

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2021-08
Petition of 65 Crest Road LLC
65 Crest Road

2021-08
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Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, February 4, 2021 at 7:30 pm, on the petition of 65 Crest Road LLC 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 two story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, and construction of a one story addition with less than required right side yard setbacks, on an existing nonconforming accessory structure with less than required right side yard setbacks, at 65 Crest Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 29, 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.

Present at the public hearing were Laurence Shind, Esq., and Steve Meyers, Architect, and principal of 65 Crest Road LLC, the Petitioner.

Mr. Shind said that the request is for a Special Permit/Finding that the proposed expansion of the existing nonconforming structure on the lot will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Mr. Shind said that the unique village style Victorian house and barn were built in 1878 on an oversized lot of almost 20,000 square feet in a 10,000 square foot Single Residence District. He said that the existing house has a nonconforming left side yard setback of 18 feet and TLAG just shy of 2,400 square feet. He said that the garage has a nonconforming right side yard setback of 6.5 feet.

Mr. Shind said that the proposed addition will be predominantly at the rear of the house. He said that existing lot coverage of 7 percent will increase to 12 percent, which is well within the percentage allowed. He said that TLAG will increase to 4,770 square feet, which is over the Large House Review threshold of 3,600 square feet for the district. He said that the proposed addition will allow for what people are looking for in today's homes. He said that they will maintain the current look and feel of the house from the street. He said that the plans were shared with the immediate neighbors and all of them have expressed support.

Mr. Shind said that a prior special permit that was approved by the Board in the late 1980's allowed the garage to be used as an art studio. He said that the current proposal is to go back to using it as a garage.

The Chairman that the property is located in a Water Supply Protection District and there was no information before the Board that shows compliance with the bylaw. Mr. Meyers said that an updated site plan shows two proposed subsurface drywell chambers connected to roof drains. He said that a note was added to the plan that stated that engineering was to be finalized.

A Board member discussed concerns about the bulk of the addition and how it appears to overwhelm the front portion of the house. He asked if there was a way to change the design of the two roofs to break up the scale of the side elevations.

Mr. Meyers said that he struggled to come up with a design that has today's amenities and the size of things that he needs. He said that the front piece of the addition is 23 feet back from the existing house and in line with the barn. He said that both existing structures are extremely small and in poor condition due to age and dampness. He said that there is a significant amount of ledge in the basement. He said that he tried to create some space for mechanicals there and at the attic level. He said that from the street the tower is 32 feet and the proposed ridge is 34.6 feet. He said that the new roof will almost not be visible from the street. He said that the proposed design has a lot of depth and dimension with open porches, patio and roof projections. He said that a healthy maple tree in front closes the gap between the house and the barn.

The Chairman said that proposed construction will double the size of the house. Mr. Meyers said that the existing house is 1,200 square feet, with three tiny bedrooms and a kitchen and dining rooms that are not functional. He discussed TLAG calculations, topography and ledge. He said that the second floor of the barn is livable, heated space with no plumbing and the proposal is to change it back to a functional garage with usable space on top.

A Board member said that the tower creates the character of the house from the street side. He said that the architectural clues on the tower and the addition currently seem unrelated. He said that there seems to be too much standard roof configuration where a little more attention from the roof edge up to the gable ridge could make a big difference. Mr. Meyers said that it is an extremely complicated roof line because of gables and hips that run perpendicular with no attic space.

The Chairman said that a drainage plan that has been prepared by an engineer and reviewed by the Town's Department of Public Works (DPW) should be submitted. A Board member said that erosion control issues at the back that were discussed in a memo from DPW should also be addressed.

The Board voted unanimously to continue the petition to March 4, 2021.

March 4, 2021

Mr. Shind said that a drainage plan and report from Patriot Engineering shows how stormwater will be managed on the site. He said that revised elevation drawings show changes that were made on the roof line. He said that the rear addition will not be visible from the street. He said that there is a slight reduction in TLAG, based on re-working the roof line.

A Board member said that Elevation Sheet A4, front elevation, should have a line labeled for the uppermost roof for the plan to be accurate. Mr. Meyers said that there is a notation that says that the tops of the proposed ridges are maxed at 33 feet. He said that the tower is 34 feet.

A Board member said that there was a good effort to reduce the roof height. He discussed continuing the historic shingle style at the gables around the entire structure.

The Chairman said that the Board received a letter from a neighbor, who commented on the big box look and expressed disappointment at having the roofline destroyed with the addition coming up higher. A Board member said that the house looks boxy but there are a lot of changes in lines that break it up.

A Board member said that the proposed addition is large but not out of the realm of other applications that the Board sees. He said that the detached structure is a nice element that negatively affects the perception of TLAG.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 65 Crest Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 19.5 feet where 20 feet is required. A detached existing accessory structure has a minimum right side yard setback of 5.8 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 two story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, and construction of a one story addition with less than required right side yard setbacks, on an existing nonconforming accessory structure 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, dated 12/23/20, revised 1/27/21, stamped by Peter G. Hoyt, Professional Land Surveyor, Floor Plans dated 12/22/20, and Elevation Drawings dated 11/15/20 (ZBA Filing 12/22/20), revised 1/27/21 and 3/4/21 ZBA Hearing, prepared by Studio-Meyers, Stormwater Site Plan, dated 2/22/21, stamped by Michael J. Novak, P.E., Patriot Engineering, Letter to Zoning Board of Appeals, dated 2/22/21, from Michael J. Novak, P.E., Patriot Engineering, regarding 65 Crest Road with Storm Water Site Plan, dated 2/22/21, with Stormwater Analysis and Calculations attached, and photographs were submitted.

On February 3, 2021 and March 3, 2021, the Planning Board reviewed the petition and recommended that a special permit be denied.

On January 13, 2021, Jason Tobin, Civil Engineer, Town of Wellesley, reviewed the petition and submitted comments.

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 14E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that construction of a two story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks will not intensify an existing nonconformity, construction of a one story addition with less than required right side yard setbacks, on an existing nonconforming accessory structure with less than required right side yard setbacks will result in the intensification of existing nonconformities, and that construction of a two story addition that will meet setback requirements and construction of a one story addition with less than required right side yard setbacks 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 two story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks and construction of a one story addition with less than required right side yard setbacks, on an existing nonconforming accessory structure with less than required right side yard setbacks, subject to the following conditions:

1. The Stormwater Plan, dated 2/22/21, stamped by Michael J. Novak, P.E., Patriot Engineering, shall be complied with.
2. The Stormwater Plan, dated 2/22/21, stamped by Michael J. Novak, P.E., Patriot Engineering, shall be approved by the Town Engineer.
3. There shall be no water service in the detached structure.

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.

2021 MAR 18 AM 11:23
ZONING BYLAW
WATER SUPPLY PROTECTION DISTRICT
CITY OF NEW YORK

ZBA 2021-08
Petition of 65 Crest Road LLC
65 Crest 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.

Robert W. Levy (Ch.m.)

Robert W. Levy, Acting Chairman

David G. Sheffield (Ch.m.)

David G. Sheffield

Derek B. Redgate (Ch.m.)

Derek B. Redgate

2021 MAR 18 AM 11:24
WELLESLEY, MA 02451
MASSACHUSETTS
RECEIVED
WELLESLEY TOWN CLERK
2021 MAR 18 AM 11:24
WELLESLEY, MA 02451
MASSACHUSETTS

ZBA 2021-08
Applicant 65 Crest Road LLC
Address 65 Crest 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:

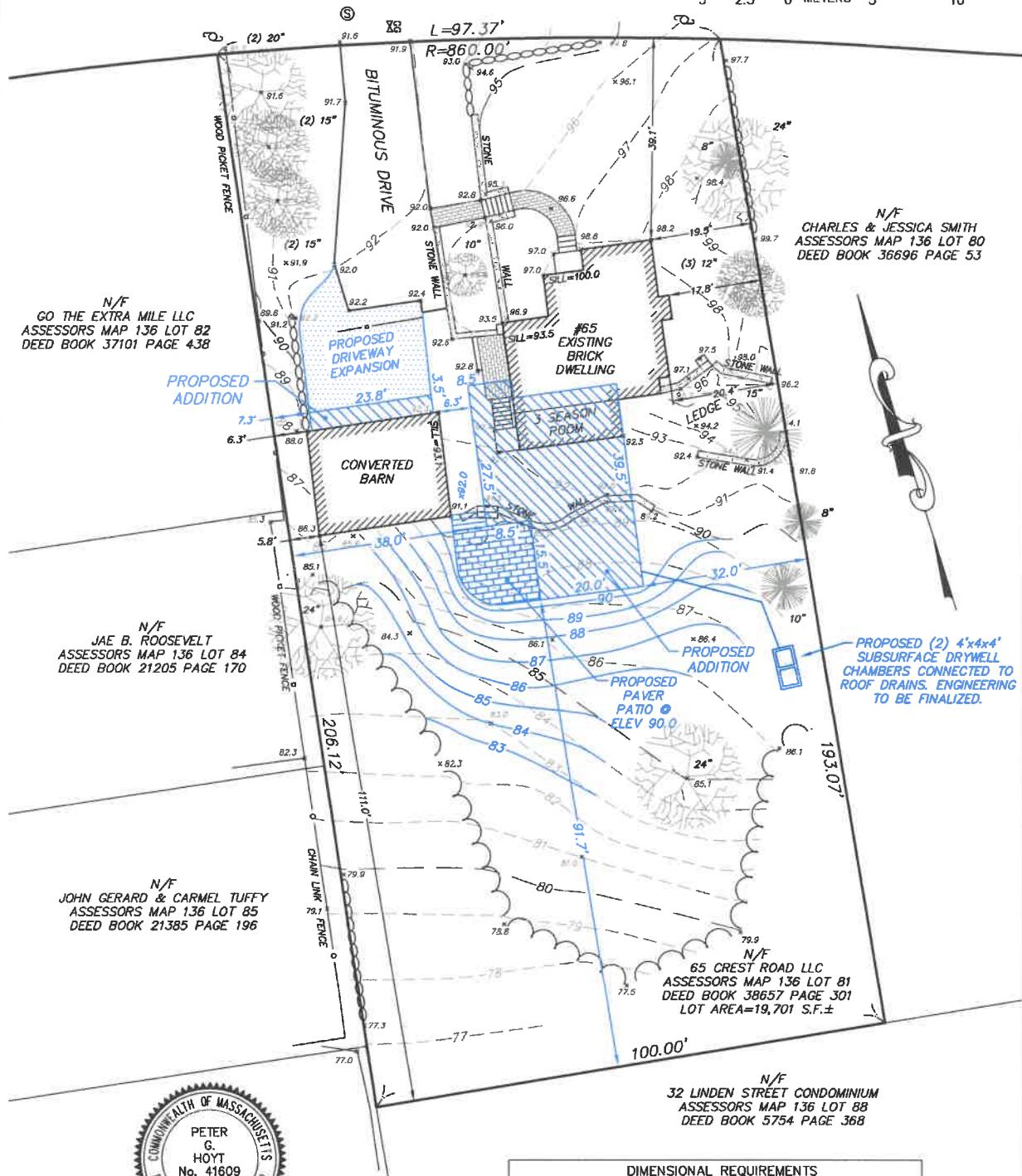
Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

CREST ROAD

GRAPHIC SCALE



DIMENSIONAL REQUIREMENTS ZONING DISTRICT: SINGLE RESIDENCE (SR-10)			
	REQUIRED	EXISTING	PROPOSED
LOT SIZE	10,000 S.F.	19,701 S.F.	19,701 S.F.
FRONTAGE	60 FEET	97.37 FEET	97.37 FEET
MAX. HEIGHT	36 FEET	26.3 FEET	28.6 FEET
FRONT SETBACK	30 FEET	39.1 FEET	39.1 FEET
SIDE SETBACK	20 FEET	5.8 FEET	7.3 FEET
REAR SETBACK	10 FEET	111.0 FEET	91.7 FEET
LOT COVERAGE	20%	(1,445 S.F.) 7.3%	(2,349 S.F.) 11.9%

Sheet Title SITE PLAN OF LAND	Project Name 65 CREST ROAD WELLESLEY, MASSACHUSETTS NORFOLK COUNTY	Prepared for 65 CREST ROAD LLC	
HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS 02189 TEL:781-682-9192	Scale 1"-20'	Date JANUARY 27, 2021	Fig. No. 1
		File No.	