


ZONING BOARD OF APPEALS

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

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1998 MAR 15 A 10:47

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ZBA 98-17

 Petition of L. Grignaffini & Sons, Inc.
2 Westerly Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 26, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of L. GRIGNAFFINI & SONS, INC. requesting Site Plan Approval pursuant to the provisions of Section XVIA, Section IX, and Section XXV of the Zoning Bylaw to allow the construction of a four unit Townhouse and a detached two-car garage on its property at 2 WESTERLY STREET, on a 29,343 square foot lot, in a General Residence District. The footprint of the Townhouses is 3,986 square feet and the garage is 648.2 square feet. Fourteen parking spaces and associated landscaping will be provided.

Presenting the case at the hearing were Joseph and Louis Grignaffini. Joe Grignaffini said that they had previously appeared before the Board for a variance regarding the lot frontage and the location of the garage for this project. They are now requesting Site Plan Approval.

Mr. Grignaffini submitted documentation regarding the Book and Page Number and the Water Table Report requested by the Engineering Department.

The Board stated that the Engineering Department had concerns regarding the run-off onto Diehl's property at the southern end of the lot. Louis Grignaffini explained that the area in question is about 35 feet by 45 feet adjacent to a 28 foot by 80 foot landscaped area, which would be more than enough space to absorb the water. The grade will not be changed. If the run-off is a problem, they will install another catchbasin.

After further discussion, the Board suggested that the determination of the preferred method of remediation of the problem, either by planting the slope or by installing a leaching catchbasin, should be the decision of the Engineering Department. A revised drainage plan showing the chosen option should be submitted to the Board of Appeals.

The Board stated that the Fire Department had requested 14 feet at the entrance drive. Mr. Grignaffini responded that the entrance has been widened to meet this requirement.

The Board questioned whether site preparation work had begun on the site. Mr. Grignaffini replied that the original house and its foundation had been torn down. They had a demolition permit and tree removal on one's property does not constitute site preparation, which a builder defines as earth moving. The Board complimented the petitioners on retaining the stand of trees at the rear of the property.

RECORDED 4/13/98 @ 11:08 A.M., WITH THE NORFOLK REGISTRY OF DEEDS AS INSTRUMENT # 49338

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 NORFOLK COUNTY
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The Board questioned the accuracy of certain information provided in the Official Development Prospectus; specifically the calculation for Water Consumption, the ratio of the total lot to the total square footage, as there was a 3,000 square-foot difference, and the lack of figures on Electric Consumption.

Mr. Grignaffini explained that the water use should be 184/gal/day/apartment rather than the submitted figure; and that the calculations on the plans, rather than in the Prospectus, are correct.

The Board asked the reason for the DEP sign on the property. Mr. Grignaffini said that when they tore the house down, asbestos had to be removed which required DEP notification.

The Board asked how the refuse disposal would be handled. Mr. Grignaffini said that refuse would be stored in the garages and picked up once a week.

The Board discussed conditions under which Site Plan Approval would be granted. In addition to the condition regarding the run-off in the southeastern corner of the property, the Board determined that all easements required by the DPW (driveway, electric, sewer, and drainage) be executed and recorded, with copies submitted to the Engineering Department and the Board of Appeals prior to the issuance of any building permit.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 2 Westerly Street, in a General Residence District, and contains 29,343 square feet. The petitioner is requesting Site Plan Approval to construct four two-story townhouse units, each with a one-car garage, with a footprint of 4,634.67 square feet and a floor area of 7,334 square feet; and a detached two-car garage with a footprint and floor area of 768 square feet. Outdoor parking for 8 cars and associated landscaping is also provided.

Construction of townhouse units in a General Residence District is an allowed use, subject to the conditions in Section IV-A-3 of the Zoning Bylaw. The petitioner is in compliance with these conditions as follows:

	<u>Required or Allowed</u>	<u>Proposed</u>
Maximum Residential Density (sf/unit)	4.192 units	4 units
Minimum Lot Size	21,000 sf	29,343 sf
Minimum Open Space	65% (19,072 sf)	22,000 sf

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Maximum Lot Coverage	20% (5,868 sf)	4,634 sf
Maximum Building Height	40 feet	34 feet
Minimum Lot Frontage	120 feet	85.55 feet
Minimum Front Setback	35 feet	45 feet
Minimum Side & Rear Setback		
Abutting Single Residence	35 feet	50 feet
Abutting Other Zoning	25 feet	35 & 25.5 feet
		(Variance granted ZBA 97-93 for garage 5 feet from Industrial District)
Minimum Bldg Separation	30 feet	30.5 feet
Min/Max Length of Row	3-6	4
Parking Spaces	8	14

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The following information was submitted: An Official Development Prospectus dated 1/22/98; Drainage Analysis dated 12/1/97, prepared by James H. Lynn, Registered Professional Engineer; Boring Log dated 2/4/98; and Drainage Analysis/Design dated 2/25/98, prepared by James H. Lynn, Registered Professional Engineer.

The following plans were submitted: Site Plan of Land dated 10/24/97, revised 11/20/97, revised 12/2/97, revised 2/23/97, drawn by James H. Lynn, Registered Professional Engineer; Landscape Plan (L-1) dated 12/19/97, drawn by Mary A. Smith, Registered Landscape Architect; East/South/North Elevations (A-1) dated 8/19/97; West Elevation dated 9/10/97; Basement Plan (A-3) dated 9/10/97; First Floor Plan (A-4) dated 9/10/97; Second Floor Plan (A-5) dated 9/10/97; Wall Sections & Details (A-6) dated 1/19/98; Garage Floor Plan & Elevations (G-1) dated 9/10/97. All the architectural plans are stamped by John C. Staniunas, Registered Architect.

On October 23, 1997, the Design Review Board had a Preliminary Review of the Townhouse project, made recommendations regarding the brickwork, and had questions about the type of roof, the grading, and the siting of the townhouses.

On February 12, 1998, the Design Review Board held a Final Review. The petitioner had incorporated several of its prior recommendations. The DRB had further recommendations regarding the garage windows, the dormer roofs and the entryways on the east elevation.

All submitted plans and information were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health, and the Fire Chief, as required by

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Section XVIA of the Zoning Bylaw. Written responses from each of the above were received and are on file in the office of the Board of Appeals. RECEIVED
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On February 10, 1998, the Planning Board reviewed the petition and recommended approval of the request.

On March 5, 1998, the office of the Board of Appeals received notification from the Engineering Department that all plans for the proposed townhouse complex have been received and are acceptable. The petitioner will install a leaching catchbasin at the southeastern corner of the property. A revised drainage plan depicting the leaching catchbasin has been submitted and approved, with a copy on file in the office of the Board of Appeals.

Decision

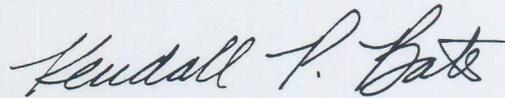
This Authority has made a careful study of the materials and plans submitted and the information presented at the hearing. The proposed construction of four townhouse units with a floor area of 7,334 square feet and detached two-car garage with a floor area of 768 square feet requires Site Plan Approval as it constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw due to the fact that it includes the construction of 2,500 or more square feet of floor gross floor area.

It is the opinion of this Authority that the submitted plans enumerated in the foregoing Statement of Facts comply with the Zoning Laws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways, and insure adequate protection for water, sewerage and drainage. Furthermore, compliance is insured with Section IV, Section XXI and Section XXII of the Zoning Bylaw.

A Special Permit is hereby granted and Site Plan Approval is given by this Authority, as voted unanimously by this Authority at the Public Hearing, pursuant to Section XVIA and Section IV of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

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.

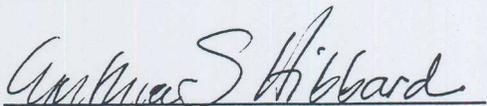
cc: Planning Board
Inspector of Buildings
Engineering Department
edg



Kendall P. Bates, Acting Chairman



William E. Polletta



Cynthia S. Hibbard

ADDENDUM A

1. All easements required by the Department of Public Works, including but not limited to driveway, electric, sewer and drainage, be executed and recorded. Copies of all easements shall be submitted to both the Engineering Department and the office of the Board of Appeals prior to the issuance of any building permit.
2. All work shall be performed in accordance with the plans submitted, and the revised drainage plan to be submitted, on file with this Authority.
3. All design and construction shall comply with all applicable state and local codes.
4. All requirements of the Town of Wellesley Fire Department shall be complied with, including but not limited to the widening of the entrance drive to 14 feet.
5. All requirements of the Department of Public Works shall be met, including but not limited to the requirement that water, sewer and electric connections, together with drainage connections, be made in accordance with DPW standards and installed and maintained at no cost to the Town of Wellesley.
6. Upon completion of the project, a complete set of Site Utility Plans shall be submitted to the Department of Public Works.
7. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to the office of the Board of Appeals at the time of issuance.
8. Installation of at least one carbon monoxide detector in each dwelling unit is strongly recommended, but not required.

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