

**ZONING BOARD OF APPEALS**

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ZBA 2010-06
Petition of Well House Designs LLC
6 Jackson Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 7, 2010, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of WELL HOUSE DESIGNS LLC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing garage and sunroom and construction of a 667 square foot two-story addition that will meet all setback requirements on a 14,247 square foot lot in a district in which the minimum lot size is 15,000 square feet, at 6 JACKSON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 21, 2009 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 Laurence Shind, Esq., Nan Van Der Veld of Well House Design LLC (the "Petitioner"), and Timothy Burke, Architect.

Mr. Shind said that the proposal will meet all Zoning dimensional requirements. He said that the lot contains 14,247 square feet in a 15,000 square foot district. He said that the existing house was built in 1948 and contains approximately 1,700 square feet of living area. He said that existing lot coverage is 10%. He said that the existing attached garage is nonconforming at the right rear side setback at 19.8 feet. He said that the proposed renovation and expansion will cure the garage setback nonconformity.

Mr. Shind said that the proposed total living area will be 3,375 square feet and the lot coverage will be 14%. He said that the total finished living area with the garage will be approximately 3,830 square feet, which is below the 4,300 square foot threshold for Large House Review for this district.

Mr. Shind said that careful consideration was given when designing the project to keep the design consistent with the prevailing neighborhood house design. He said that the applicant communicated with the neighbors. He said that they are not aware of any objections.

Mr. Burke said that they are looking to update the house by providing a better kitchen and family room. He said that a new garage will replace the existing one. He said that the main addition will consist of a one-story addition at the back of the existing kitchen and a one and one-half story addition for a family room and a new bedroom.

Mr. Burke said that he arranged the front of the house so that it will be more symmetrical. He said that to keep the scale down, all of the new roofs are below the existing height of 25.5 feet.

Mr. Burke said that all of the materials will be similar to the existing. He said that the addition will look like it has always been there.

The Board said that this is a significant addition. The Board said that although the roof lines have been kept down from the existing roof lines, there is a considerable amount of complexity to the roof lines that face the street side on the proposed West Elevation. The Board said that there is a concern about the overall massing. The Board asked about stepping back the entire piece of the roof.

Mr. Burke said that the roof was designed to break up the mass. He said that he set the garage back to make it less important than the main house. He said that he added a small roof over the garage to help break up the elevation.

The Board asked if there was a way to simplify the roof design by dealing with the piece that is poking out. Mr. Burke said that the idea was to have the two areas read separately. He said that a piece of the roof could be lowered down approximately two feet.

Marie Taylor, 2 Jackson Road, asked to see the plans.

Statement of Facts

The subject property is located at 6 Jackson Road, on a 14,247 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 garage and sunroom and construction of a 667 square foot two-story addition that will meet all setback requirements on a 14,247 square foot lot in a district in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/15/09, stamped by Michael P. Antonino, Registered Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 12/15/09, drawn by Timothy Burke Architecture, Inc., and photographs were submitted.

On January 5, 2010, the Planning Board reviewed the petition and recommended that the Special Permit be approved.

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 garage and sunroom and construction of a 667 square foot two-story addition that will meet all setback requirements on a 14,247 square foot lot in a

district in which the minimum lot size is 15,000 square feet, 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 for demolition of an existing garage and sunroom and construction of a 667 square foot two-story addition that will meet all setback requirements, subject to the following condition:

- The plans shall be in accordance with the modifications to the roof line on the garage, as reviewed and indicated on Plan A-3 that was submitted at the Public Hearing.

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.

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

J. Randolph Becker

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm