



ZONING BOARD OF APPEALS

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

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ZBA 2014-19
Petition of Kevin Clark & Eunice Groark
34 Summit Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 3, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of KEVIN CLARK & EUNICE GROARK 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 deck and construction of a basement/garage addition with a one-story addition/deck above that will meet all setback requirements, and raising the ridgeline on an existing nonconforming structure with less than required right side yard setbacks, at 34 SUMMIT ROAD, in a 10,000 square foot Single Residence Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 17, 2014, 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 Kent Duckham, Architect, Eunice Groark and Kevin Clark, (the "Petitioner").

Mr. Duckham said that they had previously submitted the project to the Board as an amendment to a variance. He said that there is a deck at the back that they intended to replace with living space. He said that they had also asked for relief to extend the existing nonconforming side yard setback. He said that the new proposal is for conforming additions on the existing nonconforming structure.

The Board confirmed that the only nonconformity now is the existing house. The Board confirmed that the garage is in the same location. Mr. Duckham said that they only modified the living portion of the project.

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 34 Summit Road, in a 10,000 square foot Single Residence and Water Supply Protection District, with a minimum right side yard setback of 16.3 feet.

The Petitioner is 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 deck and construction of a

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basement/garage addition with a one-story addition/deck above that will meet all setback requirements, and raising the ridgeline on an existing nonconforming structure with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 2/19/14, stamped by Verne T. Porter, Jr., Professional Land Surveyor, Square Foot Summary (Sheet 1), Existing Square Footage Calculations (Sheet 2), Proposed Square Footage Calculations (Sheets 3 & 4), dated 2/25/14, Existing Floor Plans and Elevation Drawings, dated 12/31/13, Proposed Floor Plans and Elevation Drawings, dated 2/25/14, prepared by Duckham Architecture & Interiors, and photographs were submitted.

On March 25, 2014, the Planning Board reviewed the petition and recommended that the petition 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 opinion of this Authority that although demolition of an existing deck and construction of a basement/garage addition with a one-story addition/deck above that will meet all setback requirements, and raising the ridgeline on an existing nonconforming structure with less than required right side yard setbacks is increasing a nonconformity, such increase 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 of an existing deck and construction of a basement/garage addition with a one-story addition/deck above that will meet all setback requirements, and raising the ridgeline on an existing nonconforming structure with less than required right side yard setbacks, in accordance with the submitted plot plan 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.

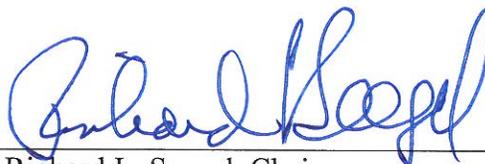
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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

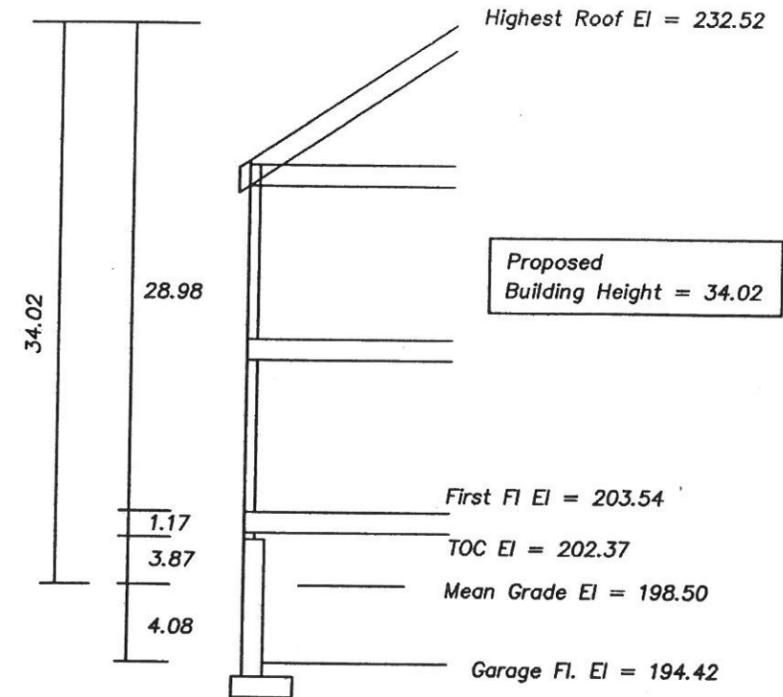
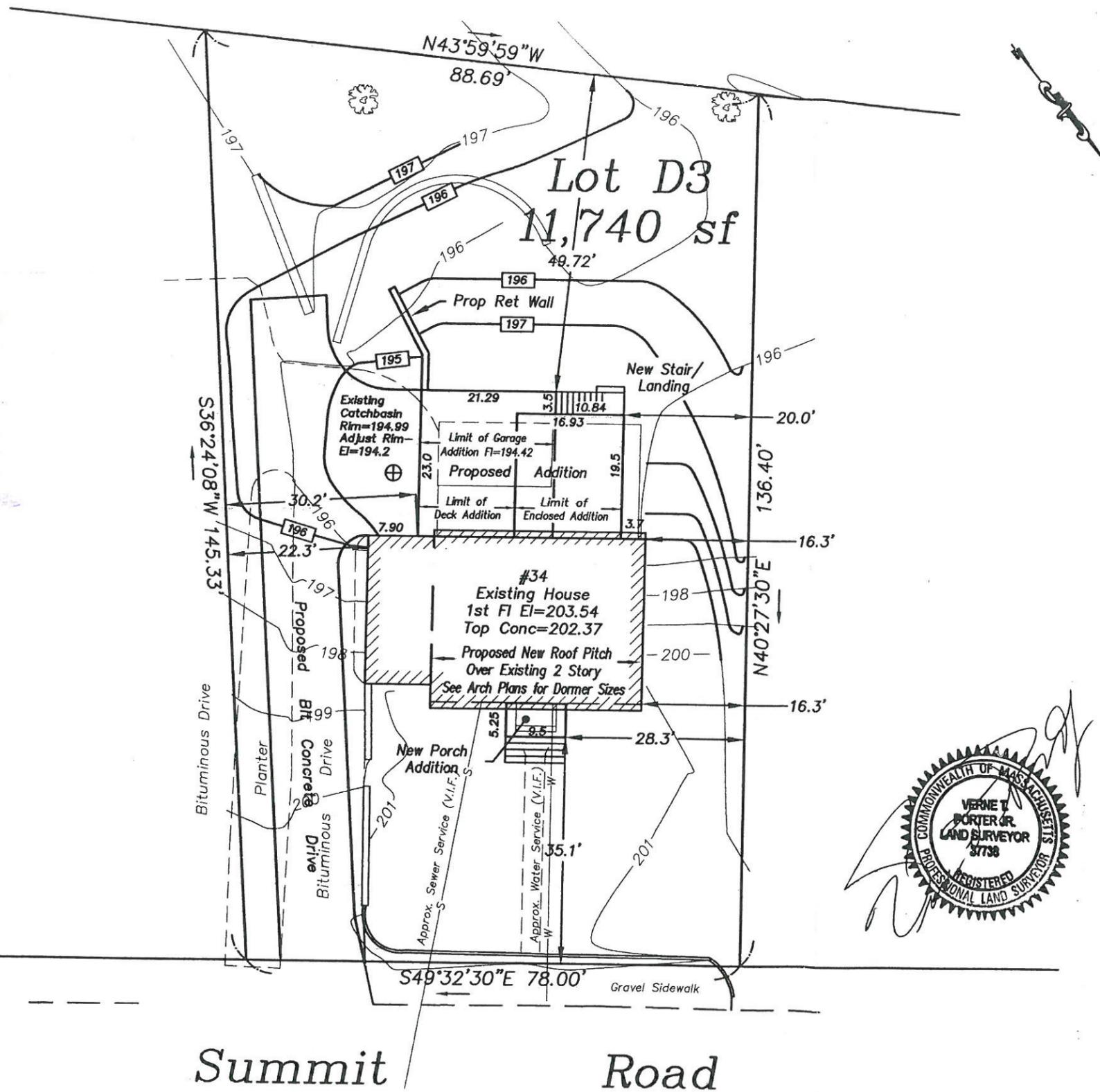

David G. Sheffield


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

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Zoning District - SRD 10

Existing Lot Coverage=13.73% (1570 sf)
Proposed Lot Coverage=16.84% (1977 sf)



Plot Plan of Proposed Additions
34 Summit Road
Wellesley, Massachusetts

Scale: 1"=20' February 19, 2014
Verne T. Porter Jr., PLS
Land Surveyors Civil Engineers
354 Elliot Street Newton, MA 02464