

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEGEL, CHAIRMAN  
CYNTHIA S. HIBBARD  
DAVID G. SHEFFIELDLENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208J. RANDOLPH BECKER, VICE CHAIRMAN  
ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2007-57

Petition of Gayle & Hamilton Workman  
57 Russell Road

---

Petition of GAYLE AND HAMILTON WORKMAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 6.8 foot by 20.3 foot lower level addition, and construction of a 12.6 foot by 20.3 foot first floor addition with less than required left side, right side and rear yard setbacks, on a 2,170 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 57 RUSSELL ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 26, 2007, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

August 9, 2007

Presenting the case at the hearing were Gayle and Hamilton Workman (the "Petitioner"). Ms. Workman said that improvements have not been made to the house for forty years. She said that they would like to make improvements and add a little space. She said that their proposal is to level off the back of the house.

Mr. Workman said that the plan is to maintain the existing ridgeline. He said that the three-story façade on Stoneclev Road is existing. The Board said that the existing façade is stepped back from Stoneclev Road and that massing that is seen from below is a concern. The Board said that the Petitioner should come back with a design that breaks up the mass.

The Board said that it is a very unusual area. The street is narrow and the houses are close together. The existing house design does break up the mass.

The Board asked if the Workmans had spoken with their neighbors on Stoneclev Road. Ms. Workman said that they spoke with the neighbors who directly abut them.

The Board said that the Determination of Applicability from the Wetlands Protection Committee was not signed.

The Board said that dimensions are shown on the construction plans for the right side elevation. The dimensions should be shown for the other elevations as well.

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

September 6, 2007

Presenting the case at the hearing were Gayle and Hamilton Workman, who said that they have revised their plans to reflect a smaller structure.

Ms. Workman said that the scale is listed incorrectly on the plan. She said that the scale is 1/8" is equal to 1 foot.

Ms. Workman said that the plan is to extend the lower level out six feet. She said that there will be a two-foot overhang on the garage. She said that the proposed dormer on the main floor will project out 12 feet.

Ms. Workman said that she submitted Option A and Option B Elevation Drawings. She said that the dormer shown on Option B is smaller.

The Board said that the new plans are an improvement over what was presented at the August 9, 2007 Public Hearing. The additions have been stepped back.

The Board said that the dormer should be pulled back four feet. The Board that it would grant a conditional approval based on the re-submittal of a new set of plans showing the changes on the exterior and interior. The Plot Plan must be revised to show what is existing and what is proposed.

The Board said that it had received the signed Determination of Applicability from the Wetlands Protection Committee.

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 57 Russell Road, on 2,170 square foot lot, with a minimum front yard setback of 5.2 feet, a minimum left side yard setback of 2.7 feet, a minimum rear yard setback of 5.6 feet, and a minimum right side yard setback of 5.5 feet. Existing and proposed lot coverage is 46 percent.

The Petitioner is requesting a Special Permit/Finding that construction of a 6 foot by 20.3 foot lower level addition over the existing garage with a two foot overhang, and construction of a 8 foot by 14 foot dormer on the first floor shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 7/13/07, stamped by Michael A. Coleman, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/21/07, drawn by M & R Design Associates, LLC, and photographs were submitted.

On August 29, 2007, the Planning Board reviewed the petition and recommended that the request 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 finding of this Authority that although construction of a 6 foot by 20.3 foot lower level addition over the existing garage with a two foot overhang, and construction of a 8 foot by 14 foot dormer on the first floor 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 6 foot by 20.3 foot lower level addition over the existing garage with a two foot overhang, and construction of a 8 foot by 14 foot dormer on the first floor, subject to the following conditions:

- New plans for Option A shall be submitted showing an additional four foot setback from Stonecleve Road for the dormer shown on the first floor plan for Option A dated 8/21/07.
- A new Plot Plan shall be submitted showing existing and proposed conditions.

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.

This Special Permit shall expire two years after the date time stamped on this decision.

ZBA 2007-57  
Petition of Gayle & Hamilton Workman  
57 Russell Road

---

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

---

Cynthia S. Hibbard

---

Robert W. Levy

cc: Planning Board  
Inspector of Buildings  
lrm