



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181
OCT 8 46 AM '93
WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

ZBA 93-74

Petition of Jeffrey S. and Elizabeth H. Wallace
8 Sessions Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 23, 1993 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JEFFREY S. AND ELIZABETH H. WALLACE requesting a Finding that the alterations to and the change of use of their pre-existing nonconforming detached garage at 8 SESSIONS STREET, in a Single Residence District, with less than the required right side yard, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure and use. The alterations to the garage were done without a building permit or Board of Appeals approval, and resulted in a change of use from a garage to a pottery studio.

On September 7, 1993, the petitioners requested 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 Jeffrey and Elizabeth Wallace. Mrs. Wallace apologized for proceeding with the garage renovation without securing the necessary permits. She explained that the pottery studio is for her hobby. She works alone, and has no intention to either mass produce pottery, or to sell her pottery from the studio. The pieces are individually created and fired off-site. She does not need water service as she uses very little water in making her pottery.

Mrs. Wallace said that the garage was never used for automobile storage because it is so narrow. Mr. Wallace stated that the structure was built originally as a one-car garage. At some point an additional one-car garage was added to the length, which has resulted in two one-car garages back-to-back. The original portion has been converted to the studio, while the rear portion is used for storage. The studio is heated by a small gas burner, which is necessary so that the clay will not freeze.

Al Indresano, 51 Smith Street, asked if the permission requested was limited to the front portion of the garage, or whether the entire garage was involved. Mr. Wallace said that only the front portion is involved, and that there would be no future increase in the studio space.

Mr. Indresano asked if delivery trucks or cars would be coming to the premises. Mrs. Wallace said that she picks up the clay off-site, and she will not be using the studio to sell her pottery pieces.

ZBA 93-74

Petition of Jeffrey S. and Elizabeth H. Wallace
8 Sessions Street

Aldous Poluzzi, 52 Atwood Street, asked what hours the studio would be used, and if the Board could limit the hours of the studio use. The Board responded that the request was not for a Special Permit for a home occupation, but for a change in use, so no limitation on hours could be conditioned. Mrs. Wallace said that there is no noise or smell produced, but there might be a light on in the studio at night.

John Tracey, 11 Sessions Street, expressed concern about potential additional traffic. Mr. Wallace stated that there would be no delivery trucks, no customers, no mass production, and no students, so there would be no increase in traffic as a result of the studio.

Statement of Facts

The subject property is located at 8 Sessions Street, in a Single Residence District, on a 10,072 square foot lot, which contains a two-story dwelling and a one-story detached garage approximately 38.02 feet by 11.2 feet with a minimum right side yard clearance of 3.62 feet.

On July 15, 1993, the Inspector of Buildings issued a Notice of Violation, subsequent to his inspection on July 13, 1993, that alterations to the pre-existing nonconforming garage had been done without a Building Permit or a Wiring Permit, and in violation of Section XVII of the Zoning Bylaw. The alterations consisted of installation of a cathedral ceiling; installation of two roof skylights; installation of two beams complete with track lighting; wallboarding of exterior walls and cathedral ceiling; and installation of counter tops and shelves.

The petitioners are requesting a Finding that said alterations to and change of use of a portion of their pre-existing nonconforming garage shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure and use.

A Plot Plan dated August 30, 1993, drawn by Anthony Dellorco, Professional Land Surveyor; a floor plan and elevations; and photographs were submitted.

On September 14, 1993, the Planning Board reviewed the petition and voted to recommend approval of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject garage does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the Finding of this Authority that the interior and exterior alterations, both completed and to be completed, may be allowed, subject to construction in accordance with the plot plan and construction sketches submitted and noted in the foregoing Statement of Facts, as

RECEIVED OFFICE
CLERK
AUG 16 11:53 AM '93

ZBA 93-74

Petition of Jeffrey S. and Elizabeth H. Wallace
8 Sessions Street

said interior and exterior alterations to the pre-existing nonconforming garage shall not be more detrimental to the neighborhood than the existing nonconforming structure.

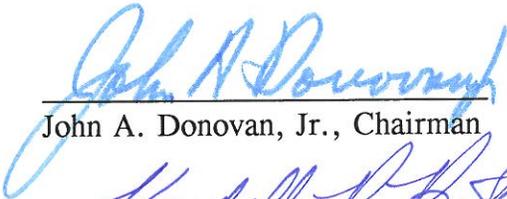
It is the further Finding of this Authority that the change of use of approximately 20 feet of the front portion of the garage from automobile storage to a pottery studio shall not be substantially more detrimental to the neighborhood than the existing use subject to the following conditions:

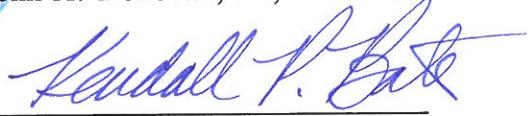
1. There shall never be any water service connection made to any portion of the garage.
2. The garage shall never be used as a separate dwelling unit.
3. The front portion of the garage shall be used solely as a pottery studio, and shall never be used as a gallery to display pottery, or as a business establishment in which the purchase or sale of pottery is transacted, or classes in pottery are held.
4. There shall be no further physical expansion of the area of the pottery studio without the approval of the Board of Appeals.
5. An application for a Building Permit and a Wiring Permit must be submitted to the Inspector of Buildings and the Electrical Inspector, accompanied by any additional plans either may require, upon recording of this decision at the Norfolk Registry of Deeds.

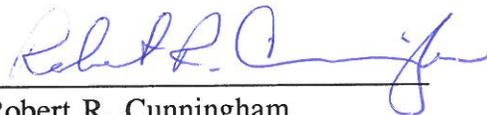
The Inspector of Buildings and the Electrical Inspector are hereby authorized to issue permits for all completed construction, and for construction yet to be completed upon receipt and approval of appropriate applications and requested plans.

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

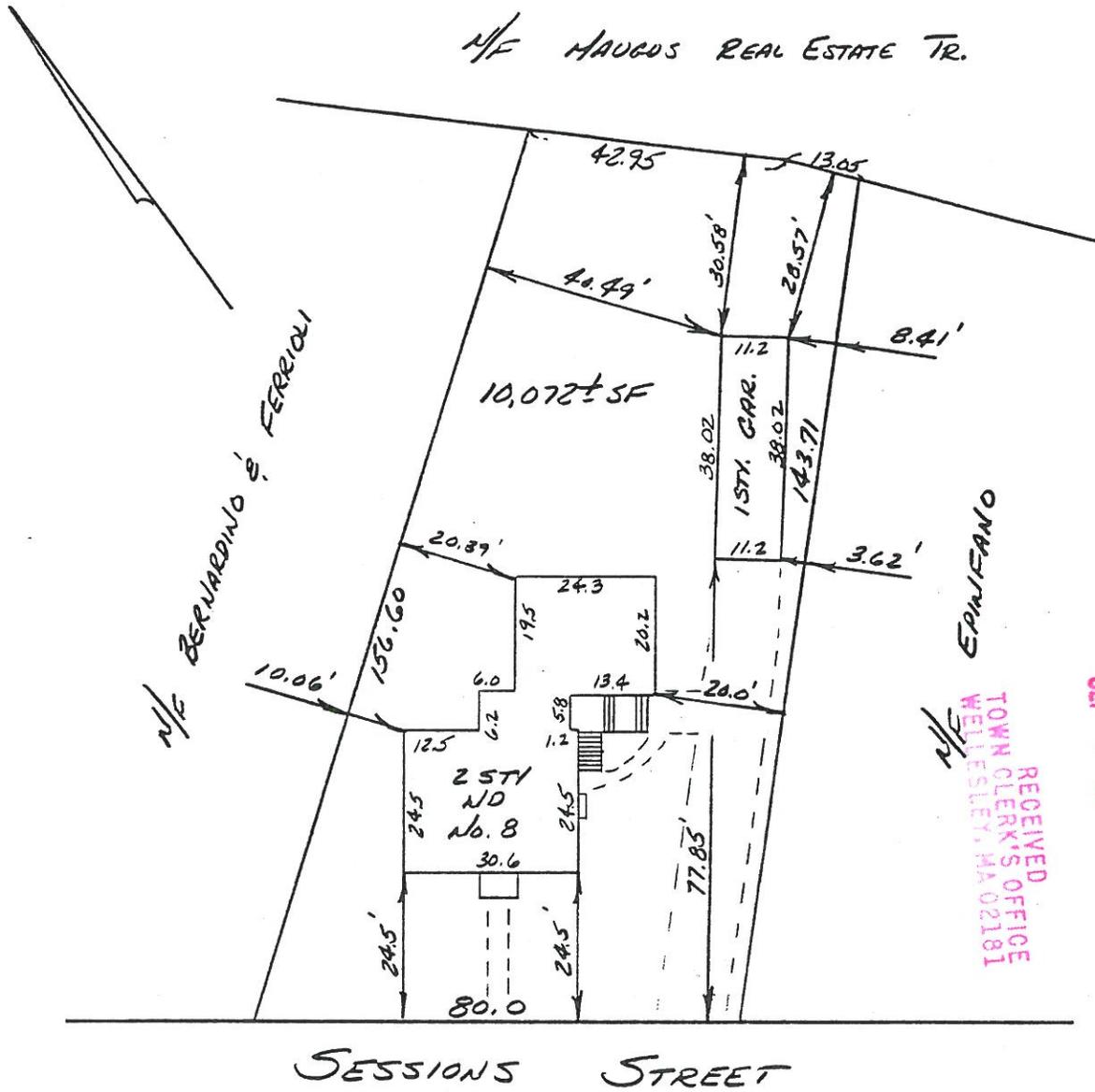

John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

RECEIVED
TOWN CLERK'S OFFICE
NORFOLK COUNTY, MA 0218
#115318
OCT 6 8 19 AM '93

N/F MAUGUS REAL ESTATE TR.



RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181
SEP 7 10 58 AM '93

SESSIONS STREET

PLOT PLAN

SCALE: 1 IN. = 30 FT. DATE: 8-30-93 PLAN REFERENCE: BEING LOT SHOWN ON A PLAN BY
DEED DATED RECORDED IN NORFOLK
 REGISTRY OF DEEDS DEDHAM BOOK 5728 , PAGE 47 ,

I HEREBY CERTIFY THAT THE BUILDING SHOWN ON THIS PLAN IS LOCATED ON THE GROUND AS SHOWN,
 AND CONFORMS TO THE ZONING LAWS OF THE TOWN OF WELLESLEY

I CERTIFY THAT THIS LOCUS DOES NOT LIE
 WITHIN THE FLOOD HAZARD ZONE AS
 DELINIATED ON MAP
 COMMUNITY

8 SESSIONS ST.

VERNE T. PORTER PE, RLS
 292 LANGLEY RD.
 NEWTON CENTER, MA 02159



THIS PLAN MADE FROM AN
 INSTRUMENT SURVEY.

VTP ASSOCIATES 965-4870
 NEWTON, MA 02159 332-8271