



ZONING BOARD OF APPEALS

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

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ZBA 2019-17

Petition of Amir Kripper & Carin Litani
28 Crescent Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 7, 2019 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Amir Kripper and Carin Litani requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition and reconstruction of an existing nonconforming garage with the addition of a new second story with less than required rear yard setbacks, on an existing nonconforming structure with less than required rear yard setbacks, at 28 Crescent Street, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 7, 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.

Presenting the case at the hearing were Amir Kripper and Carin Litani, the Petitioner. Mr. Kripper said that he and his wife are the owners of 28 Crescent Street, where there is an existing farmhouse that was built in 1875. He said that the existing garage was built in the 1980's. He said that in the 1990's, an architect proposed a second story on the garage that was approved but not built. He said that the request is to build a new garage with a second story and connect it to the house.

The Chairman said that the rear yard setback is nonconforming. Mr. Kripper said that the proposal is to keep the same setback and add a story to the garage.

A Board member confirmed that the property backs up to the Aqueduct.

A Board member asked if the second story will be connected to the house. Mr. Kripper said that it will be. He said that is where the master bedroom will be located. He said that currently there is a passage between the garage and the kitchen.

The Chairman said that the Planning Board recommended that there be more architectural articulation on the rear elevation. Mr. Kripper said that there are windows in the bathroom and the connection. He said that they may add another set of windows in the walk in closet on the back of the house.

A Board member confirmed that there will be a new basement in the garage structure. He confirmed that the existing garage will be completely razed and that the footprint of the house will be expanded only to make the connection to the house. Mr. Kripper submitted a large format site plan and discussed the location of the new footprint on the plan. The plan was entered into the record.

A Board member identified the nonconformities on the property.

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OWN CLERK'S OFFICE
WELLESLEY MA
2019 FEB 21 PM 1:00

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WELLESLEY MA 02482

There was no one present at the public hearing who wished to speak to the petition.

2019 FEB 21 P 1:19

Statement of Facts

The subject property is located at 28 Crescent Street, in a 10,000 square foot Single Residence District, with a minimum rear yard setback of 1.2 feet where 10 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition and reconstruction of an existing nonconforming garage with the addition of a new second story with less than required rear yard setbacks, on an existing nonconforming structure with less than required rear yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Topographic Site Plan showing Existing Conditions and a Topographic Site Plan showing Proposed Conditions, dated 10/29/18, stamped by Joseph R. Porter, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 11/27/18, prepared by Kripper Architecture Studio, Inc., and photographs were submitted.

On February 5, 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 demolition and reconstruction of an existing nonconforming garage with the addition of a new second story with less than required rear yard setbacks, on an existing nonconforming structure with less than required rear yard setbacks will intensify an existing nonconformity, the proposed alteration 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 and reconstruction of an existing nonconforming garage with the addition of a new second story with less than required rear yard setbacks, on an existing nonconforming structure with less than required rear yard setbacks, in accordance with the submitted plot plans 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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28 Crescent Street

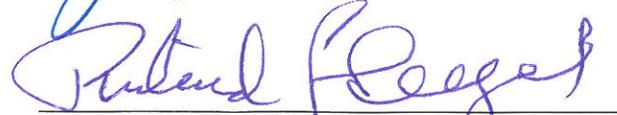
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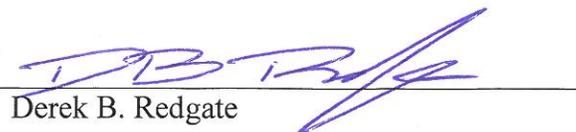
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Chairman



Richard L. Seegel



Derek B. Redgate

ZBA 2019-17
Applicant Amir Kripper & Carin Litani
Address 28 Crescent Street

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.

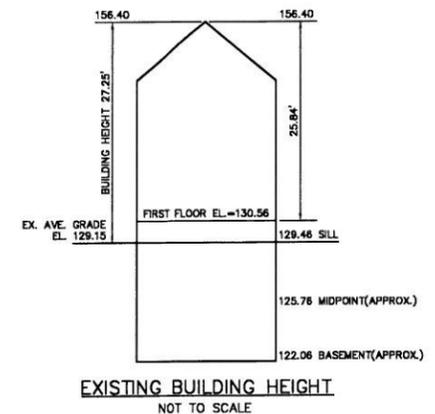
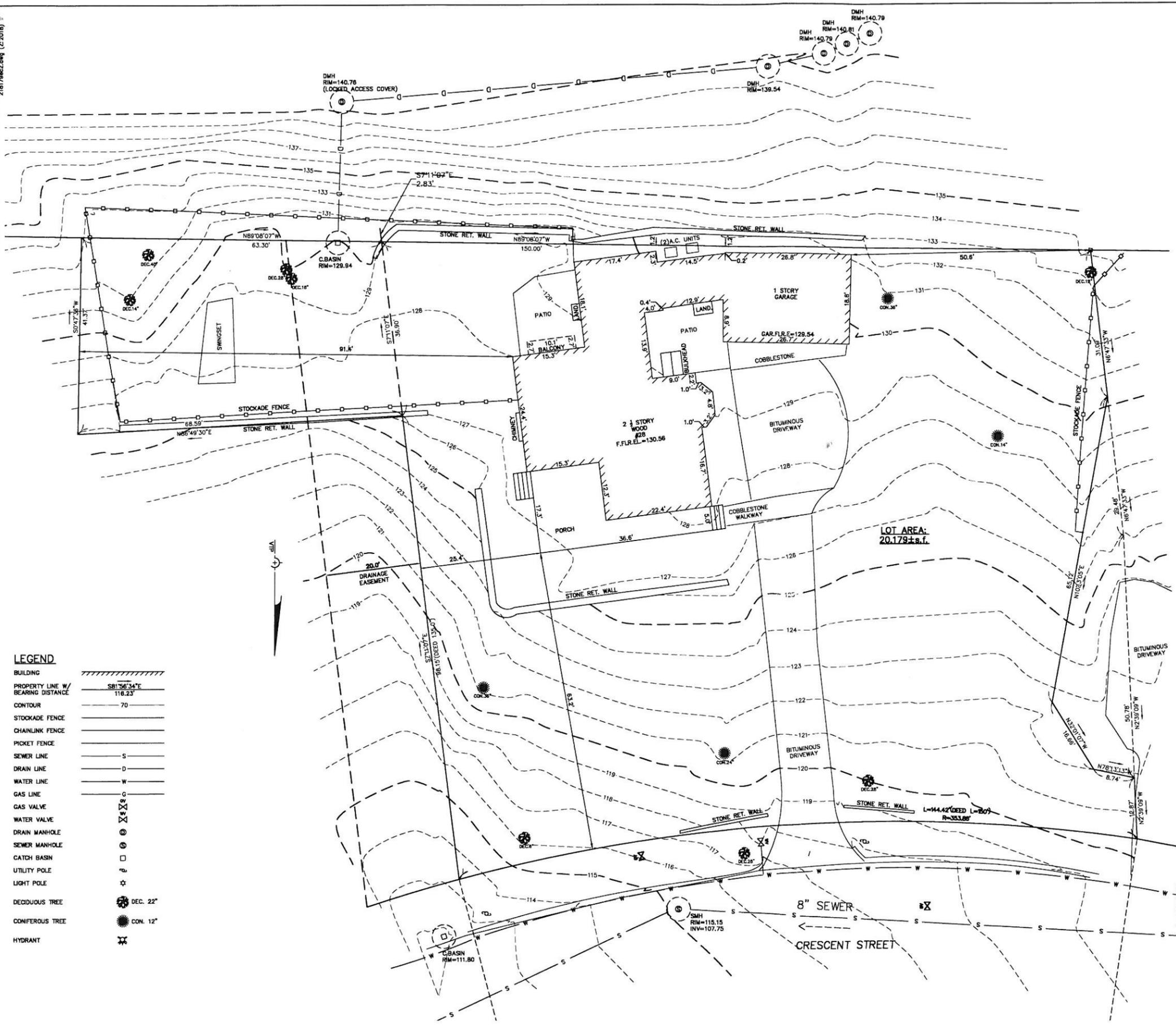
Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

218179.mxd (2/2018)



Address: #28 Crescent St Wellesley

Existing Average Grade Calculation							
FRONT HOUSE BUILDING LINE(NORTH)	SIDE HOUSE BUILDING LINE(WEST)	FRONT GARAGE BUILDING LINE(NORTH)	SIDE GARAGE BUILDING LINE(WEST)	REAR GARAGE BUILDING LINE(SOUTH)	REAR HOUSE BUILDING LINE(SOUTH)	SIDE BUILDING LINE(EAST)	
127.43	128.83	129.54	130.27	130.62	130.28	127.58	
127.76	128.00	129.54	130.89	130.77	129.82	127.34	
127.79	128.06	129.54		130.71	129.24		
127.63	128.11				130.06		
127.87	129.39				128.90		
128.30	129.12				128.78		
	129.52						
	129.47						
	129.25						
	129.85						
796.95	1132.85	388.62	261.10	562.30	777.36	254.90	
						Sum of all grades	4903.60
						Average Grade(Sum of all grades/Number of segments)	129.15

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

LOT AREA: 20,179±s.f.

ZONING CHART
WELLESLEY, MASSACHUSETTS

REGULATION	REQUIRED	EXISTING
LOT AREA	10,000s.f.	20,179±s.f.
LOT FRONTAGE	60.0'	144.42'
FRONT SETBACK	30.0'	63.2'
SIDE SETBACK	20.0'	25.4'
REAR SETBACK	10.0'	1.2'
BUILDING HEIGHT	45.0'	27.25'
AVERAGE GRADE	-	129.15
LOT COVERAGE	25.0%(max.)	12.1%
OPEN SPACE	50.0%(min.)	80.6%

*NON-CONFORMING



TOPOGRAPHIC SITE PLAN
WELLESLEY, MASSACHUSETTS
SHOWING EXISTING CONDITIONS AT
#28 CRESCENT STREET
SCALE: 1in.=10ft. DATE: OCTOBER 29, 2018
PROJECT: 218179

VTP ASSOCIATES
INC.

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

