



ZONING BOARD OF APPEALS

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

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 2015 OCT 22 P 4: 15

ZBA 2015-81
 Petition of Tom & Kristen Coogan
 14 Tappan Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 8, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Tom & Kristen Coogan requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming garage and construction of a one-story addition with less than required right side yard setbacks, construction of a two-story addition, a deck and a second story dormer that will meet all setback requirements, on an existing nonconforming structure with less than required front and right side yard setbacks, on a 9,595 square foot lot in a single residence district in which the minimum lot size is 10,000 square feet, at 14 Tappan Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 22, 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 Brian Levey, Esq., Kristen Coogan, the Petitioner, and Sean Cutting, Builder and Architect.

Mr. Levey said that the request is for a finding under Section 17 that the alteration or extension is not substantially more detrimental to the neighborhood. He said that they are also requesting a special permit under Section 25 that the extension is harmony with the intent and purpose of Wellesley's Zoning Bylaw. He said that they are seeking relief for an addition on a nonconforming structure on a nonconforming lot. He said that the lot was created in 1924 at a size a little under 10,000 square feet. He said that, subsequent to that, a bylaw was enacted establishing the minimum lot size at 10,000 square feet. He said that the house was built in 1925 prior to the dimensional controls that were put on for various setbacks. He said that the structure is also nonconforming on the west side of the property where the home is set back 10.2 feet from the lot line. He said that the existing structure is slightly nonconforming with the front yard just shy of 30 foot. He said that the project itself intensifies the nonconformity on the west side by 5.5 feet. He said that the other yards are compliant with the bylaw. He said that there are no new nonconformities, just an intensification of one existing nonconformity. He submitted copies of letters of support from all the neighbors in the homes surrounding the property and directly across street. He said that the project received a positive recommendation from the Planning Board.

Mr. Cutting said that the project hinges on three main points. He said that one is an interior kitchen renovation, the second is a garage and mudroom addition, and the third is a dormer on the third floor. He

said that the existing garage will be demolished. He said that it does not meet today's standards. He said that the Petitioner wanted to add a mudroom. He said that they have three small children. He said that the garage/mudroom addition has a master suite above it. He said that it will still be a one car garage and a four bedroom home with one bedroom in the attic, but more functional.

Mr. Cutting said that it was important to them in designing this project to structure the new addition to fit in seamlessly with the neighborhood. He said that they wanted to control the size. He said that it is the fourth home in the neighborhood that has Total Living Area plus Garage (TLAG) over 3,000 square feet. He said that lot coverage will be less than 20 percent.

Mr. Cutting said that the Petitioner recently purchased the home after living in the city. He said that they were enthusiastic to raise their family in Wellesley. He said that the home needs common upgrades with energy efficient windows, insulation, and a new heating system. He said that they had to control the budget and through countless design iterations, fell at a point that made sense architecturally and fit in with neighborhood while accomplishing as many goals as possible.

The Board asked if they had looked at a design that included everything that the Petitioner was looking for without intensifying the nonconformity on the right side. Mr. Cutting said that they looked at several designs. He said that they looked at it from a floor plan perspective. He said that to move the kitchen to another location would not be conducive to a budget factor. He said that they would have to gut the entire first floor to make it work. He said that the floor plan would have to swap. He said that there is an existing addition bump out. He said that they are not proposing to go further than that. He said that they tried to be respectful to the neighbors. He said that they kept it to a one story addition and will keep the vegetation around the property line in place.

The Board confirmed that the length of the addition will be 5.5 feet and that will be the only intensification of the nonconformity.

The Board said that on Sheet A10 the proposed right elevation shows a flat roof. The Board said that the rendering of the materials on the façade on the right are different at the corner. Mr. Cutting said that one of the things that they were trying to do was to mask and ground the addition as much as possible. He said that it is not set in stone. He said that on the side perspective they will keep as much of the cedar shakes on the home that are there now and will expand on them. He said that they felt that an additional element would soften the flat roof.

The Board asked if the Petitioner spoke with the neighbor at 18 Tappan Road. Mr. Levey said that they had.

The Board said that the color renderings were helpful.

Mr. Cutting said that originally a much larger addition was proposed by a different architectural firm. He said that one of the things that is unique to this property is that it is a flat backyard. He said that the Petitioner wanted to maintain as much of the yard as possible. He said that they were able to push 11 feet out from the garage to accommodate the neighbor's concerns.

There was no one present at the public hearing who wished to speak to the petition.

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Statement of Facts

The subject property is located at 14 Tappan Road, on a 9,595 square foot lot in a single residence district in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 24.5 feet and a minimum right side yard setback of 10.2 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 nonconforming garage and construction of a one-story addition with less than required right side yard setbacks, construction of a two-story addition, a deck and a second story dormer that will meet all setback requirements, on an existing nonconforming structure with less than required front and right side yard setbacks, on a 9,595 square foot lot in a single residence district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Memorandum, dated 9/16/15, from Brian Levey, Esq., a Plot Plan, dated 9/15/15, stamped by Anthony Dellorco, Professional Surveyor, Existing and Proposed Renderings, Existing and Proposed Floor Plans and Elevation Drawings, dated 9/15/15, prepared by Cutting Edge Homes Inc., and photographs were submitted.

On October 7, 2015, the Planning Board reviewed the petition and recommended that the Planning Board of Appeals grant the special permit.

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 nonconforming garage and construction of a one-story addition with less than required right side yard setbacks, construction of a two-story addition, a deck and a second story dormer that will meet all setback requirements, on an existing nonconforming structure with less than required front and right side yard setbacks, on a 9,595 square foot lot in a single residence district in which the minimum lot size is 10,000 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 nonconforming garage and construction of a one-story addition with less than required right side yard setbacks, construction of a two-story addition, a deck and a second story dormer that will meet all setback requirements, on an existing nonconforming structure with less than required front and right side yard setbacks, on a 9,595 square foot lot in a single residence district in which the minimum lot size is 10,000 square feet, subject to the following condition:

During construction and excavation, there shall be protection of the trees on the side of the property that abuts 18 Tappan Road.

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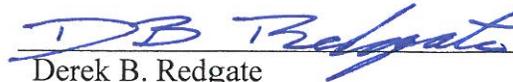
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



David G. Sheffield, Acting Chairman

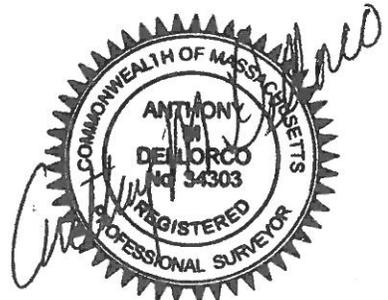
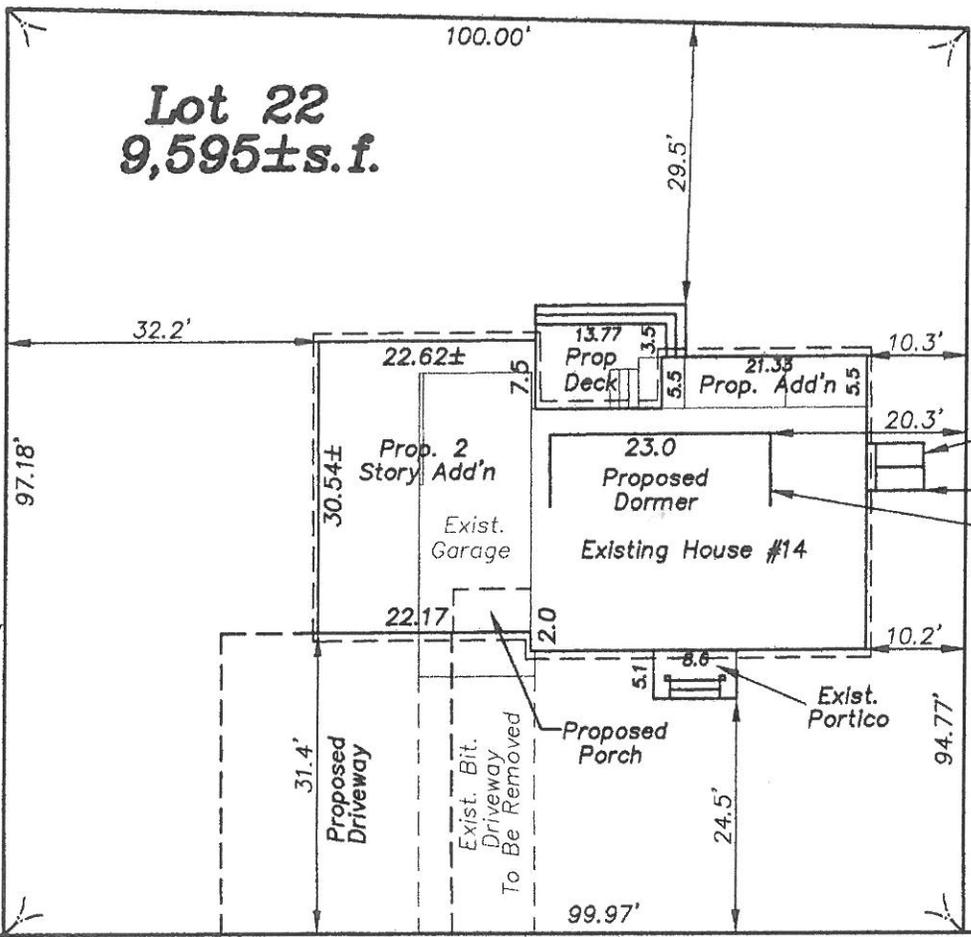


Robert W. Levy



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



Tappan Road

PLOT PLAN
 14 TAPPAN ROAD
 WELLESLEY, MASSACHUSETTS

SCALE: 1"=20' SEPTEMBER 15, 2015
 DELLORCO ASSOCIATES
 214 EAST STREET, FOXBOROUGH, MA. 02035
 508-549-9965

Exist. Lot Coverage=1397 s.f. (14.56%)
 Prop. Lot Coverage=1916s.f. (19.96%)
 Zoning District = 10K
 OFFSETS ARE SHOWN TO CORNER BOARDS
 ROOF OVERHANGS 10" FRONT & BACK
 & 2.5" ON SIDES

to the client. He said that they did not realize that this would still be a special permit because of the nonconforming lot. He said that the client is currently in a rental property for construction to begin.

Mr. Levy said that this is a public meeting, so the Board does not have to seek public input or a Planning Board recommendation. He said that the Board has to make a finding about whether it considers this to be a minor modification. He said that the footprint will be getting smaller and there is no further impingement on the setbacks. He said that the Board can treat this as a minor modification. Mr. Sheffield said that the setbacks will be improved. Mr. Cutting said that they will be removing part of the structure that is currently nonconforming. He said that, from a setback standpoint, it will be completely conforming.

Mr. Levy moved and Mr. Redgate seconded the motion to treat this as a minor modification that does not require a public hearing. The Board voted unanimously to consider the proposed changes as minor modifications that do not require a public hearing.

MEMORANDUM

BY HAND DELIVERY

To: Wellesley Zoning Board of Appeals
From: Sean Cutting, Cutting Edge Homes, Inc. Applicant (Builder)
Date: November 20, 2015
Re: 14 Tappan Road – Request for Minor Modification to Special Permit (ZBA 2015-81);

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The homeowners (Thomas and Kristen Coogan) – due to a change in their first floor interior layout preference – request that the ZBA approve slight modifications to the home additions recently approved by the ZBA in its decision dated October 22, 2015. We have conferred with the Building Commissioner who has permitted us to bring these changes to the ZBA.

The requested changes, shown in the enclosed plans, are as follows:

1. To accommodate a more usable garage depth, the addition on the left side of the house (viewed from the street) would project 17" further into the back yard than the design in the Special Permit. This change still conforms with setback requirements.
2. The approved extension of the nonconforming right side of the house (viewed from the street) has been eliminated and relocated to the left side of the house and conforms to the setback; and
3. The approved rear deck has been eliminated in favor of two smaller landings required by Massachusetts Building Code at the rear entrances.

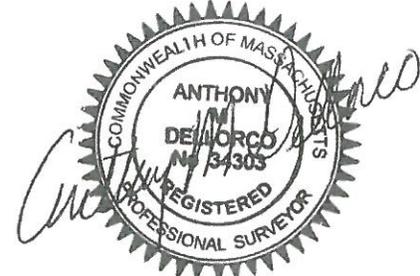
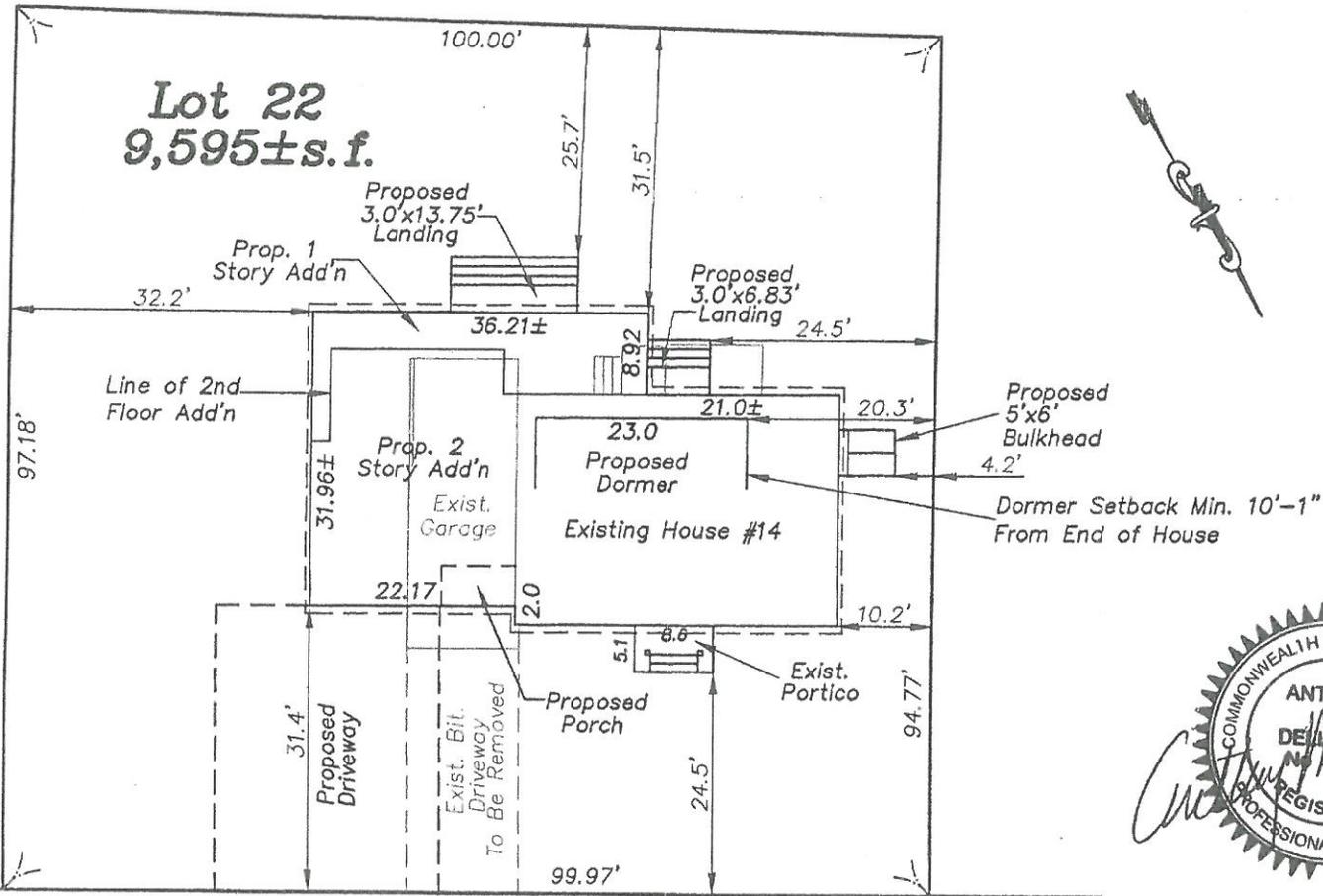
The front of the house remains exactly as approved, as does the second floor and attic dormer. Further, the TLAG remains under the applicable thresholds with these changes.

We respectfully ask for approval of this minor modification in order for construction to commence before winter. We have reviewed all other potential changes in great detail and firmly believe that these plans will not change.

Please confirm that we are on the December 3, 2015 agenda.



Minor Mod



Tappan Road

PLOT PLAN
14 TAPPAN ROAD
WELLESLEY, MASSACHUSETTS

SCALE: 1"=20' NOVEMBER 20, 2015

DELLORCO ASSOCIATES
214 EAST STREET, FOXBOROUGH, MA. 02035
508-549-9965

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Prop. Lot Coverage=1896s.f. (19.76%)
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