

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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WELLESLEY MA 02482
2004 JUL 23 A 8:20

ZBA 2004-47
Petition of Jan Luchetti
10 Pine Plain Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 15, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JAN LUCHETTI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at her nonconforming dwelling with less than the required left and right side yard setbacks, at 10 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:

1. A one-story 5 foot by 14.2 foot addition with less than the required left side yard setback.
2. A connected one-story 14 foot by 9.6 foot addition with less than the required right side yard setback.

On June 28, 2004, 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 Bruce Wood, project architect, who accompanied the petitioner, Jan Luchetti. Mr. Wood said the house is a small one bedroom home on a nonconforming lot. It is such a beautiful cottage that they decided not to add a second story, but to add on to the rear. The additions will contain a bedroom, a dining room and a bath. The stairs on the right side will be removed, and a bay window will be added.

The Board stated that the additions would preserve the character of the house. The Planning Board had no objection to the granting of the petition.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 10 Pine Plain Road, in a 10,000 square foot Single Residence District, on a 6,237 square foot lot, and has a minimum left side yard setback of 10.1 feet and a minimum right side yard setback of 10.3 feet from the stair and 13.3 feet from the foundation.

The petitioner is requesting a Special Permit/Finding that the construction of a one-story 14.2 foot by 5 foot addition with a minimum left side yard setback of 10.1 feet; and a connected one-story 14 foot by 9.6 foot addition with a minimum right side yard setback of 11.7 feet shall not be substantially more

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detrimental to the neighborhood than the existing nonconforming structure. The right side landing and stair shall be demolished, and a 1.3 foot by 6 foot bay window shall be constructed on the right side.

A Plot Plan dated 6/23/04, stamped by Peter M. Ditto, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevation drawings dated June, 2004, prepared by Bruce Wood, Architect; and photographs were submitted.

On July 13, 2004, 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 Public Hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

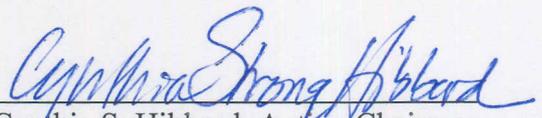
It is the finding of this Authority that the construction of the one-story 5 foot by 14.2 foot addition with a minimum left side yard setback of 10.1 feet and construction of the connected 9.6 foot by 14 foot one-story addition with a minimum right side yard setback of 11 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither addition shall intensify the existing nonconformance, nor shall either addition create new nonconformity.

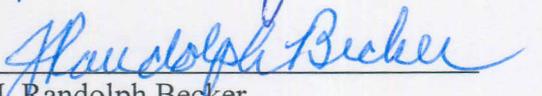
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 5 foot by 14.2 foot one-story addition and the 9.6 foot by 14 foot connected one-story addition in accordance with the submitted plot plan and construction drawings.

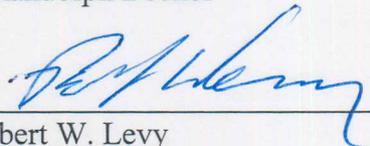
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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


Cynthia S. Hibbard, Acting Chairman


J. Randolph Becker


Robert W. Levy

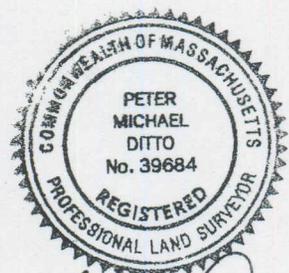
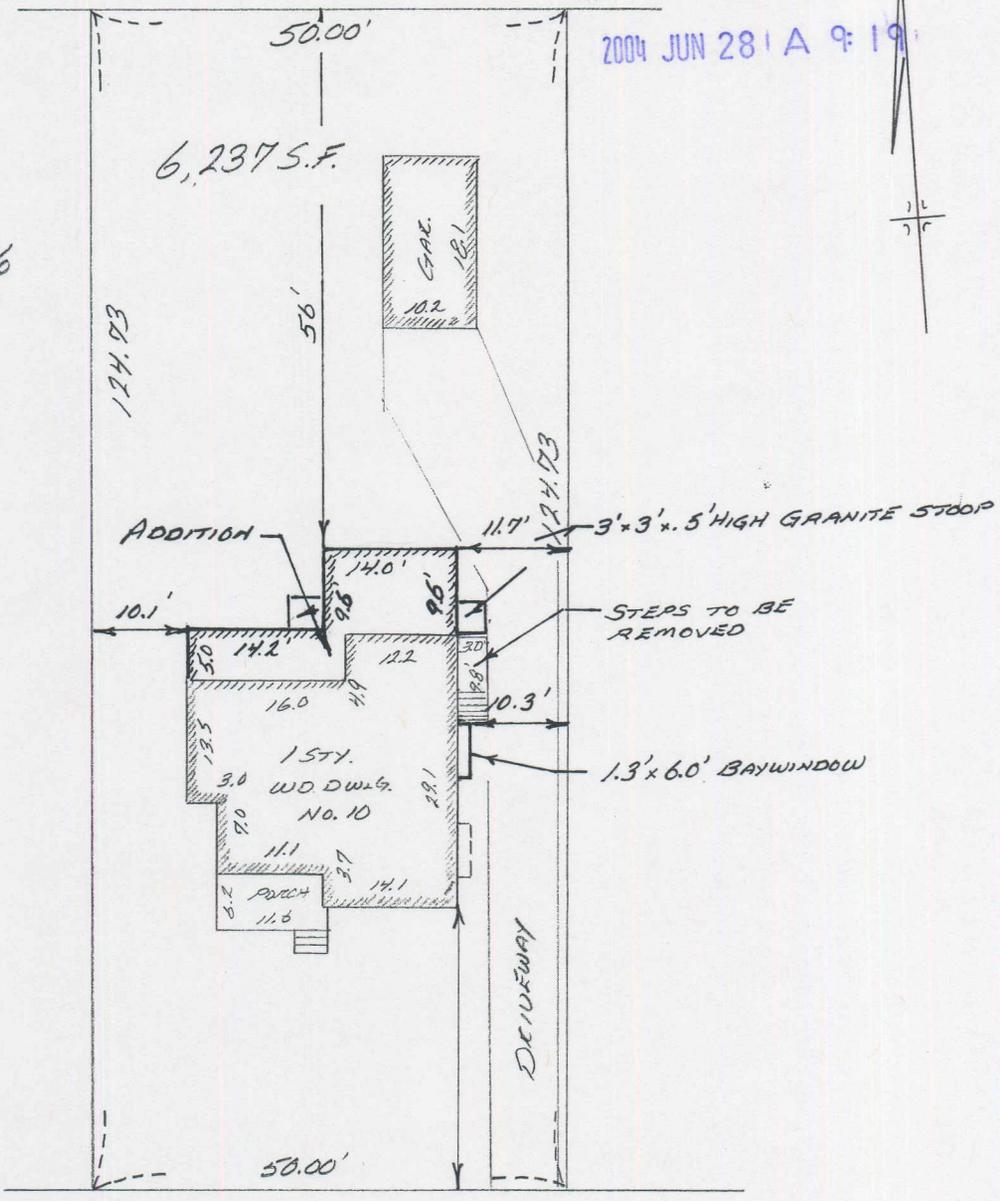
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2004 JUN 28 A 9:19

LOT COVERAGE:
EXISTING = 15.1%
PROPOSED = 18.2%

BUILDING FOOTPRINT
EXISTING = 942 S.F.
PROPOSED = 1136 S.F.



Peter M. Ditto
6/23/04

PINE PLAIN ROAD

PLOT PLAN
PROPOSED ADDITION
10 PINE PLAIN RD.
WELLESLEY, MA.

PREPARED BY: PETER M. DITTO
86 SEAVER ST.
WELLESLEY, MA. 02481
(781) 237-6738

SCALE: 1" = 20' DATE: 6/23/04