

TOWN OF WELLESLEY



MASSACHUSETTS

**ZONING BOARD OF APPEALS**  
888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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ZBA 2025-17  
Petition of Pradeep & Bhargavi Rao  
2 Shirley Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, March 6, 2025, on the petition of Pradeep & Bhargavi Rao 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 construction of second story addition over an existing nonconforming structure with less than required front yard setbacks, construction of a front portico, and construction of a two-story addition and deck that will meet setback requirements, on a corner lot at 2 Shirley Road, in a 10,000 square foot Single Residence District and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 30, 2025, 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 was Bhargavi Rao, who said that her family moved to Wellesley in November of 2023. She said that they have two elementary school aged kids. Mr. Rao said that he spoke with a couple of the neighbors and they were supportive of the project. He said that their kids are getting older and they need more space.

Michael Hally, Architect, said that the property contains a nonconforming structure on a conforming corner lot. He said that the request is for front setback relief to build an addition at the rear of the house and a partial second floor addition on top. He said that the existing nonconforming setback is 29 feet where 30 feet is required. He said that the plan is to come 9 feet off of the back, flush with the side for the first floor addition. He said that the existing enclosed sunroom will be removed to make room for an adequate foundation. He said that the partial second floor addition will be flush at the front but stops three feet or so on the back side. He said that the proposed portico at the front of the house will meet square footage and setback requirements.

Mr. Hally said that existing conventional air conditioning condensers are shown on the plot plan. He said that they will check with the Building Department so see if the condensers pre-date the bylaw that prohibits them in the setback. He said that if they have to move them to a conforming location, they will provide a plot plan to show that change.

Mr. Hally said that existing TLAG is 1,460 square feet and they will be adding almost 990 square feet, for a total of 2,449 square feet.

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

#### Statement of Facts

The subject property is located on a corner lot at 2 Shirley Road, in a 10,000 square foot Single Residence District and a Water Supply Protection District, with a minimum front yard setback to Weston Road of 29.3 feet where 30 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 construction of second story addition over an existing nonconforming structure with less than required front yard setbacks, construction of a front portico, and construction of a two-story addition and deck that will meet setback requirements, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/26/24, revised 1/27/25, and 500' Rule letter, dated 1/27/25, stamped by Elliot J. Paturzo, Professional Land Surveyor, #34623, Floor Plans and Elevation Drawings, dated 1/25/25, prepared by Michael Hally Design, Inc., and photographs were submitted.

On March 4, 2025, 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.

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 construction of second story addition over an existing nonconforming structure with less than required front yard setbacks, construction of a front portico, and construction of a two-story addition and deck that will meet setback requirements 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 construction of second story addition over an existing nonconforming structure with less than required front yard setbacks, construction of a front portico, and construction of a two-story addition and deck that will meet setback requirements, in accordance with the submitted plans.

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.

2025-17-0112:20

2025-17-0112:20

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 (cont)  
Robert W. Levy, Acting Chairman

David G. Sheffield (hm)  
David G. Sheffield

Walter B. Adams (Am)  
Walter B. Adams

ZBA 2025-17  
Applicant Pradeep & Bhargavi Rao  
Address 2 Shirley Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2005 Mar 20 PM 12:20

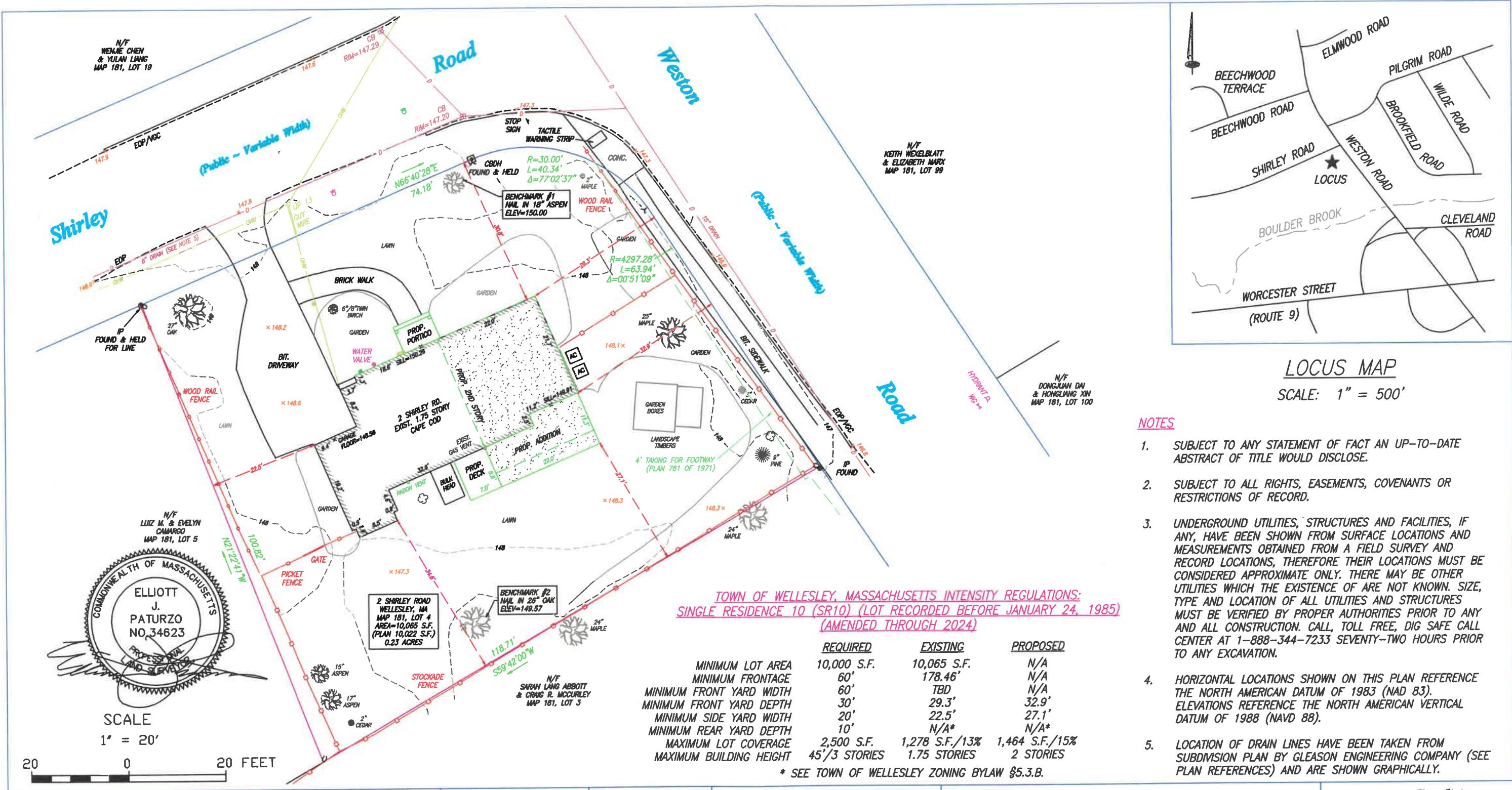
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

**Cathryn Jane Kato  
Town Clerk**

cc: Planning Board  
Inspector of Buildings  
lrm



ZONING DESIGNATION:	I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON THE GROUND ON DECEMBER 26, 2024, AND THE LATEST PLANS AND DEEDS OF RECORD.	REVISIONS	FIELD: DMD CALCS: DMD DRAWN BY: DMD/SMI FIELD EDIT: N/A CHECKED: EJP APPROVED: JOB #: 2411105	A.S. Elliott & Associates Professional Land Surveyors P.O. BOX 85 ~ HOPEDALE, MA 01747 (508) 634-0256 www.aselliott.com	Existing Conditions Plan of Land Showing Proposed Improvements 2 SHIRLEY ROAD WELLESLEY, MASSACHUSETTS PREPARED FOR: BHARGAVI RAO DATE: DECEMBER 26, 2024 SCALE: 1" = 10'
TOWN OF WELLESLEY ZONING DISTRICT SINGLE RESIDENCE 10 (SR10) WATER SUPPLY PROTECTION OVERLAY DISTRICT ASSESSOR'S REFERENCE: MAP 181, LOT 4	I CERTIFY THAT THE SUBJECT DWELLING SHOWN LIES IN A FLOOD ZONE "X" SHOWN ON MAP NUMBER 25021C0012E, HAVING AN EFFECTIVE DATE OF JULY 17, 2012.	DATE 01/27/25 DESCRIPTION SHEET SIZE & SCALE	1/27/25	PROFESSIONAL LAND SURVEYOR DATE	

RECEIPT

Printed: April 10, 2025 @ 9:01:18  
Norfolk Registry of Deeds  
William P O'Donnell  
Register

Bk 42336 Pg 14 #21547  
04-10-2025 @ 09:00a

Trans#: 22688 Oper: VSANCHEZ

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Book: 42336 Page: 14 Inst#: 21547  
Ctl#: 84 Rec: 4-10-2025 @ 9:00:19a  
WELL 2 SHIRLEY 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 1396		106.00

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PETER COVO



Granting Authority held a Remote Public Hearing on Thursday, [REDACTED] & Bhargavi Rao requesting a Special Permit/Finding pursuant to Section 6.1, and Section 6.3 of the Zoning Bylaw that construction of a nonconforming structure with less than required front yard and construction of a two-story addition and deck that will meet Shirley Road, in a 10,000 square foot Single Residence District shall not be substantially more detrimental to the neighborhood.

On January 30, 2025, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

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MARGINAL REFERENCE  
41480 PAGE 577  
BOOK