



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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JUN 30 9 52 AM '86  
 TOWN ENGINEERING OFFICE  
 WELLESLEY, MASS.

ZBA 86-42

Petition of John A. Guigli  
810 Worcester Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on ~~Thursday, July 24, 1986 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of JOHN A. GUIGLI requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaws which will allow a two-story dwelling approximately 37.3 feet by 26 feet to be constructed on the foundation of an existing non-conforming dwelling which would be demolished at 810 WORCESTER STREET, leaving less than the required westerly side yard.~~

On July 1, 1986 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 John Guigli, who stated he wants to demolish the old house which is in terrible condition and construct a new two-story dwelling on the existing foundation. He and his family would reside in the new dwelling. When asked about the abutting property which he owns (804 Worcester Street), he stated that he has a little nursery there, he has a truck and no employees. The detached garage at 810 Worcester Street would remain for residential use. A driveway exists at the westerly side of the house leading to the garage.

William O'Kane, 1 Martin Road, stated that he thinks the dwelling should meet zoning requirements. Ann O'Kane, 1 Martin Road, asked what their plans were for the lot next door at 804 Worcester Street. Mr. Shonnard, 796 Worcester Street, stated that he is in favor of the petition.

Statement of Facts

The property in question is located at 810 Worcester Street, containing 13,580 square feet of land, in a Single Residence District. A one-story dwelling exists on the property as does a detached garage. The petitioner owns the abutting lot at 804 Worcester Street on the easterly side of the dwelling. The existing dwelling does not conform to the present bylaws in that the westerly rear corner is 14 feet from the right side line.

The petitioner proposes to demolish the existing dwelling and construct a two-story dwelling on the existing foundation. A variance is requested to allow a right (westerly) side yard of 14 feet.

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A Plot Plan was presented, drawn by Carmelo Frazetti, Registered Land Surveyor, dated April 7, 1986. Construction sketches were submitted, drawn by Wellesley Design Services, dated 1/16/86.

The Planning Board, at its regular meeting of July 8, 1986, and as stated in a letter of July 14, 1986, voted to offer no objection to the request "provided the existing foundation is used intact. If it is determined that the existing foundation needs to be rebuilt or substantially modified, the Planning Board strongly recommends that the new structure conform to the current yard requirements."

Decision

This Authority has made a careful study of the evidence presented. The petitioner is proposing to demolish an existing dwelling to construct a new dwelling on the existing foundation.

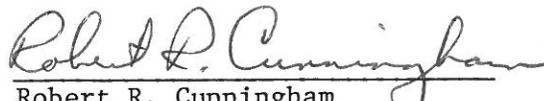
It is the opinion of this Authority that, because of the existende of the dwelling with a fourteen foot westerly side yard and the fact that the new dwelling would be built on the existing foundation, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct a two-story dwelling approximately 37.3 feet by 26 feet at 810 Worcester Street as shown on the Plot Plan drawn by Carmelo Frazetti, Registered Land Surveyor, dated April 7, 1986, coming no closer than 14 feet from the westerly side line.

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

  
Stephen S. Porter, Chairman

  
Robert R. Cunningham

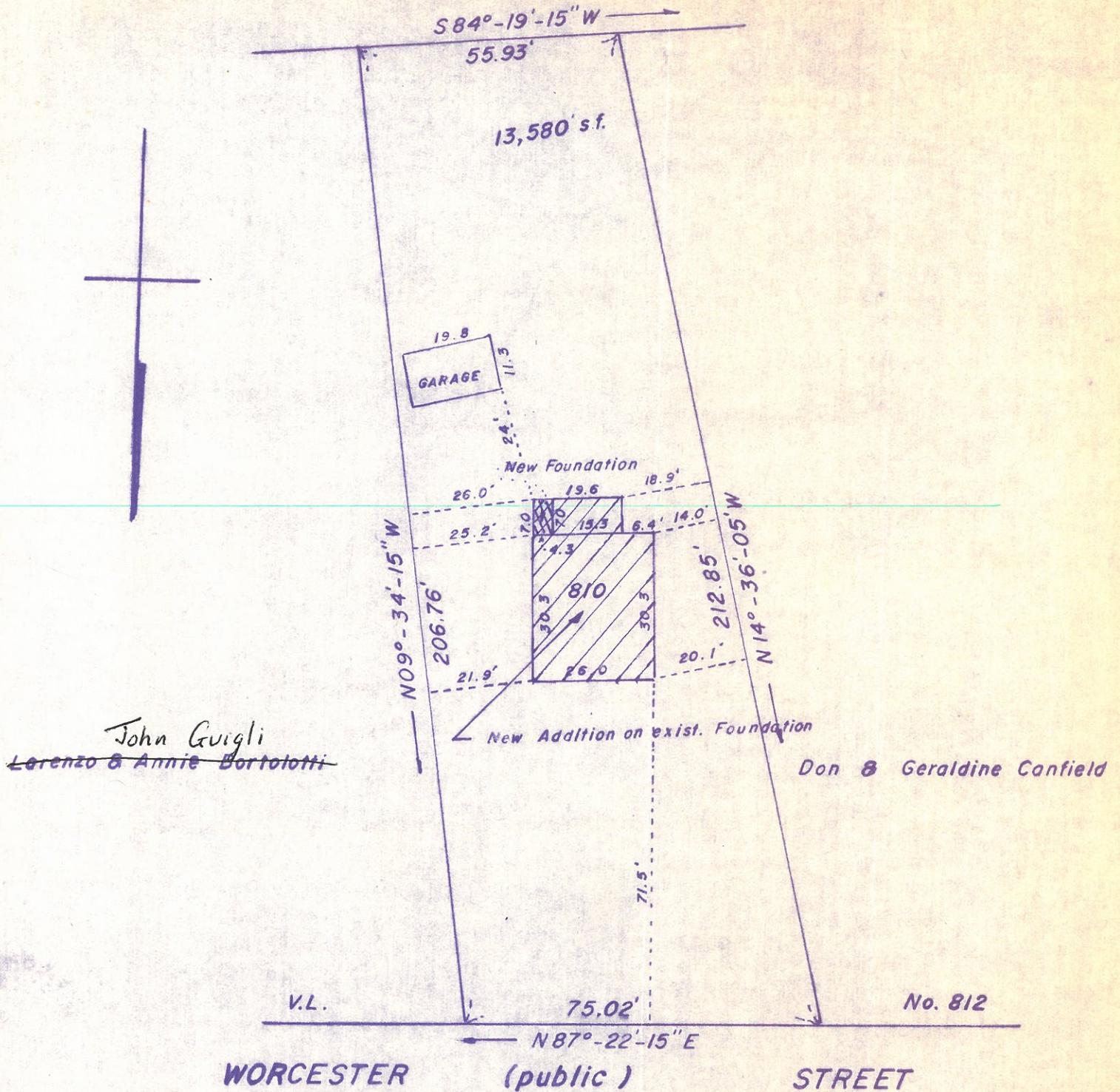
  
William E. Polletta

cc: Planning Board  
Inspector of Buildings

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PLANNING BOARD OFFICE



*John Guigli*  
~~Lorenzo & Annie Bortolotti~~

Don & Geraldine Canfield

PLAN OF LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 810 WORCESTER STREET

Owned by  
John & Marisa Guigli  
April 7, 1986  
Carmelo Frazetti



Proposed Addition  
Scale: 1" = 30'  
Land Surveyor