



MAY 17 9 03 AM '88

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
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SUMNER H. BABCOCK

ZBA 88-33

Petition of Salvatore DeFazio, III
344-358 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 21, 1988 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 SALVATORE DEFAZIO, III requesting a Finding pursuant to Section XVII and Section XXIV-D of the Zoning Bylaw that the proposed extension in excess of 10% of the present floor area to his pre-existing non-conforming structure at 344-358 WASHINGTON STREET, in a Business District, shall not be substantially more detrimental to the neighborhood than the existing non-conforming structure and use; and a variance from the terms of Section XI-D and pursuant to Section XXIV-D to allow the proposed addition of 2,137 square feet to exceed the maximum floor area ratio allowed.

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

Presenting the case were Salvatore DeFazio and George Roman, the architect for the project. Mr. DeFazio gave a history of the building and a description of its current use. He said he must bring the building up to code and plans to remodel the rear entrance, the toilet facilities and connect the two buildings. The proposed addition to the second and third floors would not create a need for additional parking, as all the new space would be used by the present tenants.

Mr. Roman presented Present and Proposed Axonometric Views of the rear of the building. He said the roof was being raised to accomodate the addition, but not above the present ridge line. The net gain on the footprint will be 180 feet. The primary thrust of the construction is to upgrade the building to meet code standards.

No other persons had any comment on the petition

Statement of Facts

The pre-existing non-conforming structure is located at 344-358 Washington Street on a 5,694 square foot lot, in a Business District. The triangular property is bounded by Washington Street, Prescott Street and town property (leased aquaduct land) and has two existing buildings. The building in question contains 14,641 square feet.

The existing building was erected around 1890 and is registered with the Massachusetts Historical Commission. It consists of a basement and three levels above grade and is occupied by retail shops, offices and the Windsor Press, Inc.

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The petitioner is seeking to add 2,137 square feet to the existing building, including a stair and entry at the rear of the building, connection between the east and west portions of the building, updating the toilet facilities and 1300 square feet net rental area for existing tenants. The proposed addition is a 14.6 percent increase of gross square feet over the existing area and as such, constitutes a substantial extension to a pre-existing non-conforming structure. According to Section XVII of the Zoning Bylaw, any increase in the floor area of a building in excess of 10% of the building existing on March 1, 1980 requires a finding by the Permit Granting Authority that such extension shall not be substantially more detrimental than the existing non-conforming use to the neighborhood.

The existing building is also non-conforming in regard to its floor area ratio. The present floor area ratio of the building is 2.57. The proposed addition would increase the floor area ratio to 2.95. The maximum floor area ratio allowed in a Business District is 0.50. The petitioner is also requesting a variance to exceed the maximum allowed floor area ratio in order to construct the proposed addition.

A Plot Plan, dated February 20, 1988, drawn by Alexander Crucioli, Registered Land Surveyor of Acres-Engineers-Surveyors, Inc.; and construction plans, undated, drawn by George A. Roman & Associates, Inc. including Site Plan, Proposed Basement Plan (A1); Proposed First Floor Plan (A2); Proposed Second Floor Plan (A3); Proposed Third Floor Plan (A4); Proposed Axonometric View; Existing Rear Axonometric View; Existing Basement Plan (A1); Existing First Floor Plan (A2); Existing Second Floor Plan (A3); Existing Third Floor Plan (A4) were submitted.

The Design Review Board held a preliminary review of the plans for the minor construction project on March 10, 1988 and a final review on March 24, 1988. The Board voted to approve the plans with recommendations as to architectural design and landscaping.

The Planning Board, on April 11, 1988 voted to offer no comment on the petition.

Decision

This Authority has made a careful study of the evidence presented. The subject property is a pre-existing non-conforming structure which currently exceeds the maximum floor area ratio allowed in a Business District.

It is the finding of this Authority that the addition of 2,137 square feet to the pre-existing non-conforming structure at 344-355 Washington Street may be allowed according to the Plot Plan and Construction Plans submitted as described in the foregoing Statement of Facts. It is the further finding of this Authority that said change will not be substantially more detrimental than the existing non-conforming use to the neighborhood.

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

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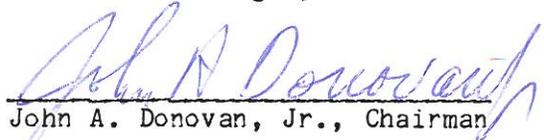
Therefore, the requested variance is granted to construct the addition of 2,137 square feet to the building at 344-358 Washington Street which will exceed the maximum floor area ratio allowed in a Business District, according to the Plot Plan and construction plans submitted as described in the foregoing Statement of Facts.

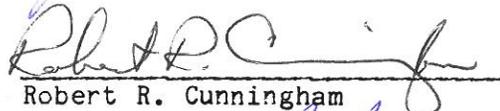
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

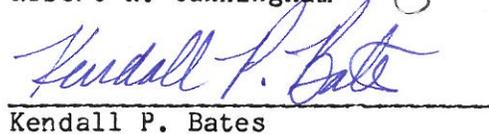
If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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., Chairman


Robert R. Cunningham

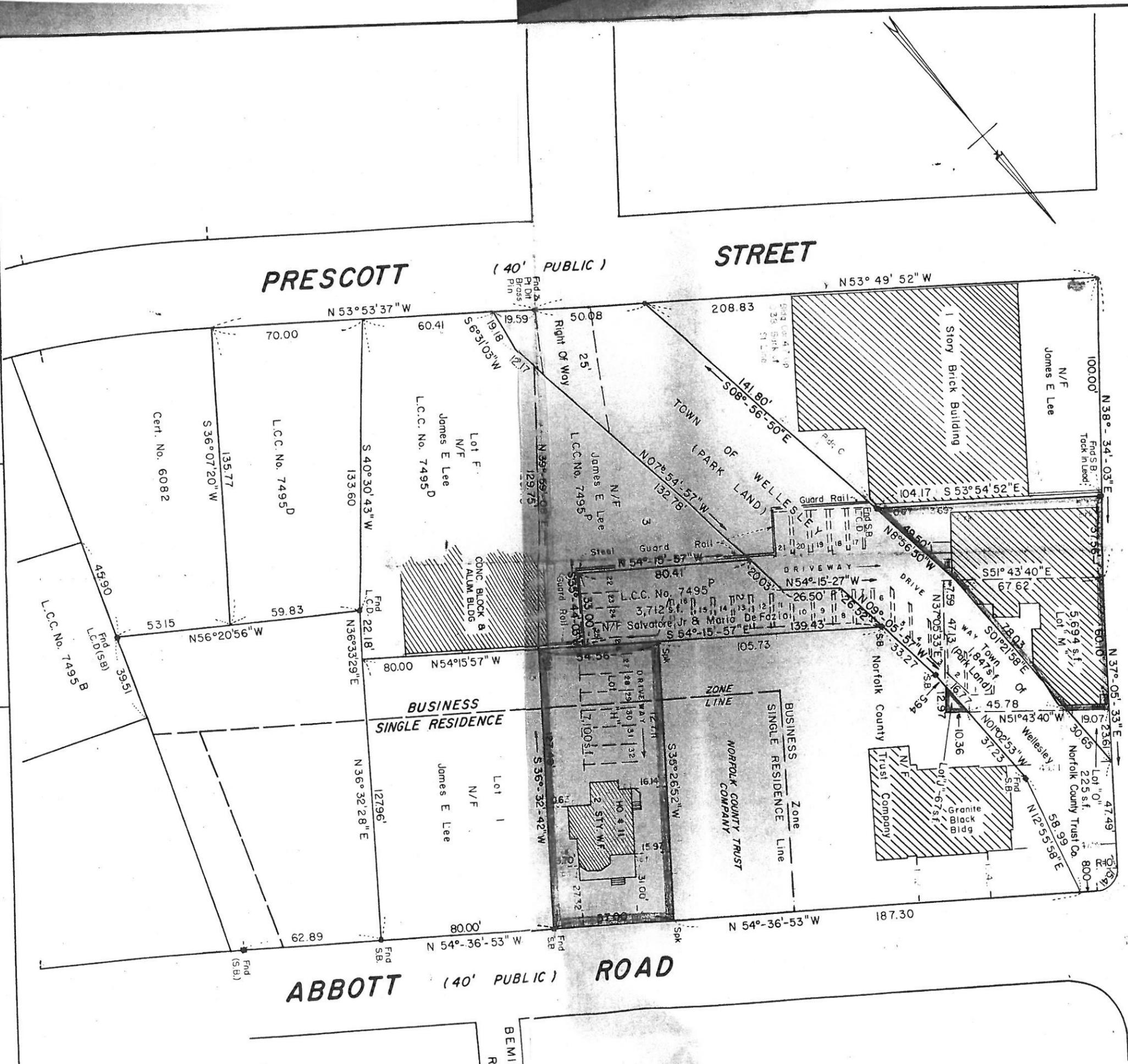

Kendall P. Bates

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WASHINGTON

(1900 County Layout - Variable width)
(Rte 16)

STREET



Approval under Sub-Division Control Law not required.

I certify that this actual survey was made on the ground in accordance with the Land Court Instructions of 1971 on November 9, 1974, & February 20, 1988.

Alexander Cruciani

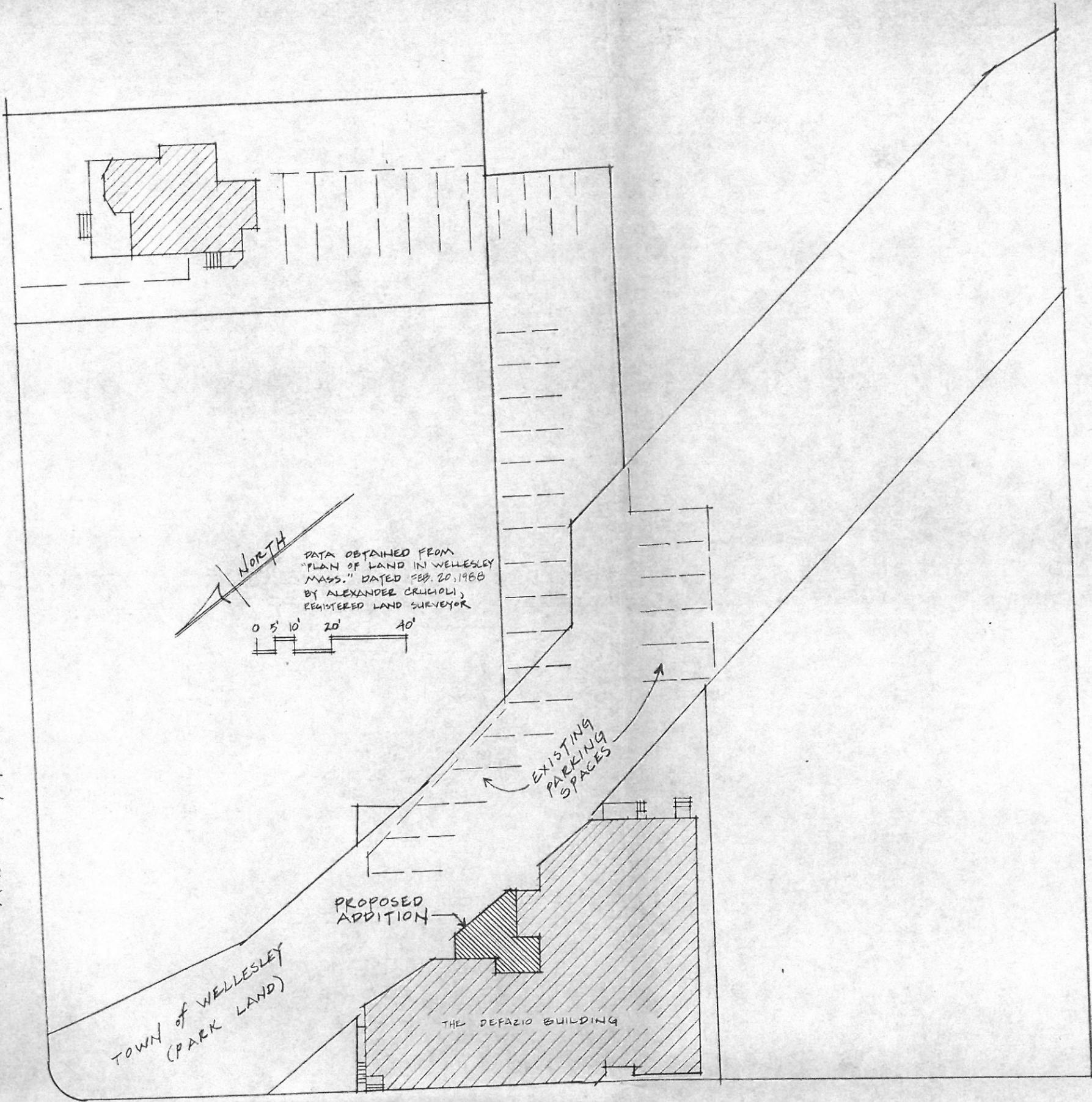
ACRES-ENGINEERS-SURVEYORS, INC.
Alexander Cruciani
57 Winthrop Rd.



PLAN OF LAND
IN
WELLESLEY - MASS.

SCALE: 1" = 30' FEBRUARY 20, 1988.

ABBOTT ROAD



WASHINGTON STREET

PRESCOTT STREET

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DEFAZIO BUILDING RENOVATION PROPOSAL
WASHINGTON STREET
WELLESLEY, MA

SITE PLAN

SCALE: 1"=30'

GEORGE A. ROMAN & ASSOCIATES INC.
architects planners interior designers
one gateway center newton, ma 017 339-5487
MEMBERS AMERICAN INSTITUTE OF ARCHITECTS

date	revision

