



## ZONING BOARD OF APPEALS

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

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ZBA 2013-19  
 Petition of Dan Gordon Associates, Inc.  
 62 Woodcliff Road

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 WELLESLEY MA 02482  
 2013 APR 18 P 3:21

Record Owner of Property: Daniel M. Palmier, Trustee, Palmier Realty Trust

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 4, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of DAN GORDON ASSOCIATES, INC. requesting modification of a Special Permit/Finding, ZBA 2010-49, pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw, for completed landscaping at 62 WOODCLIFF ROAD, in a 20,000 square foot Single Residence District.

On March 18, 2013, 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 Dan Gordon, Landscape Architect (the "Petitioner"), representing Dan Palmier, 62 Woodcliff Road.

Mr. Gordon said that the Board previously approved a project at 62 Woodcliff Road. He said that the current request is for modification of the Special Permit/Finding for completed landscaping under the previous approval. He said that there has been a change in what was built versus what was approved. He said that the Building Inspector said that the Petitioner would have to request a modification of the decision and that a certified Stormwater Management Plan must be in place.

Mr. Gordon said that the Stormwater Management Plan shows the as-built impervious surface to mitigate a 25 year storm event. He said that there is a certified letter stating that the plan is in place and that it meets the conditions set forth by the Board.

Mr. Gordon said that, at the time that Landscape Plan was approved, there was a large group of hemlock trees between the proposed addition and the neighbor to the south. He said that the approved plan called for their removal and installation of a fence and 25 arborvitaes. He said that the fence was removed from the plan but the number of arborvitaes was doubled. He said that the driveway was reduced to be more of a path at the front of the house. He said that additional rhododendrons were planted there.

Mr. Gordon said that the garage does not really have access because the path is approximately five feet wide.

Mr. Gordon said that proposed plan provides a lot of screening from the neighbor to the south, as well as from the street. He said that the neighbor submitted a letter of support to the Board.

Mr. Gordon said that the Building Inspector's letter identified conditions 2, 3 and 4 of the Board's decision. He said that a certified letter was submitted that addresses the catch basin and Stormwater Management Plan. He said that Condition 3 concerns curbing and grading to capture runoff. He said that the plan that was developed by the Engineer captures the runoff in a gravel trough. He said that it is not a curb but is certified to catch the runoff. He said that Condition 4 stated that there shall be no additional lighting other than the two fixtures on the garage. He said that there are two fixtures on the face of the garage plus a third light around the corner at the egress at the pool house door.

Mr. Gordon said that there was total of 1,461 square feet of hardscape in the approved plan. He said that there is a slight increase to 1,573 square feet, which is less than 10 percent. He said that the increase is primarily due to the fact that the tree wells count as paving.

Mr. Gordon said that there needs to be an approved modification to the plan so that the Building Inspector can accept it.

The Board said that the two sets of drainage calculations that were submitted appear to be the same. The Board said that the calculations have the same final numbers, almost as if they are both post conditions rather than existing and post conditions. The Board said that calculations for the existing conditions must be submitted.

Mr. Gordon said that there is an easement across the side of the property that gave them an opportunity to make an overflow connection to the town's stormwater system. He said that it was approved by the Department of Public Works and was certified by an engineer.

Mr. Gordon said that the drainage system was designed for a 25 year storm. He said that the system will capture runoff from the roof as well as from the pavement. He said that it will be introduced into an infiltration system that has an overflow to the easement.

The Board asked how the garage is finished and how is it being used. The Board said that Total Living Area plus Garage (TLAG) calculations should be submitted. The Board said that it will need to see that the Building Inspector is satisfied with the TLAG calculations.

Mr. Gordon clarified that the runoff trench is an acceptable replacement for the curbing that was approved in the original plan.

The Board said that the decision will not be filed with the Town Clerk until the Board has received the TLAG and Drainage Calculations for Existing Conditions.

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

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Statement of Facts

The subject property is located at 62 Woodcliff Road, in a 20,000 square foot Single Residence District, with a minimum right side yard setback of 10.3 feet.

The Petitioner is requesting modification of a Special Permit/Finding, ZBA 2010-49, for completed landscaping.

Proposed Landscape Plan, dated 5/12/10, revised 7/13/10, 7/21/10 & 1/08/13, stamped by Dan K. Gordon, Registered Landscape Architect, Letter to Michael Grant, Inspector of Buildings, dated 2/4/13, from Peter Gammie, P.E., Stormwater Report, dated 12/18/12, stamped by Peter Gammie, P.E., Stormwater Plan, dated 12/19/12, revised 12/26/12 & 1/10/13, stamped by Peter Gammie, P.E., Private Stormwater System Connection Agreement, dated 1/22/13, signed by David J. Hickey, Jr., Town Engineer, Town of Wellesley and Daniel M. Palmier, Trustee, Palmier Realty Trust, and photographs were submitted.

On April 2, 2013, the Planning Board reviewed the petition and recommended that the Special Permit modification 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 opinion of this Authority that modification of a Special Permit/Finding, ZBA 2010-49, for completed landscaping, 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, modification of a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the conditions:

1. TLAG calculations regarding garages and potential occupied space shall be submitted.
2. Supplemental drainage calculations for existing conditions to match the first page of the Stormwater Report shall be submitted.

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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

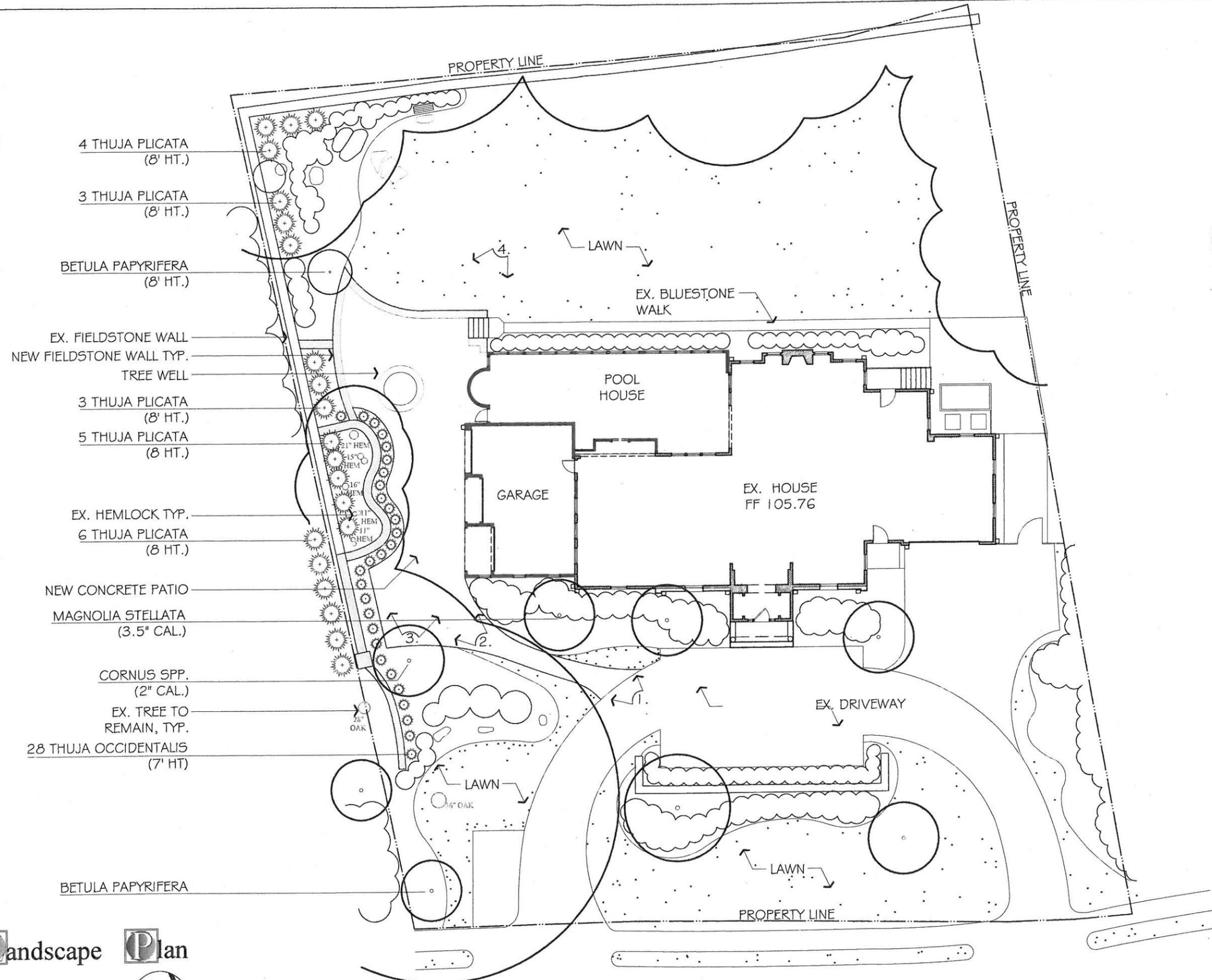


David G. Sheffield



Derek B. Redgate

cc: Planning Board  
Inspector of Buildings  
lrm



**Proposed Landscape Plan**

May 12, 2010  
 Scale: 1" = 20'-0"



Revised: 07/13/10  
 07/21/10  
 01/08/13

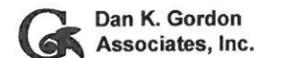
**The Palmier Residence** • 62 Woodcliff Road • Wellesley, MA



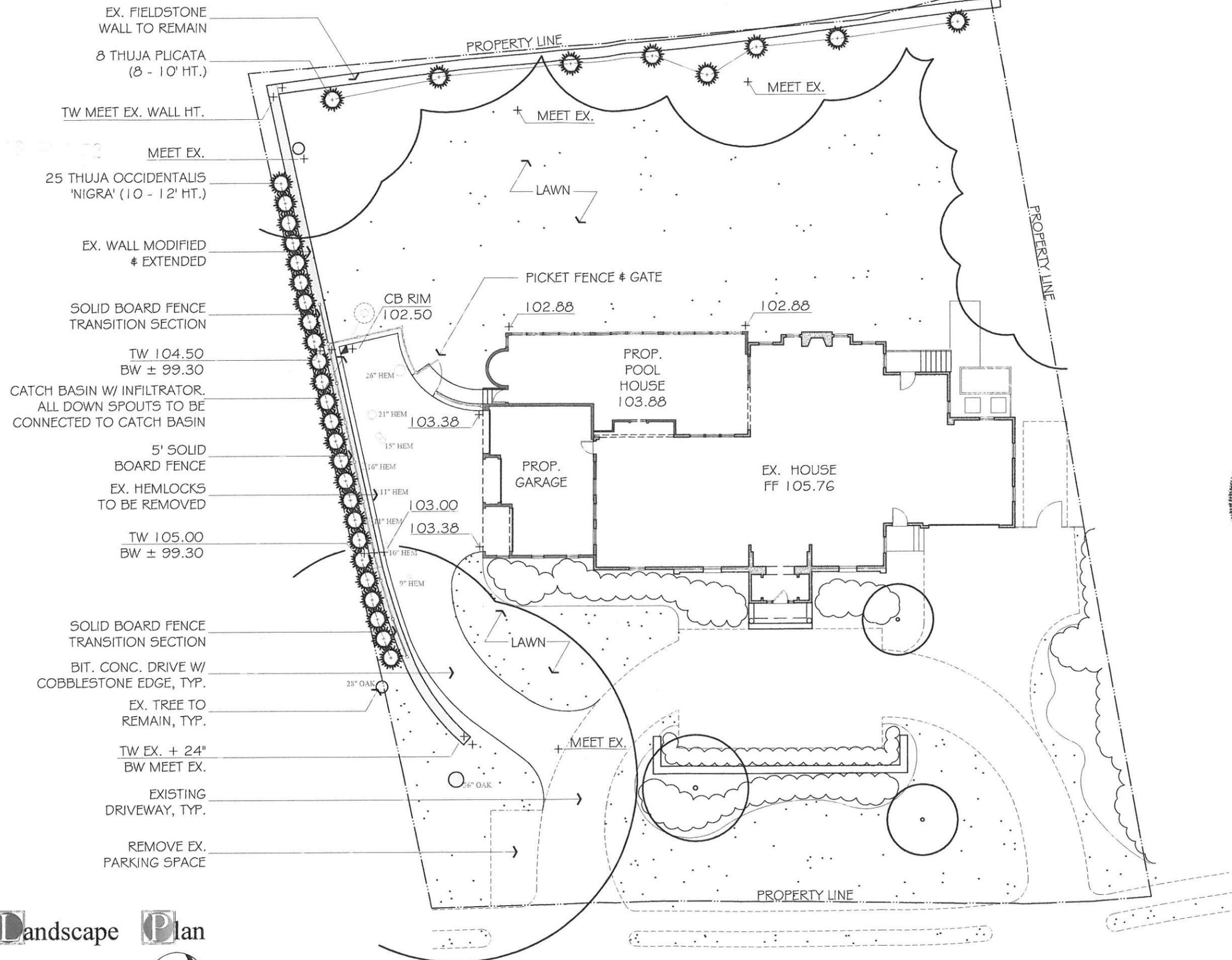


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- EX. FIELDSTONE WALL TO REMAIN
- 8 THUJA PLICATA (8 - 10' HT.)
- TW MEET EX. WALL HT.
- MEET EX.
- 25 THUJA OCCIDENTALIS 'NIGRA' (10 - 12' HT.)
- EX. WALL MODIFIED & EXTENDED
- SOLID BOARD FENCE TRANSITION SECTION
- TW 104.50  
BW ± 99.30
- CATCH BASIN W/ INFILTRATOR. ALL DOWN SPOUTS TO BE CONNECTED TO CATCH BASIN
- 5' SOLID BOARD FENCE
- EX. HEMLOCKS TO BE REMOVED
- TW 105.00  
BW ± 99.30
- SOLID BOARD FENCE TRANSITION SECTION
- BIT. CONC. DRIVE W/ COBBLESTONE EDGE, TYP.
- EX. TREE TO REMAIN, TYP.
- TW EX. + 24"  
BW MEET EX.
- EXISTING DRIVEWAY, TYP.
- REMOVE EX. PARKING SPACE

**Proposed Landscape Plan**

May 12, 2010  
Scale: 1" = 20'-0"



Revised: 07/13/10  
07/21/10

**The Palmier Residence** • 62 Woodcliff Road • Wellesley, MA

