



ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208

WALTER B. ADAMS
DEREK B. REDGATE
RICHARD L. SEEGEL

January 5, 2023
Juliani Room, Town Hall
7:30 pm

Zoning Board of Appeals Members Present: J. Randolph Becker
Robert W. Levy
Walter B. Adams

BUSINESS MEETING

ZBA 2022-67, TOWN OF WELLESLEY/SCHOOL DEPARTMENT, 293 WESTON ROAD (HARDY SCHOOL)

The Board members discussed revisions to the draft decision and conditions.

Mr. Levy moved, Mr. Adams seconded the motion, and the Board voted unanimously to grant Site Plan Approval.

PUBLIC HEARING

ZBA 2022-73, JAMES MEALEY, 88 CREST ROAD

The petition was heard de novo.

Present at the public hearing were David Himmelberger, Esq., Charles Kraus, Architect, and James Mealey, the Petitioner.

Mr. Himmelberger said that the prior Board expressed concerns about the mass of the building. He said that was revised. He said that this is a proposed addition to a pre-existing nonconforming structure at the corner of Summit Road and Crest Road, with two front yards and two side yards. He said that it is nonconforming due to lot area at 7,678 square feet in 10,000 square foot Single Residence District. He said that all of the setbacks are nonconforming. He said that the pre-existing nonconforming garage will be razed.

Mr. Himmelberger discussed the changes that were made from the prior iteration. He said that TLAG was reduced 919 square feet, down from 4,612 square feet to 3,693 square feet, just a little bit over the TLAG threshold for the 10,000 square foot district. He said that the proposed garage was moved 4.2 feet further back from Summit Road so that it is now 20.1 feet. He said that the garage was pulled in .3 feet further from the abutting neighbor on Summit Road, so that it is now 22.8 feet from that property line and compliant on that side. He said that the proposed second floor and attic addition was moved 6.8 feet further back from Summit Road so that it is now 20.1 feet from the property line. He said that the roof overhang was added to the front of the garage to minimize the appearance of the height. He said that the proposed covered porch was reduced by .1 feet and the length on Crest Road was increased by 19.1 feet. He said that lot coverage was reduced from 25 percent to 24.8 percent. He said that the building height remains as it was before, consistent with the existing structure at 33 feet.

Mr. Himmelberger said that previously, even in the larger configuration, the abutter on Crest Road, Dennis & Cyetta McCormick, were present at the hearing and expressed their support. He said that there were two neighbors who expressed some discomfort with it, one of whom, David Grissino, has written an email to advise that he is now satisfied with the changes that were made.

Mr. Becker said that the lot area is nonconforming.

Mr. Adams said that the Board received a letter from Anne and Jim Newman on January 4, 2023 that still concerns and opposition. Mr. Himmelberger said that he had not received a copy of that letter but understood that it had been submitted.

Mr. Mealey said that Mr. Grissino responded to a second iteration that showed three feet and five feet and he was fine with that. He said that he went a step further after having met with the Newmans and moved it even further back from what Mr. Grissino was happy with.

Mr. Becker said that the 22 foot setback that the Newmans discussed in their January 4, 2023 letter would be conforming.

Mr. Levy asked if the 500 Foot Rule will come into play since they are adding a covered porch. Mr. Himmelberger said that they are taking a porch off and pulling back from what the porch was. He said that they are using the existing porch as the benchmark.

Mr. Becker said that while the Board is hearing this petition de novo, the changes that Mr. Himmelberger described are the result of the discussion that the Board had at the previous hearing. He said that the Petitioner did what the Board asked for. He said that Mr. Grissino spent time as a member of the Zoning Board and described concisely in his letter the changes that were made that impacted the decision about whether this will be more detrimental to the neighborhood.

The Board discussed the Planning Board recommendation.

Mr. Levy discussed letters that the Board received. He said that 94 Crest Road is across the street from 88 Crest Road, on the opposite corner. Mr. Himmelberger said that Dennis and Cyetta McCormick were present at the previous hearing to support the project. He said that they appreciated that the house was not being knocked down but added onto. He said that it stands on a corner and has some benefit by being retained, preserved and enhanced. He said that is a good attribute that the owner is undertaking.

Mr. Adams said that although it would not be the basis for his approval or not, he found that the second and third floor overhang shown on Plans A2.2 and A2.3R is awkward as a heavy two story element. Mr. Becker said that the columns and the roof on the porch served to give a horizontal element to that façade and to change the massing from being principally vertical to being horizontal. Mr. Adams said that it is almost

asking for some sort of brackets, which relates to architectural proportions. Mr. Kraus said that they intend to add more detail. Mr. Himmelberger said that it is the rear of the house, as opposed to a street view. Mr. Adams said that this is a corner lot, so there is no rear. He said that you can see all sides from one street or the other. Mr. Kraus said that they are entertaining the bracket detail anyway.

Mr. Becker said that the Planning Board did not submit a recommendation based on the revised plans. Mr. Adams said that the revised submittal speak to the Planning Board's concerns.

Mr. Levy said that this is an undersized lot and there are a lot of roof lines. He asked about stormwater runoff. Mr. Himmelberger said that two drywells are proposed, one to the right of the driveway and the other in the opposing corner. Mr. Levy confirmed that it will be some type of Cultec system. Mr. Mealey said that he generally does that on every property that he does. He said that it is a fieldstone foundation, so he wants to be sure that water is taken away from it.

Mr. Adams said that the Board often puts in a condition that the drainage plan be reviewed and agreed to by the Department of Public Works. Mr. Becker said that the note on the plot plan about designed by others in this case means that the Cultec basin has the capacity that takes one inch of rain off of the roof.

Mr. Levy asked if any member wished to speak to the petition.

Mr. Levy moved, Mr. Adams seconded the motion, and the Board voted unanimously to make a finding that the proposed construction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, and to grant a special permit, subject to a condition that a drainage plan for one inch capacity that is stamped by a professional engineer is reviewed and approved by the Department of Public Works.

As there was no further business to come before the Board, the hearing was adjourned at 8:41 pm.

Respectfully submitted,

Lenore R. Mahoney
Executive Secretary