



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

JOHN A. DONOVAN
KENDALL P. BATES
WILLIAM E. POLLETTA

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(617) 431-1019 EXT. 208

RECEIVED OFFICE
TOWN CLERK'S
WELLESLEY, MA 02181

DEC 5 8 51 AM '96

SUMNER H. BABCOCK
ROBERT A. BASTILLE

ZBA 96-81

Petition of Eugenio, Joseph and Renso Perdoni
139 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 21, 1996 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 EUGENIO, JOSEPH AND RENSO PERDONI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the relocation of an existing conforming two-family dwelling on a pre-existing nonconforming portion of the lot located in a General Residence District, at 139 LINDEN STREET, which has less than the square footage required in said District, shall not be substantially more detrimental to the neighborhood than the existing structure. An existing 22.5 foot by 9 foot front porch will be demolished and replaced with a two-story 16 foot by 9 foot addition. The relocated footprint and addition are in compliance with all zoning setbacks.

On November 4, 1996, the petitioners 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 Ralph Copeland, attorney representing the Perdonis, who were also present. Mr. Copeland said that the front portion of the lot is zoned General Residence, but is undersized by about 1000 square feet. The petitioners wish to move the two-family house about 25 feet to the west. After the move, the house will be in full compliance with zoning setbacks, and the use will remain the same.

Mr. Copeland added that the purpose of the move is to give the new building, which is sited in the portion of the lot located in an Industrial District, more visibility and to add more parking. The entrance and exit to the dwelling from Linden Street will not change. He stated that all parking will be in the rear of the building in the General Residence District.

The Board questioned whether the dwelling will be used as a two-family house or as a lodging house, as there have been an excessive number of vehicles parked on the premises. Mr. Copeland assured the Board that it will be used as a two-family residence.

Robert Dischino, 6 Delanson Circle, said that he has been concerned during the last few years as to how the property has been maintained, and the number of cars parked on the property.

Dorothy Dischino, 6 Delanson Circle, stated that there are cars parked all over the property, and requested to see a plan depicting where the parking is to be located.

ZBA 96-81

Petition of Eugenio, Joseph and Renso Perdoni
139 Linden Street

A discussion ensued regarding the parking issue, which included possible restrictions on either the number of vehicles allowed to park on the premises and the elimination of all parking in the portion of the property in front of the relocated dwelling. The Board and the petitioners finally agreed that only two cars would be allowed to park in front of the house. The location of these spaces would be in the northeast section of the property in front of the dwelling, as drawn on the submitted plot plan by Joseph Perdoni. All other parking will be on the left side or at the rear of the dwelling.

Statement of Facts

The subject property is located at 139 Linden Street in the portion of the lot zoned General Residence. The 17,626 square foot lot contains three Zoning Districts: a 9,038 section zoned General Residence which contains a two-family dwelling; a 1,283 square foot section zoned Business, which contains a driveway; and a 7,307 square foot section zoned Industrial, which contains a new one-story building. There is a 10 foot wide right of way on the right side of the property.

In a General Residence District, a minimum land area of 5,000 square feet is required for each dwelling unit. The General Residence zoned portion of this lot contains 9,038 square feet, which is less than the 10,000 square feet required for a two-family dwelling.

The petitioners are requesting a Finding that the relocation of the existing, conforming, two-family dwelling approximately 25 feet to the right of its present location would not be substantially more detrimental to the neighborhood than the existing structure. The relocated footprint would conform to all zoning setbacks. An existing 22.5 foot by 9 foot front porch would be demolished and replaced with a conforming two-story addition.

A Plot Plan dated October 31, 1996, drawn by Larry F. Sabean, Professional Land Surveyor; a Plan of Land dated January 27, 1989, drawn by Ronald R. Turchi, Registered Land Surveyor; Floor Plans and Elevations dated October 30, 1996, drawn by Tectonic Design, Inc.; and photographs were submitted.

On November 12, 1996, the Planning Board reviewed the petition and stated that it had no objection to the relocation provided there is a continuation of the two-family use.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject two-family dwelling is located on the undersized portion of the lot which is zoned General Residence.

This Authority finds, as voted unanimously at the Public Hearing, that the relocation of the existing two-family dwelling, the demolition of the existing porch and construction of the 16 foot by 9 foot addition will not be substantially more detrimental to the neighborhood than the existing structure, subject to the following conditions:

ZBA 96-81

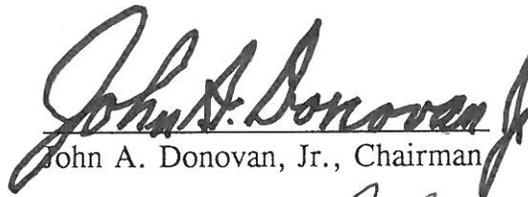
Petition of Eugenio, Joseph and Renso Perdoni
139 Linden Street

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS. 02158
DEC 5 8 51 AM '99

1. All relocation, demolition and construction shall be done in accordance with the submitted plot plan and construction drawings as described in the foregoing Statement of Facts.
2. The subject premises shall be used only as a two-family dwelling. Each unit shall be occupied either by one or more persons related by blood, adoption or marriage and not more than two additional people; or by not more than three persons residing together as a single housekeeping unit, where the persons are not related to one another by blood, adoption or marriage.
3. Two and only two vehicles may be parked within the front yard. These two cars shall be parked in the northeast section of the General Residence area; one car parked parallel to the northern most wall of the relocated building and easterly and immediately adjacent to the left side of the new addition; and the second car parked parallel to the first, as depicted on the attached plot plan by Joseph Perdoni at the Public Hearing. All additional parking shall be on the left side of the existing relocated dwelling or at the rear of said dwelling.
4. Parking of vehicles associated with the commercial building located in the Industrially zoned portion of the lot shall not be allowed in the portion of the lot zoned General Residence.

The Inspector of Buildings is hereby authorized to issue the required building permits for the relocation of the two-family dwelling, the demolition of the existing porch, and the construction of the two-story addition upon receipt and approval of the appropriate applications 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.


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

cc: Planning Board
Inspector of Buildings
edg

LOT AREA = 17,626 s.f.

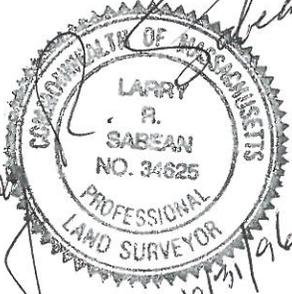
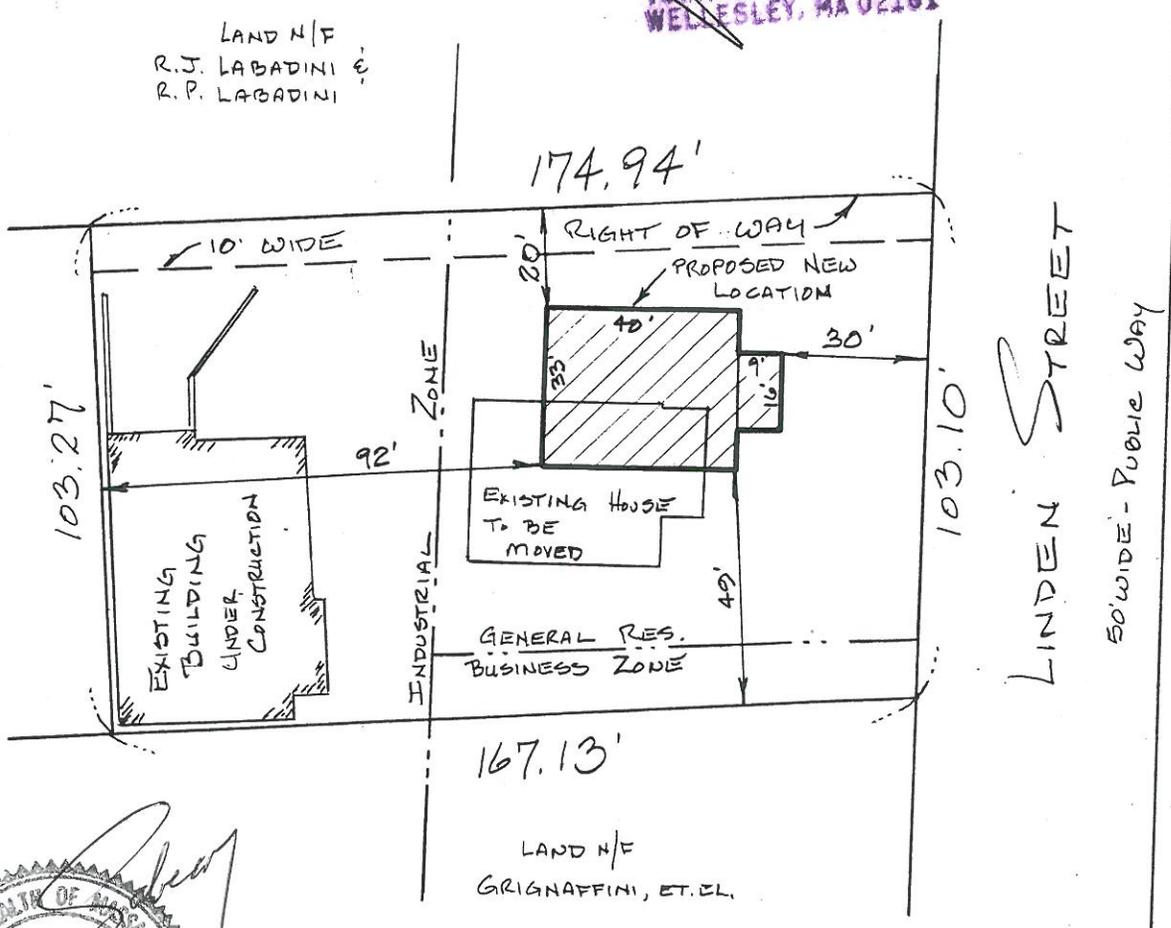
General Residence Area = 9,038 s.f.

Nov 4 1 10 PM '96

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

LAND N/F
R.J. LABADINI &
R.P. LABADINI

LAND N/F
L. GRIGNAFFINI &
SONS INC.



Assessors Map 123, Lot 56

DATE: OCT. 31, 1996 SCALE: 1"=40'

PROPOSED CONSTRUCTION PLOT PLAN

139 LINDEN STREET

WELLESLEY, MASSACHUSETTS

CONNORSTONE

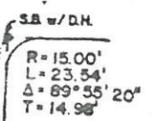
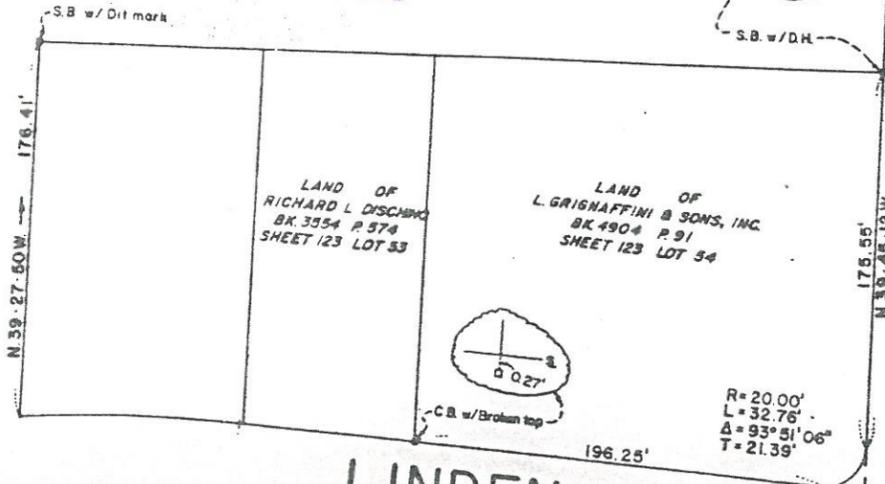
AN N.E.I. COMPANY
CONSULTING CIVIL ENGINEERS
AND
LAND SURVEYORS
276 WEST MAIN STREET
NORTHBOROUGH, MASSACHUSETTS 01532

PREPARED FOR:
RENZO PERDONI, EUGENIO PERDONI
AND JOSEPH PERDONI
60 WEST CENTRAL STREET
NATICK, MA. 01760

Nov 4 1 10 PM '96
 RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY, MA 02181

WESTERLY ST.

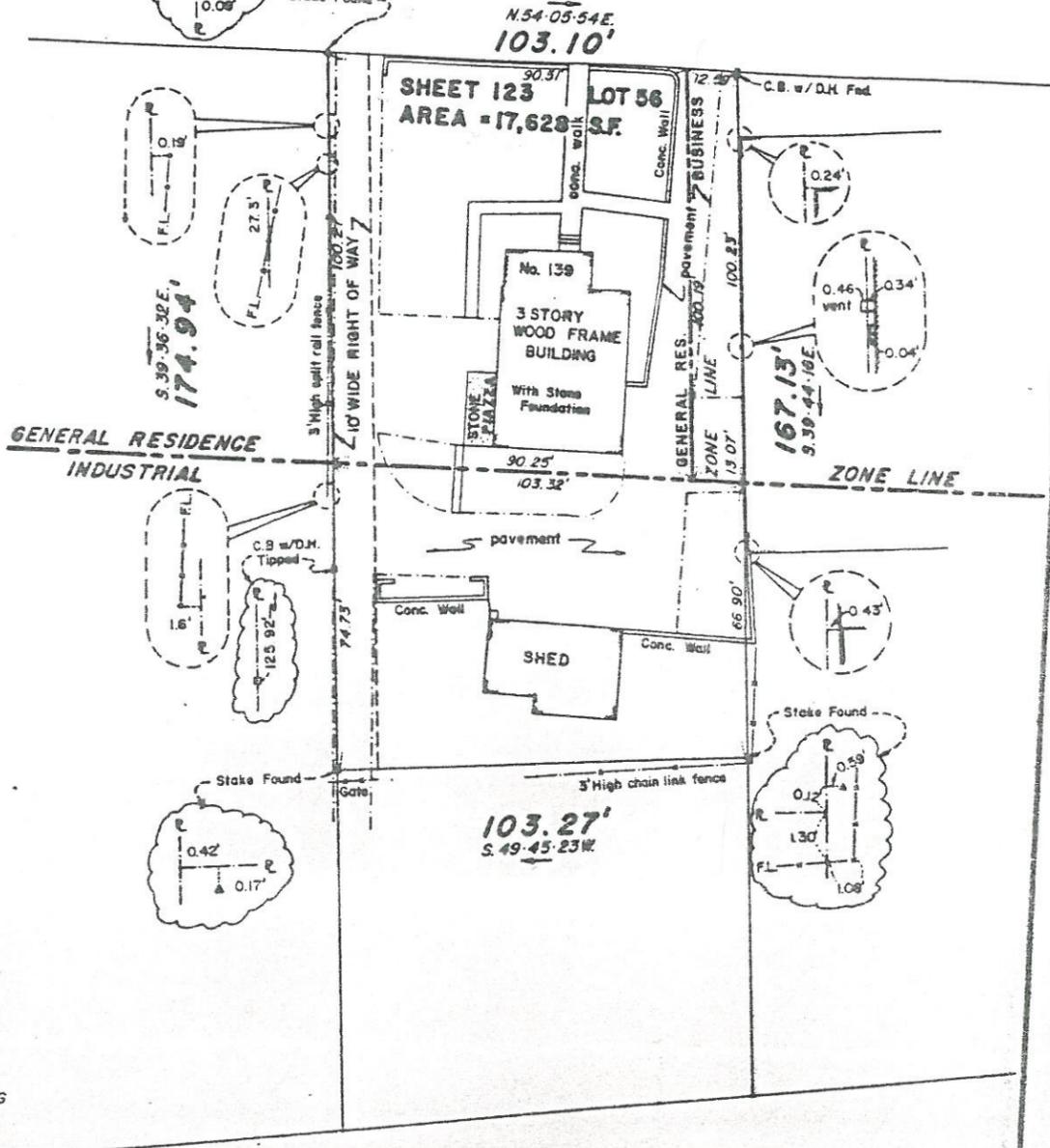
LINDEN STREET
 50' WIDE ... PUBLIC WAY



DEED REFERENCE:
 BOOK 7551 PAGE 32
 NORFOLK REGISTRY OF DEEDS

ASSESSORS SHEET 123 LOT 56
 GENERAL RESIDENCE
 AREA = 20,000 S.F.
 FRONTAGE = 100'
 SETBACKS: FRONT = 30'
 SIDE = 20'
 REAR = 20'

Business Area = 1283 s.f.
 General Residence = 9038 s.f.
 Industrial Area = 7307 s.f.
 TOTAL = 17,628 s.f.



LINDEN STREET
 50' Wide ... Public Way

50' Wide ... Public Way

HOLLIS STREET
 33' WIDE ... PRIVATE WAY

EVERETT STREET

RAILROAD STREET

CHAPTER 380, ACTS OF 1966:
 I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

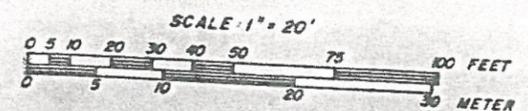
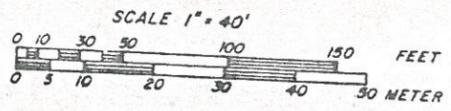
Ronald P. Turchi 1/27/89
 Ronald P. Turchi, R.L.S. 27001 Date:

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

Ronald P. Turchi 1/27/89
 Ronald P. Turchi, R.L.S. 27001 Date:

OWNED BY:
 RENSO PERDONI,
 EUGENIO PERDONI &
 JOSEPH PERDONI
 60 West Central Street
 Natick, MA. 01760

PLAN OF LAND
 IN
 WELLESLEY, MASS.



ORIGINAL FULL SIZE DRAWING = 4"		
REPRODUCTIONS MAY BE REDUCED SIZE		
DESIGNED BY: L.R.S.	DRAWN BY: L.R.S.	CHECKED BY: R.P.T.
SCALE: 1" = 20'	DATE REV 2/3/89 JANUARY 16, 1989	SHEET 1 OF 1 SHEETS

CONNORSTONE
 INC.
 CONSULTING CIVIL ENGINEERS
 AND
 LAND SURVEYORS
 ASHLAND, MASSACHUSETTS