



ZONING BOARD OF APPEALS

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

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ZBA 2014-10
Petition of Maryellen Jordan
2 Auburn Road

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WELLESLEY MA 02482
2014 MAR 20 P 12:45

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 6, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of MARYELLEN JORDAN 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 garage with a master bedroom above that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a corner lot in a 10,000 square foot Single Residence Water Supply Protection District, at 2 AUBURN ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 21, 2014, 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 K.N. Srinivasa, P.E., and Blake and Maryellen Jordan (the "Petitioner"). Mr. Srinivasa said that the house was originally built in 1952. He said that the house is nonconforming with a front yard setback of 29 feet. He said that all the proposed construction will comply with the setback requirements. He said that the request is to expand the existing one-car garage to a tandem garage.

The Board said that the length of the tandem garage with the master suite above is almost equal to the length of the existing house. The Board said that the addition will be 40 feet long. The Board said that the roofline over the tandem garage creates a wall that is almost 50 feet in length and almost 30 feet in height with only three windows in it. The Board said that starting the plans with the bed against the outside wall forces the decision that windows cannot be put there. The Board said that if the bed was located on the other side, the whole dynamic would change and windows could be added. The Board said that the addition of windows will make the addition more in scale with houses in the neighborhood. The Board said that the façade that is shown on the plans would be more detrimental to the neighborhood.

Ms. Jordan confirmed that the Board was asking that more windows be added. The Board said that something that breaks up the mass is needed. The Board said that the roofline could be changed so that it is not one gable from front to back. The Board said that there are alternatives that would make this addition a lot better in appearance. The Board said that the view for the neighbors on the right would be horrible if the hemlock trees were gone.

The Board said that the petition should be continued to the March hearing so that the Petitioner can come back with other ideas on how to deal with the issues that concerned the Board.

Mr. Jordan said that they shared the plans with their neighbors and they have all been in support. The Board said that it is concerned about the neighbors who live there today and the neighbors who will live there in the future.

Mr. Srinivasa asked if the Board could approve the petition with conditions. The Board said that if it approved the submitted plans and the plans were subsequently changed, the Building Inspector would not issue a Building Permit. The Board said that what it approves is what the Petitioner will have to build by.

Mr. Jordan asked what would happen if they came back with the same plans. The Board said that the standard is whether the proposed construction will be more detrimental to the neighborhood. The Board said that the Petitioner heard some of that language tonight. The Board said that there is a range of solutions that would change that, which is what the Board is asking the Petitioner to think about.

Mr. Jordan confirmed that if they were to move ahead with the plans that were submitted, the Board could decline to approve the Special Permit. The Board said that if one member of the Board finds that the proposed construction would be substantially more detrimental to the neighborhood, the petition would not pass because the approval has to be unanimous. The Board said that if the petition is denied, under State Law, there is a two-year restriction to come back before the Board unless the Planning Board votes unanimously to allow it. The Board said that because the Planning Board voted unanimously to recommend denial of the petition, it was unlikely that they would vote to allow the petition to come back.

The Board said that the rest of house has gables with a steeper pitch. The Board said that if this had a gable on the front and a gable on the back or a couple of gables on the side, it could get this more into scale with the rest of the house. The Board said that the long slope on both sides of the ridge takes it totally out of scale with the house and the neighborhood.

The Board said that the issue that the Petitioner heard is that because of the massing of the addition, it is not consistent with what is in the neighborhood. The Board said that there are different ways to change the massing. The Board said that they could change the roofline, change the windows or add something to the side of the building to break up the mass.

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 the March 6, 2014 Public Hearing.

March 6, 2014

Presenting the case at the hearing were K.T. Srinivasa, Engineer, and Maryellen and Blake Jordan, (the "Petitioner").

Mr. Srinivasa said that they had previously come before the Board at the February 2014 Public Hearing. He said that the Board said that one of the walls on the right side of the property was too long. He said that the homeowners decided to not construct a tandem garage in the back. He said that they decided to

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put the new master bedroom over the existing kitchen. He said that the addition will look more integrated as one piece. He said that the new bedroom will be accessed from the same stairs. He said that they realigned the windows up and downstairs. He said that most of the windows will have shutters.

Mr. Srinivasa said that the footprint was expanded approximately six feet for a pantry on the first floor and for the master bed and bath above. He said that the rest of the structure will remain as is.

The Board said that the house will meet all setbacks except for a 29 foot setback to Auburn Road. The Board said that there is also a small porch encroaching in the front yard setback.

The Board said that the Petitioner responded to its concerns from the previous hearing.

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 2 Auburn Road, on a corner lot in a 10,000 square foot Single Residence Water Supply Protection District, with a minimum front yard setback of 29 feet.

The Petitioner is 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 two-story addition and construction of a second story addition over an existing structure that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a corner lot in a 10,000 square foot Single Residence Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 1/15/14, revised 2/24/14, stamped by Terrence M. Ryan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/10/13, revised 2/24/14, prepared by Kalkunte Engineering Corporation, and photographs were submitted.

On February 4, 2014, the Planning Board reviewed the petition and recommended that the petition 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 opinion of this Authority that construction of a two-story addition and construction of a second story addition over an existing structure that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a corner lot in a 10,000 square foot Single Residence 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.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a two-story addition and construction of a second story addition over an existing structure that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a corner lot in a 10,000 square foot Single Residence Water Supply Protection District, in accordance with the revised plans dated February 24, 2014.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions 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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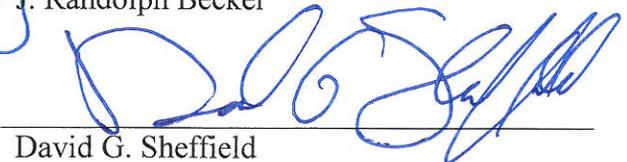
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

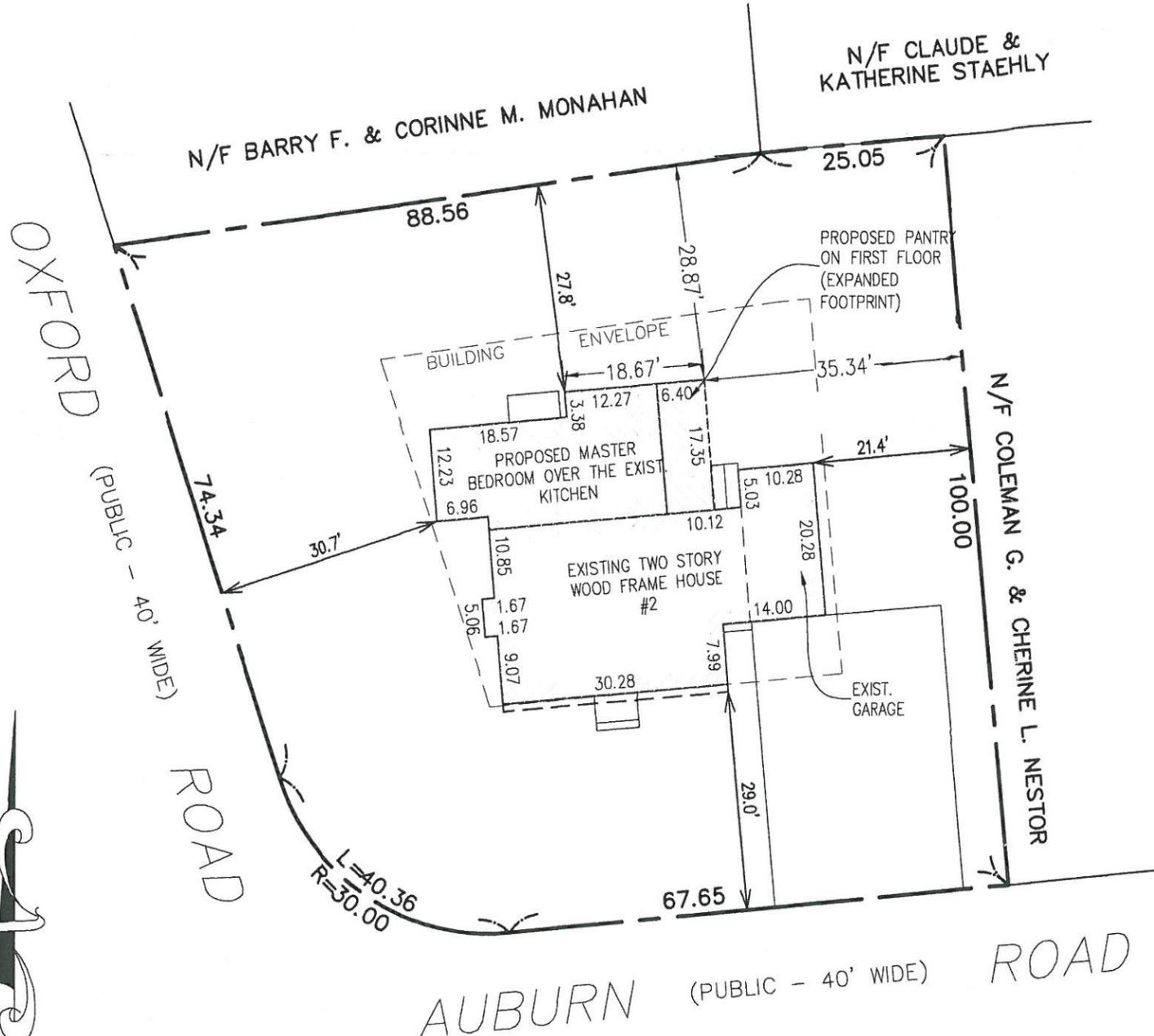

Richard L. Seegel, Chairman


J. Randolph Becker

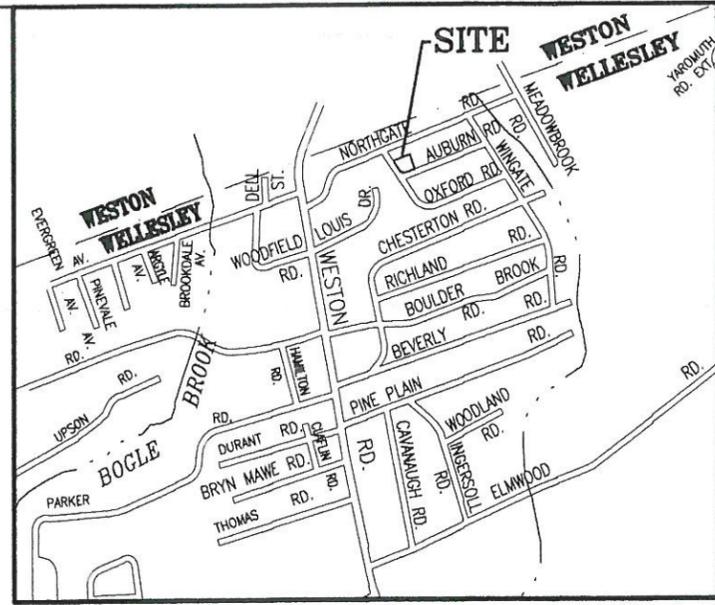

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm

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SITE PLAN
SCALE: 1"=20'



LOCUS MAP
NOT TO SCALE

PROJECT INFORMATION
 Project Location: 2 AUBURN RD. WELLESLEY, MA
 Parcel ID: 179-18
 Owner of Record: BLAKE & MARYELLEN JORDAN
 2 AUBURN RD. WELLESLEY, MA
 Proposed: ADDITIONAL PANTRY ON FIRST FLOOR AND
 MASTER BEDROOM OVER THE EXIST. KITCHEN AND
 PROPOSED PANTRY.

DEED BOOK 30032, PAGE 248
 ASSESSORS MAP 179 LOT 18
 LOT AREA 10,000 S.F.
 EXISTING COVERAGE 1,530 S.F. = 15.35
 PROPOSED COVERAGE 1,641 S.F. = 16.41%



KALKUNTE ENGINEERING CORPORATION
 CONSULTING ENGINEERS
 1749 CENTRAL STREET
 STOUGHTON, MA 02072
 (781) 344-8565

| Scale(s) NOTED | | Revisions | |
|----------------|------------|-----------|-------------|
| Date | By | No. | Description |
| 02/24/14 | REVISION 1 | 1 | Approved by |

| | |
|------------------------------|-----------|
| 2 AUBURN RD. WELLESLEY MA | SITE PLAN |
| Dwg No. | 11 |