

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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ZBA 2019-36

Petition of Sabrina Holdings, LLC  
50 Woodridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 7, 2019 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Sabrina Holdings LLC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure with an attached three-car garage that will meet all setback requirements, on a 19,144 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 50 Woodridge Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 1, 2019, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Victor Corda, representing Sabrina Holdings, LLC, the Petitioner. He said that the property is located on a nonconforming lot. He said that the proposal is to raze the house and replace it with a newer home that is conducive to the neighborhood and not more detrimental.

A Board member said that this will be fully compliant except for lot size.

The Chairman read the Planning Board recommendation. Mr. Corda said that the house will be furthest away from the abutter on the right. He said that it is a downward slope.

The Chairman said that on each of the property lines on the east and west there are retaining walls. He asked about proposed materials for the walls. Mr. Corda said that he will use native New England fieldstone. He said that they might not need the wall on the left side.

The Board confirmed that there will be egress provided for the bedroom in the basement.

The Chairman said that the plans show TLAG for the first and second floors and the attic. He asked about calculations for the basement. Mr. Corda said that those calculations are not typically included if there is less than 70 percent foundation. The Chairman said that nothing was submitted that showed that. Mr. Corda said that he based it off the Building Department requirements.

The Chairman said that the height that was shown on the plans was calculated above the sill. He said that under the bylaw, the height is measured from average grade. He said that because of the sloping nature of the lot, it was not clear that 33 feet above the sill would automatically mean that the height meets the bylaw requirements. Mr. Corda said that they will have to build the house to a 36 foot maximum.

Ben Fisher, 51 Woodridge Road, said that he recently bought his home across the street and they hope to stay there for a long time. He said that a concern is that the neighborhood tends to have colonials and some tudors and the proposed house will be more modern. A Board member said that the Board typically

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does not try to dictate any style. He said that Planning Board recommended design changes based on massed surfaces facing adjacent properties.

Mr. Fisher said that they looked at houses in the area for quite a while and noticed that modern and farm houses tend to sit on the market for longer periods of time, especially when they turn over the second time. He said that his concern is that this house will sit for a year without a buyer because it does not fit into the neighborhood. He said that the existing house needs to come down and something else should go up in its place.

Elizabeth Sheehan, 55 Woodridge Road, said that the existing house fits in with the neighborhood, except for the color. She said that the existing house has a lot of character. She said that her concern is for the trees in the area. She said that other people have come in and taken down a lot of trees. She said that it appears that the driveway will go into next to 54 Woodridge Road, which is two houses away from her. She said that she will be looking straight out at this and worries that there will be no buffer. She said that she will be looking at a massive three car garage. She asked that the developer consider keeping as many trees as possible. Mr. Corda said that he has built a lot of houses in Wellesley and he tries to be a cooperative builder. He said that the trees are not as healthy as they look. He said that he will use a certified arborist to tell him which trees are not healthy and should be removed. He said that there is a tree bylaw in Wellesley and he will replace trees in accordance with the bylaw. Ms. Sheehan said that there is currently some buffer and the existing house is set back and blends in with the landscape. Mr. Corda said that the new house will be set back almost to the same location. He said that it will be a modern colonial that will look a little like a farmhouse. He said that there is a similar home around the corner on Lathrop.

The Chairman said that a TLAG of 6,327 square feet would make this the largest house in the neighborhood. Mr. Corda said that he will probably not pursue the optional third floor plan. He said that he may reduce some of the finished basement. The Chairman said that the issue is the massing and the overall size of the house. He said that taking the TLAG out for the attic out does not change the massing.

Mr. Corda said that the right side of the house steps down substantially. He said that it is not heavy the way that the Planning Board describes it. A Board member said that he did not agree with Planning Board. He said that the three garage doors with the windows above is probably the most daunting elevation but it does step down at the rear.

A Board member said that it is a large house but the reason the petition is before the Board is due to the lot being undersized by 800 square feet. The Chairman said that limiting this end of the neighborhood to the Woodridge cul de sac and a couple of the houses around it, it is the area of Woodridge that has a higher percentage of conforming lots. He said that the nonconforming lots tend to be further down Woodridge. He said that the average total living area of the houses from 1 to 56 Woodridge is 3,200 square feet. Mr. Corda said that there is a huge gambrel right around the corner. He said that Dewing Path also has large houses on it.

The Chairman said that the TLAG without the basement is larger than the trigger for LHR but because the lot is deficient by 800 square feet, the proposed construction is not subject to LHR. He said that if the basement does need to be included, it would push the TLAG up even higher. He said that his calculation of attic, first and second floors is 6,327 square feet, which differs from the Planning Board's calculation of 6,924 square feet. He said that a TLAG Affidavit would provide more information. He said that the Board uses TLAG calculations as a measure for determining whether proposed structures will be more detrimental to the neighborhood. Mr. Corda said that the plan was designed to the old standards for

TLAG, which was 5,900 square feet plus 600 square feet for the garage. He said that there is a struggle to get the elements into the homes that today's buyers want.

Statement of Facts

The subject property is located at 50 Woodridge Road, on a 19,144 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure with an attached three-car garage that will meet all setback requirements, on a 19,144 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 1/29/19, stamped by Verne T. Porter, Jr., Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 1/22/19, prepared by Paul Apkarian Architects, Inc., and photographs were submitted.

On February 28, 2019, the Planning Board reviewed the petition and recommended that a special permit be denied.

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 demolition of an existing structure and construction of a new two-story structure with an attached three-car garage that will meet all setback requirements, on a 19,144 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet is intensifying an existing nonconformity, it shall 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 demolition of an existing structure and construction of a new two-story structure with an attached three-car garage that will meet all setback requirements, on a 19,144 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, subject to the following conditions:

1. The Applicant shall submit a TLAG Affidavit indicating that the total TLAG of the proposed structure is less than 6,400 square feet.
2. The owner shall make all efforts to preserve all healthy trees to the fullest extent possible, based on the design that includes a driveway.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction 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.

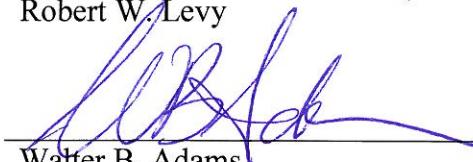
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
J. Randolph Becker, Chairman

  
Robert W. Levy

  
Walter B. Adams

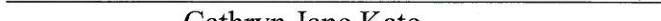
ZBA 2019-36  
Applicant Sabrina Holdings LLC  
Address 50 Woodridge Road

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

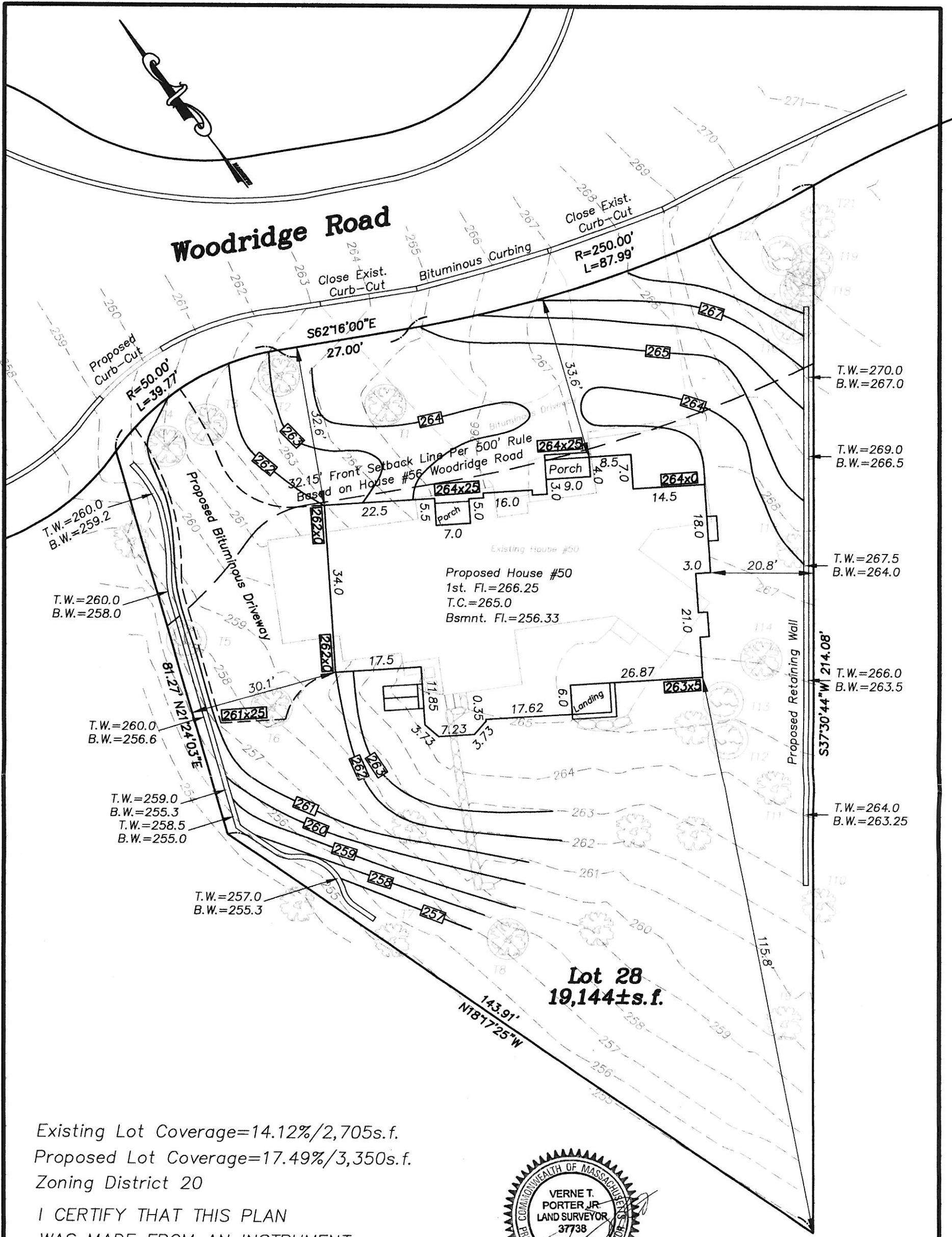
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm



**Proposed Plot Plan**  
**50 Woodridge Road**  
**Wellesley, Massachusetts**

Scale: 1"=20'      January 29, 2019  
 Verne T. Porter Jr., PLS  
 354 Elliot Street, Newton, MA 02464