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WELLESLEY, MA 02181**ZONING BOARD OF APPEALS**

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

Aug 12 9 00 AM '97

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ZBA 97-53

Petition of Grignaffini Construction Company, Inc.  
82 Woodside Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, July 24, 1997 in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of GRIGNAFFINI CONSTRUCTION COMPANY, INC. requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow a new 48 foot by 28 foot two-story dwelling at 82 WOODSIDE AVENUE, in a Single Residence District, to have a minimum front setback of 21 feet from HILLCROFT ROAD, a paper street.

On July 7, 1997, 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 Joe Grignaffini, who presented a panoramic photograph of the lot, the paper street and abutting property. Mr. Grignaffini explained that the lot has adequate frontage on Woodside Avenue, but is very narrow in depth at one point in the rear. In order to have a two-car garage, the dwelling has been sited in the left portion of the lot. Originally, the rear property line was lower. He purchased land from the rear abutter, who would not sell him sufficient land to even off the rear lot line.

Mr. Grignaffini stated that the paper street has a very steep incline. According to DPW, there is no reason for the street ever to be built.

No other person present had any comment on the petition.

Statement of Facts

The subject lot is located at 82 Woodside Avenue, in a Single Residence District, and contains 11,074 square feet. The left side of the lot fronts Hillside Road, a paper street. The lot narrows to 67 feet deep at a point approximately 48 feet from the right side lot line.

The petitioner is requesting a variance to construct a new two-story 48 foot by 28 foot dwelling with a two-car garage, which would have a minimum front setback of 21 feet from Hillside Road, a paper street.

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A Plot Plan dated May 27, 1997, drawn by Anthony M. Dellorco, Professional Land Surveyor; Floor Plans and Elevations (A1-A6) dated 11/26/96, drawn by Wellesley Design Service; and photographs were submitted.

On July 22, 1997, the Planning Board reviewed the petition and voted to offer no objection to the request as the Board felt it is unlikely that the paper street will ever be built, and the house abutting the paper street on the other side is at a distance of about 70 feet.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed dwelling will not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that because of the shape of the lot, a literal enforcement of the provisions of Section XIX 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.

Therefore, the requested variance is granted, as voted unanimously by this Authority at the Public Hearing, to construct the proposed dwelling, subject to construction in accordance with the submitted plot plan and construction drawings.

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

If the rights authorized by this variance are not exercised within one year of the date of grant of said 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



Kendall P. Bates, Acting Chairman

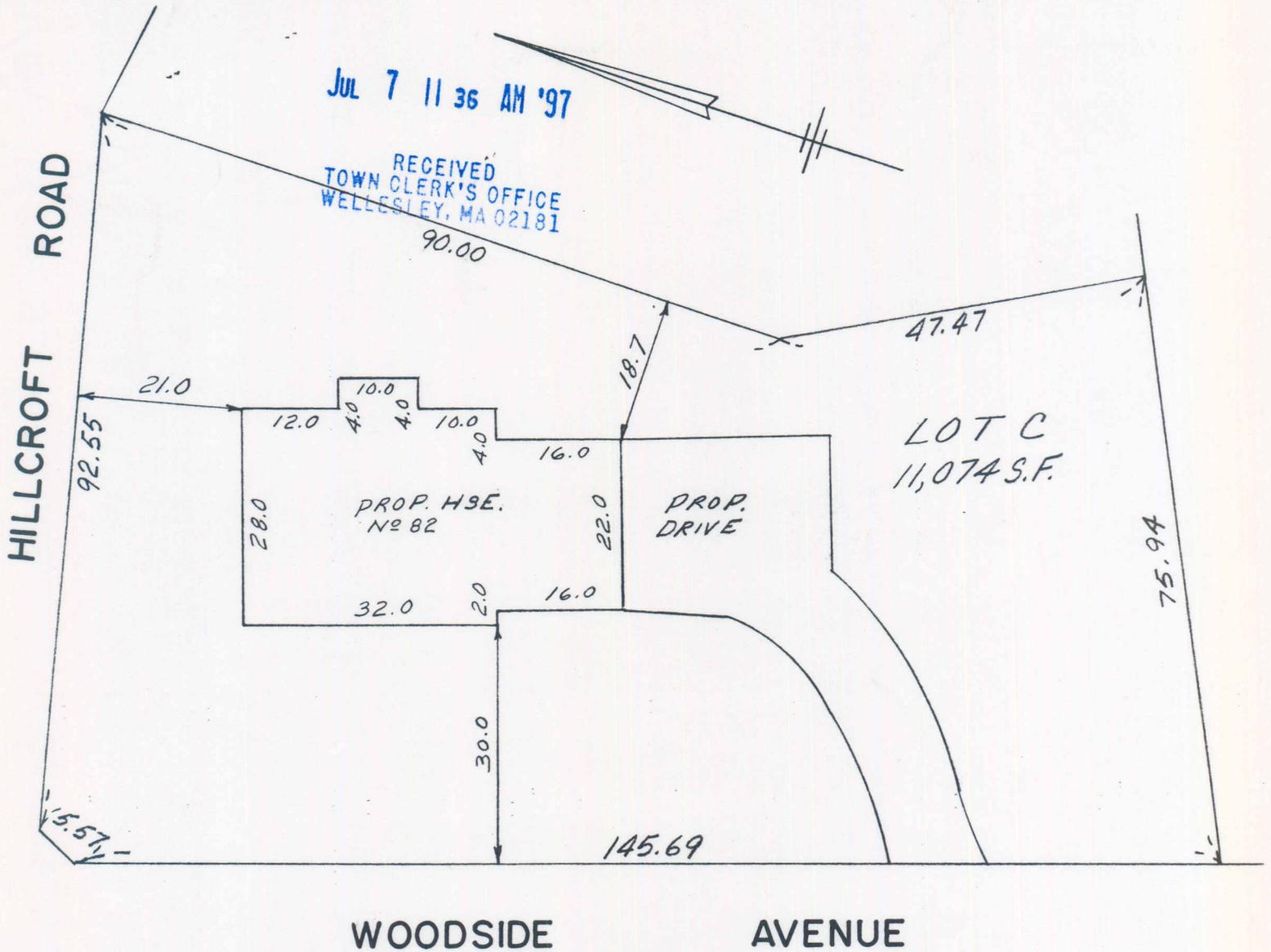


William E. Polletta



Robert A. Bastille

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LOT COVERAGE = 11.63%

PLOT PLAN OF LAND  
 IN  
**WELLESLEY — MASS.**

MAY 27, 1997 SCALE 1" = 20'

NEEDHAM SURVEY ASSOCIATES, INC.  
 281 CHESTNUT ST  
 NEEDHAM, MASS.

