

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN  
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ZBA 2024-32  
Petition of Monique Burns-Thompson  
8 Mellon Road

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Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, May 9, 2024, at 7:30 pm, on the petition of Monique Burns-Thompson requesting a Special Permit/Finding pursuant to the provisions of Section 3.8, Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing nonconforming deck and construction of a one-story addition with less than required right side yard setbacks, and construction of a front porch with less than required front yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right yard setbacks, at 8 Mellon Road, on a 5,825 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with less than required frontage, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 4, 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 Nancy Twomey, Architect, and Monique Burns-Thompson, the Petitioner.

Ms. Twomey said that the proposal is to remove a deck at the back of the house and build a small addition across the back. She said that the house is nonconforming on the front and sides and is conforming at the rear. She said that the addition will continue the nonconforming side yard setback of 13.5 feet at the back corner but will get further away from the side lot line as it extends back.

Ms. Twomey said that the proposed addition consists of a covered porch, a mudroom and closet space for the first floor bedroom. She said that the addition will be built on piers, not a full foundation. She said that they will take away some enclosed space at the front of the house to add a porch.

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Ms. Twomey said that the project will improve lot coverage from 25.3 percent to 24 percent. She said that the addition will not come closer to the side lot line and will not be more detrimental to the neighborhood.

The Chairman asked about the right of way on the left side of the house. He said that the fence appears to be encroaching into the right of way. Ms. Burns-Thompson said that the right of way is a shared driveway that is used by 8 Mellon Road, 8A Mellon Road and the neighbor on the left hand side. She said that the fence is further in from a small retaining wall that goes back about 30 feet. She said that the neighbor's mailbox is on the wall.

A Board member commented that an air conditioning condenser is located in the right side yard setback. Ms. Twomey said that was there when Ms. Burns-Thompson purchased the house four years ago. The Chairman said that the Board would not address that at this hearing.

The Chairman said that it is a small, tight lot with less than required front yard, right side yard, and left side yard setbacks, less than required area, lot coverage that exceeds the maximum allowed, and less than required frontage.

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

#### Statement of Facts

The subject property is located at 8 Mellon Road, on a 5,825 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 23.3 feet where 30 feet is required, a minimum left side yard setback of 9.4 feet and a minimum right side yard setback of 12.3 feet where 20 feet is required, and a minimum frontage of 54.5 feet where 60 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 3.8, Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing nonconforming deck and construction of a one-story addition with less than required right side yard setbacks, and construction of a front porch with less than required front yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right yard setbacks, on a 5,825 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with less than required frontage, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 3/15/24, stamped by John R. Hamel, Professional Land Surveyor #35029, Floor Plans and Elevation Drawings, dated 3/15/24, prepared by Lee Kimball, and photographs were submitted.

On April 30, 2024, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

On May 9, 2024, Rafi Razzaque, Department of Public Works Engineering Division, submitted comments.

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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 3.8 of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition of an existing nonconforming deck and construction of a one-story addition with less than required right side yard setbacks will result in the intensification of existing nonconformities, construction of a front porch with less than required front yard setbacks 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 deck and construction of a one-story addition with less than required right side yard setbacks, and construction of a front porch with less than required front yard setbacks, in accordance with the submitted plans.

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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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 (L.M.)  
Robert W. Levy, Acting Chairman

David G. Sheffield (L.M.)  
David G. Sheffield

Derek B. Redgate (L.M.)  
Derek B. Redgate

ZBA                    2024-32  
Applicant        Monique Burns-Thompson  
Address           8 Mellon 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

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cc: Planning Board  
Inspector of Buildings  
lrm

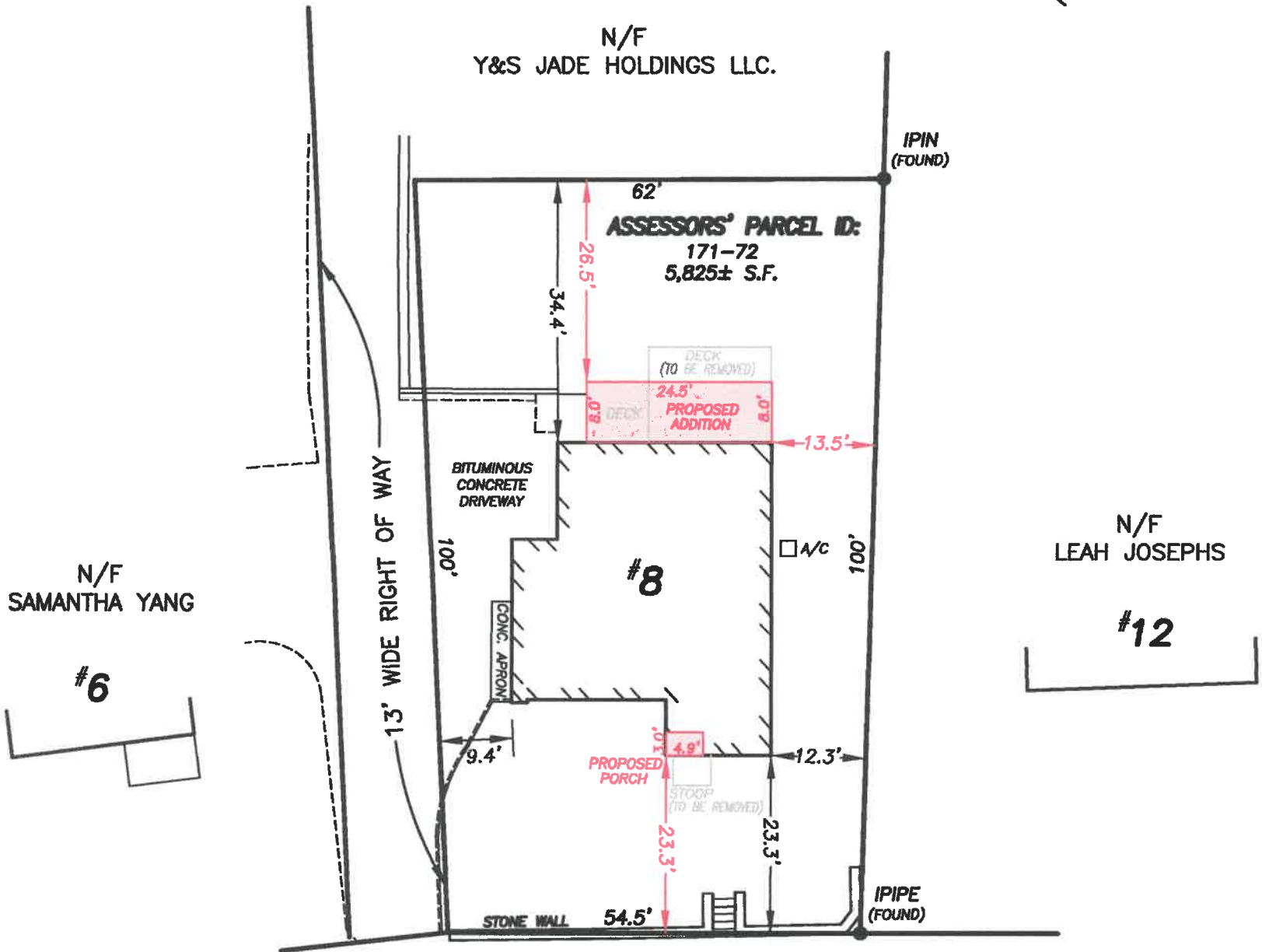
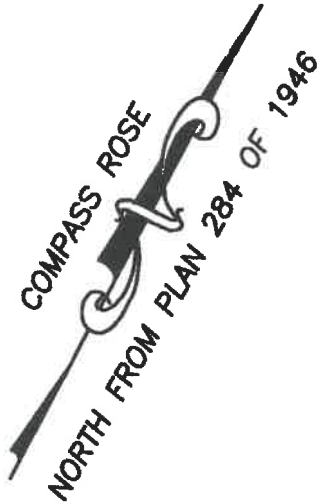
PROPOSED SITE PLAN  
8 MELLON ROAD  
WELLESLEY, MASSACHUSETTS

1 INCH = 20 FEET MARCH 15, 2024

SNELLING & HAMEL ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS & ENGINEERS  
10 LEWIS STREET P.O. BOX 102  
LINCOLN, MASSACHUSETTS 01773  
(781) 259-0071

OWNER OF RECORD:  
MONIQUE BURNS THOMPSON  
BK.37596 PG.427

1 INCH = 20 FEET  
0 10 20 40 60



PLAN REFERENCES:

- PLAN NO. 400 OF 1937
- PLAN NO. 284 OF 1946
- PLAN NO. 133 OF 1954
- PLAN NO. 1437 OF 1960

EXISTING LOT COVERAGE 1,475 SF = 25.3%  
PROPOSED LOT COVERAGE 1,400 SF = 24.0%

NOTES:

- ZONING DISTRICT: SINGLE RESIDENCE 10
- NO DETERMINATION REGARDING COMPLIANCE WITH ANY ZONING BY-LAWS OR REGULATIONS IS PROVIDED BY THE PROFESSIONAL LAND SURVEYOR.

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF MAY 23, 2023 WITH THE USE OF A NIKON TOTAL STATION.

*John R. Hamel*

JOHN R. HAMEL  
PROFESSIONAL  
LAND SURVEYOR



MARCH 15, 2024

DATE:



RECEIPT  
Printed: June 13, 2024 @ 10:56:41  
Norfolk Registry of Deeds  
William P O'Donnell  
Register

Trans#: 39336 Oper: YSANCHEZ

Book: 41827 Page: 66 Inst#: 36198  
Ct1#: 165 Rec: 6-13-2024 @ 10:56:35a  
WELL 8 MELLON ROAD

DOC	DESCRIPTION	TRANS AMT
DECISION		
10.00	rec fee	10.00
50.00	Surcharge	50.00
5.00	Tech. Surcharge	5.00
	Postage/Handling Fee	1.00
	State Fee \$40.00	40.00

Total fees:

106.00

\*\*\* Total charges:

106.00

CHECK PM 8090

106.00

BK 41827 Pg 66 #36198  
06-13-2024 @ 10:56a

MASSACHUSETTS

OF APPEALS

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HONEY  
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MARGINAL REFERENCE

BOOK 37596 PAGE 427

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