



Minutes for Meeting

Zoning Board of Appeals, via Zoom

June 1, 2021 at 7:00 PM

Members present: Alan D. Rose, Jr., Stephen J. Larocque, Natalie B. Sawyer, Jane Fisher Carlson

632 Wellesley Street: a continued hearing on a request by Rob Shannon, Leyne and Shannon Inc., requesting a special permit for an addition.

The Board continued the public hearing on June 1, 2021, at 7:00 P.M., via Zoom video. The following members were present:

- Alan D. Rose, Jr., Acting Chair and Acting Secretary
- Stephen J. Larocque
- Natalie B. Sawyer

Documents in the record include:

- 632 Wellesley Street, Existing Conditions Plan, dated 2/26/21
- 632 Wellesley Street, Landscape and Lighting Plan, L.1, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Existing Elevations, A.1, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Architectural Design Strategies, A.2, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Exterior Elevations, A.3, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Site Section, A.4, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Plans, A.5, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Plans - RGFA, A.6, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Sun Shading Study, A.7, Rev. 3, dated 4/14/21
- 632 Wellesley Street, Stormwater Plan, C.1, dated 3/31/21
- 632 Wellesley Street, Subsurface Sewage Disposal System, prepared by Frederick Russell, PE, dated 2/25/21
- RGFA Comparison with Neighboring Properties sheet

- 632 Wellesley Street, Average Natural Grade, prepared by Alfred M. Berry, PLS, dated 4/16/21
- ZBA Decision granting a variance for an addition, dated 3/25/88
- 632 Wellesley Street, Certificate of Action - Scenic Road Site Plan Approval, dated 6/1/21
- Comments from K. Krek and J. Steedle, 626 Wellesley Street, dated 5/27/21

The site is located in Residential District A, with a house built in 1957. The lot is non-conforming because it only has 135 ft of street frontage in a district that requires 200 ft. In addition, the home encroaches into the setbacks and is located 38 feet from the northerly lot line in a district that requires 45 ft. A variance was issued in 1988 for an addition to the home resulting in this 38- foot setback from the northerly lot line.

Mr. Rob Shannon, the Petitioner and Mr. Domenico Eramo, the Petitioner's architect addressed the Board explaining their proposal. They are proposing to add a half a story on top of the existing ranch-style home using the existing footprint, with the exception of the addition of a porch and garage.

Mr. Eramo explained that the design uses a half-story with dormers instead of a full second story to keep the roofline lower. The maximum elevation of the proposed roofline is 30 feet, below the maximum allowable roof height.

The proposed addition increases the mass in the setback, even if it does use the same footprint. In addition, the proposal includes a portion of the deck and stairs located in the setback (new footprint).

James Steedle and Katarina Krek, 626 Wellesley Street, appeared before the Board to express their concerns about the Petitioner's proposal. Mr. Steedle told the Board that in the winter months, he is concerned that he will have reduced sun in his backyard due to this addition. Mr. Steedle does not believe that the Petitioner should be allowed to use the 1988 ZBA decision granting a variance for an addition in the setbacks to create even more volume in the setbacks. He also expressed that he believes that the height of the living room roof is unnecessarily high and that the addition could have been designed differently so as to not increase the mass in the setback.

Mr. Steedle noted that he does not like the appearance of the tall blank wall that is facing his property. Mr. Eramo, architect for the Petitioner stated that Mr. Steedle had requested that that wall have no windows. Mr. Steedle said that was not the case.

The Board discussed that they were not inclined to approve a proposal with the additional footprint in the setbacks, including, the porch and stairs, and suggested to the Petitioner to look into whether they could move the porch and stairs outside the setback, and reduce the mass.

The Board voted unanimously to continue the hearing until June 14, 2021 at 6:30 pm.

55 Scotch Pine Road: a continued hearing on a request by Harvey Wilk requesting a variance for a pool.

The Board continued the public hearing on June 1, 2021, at 7:30 P.M., via Zoom video. The following members were present:

- Jane Fisher Carlson, Chair
- Alan J. Rose, Jr.
- Natalie B. Sawyer, Acting Secretary

Additional documents in the record include:

- Letter from E. Nolan to ZBA dated 5/28/21
- 55 Scotch Pine Road Plan, Variance Petitioner's Plan Progress Print, prepared by The Jillson Company, Inc., dated 6/1/21

Attorney Nolan reported to the Board that, since the last meeting, the Petitioners had explored alternate locations for the pool, but that such alternate locations were not feasible because either a proposed location might involve a high cost for site preparation, could potentially create drainage issues ¹, or was not a preferred location and size for the Petitioners' use.

The Board discussed the high legal standards which need to be met to obtain a variance, in particular, the "substantial hardship" standard, and expressed doubt that a desire for a pool could meet this high standard. The Petitioner requested that they be allowed to withdraw the petition without prejudice. Following due and open deliberation, the Board unanimously agreed to allow the Petitioner to withdraw the application without prejudice.

¹ The Board noted that the hydrology arguments were not supported with evidence.