

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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WELLESLEY MA 02482
2003 JAN -3 A 9 08

ZBA 2003-9
Petition of Arthur J. Grillo
171 Benvenue Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 16, 2003 at 7:30 p.m. in the Great Hall, in 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 construction of a 20.1 foot by 22.2 foot second story addition above an existing nonconforming garage with less than the required left side yard setback, at his nonconforming dwelling with less than the required left side yard setback, at 171 BENVENUE STREET, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 23, 2002, 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 he would like to add a master suite above the garage, which is about 16 feet from the left side line. There will not be any further encroachment.

The Board noted that the Planning Board had no objection to the request.

The Board asked if Mr. Grillo was adding a second bay onto the garage. Mr. Grillo said the garage is small and he is making one large door. The Board suggested that panelizing the door would make it more attractive.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 171 Benvenue Street, on an 11,756 square foot lot, in a 20,000 square foot Single Residence District, and has a minimum left side yard clearance of 16 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a 20.1 foot by 22.2 foot second story addition above the existing nonconforming garage with the same dimensions and a minimum left side yard setback of 16 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated October 5, 2002, rev. December 18, 2002, stamped by Frank Iebba, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated November 4, 2002, rev. November 10, 2002, drawn by New England Design & Remodeling; and photographs were submitted.

On January 7, 2003, the Planning Board reviewed the petition and had no object to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

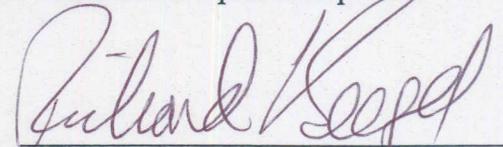
It is the finding of this Authority that the construction of the 20.1 foot by 22.2 foot second floor addition above the nonconforming garage shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the addition shall neither intensify the existing nonconformance, nor shall it create new nonconformance, as there shall be no change in the footprint.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the second story addition in accordance with the submitted plot plan and construction drawings.

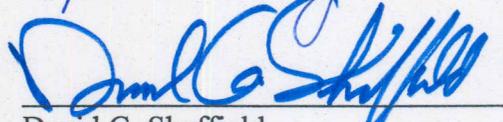
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

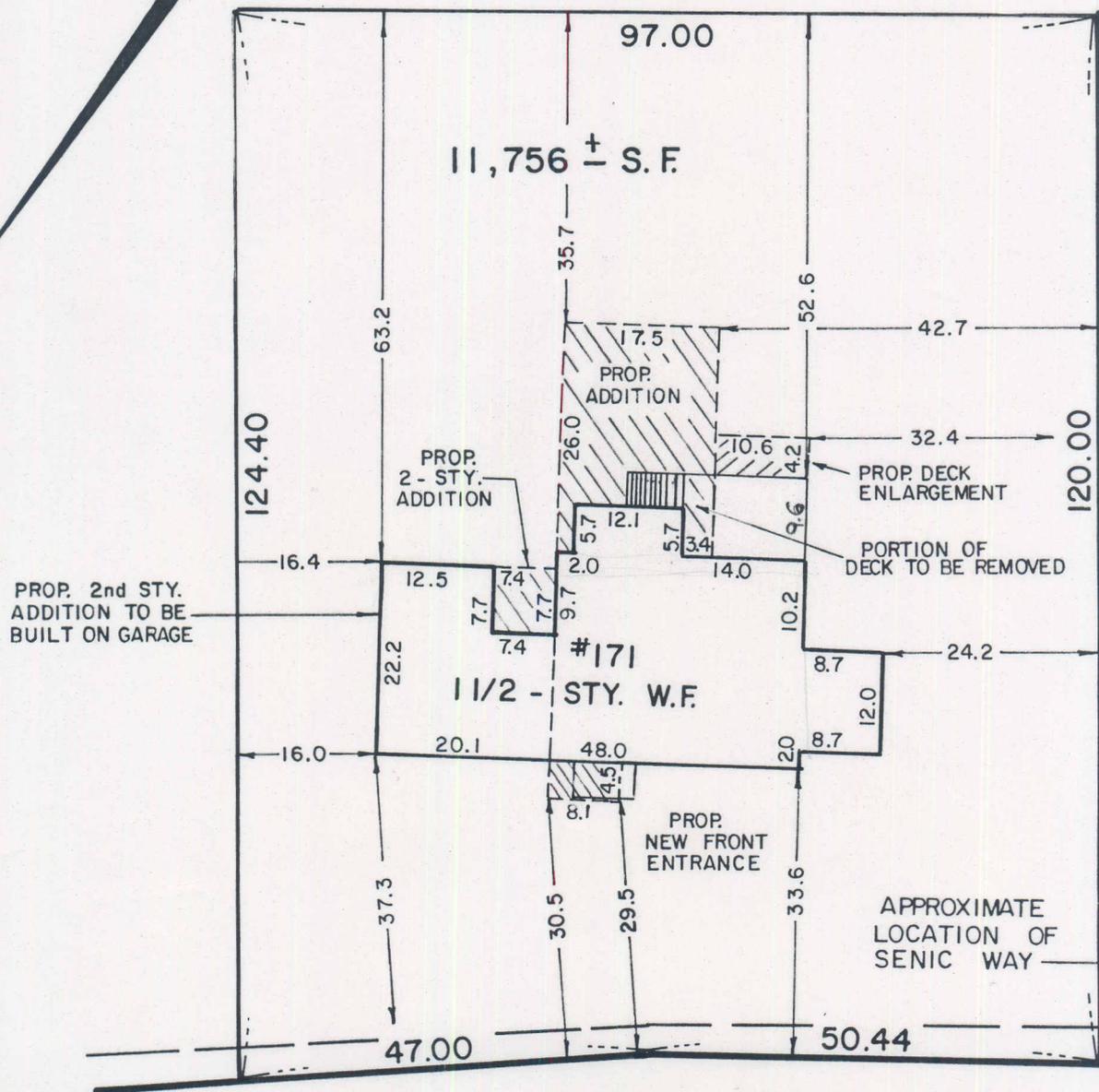

Richard L. Seegel, Chairman


Cynthia S. Hibbard


David G. Sheffield

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2003 FEB - 3 A 9:08

LOT COVERAGE = 11.7%
PROP. LOT COVERAGE = 16.7%



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2002 DEC 23 P 2:00

BENVENUE STREET



PLAN OF LAND
IN

WELLESLEY, MASS.

SCALE : 1" = 20'
ESSEX ENGINEERING & SURVEY
617-965-3975
781-553-0299

OCT. 5, 2002
NEWTON, MASS.
REVISED DEC. 18, 2002