

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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1999 SEP -9 A 8:13

ZBA 99-59

Petition of John and Marjorie A. Wiggins

27 Paine Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 26, 1999 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOHN AND MARJORIE A. WIGGINS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 5.5 foot by 11 foot second story addition, with less than the required left side yard setback, at their nonconforming dwelling with less than the required left side yard setback, at 27 PAINE STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 9, 1999, 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 Pascal O'Connor, the Wiggins' builder, who was representing the petitioners as they were out of town. Mr. O'Connor said that the Wiggins were requesting permission to building a 5.5 foot by 11 foot bathroom on the second floor at the left rear corner of their home.

The Board noted that the Planning Board staff had no objection to the petition.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 27 Paine Street, in a Single Residence District, on an 11,010 square foot lot and has a minimum front setback of 26.4 feet and a minimum left side yard setback of 10 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 5.5 foot by 11 foot second story addition with a minimum left side yard setback of 13.6 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

A Plot Plan dated May 11, 1999, drawn by Paul M. Robinson, Jr., Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated July 30, 1999; and photographs were submitted.

In a Memorandum dated August 25, 1999, Planning Board staff stated there was no objection as there would be no change in the footprint of the structure.

ZBA 99-59  
Petition of John and Marjorie A. Wiggins  
27 Paine Street

Decision

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

It is the finding of this Authority that construction of the 5.5 foot by 11 foot second story addition, with a minimum left side yard setback of 13.6 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as it will neither intensify the existing nonconformance, nor will it create new nonconformity as there will be no change in the footprint.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the second story addition in accordance with the submitted plot plan and construction drawings.

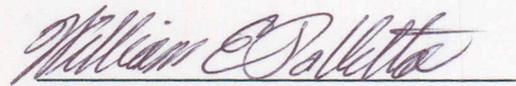
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

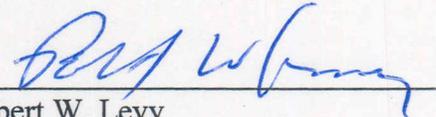
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



William E. Polletta



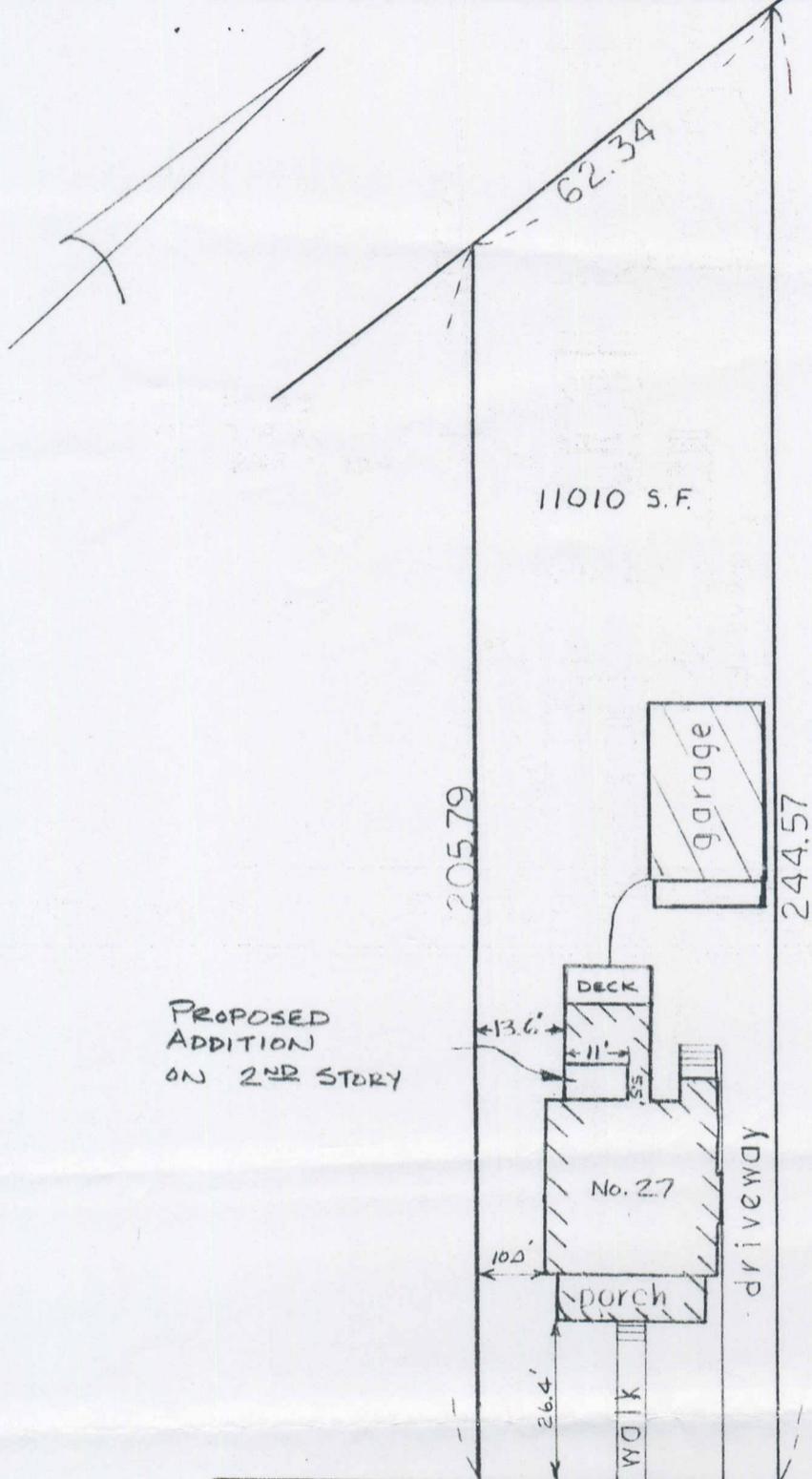
Robert W. Levy

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# PLOT PLAN

PAUL N. ROBINSON ASSOCIATES, INC. — SURVEYORS  
37 EXCHANGE STREET — P.O. BOX 136  
MILLIS, MASS. 02054  
(508) 376-4440

LAND IN: WELLESLEY REGISTRY: NORFOLK  
DEED REF: BOOK 7945 PAGE 67 RECORD PLAN: NO. 920 of 1925  
PREPARED FOR: JOHN & MARJORIE WIGGINS



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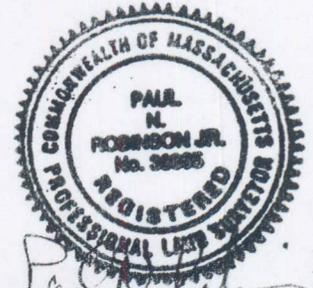
PROPOSED  
ADDITION  
ON 2ND STORY

EXISTING LOT COVERAGE = 17%  
PROPOSED LOT COVERAGE = 17%

SCALE 1 INCH = 30 FT.

PAINE STREET

FILE NO. 1719



*Paul N. Robinson Jr.*

Date: MAY 11, 1999

Professional Land Surveyor