



ZONING BOARD OF APPEALS

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

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ROBERT W. LEVY
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ZBA 2012-49
 Petition of Ryan Lenhart
 2 Durant Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 7, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of RYAN LENHART requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming structure and construction of a new two-story structure with a footprint of 2,220 square feet, that will meet setback requirements on a 9,979 square foot corner lot in a district in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, at 2 DURANT ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 22, 2012, 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 was Ryan Lenhart (the "Petitioner"). Also present were Kristin Lenhart, Leo Dasilva, and Paul Bollier.

Mr. Lenhart said that the request is for a Special Permit to demolish and reconstruct a home. He said that it is a pre-existing nonconforming lot at 9,979 square feet. He said that the Town records show the lot size at 100 feet by 100 feet. He said that the Town took 21 square feet when constructing a radius on Claflin and Durant Roads.

The Board confirmed that one tree on the property will be removed.

The Board said that it received a petition from the neighbors on Durant Road concerning the location of the garage doors and parking on the street.

Ms. Lenhart said that the house was turned because they felt that it would look better facing Claflin Road. He said that they met with the abutters and no one expressed concerns. The Board said that it preferred not having the garage doors on the front of the house.

The Board said that the rendering does not represent the front of the house. The Board said that it looks as if the house is located on a couple of acres.

The Board said that there are a lot of embellishments on this design compared to the more simply designed homes on Durant Road. The Board said that it looks like there is a lot of stuff pasted on the

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building. The Board said that there are a lot of columns. The Board said that the house should look simpler. The Board said that the Petitioner should rethink having all the extra texture applied. Ms. Lenhart said that they would consider making the design more simple.

Kerim Akgonul, 5 Durant Road, said that he objected to the garage and driveway on Durant Road. The Board said that it does not have control over that issue.

Mr. Akgonul said that he was concerned that cars will have to drive down Claflin Road and make a three-point turn to get into the garage. He said that he was concerned about the safety of the many children who live on the street.

The Board said that the second floor plan shows a stairway up to the third floor. Mr. DaSilva said that stairway will not be there. He said that it should not have been shown on the plan.

The Board said that revised plans must be submitted showing what will be built including the outside. The Board said that the submitted plans were very sparse. Mr. Lenhart discussed the materials used for the columns.

The Board asked about the use of the third floor. Ms. Lenhart said that it is not intended for use as living space.

The Board said that the revised plans should show no stairs to the third floor.

Mr. Lenhart submitted Total Living Area plus Garage (TLAG) calculations. The Board said that the proposed house will be 4 square feet short of the 3,600 square foot TLAG threshold for the district.

The Board discussed the effect of having the garage and driveway on Durant Road on the other driveways on Claflin and Durant Roads. Mr. Akgonul said that having the driveway on Durant Road will take away four parking spaces on a small street with 27 small children. He said that there is no sidewalk.

The Board said that the setback dimensions are pushing the envelope. The Board said that placement will have to be accurate. The Board said that the proposed house must meet the setback requirements. The Board said that it will be a very big house on a small lot.

Statement of Facts

The subject property is located at 2 Durant Road, on a 9,979 square foot corner lot in a district in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, with less than required front yard setbacks.

The Petitioner is requesting a Special Permit/Finding that demolition of an existing nonconforming structure and construction of a new two-story structure with a footprint of 2,220 square feet, that will meet setback requirements on a 9,979 square foot corner lot in a district in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 5/3/12, stamped by Bradley J. Simonelli, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 5/12, prepared by Shane Structures, and photographs were submitted.

On June 5, 2012, the Planning Board 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. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that demolition of an existing nonconforming structure and construction of a new two-story structure with a footprint of 2,220 square feet, that will meet setback requirements on a 9,979 square foot corner lot in a district in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, 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, as voted unanimously by this Authority at the Public Hearing, for demolition of an existing nonconforming structure and construction of a new two-story structure with a footprint of 2,220 square feet that will meet setback requirements, subject to the condition:

- Revised plans shall be submitted that show no stairway to the third floor.

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.

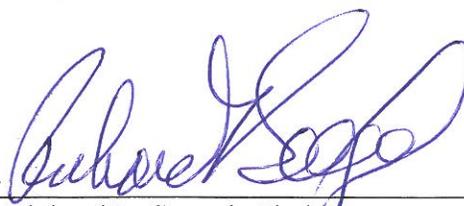
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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ZBA 2010-49
Petition of Ryan Lenhart
2 Durant Road

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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.



Richard L. Seegel, Chairman

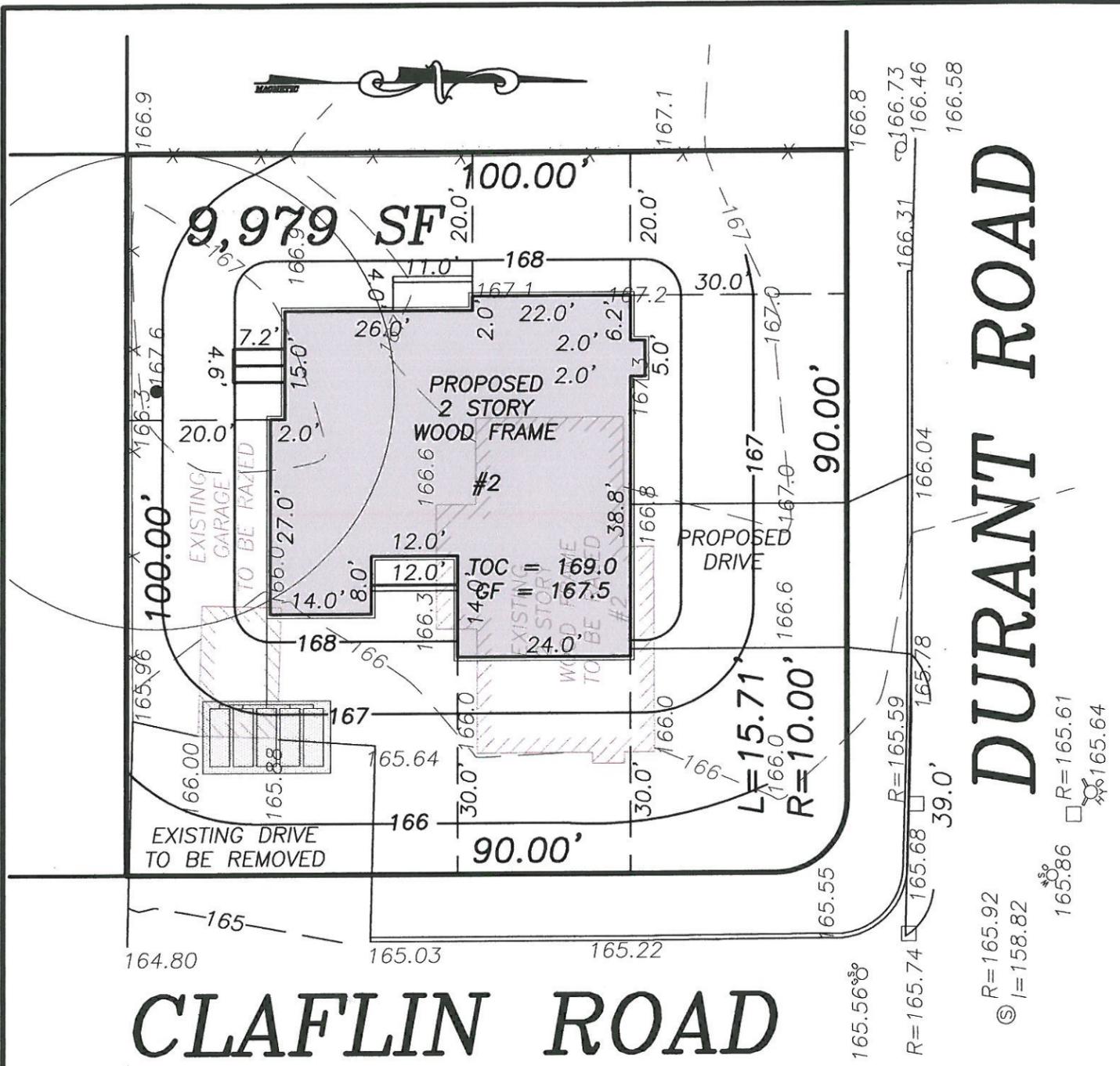


David G. Sheffield



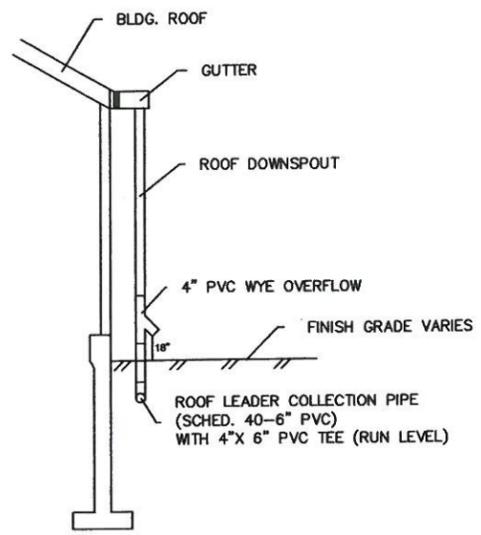
Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm



DURANT ROAD

CLAFLIN ROAD

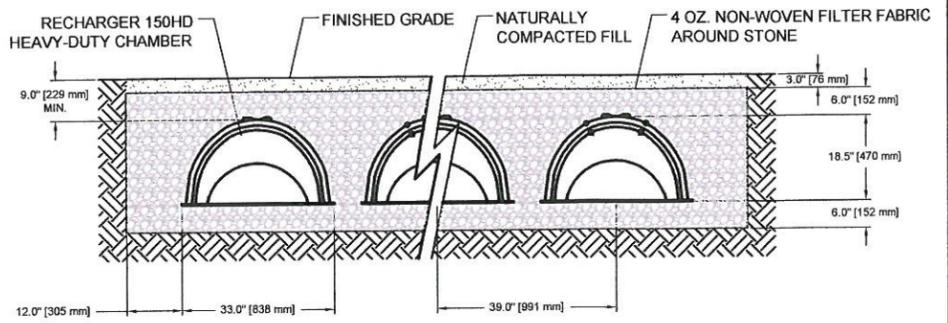


DOWNSPOUT DETAIL
NTS

PROPOSED HOUSE IMPERVIOUS AREA 2220 S.F.
(2220 S.F. X 1") / 12 = 185 Cu. Ft.

MITIGATED WITH 5 CULTEC CONTRACTOR 150HD RECHARGER DRYWELL CHAMBERS CAPACITY OF 39.1 CU FT EACH
SEE DRYWELL DETAIL FOR SPECIFICATIONS AND PLAN FOR LOCATIONS.

EXISTING BUILDING COVERAGE = 1368 SF
EXISTING LOT COVERAGE = 13.7%
PROPOSED BUILDING COVERAGE = 2220 SF
PROPOSED LOT COVERAGE = 22.2%



GENERAL NOTES
RECHARGER 150HD BY CULTEC, INC. OF BROOKFIELD, CT. STORAGE PROVIDED = 4.89 CF/FT PER DESIGN UNIT. REFER TO CULTEC, INC.'S CURRENT RECOMMENDED INSTALLATION GUIDELINES. USE RECHARGER 150HD HEAVY-DUTY FOR TRAFFIC AND/OR H2O APPLICATIONS.
ALL RECHARGER 150HD HEAVY-DUTY UNITS ARE MARKED WITH A COLOR STRIPE FORMED INTO THE PART ALONG THE LENGTH OF THE CHAMBER.
ALL RECHARGER 150 CHAMBERS MUST BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.

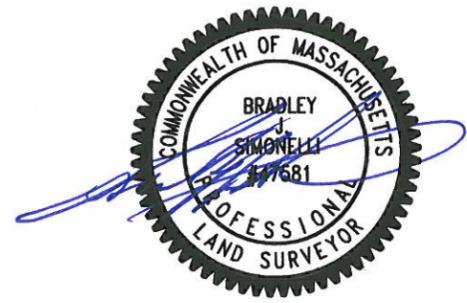
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ZONING BOARD OF APPEALS
 PLAN OF LAND
 2 DURANT ROAD
 WELLESLEY, MASS.

ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)
 AND THE WATER SUPPLY PROTECTION DISTRICT

MINIMUM LOT AREA10,000 SF.
 MINIMUM LOT FRONTAGE.....60 FEET
 MINIMUM FRONT SETBACK.....30 FEET*
 MINIMUM SIDE YARD.....20 FEET
 MINIMUM REAR YARD10 FEET
 MAXIMUM BUILDING COVERAGE.....25%
 MAXIMUM BUILDING HEIGHT.....36 FEET
 MAXIMUM BUILDING HEIGHT.....2 1/2 STORIES
 *FRONT SETBACK DETERMINED BY 500' RULE TO BE 30 FEET.

026-12



Field Resources, Inc.
 LAND SURVEYORS

MAY 3, 2012 SCALE 1"=20'

P.O. BOX 324 281 CHESTNUT ST.
 AUBURN, MA NEEDHAM, MA.
 508 832 4332 781 444 5936
 fieldresources@hotmail.com



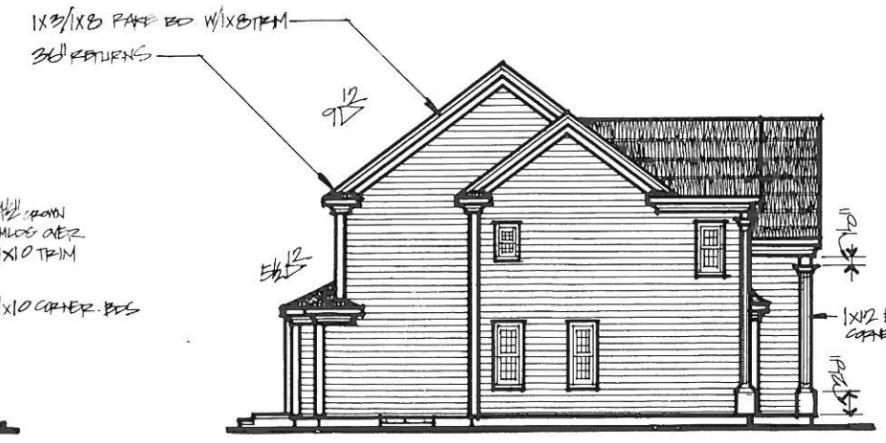
FRONT ELEVATION *1/8"=1'-0"*
 SHOWING WITH OPTIONAL COPPER ROOF @ BOXED OUT WINDOW AND RETURN



RIGHT SIDE ELEVATION *1/8"=1'-0"*



REAR ELEVATION *1/8"=1'-0"*



LEFT SIDE ELEVATION *1/8"=1'-0"*

BUILDER/APPLICANT
 RYAN LEMPERT
 12 RICHLAND RD
 NEWTON, MA
 02467

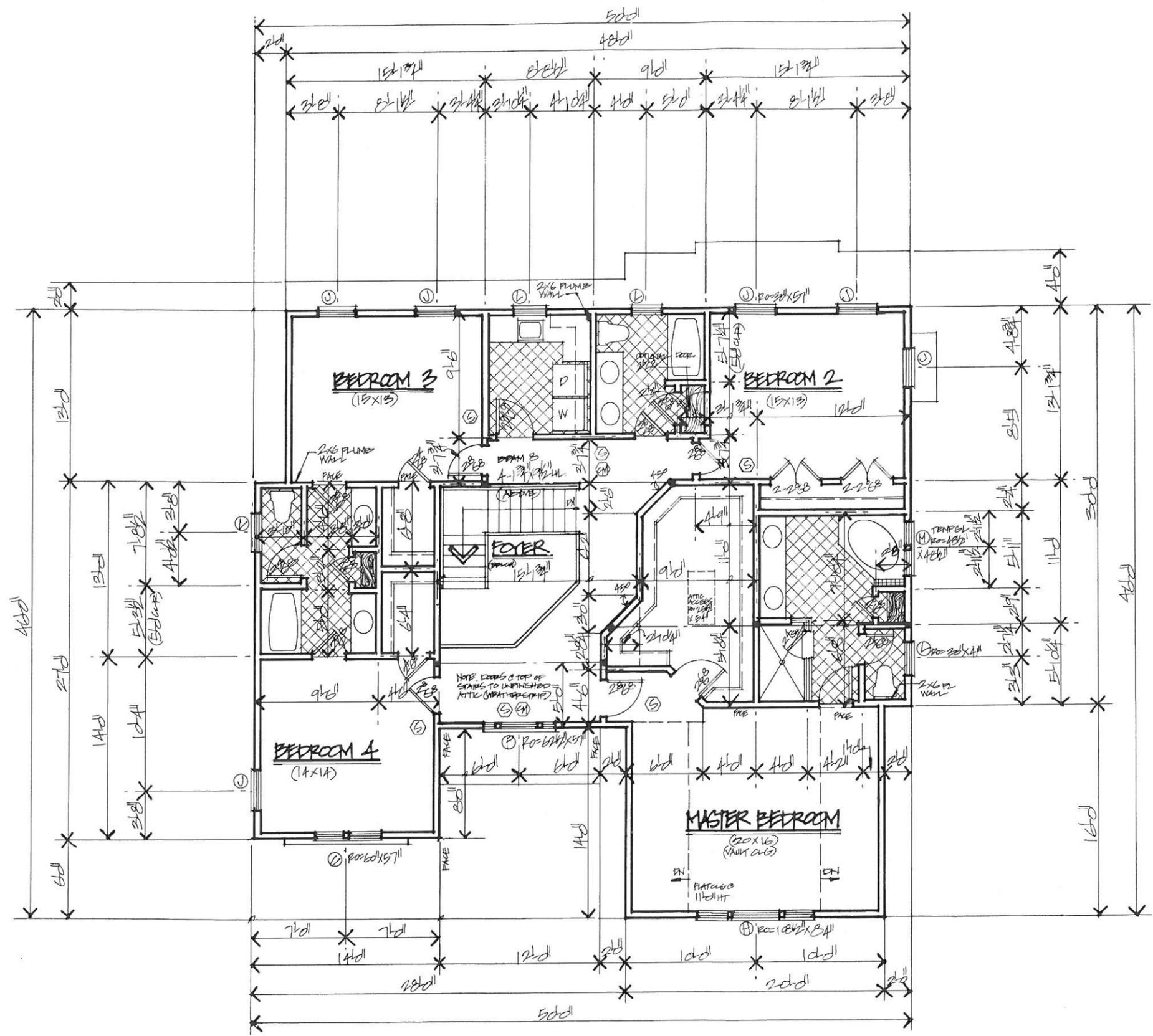
3596 SF

SHANE
 STRUCTURES

P.O. Box 81 · Hopkinton, MA 01748 · Phone/Fax: 888-522-7129

THE ALDERGROVE
 1 of 9

ELEVATIONS
 DATE: MAY, 2012 BY: Scott Rogers



BRAM 8 SPAN=15'-0" 4-1/2" x 9-1/2" WL (PARTIAL)
 PROFILES TL=500 TL=642-500
 LL=375 LL=440-575

BRAM 9 SPAN=14'-0" (MAX) 1-3/4" x 11"
 PROFILES TL TL
 LL LL
 PARTS TL T/TL
 LL T/LL
 CUB. JOISTS TL LL

SECOND FLOOR PLAN SCALE 1/4"=1'-0"

VENT ALL BATHS TO OUTSIDE
 (C) REMOVE CARPET
 (M) CARBON MONOXIDE DETECTOR

1962 SF

SHANE STRUCTURES

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THE ALLER GROVE
3 of 9

SECOND FLOOR PLAN SCALE 1/4"=1'-0"

DATE: MAY, 2012 BY: GUY ROBERTS