



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
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431-1019

ZBA 87-68  
Petition of Joseph and Rosina Arcuri  
90 Rice Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, August 27, 1987 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of JOSEPH AND ROSINA ARCURI requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow the construction of an addition to their non-conforming dwelling at 90 RICE STREET on the corner of RICE STREET and TWITCHELL STREET, said addition to consist of a family room and lavatory of approximately 31 feet by 16 feet, leaving less than the required front yard setback from TWITCHELL STREET.

On August 3, 1987 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Joseph Grignaffini, contractor for Mr. and Mrs. Arcuri who were present. Mr. Grignaffini stated that the location of the addition did not present further encroachment toward Twitchell Street and had been positioned so as not to have to take down two large trees.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is located at the corner of Rice Street and Twitchell at 90 Rice Street in a Single Residence District, containing 16,268 square feet of land. A non-conforming dwelling exists on the property with a front setback from Twitchell Street of 14.2 feet.

The petitioner proposes the addition of a family room and lavatory approximately 31 feet by 16 feet, leaving a front setback from Twitchell Street of 21.9 feet.

A Plot Plan was presented drawn by Carmelo Frazetti, Registered Land Surveyor, dated July 25, 1987 and construction plans drawn by Wellesley Design, dated July 20, 1987, consisting of Elevations (1) and First Floor Plan (2).

The Planning Board, at its Regular Meeting of August 11, 1987, in a letter dated August 12, 1987, voted to offer no objection as long as the proposed encroachment was less than the present encroachment.

SEP 11 3 24 PM '87  
TOWN OF WELLESLEY  
ZONING BOARD'S OFFICE  
MASS.

Petition of Joseph and Rosina Arcuri  
90 Rice Street

Decision

This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling has a front setback from Twitchell Street of 14.2 feet.

It is the opinion of this Authority that the proposed addition of a family room and lavatory does not alter the relationship of the house to the front setback, and in fact, is less of an encroachment than the existing dwelling.

It is the opinion of this Authority that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct a family room and lavatory at 90 Rice Street, said addition approximately 31 feet by 16 feet, as shown on the Plot Plan by Carmelo Frazetti, Registered Land Surveyor, dated July 25, 1987, coming no closer to Twitchell Street than 21.9 feet.

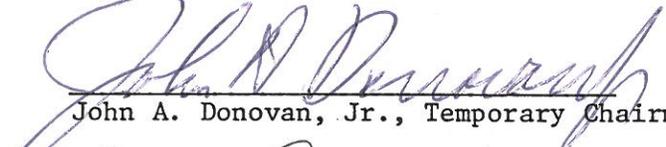
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

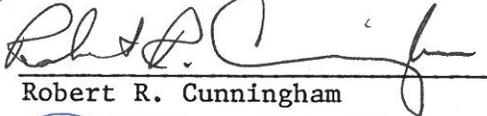
If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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., Temporary Chairman

  
 \_\_\_\_\_  
 Robert R. Cunningham

  
 \_\_\_\_\_  
 Franklin P. Parker

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 TOWN CLERK'S OFFICE  
 WILLESTEE MASS.  
 SEP 11 3 24 PM '87

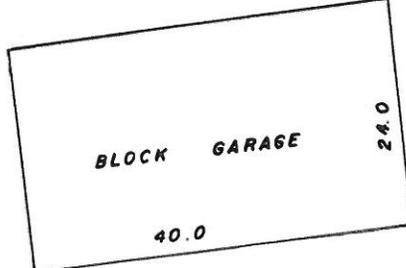
52 Cottonwood Rd.

Louis & Antonietta Gigliotti  
47 Twitchell St.

100.00'

16,268 S.F.

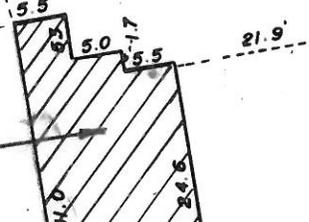
RECORDS OFFICE  
WELLESLEY, MASS.  
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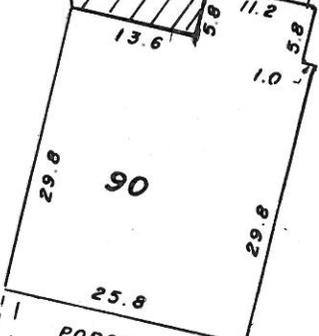
56 Cottonwood Road  
Natale F & Vincenvina Gigliotti

139.62'

PROPOSED ADDITION



STEP 21.9'



PORCH

STEPS

RICE

185.73'  
STREET

TWITCHELL

PLAN OF LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 90 RICE STREET

Owned by  
Joseph A. & Rosina Arcuri  
July 25, 1987  
Carmelo Frazetti



Proposed Addition  
Scale 1" = 20'  
Land Surveyor