

**ZONING BOARD OF APPEALS**

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

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web: www.wellesleyma.govJ. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINOZBA 2009-03
Petition of Joanne McIntosh
14 Paine Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 5, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JOANNE McINTOSH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 99 square foot porch extension with less than required front yard setback, at 14 PAINE STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 20, 2009 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 Chris Spagnolo, who said that he was representing Joanne McIntosh (the "Petitioner"). Mr. Spagnolo said that the plan is to add a wrap around porch to the existing home.

The Board confirmed that the plan is to open up the existing enclosed porch. Mr. Spagnolo said that there is an existing handicapped ramp that will be removed. He said that the plan is to continue the existing porch down to the second entrance.

Mr. Spagnolo said that, in addition to the porch project, the plan is to remove the vinyl siding and shutters, and do some interior work.

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 14 Paine Street, with a 19.4 foot front yard setback and a 10 foot right side yard setback, in a 10,000 Single Residence District.

The Petitioner is requesting a Special Permit/Finding that construction of a 99 square foot porch extension with less than required front yard setback shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 12/9/08, stamped by Terrence M. Ryan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/12/08, and photographs were submitted.

On February 2, 2009, 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 a 99 square foot porch extension 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 a 99 square foot porch extension with less than required front yard setback.

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.

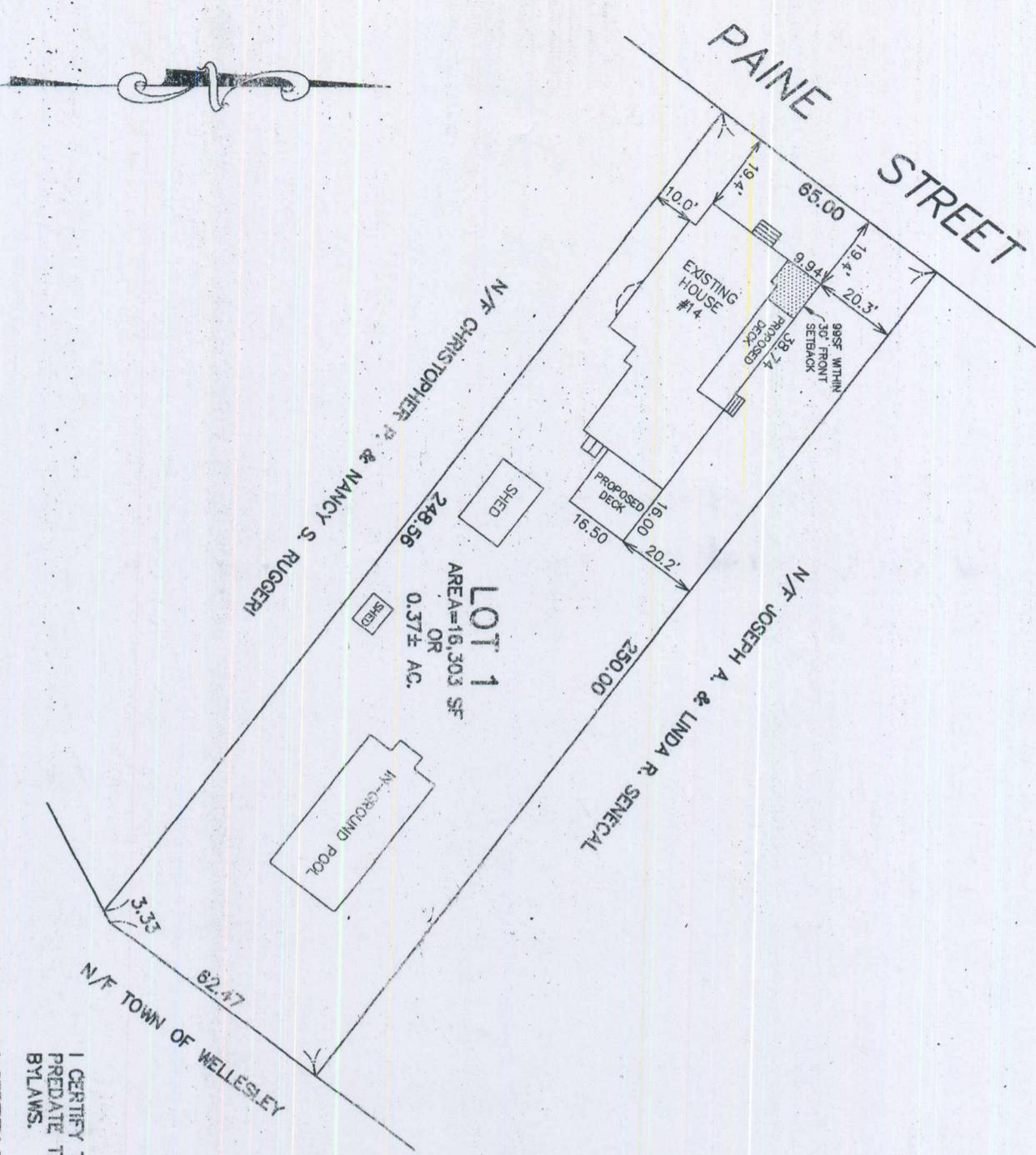
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

J. Randolph Becker

Cynthia S. Hibbard

cc: Planning Board
Inspector of Buildings
lrm



PROPOSED PLOT PLAN

**14 PAINE STREET
WELLESLEY, MASS.**

DATE: DECEMBER 9, 2008 SCALE: 1" = 30'

PREPARED FOR:

JOANNE MCINTOSH
 4 EMERSON PLACE #1014
 BOSTON, MASS. 02114

ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY LLC
 21 GREEN STREET
 HOLLISTON, MASS. 01746
 TERENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
 AREA: 10,000 SF
 FRONTAGE: 60 FT
 SETBACK: 30 FT*
 SIDEYARD: 20 FT
 REARYARD: 10 FT
 COVERAGE: 3260 SF

*SUBJECT TO 500' RULE

DEED BOOK 24070 PAGE 107
 ASSESSORS MAP 76 LOT 17
 EXISTING COVERAGE: 2,413 SF = 14.8%
 PROPOSED COVERAGE: 2,521 SF = 15.4%



I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE THEREON
 PREDATE THE DIMENSIONAL OFFSET REGULATIONS OF THE WELLESLEY ZONING
 BYLAWS.
 I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON ARE
 LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL
 FLOODING (SOURCE: F.I.R.M. 250255 0010 B).

2009 JAN 20 A.D.
 TOWN CLERK'S OFFICE
 WELLESLEY, MASS. 02458