

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2018-14

Petition of Mitchell & Cynthia Coddington  
121 Grove Street

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RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MASSACHUSETTS  
2018 APR 19 11:06 AM

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 5, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Mitchell & Cynthia Coddington requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a new mudroom and construction of a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, and expansion of an existing nonconforming garage with less than required right side yard setbacks, at 121 Grove Street, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 12 2018, 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 David Himmelberger, Esq. and Lisa Abeles, Architect, representing Mitchell and Cynthia Coddington, the Petitioner. Mr. Himmelberger said that the request is for a special permit to construct a second story addition to an existing one story portion of the house with conforming setbacks, as well as to expand a pre-existing nonconforming garage due to insufficient side yard setbacks. He said that the house was built in 1921 on a 14,124 square foot lot in a 10,000 square foot Single Residence District. He said that the single car garage is located 4.8 feet from the right side property line. He said that the left side of the house is 18 feet from the property line. He said that there was previous Zoning relief granted in 1997 when the Board allowed a 10.5 foot by 6 foot shed addition to the rear of the garage. He said that the proposed project is for a second floor addition over an existing 20 by 25 foot one story structure at the rear of the home. He said that the project seeks to widen the existing garage to the interior lot side of the garage by four feet to make it more functional. He said that it will remain as a one bay garage. He said that by widening it four feet, the pitch of the roof will change such that the new roof height will be 1.1 feet taller than the existing garage. He said that the shed at the rear of the garage will remain untouched. He said that they believe that this is an appropriate addition that is not substantially more detrimental to the neighborhood. He said that all of the addition to the house is conforming.

Mr. Himmelberger said that the rear of the house also has a front yard setback on Wildwood Circle. He said that they will be decreasing the setback by about 13 inches from 41.3 to 40.2 but will still be significantly further from Wildwood Circle than the abutting homes. He said that 19 Wildwood has a 27.3 foot front yard setback, 16 Wildwood has a 33.3 foot front yard setback, and 12 Wildwood has a 28.5 foot front yard setback. He said that the current peak height of the house is 29.5 feet and the new

addition will be 9 inches shorter. He said that the garage height will increase to 14.5 feet. He said that the current Total Living Area plus Garage (TLAG) of 3,967 square feet will increase 668 to 4,635 square feet. He said that they believe that it meets the criteria for a special permit/finding.

Ms. Abeles said that they will keep three faces of the garage. She said that they will move the left side of the garage out four feet so that it is easier to open a door when you pull into the garage. She said that they will keep the same shape of the roof. She said that they have improved how it looks from the front by making the detailing more consistent with the house. She said that there is a one story addition at the back of the main house that looks less consistent with the house. She said that they will add a second story to make it look like it has always been there. She said that it will look more natural with a gambrel roof instead of the flat roof. She said that the chimney has an odd relationship to the flat roof. She said that a structural engineer determined that the existing foundations are good, so they can build on top. She said that you cannot see the addition from the street. She said that it will look better for the people on Wildwood Circle. She said that they will do some minor modifications to the stairs as you enter the house and the back door of the mudroom.

A Board member asked if there will be a second story in the garage. Ms. Abeles said that there will not. She said that the change is to allow enough room to open up the car doors.

A Board member said that the property is located in a 10,000 square foot Residential Zone. He said that the building currently exceeds the TLAG threshold and they will be increasing that further. Ms. Abeles said that they wanted to make the house look consistent and not impact the neighborhood more. She said that she intentionally kept the ridge below the existing ridge at the front of the house and it is set back on both sides. She said that the existing one story is not in keeping with the house. She said that it will look more natural with the proposed addition. The Board said that it is 25 percent over TLAG for the district but even though there will be a 40 percent increase in TLAG, it is located on a 14,000 square foot lot and you would not see the impact as if it were on a 10,000 square foot lot. The Board said that the house starts at 3,900 square feet and would exceed the TLAG threshold no matter what. Mr. Himmelberger said that it will be a 17 percent increase over what is there now. The Board said that the footprint will not change significantly and landscaping will not be impacted. Ms. Abeles said that they will not remove any plantings to do this. She said that there is already a light at the back door and there is no additional exterior lighting proposed.

A Board member asked about drainage, since they will be adding more impervious surface. Mr. Himmelberger said that it will be a very small amount of additional square footage. He said that they will be building over an existing structure. He said that new structure will be the garage piece and the eaves. He said that they were not planning any additional drainage because they thought that the increase was minimis. Ms. Abeles said that gutters will drain to the ground and away from the house into the large backyard.

Mr. Himmelberger said that they did calculations in relation to the Demo Bylaw. He said that at 13 percent, no demo review will be required.

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 121 Grove Street, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 18 feet. The existing garage has a minimum right side yard setback of 4.8 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a new mudroom and construction of a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, and expansion of an existing nonconforming garage with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Request for Special Permit, dated 2/13/18, signed by David J. Himmelberger, Esq., a Plot Plan, dated 1/31/18 and Height Certification Letter, dated 1/25/18, stamped by Deana Boumitri, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 2/6/18, prepared by Abeles & Associates Architects, Inc., and photographs were submitted.

On April 5, 2018, the Planning Board reviewed the petition and recommended that Special Permit 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 construction of a new mudroom and construction of a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, 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. It is the opinion of this Authority that although expansion of an existing nonconforming garage with less than required right side yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a new mudroom and construction of a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, and expansion of an existing nonconforming garage with less than required right side yard setbacks, in accordance with the submitted plot plan and construction drawings.

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.

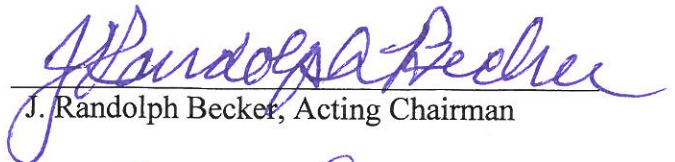
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

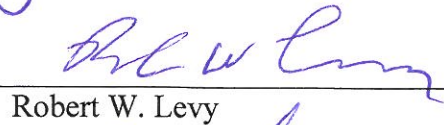
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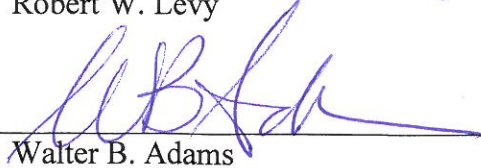
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2018 APR 19 P 3:06

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.

  
J. Randolph Becker, Acting Chairman

  
Robert W. Levy

  
Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm



**ZONING REQUIREMENTS**  
RESIDENCE DISTRICT-SINGLE RESIDENCE 10

	REQUIRED	EXISTING	PROPOSED
AREA	10,000 SF	14,124± SF	14,124± SF
FRONTAGE	60 FEET	100± FEET	100± FEET
LOT WIDTH	60 FEET	100± FEET	100± FEET
BUILDING HEIGHT	≤36 FEET*	29.5± FEET	29.5± FEET
GARAGE HEIGHT	≤36 FEET*	13.3± FEET	14.4± FEET
LOT COVERAGE	20%	16.6±%	17.9±%
	(2,825±SF)	(2,341±SF)	(2,523±SF)

**MINIMUM YARDS:**

FRONT (GROVE)	32.1 FEET	43.3± FEET	43.3± FEET
FRONT (WILDWOOD)	30 FEET	41.3± FEET	40.2± FEET
SIDE	20 FEET	4.8± FEET	4.8± FEET

\* AVERAGE GRADE CALCULATIONS PROVIDED UNDER SEPARATE COVER.

**PROPOSED SITE PLAN**  
**121 GROVE STREET - WELLESLEY, MA**

**CAVANARO CONSULTING**

687 MAIN STREET  
P.O. BOX 5175  
NORWELL, MASSACHUSETTS 02061  
PHONE: 781.659.8187  
FAX: 781.659.8186



**SP**

DRAWING NO.

DATE : 01/25/18

DRAWN BY : DB

PROJECT NO. : 17,186

