

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2018-22

Petition of John Kendall & Melissa Arronté

35 Clifford Street

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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 John Kendall & Melissa Arronté requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that renovation of an existing second story and construction of an attic addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, at 35 Clifford 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.

A Board member said that he is a colleague of Erin Reilly, Architect, whom he sees occasionally at Metrowest Architect Group. He said that it is his opinion that he can fairly and impartially offer his opinion and guidance on this case.

Presenting the case at the hearing were Erin Reilly, Architect and John Kendall, the Petitioner.

Ms. Reilly submitted Total Living Area plus Garage (TLAG) and Demo calculations and a previously granted decision. She said that that is it an existing nonconforming house. She said that the proposed work involves re-working the second floor within the existing framework and reconfiguring the roof to add space in the attic. She said that the project simplifies complicated rooflines. She said that an addition at the back part of the house was done in 2005 that created a lot of rooflines. She said that the proposed new roof will be a simple gable with two shed dormers. She said that the design will solve a construction maintenance nightmare. She said that existing dormers will be taken off. She said that there is a house close by on the right side facing from the street. She said that there is a line of trees there. She said that the roof slopes back with a low pitch. She said that there is a 57 foot side yard on the other side. She said that the houses on either side are both full two story structures with finished attics, which is what they are proposing here. She said that they will not be going into a new footprint. She said that the existing footprint is 19.7 feet from the side property line. She said that the existing second story is 29.2 feet at the front. She said that they are asking for a small amount of relief. She said that it will not add much physical mass or bulk.

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A Board member said that the rendering shows how the owner and the Architect have improved the façade of the building tremendously in a way that does not detract and does not appear to raise the eave line.

The Chairman confirmed that the 19.71 dimension on the plot is the side yard setback. Ms. Reilly said that the addition will not change the footprint. She said that they are going straight up and adding the attic level. She said that the existing nonconformity is 0.3 feet into the side yard setback. She said that they will not be making that any bigger. She said that is the case for the front as well. The Chairman confirmed that 23.17 is to the first floor and 29.79 is to the addition above. Ms. Reilly said that the 23 foot dimension is to an enclosed front porch.

Ms. Reilly said that the house was built in 1865. She said that demo calculations will be 19 percent. She said that the increase in TLAG will be 16 percent, for a total of 3,300 square feet.

A Board member said that since they will not be increasing the impervious surface, drainage is not really an issue.

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 35 Clifford Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 23.17 feet and a minimum right side yard setback of 19.71 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that renovation of an existing second story and construction of an attic addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

35 Clifford Street Proposal Summary, A Plot Plan, dated 1/30/18, stamped by Vernon J. LeBlanc, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 12/1/17, prepared by Erin Reilly, Architect, and photographs were submitted.

On April 5, 2018, the Planning Board reviewed the petition and recommended that a 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 renovation of an existing second story and construction of an attic addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, shall not be substantially more detrimental to the

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neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a special permit is granted, as voted unanimously by this Authority at the Public Hearing, for renovation of an existing second story and construction of an attic addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and 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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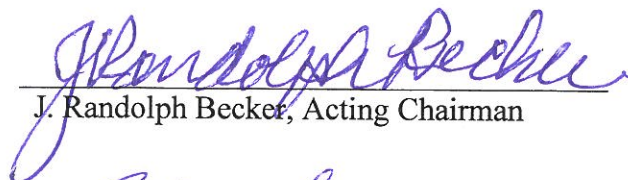


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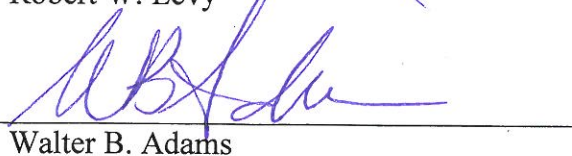
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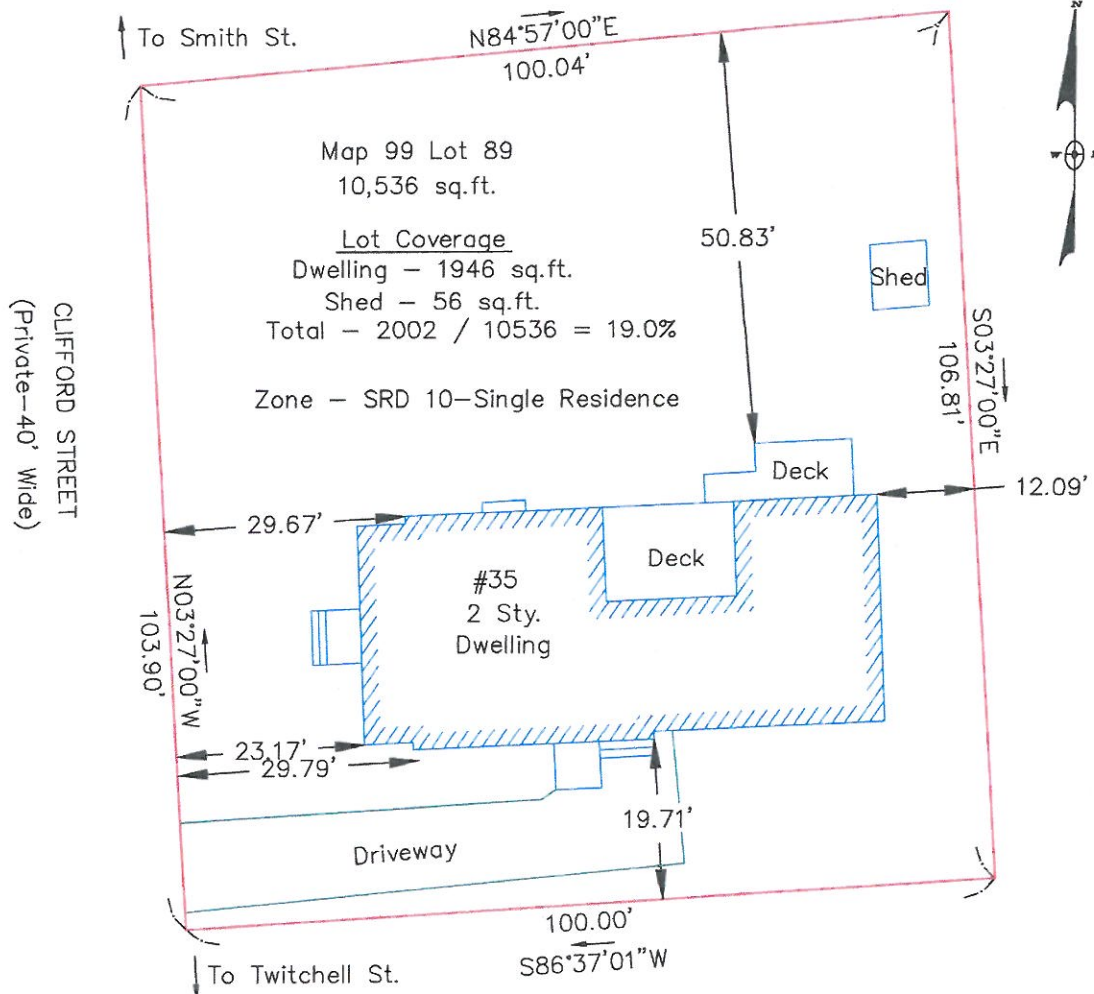
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
J. Randolph Becker, Acting Chairman

  
Robert W. Levy

  
Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm



PLOT PLAN  
35 Clifford Street  
Wellesley, MA

Prepared For  
John Kendall & Melissa Arronte

Prepared By  
LeBlanc Survey Associates, Inc.  
161 Holten Street  
Danvers, MA 01923  
(978) 774-6012

Jan. 30, 2018 Scale 1"=20'

HOR. SCALE IN FEET

