



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

Aug 9 1991 AM '91

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

ZBA 91-36
Petition of Eugenio Perdoni
416 Weston Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, July 25, 1991 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 EUGENIO PERDONI requesting a Finding pursuant to the provisions of Section XVII and Section XXIV-D of the Zoning Bylaw that the proposed structural change and change in use of a portion of his pre-existing nonconforming detached garage, with less than the required left side setback on his property at 416 WESTON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing structure and use. Said structural changes shall include construction of an outside stair to the second floor, a shed dormer on the right side, a front window, two windows in the rear and a door. The proposed change in use of the second floor is from storage to storage/workroom space.

On July 9, 1991, the petitioner requested 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 Eugenio Perdoni, who was accompanied by Kevin Gordon, architect for the project. Mr. Gordon stated that the proposed dormer was to allow additional storage space above the garage, which is presently used for storage, but does not have full head room. Presently, the only access to the second floor is by a trap door or an exterior ladder. Mr. Perdoni has five children who each own an automobile, and needs the ground floor for automobile storage. The plan is to use the second floor for storage and a personal workshop.

The Board expressed concern with the potential use of the detached garage as a second dwelling unit, and noted the Planning Board had advised that no water supply or waste disposal system be allowed. Mr. Gordon said that there is no heat and no water in the garage.

Mr. Perdoni stated that he is not planning on carrying on a business, or using the garage as a dwelling unit. He simply wants storage space that he can access without using a ladder, and space for a personal workshop.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 416 Weston Road, in a Single Residence District, on a 9,124 square foot lot, containing a house and a pre-existing nonconforming detached garage. The garage is approximately 20.1 feet by 23 feet and has a minimum left side yard clearance of 1 foot at the left front corner and 3 feet at the left rear corner; the minimum required side yard clearance being 20 feet.

ZBA 91-36
Petition of Eugenio Perdoni
416 Weston Road

The petitioner is requesting a Finding that the structural changes to and change of use of said pre-existing nonconforming garage shall not be substantially more detrimental to the neighborhood than the existing structure and use. The structural changes shall include construction of an outside stair to the second floor with a door; shed dormer on the right side; front window; and two small windows in the rear. No construction shall be done on the left side of the building. The change in use of the second floor shall be from storage space to storage and workshop space.

A Plot Plan dated September 25, 1974, drawn by Alfred Gargaro, Registered Land Surveyor; construction drawings and elevations, dated June 11, 1991, drawn by Design West; and photographs were submitted.

On July 16, 1991, the Planning Board reviewed the petition and commented that the Board was concerned about the use of the garage, and that any change in use from storage to active use was inappropriate. However, the Board recommended that if the Finding was allowed, no water supply or waste disposal systems be allowed now or in the future.

Decision

This Authority has made a careful study of the materials submitted. Any structural change or change in use of this pre-existing nonconforming garage requires a Finding that such changes will not be substantially more detrimental to the neighborhood than the existing structure and use.

It is the opinion of this Authority that the proposed structural changes and change in use in and of themselves would not be substantially more detrimental to the neighborhood. However, this Authority is concerned that the proposed changes could result in potential misuse.

Therefore, this Authority unanimously finds that the structural changes as described and depicted in the submitted construction drawing, noted in the foregoing Statement of Facts, and the change in use of said garage shall not be substantially more detrimental to the neighborhood than the existing structure and use, subject to the following conditions:

1. That no water supply shall ever be installed in the subject garage.
2. That no waste disposal system shall ever be installed in subject garage.
3. That no heating elements shall ever be installed in subject garage.
4. That subject garage shall never be used for business purposes.

RECEIVED
TONY CERK'S OFFICE
WILMINGTON, MA 02181
Aug 9 9 37 AM '91

ZBA 91-36
Petition of Eugenio Perdoni
416 Weston Road

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.

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

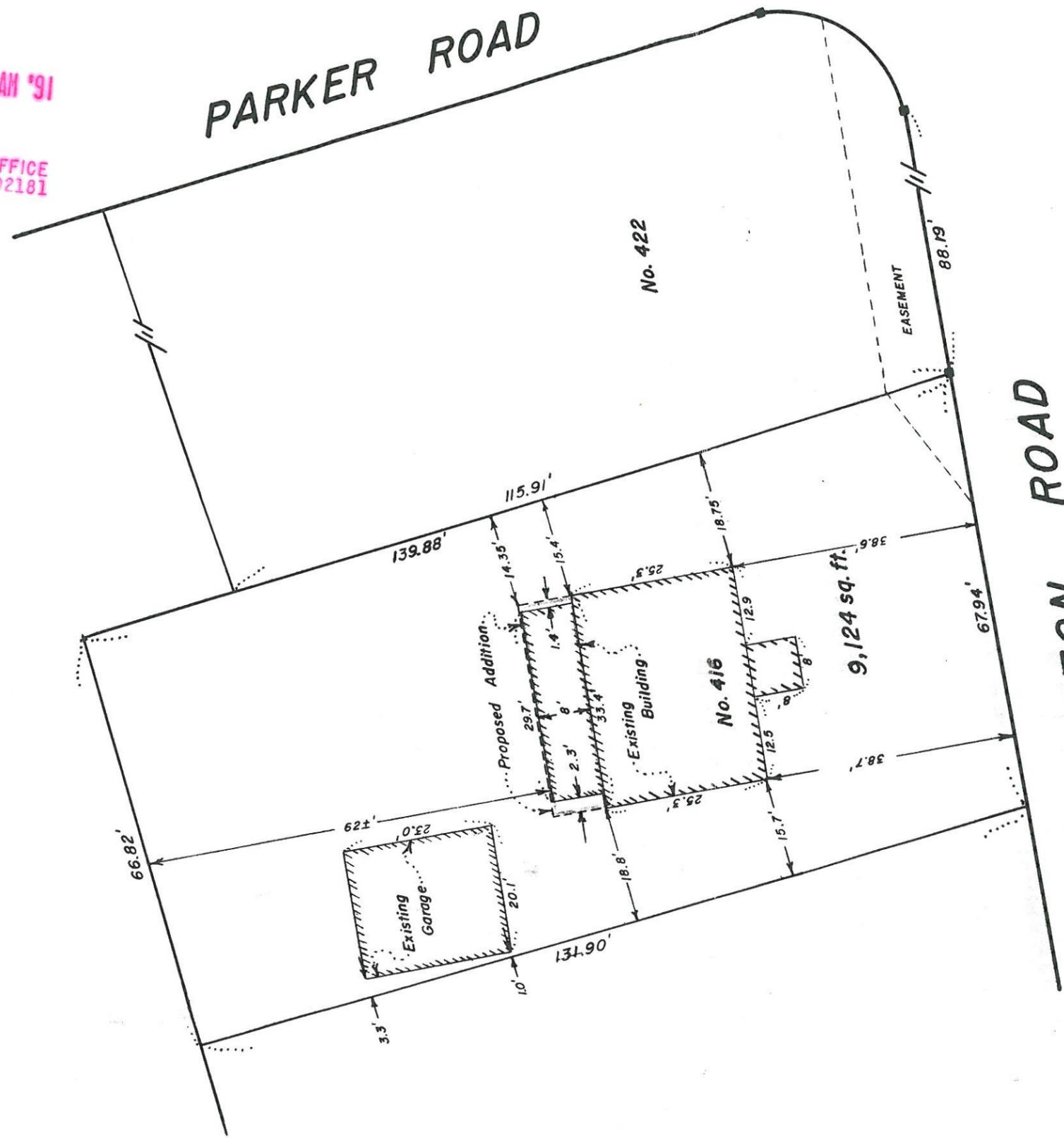

Franklin P. Parker


William E. Polletta

Aug 9 9 37 AM '91
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181



Jul 9 10 08 AM '91
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181



Alfred Gargaro

WESTON ROAD
PARKER ROAD

Plan of Land
in
WELLESLEY, MASS.
at
416 Weston Road
owned by
Eugenio Perdoni
September 25, 1974 Scale: 1" = 20'