

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-33
Petition of Dedham Development, LLC
14 Lanark Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 16, 2011 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of DEDHAM DEVELOPMENT, 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 porch and construction of an 8.7 foot by 10.7 foot porch, construction of a 23.3 foot by 32.6 foot two-story addition with a two-car garage underneath, and construction of a 13.8 foot by 25 foot deck that will meet all setback requirements, on a 16,242 square foot lot in a district in which the minimum lot size is 20,000 square feet, at 14 LANARK ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 26, 2011 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 Dan Merrikin, Pam Woodworth and Tom McDonough, representing Dedham Development, LLC (the "Petitioner"). Mr. Merrikin displayed plans (retained by proponent).

Mr. Merrikin said that the property conforms in all aspects except for lot area. He said that the lot is 16,000 square feet in a 20,000 square foot district. He said that the existing structure is a single family Georgian Revival house. He said that the driveway comes in on the left side of the house and goes down to the basement grade where there is a pair of garage bays on the back side of the home.

Mr. Merrikin said that the proposal is to build an addition off of the back. He said that the proposed addition will sit behind the house and to the left. He said that except for six to seven feet, the addition will sit behind the house. He said that the addition will not be highly visible from Lanark Road. He said that it will not dramatically change the front visual. He said that the property to the left is screened with large white pines that come down the driveway. He said that one of the white pines will have to be removed. He said that further off to the left is a row of hemlocks on the adjacent property. He said that the property to the rear is heavily wooded and there are some wetlands.

Mr. Merrikin said that the addition will be approximately 700 square feet. He said that the addition will consist of a two-car garage at the basement level with doors facing the left side of the house. He said that the addition will have a full first and second floor with a flat roof. He said that it will be shorter than the existing home.

Mr. Merrikin said that there will be a reduction in impervious coverage. He said that the Petitioner went before the Wetlands Protection Committee (WPC). He said that they should have a ruling from the WPC next week. He said that the WPC gave them positive feedback about the proposal. He said that in the existing condition, there is a large paved driveway at the back of the home. He said that the new addition will sit in that paved area. He said that they reconfigured the driveway when they shifted the garage doors to the left side of the house. He said that there will be approximately 800 square feet less pavement. He said that the paved area was pushed further away from the resource area. He said that stormwater runoff conditions will be improved by changing from impervious surface to rooftop because rooftop is cleaner. He said that from a wetlands standpoint, there are advantages to the project.

Mr. Merrikin said that there will be an overall reduction of impervious surface of 100 square feet. He said that the building addition will take up approximately 700 square feet. He said that the net total reduction will be approximately 800 square feet.

Mr. Merrikin said that the project will be a substantial improvement to the neighborhood. He said that it is one of the smaller homes in the neighborhood. He displayed an aerial photograph (retained by proponent). He said that the house is in the original configuration that dates back to the 1930's. He said that there is a home across the way that seems to be similarly configured. He said that several homes in the vicinity are quite a bit larger. He said that the footprint of the existing home is approximately 1,500 square feet. He said that the other homes around there range from 2,400 square foot footprints to 3,500 square feet and more. He said that even with the addition, the house will be quite a bit smaller than other houses in the neighborhood. He said that the addition will fit in with other houses in the neighborhood. He said that there is adequate screening. He said that they will not increase the number of garage bays. He said that they will be reducing the amount of impervious surface.

The Board said that it is a nicely designed addition.

The Board asked about the buffer zone on the west side of the house. Mr. Merrikin said that there is an intermittent stream on the neighbor's property. He said that there are no wetlands around it.

Mr. Merrikin said that the 20" white pine tree will be removed to accommodate the new driveway. He said that the other white pines will be saved.

The Board said that any action that it takes on this proposal will be subject to an Order of Conditions that is no longer appealable. The Board said that the recorded Order of Conditions must be submitted to the Board.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 14 Lanark Road on a 16,242 square foot lot in a district in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding that demolition of an existing porch and construction of an 8.7 foot by 10.7 foot porch, construction of a 23.3 foot by 32.6 foot two-story addition with a two-car garage underneath, and construction of a 13.8 foot by 25 foot deck that will meet all

setback requirements, on a 16,242 square foot lot in a 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 and a Plot Plan with Erosion Control Detail, dated 4/15/11, stamped by Daniel J. Merrikin, Professional Engineer, Letter to ZBA, dated 4/20/11, from Daniel J. Merrikin, Professional Engineer, regarding Request for Special Permit/Finding for Proposed Addition, Basement Plan, Second Floor Plan, Third Floor Plan, South Elevation, West Elevation, dated 4/12/11, revised 4/18/11, First Floor Plan, dated 3/17/11, revised 4/12/11 & 4/18/11, North Elevation, dated 4/12/11, revised 4/12/11 & 4/18/11, East Elevation, dated 3/24/11, revised 4/18/11, prepared by Pamel Woodworth, Registered Architect, Existing & Proposed Floor Plans and Elevation Drawings, and photographs were submitted.

On June 15, 2011, the Assistant Planning Director reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that demolition of an existing porch and construction of an 8.7 foot by 10.7 foot porch, construction of a 23.3 foot by 32.6 foot two-story addition with a two-car garage underneath, and construction of a 13.8 foot by 25 foot deck that will meet all setback requirements, on a 16,242 square foot lot in a 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, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for demolition of an existing porch and construction of an 8.7 foot by 10.7 foot porch, construction of a 23.3 foot by 32.6 foot two-story addition with a two-car garage underneath, and construction of a 13.8 foot by 25 foot deck that will meet all setback requirements, on a 16,242 square foot lot in a district in which the minimum lot size is 20,000 square feet, subject to the following condition:

- A recorded Order of Conditions shall be submitted.

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.

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.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm

N/F GERALD A. & BARBARA HAMELBERG
#118 HUNDREDS ROAD
ASS. 84-41

N/F MARTIN C. & DONNA S. MOORE-EDE
#110 HUNDREDS ROAD
ASS. 73-19

N/F ROBERT M. & LOU ANN STODDARD
#18
ASS. 73-20

N/F TIMOTHY H. & CAROLYN B. McCOY
#10
ASS. 84-39

N/F JOHN C. & MICHELLE T. HO
#9
ASS. 84-45

OWNER: MAP ID 84-40
THOMAS A. & DIANE I. WEIL
14 LANARK ROAD
WELLESLEY, MA 02481-3029

APPLICANT:
DEDHAM DEVELOPMENT LLC
77 OAK STREET, SUITE B-3
NEWTON UPPER FALLS, MA
02464-1454

ZONING DISTRICT:
SINGLE RESIDENCE 20
WATERSHED PROT. DISTRICT

REFERENCES:
BOOK 27730, PAGE 47
PLOT PLAN OF LAND IN
WELLESLEY, MA BY COLONIAL
ENGINEERING, INC. DATED
MARCH 28, 2011.

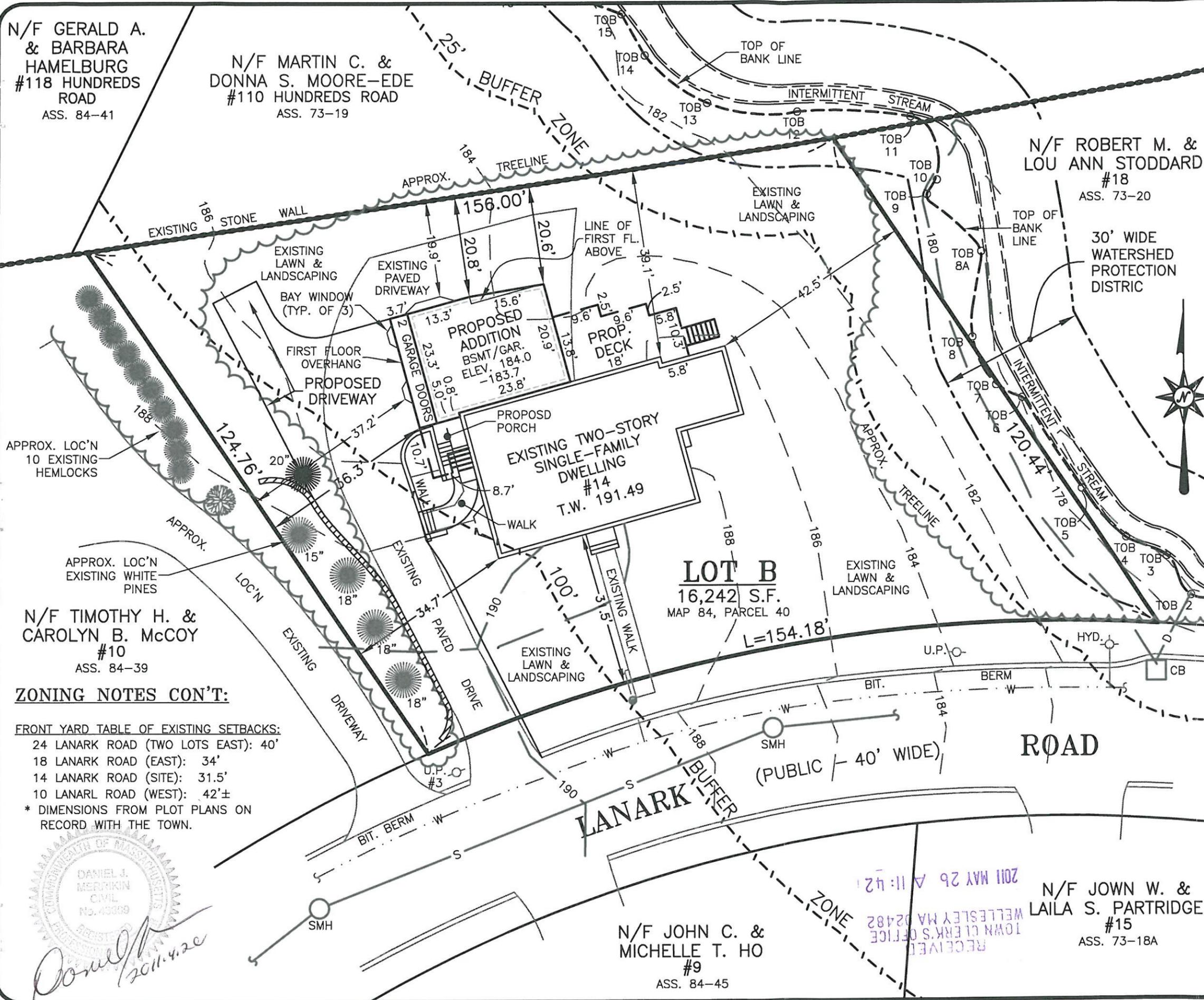
ZONING NOTES:
TABLE 1 (LOT PLAN WAS
RECORDED AUG. 8, 1930):
FRONTAGE: REQ'D: 60'
PROV'D: 154.18'
LOT AREA: (NON-CONFORMING)
REQ'D: 20,000 S.F.
PROV'D: 16,242 S.F.±
0.37 ACRES±
BUILD FACTOR: N/A (1930)
LOT COVERAGE BY STRUCTURES:
REQ'D: 20% MAX. (3,248 S.F.)
EXISTING: 9.4%± (1,535 S.F.)
PROP: 15.8%± (2,570 S.F.)
(INCL. DECKS)
LOT COVERAGE BY IMPERVIOUS:
REQ'D: N/A
EXISTING: 27.2%±
PROPOSED: 26.6%±
BUILDING HEIGHT:
REQ'D: 36' MAX.
EXIST./PROP.: 33.9'
SETBACKS:
REQ'D EXIST. PROP.
SIDE: 20' 34.7' 34.7'
REAR: 20' 39.1' 20.6'
FRONT: 31.5' 31.5' 31.5'
(SEE FRONT YARD TABLE)

PLAN DATE: APRIL 15, 2011

REVISION	DATE	BY

14 LANARK ROAD
PLOT PLAN
OF LAND
IN
WELLESLEY, MA

MERRIKIN ENGINEERING, LLP
730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823



ZONING NOTES CON'T:
FRONT YARD TABLE OF EXISTING SETBACKS:
24 LANARK ROAD (TWO LOTS EAST): 40'
18 LANARK ROAD (EAST): 34'
14 LANARK ROAD (SITE): 31.5'
10 LANARK ROAD (WEST): 42'±
* DIMENSIONS FROM PLOT PLANS ON
RECORD WITH THE TOWN.



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TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2011 MAY 26 11:42



N/F MARTIN C. &
DONNA S. MOORE-EDE
#110 HUNDREDS ROAD

REMOVED EXISTING
BITUMINOUS DRIVEWAY
LOAM & SEED

EXISTING STONE WALL

EXISTING LAWN &
LANDSCAPING

EXISTING PAVED
DRIVEWAY

PROPOSED
ADDITION
BSMT/GAR.
ELEV. 184.0
-183.7

PROP.
DECK

2' RET.
WALL

EXISTING TWO-STORY
SINGLE-FAMILY
DWELLING
#14
T.W. 191.49

EROSION CONTROL
(LIMIT OF WORK)

EXISTING LAWN &
LANDSCAPING

ORANGE SNOW
FENCE ON STAKES

FILTER SOCK STAKED
OR STAPLED AT 10'
INTERVALS

WETLAND

SECTIONAL VIEW

NOTE: NON-BIODEGRADABLE SOCK SHELL FILLED WITH
FILTER MEDIA (BIODEGRADABLE OR OTHERWISE). JOINTS
SHALL BE OVERLAPPED BY AT LEAST TWO FEET.

EROSION CONTROL DETAIL (FILTER SOCK)

NOT TO SCALE

NOTES:

- EXISTING UTILITY INFORMATION IS BASED ON AVAILABLE INFORMATION AND SHALL BE VERIFIED BY THE CONTRACTOR.
- CONTRACTOR SHALL CONTACT DIGSAFE PRIOR TO ANY EXCAVATION ACTIVITY.
- EROSION CONTROLS SHALL BE INSTALLED PRIOR TO ANY EXCAVATION ACTIVITY AND SHALL BE MAINTAINED UNTIL THE SITE IS FULLY STABILIZED.
- FIRST 15 FEET OF EXISTING PAVED DRIVEWAY TO REMAIN IN-PLACE UNTIL THE DRIVEWAY IS READY TO BE RE-PAVED (TO ACT AS AN ENTRANCE APRON).

APPROX. TREELINE

EXISTING LAWN &
LANDSCAPING

TOP OF BANK
LINE

INTERMITTENT
STREAM

APPROX. LOC'N
10 EXISTING
HEMLOCKS

APPROX. LOC'N
EXISTING WHITE
PINES

PROPOSED
RETAINING WALL
12"-24" HIGH

EXISTING
DRIVEWAY

EXISTING LAWN &
LANDSCAPING

LANARK ROAD
(PUBLIC - 40' WIDE)

ROAD

LANARK
BUFFER
ZONE

PLAN SCALE: 1" = 20'



PLAN DATE: APRIL 15, 2011

REVISION

DATE

BY

14 LANARK ROAD
PLOT PLAN
OF LAND
IN
WELLESLEY, MA

DANIEL J. MERRIKIN
CIVIL
No. 43303

Daniel J. Merrikin
2011-4-20

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ENGINEERING, LLP**

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SHEET 2 OF 2