TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2008-57
Petition of Christopher & Nancy Ruggeri
16 Paine Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 14, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of CHRISTOPHER & NANCY RUGGERI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of an 8 foot by 9 foot mudroom with less than required left side yard setbacks, in a 10,000 square foot Single Residence District, at 16 PAINE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 29, 2008, 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 Nancy Ruggeri (the "Petitioner"), who said that the proposal is to construct a mudroom at the back left hand corner of their home.

The Board commented that the edge of the mudroom will be set in further from the side lot line than the edge of the house.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject premises is located at 16 Paine Street, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 13.1 feet and a minimum right side yard setback of 10.1 feet.

The Petitioner is requesting a Special Permit/Finding that construction of an 8 foot by 9 foot mudroom 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 6/30/08, stamped by Douglas W. Andrysick, Professional Land Surveyor, Elevation and Floor Plans, dated 6/8/08, drawn by Jay Galant Design, and a photograph were submitted.

On August 14, 2008, the Planning Department staff 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. 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 although construction of an 8 foot by 9 foot mudroom 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 construction of an 8 foot by 9 foot mudroom, 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.

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

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.

Cynthia S. Hibbard, Acting Chairman

Robert W. Levy

David L. Grissino

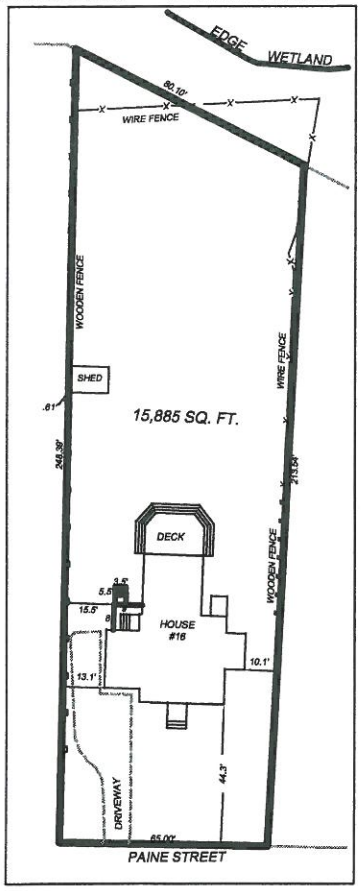
cc: Planning Board
Inspector of Buildings
lrm

CERTIFIED PLOT PLAN

16 PAINE STREET
WELLESLEY, MASSACHUSETTS
PREPARED FOR: GAMACHE CONSTRUCTION
SCALE: 1" = 20 FEET DATE: JUNE 30, 2008

Acton Survey & Engineering, Inc.
Since 1967
97 GREAT ROAD
P.O. BOX 666
ACTON, MA 01720
PH (978)-263-3666
FAX (978)-635-0218

FILE #6690G163 PLAN S-6690

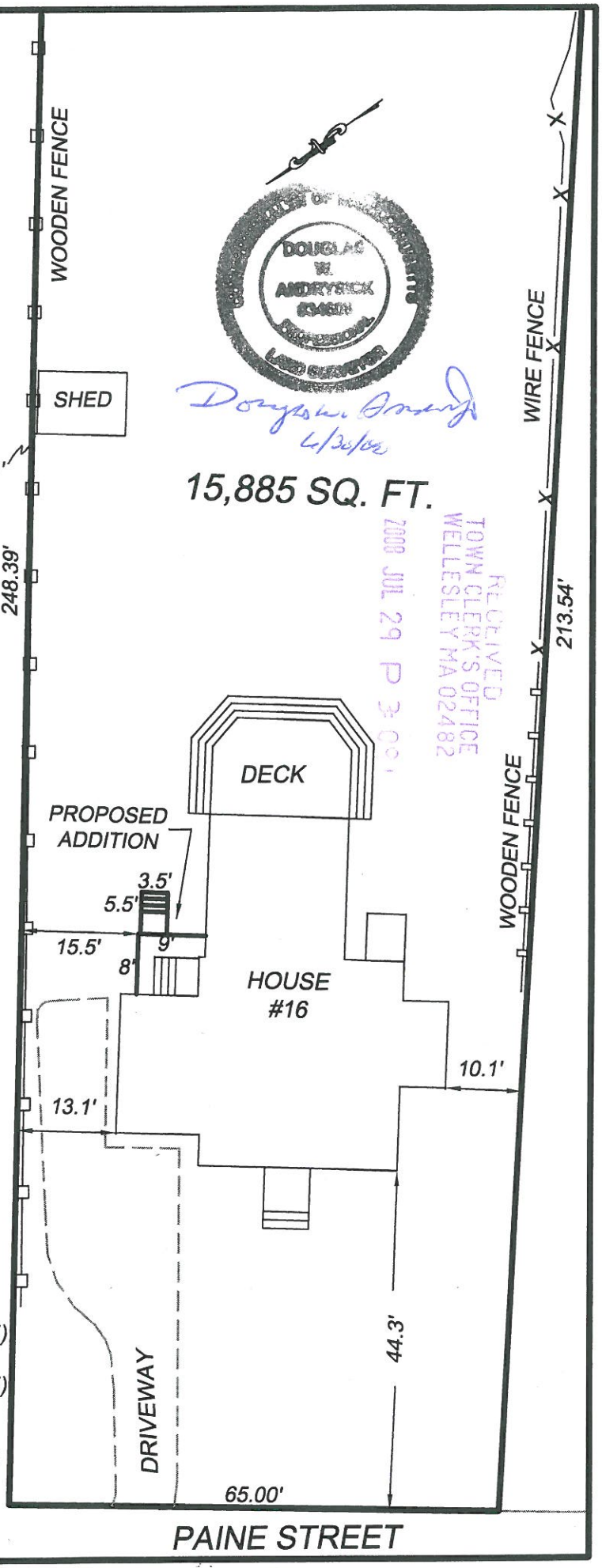


RECORD OWNER:
CHRISTOPHER P. & NANCY S. RUGGERI
16 PAINE STREET
WELLESLEY, MA

ASSESSOR'S MAP 76 PARCEL 18
DEED BK 24591 PG 499

ZONING DISTRICT: SINGLE RESIDENCE 10
EXISTING BUILDING FOOTPRINT = 1,675 S.F.
(10.5 % LOT COVERAGE)
PROPOSED BUILDING FOOTPRINT = 1,733 S.F.
(10.9 % LOT COVERAGE)

I CERTIFY TO THE TOWN OF WELLESLEY BUILDING COMMISSIONER THAT THE EXISTING AND PROPOSED STRUCTURES DO NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE PER FIRM MAP 250255 0005 B DATED SEPTEMBER 05, 1979.



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WELLESLEY MA 02482
2008 JUL 29 P 3:00