



ZONING BOARD OF APPEALS

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

RICHARD L. SEEDEL, CHAIRMAN
 J. RANDOLPH BECKER, VICE CHAIRMAN
 DAVID G. SHEFFIELD

LENORE R. MAHONEY
 EXECUTIVE SECRETARY
 TELEPHONE
 (781) 431-1019 EXT. 2208
 web: www.wellesleyma.gov

ROBERT W. LEVY
 WALTER B. ADAMS
 DEREK B. REDGATE

ZBA 2014-33
 Petition of Richard Lee & Melissa Laich
 16 Paine Street

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482
 2014 MAY 22 P 3:50

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of RICHARD LEE & MELISSA LAICH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a front porch with less than required side yard setbacks, on an existing nonconforming structure with less than required 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.

April 22, 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 were Jay Gallant, Architect, and Richard Lee, (the "Petitioner").

Mr. Gallant said that the request is for a special permit to add an entry porch at the front of the home. He said that the addition will make the house blend better with three to four neighboring homes that have similar farmers porches. He said that the existing house is within the side yard setbacks and the proposed addition will be in the side setbacks but no closer to the side lot lines than the existing house. He said that the addition will be flush with the exterior walls. He said that the porch will extend 6 feet out from the front of the house. He said that the front yard setback to the porch will be 38.3 feet and 36.5 feet to the steps. He displayed an aerial photograph (retained by proponent) that showed that the proposed addition will not come closer than the front setbacks for houses within 500 feet.

The Board said that there is a lot of land behind the house. Mr. Gallant said that there is a river in the back but all of the work will be done outside of the 200 foot buffer area. He said that it is a long narrow lot.

The Board said that it is a tasteful addition that will help to unify the house and fit in with the neighborhood.

Rose King, 28 Paine Street, said that she supports the project. She said that this house sits further back on the lot than other houses on the street. She said that it is the only one without a porch. She said that this will bring the home in line with others on the street.

Statement of Facts

The subject property 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 pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a front porch with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 4/10/14, stamped by Douglas Andrysick, Professional Land Surveyor, Existing & Proposed Floor Plans & Elevation Drawings, dated 4/10/14, prepared by Gallant Architecture, and photographs were submitted.

On May 1, 2014, the Planning Board reviewed the petition and recommended that the petition be granted.

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 opinion of this Authority that although construction of a front porch with less than required side yard setbacks, on an existing nonconforming structure with less than required 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 a front porch with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, 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 constructions plans.

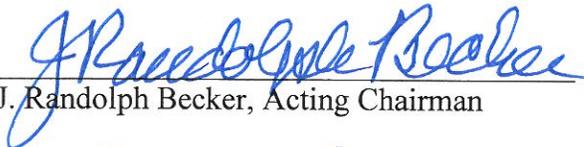
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2014 MAY 22 P 3:50

ZBA 2014-33
Petition of Richard Lee & Melissa Laich
16 Paine Street

RECEIVED
TOWN CLERK'S OFFICE
MELLESLEY MA 02482
2014 MAY 22 P 3:50

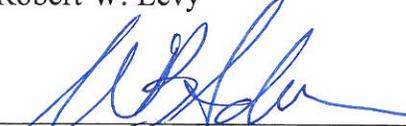
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

CERTIFIED PLOT PLAN

16 PAINE STREET
WELLESLEY, MASSACHUSETTS
PREPARED FOR: GALLANT ARCHITECTURE
SCALE: 1" = 20 FEET DATE: APRIL 10, 2014

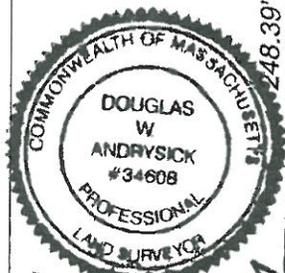
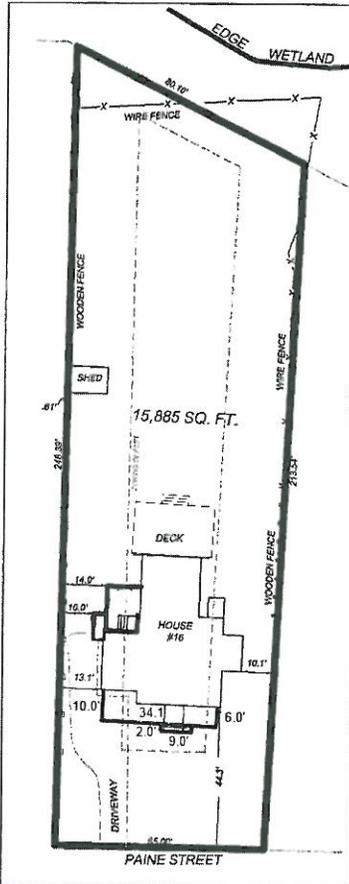


Acton Survey &
Engineering, Inc.

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



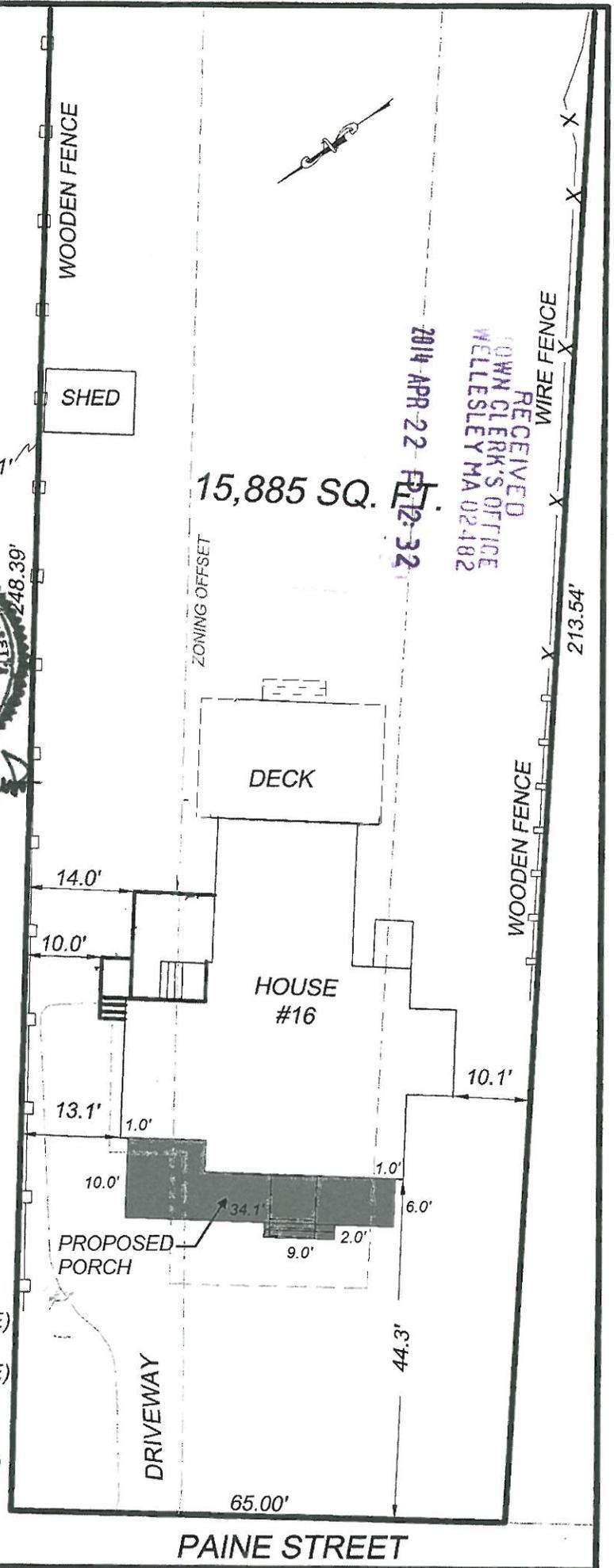
Douglas W. Andrysick

RECORD OWNER:
RICHARD W. LEE & MELISSA A. LAICH
16 PAINE STREET
WELLESLEY, MA

ASSESSOR'S MAP 76 PARCEL 18
DEED BK 31278 PG 586

ZONING DISTRICT: SINGLE RESIDENCE 10
EXISTING BUILDING FOOTPRINT = 1,786 S.F.
(11.2% LOT COVERAGE)
PROPOSED BUILDING FOOTPRINT = 2,044 S.F.
(12.9% LOT COVERAGE)
MINIMUM FRONT YARD WIDTH 60'

I REPORT 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 0005B
DATED SEPTEMBER 5, 1979.



2014 APR 22 FILED
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

PAINE STREET