



Town of Wenham

Town Hall
138 Main Street
Wenham, MA 01984

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Hard copy.

ZONING BOARD OF APPEALS

TEL 978-468-5520

FAX 978-468-8014

APPLICATION FOR PUBLIC HEARING

Appeal From the Action of the Building Inspector - Fee: \$250

Special Permit for Single Family Residence - Fee: \$250

Special Permit for All Others Including Commercial - Fee: \$400

Variance - Fee: \$250

Application to Amend, Modify or Transfer a Variance or Special Permit - Fee: \$250

RECEIVED-TOWN CLERK
WENHAM, MA 01984
2021 SEP 22 AM 9:55

Checks made payable to the Town of Wenham

DATE: 9/20/21

PHONE: 617-974-8175

EMAIL: pamyianni@comcast.net

APPLICANT: Pamela and Yiannis Katsiris

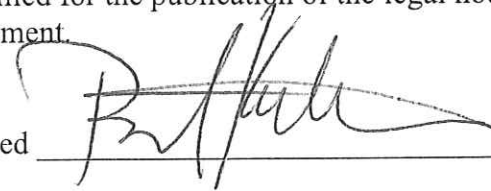
LOCATION OF PROPERTY: 21 Longfellow Rd.

Applicable Section of Zoning Bylaw: _____

NATURE OF APPLICATION:
(attach narrative and or site plan as appropriate)

See attached

I hereby request a hearing before the Board of Appeals with reference to the above noted application. I understand I will be billed for the publication of the legal notice and have completed the attached acknowledgement.

Signed 

I. We are requesting modifications to our Special Permit for 21 Longfellow Road.

II. We are also requesting a Notice of Intent for Conservation.

I. The modifications are shown on the new engineering plan submitted with this Application. The narrative is as follows:

There were substantial errors on the original engineering plan which will be enumerated below. In addition there was a major error on our as built site survey.

Summary:

- Issues with the site, and errors on the original engineering plans required us to make changes as the foundation was being laid out and poured. The lot had quirky elevations, a kettle hole, a burm and drop offs on 2 sides. It was covered with trees, debris and overgrowth. When the lot was finally cleared and excavation began we realized the elevations that the engineer had originally described were not appropriate for the house on the lot. The drop from right to left was much more dramatic than expected. Additionally, the complete lot size was incorrectly stated to be approximately +/- 17,020 square feet, when in fact it is greater than 22,000 square feet and the new engineer will show that on the plan. (Also on our assessors lot cards)
- In addition, the flow of water from right to left, with the garage in the original position and elevation would have created a river of water flowing into our garage door.
The previous building inspector was at the site daily, often multiple times a day. He was the one that recommended we raise the elevation of the garage, lower the elevation of the house and place the garage door on the side. We sent him the proposed plan before we started. He inspected the pins for the foundation and the footings. In May 2020 we sent him the "as built" when the foundation was in and the final elevations determined.
We had serious issues with our architect. After the foundation was poured and the plans went to the lumber yard's engineers to be sized and lumber pulled they said that the roof would fail and could NOT work as designed. After much investigation and consulting with 3 other structural engineers it was discovered that the architect had fraudulently stamped the plans to show that an engineer had reviewed, but in fact had NOT. It took us almost 9 months to have the roof and house supporting system completely re-engineered. We were not able to start with the framing until Feb 2021.
- We hired a new civil engineer in June 2021 and in his due diligence he discovered that the house was pinned incorrectly by the site surveyor and therefore, footings, foundation and house have now been constructed approximately 21 feet further southeast on the lot, toward the pond. The new house position has not impacted any of the setbacks as are required by code. In addition, almost the entire building is now out of the 100' buffer to the wetlands.

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Modifications Requested:

- 1) Garage be closer to grade with main house and garage door moved to side. The length of garage did not change, however, to be able to get in a car from the side the width increased by 7'. We did NOT extend into the required frontage and the front of the house is on the same plane.
- 2) Approve new location of building.
- 3) Change in location of septic system due to new location of house.
- 4) With the raising of the garage the slope on the left changed. We are proposing a rip rap wall instead of block retaining wall. The walkway to the lower level (which will provided us with the handicapped accessibility that we require) is now below the rip rap.
- 5) There was grading done to the Town property. We propose to return similar material and to construct a cement retaining wall along the rear lot line and the right of the lot along Fairview Street (paper road) to minimize erosion. Allowed by Zoning Bylaw 255-5.2 (G)(2) There is one hemlock tree that is very close to the rear lot line, proposed wall and house that we would like to remove as it is not in good condition and we fear it falling. We had a tree expert examine it and he reported the tree is not healthy and too close to the house to remain.
- 6) We would like to have our outdoor patio covered with a metal roof. We have installed an outdoor fireplace. The roof would extend from the house by 10'. Zoning Bylaws 255-5.2(E) allows for Projections of Ornamental features.
- 7) We are proposing to change from a core gravel driveway to a pervious bituminous driveway due to washout of the stones and snow maintenance. The size of the driveway will increase with the new garage door position, but will allow for guest parking on our property and will ease the congestion on Longfellow Road.
- 8) Adjustment of the position of the hammerhead onto Oak Street (paper road). This will be used by city vehicles, trash collection and snow removal. It will also be a spot for delivery vehicles and guests to turn around on a very narrow and congested road. It should be in the paper road. In addition, the new location of our septic system does not allow for the hammerhead to be in its previous location.
- 9) Adjusted locations for Dry wells to take into consideration current run off conditions and house placement.
- 10) Allowed to keep a POD on site through the end of construction to store material and tools. A number of tools have been stolen and as we have been unable to fully secure the house, we require a storage unit on site.

Thank you for your consideration
Pamela and Yianni Katsiris