



ZONING BOARD OF APPEALS

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

RICHARD L. SEEDEL, CHAIRMAN
 J. RANDOLPH BECKER, VICE CHAIRMAN
 DAVID G. SHEFFIELD

LENORE R. MAHONEY
 EXECUTIVE SECRETARY
 TELEPHONE
 (781) 431-1019 EXT. 2208
 web: www.wellesleyma.gov

ROBERT W. LEVY
 WALTER B. ADAMS
 DEREK B. REDGATE

ZBA 2015-25

Petition of Brian & Tawnee Felice

17 Durant Road

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA
 2015 MAR 19 PM 3:22

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 5, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of BRIAN & TAWNEE FELICE requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a 9,190 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 17 DURANT ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 17, 2015, 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 Chris Brown, Architect, and Brian Felice, (the Petitioner). Mr. Brown said that the Felices are a growing family who want to stay in the neighborhood. He said that they would like to add an addition. He said that when they started to look at the project, they found the lot is nonconforming. He said that the proposed addition will include expansion of the bedroom, kitchen, dining areas and create a mudroom space that will be more functional for the family. He said that it will be a one-story and they have done their best to keep it in the setbacks.

The Board asked if the plan is to alter the existing house as well. The Board said that the proposal is to create a long wing along one side. The Board said that the neighbor is some ways away but they will see a long one-story wall. The Board said that it seems like they will be significantly increasing the bulk of the building as viewed from the street. The Board said that if the addition was partly behind the house, it would not appear as massive. Mr. Brown said that they wanted to preserve the outdoor space as well. He said that the existing detached garage and addition help to define the backyard for the family. He said that they wanted the addition to stay within the setbacks while keeping a lot of natural light for the addition and the existing house.

The Board asked if the Petitioner is confident that the contractor can place the foundation so that it will be conforming. The Board said that the addition will be two-tenths of an inch to the required setback. The Board said that it was concerned about the potential for mistakes. Mr. Brown said that they have allowed for a jog in the design. He said that the house is not completely parallel to the side lot line. The Board said that the jog does break up the façade slightly.

The Board asked about the Total Living Area plus Garage (TLAG) calculation. Mr. Brown said that the existing area of the house without the garage is 1,670 square feet. He said that the area of the garage is 290 square feet. Mr. Felice said that half of the basement is livable and is included in the 1,670 square foot calculation. Mr. Brown said that livable space with the addition will be 1,988 square feet.

The Board said that there will be a significant increase in impervious area. The Board asked about runoff. Mr. Brown said that they planned for at least two drywells.

The Board asked about the topography of this lot compared to the houses on either side. Mr. Felice said that it is all flat.

The Board said that Plan A10 was very helpful to understand the submittal.

The Board asked if the Petitioner spoke with the neighbors about the plans. Mr. Felice said that there are trees on the side of house where the addition will go. He said that he did not think that the neighbor will see the addition. He said that he did not speak to the neighbor.

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 17 Durant Road, on a 9,190 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, with a minimum front yard setback of 29.2 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 construction of a one-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a 9,190 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/4/14, revised 2/7/15 & 2/11/15, stamped by Elliott J. Paturzo, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/11/15, prepared by Architecture Studio Inc, and photographs were submitted.

On March 3, 2015, 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.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2015 MAR 19 PM 3:25

It is the opinion of this Authority that although construction of a one-story addition with basement that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, on a 9,190 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District 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 nonconforming garage and construction of a one-story garage, construction of a two-story addition and construction of a porch that will meet all setback requirements, 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.

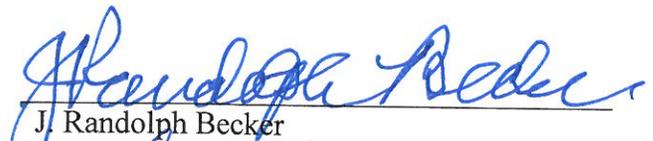
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2015 MAR 19 P 3:25

ZBA 2015-25
Petition of Brian & Tawnee Felice
17 Durant Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2015 MAR 19 P 3:26

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


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



**SINGLE FAMILY RESIDENCE SRD 10
DENSITY & DIMENSIONAL CONTROLS**

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 S.F.	9190± S.F.	N/A
MINIMUM LOT FRONTAGE	60'	100'	N/A
MINIMUM FRONT YARD WIDTH	60'	100'	N/A
MINIMUM FRONT YARD DEPTH	30'	29.2'	36.3'
MINIMUM SIDE YARD	20'	28.4'	20.2'
MINIMUM REAR YARD	10'	37.7'	11.3'
MAXIMUM BUILDING HEIGHT	3 STORIES/36'	1.75 STORIES/19.9'	1 STORY
MAXIMUM BUILDING LOT COVERAGE	25%	10.3%	18.4%

REFERENCES

PLANS AND DEEDS RECORDED AT THE
NORFOLK COUNTY REGISTRY OF DEEDS

DEED BOOK	PAGE
10681	647

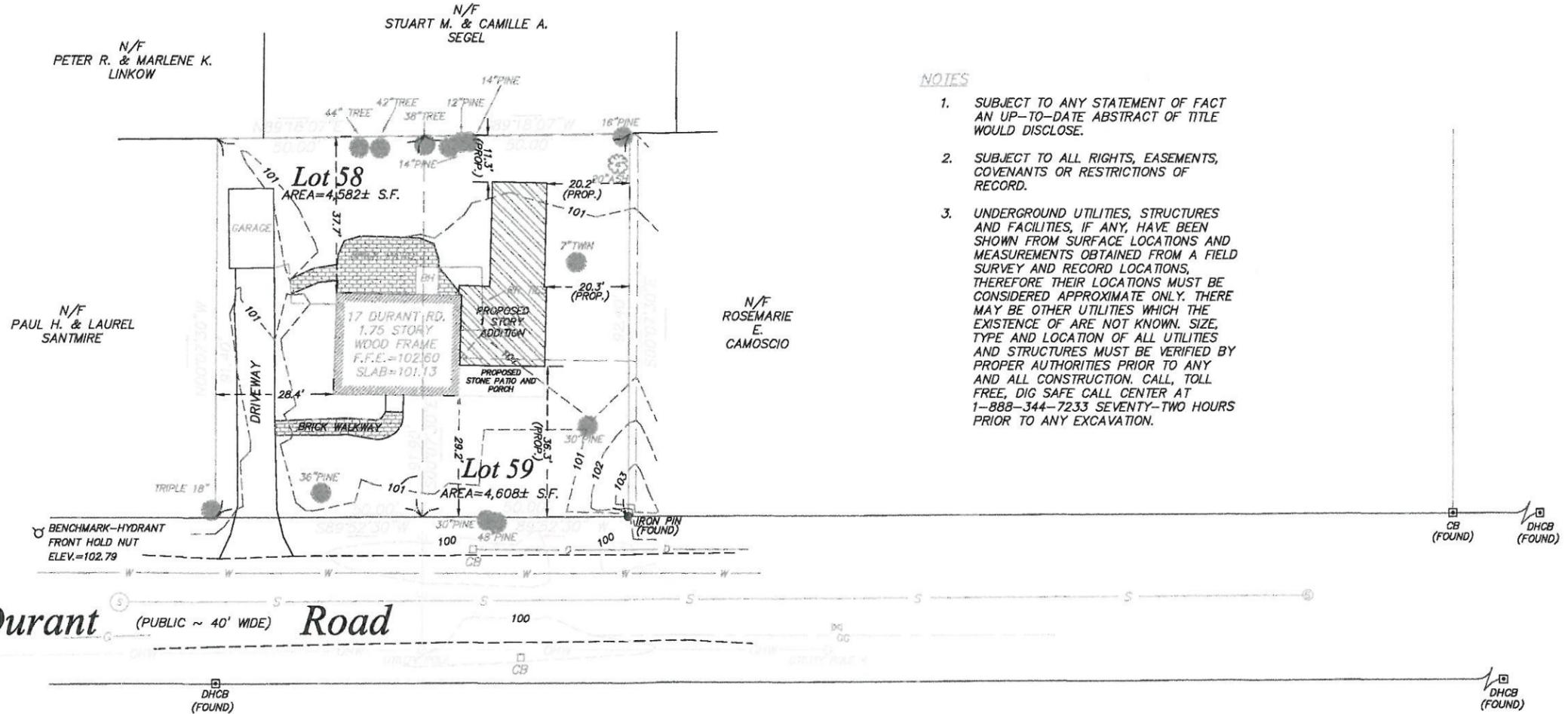
PLAN BOOK	PLAN
1542	31A

LEGEND

-CATCH BASIN
- ⊙SEWER MANHOLE
-DRILL HOLE CONCRETE BOUND
-UTILITY POLE
- ⊗GAS GATE
-PINE TREE
- ⊗ASH TREE
-WOODEN FENCE
- G-GAS LINE
- W-WATER LINE
- S-SEWER LINE
- OHW-OVERHEAD WIRES

NOTES

- SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.
- UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES, IF ANY, HAVE BEEN SHOWN FROM SURFACE LOCATIONS AND MEASUREMENTS OBTAINED FROM A FIELD SURVEY AND RECORD LOCATIONS, THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHER UTILITIES WHICH THE EXISTENCE OF ARE NOT KNOWN. SIZE, TYPE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED BY PROPER AUTHORITIES PRIOR TO ANY AND ALL CONSTRUCTION. CALL, TOLL FREE, DIG SAFE CALL CENTER AT 1-888-344-7233 SEVENTY-TWO HOURS PRIOR TO ANY EXCAVATION.



Durant Road (PUBLIC ~ 40' WIDE)

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

ZONING DESIGNATION:
SINGLE FAMILY RESIDENCE
ZONE SRD 10
WATER SUPPLY PROTECTION
DISTRICT

ASSESSORS REFERENCE:
MAP:190 LOT:18

I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY AND THE LATEST PLANS AND DEEDS OF RECORD.

I CERTIFY THAT THE SUBJECT DWELLING SHOWN LIES IN A FLOOD ZONE "X" SHOWN ON THE NATIONAL FLOOD INSURANCE RATE MAPS, PANEL 12 OF 430, MAP NUMBER 25021C0012E, HAVING AN EFFECTIVE DATE OF JULY 17, 2012.

REVISIONS

DATE	DESCRIPTION
2/7/15	PROP. ADD.
2/11/15	PROP. ADD.

FIELD: EJP/MFB
CALCS: EJP
DRAWN BY: SMI
FIELD EDIT: N/A
CHECKED: EJP
APPROVED:
JOB #: 141303



2/11/15

PROFESSIONAL LAND SURVEYOR DATE

A.S. Elliott & Associates

Professional Land Surveyors

P.O. BOX 85 ~ HOPEDALE, MASSACHUSETTS
(508) 634-0256

**Existing Conditions
Plan of Land
Showing Proposed Addition**

17 DURANT ROAD
WELLESLEY, MASSACHUSETTS

PREPARED FOR: TAWNEE FELICE

SCALE: 1" = 20' DATE: NOVEMBER 4, 2014

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02182
2015 FEB 17 P 2:50