



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
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ZBA 95-53

Petition of John R. Clancy
10 Pine Plain Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 27, 1995 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 JOHN R. CLANCY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to his nonconforming dwelling, with less than the required front, left and right side yard setbacks, at 10 PINE PLAIN ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling:

1. Raising the ridge line of the existing roof approximately 7.5 feet to accommodate a second story addition approximately 29 feet by 28.2 feet with less than the required front, right and left side yard setbacks. There will be no change in the footprint.
2. A two-story addition approximately 16 feet by 9.4 feet at the rear of the dwelling, which will have less than the required right side yard setback.

On July 10, 1995, the petitioner filed a request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was John Clancy, who said he was seeking permission to add a second story to his home, which would require raising the roof ridge 7.5 feet. He said that he has worked very closely with Wellesley Design to maintain the bungalow character of the house, so it won't appear too large. He has discussed the plans with both his left and right side abutters, and neither has any objection.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 10 Pine Plain Road, in a Single Residence District, on a 6,237 square foot lot, and has a minimum right side yard clearance of 11.7 feet, a minimum front yard clearance of 29.9 feet and a minimum left side yard clearance of 10.25 feet. A detached nonconforming garage is located at the rear of the property, 9.7 feet from the right side lot line. The total ground coverage, including the proposed addition, will be 13.5%.

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The petitioner is requesting a Special Permit/Finding to raise the ridge line of the existing roof approximately 7.5 feet to accommodate a second story addition approximately 28.2 feet by 29 feet above the existing first story. The addition will have a minimum right side clearance of 11.7 feet, a minimum front yard clearance of 29.9 feet and a minimum left side yard clearance of 10.2 feet, but there would be no change in the footprint,

The petitioner is also requesting to construct a two-story addition approximately 16 feet by 9.4 feet at the rear of the dwelling, which would have a minimum right side yard clearance of 11.7 feet.

A Plot Plan dated June 30, 1995, drawn by Ernest H. Fagerstrom, Registered Land Surveyor; Floor Plans and Elevations dated 6/29/95, drawn by Bob Grignaffini of Wellesley Design Services, and photographs were submitted.

On July 20, 1995, the Planning Board reviewed the petition and voted to offer no objection to 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 raising of the ridge line of the existing roof approximately 7.5 feet to accommodate a second story addition approximately 29 feet by 28.2 feet will not increase the existing nonconformities on the right, left and front setbacks, nor will it create additional nonconformity, as there will be no change in the footprint.

It is the finding of this Authority that the proposed 16 foot by 9.5 foot two-story addition will increase the existing nonconformity, but will not create additional nonconformity as the addition will not encroach on the right side line further than the existing dwelling, and therefore will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

The Inspector of Buildings is hereby authorized to issue a building permit for the construction upon receipt and approval of a building application and detailed construction plans, and subject to construction in accordance with the submitted plot plan and construction sketches.

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Kendall P. Bates, Acting Chairman

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.

William E. Polletta

William E. Polletta

cc: Planning Board
Inspector of Buildings
edg

Sumner H. Babcock

Sumner H. Babcock

PLAN 49 of 1927
BOOK 1730
PAGE 214

6,237 S.F.

PLAN 7 of 1927
BOOK 1728
PAGE 517

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LAND COVERED BY
BUILDINGS WILL BE
13.5% WITH ADDITION

PROPOSED SECOND STORY
ADDITION OVER AS PER
ARCHITECTURAL PLANS

124.73

PROPOSED
ADDITION

124.73

STEPS TO BE
REMOVED

10.0
16.0
12.2
10.25
1.3
2.9
7.0
11.1
3.7
14.1
11.7
16.0
9.4
4.9
12.2
29.1
EAVES

1 STORY
WOOD
No. 10

THIS PORTION
OF DECK TO BE
REMOVED
STEPS TO BE
RELOCATED

50.00

BIT. DRIVE



PINE PLAIN ROAD

PROPOSED ADDITION

WELLESLEY, MA.

SCALE: 1" = 20' JUNE 30, 1995

ERNEST H. FAGERSTROM
REGISTERED LAND SURVEYOR
138 NORWELL AVENUE
NORWELL, MA. 02061