



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ROBERT W. LEVY
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ZBA 2012-50
 Petition of Lillian Colman
 7 Cedar Street

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 WELLESLEY MA 02482
 2012 JUN 20 P 3: 02

Record Owner of Property: Thomas J. Stevenson

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 7, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of LILLIAN COLMAN requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a 3.4 foot by 13 foot three-story addition and construction of a 22.4 foot by 31.1 foot three-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks on a 9,009 square foot corner lot in a district in which the minimum lot size is 10,000 square feet in a Water Supply Protection District, at 7 CEDAR STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 22, 2012, 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 Rob Colman. Also present were Lillian Colman (the "Petitioner") and Bob Radovic, Architect.

Mr. Colman said that the request is for approval for a major renovation and expansion of the property in a manner that will not be more detrimental to the neighborhood.

Mr. Colman said that the southeast corner of the existing structure is nonconforming. He said that the proposed construction will conform to setbacks requirements. He said that the height from average grade will be 29 feet. He said that they were trying to make the house have the same character and size as the neighboring homes.

Mr. Colman said that the existing structure has only 800 square feet of living space. He said that 500 square feet are unfinished and unliveable. He said that the foundation is not sound and the roof is leaking. He said that the siding is falling off and the shutters are hanging by a thread. He said that there are two obnoxious sheds on the property that will be removed. He said that the existing structure is infested with ants. He said that the driveway is unfinished and creates a mud pool when it rains. He said that when parking on the driveway, you have to back out onto the right of way where there is no visibility. He said that there is a slight slope. He said that they intend to add a driveway so that vehicles can drive out face first.

Mr. Colman said that the yard is overgrown and unkempt. He said that trees at the front are protruding into the power lines. He said that there is a lack of paint on a good portion of house.

Mr. Colman said that the house is generally not safe for small children.

The Board said that the survey does not show a dimension on Cedar Street. The Board said that the survey shows a dimension of 126.4 to a marker to the right but the property does not extend that far.

The Board said that the Surveyor's Plan is deficient. The Board said that it does not show the frontage on Cedar Street and it does not show both sides of the passageway. The Board said that it would need to see both sides of the passageway to get the dimension of the width of the passageway because that is what is being claimed as the frontage. The Board said that approval would be subject to the Board holding the decision until a proper plot plan is submitted.

The Board asked about the width of the passageway off of Cedar Street. Mr. Colman said that he did not have that information. The Board asked if the Petitioner has a right to use the passageway. Mr. Colman said that they spoke with Planning Department staff about the passageway. The Board said that its concern is whether emergency vehicles can get down there. Mr. Colman said that garbage trucks get down there.

The Board said that the elevation drawings do not provide scale, texture or concept of what the building will look like. The Board said that there will be three flat stories at the back. The Board said that could be a problem unless it is handled architecturally.

The Board said that the canopy does not cover the entire front entrance. Mr. Radovic said that the submitted plans were not construction drawings. He said that they are just for Zoning issues. He said that they had to shrink the roof over the porch to meet Zoning requirements.

The Board said that the plans should be more detailed.

The Board said that this will be a lot of house for the lot shape. Ms. Colman said that it will be well proportioned.

Mr. Colman said that the plan is to emulate or improve on the design of the neighbors' homes. Ms. Colman said that there are no plans to do anything fancy. The Board said that it would need to see detailed plans so that it can make a determination that the proposed structure will not be substantially more detrimental to the neighborhood.

The Board asked about the stone work on the elevations. Mr. Colman said that they will extend the stone work so that it will look symmetrical with the front of the house.

Mr. Radovic said that they did not show the schematic siding because it is not a Zoning issue. The Board said that the elevation drawings seem to be an extrapolation from the plans and do not seem to have been really studied. The Board said that the plans could be greatly improved.

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Statement of Facts

The subject property is located at 7 Cedar Street, on a 9,009 square foot corner lot in a district in which the minimum lot size is 10,000 square feet in a Water Supply Protection District, with a minimum front yard setback of 13.4 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 3.4 foot by 13 foot three-story addition and construction of a 22.4 foot by 31.1 foot three-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks on a 9,009 square foot corner lot in a district in which the minimum lot size is 10,000 square feet in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 5/16/12, stamped by Michael Paul Antonino, Registered Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/16/12, prepared by Reboss Design, and photographs were submitted.

On June 5, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

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 finding of this Authority that construction of a 3.4 foot by 13 foot three-story addition and construction of a 22.4 foot by 31.1 foot three-story addition that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks on a 9,009 square foot corner lot in a district in which the minimum lot size is 10,000 square feet in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a 3.4 foot by 13 foot three-story addition and construction of a 22.4 foot by 31.1 foot three-story addition that will meet setback requirements, subject to the conditions:

1. A revised plot plan shall be submitted showing the frontage on Cedar Street and showing both sides of the passageway with dimensions of the width of the passageway.
2. Detailed architectural plans shall be submitted to the Board prior to a Building Permit being issued.

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.

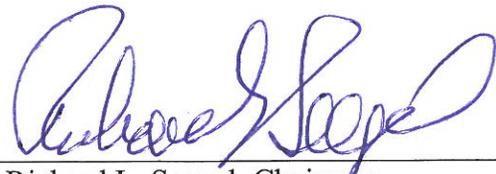
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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2012 JUN 20 PM 3:02

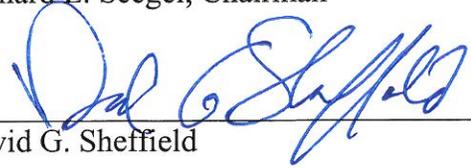
ZBA 2010-50
Petition of Lillian Colman
7 Cedar Street

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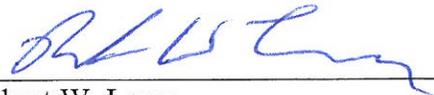
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



David G. Sheffield



Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

MICHAEL P. ANTONINO
REGISTERED LAND SURVEYOR

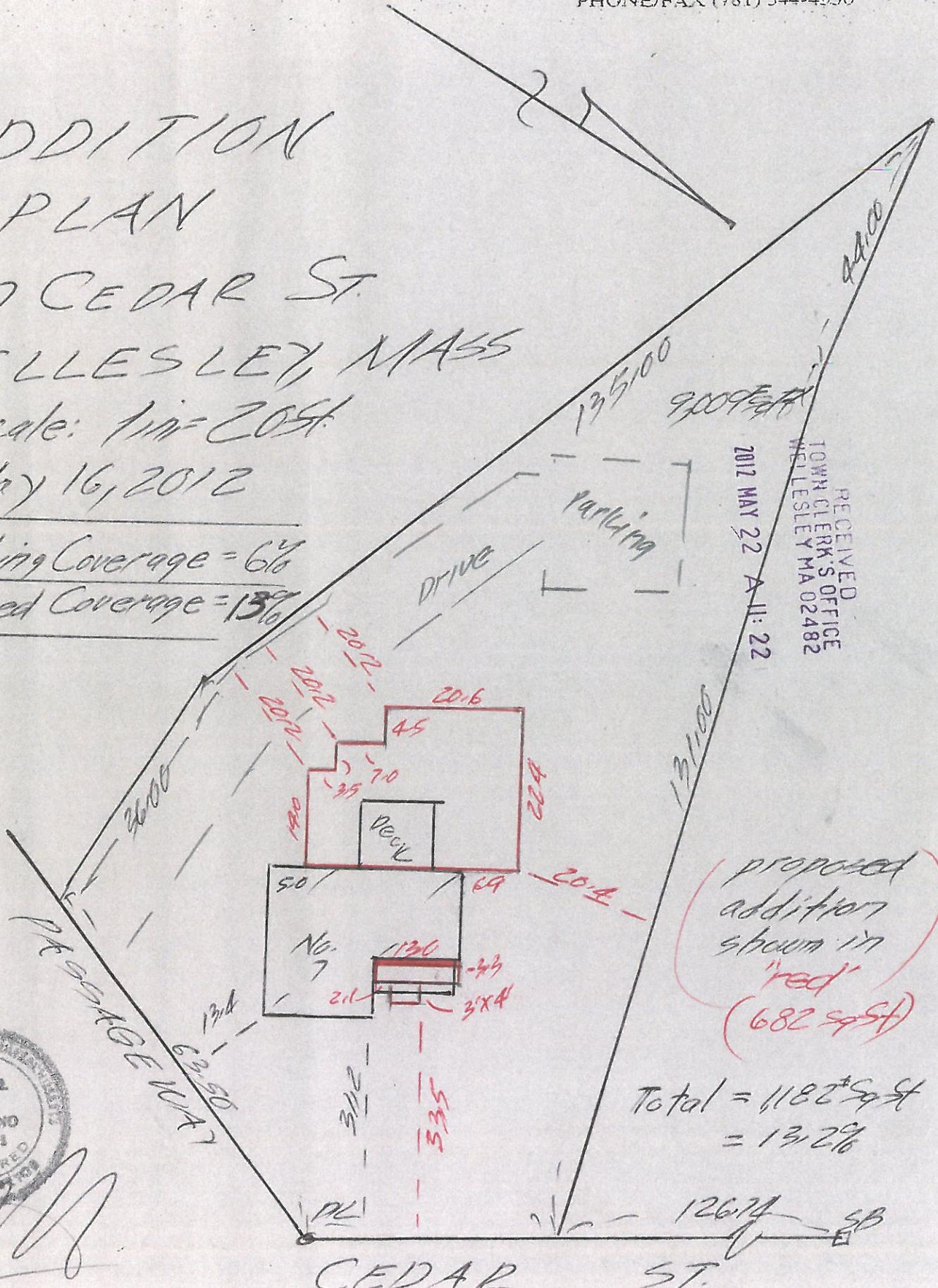
31 LEDGEBROOK AVE.
STOUGHTON, MASSACHUSETTS 02072
PHONE/FAX (781) 344-4550

ADDITION PLAN

No. 7 CEDAR ST.
WELLESLEY, MASS

Scale: 1 in = 20 ft.
May 16, 2012

Existing Coverage = 6%
Proposed Coverage = 13%



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2012 MAY 22 A 11:22

proposed
addition
shown in
"red"
(682 sq ft)

Total = 1182 sq ft
= 13.2%



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CEDAR ST.

ADDITION PLAN

No. 7 CEDAR ST.
WELLESLEY, MASS

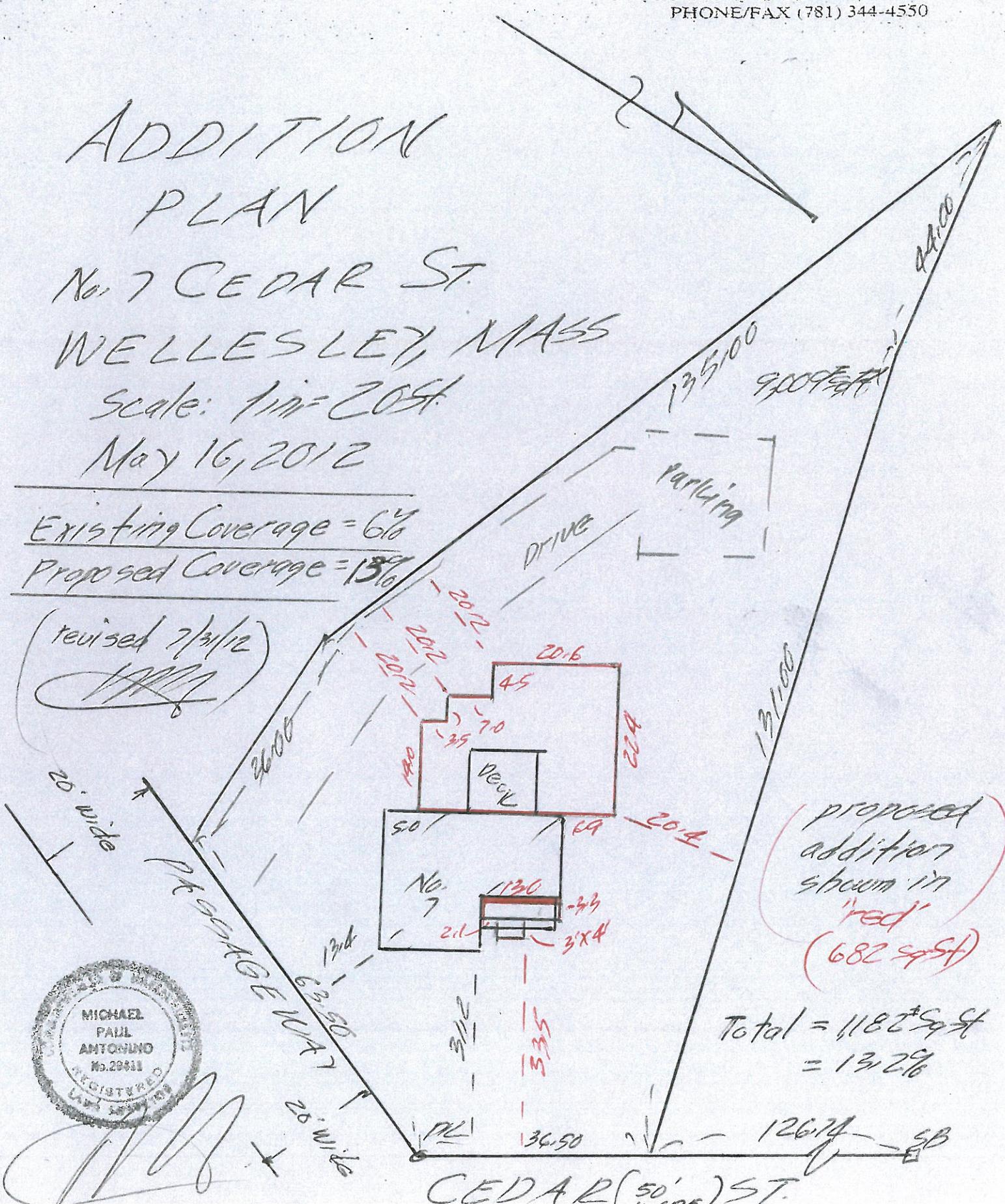
Scale: 1 in = 20 ft

May 16, 2012

Existing Coverage = 66%

Proposed Coverage = 13%

(revised 7/3/12)
~~1/1/12~~



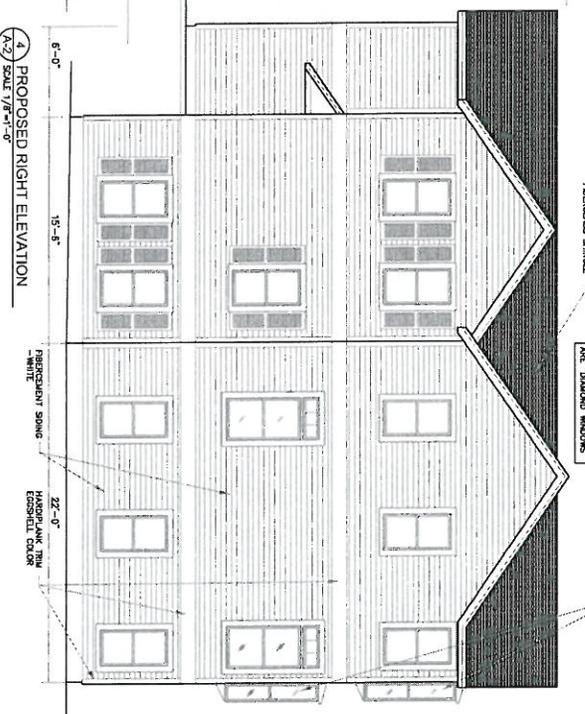
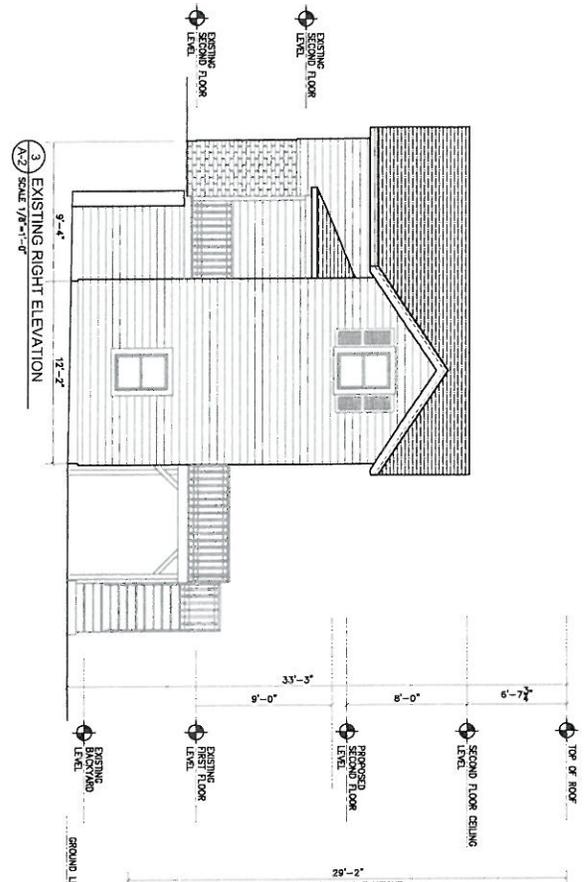
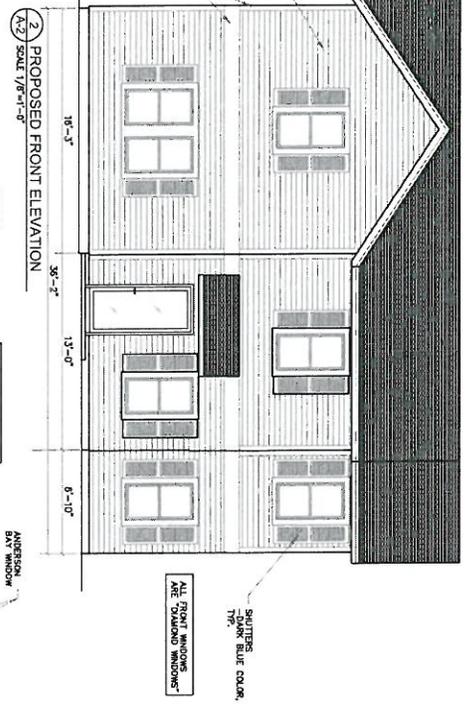
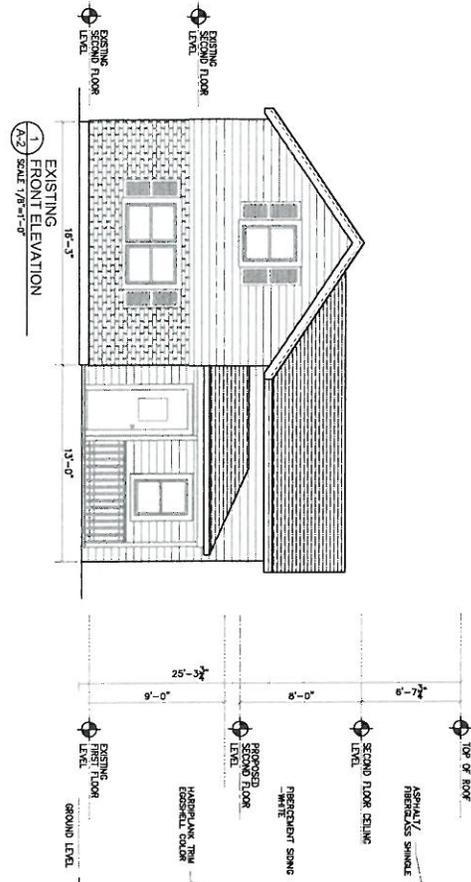
proposed
addition
shown in
"red"
(682 sq ft)

Total = 1182 sq ft
= 13% coverage



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CEDAR (50') ST.

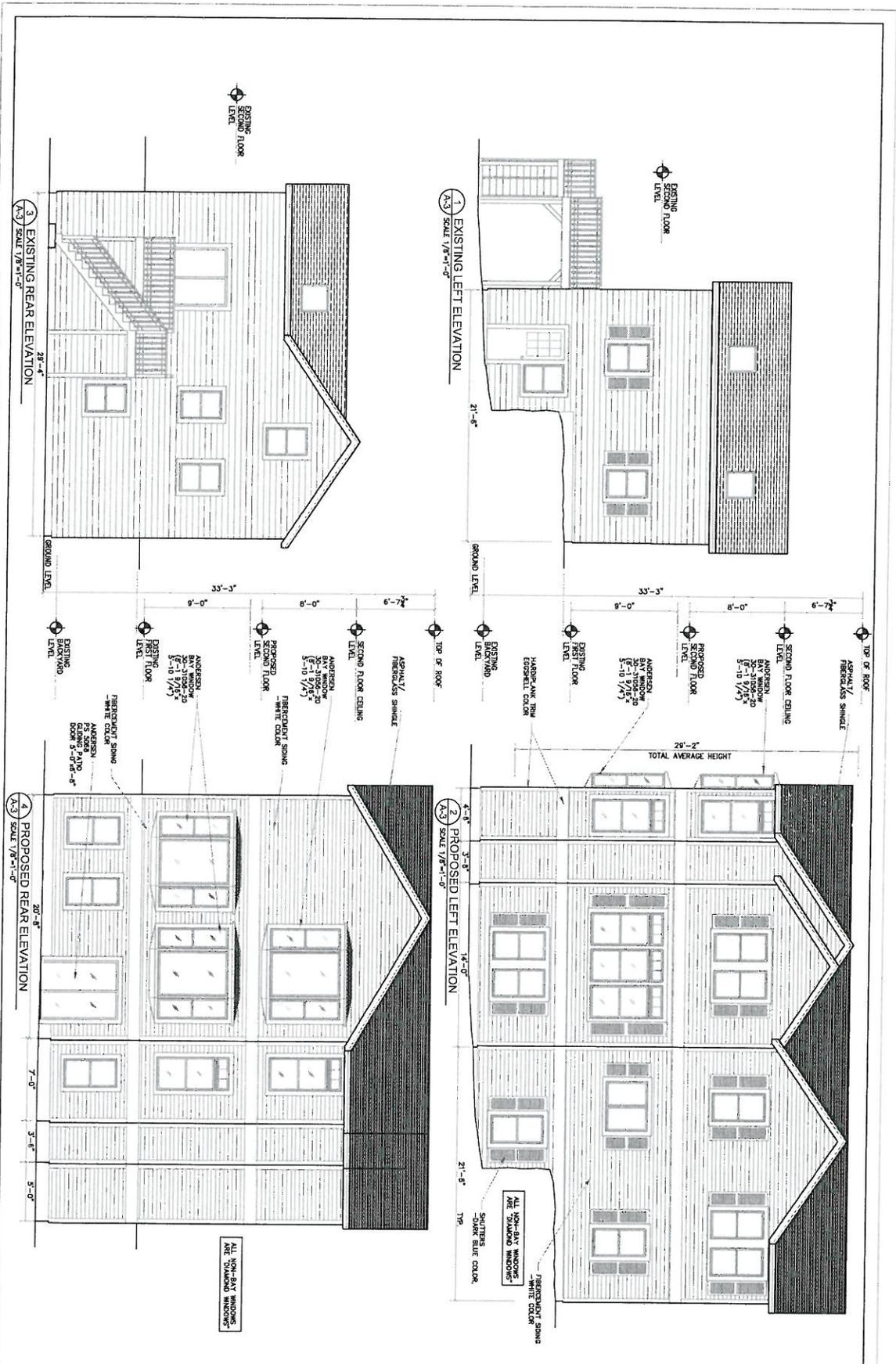


REBOSS
DESIGN

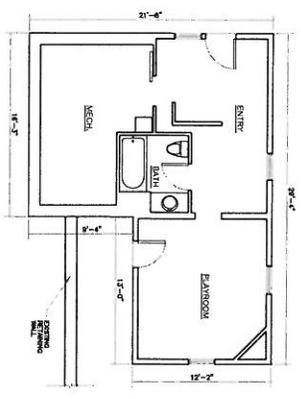
NO.	REVISION	DATE
1	EXAMINATIONS	6/7/12

PROJECT:
LILLIAN COLMAN RESIDENCE
SINGLE-FAMILY ADDITION
7 CEDAR STREET
WELLESLEY, MA

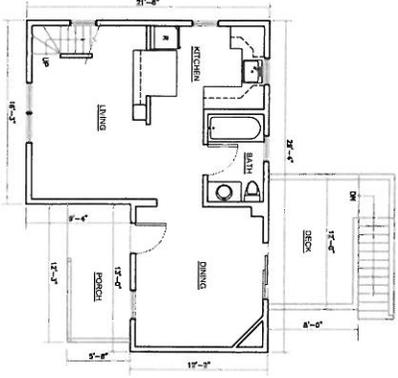
EXISTING AND
PROPOSED
ELEVATIONS
SCALE 1/8"=1'-0"
DATE 5/6/12
PROJECT # 20960
DRAWN BY: BOB MADONG
CHECKED BY: BR
DRAWING # A-2



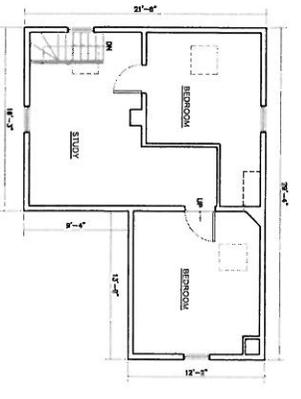
 REBOSS DESIGN		45 LINDEN STREET, SUITE 1000 WELLESLEY, MA 02158 TEL: 781.237.2888 WWW.REBOSSDESIGN.COM	
NO.	REVISION	DATE	
1	ELEVATIONS	12/12	
PROJECT: LILLIAN COLMAN RESIDENCE SINGLE-FAMILY ADDITION 7 CEDAR STREET WELLESLEY, MA			
EXISTING AND PROPOSED ELEVATIONS SCALE: 1/8"=1'-0" DATE: 5/16/12 PROJECT #: 2098D DRAWN BY: BOB KADOWC CHECKED BY: BR DRAWING #: A-3			



EXISTING BACKYARD
LEVEL FLOOR PLAN
SCALE 1/8" = 1'-0"

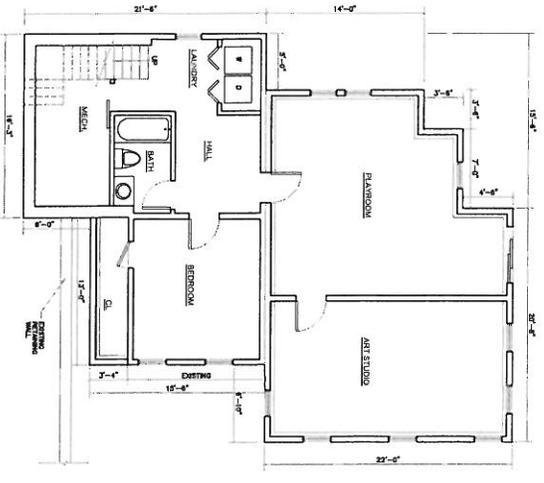


EXISTING
FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

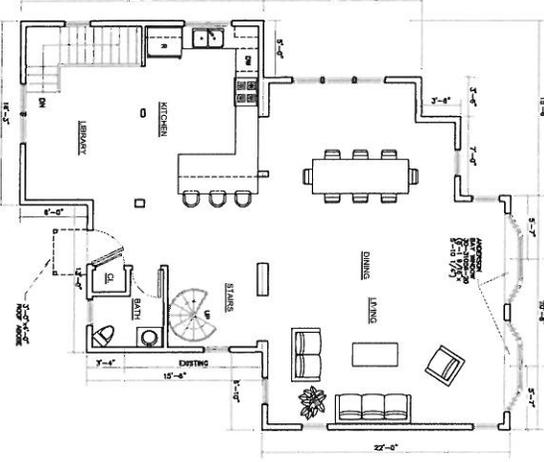


EXISTING
SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"

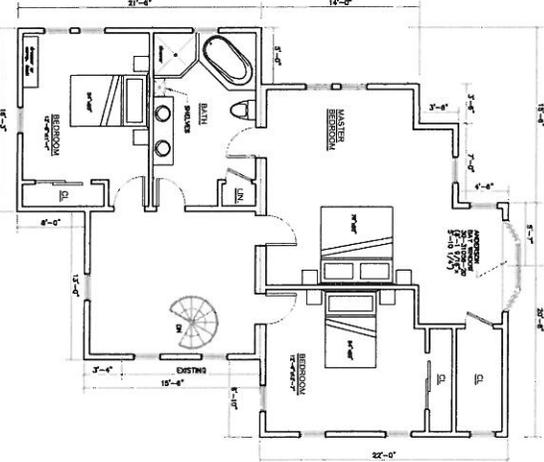
TOTAL OF LOT SIZE = 9,009 SF ±
EXISTING FOOTPRINT = 508 SF ±
PROPOSED FOOTPRINT = 1,182 SF ±



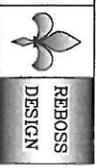
PROPOSED BACKYARD
LEVEL FLOOR PLAN
SCALE 1/8" = 1'-0"



PROPOSED
FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"



PROPOSED
SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"



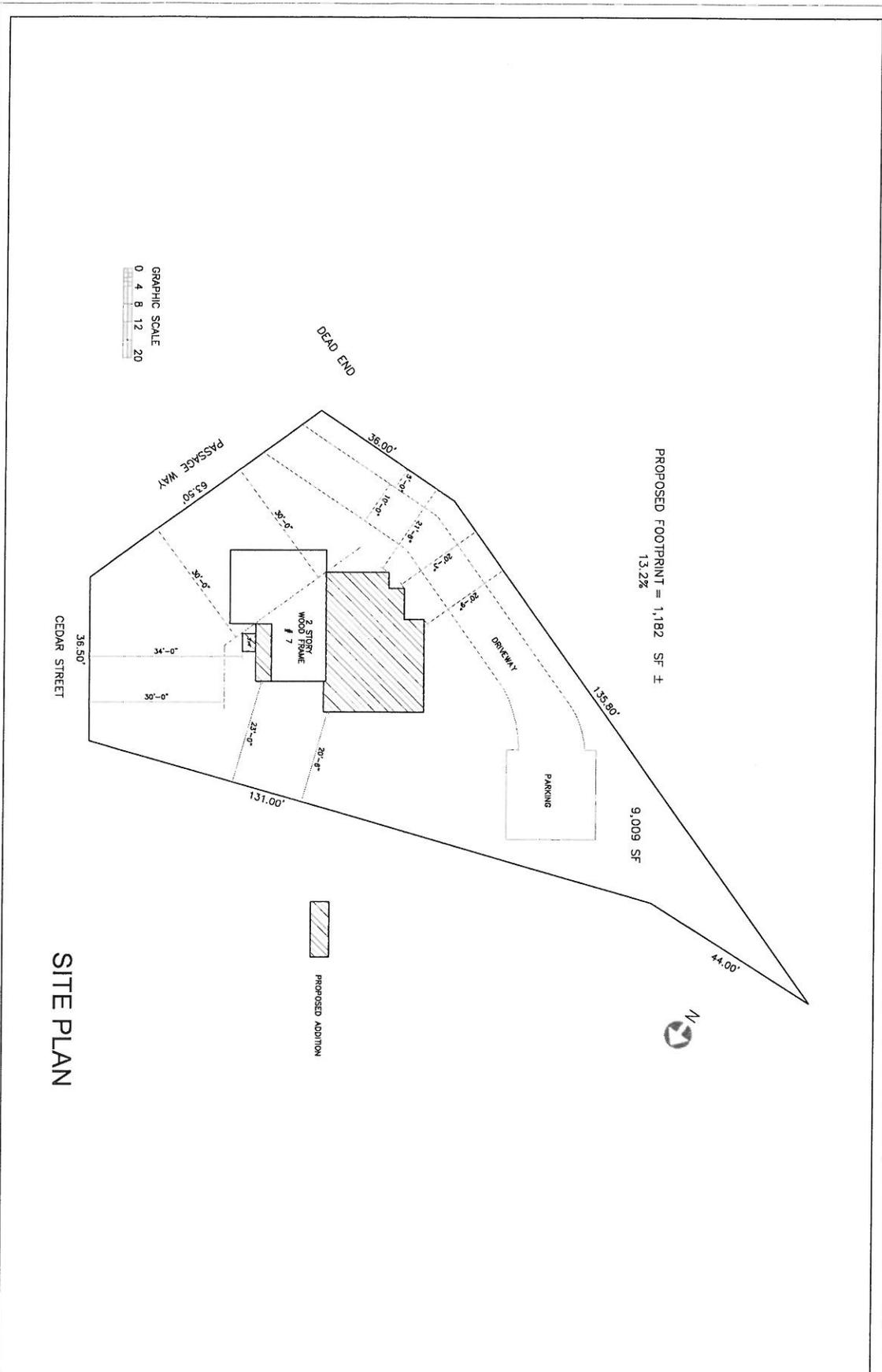
REHOSS
DESIGN

30 WILSON STREET, SUITE 101, WELLESLEY, MA 02158
TEL: (781) 326-1234
WWW.REHOSSDESIGN.COM

NO.	REVISION	DATE
1	ISSUED	8/7/12

PROJECT:
LILLIAN COLMAN RESIDENCE
SINGLE-FAMILY ADDITION
7 CEDAR STREET
WELLESLEY, MA

EXISTING AND
PROPOSED
FLOOR PLANS
SCALE: 1/8" = 1'-0"
DATE: 5/16/12
PROJECT #: 20960
DRAWN BY: DBB RADONIC
CHECKED BY: BR
DRAWING #: A-1



SITE PLAN



PROPOSED ADDITION

PROPOSED FOOTPRINT = 1,182 SF ±
13.2%

9,009 SF



SCALE: AS SHOWN	
DATE: 8/8/12	
PROJECT # 28960	
DRAWN BY: DOB RAOJIC	
CHECKED BY: BR	
DRAWING # A-5	

PROJECT:
LILLIAN COLMAN RESIDENCE
SINGLE-FAMILY ADDITION
7 CEDAR STREET
WELLESLEY, MA

NO.	EXTENSION	DATE



42 LINDEN STREET, 2ND FLOOR, WELLESLEY, MA 02158
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REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT