

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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2021 DEC 6 P 12:11  
WALTER B. ADAMS  
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RICHARD L. SEEDEL

ZBA 2021-97

Petition of Lisa Giaquinta & Shawn Humphrey  
112 Mayo Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 2, 2021 at 7:30 pm, in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Lisa Giaquinta & Shawn Humphrey requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, at 112 Mayo Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 1, 2021, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing were Lisa Giaquinta and Shawn Humphrey, the Petitioner.

Mr. Humphrey said that the request is for a special permit for an addition at the back of the house. He said that the project was reviewed by the Wetlands Protection Committee (WPC) and approval was granted. He said that the existing house is approximately 1,770 square feet and the proposed two story addition at the back will be 600 square feet. He said that there will be no change in the side yard setbacks.

A Board member confirmed that an Order of Conditions was issued. Mr. Humphrey said that they will have an infiltration system at the back to offset stormwater.

The Chairman said that it is a good solution.

No member of the public wished to speak to the petition.

Statement of Facts

The subject property is located at 112 Mayo Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 19.1 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plan of Land, dated 10/25/21 and Wetland Committee Plan of Land, dated 5/20/21, stamped by Bradley J. Simonelli, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 5/6/21, and TLAG Affidavit, prepared by McGavern Design, and photographs were submitted.

On October 27, 2021, the Wetlands Protection Committee issued an Order of Conditions, MassDEP File #:324-0980.

On November 30, 2021, 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.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 14E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that construction of a two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks will result in the intensification of an existing nonconformity, 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 construction of a two story addition with less than required left side yard setbacks, in accordance with the submitted plot plan, construction drawings, and Order of Conditions, MassDEP File #:324-0980.

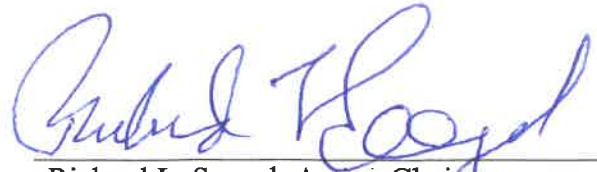
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

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 2021-97  
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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.



Richard L. Seegel, Acting Chairman



David G. Sheffield



Derek B. Redgate

2021 DEC 16 P 12:12

ZBA            2021-97  
Applicant    Lisa Giaquinta & Shawn Humphrey  
Address      112 Mayo Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

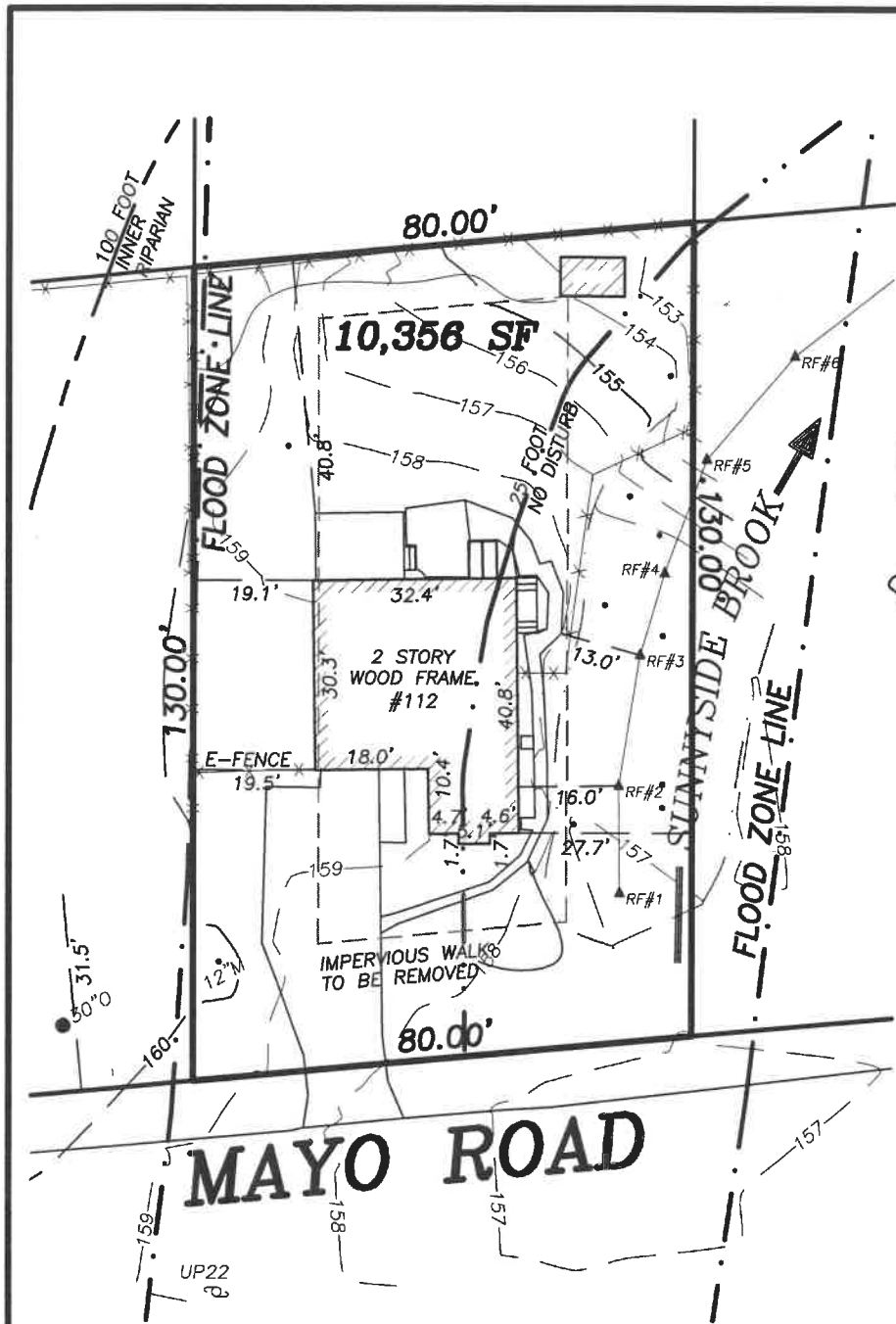
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

\_\_\_\_\_  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm



**MAYO ROAD**

**EXISTING SITE**

N/F  
**MATTHEW M. &  
 KATHRYN G. GRABER**  
 19 PRINCETON ROAD  
 MAP 198 PARCEL 99

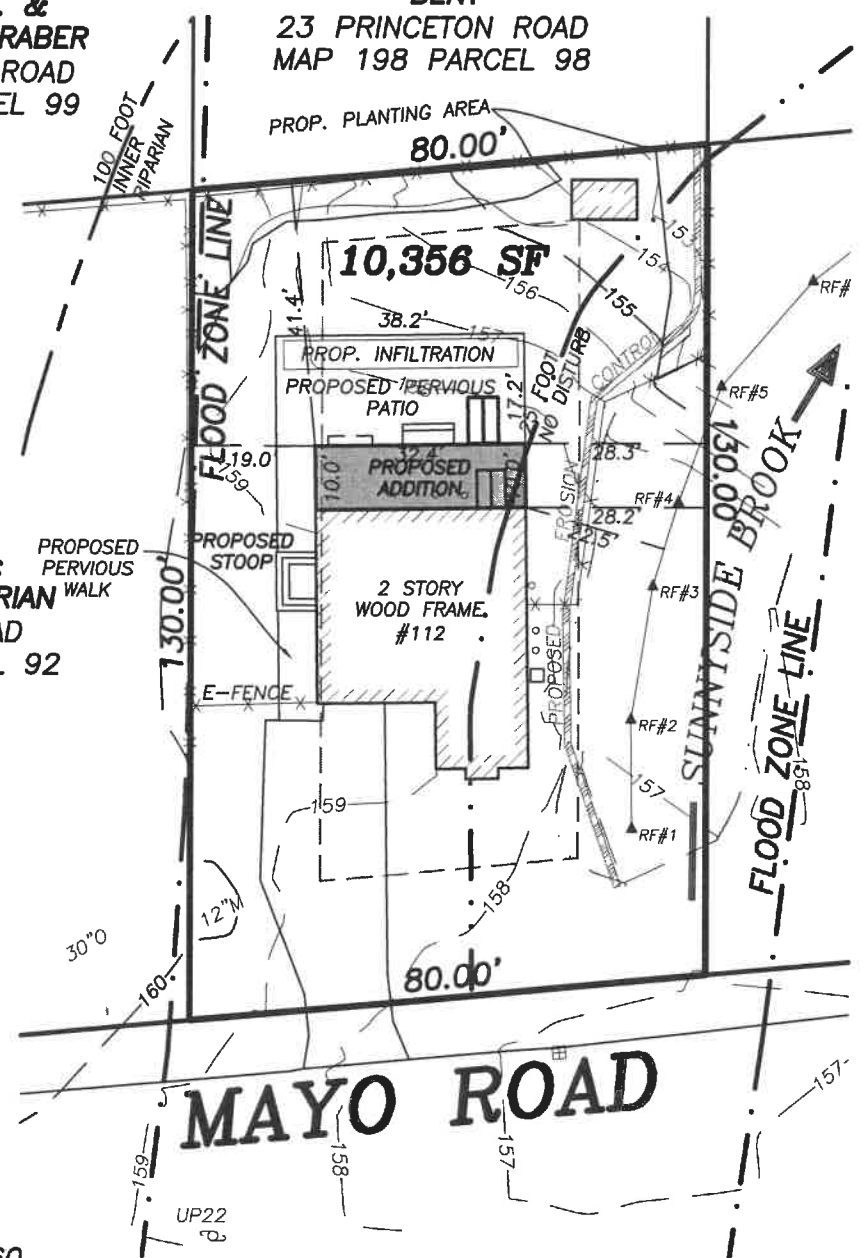
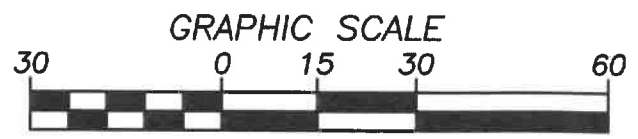
N/F  
**ANTHONY J. & MARY C  
 BENT**  
 23 PRINCETON ROAD  
 MAP 198 PARCEL 98

N/F  
**BEVERLY F. CRAWFORD**  
 27 PRINCETON ROAD  
 MAP 198 PARCEL 97

N/F  
**STEPHEN &  
 VALERIE S. DORIAN**  
 108 MAYO ROAD  
 MAP 198 PARCEL 92

N/F  
**LINDSAY FREY**  
 116 MAYO ROAD  
 MAP 198 PARCEL 94

**PLAN FOR ZONING  
 BOARD PURPOSES ONLY  
 NOT FOR BUILDING DEPARTMENT  
 SUBMISSION**



**MAYO ROAD**

**PROPOSED SITE**

REFER TO DEP#342-0980

**ZONING BOARD OF APPEALS  
 PLAN OF LAND  
 112 MAYO ROAD  
 WELLESLEY, MASS.**

ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF	10,356 SF	10,356 SF
MINIMUM LOT FRONTAGE	60 FEET	80.00 FEET	80.00 FEET
MINIMUM FRONT SETBACK	30.6 FEET*	34.9 FEET	34.9 FEET
MINIMUM SIDE YARD	20 FEET	19.1 FEET	19.0 FEET
		27.7 FEET	27.7 FEET(28.3 TO ADDITION)
MINIMUM REAR YARD	10 FEET	40.8 FEET	41.4 FEET
MAXIMUM BUILDING COVERAGE	20%(2500 SF)	13.2%(1370 SF)	15.2%(1570 SF)
MAXIMUM BUILDING HEIGHT	36 FEET**	24± FEET	24± FEET
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 STORIES	2 STORIES

\*FRONT SETBACK DETERMINED BY 500 FOOT RULE (104 MAYO ROAD IS 30.6 FEET FROM MAYO ROAD)

\*\* HEIGHT DETERMINED FROM AVERAGE GRADE PLANE PER ZONING BYLAW SECTION 20

TOWN OF WELLESLEY  
 MAP 198 PARCEL 93  
  
 NORFOLK COUNTY  
 REGISTRY OF DEEDS  
 BOOK 26666 PAGE 204  
 PLAN BOOK 140 PLAN 122

OWNER/APPLICANT:  
**SHAWN HUMPHREY**

**Field Resources, Inc.**  
 LAND SURVEYORS

OCTOBER 25, 2021      SCALE 1"=30'  
 P.O. BOX 324      281 CHESTNUT ST.  
 AUBURN, MA      NEEDHAM, MA.  
 508 832 4332      781 444 5936  
 fieldresources@hotmail.com

054-18

REVISED:

