

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 2025-07

Petition of Donna Indresano
51 Smith Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, January 9, 2025, at 7:30 pm, on the petition of Donna Indresano 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 two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, at 51 Smith Street, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 9, 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 Marissa Marcoux, and Paul Worthington, representing 51 Smith Street.

Ms. Marcoux said that the request is for a special permit for relief for the left side yard setback to extend the base of the existing structure by six feet towards the rear. She said that it is a single family structure that they will add a two level addition with a finished basement to.

Mr. Worthington said that the existing garage that is located in the setback will be removed. He said that they would like to add six feet to the existing house. He said that the ground floor of the existing house will become a side facing garage. He said that there will be a connector running back to a two-story addition that takes full advantage of an awesome back yard. He said that the relief is for the side yard setback.

A Board member asked about the AC condenser that is shown on the plot plan. Mr. Worthington said that it will be located marginally into the setback.

Mr. Worthington said that the whole center section is heavily treed. He said that they will not be taking any trees down. He said that it is the back of the house and the back of the abutter. He said that they have neighbor support for the project.

A Board member said that the Board wants to have buildings as close to conforming as possible. He said that it was reasonable to hold onto the existing structure to use it for a garage, rather than tearing the whole structure down and building up new. He said that the Applicant did a good job putting the bulk of the addition in a compliant part of the lot. He said that it is a nice design.

Mr. Worthington said details for the infiltration system are shown on a plan.

A Board member said that the maximum height of the roof is 34.9 feet, which only leaves less than three inches of wiggle room to the maximum allowed. Mr. Worthington said that if the project is approved, he will go back to the drawing board to set up construction documents and will make sure that everything will be compliant.

The Chairman said that the TLAG breakdown that was submitted was not the typical town form but just a bunch of numbers. Mr. Worthington said that it has all of the same numbers as the form but is formatted differently. The Chairman discussed inserting a condition that a TLAG Affidavit that is signed by a registered surveyor or architect be submitted, with TLAG not to exceed 5,481 square feet.

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

Statement of Facts

The subject property is located at 51 Smith Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 25.6 feet where 30 feet is required, and a minimum left side yard setback of 11.9 feet where 20 feet is required. The existing garage has a minimum left side yard setback of 4 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 two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An Existing Site Plan and a Proposed Site Plan, dated 11/27/24, revised 12/4/24, and a Proposed Site Plan with Infiltration System Details, dated 11/27/24, stamped by Bradley J. Simonelli, Professional Land Surveyor #47581, Floor Plans and Elevation Drawings, dated 11/25/24, revised 12/4/24, prepared by Design & Restoration Inc., TLAG Breakdown, and photographs were submitted.

On January 7, 2025, the Planning Department Staff 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 construction of a two story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks will 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 construction of a two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, subject to the following condition.

- A TLAG Affidavit that is signed by a registered surveyor or architect and shows a TLAG that does not exceed 5,481 square feet shall be submitted.

The Building Inspector 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 2025-07
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51 Smith Street

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 (Lm)
Robert W. Levy, Acting Chairman

Walter B. Adams (m)
Walter B. Adams

Derek B. Redgate (hm)
Derek B. Redgate

ZBA 2025-07
Applicant Donna Indresano
Address 51 Smith Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2015 JAN 23 PM 12:43

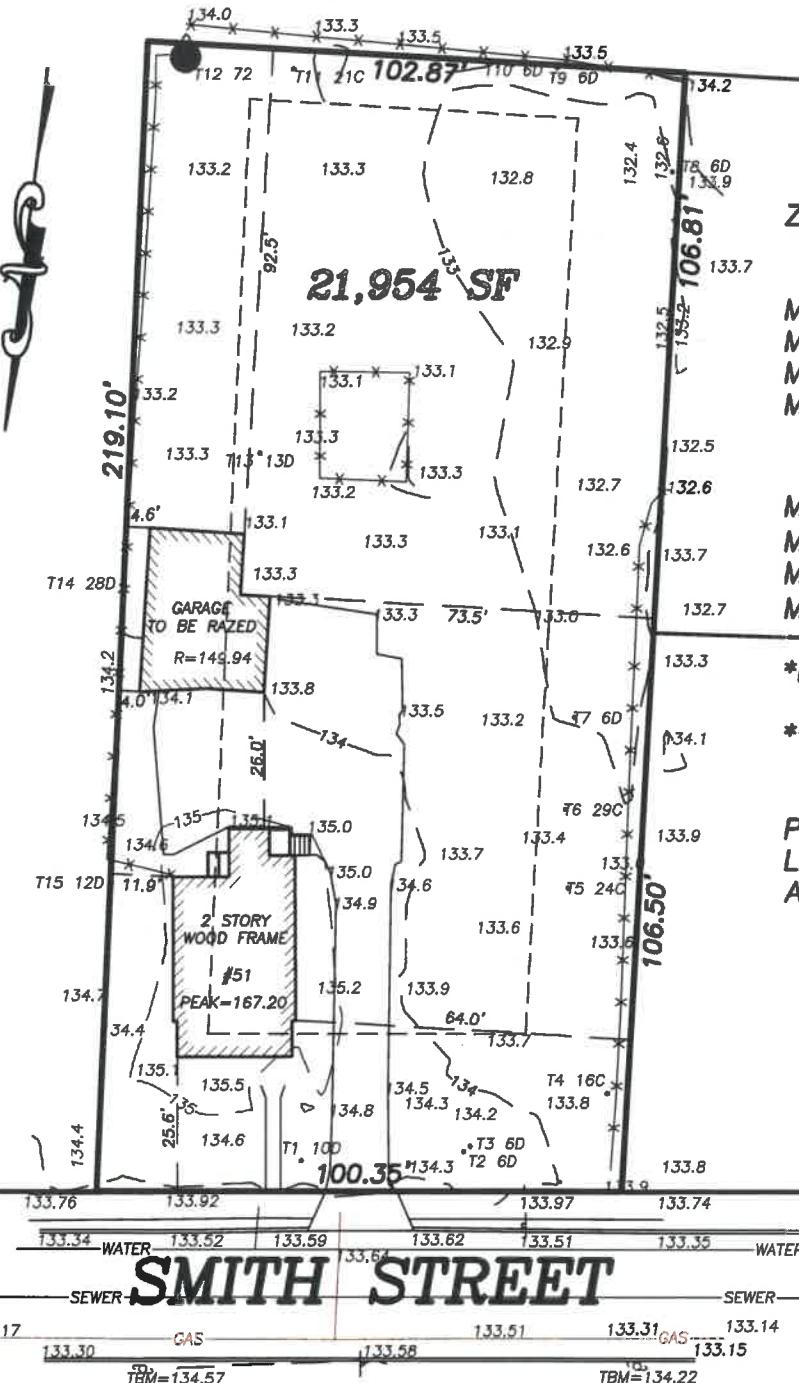
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



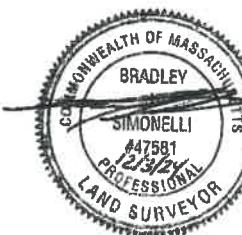
ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF.....	21,964 SF.....	21,964 SF
MINIMUM LOT FRONTAGE.....	60 FEET.....	100.35 FEET.....	100.35 FEET
MINIMUM FRONT SETBACK.....	30.0 FEET*.....	25.6 FEET.....	25.6 FEET
MINIMUM SIDE YARD.....	20 FEET.....	11.9 FEET.....	11.6 FEET
		64.0 FEET.....	31.6 FEET(20 FEET TO UNDERGROUND)
MINIMUM REAR YARD	10 FEET.....	97.6 FEET.....	92.6 FEET
MAXIMUM BUILDING COVERAGE.....	4000 SF.....	7.2%(1573 SF).....	16.2%(3550 SF)
MAXIMUM BUILDING HEIGHT.....	36 FEET**	32.2± FEET.....	35.0± FEET
MAXIMUM BUILDING HEIGHT.....	2 1/2 STORIES.....	2 STORIES.....	2 STORIES

*FRONT SETBACK DETERMINED BY 500 FOOT RULE

** HEIGHT DETERMINED FROM AVERAGE GRADE PLANE PER ZONING BYLAW SECTION 5.

PER FILING BY CONTRACTOR WITH HISTORIC DEMOLITION REVIEW, EXISTING STRUCTURE TO REMAIN, LESS THAN 49% OF THE EXISTING 2 STORY WOOD FRAME STRUCTURE WILL BE DEMOLISHED IN ACCORDANCE WITH THE HISTORIC PRESERVATION DEMOLITION REVIEW, ARTICLE 46C.



TOWN OF WELLESLEY
MAP 88 PARCEL 3

NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 32077 PAGE 101
PLAN IN DEED BOOK 2222 BEGIN

A graphic scale with markings at 30, 0, 15, and 30. The scale is marked with a series of black and white squares, with the values 30, 0, 15, and 30 printed above the scale line.

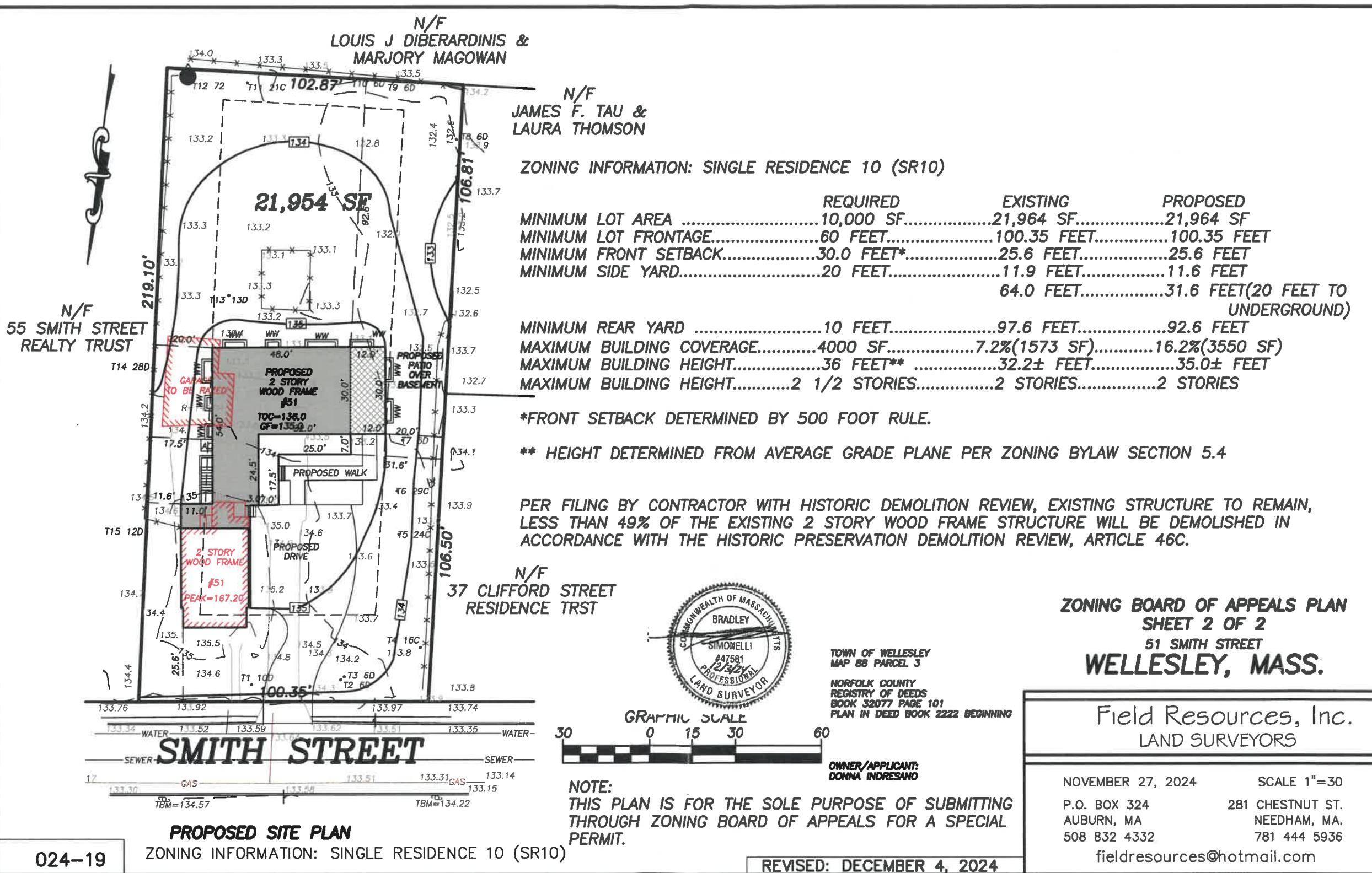
OWNER/APPLICANT
DONNA ANDRESANO

NOTE:
THIS PLAN IS FOR THE SOLE PURPOSE OF SUBMITTING
THROUGH ZONING BOARD OF APPEALS FOR A SPECIAL
PERMIT

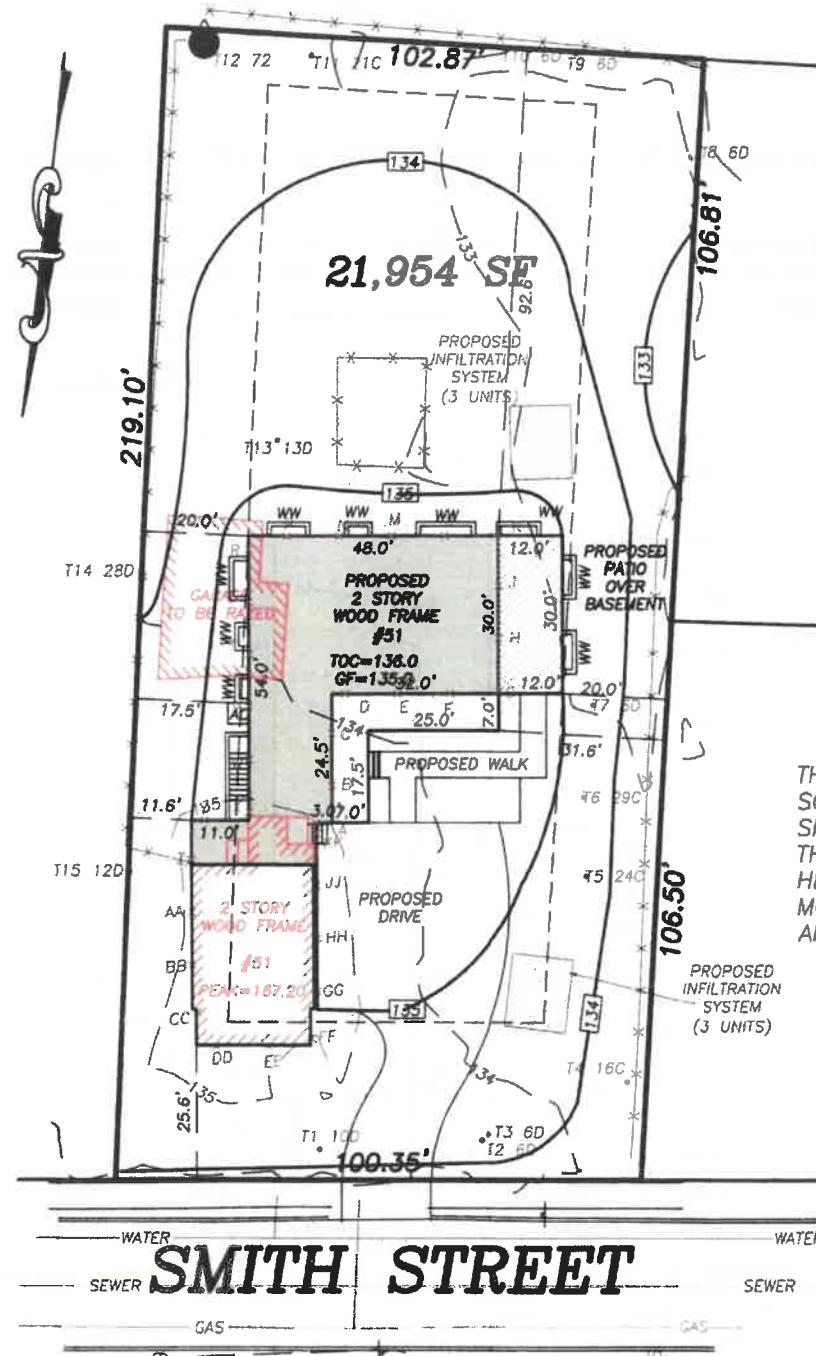
ZONING BOARD OF APPEALS PLAN
SHEET 1 OF 2
51 SMITH STREET
WELLESLEY, MASS.

Field Resources, Inc. LAND SURVEYORS

Field Resources, Inc.



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024-19

ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

PROPOSED BUILDING FOOTPRINT = 3,670 SF

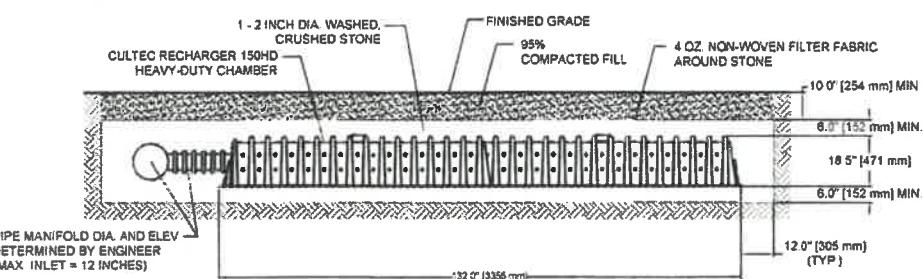
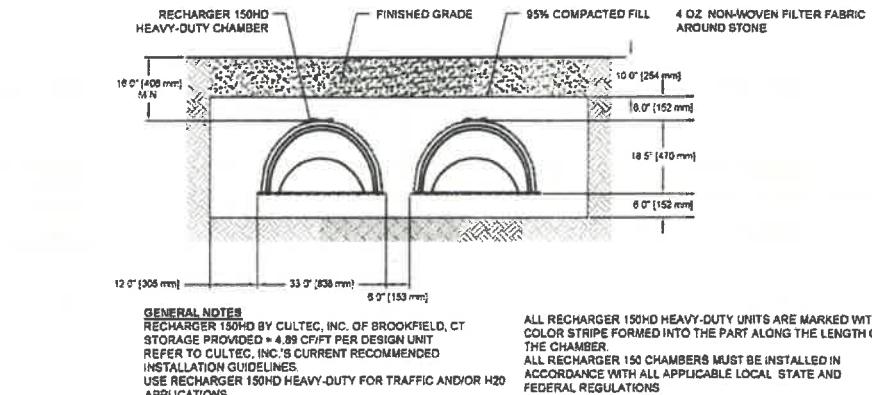
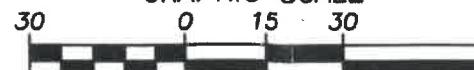
(3,670 S.F. X 1") / 12 = 305.8 Cu. Ft.

MITIGATED WITH 6 CULTEC CONTRACTOR 150 HDXL RECHARGER DRYWELL CHAMBERS (OR SUITABLE REPLACEMENT) CAPACITY OF 53.79 CU FT EACH.(11 x 4.89 CU FT) RECHARGE WILL MITIGATE COMPLETELY FOR A 1" STORM FOR THE PROPOSED FOOTPRINT SEE DRYWELL DETAIL FOR SPECIFICATIONS AND PLAN FOR LOCATIONS. LOCATIONS AS SHOWN.

THIS PLAN IS FOR THE EXPRESS AND SOLE PURPOSE OF APPLYING FOR A SPECIAL PERMIT FOR THE ADDITION TO THE SINGLE FAMILY STRUCTURE SHOWN HEREON, ANY ATTEMPT TO ALTER OR MODIFY THIS PLAN MAKES THE DOCUMENT AND ITS CERTIFICATION NULL AND VOID.



GRAPHIC SCALE



INFILTRATION SYSTEM DETAILS

NOT TO SCALE

STRAW WATTLE
SECTION VIEW

TOWN OF WELLESLEY
MAP 88 PARCEL 3

NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 32077 PAGE 101
PLAN IN DEED BOOK 2222 BEGINNING

OWNER/APPLICANT:
DONNA INDRISANO

Field Resources, Inc.
LAND SURVEYORS

NOVEMBER 27, 2024 SCALE 1"=30
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com

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R E C E I P T

Printed: February 13, 2025 @ 14:29:5
Norfolk Registry of Deeds
William P O'Donnell
Register

Trans#: 9545

Oper:CMCELMAN

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Book: 42250 Page: 199 Inst#: 9076
Ct1#: 393 Rec:2-13-2025 @ 2:29:52p
WELL 51 SMITH STREET

DOC	DESCRIPTION	TRANS AMT
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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 1089	106.00

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ZBA 2025-07
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51 Smith Street

2025-07-23
P.M. 2:15

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