



ZONING BOARD OF APPEALS

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

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ZBA 2014-36
 Petition of Kenneth & Tracey Largess
 1 Berkshire Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of KENNETH & TRACEY LARGESS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and construction of a two-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, on a 13,982 square foot lot in a district in which the minimum lot size is 20,000 square feet, at 1 BERKSHIRE ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

April 22, 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, Tracey and Kenneth Largess, (the "Petitioner").

Mr. Duckham said that it is an existing nonconforming lot with an existing nonconforming setback on the left side for a sliver of the garage. He said that the proposal is to rebuild the space above the garage and to reconfigure some space behind house for an additional 755 square feet. He said that existing lot coverage is 16.64 percent and proposed lot coverage will be 18.02 percent, which is an increase of 194 square feet of additional lot coverage.

Mr. Duckham said that they designed the house to be closer to lot size requirements for a 15,000 square foot Single Residence District. He said that carried over some square footage for an oversized shed on the property and some square footage for the existing basement that is taller than 25 percent of the total.

Mr. Duckham said that they pulled the second floor above the garage in. He said that the existing garage is currently in the setback. He said that the proposed second floor above will meet the setback requirements.

The Board asked if the Applicant had reviewed the plans with the neighbors. Mr. Largess said that he did show the plans to the Whitings. He said that they submitted a letter of support. He said that he submitted letters of support from the neighbors who abut to the sides and the back.

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 1 Berkshire Road, on a 13,982 square foot lot in a district in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 18.8 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and construction of a two-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, on a 13,982 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, dated 4/15/14, stamped by Joseph R Sullivan, Professional Land Surveyor, Existing & Proposed Floor Plans & Elevation Drawings, dated 4/16/14, prepared by Duckham Architecture & Interiors, and photographs were submitted.

On May 1, 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 two-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, on a 13,982 square foot lot in a district in which the minimum lot size is 20,000 square feet 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 two-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, on a 13,982 square foot lot in a district in which the minimum lot size is 20,000 square feet, 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.

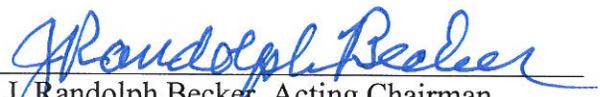
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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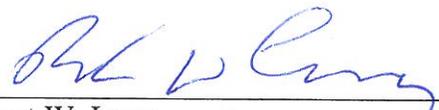
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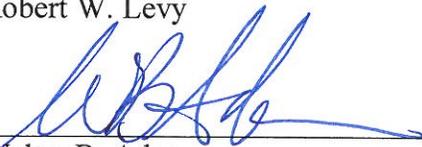
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman

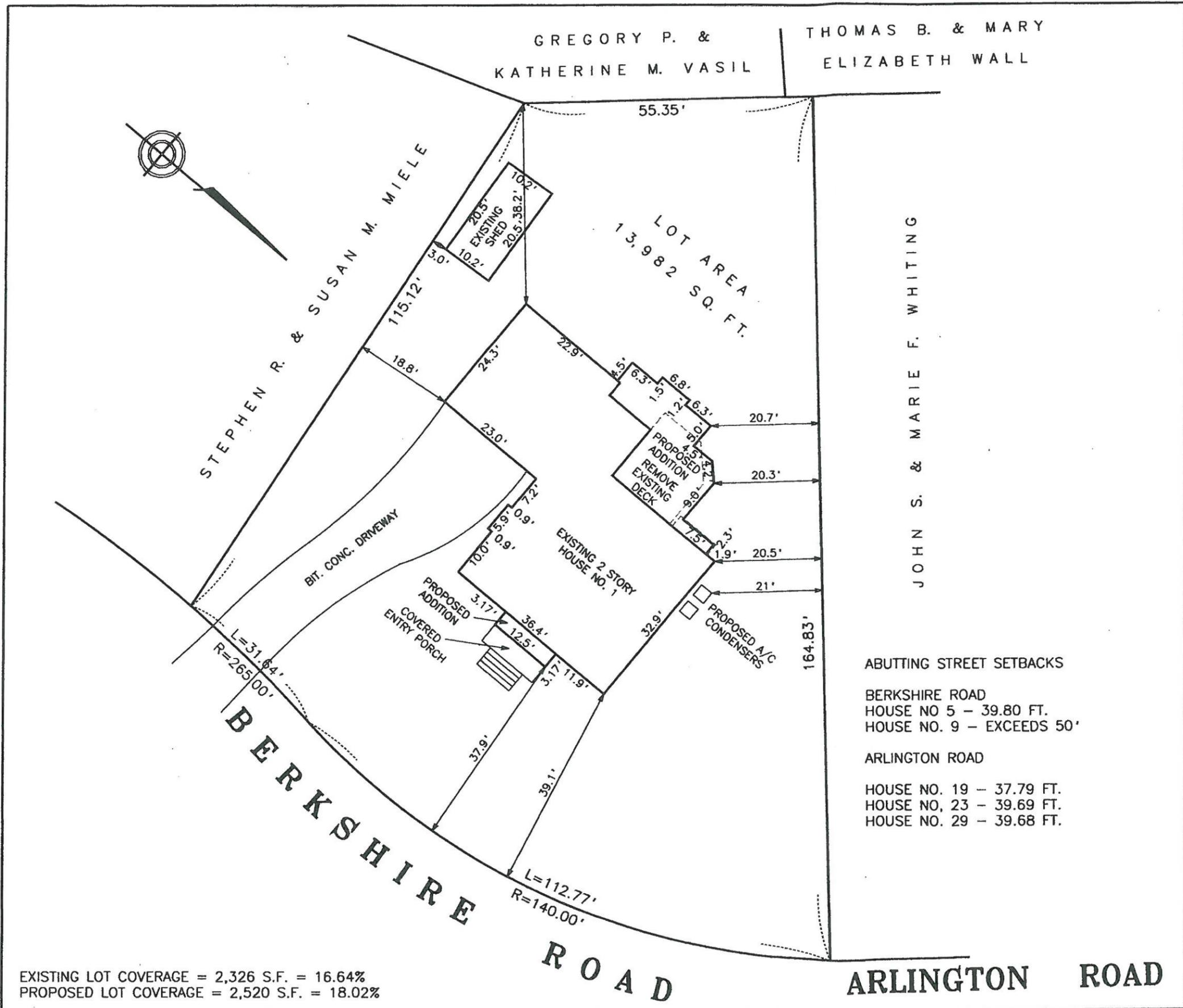


Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



EXISTING LOT COVERAGE = 2,326 S.F. = 16.64%
 PROPOSED LOT COVERAGE = 2,520 S.F. = 18.02%

SULLIVAN SURVEYING COMPANY, LLC
 209 WEST CENTRAL ST.
 NATICK, MA. 01760
 PHONE : 508-655-0082
 FAX : 508-655-0083

BOARD OF APPEALS PLAN
OF LAND IN
WELLESLEY, MASS.

OWNED BY :
 KENNETH & TRACY A. LARGESS

DEED REFERENCE :
 BOOK 28149, PAGE 98
 NORFOLK REGISTRY OF DEEDS

ASSESSORS MAP REFERENCE
 MAP 66, LOT 50
 ZONING CLASSIFICATION : SRD 20

ABUTTING STREET SETBACKS
 BERKSHIRE ROAD
 HOUSE NO 5 - 39.80 FT.
 HOUSE NO. 9 - EXCEEDS 50'
 ARLINGTON ROAD
 HOUSE NO. 19 - 37.79 FT.
 HOUSE NO, 23 - 39.69 FT.
 HOUSE NO. 29 - 39.68 FT.



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JOSEPH R. SULLIVAN
 REG. PROFESSIONAL LAND SURVEYOR

SCALE : 1" = 20' | DATE : APRIL 15, 2014

DRAWING NO. 15,968