



## ZONING BOARD OF APPEALS

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

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ZBA 2019-03  
Petition of Sheelah Sullivan  
53 Longfellow Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 10, 2019 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Sheelah Sullivan 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 second story addition over an existing nonconforming attached garage with less than required right side yard setbacks, at 53 Longfellow Road, in a 15,000 square foot Single Residence District and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 6, 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 Christopher Hall and Jonathan Cavanagh, Christopher Hall Architects, Inc., representing Sheelah Sullivan, the Petitioner.

Mr. Hall said that Ms. Sullivan was raised in Wellesley and wanted to raise her own children here. He said that nine years ago she found a 19<sup>th</sup> century home where they embarked on a fairly large project to renovate, restore and expand the structure of the house. He said that due to the cost of the project, they were unable to address the garage at the same time.

Mr. Hall said that the request is for a special permit to add a second floor on top of the existing garage. He said that the garage was built in 1915 with only six inches of side yard setback, which was permitted at the time. He said that in 1991 the owners asked to put a second floor on by special permit. He said that the purpose of the space over the garage is to get current activities in the basement, which is wet, up, out and dry. He said that the addition will address an aesthetic concern that the garage does not appear to match the style and character of the house.

Mr. Hall said that the additional space will comply with allowable TLAG of less than 10 percent of the existing structure. Mr. Cavanagh said that existing TLAG is 6,741 square feet and proposed TLAG will be 7,382 square feet. A Board member said that the threshold for Large House Review is 4,300 square feet for a 15,000 square foot Single Residence District, so this will be almost 50 percent over that. Mr. Hall said that they will not change the footprint or the lot coverage.

Mr. Hall said that there is a driveway to the house behind that allows for a 50 foot buffer on the western side of the house, as shown on Plan A0.3. The Chairman said that it appears that 51 Longfellow was carved out of the property. Mr. Cavanagh said that they did some research and it seems that the lot was

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there as far back as they were able to go. He said that the house behind was built in 1989 but the lot existed at the time.

Mr. Hall said that the house next door at 49 Longfellow Road is approximately 80 feet away. He said that there are massive conifers along the driveway and the back. He said that the garage will not be impactful visually. The Chairman asked if it will be possible to construct the garage addition without disturbing the conifers. Mr. Hall said that the Sullivans do have the trees trimmed. A Board member confirmed that the trees belong to the abutters.

A Board member said that the plans show a window that appears to be less than one foot from the property line. He said that it seems unlikely that anything will be built along the long, narrow spit of land that goes to the rear property but a concern is that, at the time that the garage was constructed prior to Zoning, it was built as fireproof construction, and at a later date, a roof was added. Mr. Cavanagh said that a special permit was granted in 1991 that allowed the roof to be constructed, subject to it being compliant with the fire code. The Board member said that current code does not allow an opening within five feet of a property line. Mr. Hall said that they can eliminate the window. The Chairman said that can be left to the Building Inspector.

A Board member asked about the second floor on the garage. Mr. Hall said that currently there is a back stair and a door going up to a storage area. He said that it is connected with a mudroom on the first floor but is not connected on the second floor. He said that the addition will connect directly with the hallway upstairs. He said that it is intended to be a multi-purpose room. He said that because the garage is tucked into the hillside, the addition will appear to be one story.

Mr. Levy asked if the Sullivans spoke with the abutters. Mr. Hall said that the neighbors sent emails to the Board in support of the project.

Ed Delgado, 50 Longfellow Road, said that he owns the house directly across from 53 Longfellow Road. He said that he spoke with the Sullivans about their plans. He said that the house looks great and the design is fantastic. He said that he came to the hearing to express support for the project.

#### Statement of Facts

The subject property is located at 53 Longfellow Road, in a 15,000 square foot Single Residence District and a Water Supply Protection District, with a minimum right side yard setback of 0.5 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 second story addition over an existing nonconforming attached garage with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan and a Topographic Site Plan, dated 11/23/18, stamped by Joseph R. Porter, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 11/21/18, prepared by Christopher Hall Architects, Inc., and photographs were submitted.

On January 9, 2019, the Planning Board reviewed the petition and recommended that a Special Permit be approved.



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 although construction of a second story addition over an existing nonconforming attached garage with less than required right side yard setbacks is intensifying an existing nonconformity, the proposed alteration does not result in additional nonconformities and 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 second story addition over an existing nonconforming attached 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.

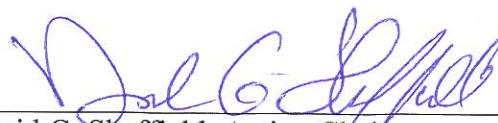
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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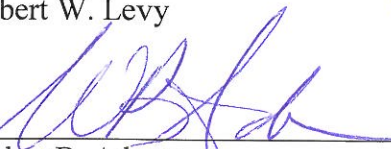
ZBA 2019-03  
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53 Longfellow Road

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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.

  
\_\_\_\_\_  
David G. Sheffield, Acting Chairman

  
\_\_\_\_\_  
Robert W. Levy

  
\_\_\_\_\_  
Walter B. Adams

ZBA            2019-03  
Applicant     Sheelah Sullivan  
Address       53 Longfellow Road

**NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK**

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

\_\_\_\_\_  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm

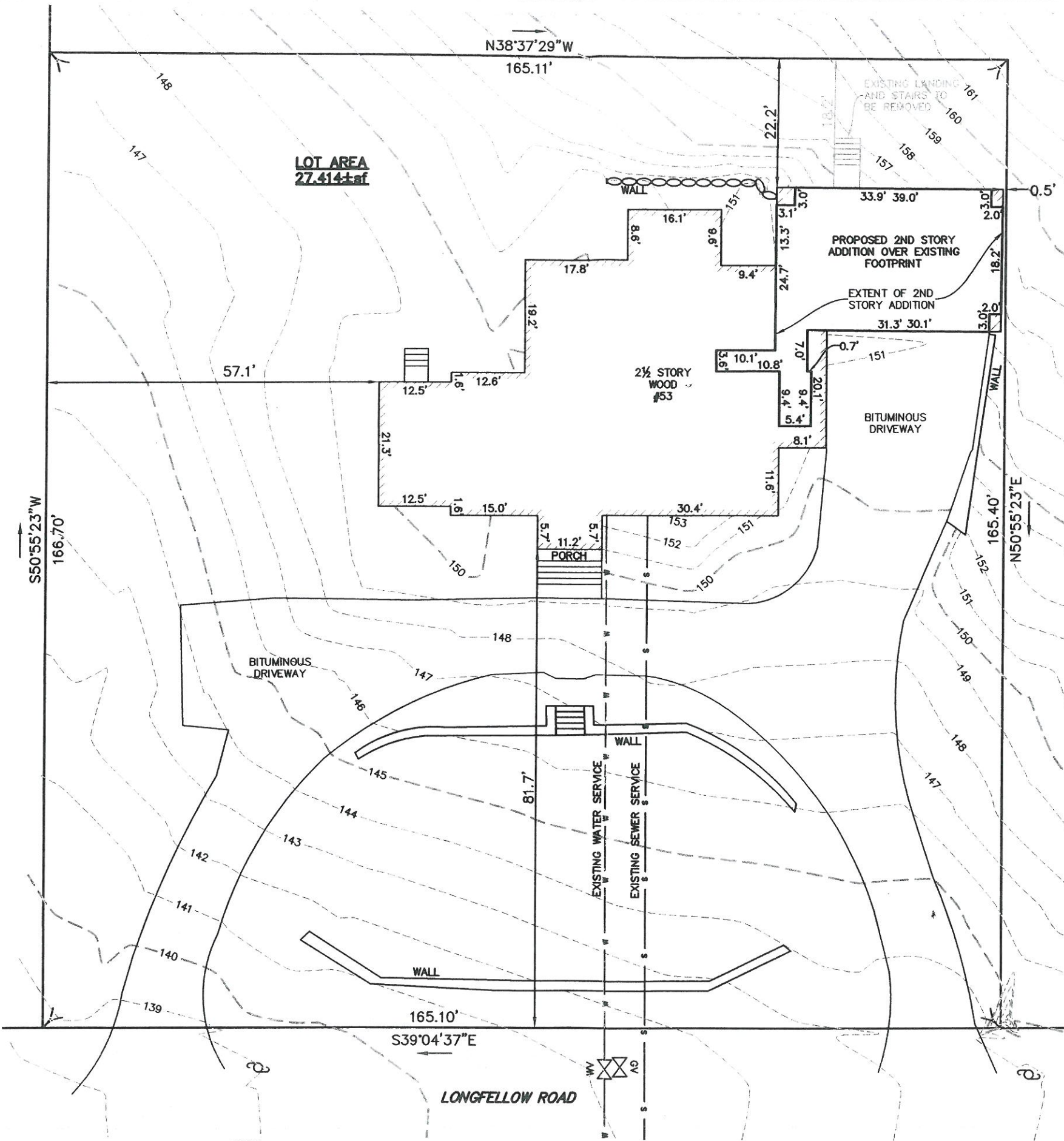
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LEGEND

BUILDING	
PROPERTY LINE W/ BEARING DISTANCE	S81°56'34"E 116.23'
CONTOUR	70
STOCKADE FENCE	
CHAINLINK FENCE	
PICKET FENCE	
SEWER LINE	S
DRAIN LINE	D
WATER LINE	W
GAS LINE	G
GAS VALVE	
WATER VALVE	
DRAIN MANHOLE	
SEWER MANHOLE	
CATCH BASIN	
UTILITY POLE	
LIGHT POLE	
DECIDUOUS TREE	DEC. 22"
CONIFEROUS TREE	CON. 12"
HYDRANT	



ZONING CHART			
WELLESLEY, MASSACHUSETTS			
ZONE: SR-15,000		SUBMISSION: BLDG. PERMIT	
REGULATION	REQUIRED	EXISTING	PROPOSED
LOT AREA	15,000s.f.	27,414±s.f.	N/C
LOT FRONTAGE	100.0'	165.1'	N/C
FRONT SETBACK	42.1'	81.7'	N/C
SIDE SETBACK	20.0'	0.5'	N/C
REAR SETBACK	20.0'	22.2'	N/C
LOT COVERAGE	GREATER OF 20% OR 2,500SF	14.4% (3,942±sf)	N/C

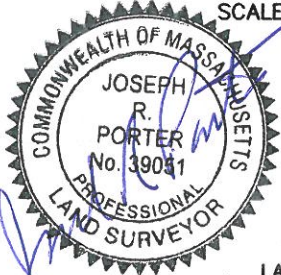
\*NON-CONFORMING

TOPOGRAPHIC SITE PLAN  
WELLESLEY, MASSACHUSETTS

SHOWING PROPOSED CONDITIONS AT  
#51-53 LONGFELLOW ROAD

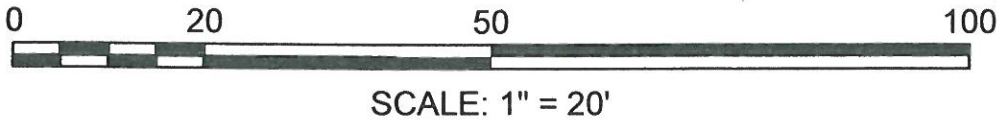
SCALE: 1in.=20ft. DATE: NOVEMBER 23, 2018

PROJECT: 218225



VTP  
ASSOCIATES  
INC.

LAND SURVEYORS - CIVIL ENGINEERS. 132  
ADAMS STREET 2ND FLOOR SUITE 3  
NEWTON, MA 02458  
(617) 332-8271



SCALE: 1" = 20'