

**ZONING BOARD OF APPEALS**

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ZBA 2016-64  
Petition of Mei Ying Gao  
28 River Ridge

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 11, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Mei Ying Gao 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, a second story addition and a deck with less than required right side yard setbacks, and construction of a two-story addition with finished attic space with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, with less than required frontage, at 28 River Ridge, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 26, 2016, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

WITHDRAWN WITHOUT PREJUDICE

Presenting the case at the hearing was John Le, representing Mei Ying Gao, the Petitioner.

Mr. Le said that he had previously come before the Board requesting a special permit for an 18 foot by 14 foot addition, enclosure of an open deck to make the kitchen bigger, and an addition on the second floor. He said that the neighbors were supportive. He said that the Board had two criticisms regarding incorrect drawings for the west elevation and building out to the existing setback on the right side where it is close to the neighbor. He said that they have moved that back a foot.

Mr. Levy said that the proposed structure appears to be within the height limitation. He said that because it is so narrow, it looks taller. He said that it is a difficult lot.

Mr. Becker said that he struggled with the overall size of the structure. He said that the difficulty here is not the lot size but the frontage. He said that design solutions are limited to going back or up. Mr. Le said that they are limited on floor/ceiling height, which they pushed to 8 feet. He said that the height from average grade will be 34.11 feet.

Mr. Redgate why the Petitioner thinks it looks better taller. Mr. Le said that the building is only 14 feet wide. He said that they need sufficient room for the bedrooms. Mr. Redgate said that he was struggling with the elevations on the short side. He said that the Petitioner is asking for a lot of zoning relief. He

said that the setback will increase from 4 feet to 5.5 feet. He said that the 1 story piece is going up 1 story. Mr. Le said that it will be a cathedral ceiling over the kitchen.

Mr. Redgate said that the side elevations seem like a drastic change. He asked about the dormers and what will be located on the third floor. Mr. Le said that there will be a bathroom and two bedrooms. He said that they needed the dormers for headroom for the stairway and bath. He said that the bedroom is narrow and long.

Mr. Becker said that the side elevations will go from 1.5 to 2.5 stories. He said that the north elevation will be taller by an extra half story. He said that the Assessor's Records show living space of 800 square feet. He said that the proposed TLAG is 3 times that. Mr. Le said that the existing TLAG is 1,116 square feet, excluding the basement. Mr. Becker said that the existing TLA is not out of proportion to the neighborhood and is on the small side. He said that the proposal is to go from 55 percent of the average TLA to 25 percent larger than the average. Mr. Le said that it will be under the TLAG allowed. Mr. Becker said that does not mean that it is not more detrimental to the neighborhood. Mr. Le said that they tried to not go with length to respect the neighbors. Mr. Redgate said that there are no homes in town with 5 foot setbacks.

Olympiu Dejeu, 30 River Ridge, said that he is the abutter. He said that since the previous hearing the plan has only changed 1 foot. He said that if the structure is pushed up, it will look massive. He said that his driveway is on the side with a 4 foot setback. He asked for a temporary wall to protect his car if the Board approves the project.

Elizabeth Ciappenelli, 39 River Ridge, said that she lives across the street. She said that with the way that this is designed, she has an issue with the massive presence going straight up. She said that it will have a hulking presence. She said that she would rather have the construction go back. She said that it is a long lot. She said that the existing house is 1.5 stories and the proposed house will be 2.5 stories with living space upstairs. She said that the road slopes on the left side. She said that it will be a tall structure. She said that an existing row of evergreen trees provide a nice buffer. She said that they are mature old evergreens and there is no guarantee they will be there in five years. She said that there was no information about the quality of the materials. Mr. Becker said that is not a Zoning issue.

Mr. Becker read the Planning Board recommendation. Mr. Redgate said that he agreed with the Planning Board.

Mr. Becker said that he had hoped to see something smaller. He said that the Petitioner did respond to some concerns on massing. He said that the structure will be going from 1.5 to 2.5 stories on a narrow lot. He said that it will look different from other houses in the neighborhood.

The Board discussed the options of allowing the petition to be withdrawn without prejudice versus continuing the public hearing. Mr. Le requested that the Board allow the petition to be withdrawn without prejudice.

Mr. Levy moved and Mr. Redgate seconded the motion to allow the petition to be withdrawn without prejudice. The Board voted unanimously to allow the petition to be withdrawn without prejudice.