



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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TOWN OF WELLESLEY  
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ZONING BOARD OF APPEALS  
TOWN HALL 02181

DEC 3 10 39 AM '93

ZBA 93-72  
Petition of Eugenio Perdoni  
15 Hunnewell Street

Pursuant to due notice the Special Permit Granting Authority held a Public Hearing on Thursday, November 18, 1993 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 PERDONI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw to allow demolition of an existing one-story enclosed front porch and construction of a two-story addition approximately 6.67 feet by 20.67 feet at the front of his nonconforming dwelling at 15 HUNNEWELL STREET, in a Single Residence District with less than the required front yard setback. This petition has been continued from the Public Hearings on September 23, 1993, and October 28, 1993.

On September 7, 1993, the petitioner requested a hearing before this Authority and thereafter due notice of each of the three hearings has been made by mailing and publication.

Presenting the case at the hearing on September 23, 1993 were Eugenio Perdoni and his son, John. John Perdoni said that they planned to remove the porch, as it had dry rot, and would like to replace the porch and add a second story above the porch. The footprint would remain the same, but a full foundation would be built.

The Board was concerned that the addition would create additional living space in a nonconforming area. The Perdonis stated that the Engineering Department had a plan to reconfigure Hunnewell Street, removing the curve opposite the cemetery, which add about 25 feet to their front yard.

The Board decided to continue the hearing to October 28, 1993 to allow Mr. Perdoni time to submit to the Board any available information regarding a change to Hunnewell Street. As the Board Chairman, who had sat on the original hearing, was unable to attend the hearing on October 28, 1993, the petition was continued to the hearing on November 18, 1993.

Presenting the case at the hearing on November 18, 1993 was Eugenio Perdoni, who stated that his porch was rotten, and he would like to replace the porch, adding a second story above it, while maintaining the same footprint.

The Board expressed concern that a precedent would be set in the neighborhood, if the petition were granted, as the abutting houses all have one-story porches and similar

ZBA 93-72  
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nonconforming front setbacks. The Board further noted that the information gathered regarding the change in the configuration of Hunnewell Street indicated that this change was not likely to occur, and that any widening of the street would result in less rather than more frontage for the property.

The Board was of the opinion that the addition would be built on the same footprint, and that the density of use would not be increased, as no new bedrooms were being added. The second floor addition would result in an expanded master bedroom and a second bathroom.

Robert Sheehan, 11 Hunnewell Street, spoke in support of the petition, and added the support of the owners of 9 Hunnewell Street. He felt the addition would be an improvement.

#### Statement of Facts

The subject nonconforming dwelling is located at 15 Hunnewell Street, in a Single Residence District, on a 24,204 square foot lot, and has a minimum front yard clearance of 18.9 feet.

The petitioner proposes to demolish an existing enclosed front porch, and construct a two-story addition approximately 6.67 feet by 20.67 feet with a minimum front yard setback of 19.1 feet

A Plot Plan dated September 1, 1993, drawn by Donald G. Rosa, Professional Land Surveyor; Floor plans and elevations, dated August 28, 1993, drawn by K. Gordon of Design West; and photographs were submitted.

The information gathered from the Department of Public Works and the office of the Norfolk County Engineering Office consisted of a Plan of Land/Proposed Acquisition for Highway Purposes, dated November 12, 1976, recorded November 16, 1976, drawn by Alvah L. Downs, County Engineer; Acts and Resolves, Chapter 525, authorizing acquisition of an unused portion of cemetery land owned by the Archbishop of Boston as shown on the above mentioned plan, and mandating reimbursement of the cost of the land by the Town of Wellesley to Norfolk County, approved July 20, 1978; Minutes of the Board of Selectmen's Meeting dated February 27, 1979 authorizing the Executive Secretary to obtain from the County Engineer a recommendation for a Appraiser; an Appraisal Report dated January 7, 1980 by J. Jeffrey Sullivan, SRA, MRA which valued the property to be acquired at \$42,500; a letter from Alvah Downes to Thomas Lee, Executive Secretary of the Board of Selectmen requesting Mr. Lee to advise him of the Board of Selectmen's decision regarding acquisition of the property; and minutes of the Meeting of the County Engineers dated May 22, 1985 at which it was voted to place the petition for Relocation of a portion of Hunnewell Street, Wellesley, on file and take no further action. A letter dated September 27, 1993 was received from Doug Stewart, Assistant Town Engineer, stating that the Department of Public Works has no plans to reconfigure the layout of Hunnewell Street.

Dec 3 1993 AM 10:33  
TOWN ENGINEER'S OFFICE  
WELLESLEY, MA

ZBA 93-72  
Petition of Eugenio Perdoni  
15 Hunnewell Street

Decision

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

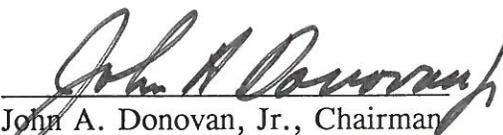
It is the unanimous finding of this Authority that the proposed demolition of the existing enclosed porch and construction of a two-story addition will not intensify the nonconformity or result in additional ones as the proposed addition will be less nonconforming than the existing nonconforming porch.

Therefore, a Special Permit is granted for the proposed demolition and construction subject to construction in accordance with the Plot Plan and construction drawings submitted.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon 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

  
Kendall P. Bates

  
Robert R. Cunningham

On September 14, 1993, the Planning Board voted to recommend denial of the request.

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DEC 3 8 19 AM '93

n/f Liggero 4829/208

n/f Goldsmith 5366/423

64.45

n/f

Lillian P. Goodwin

deed bk. 5265  
page 453

24,204 sf.

Eugenio and Nora C. Perdoni  
deed book 6473 pages 440 - 441

assessor's data  
map 16 route # 6

n/f

Robert D. and  
Rose K. Sheehan

deed book 4231  
pages 594-595

Plan References

bk. 1166/587  
bk. 1369/344

plan by Alexander Cruciani  
dated 11/17/84  
not recorded

Zone: single res.  
15,000 sf

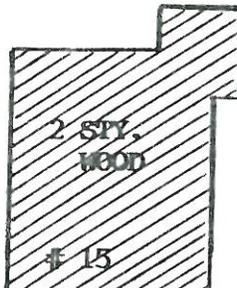
SEP 7 10 55 AM '93

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361.03



6.67' (proposed fdn.)



22.6'

bot. sh.

offset to proposed fdn.  
23.5'  
proposed 2 sty. addition  
6.67' x 20.67' (fdn.)  
outside dimensions.  
stake found

enclosed porch  
to be removed

o/s to prop. fdn. 19.1

o/s to exist. cbd. 18.9

20.67' (fdn.)

23.2' exist. porch

sb fd.

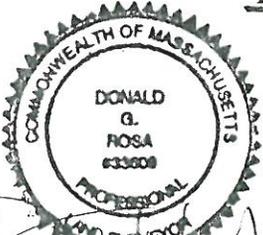
88.70

HUNNEWELL (variable width) ST.

o/s to prop. fdn 19.4  
o/s to exist. cbd. 19.2

**PLOT PLAN**  
showing proposed addition  
# 15 Hunnewell street  
WELLESLEY, MASSACHUSETTS

scale 1" = 20'  
date 9/1/93  
file no. 93/264



PROFESSIONAL LAND SURVEYOR

DATE

# 33609



**Don Rosa** Professional Land Surveyor

54 Liberty Street  
Randolph, MA 02368

phone 986-4768  
fax 963-2603