



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Mar 15 10 19 AM '94

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ZBA 94-21

Petition of Roche Bros. Supermarket  
165 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 21, 1994 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 ROCHE BROS. SUPERMARKET requesting a Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the proposed increase in its nonconforming Floor Area Ratio from .34 to .36, due to the proposed addition of 1,152 square feet of new construction to their nonconforming building at 165 LINDEN STREET, in an Industrial District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said construction shall include a 269.32 square foot addition at the front of the building and three additions totaling 882.68 square feet at the rear of the building. The allowed Floor Area Ratio is .30.

On April 4, 1994, 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 Harry Moore, Director of Security and Maintenance for Roche Bros., who was accompanied by David Eddy, architect for Sweet Life Foods. Mr. Moore said that the Cambridgeport Savings Bank would be occupying the space currently leased to the dry cleaners and the craft shop. Roche Bros. is expanding to that point. The rear expansion will be closer to the rear lot line in certain areas, but no closer than the closest point of the existing building. The small building jogs in the rear will be straightened out to make the space more operational. The florist shop will be moved to the front of the new addition, and the entrance will be relocated to the front of the store.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 165 Linden Street on a 91,806 square foot lot, in an Industrial District. The building is owned by Roche Bros. and is situated on land leased from the William Diehl Realty Trust. The existing building has a floor area of 33,033 square feet, and a nonconforming Floor Area Ratio of .34. The maximum allowed Floor Area Ratio is .30.

Roche Bros. is extending its operation into the space formerly occupied by two other businesses in its building, and is remodeling the interior and exterior of the store as a result

ZBA 94-21  
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May 4 10 19 AM '94

of this expansion.

The petitioner is requesting a Finding that the increase in the nonconforming Floor Area Ratio from .34 to .36 due to the addition of 1,152 square feet of floor area shall not be more detrimental to the neighborhood than the existing nonconforming structure. The new construction shall consist of a 269.32 square foot addition to the front of the building, and three additions totalling 882.68 square feet at the rear of the building.

A Plot Plan dated March 16, 1994, drawn by John F. Toomey, Registered Professional Land Surveyor; Exterior elevations (A201) dated July 8, 1991, Sixth revision dated March 25, 1994, and Exterior elevations (A6.1) dated March 15, 1994, revised March 25, 1994, drawn by David Eddy, Sweet Life Store Development; and photographs were submitted.

The Design Review Board reviewed the project on March 24, 1994, and recommended revisions on the height of the windows and the design of the window of the Florist Shop area, both of which were incorporated into the submitted plans.

The Planning Board reviewed the petition and offered no objection to the request.

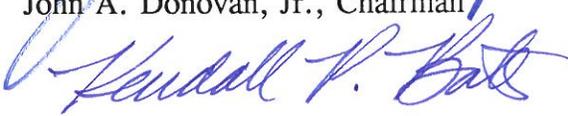
Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The floor area ratio of the existing building does not conform with the current Zoning Bylaw as noted in the foregoing Statement of Facts.

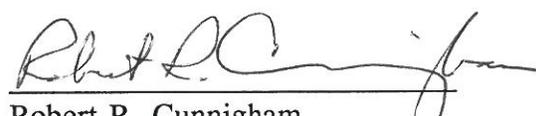
It is the finding of this Authority that the proposed increase in the nonconforming Floor Area Ratio from .34 to .36 due to the construction of an additional 1,152 square feet of floor area will intensify the existing nonconformance, but that said intensification will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, subject to construction in accordance with the plot plan and elevation drawings as submitted.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of 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

cc: Planning Board  
Inspector of Buildings

  
Robert R. Cunningham