



## ZONING BOARD OF APPEALS

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

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ZBA 2016-12  
 Petition of Bristol Development  
 14 Sprague Road

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 WELLESLEY MA 02482  
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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 4, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Bristol Development 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 structure and construction of a new structure that will meet all Zoning requirements, on a 15,072 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 14 Sprague Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 19, 2016, 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 was Peter Langan, Bristol Development, the Petitioner.

Mr. Langan said that the request is for a special permit/finding to raze an existing colonial and construct a fully compliant structure on a nonconforming lot.

A Board member said that it is a short street with some small and some large homes. He said that the proposed house is a Shane structure. He asked why Mr. Langan picked this one. Mr. Langan said that the property is located at the intersection of Lowell and Sprague Roads, in a neighborhood where hip roofs are popular. He said that the proposed style is typical and will fit in with the neighborhood. The Board member said that he disagreed that the hip roof style is typical in that neighborhood.

A Board member said that the Shane renderings are computer generated. He said that all of the numbers are reversed on the plans and there are a lot of notes that could not be read.

A Board member said that there are some houses further up the hill that have three car garages. He said that it appears on the floor plans that a third garage bay was added. Mr. Langan said that the original plan was for a two car garage. He said that the third bay was added. The Board member said that the addition of the third bay causes the front of the house to be 75 feet long. Mr. Langan said that there is an existing nonconforming setback on the left side of the house. He said that the proposed structure will be brought in to 23 feet. He said that the proposed structure with the third bay will be within three feet of the width of the existing house. He said that the house will be centrally located on the lot. The Board member asked if a three car garage is necessary. Mr. Langan said that he built the same house elsewhere with a two car garage and found it hard to sell.

A Board member asked about Total Living Area plus Garage (TLAG) calculations. Mr. Langan said that it will be approximately 5,200 square feet. The Board member said that the TLAG calculations give the Board a measure to determine if the proposed structure will be more detrimental. Mr. Langan said that he had not completed a TLAG affidavit yet. He said that he would accept submittal of the affidavit as a condition.

A Board member said that, of 10 houses on Sprague Road and 10 houses on Lowell Road, this would be the second largest. Mr. Langan said that he built a house on Lowell and Sprague Roads that was 5,900 square feet and another at 5,400 square feet. He said that there is a house under construction on Sprague Road at Lowell Road that will be 5,900 square feet. He said that he did not want to compete with 5,900 square foot homes, so he chose a smaller plan.

A Board member asked about the drainage system. Mr. Langan said that he installs these systems all the time. He said that the engineers do generic designs but they can split the system in half to the left and right. The Board member said that the design on the plot plan is based on one inch of water for the increased square footage. He asked what will happen if there is increased square footage or more than one inch of water. He asked where the gutters will be collecting from. He said that many storms are more than one inch. Mr. Langan said that he can increase the system. He discussed the downspout detail and alleviation of any backup. He said that excess runoff from the larger house consumed in the ground will be equal to the same amount prior to construction. The Board member said that it looks like it will run to the back. Mr. Langan said that it will run back gradually. The Board member questioned the overflow detail. He said that he was trying to understand how frequently it will overflow.

A Board member said that there are many different roof lines.

The Chairman said that the Planning Board recommended that the Board defer action until a TLAG Affidavit was submitted.

A Board member said that it is a reasonably level site. He said that the drawings assume that the lot is level. He asked about the height from average grade. Mr. Langan said that the height is based on the existing and proposed elevations. The Board member said that the height from average grade should be noted on the plans. Mr. Langan said that a Height Certification is required for the building permit. The Board member said that ZBA needs to see proper drawings. Mr. Langan said that it will be 31.6 feet to the ridge. He said that the height from average grade will be 34 feet.

Mr. Langan said that there are no plans to finish the third floor. He said that the third floor was included in the TLAG calculations. A Board member asked if there will be trusses on the third floor. Mr. Langan said that there will be except where third floor rooms are indicated. He said that it will be part trusses, part frame.

A Board member discussed inserting a condition that the TLAG be below 5,500 to 5,600 square feet. He said that legible plans must be submitted and an elevation drawing must show the height from average grade.

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WELLESLEY, MA 02156  
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Statement of Facts

The subject property is located at 14 Sprague Road, on a 15,072 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 19.5 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 structure and construction of a new structure that will meet all Zoning requirements, on a 15,072 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.

A Plot Plan, dated 1/6/16, Tree Bylaw Mitigation Plan, dated 1/7/15, stamped by Bradley J. Simonelli, Professional Land Surveyor, and Proposed Floor Plans and Elevation Drawings, dated 1/16, prepared by Shane Structures were submitted.

On February 4, 2016, the Planning Board reviewed the petition and recommended that the ZBA defer action on 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 demolition of an existing nonconforming structure and construction of a new structure that will meet all Zoning requirements, on a 15,072 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 nonconforming structure and construction of a new structure that will meet all Zoning requirements, on a 15,072 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, subject to the following conditions:

1. A TLAG Affidavit shall be submitted showing that the total TLAG is less than 5,500 square feet.
2. Revised plans that are legible shall be submitted.
3. An elevation drawing showing the height from average grade shall be submitted.

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.

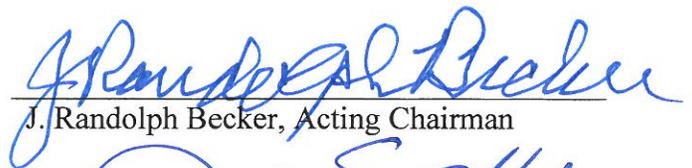
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ZBA 2016-12  
Petition of Bristol Development  
14 Sprague Road

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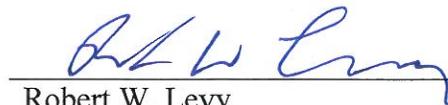
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



David G. Sheffield



Robert W. Levy

cc: Planning Board  
Inspector of Buildings  
lrm

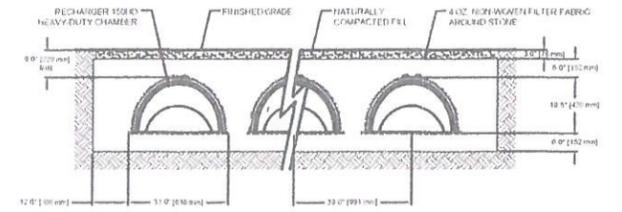
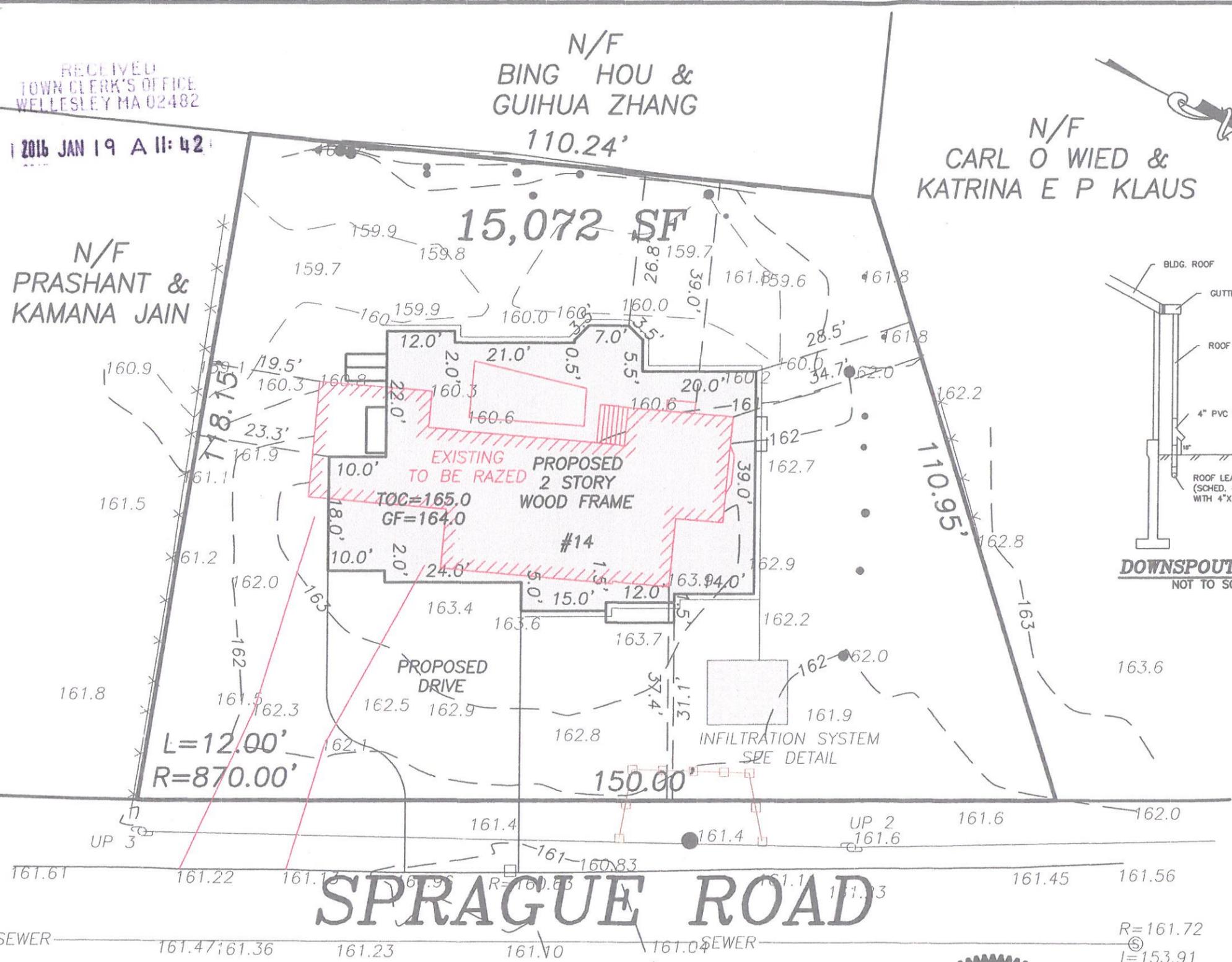
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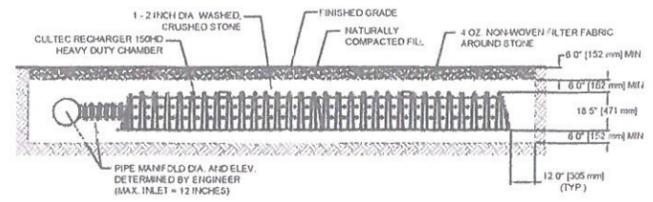
N/F  
BING HOU &  
GUIHUA ZHANG

N/F  
CARL O WIED &  
KATRINA E P KLAUS

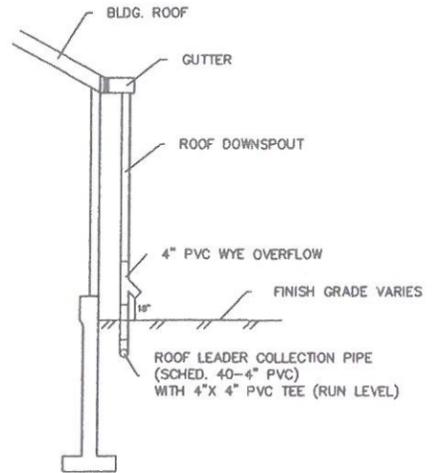
N/F  
PRASHANT &  
KAMANA JAIN



**GENERAL NOTES**  
RECHARGER 150XLHD BY CULTEC, INC. OF BRIDGEFIELD, CT (CAPACITY PROVIDED) - 400 CU FT PER CHAMBER. REFER TO CULTEC INC.'S WEBSITE FOR RECOMMENDED INSTALLATION GUIDELINES. USE RECHARGER 150XLHD HEAVY DUTY FOR TRAFFIC AND/OR HIGH APPLICATIONS.  
ALL RECHARGER 150XLHD HEAVY DUTY UNITS ARE IMPREGATED WITH A GEL POLYMER APPLIED TO THE PACT ALUMINUM LEADFOOT. THE CHAMBER ALL RECHARGER 150XLHD CHAMBERS MUST BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.



**INFILTRATION SYSTEM DETAILS**  
NOT TO SCALE



**DOWNSPOUT DETAIL**  
NOT TO SCALE

EXISTING BUILDING = 1,667 SF  
PROPOSED BUILDING = 3,014 SF  
INCREASED BUILDING FOOTPRINT = 1,347 S.F.

$(1,347 \text{ S.F.} \times 1'') / 12 = 112.25 \text{ Cu. Ft.}$

MITIGATED WITH 3 CULTEC RECHARGER 150XLHD RECHARGER DRYWELL CHAMBERS (OR SUITABLE REPLACEMENT) CAPACITY OF 53.79 CU FT EACH. RECHARGE WILL MITIGATE COMPLETELY FOR THE ADDITIONAL PROPOSED FOOTPRINT. SEE DRYWELL DETAIL FOR SPECIFICATIONS AND PLAN FOR LOCATIONS. LOCATIONS AS SHOWN MAY BE ADJUSTED AFTER SOIL TEST PITS ARE PERFORMED PRIOR TO CONSTRUCTION.

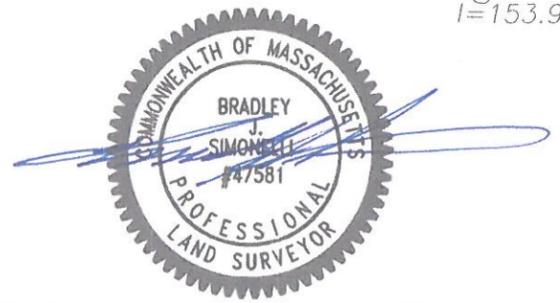
ZONING BOARD OF APPEALS  
PLAN OF LAND  
14 SPRAGUE ROAD  
WELLESLEY, MASS.

Field Resources, Inc.  
LAND SURVEYORS

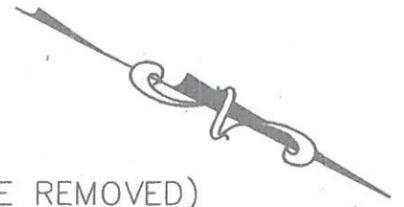
JANUARY 6, 2016 SCALE 1"=20'  
P.O. BOX 324 281 CHESTNUT ST.  
AUBURN, MA NEEDHAM, MA.  
508 832 4332 781 444 5936  
fieldresources@hotmail.com

ZONING INFORMATION: SINGLE RESIDENCE 20 (SR20)

	REQUIRED	ACTUAL	PROPOSED
MINIMUM LOT AREA	20,000 SF	15,072 SF	15,072 SF
MINIMUM LOT FRONTAGE	60 FEET	80.00 FEET	80.00 FEET
MINIMUM FRONT SETBACK	30 FEET	37.4 FEET	31.1 FEET
MINIMUM SIDE YARD	20 FEET	19.5 FEET	23.3 FEET
MINIMUM REAR YARD	20 FEET	39.0 FEET	26.8 FEET
MAXIMUM BUILDING COVERAGE	20%	11.1%	20.0%
MAXIMUM BUILDING HEIGHT	36 FEET		SEE HEIGHT PLAN
MAXIMUM BUILDING HEIGHT	2 1/2 STY.	2 1/2 STY.	2 1/2 STY.



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TREE LIST:

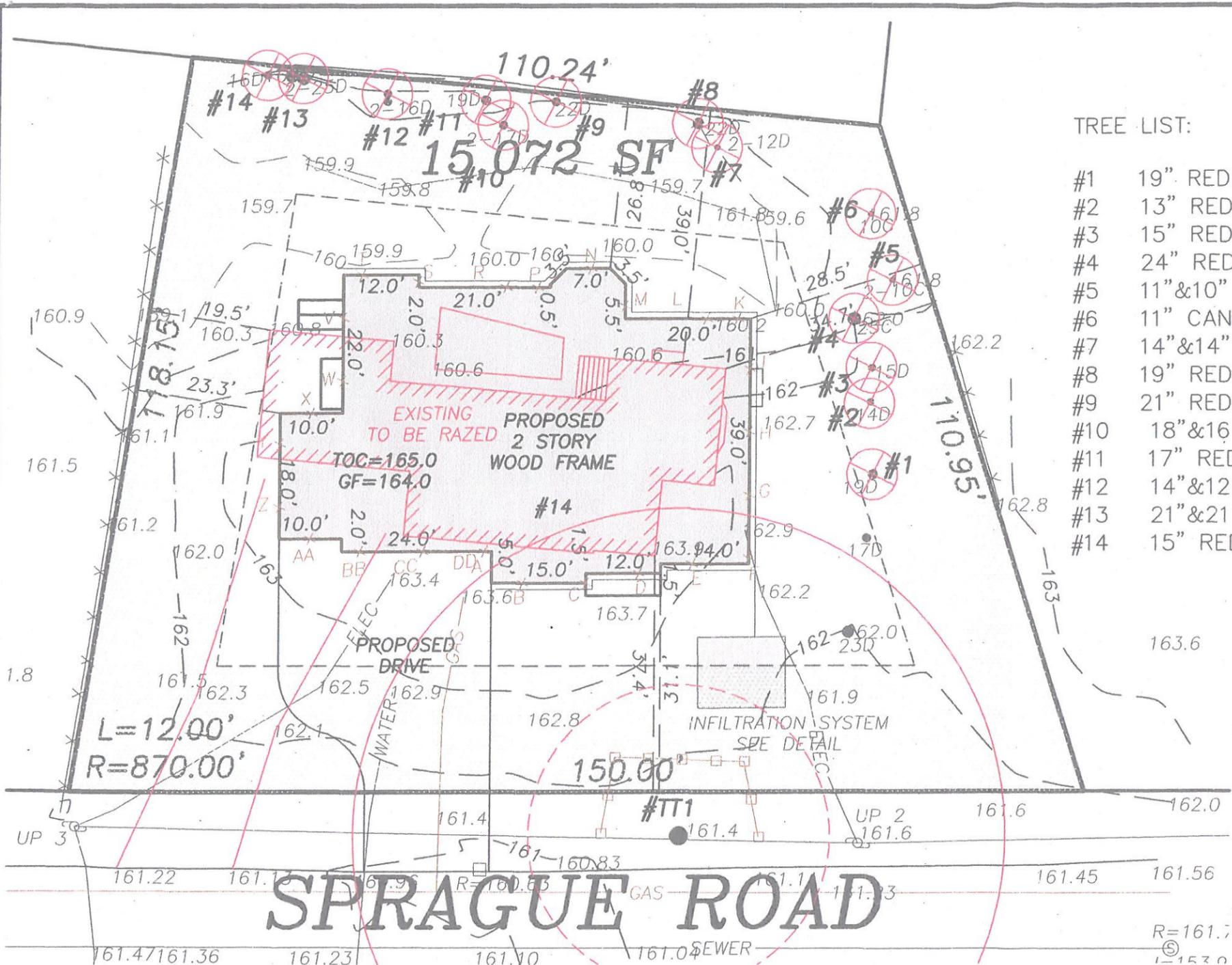
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- #1 19" RED MAPLE, 55 FEET TALL (HAZARD TO BE REMOVED)
- #2 13" RED MAPLE, 45 FEET TALL (HAZARD TO BE REMOVED)
- #3 15" RED MAPLE, 30 FEET TALL (HAZARD TO BE REMOVED)
- #4 24" RED MAPLE, 55 FEET TALL (HAZARD TO BE REMOVED)
- #5 11"&10" CANADIAN HEMLOCK, 40 FEET TALL (HAZARD TO BE REMOVED)
- #6 11" CANADIAN HEMLOCK, 40 FEET TALL (HAZARD TO BE REMOVED)
- #7 14"&14" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #8 19" RED MAPLE, 55 FEET TALL (HAZARD TO BE REMOVED)
- #9 21" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #10 18"&16" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #11 17" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #12 14"&12" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #13 21"&21" RED MAPLE, 50 FEET TALL (HAZARD TO BE REMOVED)
- #14 15" RED MAPLE, 55 FEET TALL (HAZARD TO BE REMOVED)

TOWN TREE LIST:

- #TT1 35" EASTERN WHITE PINE, 75 FEET TALL

PROPOSED FENCING



**SPRAGUE ROAD**

NOTES:

- 1) THE RED DASHED CIRCLES AROUND THE TREES REPRESENT THE DRIP EDGE AND THE SOLID RED CIRCLES REPRESENT THE CRITICAL ROOT ZONES. TREES SHOWING A CROSSED OUT RED CIRCLE ARE TO BE REMOVED.
- 2) REFER TO ATTACHED TREE REPORT PROVIDED BY KRAY SMALL, A MASSACHUSETTS CERTIFIED ARBORIST, FOR SPECIFIC INFORMATION ON EACH TREE. (IE HEIGHT, HEALTH, ETC.)



**TREE BYLAW  
MITIGATION PLAN  
14 SPRAGUE ROAD  
WELLESLEY, MASS.**

Field Resources, Inc.  
LAND SURVEYORS

JANUARY 7, 2015 SCALE 1"=20'  
P.O. BOX 324 281 CHESTNUT ST.  
AUBURN, MA NEEDHAM, MA.  
508 832 4332 781 444 5936  
fieldresources@hotmail.com