

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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76-16

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FRANCIS L. SWIFT
HENRY H. THAYER

KATHARINE E. TOY
Administrative Secretary
Telephone
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Petition of Charles Stearns

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:50 p.m. on February 19, 1976, on the petition of Charles Stearns, requesting an exception from the terms of Section XIX of the Zoning By-law which will allow him to construct an addition on the rear of the dwelling at 20 Pine Plain Road with a side yard less than the required twenty feet.

On February 4, 1976, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

A letter opposing the request was received from Donald A. Mann and Alice L. Mann, 21 Pine Plain Road, in which they called attention to their letter of October 8, 1975, which also expressed their disapproval.

The Planning Board opposed the petition in its report on the basis that the proposed addition represents a significant encroachment on the side yard.

George Salis, 22 Pine Plain Road, also opposed the request.

Statement of Facts

The house involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet and was built in 1928, prior to the enactment of the by-law requiring a twenty-foot side yard.

At the hearing the petitioner submitted a plot plan, drawn by Alfred Gargaro, Land Surveyor, dated September 5, 1975, as well as drawings showing the proposed addition, both of which had been submitted to the Board by the petitioner at a previous meeting held on October 9, 1975. The petitioner again explained that the addition is designed to enlarge the existing kitchen, which is now very small, and to provide a family room as well as an additional bathroom. He stressed the fact that the proposed plan appears to be the only practical way to obtain the additional living space needed and to improve the architectural design of the house. If the size of the proposed addition is reduced in size, as specified in the Board's previous decision, he stated, he could not get a table in the kitchen and architecturally, it would not be in keeping with the lines of the house. To construct it on the other side of the house, he stated, would also involve an exception as well as many other problems including the removal of a maple tree.

Decision

The petitioner presented the same request to this Board at its meeting held on October 9, 1975, and while the Board did not grant the request,

it did grant an exception which would allow an addition to be constructed which would not encroach any closer to the lot line on the westerly side than 16.10' at the nearest point rather than 11' as requested. It was the opinion of the Board at that time, and the Board is of the same opinion now, that an addition of the size granted can be built which will provide adequate space for the petitioner's family and will not prove detrimental to the property involved or to the surrounding neighborhood.

As no changes were made to the plans presented to the Board previously, it is, therefore, the unanimous opinion of the Board that sufficient reasons do not exist for granting the requested exception.

Accordingly, the petition is dismissed.

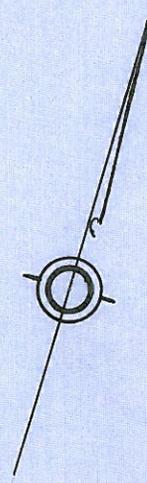
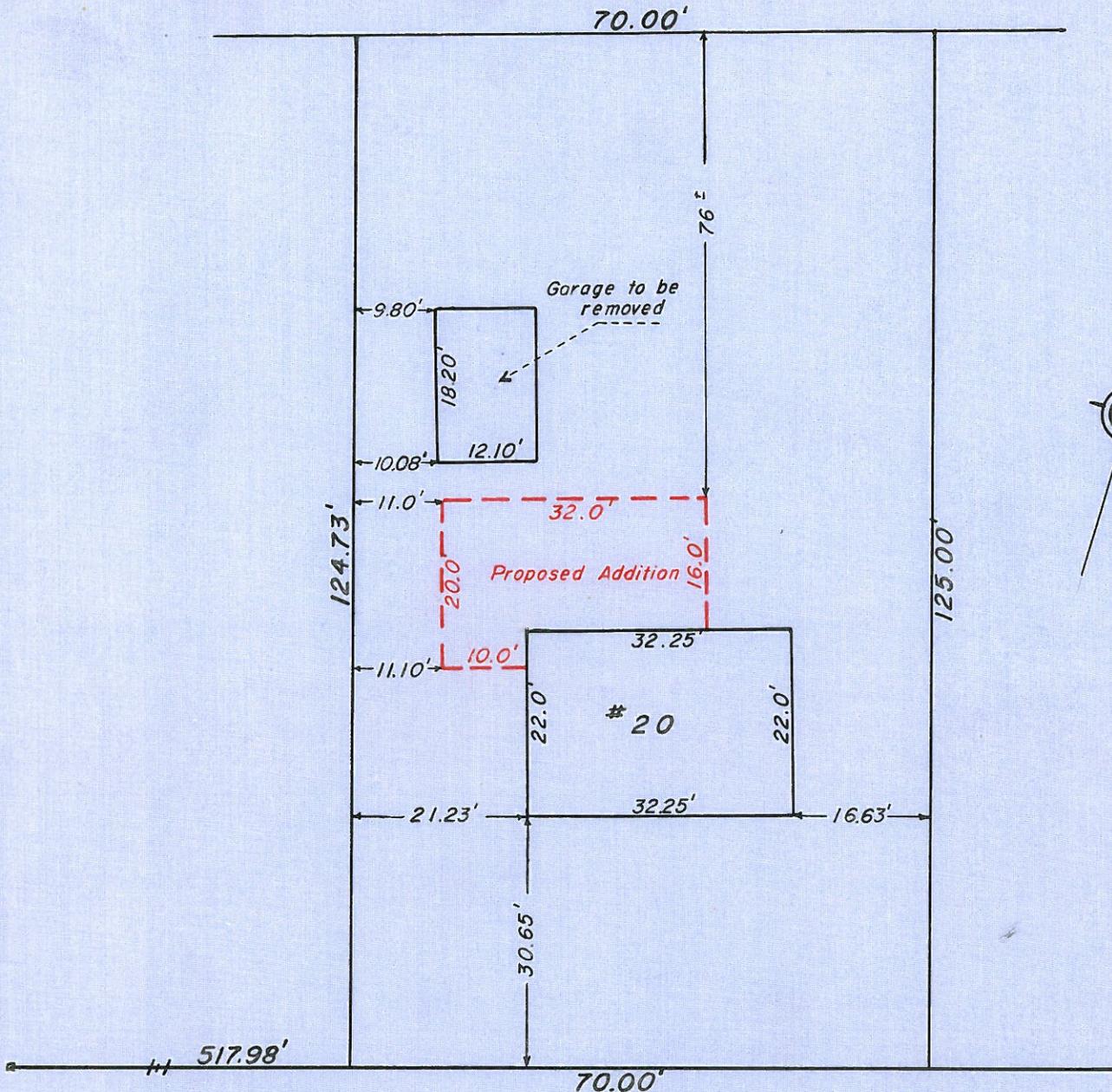
Francis L. Swift
Francis L. Swift

F. Lester Fraser
F. Lester Fraser

William O. Hewett
William O. Hewett

Filed with Town Clerk _____

NOV 4 10 37 AM '32
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PINE PLAIN ROAD

PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 20 PINE PLAIN ROAD

owned by
Charles N. and Pauline M. Stearns

September 5, 1975
Alfred Gargaro



Proposed
House Addition

Scale: 1" = 20'
Land Surveyor