

# Wellesley Large House Review Regulations

## I. WHAT IS LARGE HOUSE REVIEW?

Many Wellesley residents have become concerned that some large single-family homes are out of context with surrounding houses and are having detrimental impacts on neighborhood character. The 2007 Wellesley Comprehensive Plan presented options that the Town could use to address this problem. The Planning Board proposed a new section for the Zoning Bylaw, Large House Review (LHR), which was passed by Town Meeting in November 2007. LHR is incorporated into the Wellesley Zoning Bylaw in Section XVID, which may be accessed on the Town website.

LHR requires a review process for new single-family homes and additions that exceed certain dimensional thresholds. LHR applies to all sufficiently large new single-family homes and additions being constructed in Wellesley, not just those in a historic district or a neighborhood conservation district. The intent of this review process is not to mandate certain designs or restrict house size, but to ensure that a new large house or addition will be compatible with the scale and character of nearby properties. Once a complete LHR application is filed, the Planning Board must render a decision within 90 days. The new LHR bylaw provision and regulations will be in effect beginning January 1, 2008.

## II. DOES LHR APPLY TO MY PROJECT?

LHR is triggered when the size of a new single-family home or alteration to a single-family home exceeds dimensions established in the LHR section of the Zoning Bylaw. Size will be based on the concept of "Total Living Area plus Garage Space" (TLAG), as defined in the Zoning Bylaw, and explained below. Review thresholds vary according to the zoning district in which the house in question is situated. You must consult the Town Zoning Map to determine which Single Residence District your house is in.

### LARGE HOUSE REVIEW THRESHOLDS

- If your house is in the Single Residence 10,000 SF Area Regulation District, then the TLAG threshold for review is 3,600 SF.
- In the Single Residence 15,000 SF Area Regulation District, the TLAG threshold is 4,300 SF .
- In the Single Residence 20,000 SF Area Regulation District, the TLAG threshold is 5,900 SF.
- In the Single Residence 30,000 and 40,000 SF Area Regulation Districts. the TLAG threshold is 7,200 SF.
  
- Any new residence that exceeds the applicable TLAG threshold is also subject to LHR.
  
- Any alteration of an existing residence in which the TLAG of the residence following completion of the proposed alteration will exceed the applicable threshold is subject to LHR, provided that the alteration will increase the TLAG of the residence by more than 10%.
  
- Finishing an existing basement of a house completed for three or more years, whether or not this equals or exceeds the 0.25 fraction does not count as TLAG.

**A. How is TLAG determined?**

House size is calculated using the methodology established by the Board of Assessors and a formula created by the new LHR section of the Zoning Bylaw.

<b>TOTAL LIVING AREA PLUS GARAGE SPACE (TLAG)</b>	
TLAG will include:	
<ul style="list-style-type: none"> <li>▪ All finished area above ground (calculated from the outside measurements of the dwelling); and</li> <li>▪ Garage space and storage buildings to the extent they are larger than 600 SF taken together; and</li> <li>▪ Basement areas multiplied by a fraction whose numerator is the external above ground surface of basement walls and whose denominator is the total surface (both above ground and below ground) of external basement walls. If this fraction is less than 0.25, the basement areas will not be included in TLAG. In other words, if more than 25% of the area of basement walls appears above ground, then a portion of basement area, according to this formula, is to be included in TLAG.</li> </ul>	

<b>CALCULATING TLAG</b>		
<b>Measurements of House:</b> Measurements are taken from the exterior surface of the exterior walls and rounded to the nearest foot.		
	<i>Counted as TLAG</i>	<i>Not Counted as TLAG</i>
Attic	<ul style="list-style-type: none"> <li>▪ Finished attic space counted at 25% of floor area of the attic</li> </ul>	<ul style="list-style-type: none"> <li>▪ Unfinished attic space</li> <li>▪ Attic space served only by ladders or pull-down stairways</li> </ul>
Basement	<ul style="list-style-type: none"> <li>▪ The square footage of basement areas multiplied by a fraction, the numerator of which is the external above-ground surface of basement walls and the denominator of which is the total surface (both above and below ground) of external basement walls. If the fraction is 0.25 or greater, the basement area will be included in the square footage calculation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Basement areas, if the above-ground fraction is less than 0.25</li> </ul>
Chimney	<ul style="list-style-type: none"> <li>▪ Interior areas occupied by a chimney</li> </ul>	<ul style="list-style-type: none"> <li>▪ The exterior area occupied by a chimney (<i>i.e.</i>, above the roofline and/or on the side of a house)</li> </ul>
Fractional Stories	<ul style="list-style-type: none"> <li>▪ Counted as a percentage of the first-floor area (<i>e.g.</i>, a half-story is calculated as 50% of the first-floor area)</li> </ul>	NA
Garage Space and Storage Buildings	<ul style="list-style-type: none"> <li>▪ Area in excess of 600 square feet total for all garage/storage buildings</li> </ul>	<ul style="list-style-type: none"> <li>▪ Up to 600 square feet in total</li> </ul>
Multi-Story Interior Space	<ul style="list-style-type: none"> <li>▪ Features such as a foyer, balcony, vaulted ceiling, or</li> </ul>	<ul style="list-style-type: none"> <li>▪ Features which occupy space that would otherwise be</li> </ul>

	cathedral ceiling with a ceiling height of 12 or more feet are counted for multiple stories.	unfinished attic space, will not be counted.
Patios and Decks	NA	<ul style="list-style-type: none"> <li>▪ Covered or uncovered patios</li> <li>▪ Areas under a canopy</li> <li>▪ Decks</li> </ul>
Porches	<ul style="list-style-type: none"> <li>▪ Heated porches</li> </ul>	<ul style="list-style-type: none"> <li>▪ Unheated porches</li> </ul>
Windows, Bay or Bow	<ul style="list-style-type: none"> <li>▪ Windows having a foundation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Windows having no foundation</li> </ul>

The applicant may determine whether LHR applies, or he/she may request assistance from the Building Department or Planning Department. If a project is not subject to LHR, the applicant may apply directly to the Building Department for a building permit. Otherwise, the applicant will have to undergo LHR by the Design Review Board (DRB) and Planning Board.

***B. What if I want to add to or alter my just-finished new home?***

Multiple building permits that increase TLAG at the same location within any three-year period (i.e., within a three-year moving window) shall be collectively considered as one project for the purposes of LHR thresholds.

**III. WHAT DO I HAVE TO DO TO APPLY FOR APPROVAL?**

Applicants are strongly encouraged to meet with the Planning Department prior to submitting an LHR application. At this meeting, staff members will discuss the materials that should be submitted with the application and whether an applicant may apply for a waiver for some of the application requirements. Incomplete applications will not be submitted to the Planning Board and Design Review Board for review.

***A. What constitutes a complete application?***

Application for LHR should be submitted to with the Planning Department following the grant or denial of any waiver request by the Planning Board (see Section IIIB). The applicant is responsible for submitting application materials and a review fee. All checks for filing fees should be made out to the “Town of Wellesley.” If a review fee is not submitted with the application, the application shall be deemed incomplete and will not be forwarded to the Planning Board or Design Review Board.

The fee will be \$2,500 for any project that involves construction of a new house.

The fee for additions will be the percentage by which the residence will be increased in size x \$2,500, but not more than \$2,500. For example, an addition of 900 SF to an existing 3,000 SF house in the SRD10 will incur an LHR fee of 30% of \$2,500, or \$750. An addition of 2,000 SF to an existing 1,800 SF house in the SRD10 will incur the full LHR fee of \$2,500.

<b>REQUIRED APPLICATION MATERIALS</b>	
<b><i>Scale:</i></b>	All plans must be drawn to a uniform scale (preferably 1”=10’, 1”=20’, or 1”=30’).
<b><i>Size:</i></b>	All plans shall be a minimum size of 11”x 17” (preferred) and a maximum size of 24”x 36”, with 3/4” borders. Letter sizes on plans should be no smaller than 1/8”. At least one full size set of plans at no less than 1/4” scale shall be submitted.
<b><i>Number of Copies:</i></b>	10 hard copies and an electronic file of all submission materials

<b>Format for Electronic Submittals:</b>	Digital plan submittals shall be in conformance with the standards promulgated by MassGIS. This information is available at the Planning Department office. Photos should be organized and contain clear explanatory captions. Total photo file size should not exceed 2 MB.		
<b>Existing Conditions</b>			
<b>Item</b>	<b>Required Elements</b>	<b>Waiver Allowed?</b>	<b>Conditions for Waiver</b>
Site plan	<ul style="list-style-type: none"> <li>▪ Existing site conditions</li> <li>▪ Location of buildings</li> <li>▪ Location, type, size, or dimension of trees over 6” caliper</li> <li>▪ Significant natural features</li> <li>▪ Surface drainage and topography (1-foot contours)</li> <li>▪ Property lines</li> <li>▪ Zoning districts</li> <li>▪ Adjacent roadways</li> <li>▪ Historical features</li> <li>▪ Rights-of-way and easements</li> <li>▪ Wetlands and floodplains</li> <li>▪ Adjacent public paths/trails</li> <li>▪ Other natural or man-made features such as walls and fences</li> </ul>	<p>Yes</p> <p>Limited waivers may be granted for areas that will be unaffected by the project.</p>	Applicant documents no change or a minimal change is being made to existing site features
Site photographs	Must show existing natural features and buildings, including those on contiguous lots	Yes	Current and satisfactory images are on file with the Planning Department
Plans of the location of existing and/or former building (demolished within the past five years) on the lot	Photographs of all sides of the building, drawings of building elevations, and floor plans, if available	Yes	Floor plans of all existing structures, including accessory buildings, may be waived if these structures are to be removed
<b>Proposed Conditions</b>			
Proposed building	<ul style="list-style-type: none"> <li>▪ Plans of proposed building(s) on the site, consisting of floor plans of every level including any basement and attic</li> <li>▪ Sections identifying type and exterior finish of proposed buildings</li> </ul>	No	
Proposed site conditions	<ul style="list-style-type: none"> <li>▪ Proposed building on site</li> <li>▪ Retaining walls</li> <li>▪ Driveway location</li> <li>▪ Utilities, showing structure details, sanitary sewer manholes, drain manholes, retention/detention structures, level spreaders and similar</li> </ul>	Yes	Applicant documents no change or a minimal change is being made to existing site features (e.g., adding a second floor in a manner that does not alter the building footprint or create site changes)

	facilities (if required) and catch basins <ul style="list-style-type: none"> <li>▪ Water service entrance location</li> <li>▪ Location of any exterior pumping equipment (if applicable)</li> <li>▪ Cuts and fills over 4 feet</li> <li>▪ Electrical details</li> <li>▪ Location of electrical service entrance</li> <li>▪ Size or capacity of service</li> </ul>		
Landscape plan	<ul style="list-style-type: none"> <li>▪ Tree removal and new planting detail</li> <li>▪ Size, type, and location of proposed plant materials with botanical names (consideration shall be given to mature size of plantings, particularly in relation to vehicle sight distances)</li> <li>▪ Exterior lighting</li> <li>▪ Hardscape details, such as walkways or patios</li> </ul> <p>Applicants are advised not to use invasive plant material which has been identified as inappropriate by the Town Horticulturalist</p>	Yes	Applicant documents no change or a minimal change is being made to existing site features
Proposed grading changes	Must be depicted by 1-foot contours	Yes	Applicant documents no grading changes will be made and verification is provided that no drainage concerns exist
Proposed drainage structures	Must include provisions for sedimentation and erosion control if existing slopes in excess of 15% are to be disturbed	Yes	Applicant documents no grading changes will be made and verification is provided that no drainage concerns exist
<b><i>NOTE: The Planning Board may require alternative written materials in connection with a request for a waiver.</i></b>			

***B. Can I get a waiver if my project meets certain conditions?***

Any project that triggers LHR must undergo review. A waiver cannot exempt a project from this review. However, the Planning Board has the discretion to waive materials required with the LHR application:

Requests for waivers must be in writing and establish one or more of the conditions found in the Required Application Materials chart (above). The waiver request also should identify any materials that may be submitted in lieu of the application requirements. The Planning Board will consider a waiver request at its next scheduled meeting or a special meeting, with all decisions being made within 21 days from the day the request is made. A waiver may be granted in full or with conditions, which means that the Planning Board will require the applicant to submit alternate materials with his/her LHR application. The conditions under which waivers are granted must be incorporated into the written decision of the Planning Board that must be recorded at the Registry of Deeds, as described below.

#### **IV. HOW DOES THE REVIEW PROCESS WORK AND HOW LONG DOES IT TAKE?**

A LHR application will be reviewed by Wellesley's Design Review Board and Planning Board. If drainage plans have not been waived, they will be reviewed by the Town Engineer. The Planning Board will review the final plans at one of its regular meetings, and opportunities will be provided for comment from abutters. The Planning Board must render a decision on the application within 90 days of filing, unless an extension has been agreed upon by the Board and applicant.

##### ***A. What is the role of the Design Review Board?***

The Design Review Board (DRB) must meet at least once to review the LHR submission materials and provide a recommendation to the Planning Board. DRB recommendations must be submitted in writing to the Planning Board within 30 days from the referral of the application. If recommendations are not submitted within this period, the Planning Board will have discretion not to include the DRB recommendations in its final review.

The applicant must meet with the DRB for design review. The DRB will not determine style, materials, or siting for the applicant., The DRB may suggest revisions to the proposal, but does not have the authority to require these revisions. More than one review may be held to resolve design issues, particularly if the applicant requests an additional meeting. After design review, the DRB will prepare and submit recommendations to the Planning Board.

##### ***B. Do I have to meet with the Engineering Department?***

The Planning Department will forward two sets of the proposed drainage plans to the Town Engineer. Consideration will be given to slope of the property, the amount of land to be disturbed, the impact of drainage plans on neighboring properties, and any other relevant issues. The applicant is not required to meet with the Engineering Department, but the Planning Department will advise the applicant if a meeting with the Engineering Department would be preferred. If the Planning Board does not receive these comments within 30 days of the filing of the application, the Planning Board will have discretion not to include the Town Engineer's recommendations in the final review.

##### ***C. Will I have to meet with other boards/commissions prior to final review by the Planning Board?***

The proposed project may require approvals from other boards/commissions before the applicant can receive a building permit. In the event of required reviews in which the Planning Board is the approval-granting authority, such as for Scenic Roads or Unaccepted Streets, the Planning Board could conduct all needed reviews in the same meeting. Depending on the property's location and natural features, the applicant may also be required to have the project reviewed by the Wetlands Committee, the Historical Commission, the Historic District Commission and/or the Zoning Board of Appeals. If a project will necessitate multiple board hearings, then the preferred sequence would be Wetlands Committee, Historic District Commission/Neighborhood Conservation District Commission, Zoning Board of Appeals, and Large House Review.

##### ***D. What findings must be made by the Planning Board?***

The Planning Board will review the LHR application at one of its regularly-scheduled meetings. The Planning Board will evaluate the proposed project against a set of criteria identified in the Large House Review section of the Zoning Bylaw. Recommendations from the Design Review Board and the Town Engineer will be considered, and the Planning Board also may consider recommendations from any other relevant boards/commissions from which it has requested assistance. Written comments from abutters will be considered, and oral comment from the public may be permitted at the discretion of the Chairman of the Planning Board. After the meeting, the Planning Board will prepare a set of written findings in accordance with the following standards.

## STANDARDS FOR REVIEW

- **Landscape preservation:** The landscape shall be preserved in its natural state insofar as practicable by minimizing any grade changes and vegetation and soil removal. Unique natural areas, topographic features such as ledge outcrops, significant trees and landscaping, and historic features shall be saved or enhanced insofar as practicable.
- **Drainage:** Management of stormwater shall be provided so as to minimize the impact on Town streets and abutting properties.
- **Building scale:** All new construction shall be sited and implemented in a manner that is consistent with the scale of other structures in its vicinity through the use of appropriate massing, screening, lighting, and other architectural techniques such as variation in detail, form, and siting. Consideration shall be given to the need for vegetated buffers. To the extent practicable this shall be based on the “Intent, Policy, and Recommendations” specified in “Part II. Design Criteria” of the *Design Guidelines Handbook* adopted by the Design Review Board and otherwise applying good architectural and aesthetic principles. Structures shall be arranged insofar as practicable to avoid casting shadows onto abutting property.
- **Lighting:** Exterior lighting shall be used only as needed to accomplish safety and design objectives and shall be arranged so as to minimize impact on neighboring properties.
- **Open Space:** Open space shall be as extensive as is practicable and designed so as to add to the visual amenities of the neighborhood for persons passing the site or overlooking it from nearby properties. To the extent practicable this shall be based on the “Intent, Policy, and Recommendations” specified in “Part II. Design Criteria” of the *Design Guidelines Handbook* adopted by the Design Review Board.
- **Circulation:** Walkways, driveways, and parking shall be safe and convenient and, insofar as practicable, not detract from the use and enjoyment of adjacent properties and Town streets.

### ***E. Can the Planning Board require me to submit additional materials?***

The Planning Board may request that the applicant submit additional materials for consideration before issuing a decision. Requested items may include, but are not limited to, a construction mitigation plan if the site warrants erosion and sedimentation control measures; the requirement that building plans be stamped, dated, and signed by a Registered Architect in the Commonwealth of Massachusetts; and/or that the landscape plan be stamped, dated, and signed by a Registered Landscape Architect (RLA) in the Commonwealth of Massachusetts.

### ***F. Is public comment allowed?***

The Planning Board’s review of an LHR application is not a formal public hearing. However at least 10 days prior to the meeting, notice of the meeting will be sent by first class mail to all abutters and abutters to abutters within 300 feet of the property line of the applicant, as they appear on the most recent tax list. Owners of parcels directly opposite the applicant on any public or private street will be considered abutters. Written comments from abutters must be received by the Planning Board at least 4 business days prior to the meeting for consideration. These written comments will be sent to the applicant 3 business days prior to the meeting. Members of the public are welcome to attend the meeting, and the Chairman of the Planning Board has the discretion to permit oral comments during the Planning Board review.

### ***G. How long does the Planning Board have to review my application and make a decision?***

The Planning Board must prepare a written decision and provide it to the applicant within 90 days of the application submission vote on a LHR application. If the applicant fails to respond in a timely manner to Planning Board or Design Review Board requests for additional materials, the Planning Board may deny the application. However, the Planning Board may extend the 90-day time limit if the applicant and the Board

agree in writing prior to the deadline. If the Planning Board does not issue a decision or approve an extension, the project shall be deemed approved after the 90-day decision period expires.

***H. Can I request that the 90-day time limit be extended?***

The applicant may request an extension from the Planning Board. This may be worthwhile, for example, if the Design Review Board or the Planning Board requests additional materials or plan modifications. All requests for extensions must be made in writing, and the Planning Board must agree to the request in writing prior to the deadline.

***I. What must I do if my project is approved by the Planning Board?***

If the Planning Board approves the project, the applicant will be required to file a written notarized decision with the Registry of Deeds. A copy of the decision also is filed with the Town Clerk and the Zoning Board of Appeals. The approval will operate as a deed restriction, and the Town of Wellesley shall enforce this restriction.

***J. Once approved, how do I get a building permit?***

Once the approval filing is certified, the Planning Department will notify the Building Inspector of the approval. The Building Inspector will not grant building permit approval until these materials have been received. Plans must reflect any conditions attached to the approval before a building permit can be issued.

***K. How do I get a Certificate of Occupancy?***

Conditions attached to the LHR approval will be verified again prior to issuance of a Certificate of Occupancy (CO). If a condition cannot be completed prior to issuance of a CO, for instance as in the case of landscaping that cannot be performed in the winter months, the Planning Board shall set a bond based on the cost of work to ensure completion of the work. The value of the bond will be determined by the Department of Public Works.

***L. If my project is disapproved, may I resubmit an application?***

If the Planning Board does not approve the project, notice of the disapproval will be sent to the applicant, the Building Inspector, and the Zoning Board of Appeals (ZBA). If the applicant wishes to modify a portion of the project and resubmit the application, he/she may do so. If this is done within 30 days of the disapproval, the review fee will be waived. All resubmitted applications will be treated as new applications and are subject to the entire review process.

***M. If I do not wish to resubmit an application, may I appeal the Planning Board's decision?***

The applicant may appeal the disapproval within 30 days of the decision. The appeal must be filed with the Zoning Board of Appeals. Abutters also may appeal a Planning Board decision with the ZBA within 30 days of the decision.

**For more information, please refer to Section XVID of the Wellesley Zoning Bylaw. This document is available on the Town of Wellesley website ([www.wellesleyma.gov](http://www.wellesleyma.gov)) and at the Planning Department. For assistance with Large House Review questions, please visit the Planning Department (781.431.1019, ext. 2232) or Building Department (781.431.1019, ext. 2228) on the lower level of the Wellesley Town Hall.**