

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN  
ROBERT W. LEVY, VICE CHAIRMAN  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 489-7450

WALTER B. ADAMS  
DEREK B. REDGATE  
PETER COVO

ZBA 2024-26

Petition of John & Nicole Laurendeau  
21 Fuller Brook Road

---

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, 4, 2024, at 7:30 pm, on the petition of John & Nicole Laurendeau requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure with basement and attic that will meet all setback requirements, at 21 Fuller Brook Road, on a 15,810 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.

On February 29, 2024, 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 John Laurendeau, the Petitioner, Laurence Shind, Esq., and Michael McKay, Architect

Mr. Shind said that the request is for a special permit/finding that the proposed demolition of the existing nonconforming residence on the lot and construction of a new residence that will comply with all dimensional setback requirements will not be substantially more detrimental to the neighborhood than the existing structure.

Mr. Shind said that it is an undersized lot of 15,810 square feet in an SR 20 district. He said that the current house was built in 1941 and complies with dimensional setback requirements. He said that the house is a small, outdated colonial with approximately 1,900 square feet of living area. He said that the proposed structure will comply with all dimensional and setback requirements. He said that the proposed TLAG of 5,106 square feet is well within the threshold of 5,900 square feet for the Zoning district. He said that lot coverage will be just under 18.7 percent, which is below the 20 percent allowed.

Mr. Shind said that the neighborhood has begun to transition from a predominantly post WWII era collection of smaller capes and colonials to a mix of expanded existing homes and new larger homes. He

2024 APR 18 PM 12:55  
TOWN OF WELLESLEY  
MA 02482

said that the proposed design will fit in with the style in the neighborhood. He said that the Applicant went through the demo delay waiver process with the Historical Commission and received approval of the plans that are currently before the Board.

Mr. Shind said that the retaining wall that was discussed in the Planning Board recommendation will be 18 inches to 3 feet in height and will not require a separate permit. He said the 29.8 measurement that the Planning Board questioned is the height of the proposed new dwelling.

Mr. McKay said that they worked with the Historical Commission to come up with side yard setbacks of 26.8 feet to the extension and 30 feet to the garage entrance. A Board member said that the TLAG Calculation Plan shows 25.0 feet to extension and the proposed plan shows 26.8 feet. Mr. McKay said that the TLAG plan was inadvertently added to the package. He said that plan is a basement TLAG calculator that determines the height of the foundation sticking out of the ground. He said that when they apply for their building permit, the plan will be corrected to have the dimensions match the proposed site plan.

Mary Liz Van Dyke, said that she grew up in Wellesley and has lived here most of her life. She said that she has lived on Fuller Brook Road for 30 years. She said that she reviewed the plans and was struck by the large size and height of the proposed new home on an undersized lot. She said that it is greatly out of scale with all of the other homes in the neighborhood that surround it. She said that the homes at 17, 16, 14, 11, and 7 Fuller Brook Road all show the existing character of the neighborhood. She said that she added the homes across the street at 20 and 24 Fuller Brook to her letter to the Board to point out that the character of the neighborhood is very much in keeping with the homes that you see all around this lot. She said that the houses are similar in height and lot coverage. She said that many of the people who have lived on Fuller Brook Road have done additions with an eye towards maintaining the character of the neighborhood. She asked if a tree plan will be submitted. The Chairman said that no tree plan is required for the Zoning Board's submittal but will be part of the Building Department process.

The Chairman said that the proposed house complies with the Zoning Bylaw and is before the Board because the lot size is undersized for the district at 15,810 square feet.

#### Statement of Facts

The subject property is located at 21 Fuller Brook Road, on a 15,810 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure with basement and attic that will meet all setback requirements, on a 15,810 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 Proposed Plan and an Existing House Locations Plan, dated 2/25/24, stamped by Matthew Belski, Jr., Professional Land Surveyor (MA PLS # 37557), a Basement TLAG Calculation Plan, and a Proposed Conditions (Connection Water and Sewer Services) Plan, dated 2/23/24, stamped by Richard A. Volkin,

P.E. (MA # 22282), Floor Plans and Elevation Drawings, dated 2/23/24, prepared by McKay Architects, and photographs were submitted.

On March 21, 2024, 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 structure and construction of a new two-story structure with basement and attic that will meet all setback requirements, on a 15,810 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet will not 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 demolition of an existing structure and construction of a new two-story structure with basement and attic that will meet all setback requirements, on a 15,810 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, subject to the following condition:

- The Basement TLAG Calculation Plan and the Proposed Conditions Connection Water and Sewer Services plans shall be revised to show a setback of 26.8 feet to the extension, as shown on the Proposed Plan, dated 2/25/24, stamped by Matthew Belski, Jr., Professional Land Surveyor.

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.

2024 APR 18 PM 12:54  
TOWN OF FLYNN  
WILLEBREW MA 02134

ZBA 2024-26  
Petition of John & Nicole Laurendeau  
21 Fuller Brook 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 (A.M.)  
J. Randolph Becker, Chairman

David G. Sheffield (A.M.)  
David G. Sheffield

Walter B. Adams (A.M.)  
Walter B. Adams

ZBA                    2024-26  
Applicant        John & Nicole Laurendeau  
Address           21 Fuller Brook Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

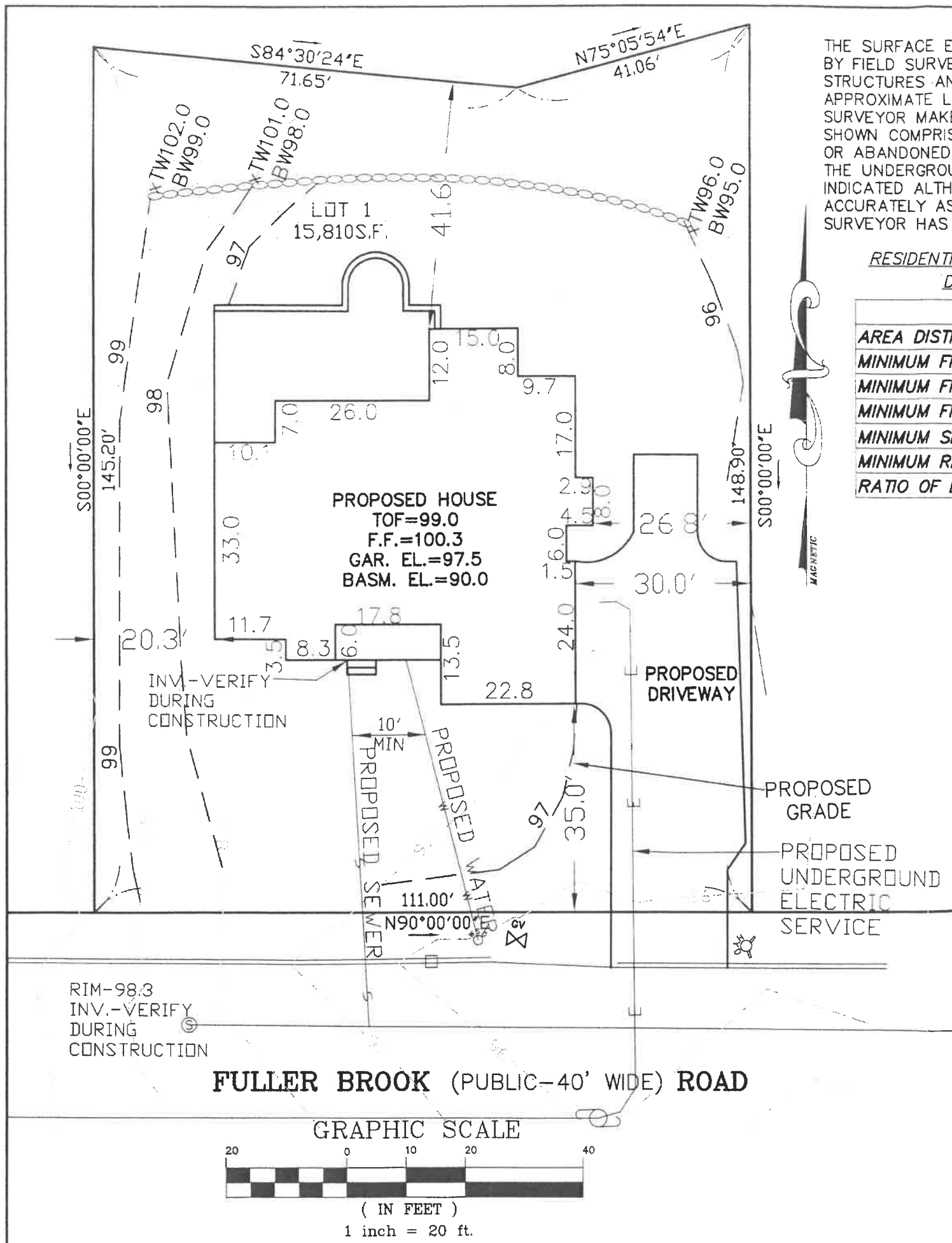
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

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

cc: Planning Board  
Inspector of Buildings  
lrm



THE SURFACE EVIDENCE OF THE UTILITIES SHOWN HAS BEEN LOCATED BY FIELD SURVEY. THE LINEWORK REPRESENTING ALL UNDERGROUND STRUCTURES AND PIPES HAS BEEN SHOWN HEREON IN ITS APPROXIMATE LOCATION BASED ON AVAILABLE RECORD PLANS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**RESIDENTIAL SUBDISTRICT - SINGLE RESIDENCE - SRD 20**  
**DIMENSIONAL REGULATIONS - TABLE 1**

AREA DISTRICT	REQUIRED 20,000 S.F.	PROPOSED 15,810 S.F.
MINIMUM FRONTAGE	100'	111.00'
MINIMUM FRONT YARD WIDTH	100'	111.0'
MINIMUM FRONT YARD DEPTH	30'	35.0'
MINIMUM SIDE YARD WIDTH	20'	20.3'/26.8'
MINIMUM REAR YARD DEPTH	20'	37.2'
RATIO OF BUILDING TO LOT AREA	20% (MAX.)	18.7%

**REFERENCES:**

- NORFOLK COUNTY REGISTRY OF DEEDS:  
1. PLAN 753 OF 1941, PLAN BOOK 128  
2. BOOK 41278 PAGE 150.

ZONE SR 20  
BLOCK 78  
LOT 1

**ZONING - SR20**  
MINIMUM LOT AREA: 20,000 SF  
MINIMUM DEPTH OF FRONT YARD: 30 FT  
MINIMUM WIDTH OF SIDE YARD: 20 FT  
MINIMUM DEPTH OF REAR YARD: 20 FT

**ZONING DESIGNATION:**

**SINGLE RESIDENCE - SRD 20**  
**WATER SUPPLY PROTECTION DISTRICT**

**ASSESSORS REFERENCE:**

**PARCEL ID: 78 - 1**

**OWNER/APPLICANT:**

**21 FULLER BROOK ROAD**

**OWNER/APPLICANT:**

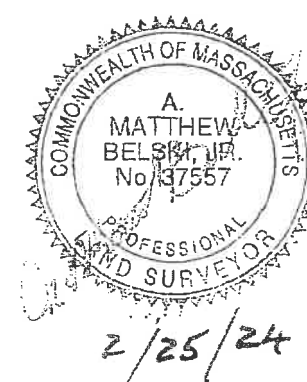
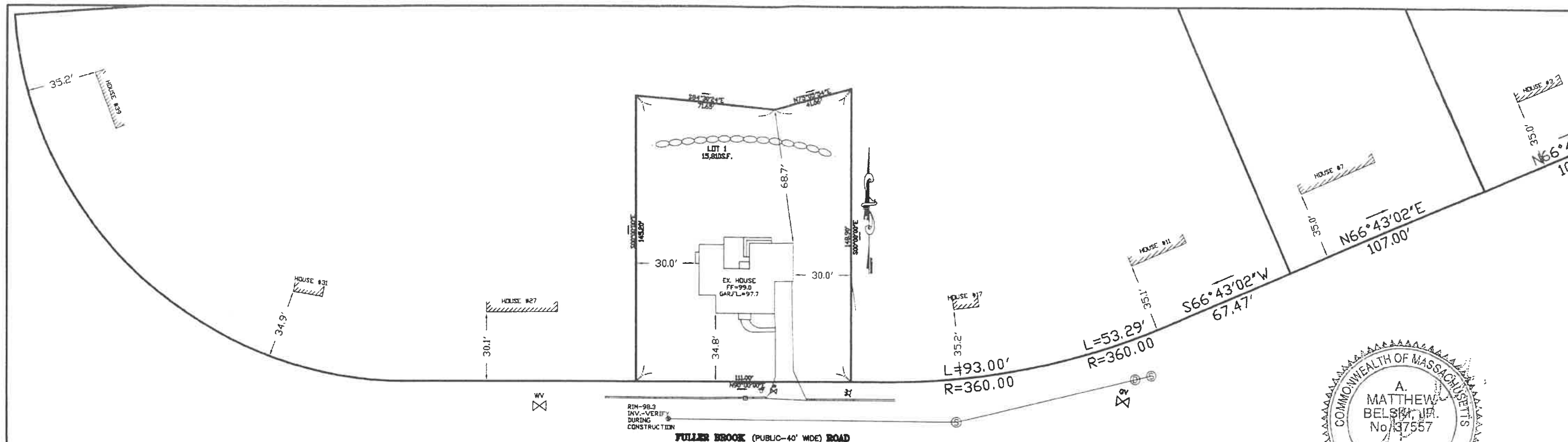
**JOHN J. III AND NICOLE G. LAURENDEAU**



2/25/24

**PROPOSED PLAN**  
**21 FULLER BROOK ROAD**  
**WELLESLEY, MA 02482**

SCALE: 1"=20' DATE: FEBRUARY 23, 2024



OWNER:  
21 FULLER BROOK ROAD  
JOHN J. III & NICOLE G.  
LAURENDEAU  
APPLICANT:  
21 FULLER BROOK ROAD  
JOHN J. III & NICOLE G.  
LAURENDEAU

ZONING DESIGNATION:  
SINGLE RESIDENCE - SRD 20  
WATER SUPPLY PROTECTION DISTRICT  
ASSESSORS REFERENCE:  
PARCEL ID: 78 - 1

REFERENCES:  
NORFOLK COUNTY REGISTRY OF DEEDS:  
1. PLAN 753 OF 1941, PLAN BOOK 128.

NOTES:  
1. DIGSAFE IS TO BE NOTIFIED 72 HOURS IN ADVANCE OF EXCAVATION. (CALL 811)  
2. EXISTING FRONT YARD SETBACKS:  
FULLER BROOK ROAD:  
HOUSE #39 35.2'  
HOUSE #31 34.9'  
HOUSE #21 34.8'  
HOUSE #17 35.2'  
HOUSE #11 35.1'  
HOUSE #7 35.0'  
HOUSE #3 35.0'

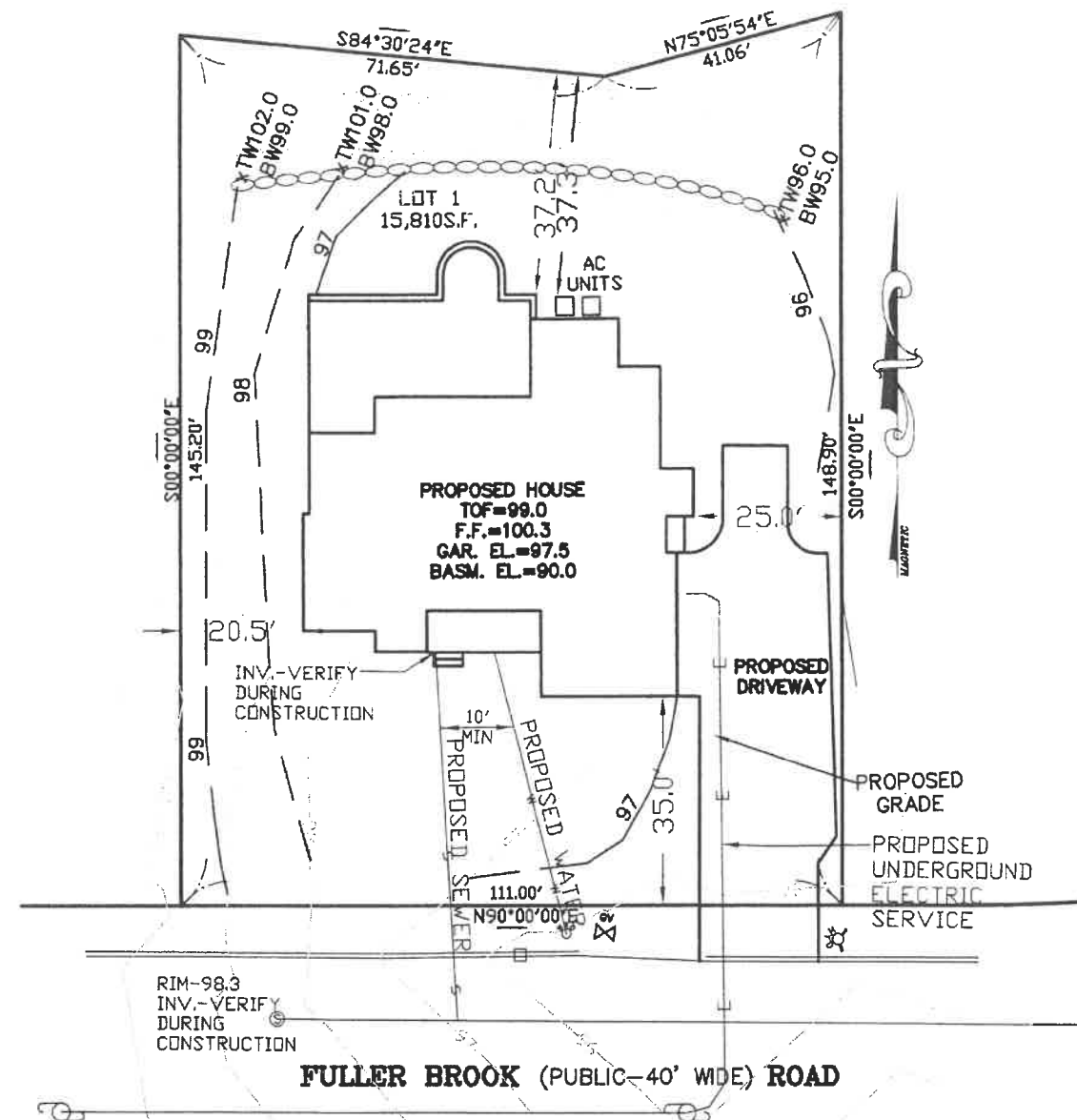
PLAN  
EXISTING HOUSE LOCATIONS  
ADJACENT TO  
21 FULLER BROOK ROAD  
WELLESLEY, MA 02482

PREPARED BY  
MIKHAIL R. DEYCHMAN  
TEL.: 857-498-0951

DATE: AUGUST 11, 2023  
NOT TO SCALE



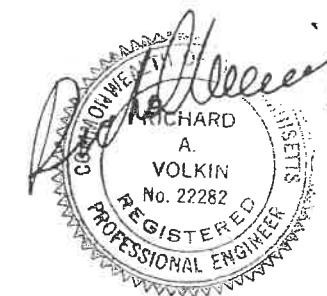
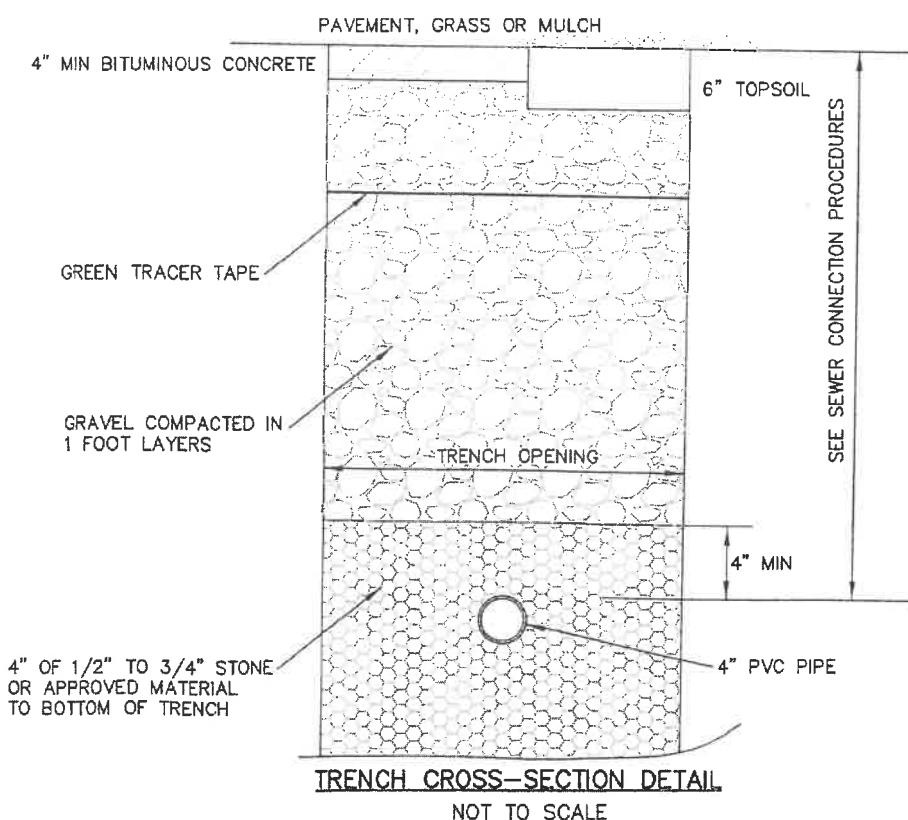
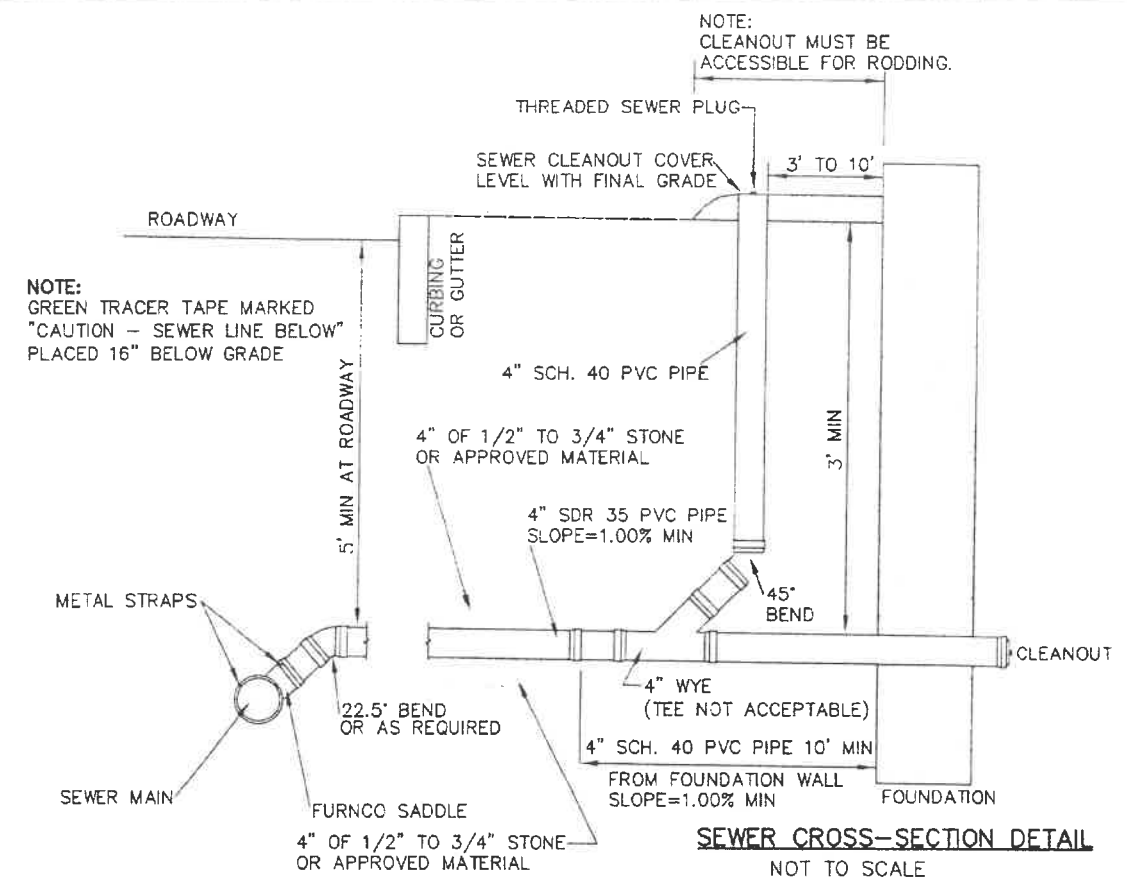




**NOTE:**  
**POWER LINE ROOTING BY ELECTRIC COMPANY**  
**OWNER/APPLICANT:**  
**21 FULLER BROOK ROAD**  
**OWNER/APPLICANT:**  
**JOHN J. III AND NICOLE G. LAURENDEAU**  
**ZONING DESIGNATION:**  
**SINGLE RESIDENCE - SRD 20**  
**WATER SUPPLY PROTECTION DISTRICT**  
**ASSESSORS REFERENCE:**  
**PARCEL ID: 78 - 1**  
**REFERENCES:**

NORFOLK COUNTY REGISTRY OF DEEDS:  
 1. PLAN 753 OF 1941, PLAN BOOK 128  
 2. BOOK 41278 PAGE 150.

SCALE: 1"=30'



**PROPOSED CONDITIONS**  
**(CONNECTION WATER AND**  
**SEWER SERVICES**  
**21 FULLER BROOK ROAD**  
**WELLESLEY, MA 02482**

SCALE: 1"=30' DATE: FEBRUARY 23, 2024



TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN  
ROBERT W. LEVY, VICE CHAIRMAN  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 489-7450

WALTER B. ADAMS  
DEREK B. REDGATE  
PETER COVO

ZBA 2024-26  
Petition of John & Nicole Laurendeau  
21 Fuller Brook Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, 4, 2024, at 7:30 pm, on the petition of John & Nicole Laurendeau requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure with basement and attic that will meet all setback requirements, at 21 Fuller Brook Road, on a 15,810 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.

On February 29, 2024, 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 John Laurendeau, the Petitioner, Laurence Shind, Esq., and Michael McKay, Architect

Mr. Shind said that the request is for a special permit/finding that the proposed demolition of the existing nonconforming residence on the lot and construction of a new residence that will comply with all dimensional setback requirements will not be substantially more detrimental to the neighborhood than the existing structure.

Mr. Shind said that it is an undersized lot of 15,810 square feet in an SR 20 district. He said that the current house was built in 1941 and complies with dimensional setback requirements. He said that the house is a small, outdated colonial with approximately 1,900 square feet of living area. He said that the proposed structure will comply with all dimensional and setback requirements. He said that the proposed TLAG of 5,106 square feet is well within the threshold of 5,900 square feet for the Zoning district. He said that lot coverage will be just under 18.7 percent, which is below the 20 percent allowed.

Mr. Shind said that the neighborhood has begun to transition from a predominantly post WWII era collection of smaller capes and colonials to a mix of expanded existing homes and new larger homes. He

Deed Book 41278 Page 150