

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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DAVID G. SHEFFIELD

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(781) 489-7450

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DEREK B. REDGATE
PETER COVO

ZBA 2024-37

Petition of Terese Yu & Jung Chung Lai
3 Sawyer Road

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 Terese Yu & Jung Chung Lai requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that construction of a second story addition over an existing nonconforming structure with less than required side yard setbacks, at 3 Sawyer Road, on a 15,525 square foot corner 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 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 Johnny Lai and Terese Yu, the Petitioner.

Mr. Lai said that the request is for a special permit for a 17 foot setback. He said that the plan is to demolish and rebuild an existing family room and roof over the garage that were damaged in a 2015 ice storm. He said that there will be no work done to the garage. He said that the new roof will be no higher than the existing roof.

A Board member said that the existing one story structure over the garage has no attic space. He said that the new construction will be one story with an attic that is expanded with a dormer. Mr. Lai said that the plan is to finish the attic for a home office or storage.

The Board discussed the plot plan that was submitted. Mr. Lai said that the plot plan was done in 2014. He said that when a structural engineer looked at the existing structure, he did not recommend adding a second story. The Chairman said that a 10 year old plot plan is too old. He said that the Board needs to see plans of what Mr. Lai intends to build. He said that an updated plot plan that does not have inaccurate notes on it should be submitted.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2024 MAY 22 PM 12:09

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

Statement of Facts

The subject property is located at 3 Sawyer Road, on a 15,525 square foot corner lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum 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 5.1 and Section 6.3 of the Zoning Bylaw that construction of a second story addition over an existing nonconforming structure with less than required side yard setbacks, on a 15,525 square foot corner 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 Plot Plan, dated 3/25/14, stamped by Patrick Roseingrave, Professional Land Surveyor #35790, Floor Plans and Elevation Drawings, dated 3/19/24, revised 4/22/24, prepared by The Han Group, LLC, and an aerial photograph 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.

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 construction of a second story addition over an existing nonconforming structure with less than required side yard setbacks 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 construction of a second story addition over an existing nonconforming structure with less than required side yard setbacks, subject to the following condition:

- An updated plot plan that accurately depicts the area of work and shows no increase to the existing footprint 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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ZBA 2024-37
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3 Sawyer 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.

Robert W. Levy (hm)
Robert W. Levy, Acting Chairman

David G. Sheffield (hm)
David G. Sheffield

Derek B. Redgate (hm)
Derek B. Redgate

ZBA 2024-37
Applicant Terese Yu & Jung Chung Lai
Address 3 Sawyer Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

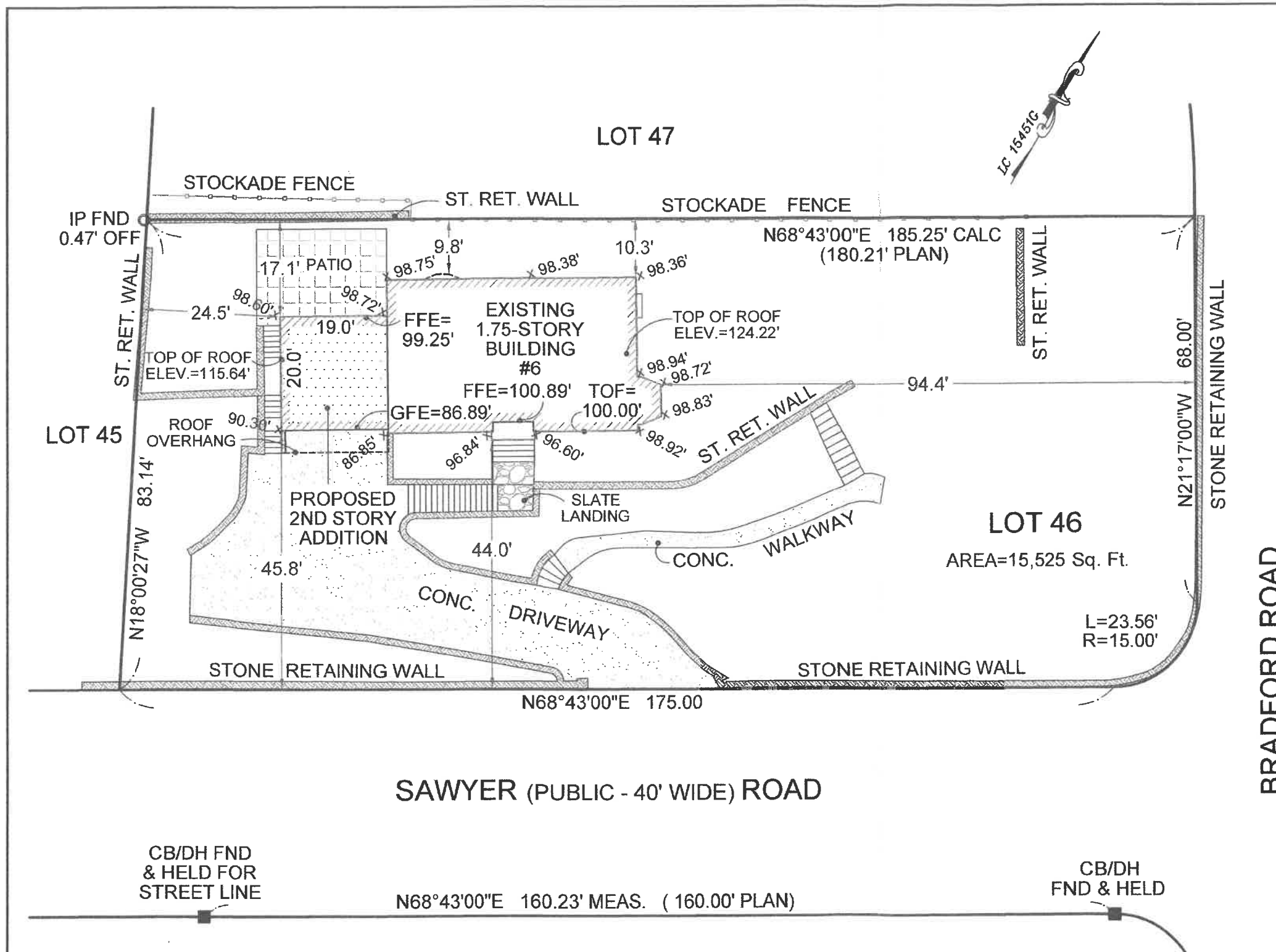
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

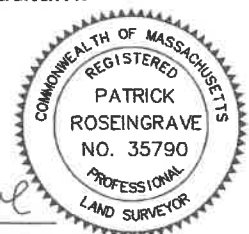
Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



NOTES:

- * Scale 1 inch = 20 ft.
- * Assessors Ref.: Map 85 Lot 46
- * Legal Ref.: Cert.# 187745
- * Plan Ref.: LC Plan 15451A
LC Plan 15451G
Book 1115 Page 180
Book 2379 Page 493
- * Zone: SDR - 20
- * Minimum Setbacks Requirements:
 - Front: 30'
 - Side: 20'
 - Rear: 20'
- * Maximum Lot Coverage: 20%
- * Existing/Proposed Lot Coverage: 10.4% (1,612 s.f.)
- * Average Grade Elevation = 96.7'
- * Top of Roof Elevation = 124.2'
- * Building Height = 27.5'
- * Elevations based on assumed datum.



Patrick J. Roseingrave
Patrick J. Roseingrave
Professional Land Surveyor

Plot Plan

3 Sawyer Road
Wellesley, MA 02481

Plan Prepared By:



10 Andrew Square, Suite 201
South Boston, MA 02127
Tel. 857-544-3061

Date: March 25, 2014

MEMORANDUM

..... June 12, 2024

Norfolk Registry District of The Land Court

DEDHAM, MASS.

To

TOWN / CITY OF

Wellesley

DECISION OF: ☒ Board of Appeals

DOCUMENT NO. 1537293

☐ Planning Board☐ Sign Review Board

RE: 2BA-2024-37

RECORDING FEE:

\$105.00

RECEIPT

Printed: June 12, 2024 @ 10:56:46
Norfolk County Land Court
William P O'Donnell

Trans#: 38998

Oper: MBRENNAN

Doc#: 1537293

Ctl#: 147 Rec: 6-12-2024 @ 10:56:40a

WELL

| DOC | DESCRIPTION | TRANS AMT |
|-----|----------------------|-----------|
| 1 | LAI, JUNG CHUNG | |
| | DECISION | |
| | 50.00 Surcharge | 50.00 |
| | 30.00 LC Rec fee | 30.00 |
| | 5.00 Tech. Surcharge | 5.00 |
| | 20.00 State Increase | 20.00 |
| | Total fees: | 105.00 |
| | *** Total charges: | 105.00 |
| | CHECK PM 6041 | 105.00 |