



## ZONING BOARD OF APPEALS

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

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 WALTER B. ADAMS  
 DEREK B. REDGATE

ZBA 2014-106  
 Petition of Residential Development of Wellesley, LLC  
 16 Pine Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 4, 2014 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of RESIDENTIAL REDEVELOPMENT OF WELLESLEY, LLC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming garage and construction of a two-story addition with basement and construction of a second story addition over an existing structure that will meet all setback requirements, on a 13,878 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, at 16 PINE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 17, 2014, 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 Patrick Brown, Manager of Residential Redevelopment of Wellesley, LLC, (the Petitioner) and owner of 16 Pine Street. He said that the lot at 16 Pine Street is 13,878 square feet and is located in a 15,000 square foot Single Residence District. He said that all other aspects of the lot are conforming.

Mr. Brown said that a proposal was brought before the Board in September. He said that, after receiving feedback from the Board, the petition was withdrawn without prejudice in order to make the recommended changes. He said that the current proposal is to raze the nonconforming garage. He said that the ridge height of the addition was lowered by two feet and the length was decreased by 10 feet, in response to a neighbor's comments.

The Board said that the current proposal is sensitive to the Board's comments from the previous hearing.

The Board said that the size is generally 17 percent greater than the average on the street. The Board said that this lot is between two large lots, so it easily carries in the neighborhood.

The Board said that it was happy to see that the garage will be coming down.

Nicholas Ferenc, 10 Pine Street, said that his property is located to the left of 16 Pine Street. He said that he appreciated Mr. Brown's re-submittal of his proposal. He said that he still has two questions. He asked about the depth of the patio on the left. He asked if the Zoning Bylaw stipulates a minimum depth for unenclosed structures, patios or decks from the lot line. The Board said that there are no setback

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requirements for patios to the lot line. Mr. Brown said that he thought that the patio will be 15 to 20 feet from the lot line. The Board said that the patio will have to be built as shown on the plot plan that was submitted. A Board member said that it appears to be approximately 11 to 12 feet from the lot line.

Hugh Crowther, 24 Pine Street, said that he lives on the other side of 16 Pine Street. He said that he appreciates the improvements. He said that it is a big house. He asked about plans for screening. Mr. Brown said that said that there will be shrubs and a fence. The Board confirmed that there will be shrubs along the property line where the garage is.

#### Statement of Facts

The subject property is located at 16 Pine Street, on a 13,878 square foot lot in a district in which the minimum lot size is 15,000 square feet. The existing garage has less than required right side yard setbacks.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming garage and construction of a two-story addition with basement and construction of a second story addition over an existing structure that will meet all setback requirements, on a 13,878 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/12/14, stamped by Matthew D. Smith, Professional Land Surveyor, and Existing and Proposed Floor Plans, dated 9/4/14, revised 11/10/14, prepared by Williamson Building Works, LLC were submitted.

On December 2, 2014, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that although demolition of an existing nonconforming garage and construction of a two-story addition with basement and construction of a second story addition over an existing structure that will meet all setback requirements, on a 13,878 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet 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 for demolition of an existing nonconforming garage and construction of a two-story addition with basement and construction of a second story addition over an existing structure that will meet all setback requirements, on a 13,878 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, subject to the condition:

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16 Pine Street

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- This action specifically does not grant any relief from Section XVIE, Tree Protection & Preservation, of the Zoning Bylaw.

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.

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16 Pine Street

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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.

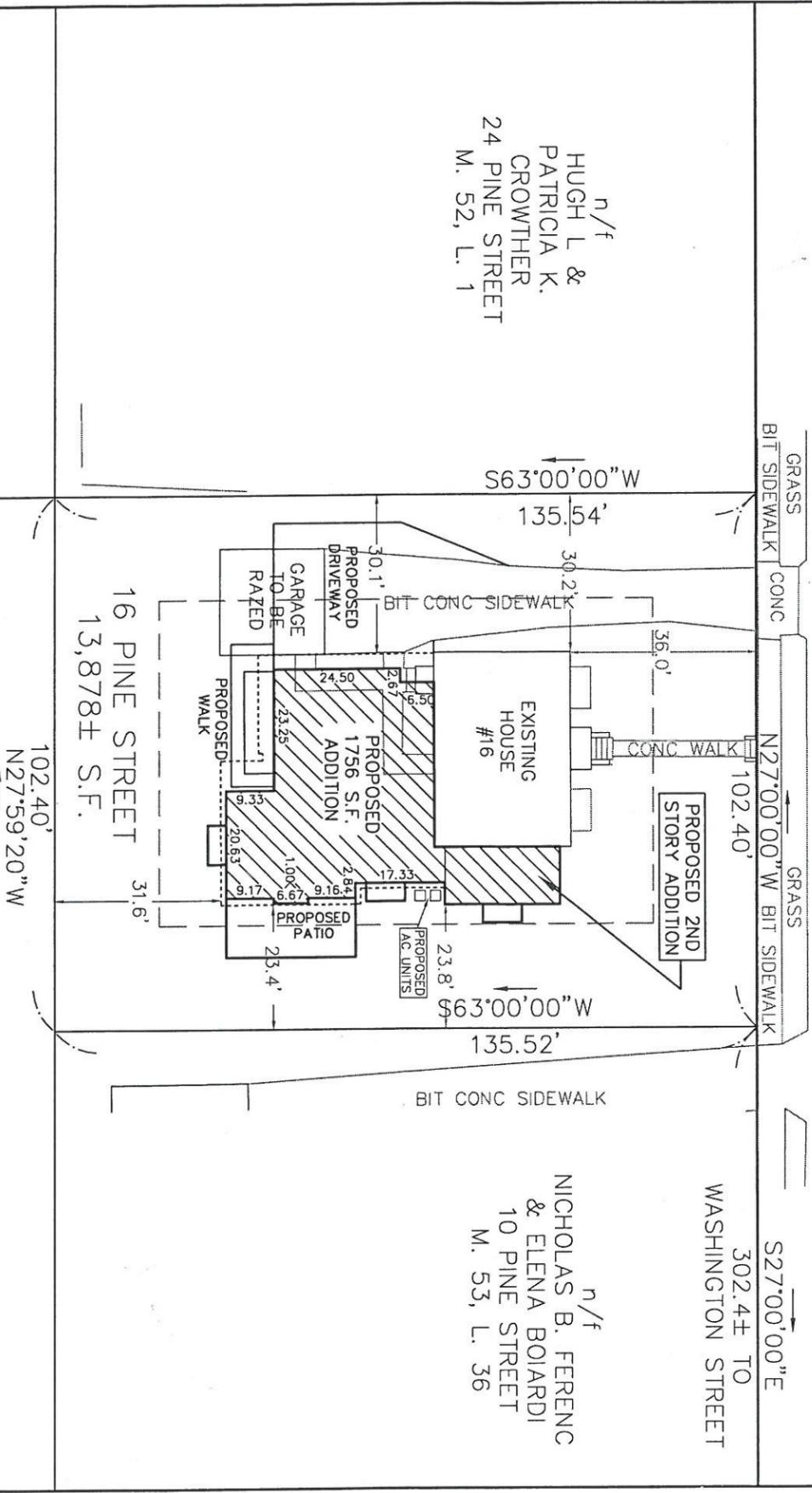
  
Richard L. Seegel, Chairman

  
J. Randolph Becker

  
David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
lrm

# PINE STREET



n/f  
HUGH L. &  
PATRICIA K.  
CROWTHER  
24 PINE STREET  
M. 52, L. 1

n/f  
WILLIAM H. &  
KAREN F. PIKE  
25 CROTON STREET  
M. 52, L. 10

n/f  
15 CROTON LLC  
15 CROTON STREET  
M. 53, L. 32

n/f  
NICHOLAS B. FERENC  
& ELENA BOIARDI  
10 PINE STREET  
M. 53, L. 36

**OWNER/APPLICANT**  
RESIDENTIAL REDEVELOPMENT  
OF WELLESLEY, LLC  
15 WOODLAND ROAD  
WELLESLEY, MA

**ASSESSORS**  
MAP 53 PARCEL 37

**ZONING**  
SRD15 - 15,000 S.F.

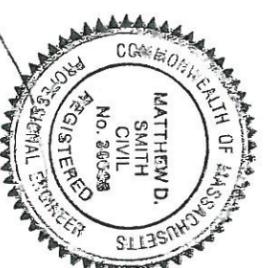
**BUILDING COVERAGE**  
20% OF 13,878 S.F. = 2775 S.F.

**PROPOSED COVERAGE** 2770 S.F.

**PLAN NOTES:**

1. LOCATIONS SHOWN ARE FROM AND ACTUAL ON THE GROUND SURVEY PERFORMED BY NORWOOD ENGINEERING CO., INC. IN OCTOBER 2014.
2. SEE ARCHITECTURAL DRAWINGS BY WILLIAMSON BUILDING WORKS, LLC. DATED NOVEMBER 10, 2014.

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ZONING BOARD OF APPEALS  
PLOT PLAN OF LAND  
16 PINE STREET  
IN

**WELLESLEY, MASS.**

SCALE: 1" = 30'

NOVEMBER 12, 2014

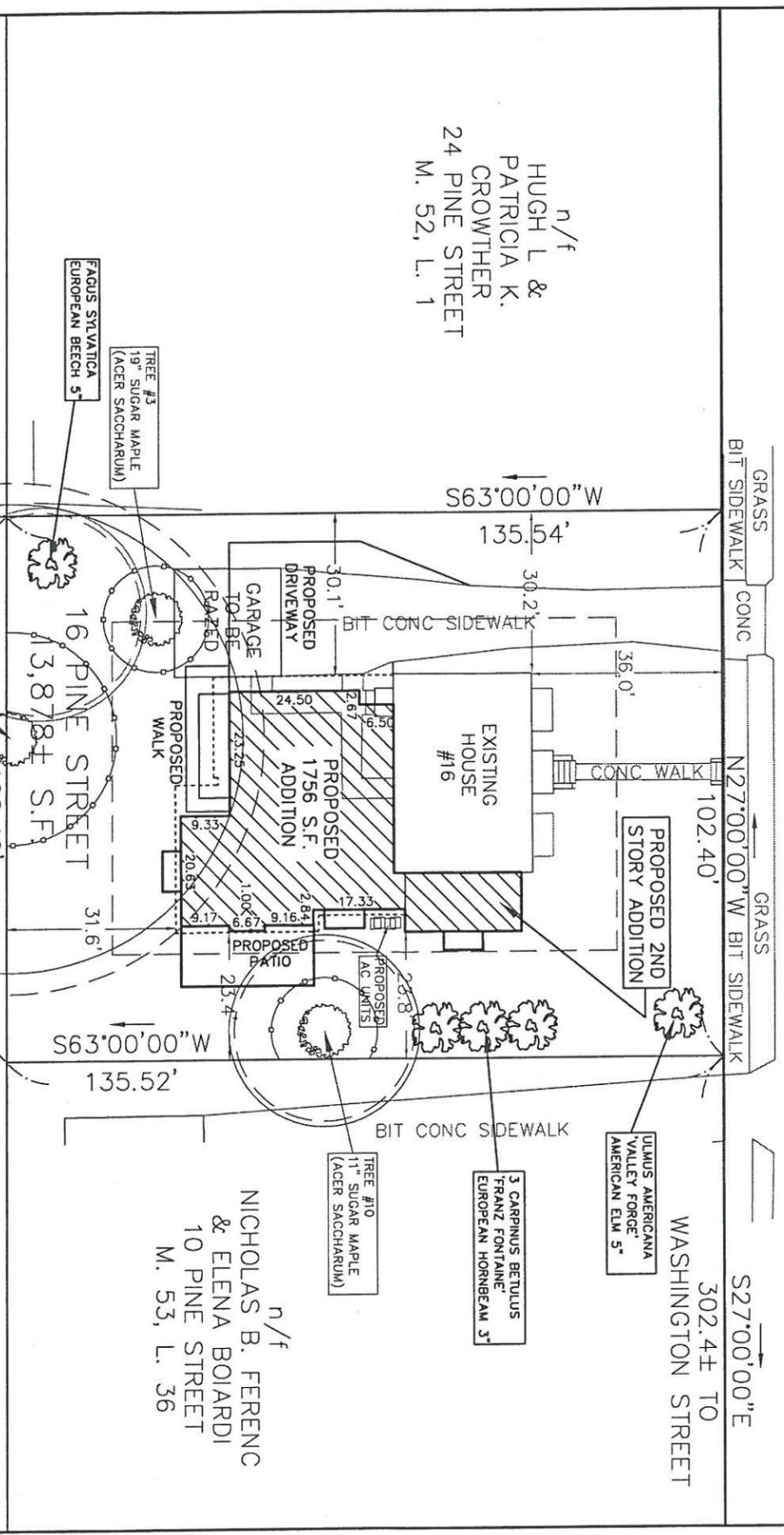
NORWOOD ENGINEERING COMPANY, INC.  
1410 BOSTON-PROVIDENCE HIGHWAY (ROUTE 1)  
NORWOOD, MASS. 02062

NOTEBOOK REFERENCE:

JOB NO. 9612-01



# PINE STREET



n/f  
 WILLIAM H. &  
 KAREN F. PIKE  
 25 CROTON STREET  
 M. 52, L. 10

n/f  
 15 CROTON LLC  
 15 CROTON STREET  
 M. 53, L. 32

n/f  
 NICHOLAS B. FERENC  
 & ELENA BOIARDI  
 10 PINE STREET  
 M. 53, L. 36

ZONING SRD15 - 15,000 S.F.  
 BUILDING COVERAGE 20% OF 13,878 SF. = 2775 S.F.  
 PROPOSED COVERAGE 2770 S.F.

TREES TO BE PLANTED:  
 1 ULMUS AMERICANA 'VALLEY FORGE' AMERICAN ELM 5"  
 TOTAL CAL. 5"  
 1 FAGUS SYLVATICA EUROPEAN BEECH 5"  
 TOTAL CAL. 5"  
 3 CARPINUS BETULUS 'FRANZ FONTAINE' EUROPEAN HORNBEAM 3"  
 TOTAL CAL. 9"  
 TOTAL CALIPER REPLACED 19"

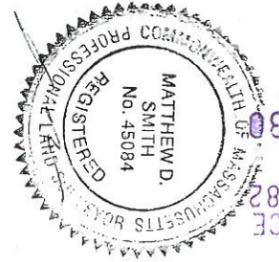
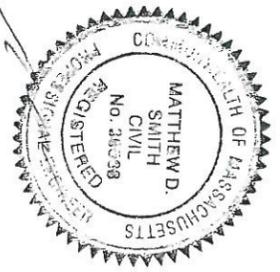
REFER TO ATTACHED TREE REPORT BY KRAY SMALL, MASSACHUSETTS CERTIFIED BOTANIST FOR SPECIFIC INFORMATION ON EACH TREE, (HEIGHT, HEALTH, ECT.)

OWNER/APPLICANT  
 RESIDENTIAL REDEVELOPMENT  
 OF WELLESLEY, LLC  
 15 WOODLAND ROAD  
 WELLESLEY, MA  
 ASSESSORS  
 MAP 53 PARCEL 37

PLAN NOTES:  
 1. LOCATIONS SHOWN ARE FROM AND ACTUAL ON THE GROUND SURVEY PERFORMED BY NORWOOD ENGINEERING CO., INC. IN OCTOBER 2014.  
 2. TREES SHOWN ON PLAN, MARKED IN THE FIELD BY KRAY A. SMALL, A MASSACHUSETTS CERTIFIED ARBORIST #41797.



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PROPOSED TREE LOCATION  
 PLOT PLAN OF LAND  
 16 PINE STREET  
 IN

WELLESLEY, MASS.

SCALE: 1" = 30'  
 NOVEMBER 12, 2014

NORWOOD ENGINEERING COMPANY, INC.  
 1410 BOSTON-PROVIDENCE HIGHWAY (ROUTE 1)  
 NORWOOD, MASS. 02062

NOTEBOOK REFERENCE: JOB NO. 9612-01