



## ZONING BOARD OF APPEALS

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ZBA 2008-27  
Petition of Kyle & Bridget Bettigole  
36 Hastings Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of KYLE & BRIDGET BETTIGOLE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing 1,500 square foot nonconforming structure and construction of a 2,492 square foot two-story structure that will meet all setback requirements, on a 10,034 square foot lot in a district in which the minimum lot size is 15,000 square feet, at 36 HASTINGS STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 23, 2008 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 Kyle and Bridget Bettigole (the "Petitioner"). Mr. Bettigole said that present with them was their architect, Joseph Rizza.

Mr. Bettigole said that they have been residents of Wellesley for ten years and have three daughters who are currently enrolled at the Fiske School.

Mr. Bettigole said that because the costs for renovation work were prohibitive, their proposal is for a new home that will meet all of the Zoning requirements.

Mr. Bettigole said that they spoke with all of the neighbors and have received overwhelming support for the project.

The Board asked if the lot is flat. Mr. Bettigole said that it is.

Mr. Bettigole said that there will be an attic with windows added for aesthetic reasons. There will be two skylights in the cathedral ceiling of the master bedroom. Ms. Bettigole said that they are not planning to use any third floor space as living space.

The Board asked about lowering the pitch of the roof. Joseph Rizza said that the roof could be lowered. He said that the proposed height of the house is 35.5 feet.

Mr. Bettigole said that there have been a number of homes in the neighborhood that have been renovated or rebuilt. He said that the neighbors on the left are considering a substantial renovation. Two houses away is a new house that is quite tall.

The Board asked about the size of the neighbor's lot. Ms. Bettigole said that lot is 10,800 square feet.

Mr. Bettigole said that they had submitted photographs of homes in the neighborhood. He said that a 5,000 square foot home was built at 65 Sheridan Road. He said that the design for 36 Hastings was created to have a smaller appearance from the street, as was the house at 65 Sheridan Road. The Board said that the lot is much larger at 65 Sheridan Road.

The Board said that the street view of the proposed house is broken down nicely but the elevations on the north and south side are quite large. The mass is caused by the mass of the roof. The bulk is caused by the configuration of the roof and the expressed gables.

The Board said that only one height dimension is shown on Plan 04. It was not clear if the elevation to the left is not higher. Mr. Rizza said that dimension is not higher.

The Board asked if the petitioner could come back on May 22, 2008 with plans showing a roof that is not as high and with reduced mass and bulk on the roof.

Ms. Bettigole said that their intent is to stay in the neighborhood for a long time. She said that they tried to come up with a design that is not offensive.

Mr. Rizza said that the proposed design is elegant and appropriate. He said that they submitted photographs of all of the two-story houses in the neighborhood, including the house at 65 Sheridan Road, and the thought is that the proposed house will fit in well.

Mr. Rizza said that the scale is appropriate. He said that they met the guidelines for height, square footage and overall footprint. He said that it was not part of the design to have a shallow roof. He said that it is a full two-storied house with an 8/12 pitch. He said that it is slightly taller than a two-story house with a hip roof with a 6/12 pitch.

Mr. Rizza said that they made a tremendous effort to take the scale down at the road level. He said that side elevations will be two-story structure with a gable. He said that the slopes of the roof could be reduced. The Board said that a possible solution would be to reduce the two side gables.

The Board said that space is tight at the front entry space.

There was no one present at the Public Hearing who wished to speak to the petition.

The Board voted unanimously to continue the petition to May 22, 2008.

May 22, 2008

Presenting the case at the hearing was Kyle Bettigole, who said that the Board had suggested that the plans presented at the May 8, 2008 Public Hearing be revised to address the issue of bulk. He said that present with him was Joseph Rizza, the Architect who made the revisions to the plans.

The Board said that the revised plans are good.

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 36 Hastings Street, on a 10,034 square foot lot in a district in which the minimum lot size is 15,000 square feet.

The Petitioner is requesting a Special Permit/Finding that demolition of an existing 1,500 square foot nonconforming structure and construction of a 2,492 square foot two-story structure that will meet all setback requirements, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 4/7/08, stamped by Frank Iebba, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 4/6/08, revised 5/22/08, drawn by Court Street Architects, and photographs were submitted.

On May 5, 2008, the Planning Board reviewed the petition and objected to granting the request.

#### 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 demolition of an existing 1,500 square foot nonconforming structure and construction of a 2,492 square foot two-story structure that will meet all setback requirements, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will 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 demolition of an existing 1,500 square foot nonconforming structure and construction of a 2,492 square foot two-story structure, in accordance with the submitted plot plan and constructions drawings.

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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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.

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Richard L. Seegel, Chairman

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J. Randolph Becker

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David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
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