

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-60

Petition of Kristen DiBella & Frank Prall
28 Longfellow Road

2020 DEC - 1
TOWN HALL
WELLESLEY MASS

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, November 17, 2020 at 7:30 pm, on the petition of Kristen DiBella & Frank Prall requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a one-story porch with less than required right side yard setbacks and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, in a 15,000 square foot Single Residence District and a Water Supply Protection District, at 28 Longfellow Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 9, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for November 17, 2020.

Present at the public hearing were Kristen DiBella and Frank Prall, the Petitioner. Ms. DiBella said that the request is for relief on the right side to wrap the porch around the house and for a two story addition on the left side that will be conforming. She said that the existing structure is nonconforming.

A Board member said that the wrap around porch will be a great improvement. He discussed concerns about the size of the two story addition and its proportion to the house as seen from the rear. Ms. DiBella said that there is a significant slope from the front to the back. She said that there is a house down the street that has a similar addition. She said that they paid attention to keeping the historical Victorian feel to the house and tried to make sure that the addition did not overscale the house. She said that the front of the house is prominent to the street and the addition is set back and set down into the grade.

Ms. DiBella said that the existing TLAG is 4,942 square feet and the proposed TLAG is 5,774 square feet. She said that 60 percent of the houses on the street are at or above the proposed TLAG. She said that many of the homes on Longfellow Road are large scale older, historic houses. She said that the direct abutters have similarly sized houses. She said that they reviewed the plans with the neighbors, who are happy to see the house revitalized.

A Board member asked what effect the slope of the lot has on drainage to properties on Washburn Avenue. Ms. DiBella said that there is an existing drywell that drainage goes into. She said that they have lived there for six months, so she is not sure how it drains to the back of the property but currently there do not seem to be any drainage issues.

Weyne Sher, 26 Longfellow Road, said that he would like to see the old house become new. He asked to see the plans. The Chairman said that the plans are available on the website.

Victor Kestenbaum, 35 Washburn Avenue, said that he lives downhill from the property. He discussed concerns about drainage. He discussed a property that was clear cut about seven years ago and subsequently a neighbor had water in his basement. He said that he is concerned about the effect of this project on his property. He said that he and his neighbor on Washburn Avenue would have appreciated it if the plans had been discussed with them.

A Board member read an email from Paul Hinderliter, 25 Washburn Avenue, regarding his concerns about the mass seen from his property, the retaining wall, drainage toward his property, and trees that were removed.

A Board member discussed asking for a drainage analysis that is reviewed by the Town's Engineering Division to address the concerns of neighbors on Washburn Avenue regarding drainage on the downside of Longfellow Road. He said that the property is located in a Water Supply Protection District. Ms. DiBella said that would be acceptable. She said that they will not install a foundation so that they disturb the slope as little as possible. The Chairman said that the analysis should discuss what the runoff will be and what happens to it to show that it will not affect the neighbors' property.

Statement of Facts

The subject property is located at 28 Longfellow Road, with a minimum right side yard setback of 10.5 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a one-story porch with less than required right side yard setbacks and construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, 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.

A Plot Plan, dated 9/8/20, stamped by John R. Hamel, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 8/28/20, prepared by Slocum Hall Design Group, Inc., and photographs were submitted.

On November 17, 2020, 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 Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section XIVE of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that construction of a one-story porch with less than required right side yard setbacks will result in intensification of existing nonconformities, and construction of a two-story addition that will meet setback requirements will not result in the intensification of existing nonconformities, will not result in additional nonconformities, and will 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 one-story porch with less than required right side yard setbacks and construction of a two-story addition that will meet setback requirements, subject to the following condition:

- A Drainage Analysis shall be submitted and reviewed and approved by the Town's Engineering Division that relates to stormwater management and runoff in the direction of Washburn Avenue.

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.

12/01/2020 1:55 PM
RECEIVED
TOWN CLERK'S OFFICE
Wellesley, MA 02482

ZBA 2020-60
Petition of Kristen DiBella & Frank Prall
28 Longfellow Road

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 (Ch.m.)
J. Randolph Becker, Chairman

David G. Sheffield (Ch.m.)
David G. Sheffield

Derek B. Redgate (Ch.m.)
Derek B. Redgate

ZBA 2020-60
Applicant Kristen DiBella & Frank Prall
Address 28 Longfellow Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2020 DEC - 1 P 1:55
WELLESLEY, MASSACHUSETTS
TOWN CLERK'S OFFICE
02482

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

