



ZONING BOARD OF APPEALS

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ZBA 2015-06
 Petition of Mark Cohen & Virginia Ferko
 155 Grove Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 8, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of MARK COHEN & VIRGINIA FERKO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition over an existing nonconforming structure and construction of a second story deck off of the second story addition with less than required front yard setbacks, on a 9,952 square foot corner lot in a district in which the minimum lot size is 10,000 square feet, at 155 GROVE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 22, 2014, 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 were Virginia Ferko, (the Petitioner) and Shannon Scarlett, Architect.

Ms. Ferko said that the request is for a special permit/finding that construction of a 10 foot by 17 foot addition over an existing sunroom and a balcony that will encroach on the setback on Ingraham Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Ms. Scarlett said that there is an existing master bedroom and bath. She said that the intention is to improve what they currently have in the least encroaching way. She said that there were two places where something could have been done to accomplish that. She said that one way was to go over the family room at the back, which would be problematic in a couple of different ways. She said that the alternative was to expand the existing bedroom out over the existing sunroom. She said that it is quite small, so that to make it function as a bedroom, they will push the wall into the current house to make it a more manageable space. She said that the addition of the balcony is to create some outside space for a table and chairs and is intended to break up the mass at the back of the house. She said that it has a bracket instead of columns and is intended to not be massive but to break that wall up.

Ms. Scarlett said that the roofline is dropped from the existing structure. She said that the wall line is raised a little bit so that the gutter line is consumed. She said that on the side elevation, the roofline is within the existing house. She said that she designed false arches over the side windows to match the windows on the front of the house. She said that they will maintain the piece of trim that marks the top of the cornice of the existing flat roof to break up the scale of this piece. She said that they have done what

they can to keep it architecturally in line with what is there. She said that they added details to break up the mass.

Ms. Scarlett said that although the addition will encroach into the setback, it will not encroach further into the setback than the existing structure.

Ms. Ferko said that the existing house is stucco, slate and copper. She said that the plan is to continue to use those materials on the addition so that it will blend in. She said that across Grove Street are the playing fields for Dana Hall School. She said that the house directly across from them on Ingraham Road is a two-story house with a third story bedroom that is similarly set back. She said that Mr. Thoman submitted a letter of support for the project. She said that the abutter directly to the rear sent an email expressing their support of the project. She said that the Total Living Area plus Garage (TLAG) will increase to 2,906 square feet, which is reasonable. She said that the lot coverage will remain at 21.1percent and the height will not be increased.

The Board asked about the chimney. Ms. Ferko said that the chimney will be removed. She said that they will be putting in a gas furnace.

A Board member said that he thought that Ms. Scarlett has done a really nice job on this. He said that the balcony and the way that the roofline was integrated into the existing roof are very tasteful. He said that, in this case, this is the best place to put the addition because it is furthest away from all of the other houses and it reads like the original house.

The Board asked if the sun porch was original to the house. Ms. Scarlett said that it appears to be original. Ms. Ferko said that the porch is 10 feet by 16 feet and has a foundation. She said that it has been there for as long as she has lived there since 2006.

There was no one present at the public hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 155 Grove Street, on a 9,952 square foot corner lot in a district in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 25.6 feet to Grove Street and a minimum front yard setback of 19.9 feet to Ingraham Road. There is an existing nonconforming garage on the site with a minimum right side yard setback of 7.4 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition over an existing nonconforming structure and construction of a second story deck off of the second story addition with less than required front yard setbacks, on a 9,952 square foot corner lot in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/13/14, stamped by Stephen P. Desroche, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/8/14 and 12/10/14, prepared by Shannon Taylor Scarlett Architects, and photographs were submitted.

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On January 7, 2015, the Planning Board reviewed the petition and recommended that the petition be denied.

Decision

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

It is the opinion of this Authority that although construction of a second story addition over an existing nonconforming structure and construction of a second story deck off of the second story addition with less than required front yard setbacks, on a 9,952 square foot corner lot in a district in which the minimum lot size is 10,000 square feet is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a second story addition over an existing nonconforming structure and construction of a second story deck off of the second story addition with less than required front yard setbacks, on a 9,952 square foot corner lot in a district in which the minimum lot size is 10,000 square feet.

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

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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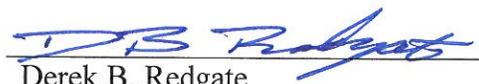
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Robert W. Levy, Acting Chairman



Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

