

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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EXECUTIVE SECRETARY
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ROBERT A. BASTILLE
CYNTHIA S. HIBBARDZBA 98-90
Petition of Arthur J. Grillo
36 Thomas Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 22, 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 ARTHUR J. GRILLO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of the existing nonconforming second story and the raising of the ridge line of the main roof 8 feet 8 inches to accommodate a 28.5 foot by 32.5 foot second story addition, with less than the required front, left and right side yard setbacks, at his nonconforming dwelling with less than the required front, left and right side yard setbacks at 36 THOMAS ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

On October 5, 1998, 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 Arthur Grillo, who said that he was simply going up on the structure to square it off, without changing the footprint. The new second story will allow for full headroom for bedrooms on the second floor.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 36 Thomas Road, in a Single Residence District, on a 5,915 square foot lot, and has a minimum front yard clearance of 24.3 feet, a minimum left side yard clearance of 13.6 feet and a minimum right side yard clearance of 13.5 feet.

The petitioner is requesting a Special Permit/Finding that the demolition of the existing second story and the raising of the ridge line of the main roof 8 feet 8 inches to accommodate a full 28.5 foot by 32.5 foot second story addition, with the same minimum front, left and right side yard setbacks as stated above, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

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A Plot Plan dated September 29, 1998, drawn by Paul J. Sawtelle, Registered Land Surveyor; Existing and Proposed Floor Plans and Elevations dated July 14, 1998, drawn by B.L. Gaulnier; and photographs were submitted.

On October 13, 1998, the Planning Board reviewed the petition and offered no comment.

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.

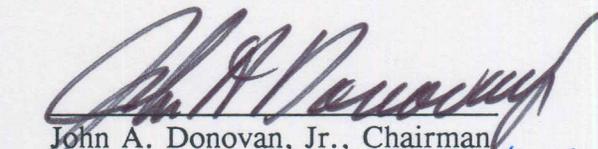
It is the finding of this Authority that the proposed second story addition will not be substantially more detrimental to the neighborhood as it will neither intensify the existing nonconformance, nor will it create new nonconformance, as there will be no change in the footprint.

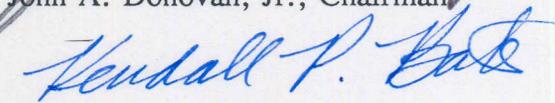
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to demolish the existing second story and construct a new full second story, subject to construction in accordance with the submitted plot plan and construction drawings.

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.

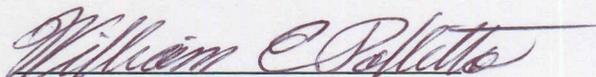
APPEALS FROM THIS DECISION,
IF ANY SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman



Kendall P. Bates



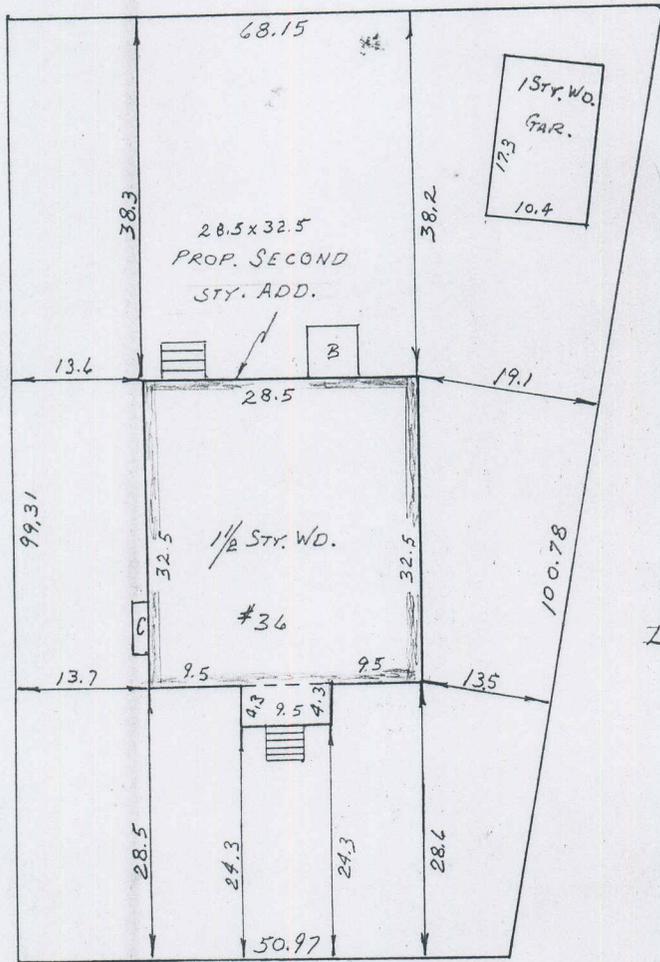
William E. Polletta

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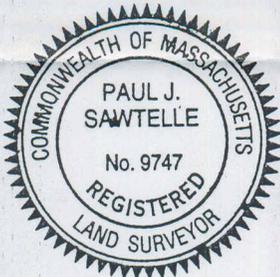


AREA = 5915 ± S.F.
LOT COVERAGE = 19.4%

THOMAS ROAD

PLAN OF LAND
IN
WELLESLEY, MASS.

SCALE 1" = 20' SEPTEMBER 29, 1998
MASS BAY SURVEY INC. NEWTON MASS.



Paul Sawtelle