

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 88-11

Petition of John R. Boulger  
28 Pleasant Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 21, 1988 at 8 p.m. in the Great Hall of the Town Hall, 525 Washington Street, Wellesley on the petition of JOHN R. BOULGER requesting a variance from the terms of Section XXI-D, Subpart 3(c) and pursuant to Section XXIV-D of the Zoning Bylaw to reduce the width of 45 feet of a driveway for two-way use to 12 feet which is less than the minimum requirement, in front of the property at 28 PLEASANT STREET, in a General Residence District. The granting of said petition would amend Site Plan Approval granted on January 9, 1987.

On January 4, 1988, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was John R. Boulger who stated that the driveway in question services three garages. The narrowing of the driveway would eliminate parking on the driveway and would allow him to construct a two and one-half foot stonewall with landscaping which would be more attractive than the original site plan which had been approved in January, 1987. Adequate visitor parking has been provided.

The Board questioned the availability of access for the fire department were the driveway to be narrowed. Steve Black, Fire Chief, in a letter to the Board dated January 21, 1988, stated that no problem would result in regard to fire safety from narrowing the driveway.

No other persons present had any comments on the petition.

#### Statement of Facts

The property in question is the forty-five feet of proposed two-way driveway running in front of the existing dwelling at 28 Pleasant Street in a General Residence District. The property at 28 Pleasant Street is a portion of the 11 unit Pleasant Ridge Condominiums for which a Special Permit for Site Plan Approval was granted on January 9, 1987. (ZBA 86-62)

The petitioner is requesting a variance to reduce the width of 45 feet of the two-way driveway accessing Pleasant Street, in front of 28 Pleasant Street, from the approved 20 feet to 12 feet which is less than the minimum of 18 feet required in Section XXI-D, Subpart 3(c) of the Zoning Bylaw. Said driveway would service three garages. The granting of this request would amend the Special Permit for Site Plan Approval granted on January 9, 1987 (ZBA 86-62).

ZBA 88-11  
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28 Pleasant Street

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A Plot Plan entitled Site Construction Plan/Pleasant Ridge Condominiums, drawn by Arthur R. Giangrande, Registered Land Surveyor, Design State Survey, Inc., dated October 29, 1986, revised 3/21/87, revised 12/28/87; and photographs were submitted.

The Planning Board, at its regular meeting on January 19, 1988, voted to strongly oppose the driveway modifications on the grounds that this is a two-way driveway under the Zoning Bylaw and its width is specified at a minimum of 18 feet on the basis of public safety.

The Fire Chief, Stephen Black, in a letter dated January 21, 1988, stated that the Fire Department had reviewed the proposed change to the driveway at 28 Pleasant Street and had no objection.

Decision

This Authority has made a careful study of the evidence presented. The 45 feet of two-way driveway with a width of 20 feet fronting the property at 28 Pleasant Street was approved in the Special Permit for Site Plan Approval granted on January 9, 1987. The narrowing of said portion of the driveway to a width of 12 feet would be in violation of Section XXI-D, Subpart 3(c) which states: "The width of a driveway for two-way use shall be a minimum of eighteen (18) feet and a maximum of twenty-four (24) feet, as measured at its narrowest point."

However, it is the opinion of this Authority that owing to the location of the driveway, the fact that it will service only three garages, and the approval of the Fire Department of the proposed change, desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to allow the narrowing of 45 feet of a driveway for two-way use to 12 feet, which is less than the minimum requirement, in front of the property at 28 Pleasant Street, thus amending the Special Permit for Site Plan Approval granted January 9, 1988.

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

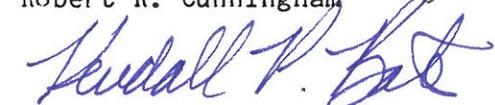
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

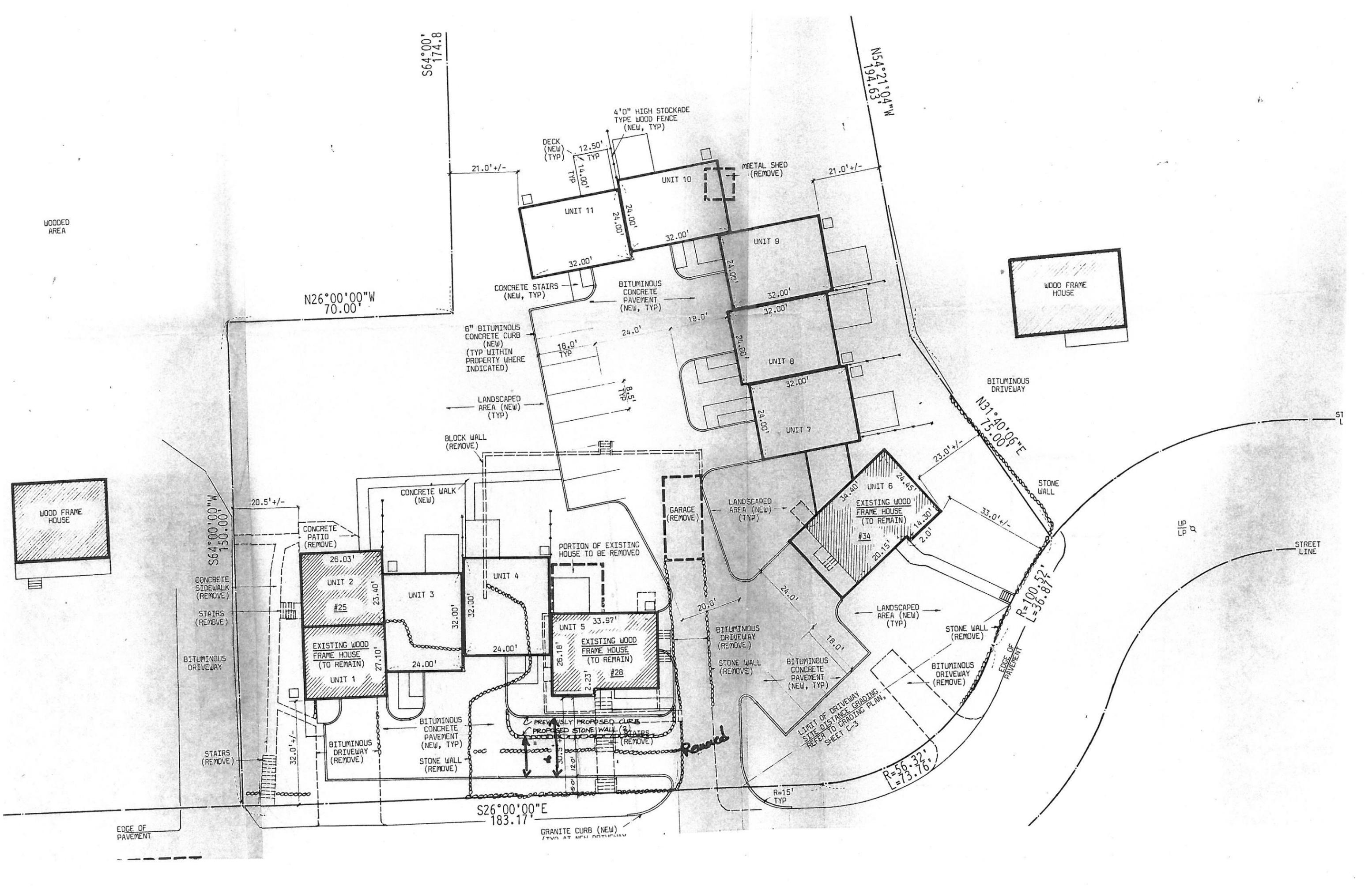
cc: Planning Board  
Inspector of Buildings

edg

  
John A. Donovan, Jr., Chairman

  
Robert R. Cunningham

  
Kendall P. Bates



WOODED AREA

WOOD FRAME HOUSE

WOOD FRAME HOUSE

WOOD FRAME HOUSE

STREET LINE

EDGE OF PAVEMENT

GRANITE CURB (NEW) (TYP AT NEW BOTTLING)

N26°00'00"W 70.00'

S64°00' 174.8

N54°21'04"W 194.63

S64°00'00"W 150.00'

S26°00'00"E 183.17'

N31°40'06"E 75.00'

R=100.52' L=36.87'

R=56.32' L=13.76'

R=15' TYP

9.5' TYP

20.5' +/-

21.0' +/-

21.0' +/-

23.0' +/-

33.0' +/-

26.03'

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 10

UNIT 11

UNIT 9

UNIT 8

UNIT 7

#25

#28

#34

DECK (NEW) (TYP)

4'0" HIGH STOCKADE TYPE WOOD FENCE (NEW, TYP)

METAL SHED (REMOVE)

CONCRETE STAIRS (NEW, TYP)

BITUMINOUS CONCRETE PAVEMENT (NEW, TYP)

6" BITUMINOUS CONCRETE CURB (NEW) (TYP WITHIN PROPERTY WHERE INDICATED)

LANDSCAPED AREA (NEW) (TYP)

BLOCK WALL (REMOVE)

CONCRETE WALK (NEW)

CONCRETE PATIO (REMOVE)

PORTION OF EXISTING HOUSE TO BE REMOVED

GARAGE (REMOVE)

LANDSCAPED AREA (NEW) (TYP)

BITUMINOUS DRIVEWAY (REMOVE)

STONE WALL (REMOVE)

BITUMINOUS CONCRETE PAVEMENT (NEW, TYP)

STONE WALL (REMOVE)

BITUMINOUS DRIVEWAY (REMOVE)

CONCRETE SIDEWALK (REMOVE)

STAIRS (REMOVE)

BITUMINOUS DRIVEWAY

STAIRS (REMOVE)

BITUMINOUS DRIVEWAY (REMOVE)

BITUMINOUS CONCRETE PAVEMENT (NEW, TYP)

STONE WALL (REMOVE)

PREVIOUSLY PROPOSED CURB

PROPOSED STONE WALL (3' STAIRS) (REMOVE)

LIMIT OF DRIVEWAY SITE DISTANCE GRADING REFER TO GRADING PLAN, SHEET C-3

EDGE OF PAVEMENT