



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-59
Petition of Michael & Patricia Mordas
15 Tappan Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02482
2020 DEC - 1 15 11:51 AM

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, November 17, 2020 at 7:30 pm, on the petition of Michael & Patricia Mordas requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming garage and mudroom and construction of an attached two-story, two-car garage and mudroom with less than required left side yard setbacks, on an existing nonconforming structure with less than required front and left side yard setbacks, on a 9,360 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 15 Tappan Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 4, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for November 17, 2020.

A Board member acknowledged that he knows the Applicant through his son's school and stated that it will not affect his judgment on this petition.

Present at the public hearing were Michael and Patricia Mordas, the Petitioner, and Mike Tartamella, Architect.

Mr. Tartamella said that the request is for proposed additions and renovations to a pre-existing nonconforming structure. He said that his clients are both Wellesley residents who are relocating to Tappan Road and downsizing. He said that the property is located on a 9,360 square foot lot in a 10,000 square foot Single Residence District. He displayed total living area and lot sizes of some of the houses in the immediate area. He displayed photographs of the existing house, which is an American Four Square with additions that were put on in 2004.

Mr. Tartamella said that the existing nonconformities are the side yard setback of 9.8 feet where 20 feet is required and a bay that was approved by variance in 1950. He said that the proposal is to remove the existing mudroom connector and garage and put back an addition off of the rear that improves the side yard setback from 9.8 feet to 10 feet. He said that the proposed addition continues to the right side of the property and conforms to the rear yard setback requirements. He said that they studied building on top of the existing garage and had some concerns about the integrity of the foundation and its depth.

Mr. Tartamella said that existing lot coverage of 2,257 square feet will be reduced to 2,243 square feet, which is under the allowable 25 percent.

Mr. Tartamella said that the property is located in a Conservation jurisdiction and an Order of Conditions was issued. He said that there will be a reduction in impervious surface from 2,018 square feet to 2,012 square feet.

Mr. Tartamella said that existing TLAG is 3,772 square feet and proposed TLAG will be 4,473 square feet, for an increase of 701 square feet.

Mr. Tartamella said that the envelopment calculation of 32 percent is well below the Historic Commission's threshold for demolition review. He said that the front elevation of the house will remain mostly unchanged except for modification to a third floor dormer. He described changes to the paneling detail, recladding, and adding shadow boxes and shutters for scale. He said that they will raise the hip roof and create second floor space with dormers, with the pitch scaled down on the front side. He said that the ridge height of the garage will increase by 5.5 feet. He said that the rear side currently has a fence and because of the drop off, most of the rear wall will not be seen. He said that they consulted with the neighbors and they supported the proposed design, which will allow for more access to the garage for today's vehicles. He said that his clients received letters from the neighbors on all four sides.

Mr. Tartamella said that there are currently eight lamps on the house and one spotlight. He said that the proposal is to take the spot light off and have six carriage lights on the house that will be dark sky compliant. He said that they preserved the open space, landscaping and topography as it exists today. He said that there will be some upgrades in terms of deferred maintenance and restoration of landscape buffers.

Mr. Tartamella said that the proposed renovations and additions are in keeping with the character and scale of the neighborhood. He said that they made an effort to design something that looks like it could have been an original thought and compliments the architecture of the existing house and the neighborhood.

A Board member asked about the large oak tree at the rear of the garage. Mr. Tartamella said that the tree was reviewed under the jurisdiction of the Wetlands Protection Committee (WPC) and it was determined that it needs to be removed, from a hazard and a construction standpoint. He said that it is leaning and there is some long term concern about the health of the tree. He said that the WPC deemed it acceptable to remove the tree. A Board member said that WPC decisions supersede the Tree Protection Bylaw.

The Chairman said that there are four other homes in the neighborhood that are over the TLAG trigger and this is not the biggest one.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 15 Tappan Road, on a 9,360 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 24.3 feet where 30 feet is required, and a minimum left side yard setback of 19 feet where 20 feet is required.

The existing nonconforming garage has a minimum left side yard setback of 9.8 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming garage and mudroom and construction of an attached two-story, two-car garage and mudroom with less than required left side yard setbacks, on an existing nonconforming structure with less than required front and left side yard setbacks, on a 9,360 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.

Letter to Zoning Board of Appeals, dated 8/21/20, from Michael Tartamella, AIA, a Plot Plan, dated 9/3/20, stamped by Robert A. Gemma, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 8/20/20, prepared by Patrick Ahearn Architect, and photographs were submitted.

On July 23, 2020, the Wetlands Protection Committee issued an Order of Conditions, MA DEP #324-0947.

On November 17, 2020, the Planning Board reviewed the petition and recommended that a special permit be approved.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that demolition of an existing nonconforming garage and mudroom and construction of an attached two-story, two-car garage and mudroom with less than required left side yard setbacks, on an existing nonconforming structure with less than required front and left side yard setbacks, on a 9,360 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet will not result in the intensification of existing nonconformities, will not result in additional nonconformities, and will 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 mudroom and construction of an attached two-story, two-car garage and mudroom with less than required left side yard setbacks, on an existing nonconforming structure with less than required front and left side yard setbacks, on a 9,360 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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.

ZBA 2020-59
Petition of Michael & Patricia Mordas
15 Tappan Road

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 (h.m.)
J. Randolph Becker, Chairman

David G. Sheffield (h.m.)
David G. Sheffield

Derek B. Redgate (h.m.)
Derek B. Redgate

ZBA 2020-59
Applicant Michael & Patricia Mordas
Address 15 Tappan Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2020 DEC -1 P 1:54

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

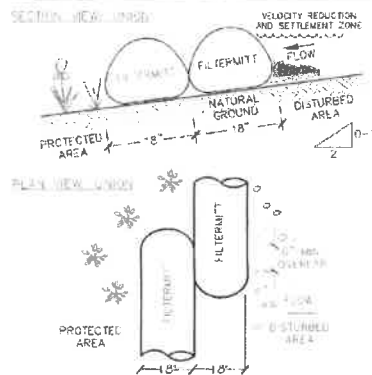
cc: Planning Board
Inspector of Buildings

lrm

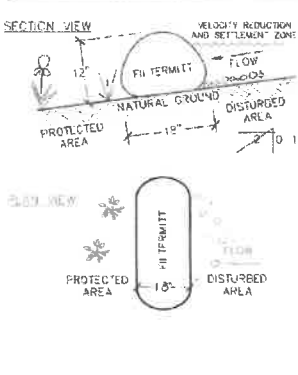
FILTER MITT EROSION CONTROL BARRIER

NOT TO SCALE

FILTERMITT UNION: SECTION & PLAN VIEW



FILTERMITT: SECTION & PLAN VIEW



PROPOSED PLANTING SCHEDULE

SYMBOL	SPECIES	QUANTITY	SIZE AT PLANTING
(Symbol)	WHITE OAK (QUERCUS ALBA)	1	2 1/2" CALIPER
(Symbol)	RED OAK (QUERCUS RUBRA)	2	3 1/2" CALIPER
(Symbol)	SHIMMERSWEET (C. F. THRA. AN FO IA)	1	3 GALLON POT
(Symbol)	ARROWWOOD (VIBURNUM (VIBURNUM MENTATUM))	3	3 GALLON POT

BUILDING COVERAGE TABLE

CONDITION	BUILDING COVERAGE (SQUARE FEET)	BUILDING COVERAGE (PERCENT)
EXISTING	2,257	24.1%
PROPOSED	2,243	24.0%

LEGEND

A.C.	APR CONDITIONER
B.M.	BENCHMARK
B.T.	BT JOINT
C.C.B.	CAPE COD BERM
C.D.	CONCRETE
D.C.B.	DRAIN CATCH BASIN
D.H.	DOUBLE HEAD NAIL
D.S.	DOWNSPOUT
E.M.	ELECTRIC METER
EXIST.	EXISTING
(F)	FOUND
G.F.E.	GARAGE FLOOR ELEVATION
G.G.	GAS GATE
G.M.	GAS METER
INV.	INVERT
I.P.	IRON P.N.
R.	IRON ROD
N.O.	NEW OR FORMER
O.H.	OVERHANG
O.H.W.	OVERHEAD WIRE
S.M.H.	SEWER MANHOLE
ISDS	UNDERGROUND DRAIN
J.P.F.	JULY POLE
W.G.	WATER GATE
W.S.O.	WATER SHUTOFF
W.W.	WINDOW WELL
---	EXISTING SPOT GRADE
---	EXISTING CRADING
---	EXISTING WATERLAW
---	EXISTING WARELINE
---	EXISTING STONE WALL

NOTES:

- SUBJECT PARCEL SHOWN AS ASSESSORS MAP 113, LOT 66, WELLESLEY HILL FROM DEED BOOK 37843, PAGE 128.
- UTILITY LOCATIONS DEPICTED ON THIS PLAN, BOTH ABOVE- AND BELOW-GROUND, ARE BASED UPON DIRECT FIELD OBSERVATIONS MADE BY METROWEST ENGINEERING, INC. PLEASE CONSULT WITH THE SURVEY, RECORD PLAN LOCATIONS, OR DISPLACE PAINT INDICATORS. METROWEST ENGINEERING, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT UTILITIES THAT ARE DEPICTED ARE SHOWN IN THE CORRECT LOCATION, OR THAT THE PROPER MAINTENANCE DESIGNATION METROWEST ENGINEERING, INC. DOES NOT WARRANT OR PROVIDE AN EXPRESS OR IMPLIED WARRANTY THAT ALL SUBSURFACE IMPROVEMENTS ARE SHOWN OR ARE SHOWN CORRECTLY INCLUDING, BUT NOT LIMITED TO, UTILITIES, UNDERGROUND VAULTS, UNDERGROUND TANKS OR CHAMBERS, BUNKERS, JUNCT BANKS, AND/OR OTHER MAN-MADE IMPROVEMENTS THAT LIE BENEATH THE E-ROUND SURFACE AT THE TIME OF THE SURVEY.
- CONTRACTOR IS SOLELY RESPONSIBLE FOR ESTABLISHING EXISTING LOCATIONS OF ALL ABOVE AND BELOW-GROUND UTILITIES AND MAN-MADE IMPROVEMENTS AND FOR THE NECESSARILY TO BE MADE TO REPAIR EXISTING UTILITIES IN THE EVENT OF DAMAGE OCCURRING DURING CONSTRUCTION. MORE IS NOT RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES OR MAN-MADE IMPROVEMENTS. DELAYS OR COSTS ASSOCIATED WITH STOPPING REPAIRS, INCLUDING OF EXISTING UTILITIES OR MAN-MADE IMPROVEMENTS, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY LIES WITHIN ZONE "X" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS MAP NUMBER 250210055E, BEARING AN EFFECTIVE DATE OF JULY 17, 2012.



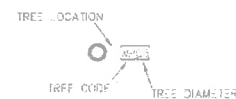
CONTRACTOR TO VERIFY ACTUAL LOCATION OF EXISTING UTILITY SERVICES IN THE FIELD PRIOR TO CONSTRUCTION (WATER, ELECTRIC, ETC.). CALL DIG-SAFE BEFORE YOU DIG 811

ZONING:

SINGLE RESIDENCE "O"
 MINIMUM AREA = 10,000 SQUARE FEET
 MINIMUM FRONTAGE = 50 FEET
 SETBACKS:
 • FRONT YARD = 30 FEET
 • REAR YARD TO 400-FOOT RILEY = 20 FEET
 • SIDE YARD = 20 FEET
 • REAR YARD = 10 FEET
 MAXIMUM HEIGHT = 36 FEET (2.5 STORES)
 MAXIMUM LOT COVERAGE = 25%
 *SEE WELLESLEY ZONING BY-LAW, SECTION III B
 #5 TAPPAN ROAD, FRONT SETBACK= 37.0 FEET
 #7 TAPPAN ROAD, FRONT SETBACK= 21.7 FEET
 #9 TAPPAN ROAD, FRONT SETBACK= 29.7 FEET
 #11 TAPPAN ROAD, FRONT SETBACK= 24.8 FEET
 #15 TAPPAN ROAD, FRONT SETBACK= 24.3 FEET
 #17 TAPPAN ROAD, FRONT SETBACK= 33.7 FEET

EXISTING TREE DESCRIPTION LEGEND

CODE	DESCRIPTION
CA	CRABAPPLE
BC	BLACK CHERRY
CH	CHERRY
HM	HAWTHORN
MA	MAGNOLIA
SM	SUGAR MAPLE
WC	WHITE OAK
BW	BLACK WALNUT



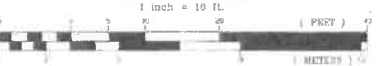
BENCHMARKS

T.B.M.	DESCRIPTION	ELEVATION
A	SPIKE FOUND 15' UP IN UP.#7	126.75'
B	SOUTH WEST HYDRANT	130.27'
C	D.H. NAIL IN 26" WHITE OAK	131.95'
D	D.H. NAIL IN ROOT OF SUGAR MAPLE	131.95'



Robert A. Gemma
 FOR METROWEST ENGINEERING, INC. DATE: 6/5/2020
 ROBERT A. GEMMA, P.L.S. # 37046

GRAPHIC SCALE



REVISIONS:

NO.	DATE	DESCRIPTION
06	06/26/20	ADDRESS W.P.C. COMMENTS
08	08/31/20	ADD BUILDING COVERAGE TABLE

D.C.B.
 RM=131.14'
 INV. 01.1=127.75'
 INV. 02=131.14'

D.C.B.
 RM=131.14'
 INV. 01=127.75'
 INV. 02=131.14'

RIVERFRONT AREA COVERAGE

INNER RIPARIAN ZONE

CONDITION	IMPERVIOUS AREA	LAWN AREA	WOODED/LANDSCAPED AREA
EXISTING	0 S.F.	0 S.F.	232 S.F.
PROPOSED	1 S.F.	0 S.F.	231 S.F.
DIFFERENCE	1 S.F.	0 S.F.	1 S.F.

OUTER RIPARIAN ZONE

CONDITION	IMPERVIOUS AREA	LAWN AREA	WOODED/LANDSCAPED AREA
EXISTING	3,817 S.F.	3,436 S.F.	1,381 S.F.
PROPOSED	3,653 S.F.	3,475 S.F.	1,521 S.F.
DIFFERENCE	-159 S.F.	19 S.F.	140 S.F.

PROPOSED SITE PLAN

#15 TAPPAN ROAD
 IN
 WELLESLEY, MASS

PREPARED FOR: PATRICIA MORDAS
 15 TAPPAN ROAD
 WELLESLEY, MA 02482

PROPERTY OF: PATRICIA MORDAS
 15 TAPPAN ROAD
 WELLESLEY, MA 02482

ENGINEERS & SURVEYORS
MWE METROWEST ENGINEERING, INC.
 76 FRANKLIN STREET
 FRAMINGHAM, MA 01702
 TELE: (508) 826-0063
 EMAIL: INFO@MWEENGINEERING.COM

SHEET 1 OF 1 DATE: JUNE 5, 2020

CALCD BY: BTM FIELD BK: 704 CAD FILE: MORDAS_PROP_02_102.dwg
 DRAFTER: DTN PROJECT: WEL_TAP DWG FILE: SP060520_R2.dwg