Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 17, 2016, 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 Ray Wiese, The Wiese Company, and Ray Cardin, the Petitioner.

Mr. Wiese said that the request is for relief to add a one-story addition and a second story addition.

A Board member asked if there had been any effort to design a complying addition. Mr. Wiese said that there is an existing detached garage. He said that moving the addition toward the garage would superimpose the family room on that. He said that they wanted to have reasonable space for light into the family room and wanted it to be wide enough to match the existing architecture. He said that they kept the bedroom on the left side a modest size for a parent who is moving in. He said that there will be space on the edge of the deck space for the father to sit. He said that the lot tapers. He said that shifting the mass would block the view from the modest sized kitchen.

The Board said that the proposed alteration will not result in additional nonconformities. The Board said that the proposed alteration will intensify the existing nonconformity of a 16.7 foot left side yard setback with new construction with a 16.8 foot left side yard setback. The Board said that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Board member asked about the height of the structure from average grade. He said that information was not submitted to the Board. Mr. Wiese said that the lot is flat. He said that it was not shown on the plan because the existing structure is well below the height limitation. He said that the addition at the rear was designed to be no higher than the existing structure.

A Board member asked about Total Living Area plus Garage (TLAG) calculations. Mr. Wiese said that TLAG calculations were not submitted. He said that they will add approximately 600 square feet on the first floor and 30 square feet on the second floor. He said that the proposed structure will have approximately 2,850 square feet of living space.

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 17 Clifton Road, in a 10,000 square Single Residence District, with a minimum left side yard setback of 16.7 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and construction of a one story addition and construction of a deck with less than required left side yard setbacks, and construction of a two-story addition, on an existing nonconforming structure with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 2/17/15, revised 9/2/16, stamped by Dennis O'Brien, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/23/16, prepared by The Wiese Company, and photographs were submitted.

On November 1, 2016, the Planning Department Staff reviewed the petition and recommended that the Special Permit be granted.

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 demolition of an existing deck and construction of a one story addition and construction of a deck with less than required left side yard setbacks, and construction of a two-story addition, on an existing nonconforming structure with less than required left 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 demolition of an existing deck and construction of a one story addition and construction of a deck with less than required left side yard setbacks, and construction of a two-story addition, on an existing nonconforming structure with less than required left side yard setbacks, in accordance with the submitted plot plan and construction drawings.

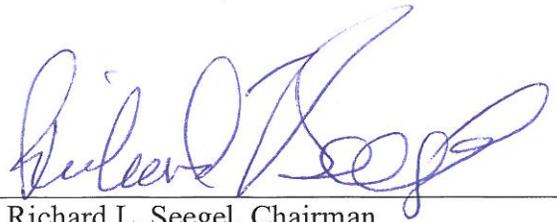
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

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

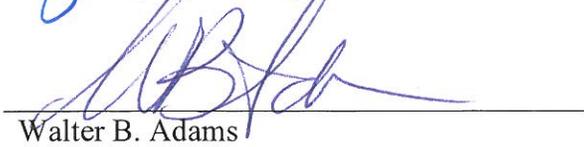
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


J. Randolph Becker


Walter B. Adams

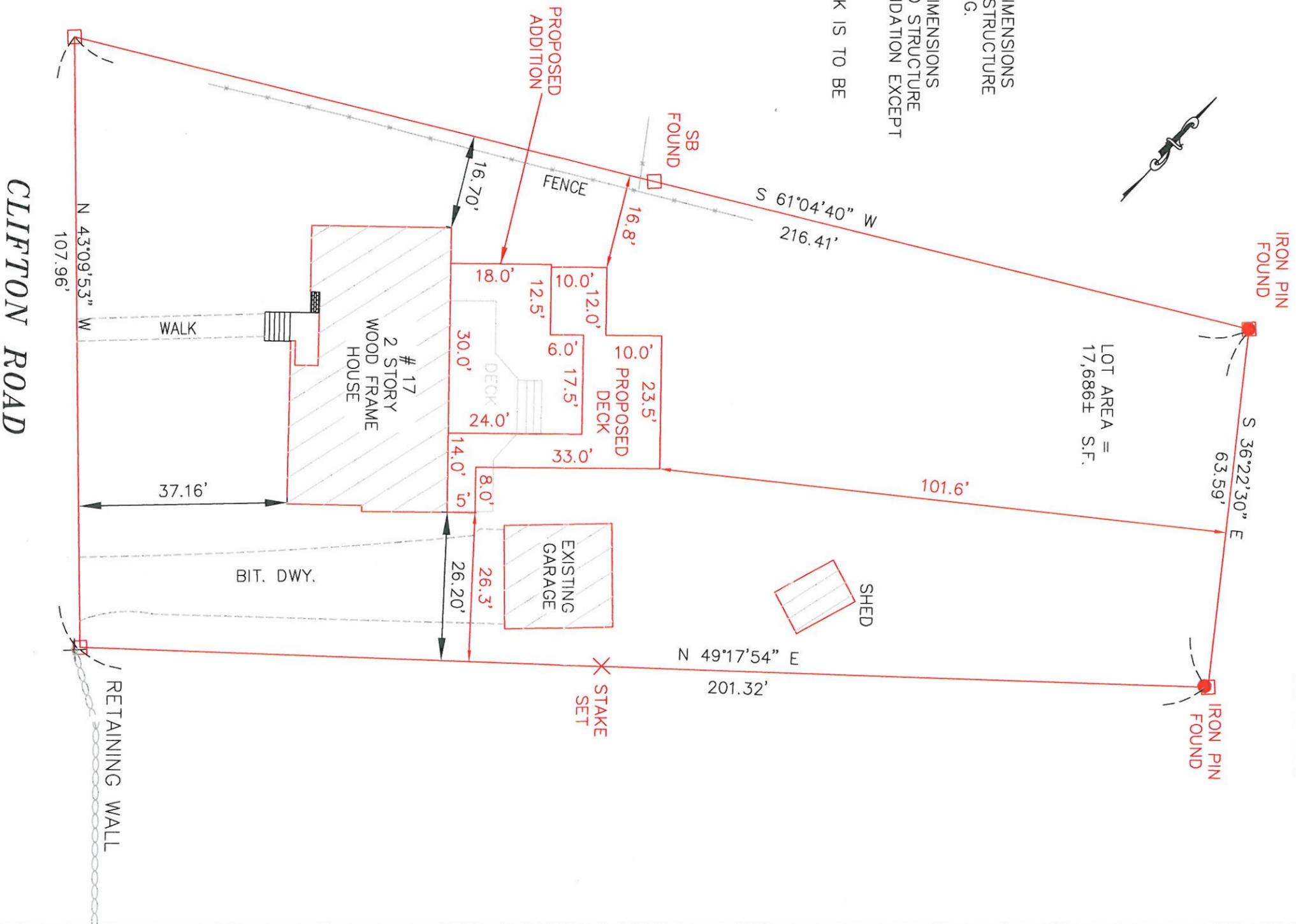
cc: Planning Board
Inspector of Buildings
lrm

EXISTING LOT COVERAGE 10.0% (1,765 S.F.)
PROPOSED LOT COVERAGE 13.6% (2,410 S.F.)

LOT AREA =
 17,686± S.F.



NOTES:
 ALL OFFSETS & DIMENSIONS TO THE EXISTING STRUCTURE ARE TO THE SIDING.
 ALL OFFSETS & DIMENSIONS TO THE PROPOSED STRUCTURE ARE TO THE FOUNDATION EXCEPT FOR THE DECK.
 THE EXISTING DECK IS TO BE RAZED.



CLIFTON ROAD



Dennis O'Brien P.L.S.

D. O'BRIEN
 LAND SURVEYING
 EST. 1908
 31 HAYWARD STREET UNIT 3-G
 FRANKLIN, MA 02038 508-541-0048

PLAN SHOWING PROPOSED ADDITION			
17 CLIFTON ROAD			
WELLESLEY, MA NORFOLK COUNTY			
SCALE:	DATE:	REVISED:	DRAWN BY:
1:20	2/17/15	9/2/2016	W.M.N.
			CHECKED BY:
			D.O.