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TOWN OF WELLESLEY



MASSACHUSETTS

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ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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Petition of Gerald and Susan Slavet

Pursuant to due notice, the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:30 PM on August 14, 1980, on the Petition of Gerald and Susan Slavet, who are seeking a Variance from the terms of Section XIX of the Zoning By-Law, in order to construct a wood deck, enclose an existing porch, and add a small dormer to their home at 30 Cottage Street. Said dwelling is located within a Historic District - Single Residence. Said request is made pursuant to Section XXIV-D of the Zoning Bylaws.

On July 25, 1980, the Petitioner filed their request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Gerald and Susan Slavet spoke on behalf of their petition. In support of their petition the Slavet's supplied this Authority with a list dated August 15, 1980, of seventeen (17) of their neighbors who have no objection to their proposed plans. A letter from Nancy W. Erne, Secretary for the Wellesley Historic District Commission was supplied which found that the proposed plans were in keeping with the character of the neighborhood, and therefore gave their approval. Present at the hearing, speaking in support, were Madelon and William Holland, abutting neighbors at 28 Cottage Street.

In opposition to the granting of the petition, this Authority received the following letters: Gweneyth M. Rhome of 33 Cottage Street, and two from Eleanor Blair of 25 Cottage Street. Present at the public hearing and speaking in opposition was Mrs. Piehler of 29 Cottage Street. This Authority is also in receipt of a letter from the Planning Board opposing the granting of this Variance because the proposed addition would be in excess of the 25% allowable building coverage per Section II A (6) of the Zoning By-Law.

Statement of Facts

The petitioner pointed out that 30 Cottage Street is one of three contiguous, nonconforming lots. The adjacent property, 28 Cottage Street, which is the house most directly affected by the proposed alterations, sits only seven and one half (7.5) feet from the property line, and number 30 Cottage Street sits three (3) feet from their lot line. The Variance is being re-

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Petition of Gerald and Susan Slavet, continued

requested for the following reasons: The dormer is needed in order to provide access to stairs without the need for crouching and leaning to the extreme right as you ascend; the proposed porch enclosure will allow more living area as the family expands, this alternative is far less costly than relocating. The enclosure of the porch area will be less encroaching than the present set up as it will provide for more privacy and less noise for both parties. The existing lines of the house would not be affected as the enclosure of the porch and its extension would simply be following the existing lines. The proposed dormer to the left side would simply follow the lines of the existing dormer which is presently on the right side. The proposed plan has succeeded in preserving the only space there is on the lot, such space being in the rear of the home. The proposed deck in the rear would not extend any further than the width of the house.

Decision

This Authority has made a careful study of the evidence submitted, noting the overall shape of the lot, the Petitioner's needs, and the fact that this lot is a non-conforming lot, surrounded by other non-conforming lots. This lot in question is located in a Single Residence District, 10,000 SF. At least one member of this Authority has taken a view of the locus.

This request consists of the construction of a dormer, the enclosing of a porch and adding an addition on either side of the porch. The porch is presently three feet from the lot line, by enclosing the porch and adding these additions the new structure will still remain three feet from the lot line.

It is the unanimous opinion of this Authority that owing to the overall shape of the lot, as well as the other conditions, the Petitioner has shown a need for increased space in his dwelling, and that a literal enforcement of Section XIX would involve substantial hardship to the Petitioner.

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Petition of Gerald and Susan Slavet, continued

It is the further opinion of this Authority that desirable relief may be granted subject to the conditions hereinafter imposed without substantial detriment to the public good or substantially derogating from the intent and purpose of the Zoning Bylaw.

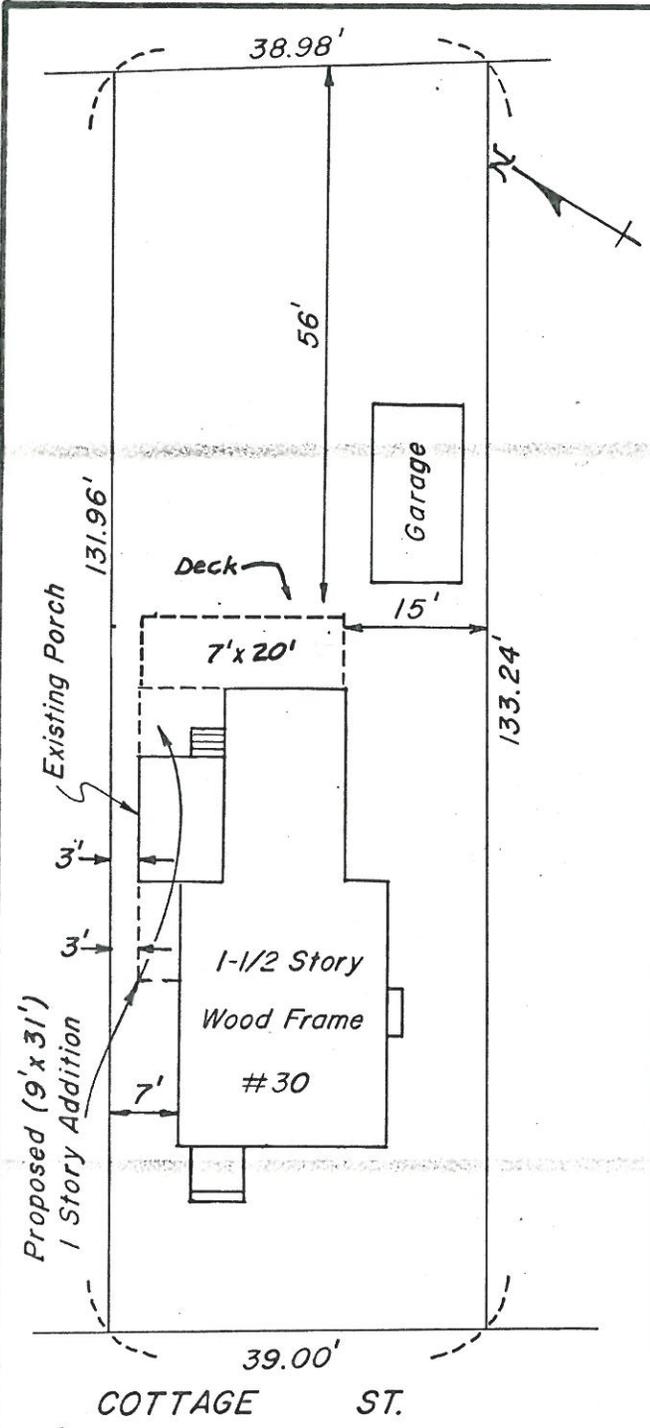
Therefore, the Inspector of Buildings is authorized to issue a permit for the dormer, rear deck, and the enclosing and expansion of an existing porch, as per Plot Plan dated July 3, 1980 prepared by John J. Caffrey and in accordance with the Construction Plans submitted by Steffian - Bradley Associates, Inc., with the following conditions:

1. That all State and local building and fire codes and regulations be fully complied with, and that any regulations imposed by the Inspector of Buildings and Fire Inspector also be in full compliance.

*William F. Cullinane*  
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William F. Cullinane, Chairman  
*Stephen S. Porter*  
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Stephen S. Porter  
*John A. Donovan, Jr.*  
\_\_\_\_\_  
John A. Donovan, Jr.

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Date



PLOT PLAN

30 COTTAGE ST. WELLESLEY, MASS.  
SCALE 1" = 20'

JULY 3, 1980

OWNER: GERALD & SUSAN SALVET

I hereby certify that I have prepared this plan in accordance with the rules and regulations of the Register of Deeds.

*John J. Caffrey*

John J. Caffrey, R.L.S. Needham, Mass.

