



ZONING BOARD OF APPEALS

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

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ZBA 2016-08
 Petition of Dale Broholm & Deed McCollum
 6 Pickerel Terrace

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday January 7, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Dale Broholm & Deed McCollum requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition, reconstruction and expansion of an existing deck that meets all setback requirements, and construction of a second story addition with less than required front yard and right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 6,403 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 6 Pickerel Terrace, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 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 Deed McCollum, the Petitioner, and Rick Ames, Architect.

Ms. McCollum said that the request is for a special permit for a second story addition on a nonconforming house and lot. She said that the existing house is 2,300 square feet and the proposal is to add 85 square feet, using the existing foundation and placement of the house. She said that the side yard and front yard setbacks will not change. She said that they will increase the permeable surface and make other improvements that should benefit the neighborhood.

A Board member said that a new set of plans was submitted today. He said that, in the future, the Board would prefer that the plans be submitted much sooner. He asked Mr. Ames to explain exactly what changes had been made. Mr. Ames said that there has been no change in the height or any of the dimensional characteristics of the house. He said that there were some interior rearrangements and the window locations were coordinated to those changes. He said that there is no change to the overall massing or architecture.

The Board asked about the date on the revised plans. The Chairman said that the plans that he has are dated December 15, 2015. Mr. Ames said that those are the most current plans. The Board said that the previously submitted plans are also dated December 15, 2015. The Board said that something will have to be done to clarify which are the new plans. Mr. Ames said that any deviations are the window locations. He said that he understands that the Board needs that documentation. The Board said that it is

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approving a design based on a specific set of plans with a specific date so that the Building Inspector knows that the plans that were submitted to the Board are consistent with plans that will be submitted to him. Mr. Ames said that the plans that include the existing plans are the original plans.

A Board member said that on the revised plans they are adding a window in the study/guest room, changing the shape of the bay window, adding windows in the family on the left, and adding windows at the back. He said that there appears to be no change to the porch. He said that on the second floor they are adding two new windows on the north side and the windows will be relocated a bit on the back, moving to the right and the door will swing out rather than in. He said that the window in the office on the right hand side is being relocated from the center to the corner and two windows on the side wall of the office are eliminated and one of them is moved up to the right corner. The Chairman said that there is an additional window in the bathroom over the toilet. The Board said that a new set of plans must be submitted with a more recent revision date coordinated to it.

The Board asked Mr. Ames to describe the project. Mr. Ames said that the existing footprint will not change. He said that they will be adding a second floor over part of the first floor and will redo part of the existing second story. He said that they will extend the deck at the rear by three feet further to the rear. He said that the deck will be completely rebuilt. He said that they will remove the side entry that was built without permits.

The Board asked about the abutting shed shown on the plan. Mr. Ames said that, by mutual agreement, the shed will stay where is. He said that it belongs to the neighbors.

The Board said that one of the site plans seems to indicate that part of the house is located on someone else's property.

The Board asked for a description of the existing structure. Mr. Ames said that it is partial one and two story. He said that the plan is to make more of the footprint two stories. He said that the second floor will increase from 729 to 1,048 square feet. He said that it will stay as a three bedroom. He said that the existing bedrooms were camp bedrooms. He said that the home was from a summer heritage.

The Board asked if the existing exterior walls on the south side will remain. Mr. Ames said that they will. The Board confirmed that they will remove the stairs and rear entry door on the southeast corner. Mr. Ames said that the front yard is slightly encroaching and will remain other than extending the bay window and squaring it off so that it will not encroach more than two feet.

The Board said that the exterior walls on the south side of the second floor will remain except in the far corner. Mr. Ames said that a significant amount of the second floor will be rebuilt.

The Board asked about the basement. Mr. Ames said that there is an existing playroom that is not really habitable. He said that the plan is to make it a workroom. He said that it is currently carpeted and has a dropped ceiling. The Board confirmed that it will be basement and storage space. Mr. Ames said that there will be some work space down there.

The Board said that the section of the second floor that is being extended is on the side of the house that has a compliant side yard. Mr. Ames said that the new work will be compliant except for the corner.

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The Board asked if a Total Living Area plus Garage (TLAG) Affidavit had been submitted. Mr. Ames said that it had not been submitted. He said that it will be well below the threshold for Large House Review for the district.

Kara Kressy, 29 Pickerel Road, Raisa Milkin, 26 Pickerel Road and Joel Lunger, 25 Pickerel Road said that they support the proposed project.

Statement of Facts

The subject property is located at 6 Pickerel Terrace, on a 6,403 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 27.3 and a minimum right side yard setback of 3.3 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 demolition, reconstruction and expansion of an existing deck that meets all setback requirements, and construction of a second story addition with less than required front yard and right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 6,403 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 8/11/15, revised 9/1/15, 10/29/15 & 12/15/15, stamped by Stephen P. Desroche, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/15/15, prepared by Next Phase Studios, and photographs were submitted.

On October 13, 2015, the Wetlands Protection Committee issued Order of Conditions, MA DEP #324-0804.

On January 5, 2016, the Planning Board reviewed the petition and recommended that action on the Special Permit be deferred.

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 although that demolition, reconstruction and expansion of an existing deck that meets all setback requirements, and construction of a second story addition with less than required front yard and right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 6,403 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.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition, reconstruction and expansion of an existing deck that meets all setback requirements, and construction of a second story addition with less than required front yard and right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 6,403 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, subject to the following conditions:

1. A TLAG Affidavit that documents that the proposed completed construction will be less than the threshold for Large House Review for the district shall be submitted.
2. Revised plans with the revision date notated 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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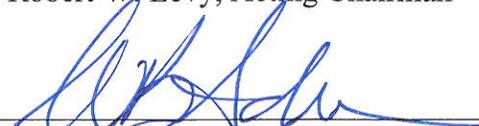
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Robert W. Levy, Acting Chairman



Walter B. Adams



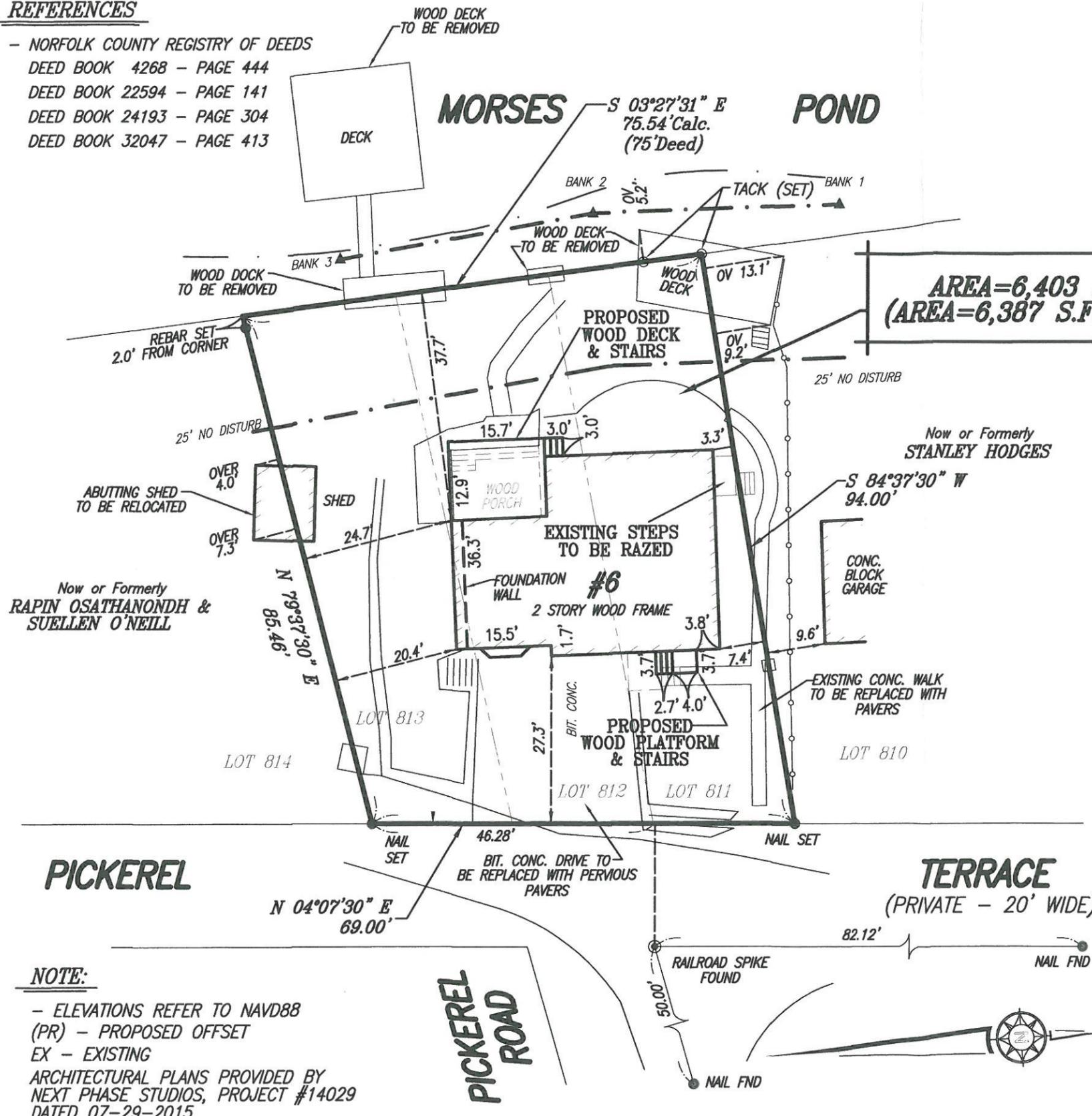
Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

REFERENCES

- NORFOLK COUNTY REGISTRY OF DEEDS
- DEED BOOK 4268 - PAGE 444
- DEED BOOK 22594 - PAGE 141
- DEED BOOK 24193 - PAGE 304
- DEED BOOK 32047 - PAGE 413

EXISTING LOT COVERAGE	PROPOSED LOT COVERAGE
1217± SQ. FT. (19.0%)	1232± SQ. FT. (19.2%)
EX. IMPERVIOUS COVERAGE	PR. IMPERVIOUS COVERAGE
1054± SQ. FT. (16.5%)	0 SQ. FT. (0.0%)



- TOWN OF WELLESLEY ENGINEERING DEPARTMENT
- BUILDING PERMIT NO. 18599
- PLAN BOOK 75 - PLAN NO. 3641
- PLAN BOOK 88 - PLAN NO. 4772
- PLAN NO. 175 OF 1975
- PLAN NO. 733 OF 1991
- PLAN NO. 756 OF 1994
- PLAN NO. 009 OF 2000
- PLAN NO. 002 OF 2011

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

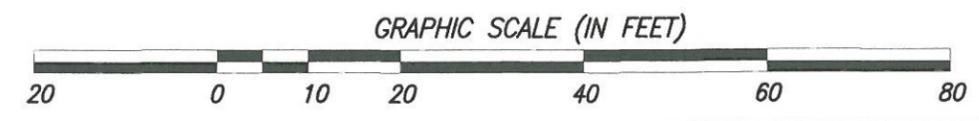
Stephen P. DesRoché
 STEPHEN P. DesROCHE, PLS (MA# 27699) REGISTERED SURVEYOR DATE

3	DECEMBER 15, 2015	PROPOSED ADDITIONS REVISED
2	OCTOBER 29, 2015	PROPOSED LOT COVERAGE CALCULATIONS REVISED
1	SEPTEMBER 1, 2015	EXISTING AND PROPOSED IMPERVIOUS CALCULATIONS ADDED

**PLOT PLAN FOR PROPOSED ADDITION
 6 PICKEREL TERRACE
 WELLESLEY, MASSACHUSETTS**

FRAMINGHAM SURVEY CONSULTANTS INC.
 P.O. BOX 1190 FRAMINGHAM, MA 01701
 PH: 508-628-1444 FAX: 508-879-9292
 WWW.FRAMINGHAMSURVEY.COM

SCALE:	1"=20'	DRAWN BY:	RDN	DWG:	301_15PP
DATE:	AUGUST 11, 2015	CHECKED BY:		JOB NO:	301_15PP



IN ASSOCIATION WITH NEPONSET VALLEY SURVEY ASSOCIATES, INC.

NOTE:
 - ELEVATIONS REFER TO NAVD88
 (PR) - PROPOSED OFFSET
 EX - EXISTING
 ARCHITECTURAL PLANS PROVIDED BY
 NEXT PHASE STUDIOS, PROJECT #14029
 DATED 07-29-2015