



ZONING BOARD OF APPEALS

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

RICHARD L. SEEDEL, CHAIRMAN
 CYNTHIA S. HIBBARD, VICE CHAIRMAN
 DAVID G. SHEFFIELD

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

ROBERT A. BASTILLE
 J. RANDOLPH BECKER
 ROBERT W. LEVY

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482
 103 OCT 22 A 8:19

ZBA 2003-81
 Petition of Stuart Swan
103 Central Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 9, 2003 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of STUART SWAN requesting a Special Permit/Finding that the following construction at his nonconforming building at 103 CENTRAL STREET, in a Business District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Raising the ridgeline of the roof above an existing 25.3 foot by 31.4 foot portion of the nonconforming structure to accommodate a 1.5 story addition with the same dimensions with less than the required setback from Weston Road. There shall be no change in the footprint.
2. Demolition of the existing 16 foot by 24 foot storage area and construction of a two-story 19 foot by 24 foot addition with railed roof deck.
3. Expansion of the existing nonconforming Floor Area Ratio from .88% to .94%. The allowed Floor Area Ratio is .30%.

On September 18, 2003, 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 Stuart Swan, who said that the section of the building abutting Weston Road was poorly constructed and is out of line with the rest of the building architecture. Three years ago, the building was given an entire facelift, transforming it from a humble farmhouse to a low level federal building. They would like to take the Weston Road portion of the building down as the doors are rotting and the shed roof is deteriorating. The new construction would have a first and second floor with a finished attic. There would be two dormers facing Wellesley College to match the two existing dormers at the east end of the building, thereby unifying all the roof lines, as they will all be parallel. Materials will be the same as those used three years ago.

The east end of the building will be taken down and replaced with a two-car garage, a handicap access lift, and a second floor to create additional show space. The roof will have a federal balustrade around it. They have gone before the Design Review Board and the Architectural Access Board in regard to the lift providing handicap access. The result will be one continuous floor on the mezzanine level. The additional square footage to be created is to unify the architecture of the building.

ZBA 2003-81
Petition of Stuart Swan
103 Central Street

The Board commented that the ridgeline of the proposed addition would be slightly higher than that of the main structure, and asked what the use of the space would be and if the roof could be lowered. Mr. Swan said he and his wife have an apartment on the third floor. The original building was constructed in 1830 and contained living space in the same location. They have tried lowering the roof, but either they would lose space on the mezzanine level, or violate the parallel roof lines. The ridgeline is well below the allowed 45 feet.

The Board stated that the maneuvering space to access the new garage appeared to be about 28 feet from the wall of the abutting building, which might be very tight. Mr. Swan said the garage would be used for personal cars. They had a 20 foot storage container in that area, which has been removed. They have picked up two additional parking spaces on the north side of the building behind the handicap entrance.

The Board asked if a handicap parking space had been provided. Mr. Swan said it could be provided immediately adjacent to the north wall.

The Board noted that the Planning Board had no objection to the granting of the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 103 Central Street, in a Business District, on a 10,810 square foot lot, and has a minimum front setback of 6.8 feet from Central Street and 13.4 feet from Weston Avenue. The existing Floor Area Ratio is .88%. The building was constructed about 1830, and was occupied for many years by the Hathaway Book Store.

The petitioner is requesting a Special/Permit Finding that the following construction shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Raising the ridgeline of the roof above an existing 25.3 foot by 31.4 foot western portion of the nonconforming structure to accommodate a 1.5 story addition with the same dimensions and less than the required setback from Weston Road. There shall be no change in the footprint.
2. Demolition of an existing 16 foot by 24 foot one-story storage area at the eastern end of the building and construction of a two-story 19 foot by 24 foot addition with a railed roof deck.
3. Expansion of the existing nonconforming Floor Area Ratio from .88% to .94%. The allowed Floor Area Ratio is .30%.

A Plot Plan dated August 28, 2003, stamped by Bruce Bradford, Registered Professional Land Surveyor; Proposed Floor Plans and Elevations dated 10/3/97, prepared by Charles R. Spiegel, III; and photographs were submitted.

On August 13, 2003, the Design Review Board review the Stuart Swan minor construction project, and recommended that the Zoning Board accepted the project including the two additions on the west wing and eastern section of the building as presented.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02882
2003 OCT 22 11:11

The Planning Board reviewed the project 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 comply with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the proposed 1.5 story addition to the west wing of the building, the demolition of the one-story eastern wing and construction of a two-story addition, which would result in the increase of the existing nonconforming Floor Area Ratio from .88% to .94% shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, for although the project will create new nonconformity, it shall not intensify the existing nonconformance.

It is the finding of this Authority that the additions shall be in keeping with the architectural context of the structure and shall provide an excellent focus as a "gateway" building to Wellesley.

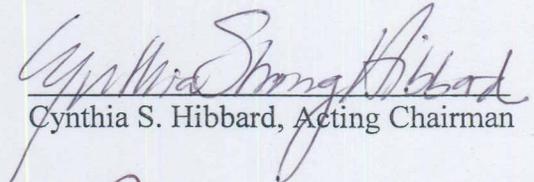
It is the strong recommendation of this Authority that a handicap parking space be created on the northern side of the building, as discussed at the Public Hearing.

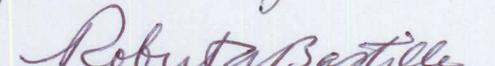
Therefore, the Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the additions to the western and eastern wings of the building, which result in the expansion of the existing nonconforming Floor Area Ratio from .88% to .94%, in accordance with the submitted plot plan and construction drawings.

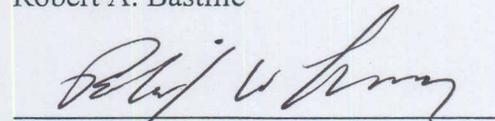
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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
Design Review Board
Inspector of Buildings
edg


Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
OCT 22 8:11

