



ZONING BOARD OF APPEALS

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

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ZBA 2015-46
 Petition of Jaret Stickney
 88 Audubon Road

RECEIVED
 ZONING BOARD OF APPEALS
 WELLESLEY, MA 02458
 2015 MAY 21 P 12:08

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 7, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JARET STICKNEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing screened porch, construction of a two-story addition and a two-story addition with garage underneath, construction of a new landing, construction of a second floor addition over an existing structure, construction of a second and third floor addition over an existing structure, and replacement of an existing landing with a portico, that will meet all setback and height requirements, on an 18,710 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 88 AUDUBON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 21, 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 Jaret Stickney, (the Petitioner) and Bob Williamson, Designer.

Mr. Williamson said that the request is for a special permit to build an addition to a structure that is located on a nonconforming lot with 18,710 square feet.

Mr. Williamson said that the existing house is a one and a half story cape with a side facing two-car garage in the basement and an existing retaining wall that is carved out in the hill. He said that the site is very steep at the beginning and levels at the rear. He said that the existing garage is less than 30 feet to the side property line and is approximately 25 to 26 feet from the retaining wall. He said that you need to do a three point turn to get into the garage. He said that the rest of the house is small in character and they are trying to maintain that. He said that it is a two bedroom, one bathroom house and does not function for family of five.

Mr. Williamson said that the proposed structure will be a two-story with a front entrance garage. He said that it will have proper living space with a formal living and dining room, open kitchen space and the appropriate number of bedrooms. He said that all of the new and the existing structure will meet Zoning requirements for area. The Board confirmed that the only nonconformity is the lot size.

Mr. Williamson said that the proposed height from average grade will be 32.2 feet.

The Board said that the way to get into the house will be totally changed. Mr. Williamson said that it will require a substantial retaining wall. He said that they have applied for a meeting with the Design Review Board (DRB). He said that they will need a permit for the retaining wall. He said that it will be seven feet high and fully compliant with the setback.

The Board asked if the existing house will be torn down. Mr. Williamson said that they will be enlarging the existing house. He said that they will keep all of the first floor walls. He said that they will have to remove a portion of the foundation on the garage side.

Michael Zehner, Planning Director, confirmed that the retaining wall only requires review by the DRB because it will not be over 15 feet or closer than 10 feet to the side lot line. Mr. Williamson said that the existing retaining wall is in the setback.

Catherine Hagan, 25 Audubon Road, said that she is not a direct abutter. She said that she sent a letter to the Board. She said that her concern is that the existing house is a Royal Barry Wills that fits the character of the neighborhood with predominantly smaller homes. She said that there have been some larger homes built but most are smaller. She said that she had no objection to adding on but a concern is that the house will be going from 1,850 square feet to just shy of 4,300 square feet. She said that the house will be going up in height. She said that it sits on a knoll that is higher on one side. She asked how many trees will have to come down. She said that she was concerned about retaining the smaller look for the neighborhood and not creating something that is looming.

Mr. Stickney said that they got a significant amount of water damage this past winter. He said that they moved to a hotel for past six weeks. He said that expedited the plans for doing a renovation. He said that the entire back side has damage.

The Board said that an 18 inch tree will be removed. The Board asked about the tree at the rear. Mr. Stickney said that the only tree to be removed is the one tree at the front on the hill where the existing walkway goes into the house. He said that tree is in the way of the proposed new driveway to the new garage. Mr. Williamson said that is the only tree that is subject to the bylaw. The Board said that the tree appears to be outside of the 20 foot setback. Mr. Williamson said that he will confirm with the surveyor that the tree is subject to the bylaw.

Statement of Facts

The subject property is located at 88 Audubon Road, on an 18,710 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square 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 screened porch, construction of a two-story addition and a two-story addition with garage underneath, construction of a new landing, construction of a second floor addition over an existing structure, construction of a second and third floor addition over an existing structure, and replacement of an existing landing with a portico, that will meet all setback and height requirements, on an 18,710 square foot lot in a Single Residence 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.

REC'D MAY 21 12:08 PM
PLANNING DEPARTMENT
CITY OF BOSTON
LESLIE MA 02112

A Plot Plan, dated 4/12/15, stamped by Patrick Roseingrave, Professional Land Surveyor, TLAG Calculations, Existing & Proposed Floor Plans and Elevation Drawings, dated 4/12/15, prepared by Williamson Building Works, LLC, and photographs were submitted.

On May 4, 2015, 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 opinion of this Authority that demolition of an existing screened porch, construction of a two-story addition and a two-story addition with garage underneath, construction of a new landing, construction of a second floor addition over an existing structure, construction of a second and third floor addition over an existing structure, and replacement of an existing landing with a portico, that will meet all setback and height requirements, on an 18,710 square foot lot in a Single Residence 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, 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 screened porch, construction of a two-story addition and a two-story addition with garage underneath, construction of a new landing, construction of a second floor addition over an existing structure, construction of a second and third floor addition over an existing structure, and replacement of an existing landing with a portico, that will meet all setback and height requirements, on an 18,710 square foot lot in a Single Residence 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.

REC'D
TOWN CLERK'S OFFICE
WELLESLEY MA 02182
2015 MAY 21 P 12:08

ZBA 2015-46
Petition of Jaret Stickney
88 Audubon Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02462
2015 MAY 21 P 12:08

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.

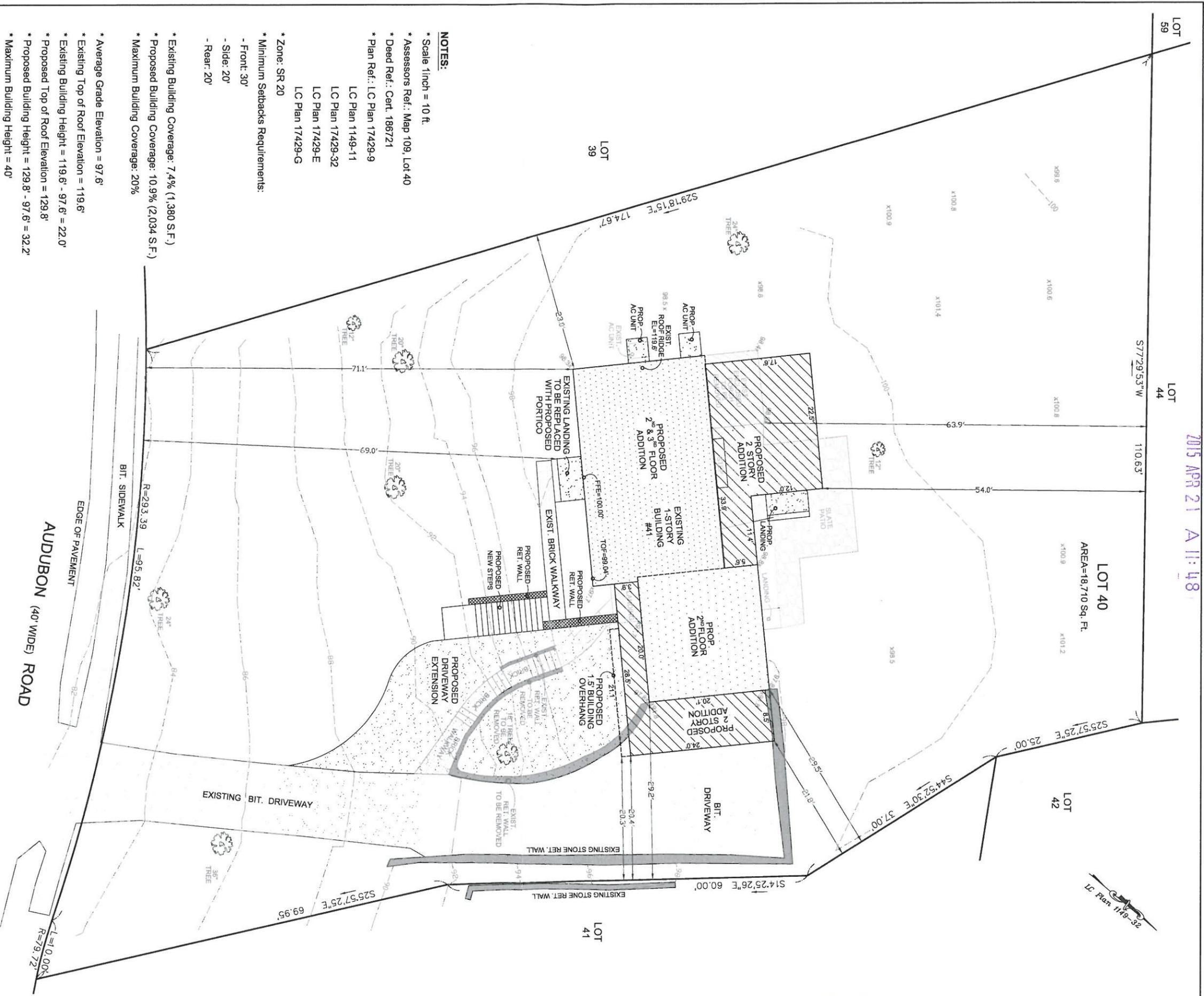

Richard L. Seegel, Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

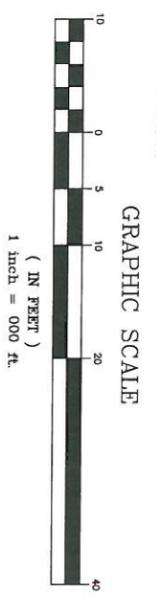
2015 APR 21 A 11:48



- NOTES:**
- * Scale 1/4" = 10 ft.
 - * Assessors Ref.: Map 109, Lot 40
 - * Deed Ref.: Cert. 186721
 - * Plan Ref.: LC Plan 17429-9
LC Plan 1149-11
LC Plan 17429-32
LC Plan 17429-E
LC Plan 17429-G
 - * Zone: SR 20
 - * Minimum Setbacks Requirements:
 - Front: 30'
 - Side: 20'
 - Rear: 20'

- * Existing Building Coverage: 7.4% (1,380 S.F.)
- * Proposed Building Coverage: 10.9% (2,034 S.F.)
- * Maximum Building Coverage: 20%
- * Average Grade Elevation = 97.6'
- * Existing Top of Roof Elevation = 119.6'
- * Existing Building Height = 119.6' - 97.6' = 22.0'
- * Proposed Top of Roof Elevation = 129.8'
- * Proposed Building Height = 129.8' - 97.6' = 32.2'
- * Maximum Building Height = 40'

* Elevations based on assumed datum.



COMMISSIONER OF MASS. REGISTRY OF DEEDS
PATRICK ROSENGRIVE
NO. 35790
Professional Land Surveyor

Patrick J. Roseingrove
Professional Land Surveyor

LAND MAPPING, INC.
10 Andrew Square, Suite 201B
South Boston, MA 02127
Tel. 617-544-3061
www.land-mapping.com
Date: April 12, 2015

Plot Plan
88 Audubon Road
Wellesley, MA 02481