

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

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2024 MAY 22 PH: 08

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.

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.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2024 MAY 22 PM 2:08

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 construction 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 2024-37

Petition of Terese Yu & Jung Chung Lai  
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 (am)*

Robert W. Levy, Acting Chairman

*David G. Sheffield (am)*

David G. Sheffield

*Derek B. Redgate (am)*

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.

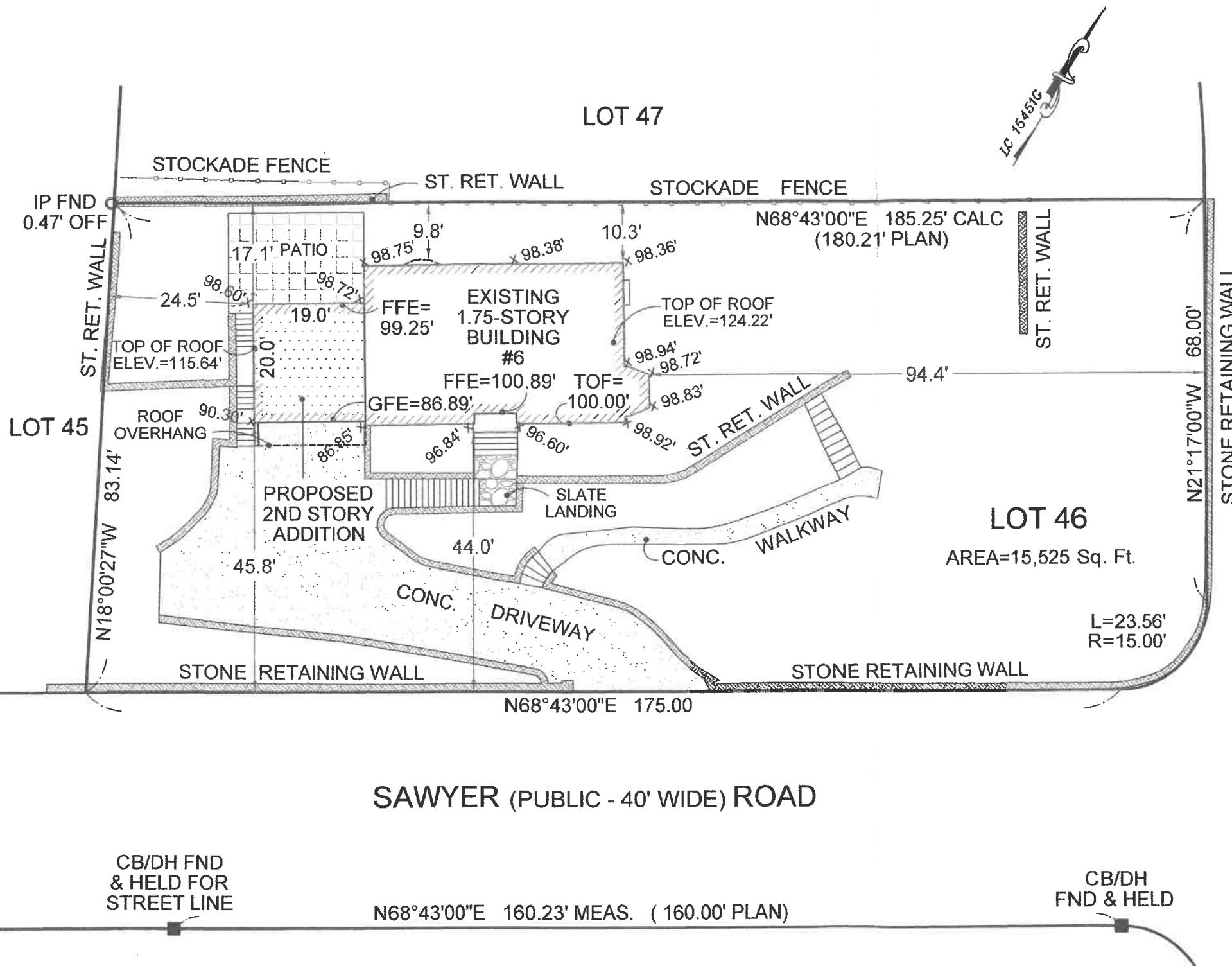
Date:

Attest:

Cathryn Jane Kato  
Town Clerk

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA  
2024 MAY 22 PM 11:28  
PH

cc: Planning Board  
Inspector of Buildings  
lrm



**NOTES:**

- \* Scale 1inch = 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  
 Planning Board  
 Sign Review BoardDOCUMENT NO. 1537293RE: ZBA-2024-37

RECORDING FEE:

\$105.00R E C E I P T  
Printed: June 12, 2024 @ 10:56:46  
Norfolk County Land Court  
William P O'Donnell

Trans#: 38998

Oper: MBRENNAN

Doc#: 1537293  
Ctl#: 147 WELL Rec: 6-12-2024 @ 10:56:40a

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