

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

FEB 26 9 06 AM '88

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATESELLEN D. GORDON
Executive Secretary
Telephone
431-1019WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCKZBA 88-12
Petition of C. Joseph Grignaffini
81-93 Garden Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on January 21, 1988 at 8 p.m. in the Great Hall of the Town Hall, 525 Washington Street, Wellesley on the petition of C. JOSEPH GRIGNAFFINI requesting a Special Permit pursuant to the provisions of Section XIX-B and Section XXV of the Zoning Bylaw which will allow three building lots known as Lots 3, 4 and 5 between 81 and 93 GARDEN ROAD (part of a subdivision to be known as SURREY LANE) having their only frontage of 50 feet (Lots 4 and 5) and 60.80 feet (Lot 3), which is less than the required 100 feet, on a curved street line. Said property is in a Single Residence District.

On January 4, 1988, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was C. Joseph Grignaffini who presented and explained the subdivision plan which had definitive approval from the Planning Board. Mr. Grignaffini said that in locating the houses on the lots, he would seek to preserve as much of the natural open space as possible, and would keep the design of the homes architecturally compatible with those in the neighborhood.

No other persons present had any comments on the petition.

Statement of Facts

The property in question is known as Lots 3, 4 and 5, Garden Road. They are part of a subdivision to be known as Surrey Lane. The three lots are on a cul-de-sac in a Single Residence District. Lot 3 contains 22,032 square feet with a frontage of 60.80 feet; Lot 4 contains 20,006 square feet with a frontage of 50.0 feet; and Lot 5 contains 20,001 square feet with a frontage of 50.0 feet. Surrey Lane Subdivision has received a Certificate of Approval of a Definitive Plan (PB-87-C-1), dated January 19, 1988 from the Planning Board.

L. Grignaffini & Sons, Inc., Gene W. Comella and Gerald E. Butterworth own the lots in question. Mr. Grignaffini is requesting a Special Permit pursuant to the provisions of Section XIX-B of the Zoning Bylaw which will allow the lots to become buildable lots.

Section XIX-B of the Zoning Bylaw states:

"Provided, however, that a lot having its only frontage on a curved street line having a sideline radius of less than 100 feet may have a reduced frontage upon the granting of a special permit in accordance with Section XXV and provided:

- a. The minimum frontage shall be 50 feet;

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- b. The minimum front yard width is maintained at the street setback line;
- c. All other dimensional zoning requirements are satisfied."

A Plot Plan was submitted entitled "Subdivision of Land in Wellesley, MA", drawn by Everett R. Kennedy, Registered Land Surveyor, of MacCarthy & Sullivan Engineering, Inc., dated September 11, 1987.

The Planning Board, in a letter dated January 20, 1988 stated: "This request is in accordance with the definitive subdivision plan PB-87-C-1, Surrey Lane, which has been reviewed and approved in revised form by a vote of the Planning Board on January 19, 1988."

Decision

This Authority has made a careful study of the evidence presented. The property in question meets all of the requirements of Section XIX-B of the Zoning Bylaw. The lots front on a curved street line having a sideline radius of less than 100 feet. The petitioner has not presented construction plans for dwellings on the lots, so this Special Permit has conditions which must be met upon construction of a dwelling.

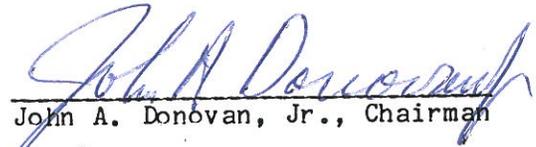
A Special Permit is hereby granted to C. Joseph Grignaffini pursuant to Section XIX-B and Section XXV to allow Lots 3, 4 and 5, 81-93 Garden Road, to become buildable lots with frontages of 60.80 feet (Lot 3), 50.0 feet (Lot 4), and 50.0 feet (Lot 5) as shown on the Subdivision of Land in Wellesley, MA plan described in the Statement of Facts, subject to the following conditions:

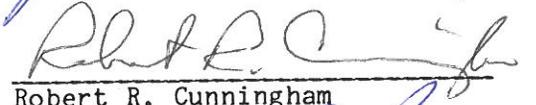
1. That minimum front yard width is maintained at the street setback line.
2. That all other dimensional zoning requirements are satisfied.
3. That this Special Permit shall lapse within 2 years of the date of this decision.

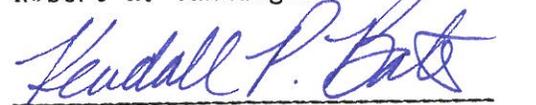
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings

edg


John A. Donovan, Jr., Chairman


Robert R. Cunningham


Kendall P. Bates