TOWN OF WELLESLEY MASSACHUSETTS

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ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 98-31
Petition of Roy and Laura Harris
16 Paine Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 30, 1998 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ROY AND LAURA HARRIS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their nonconforming dwelling with less than the required right and left side yard setbacks at 16 PAINE STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Raising the ridge line above the central portion of the dwelling 12 feet to accommodate a third story addition 26.5 feet by 22.7 feet, which will have less than the required right side yard setback. There will be no change in the footprint.

2. Demolition of existing nonconforming bulkhead and construction of a 5 foot by 5 foot breezeway, which will have less than the required right side yard setback.

3. Change of use of existing nonconforming two-story 11.1 foot by 18.5 foot garage with living space above, to a one-story living space. Said garage has less than the required left side yard setback. There will be no change in the footprint or height of the structure.

Presenting the case at the hearing were Roy and Laura Harris. Mr. Harris said that the house was built in 1930 as a retirement home. It has a 45 foot setback from Paine Street, and is probably the smallest house on the street. Their family has expanded over the years, and they need more space. They would like to convert the garage into a library; raise the ridge line of the main roof to provide finished usable attic space; and construct a breezeway to allow passage from the kitchen to the stairway to the second floor.

The Board noted that the level of the garage floor appears to be 2 to 3 feet below that of the house. Mr. Harris said they will remove the existing second floor of the garage, lay a raised floor, and access to the new library will be provided through the dining room.

No other person present had any comment on the petition.

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Statement of Facts

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The subject dwelling is located at 16 Paine Street, in a Single Residence District, on a 15,896 square foot lot, and has a minimum right side yard clearance of 10 feet and a minimum left side yard clearance of 13.1 feet.

The petitioners are requesting a Special Permit/Finding that the raising of the ridgeline of the roof 12 feet above the central portion of the house in order to accommodate a 26.5 foot by 22.7 foot third story addition, with a minimum right side yard clearance of 17.1 feet; demolition of the existing bulkhead and construction of a 5 foot by 5 foot breezeway with a minimum right side yard clearance of 19.7 feet; and the change of use of the nonconforming two-story 11.1 foot by 18.5 foot garage, with a minimum left side yard clearance of 13.1 feet, from a garage with living space to a library, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated March 2, 1998, revised March 5, 1998, drawn by Robert C. Salvetti, Registered Professional Land Surveyor; Floor Plans and Elevations; and photographs were submitted.

On April 14, 1998, the Planning Board reviewed the petition, and had no objection to the granting of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling 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 proposed third floor addition, breezeway, and change of use of the nonconforming garage to a library will neither intensify the existing nonconformance nor create additional nonconformity. Neither the change of use of the garage or the third floor addition will necessitate a change in the footprint. With the demolition of the bulkhead, the breezeway construction will be more conforming than the existing bulkhead.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for all three projects, subject to construction 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 construction plans.

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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.

cc: Planning Board
Inspector of Buildings
edg

Kendall P. Bates, Acting Chairman

William E. Polletta

Robert A. Bastille

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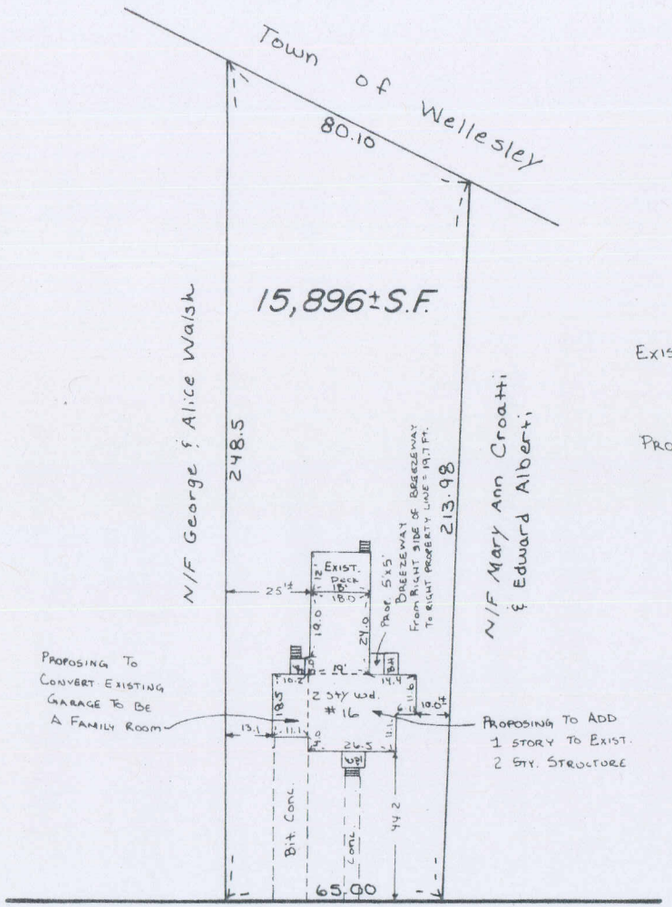
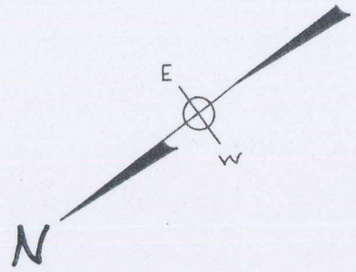


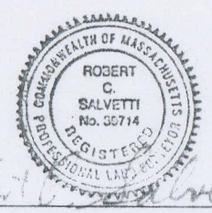
PAINE STREET



EXISTING IMPERVIOUS COVERAGE = 2056± S.F. (12.9%)
(INCLUDES BULKHEAD, PORCHES, WALKWAY & DRIVEWAY)

PROPOSED IMPERVIOUS COVERAGE = 2,287± S.F. (14.4%)

Robert C. Salvetti



Robert C. Salvetti

Robert C. Salvetti, P.L.S.

PROPOSED ADDITION PLAN IN WELLESLEY MASS.

Norfolk County

Scale: 1" = 40'

March 2, 1998

Revised March 5, 1998

SALVETTI, Surveying & Engineering Assoc.

10 Emmons St. Franklin, Mass.