

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

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WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2025-29
Petition of Chenchen Zhou
46 Upson Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, June 5, 2025, on the petition of Chenchen Zhou 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 one-story structure with less than required left side yard and rear yard setbacks and construction of a two-story structure that will meet setback requirements, on an existing nonconforming lot with less than required front yard width, at 46 Upson Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 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 were David Himmelberger, Chenchen Zhou and Yao Lu, the Petitioners, and Jack Groper, Architect.

Mr. Himmelberger said that the lot is 16,299 square feet in a 10,000 square foot district. He said that that front yard width narrows to 46.9 feet. He said that the town has requirements that a minimum frontage of 60 feet be maintained from the street to the face of the house. He said that the existing home and two sheds have insufficient rear yard setbacks.

Mr. Himmelberger said that the proposed home will be fully compliant. He said that TLAG will be just under 5,000 square feet, the height of the home will be 31.5 feet, and lot coverage will be 17.2 percent. He said that the property is located in a Water Supply Protection District. He said that two underground infiltration systems are proposed to take all of the roof runoff.

A Board member said that it is a large property and the only nonconformity has minimal impact on the neighborhood. He said that it is an isolated lot.

Mr. Groper reviewed the plans. He said that the house will be set back, well off the street. He said that natural light was very important for his clients, so they designed a lot of glazing on the façade to allow light to seep in. He said that the garage will be to the far right side and not visible from the street.

Brenda Nicolazzo, 59 Upson Road, and Catherine Eaton, 58 Upson Road, discussed concerns about the size and style of the proposed home.

Mr. Himmelberger said that there is existing mature screening. He said that the house will be 120 feet from the street and tucked to the right side of the lot. He said that the proposed house will be otherwise fully compliant with zoning. He said that design is not typically taken into account when determining detriment to the neighborhood. He said that they will not be changing the nonconformity or making it worse. He said that they will be removing a nonconforming structure and sheds.

A Board member said that the only way any community can dictate style of a house is in a designated historic area.

The Chairman said that the Zoning Bylaw and State Law state that if the existing nonconformity is not increased and no new nonconformities are added, the applicant is entitled to a building permit.

Mr. Himmelberger said that the only nonconformity is the width of the front yard, and that is not being changed.

Statement of Facts

The subject property is located at 46 Upson Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum front yard width of 46.9 feet where 60 feet is required, a minimum rear yard setback of 9 feet for the main structure, a minimum rear yard setback of 1.9 feet for a 119 square foot shed, a minimum rear yard setback of 6.8 feet for a 125 square foot shed where 10 feet is required, and a minimum right side yard setback of 9.1 feet for the 125 square foot shed where 20 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 one-story structure with less than required left side yard and rear yard setbacks and construction of a two-story structure that will meet setback requirements, on an existing nonconforming lot with less than required front yard width, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Letter to Zoning Board of Appeals, dated 4/11/25, from David J. Himmelberger, Existing Conditions Plan, dated 2/10/25 and Proposed Building Plan, dated 4/8/25, stamped by Bryan G. Parmenter, Professional Land Surveyor, #48193, Proposed Site Plans, dated 5/22/25, stamped by Bryan G. Parmenter, Professional Land Surveyor, #48193 and Richard Volkin, Professional Engineer, #22282, Stormwater Management Analysis, dated 5/16/25, stamped by Richard Volkin, Professional Engineer, #22282, Floor Plans and Elevation Drawings, dated 3/26/25, prepared by Design T Building, TLAG Affidavit, and photographs were submitted.

On June 3, 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 demolition of an existing nonconforming one-story structure with less than required left side yard and rear yard setbacks and construction of a two-story structure that will meet setback requirements, on an existing nonconforming lot with less than required front yard width 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 one-story structure with less than required left side yard and rear yard setbacks and construction of a two-story structure 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 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.



ZBA 2025-29
Petition of Chenchen Zhou
46 Upson 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.

J. Randolph Becker (km)
J. Randolph Becker, Chairman

Walter B. Adams (km)
Walter B. Adams

Peter Covo (km)
Peter Covo

ZBA 2025-29
Applicant Chenchen Zhou
Address 46 Upson Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

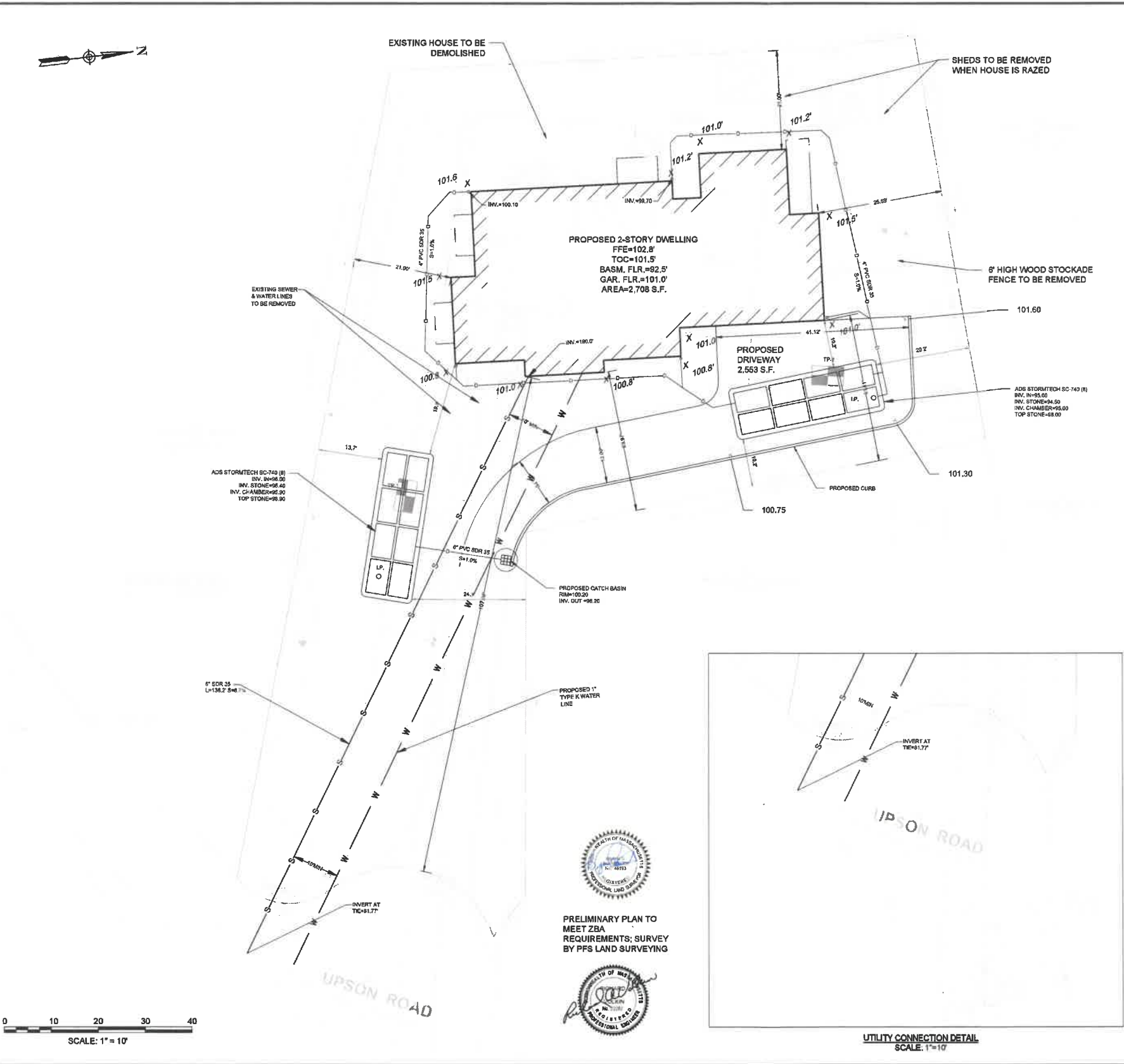
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



DEEP OBSERVATION HOLE LOG									
DEEP OBSERVATION HOLE NUMBER:		TP-1		GROUND ELEVATION:					
Depth (ft)	Horizon/ Layer	Matth. Color-Matth.	Redoximorphic Features			Texture (USDA)	Gravel Fragments (Percent by Volume)		Other
			Depth (in)	Color	Percent		Gravel	Clay & Silt	
0-12	A	10YR 5	-	-	-	SANDY LOAM	<5	<5	MAGNITE
12-12	Bw	10YR 5	-	-	-	LOAMY SAND	30	<5	GRAVELLY
35-110		10YR 5	NONE	-	-	SAND	<5	<5	GRAVELLY

NOTES:
1. NO WEEDING OR STANDING WATER OBSERVED.
2. NO REDOX OBSERVED.
3. NO REFUSAL.
4. LOGGED BY MATTHEW MUI, SE14258 ON 05/05/2025.

DEEP OBSERVATION HOLE LOG									
DEEP OBSERVATION HOLE NUMBER:		TP-2		GROUND ELEVATION:					
Depth (ft)	Horizon/ Layer	Matth. Color-Matth.	Redoximorphic Features			Texture (USDA)	Gravel Fragments (Percent by Volume)		Other
			Depth (in)	Color	Percent		Gravel	Clay & Silt	
0-12	A	10YR 5	-	-	-	SANDY LOAM	<5	<5	MAGNITE
12-34	Bw	10YR 5	-	-	-	LOAMY SAND	30	<5	GRAVELLY
35-110	C	10YR 5	NONE	-	-	SAND	<5	<5	GRAVELLY

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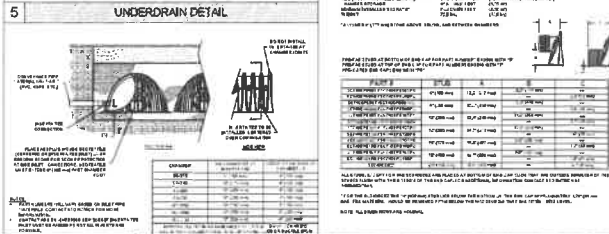
- 1) THE LOT LIES ENTIRELY WITHIN THE SINGLE RESIDENTIAL 10 DISTRICT (SR10) AS SHOWN ON THE "ZONING DISTRICT MAP OF WELLESLEY, MASSACHUSETTS". DIMENSIONAL REQUIREMENTS FOR A (SR10) AT THE TIME OF THIS SURVEY ARE:
- | | REQUIRED | EXISTING | PROPOSED |
|---------------------------------|-------------|--------------------|--------------------|
| MINIMUM LOT AREA..... | 10,000 S.F. | 16,299 S.F. | 16,299 S.F. |
| MINIMUM FRONTAGE..... | 60 FEET | 64.19 FEET | 64.19 FEET |
| MINIMUM FRONT YARD WIDTH..... | 60 FEET | 46.9 FEET | 46.9 FEET |
| MINIMUM FRONT YARD SETBACK..... | 30 FEET | 120.0 FEET | 107.06 FEET |
| MINIMUM SIDE YARD SETBACK..... | 20 FEET | 17.0 FEET | 21.0 FEET |
| MINIMUM REAR YARD SETBACK..... | 10 FEET | 9.0 FEET | 21.0 FEET |
| MAXIMUM BUILDING HEIGHT..... | 35 FEET | 19.0 FEET | 31.6 FEET |
| MAXIMUM BUILDING STORES..... | 3.0 | 1.0 | 2.5 |
| MAXIMUM BUILDING COVERAGE..... | 20% | 8.9% (1,462 S.F.) | 17.2% (2,808 S.F.) |
| IMPERVIOUS AREA..... | N/A | 27.2% (4,435 S.F.) | 32.9% (5,360 S.F.) |
- PROPOSED AVERAGE GRADE AROUND BUILDING
(101.5+101.5+100.8+101.0+100.8+101.0+101.0+101.0+101.2+101.0+101.2)/12=101.12'

- GENERAL NOTES
- 1) THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL FIELD SURVEY CONDUCTED BY PFS LAND SURVEYING INC. IN JANUARY 2025 AND FROM DEEDS AND PLANS OF RECORD.
- 2) THE EXISTING CONDITIONS SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY PFS LAND SURVEYING INC. IN JANUARY 2025.
- 3) THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED ON FIELD OBSERVATIONS AND INFORMATION OF RECORD. THEY ARE NOT WARRANTED TO BE EXACTLY LOCATED NOR IS IT WARRANTED THAT ALL UNDERGROUND UTILITIES OR OTHER STRUCTURES ARE SHOWN ON THIS PLAN.
- 4) HORIZONTAL DATUM IS BASED ON MASS. GRID SYSTEM, NAD 1983. ELEVATIONS SHOWN ON THIS PLAN REFER TO AN ASSUMED DATUM.
- 5) THE LOT LIES ENTIRELY WITHIN ZONE X UNSHADED (AREA OF MINIMAL FLOODING) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF WELLESLEY, MASSACHUSETTS, COMMUNITY PANEL NUMBER 2501700012E, EFFECTIVE DATE JULY 17, 2012.
- 6) NO WETLAND FLAGS WERE OBSERVED ON SITE AT THE TIME OF THE SURVEY.

TRIO DESIGN + BUILD			
SCALE 1"=10'			
DATE 5/2/25	REV	DATE	REVISION
SHEET	46 UPSON ROAD WELLESLEY, MASSACHUSETTS 02482		
PLAN NO.	PROPOSED SITE PLAN		
CLIENT	SHEET NO.		
DRAWN BY			
CHECK BY			

[illegible]

1. **STRENGTH** - the maximum force that can be generated by a muscle or group of muscles in a single contraction without visible muscle fatigue.
2. **ENDURANCE** - the ability of a muscle or group of muscles to sustain a submaximal force over a period of time.
3. **POWER** - the rate at which work is done, or the amount of work done in a given time.
4. **AGILITY** - the ability of a muscle or group of muscles to change direction quickly and accurately.
5. **COORDINATION** - the ability of a muscle or group of muscles to work together in a precise and efficient manner.
6. **STABILITY** - the ability of a muscle or group of muscles to maintain a specific position or posture.
7. **ROM** - the range of motion that a joint or group of joints can move through.
8. **RECOVERY** - the time it takes for a muscle or group of muscles to return to their original state after exercise.
9. **ADAPTATION** - the process by which a muscle or group of muscles changes in response to training.
10. **OVERLOAD** - the principle that a muscle or group of muscles must be subjected to a load greater than it is accustomed to in order to improve.
11. **PROGRESSION** - the principle that a muscle or group of muscles must be subjected to a load that increases over time in order to improve.
12. **REVERSIBILITY** - the principle that a muscle or group of muscles will lose its adaptations if it is not used for a period of time.
13. **SPESIFICITY** - the principle that a muscle or group of muscles will only improve in the specific way that it is trained.
14. **INDIVIDUAL DIFFERENCES** - the principle that each person's response to training is unique.
15. **PERIODIZATION** - the process of planning and organizing training into specific periods of time.
16. **WARM-UPS** - the process of preparing the body for exercise by increasing heart rate and blood flow to the muscles.
17. **Cool-downs** - the process of gradually reducing the intensity of exercise after a workout.
18. **REST** - the time between workouts when the body is recovering from the previous workout.
19. **HYDRATION** - the process of keeping the body hydrated during exercise.
20. **NUTRITION** - the process of providing the body with the fuel it needs to perform.
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100. **ADAPTATION** - the process by which the body changes in response to training.



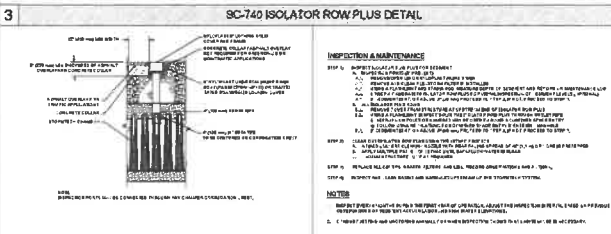
SC-740 TECHNICAL SPECIFICATIONS

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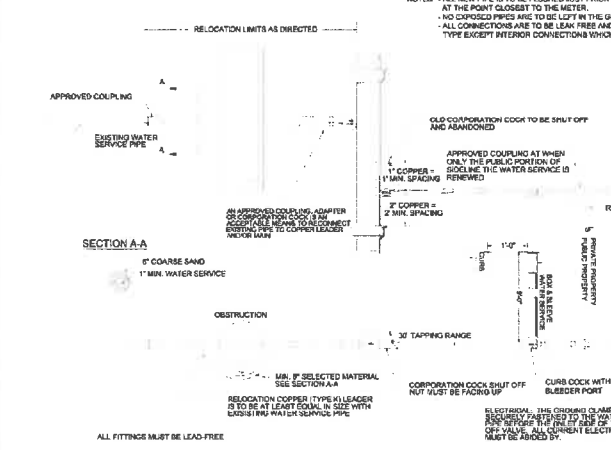
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1	SC-740 CROSS SECTION DETAIL
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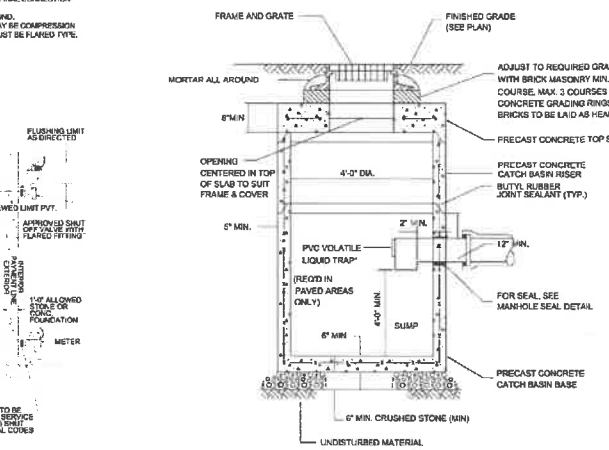


4	4" PVC INSPECTION PORT DETAIL (SC SERIES CHAMBER)
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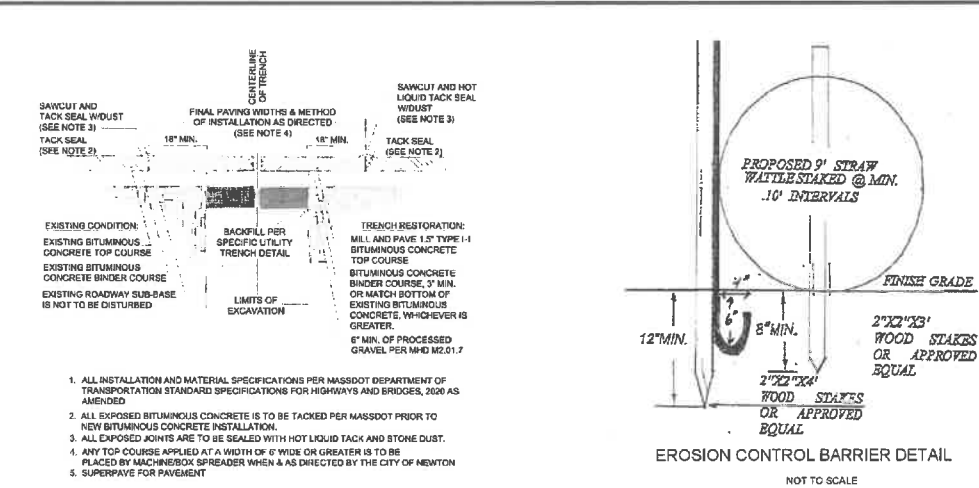
TYPICAL WATER SERVICE CONFIGURATION

NOT TO SCALE

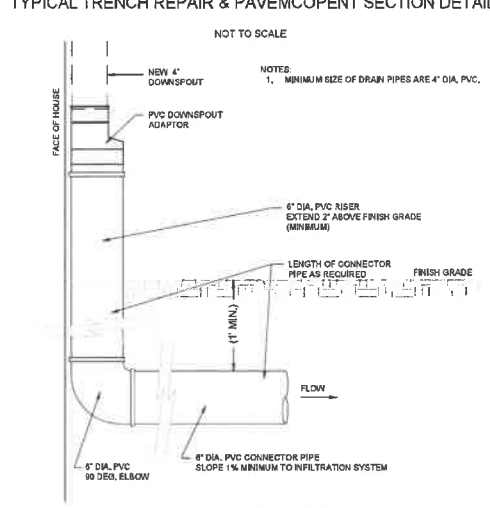


PRECAST CATCH BASIN DETAIL

NOT TO SCALE

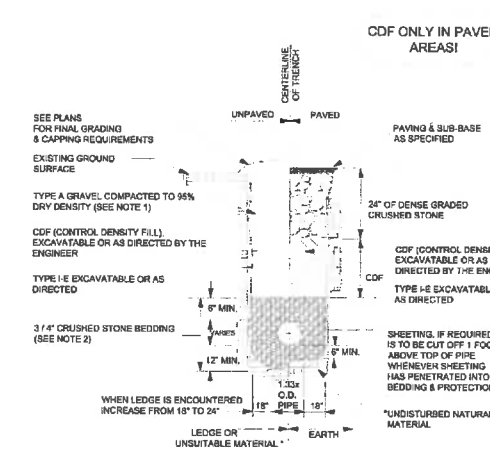


TYPICAL TRENCH REPAIR & DRAINAGE CORRECTION SECTION DETAIL



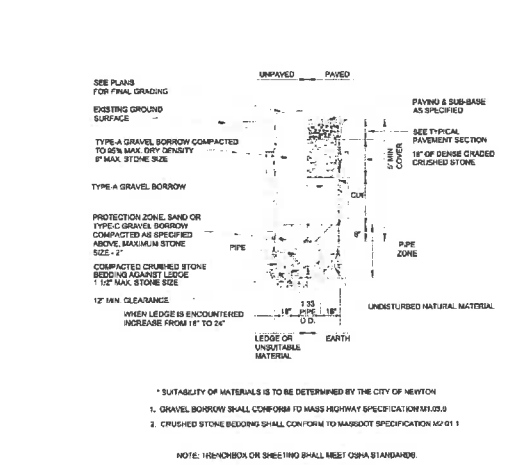
ROOF DRAIN DETAIL

NOT TO SCALE



GRAVITY SEWER TRENCH DETAIL

NOT TO SCALE



TYPICAL WATER TRENCH DETAIL

NOT TO SCALE

TRIO DESIGN + BUILD									
SCALE									
DATE									
	REV	DATE	REVISION					BY	
SHEET	<div>46 UPSON ROAD</div> <div>WELLESLEY,</div> <div>MASSACHUSETTS 02482</div>								
PLAN NO.									
CLIENT:	PROPOSED SITE PLAN								SHEET NO.
DRAWN BY									
CHECKED BY									