

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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2025 JUL 24 PM 12:03

ZBA 2025-34

Petition of Peter & Amy Guidi
6 Benvenue Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, July 10, 2025, on the petition of Peter & Amy Guidi requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that demolition of an existing nonconforming structure with less than required left side yard setbacks and construction of a new two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 6 Benvenue Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 4, 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 Brad Guidi, the Petitioner, who said that he lives at 6 Benvenue Street with his wife and their two children. He said that the house was built in 1935 and has limited space. He said that when they rebuilt the garage a few years ago, they brought it into compliance.

Mr. Guidi said that the sunroom on the left side projects 6 feet into the setback. He said that the proposal is to build a primary bath above it. He said that currently the primary bathroom is limited to a single stall, 3 foot by 3 foot, shower and a single vanity. He said that the location of the stairs limited where they could put the expanded primary bath. He said that the bay window that protrudes into the setback will be removed. He said that the proposed construction will be suitable for today's lifestyle and in line with comparable properties in Wellesley.

The Chairman said that the two nonconformities are the lot area, which is 36 square feet short of the requirement, and the left side yard setback at 13.7 feet.

A Board member confirmed that the existing sunroom is fully enclosed and heated. He said that existing vegetation on that side of the property should help to disguise the second floor addition. He said that the addition will be in keeping with the existing house.

Mr. Guidi said that they spoke with all of their neighbors and there were no issues.

The Chairman asked about the staircase that goes up on the Proposed Second Floor Plan. Mr. Guidi said the stair is existing access to storage in the non-finished attic space. The Board discussed adding a condition for submittal of TLAG calculations, as the structure appears to be close to the threshold for Large House Review.

A Board member said that it is a nonconforming structure on an undersized lot. He said that the request is to increase the height of a nonconforming structure.

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

Statement of Facts

The subject property is located at 6 Benvenue Street, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum left side yard setback of 13.7 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 demolition of an existing nonconforming structure with less than required left side yard setbacks and construction of a new two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Letter to Zoning Board of Appeals, from Brad & Amy Guidi, a Plot Plan, dated 4/21/25, stamped by Donald F. Bracken, Jr., Professional Land Surveyor, #58438, Floor Plans and Elevation Drawings, dated 4/24/25, prepared by MassArchitect, and photographs were submitted.

On July 8, 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.

It is the opinion of this Authority that demolition of an existing nonconforming structure with less than required left side yard setbacks and construction of a new two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square

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feet 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 demolition of an existing nonconforming structure with less than required left side yard setbacks and construction of a new two-story addition with less than required left side yard setbacks, subject to the following condition:

- TLAG calculations 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 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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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

Derek B. Redgate (km)
Derek B. Redgate

ZBA 2025-34
Applicant Peter & Amy Guidi
Address 6 Benvenue Street

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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

RECEIPT
Printed: August 21, 2025 @ 10:36:37
Norfolk Registry of Deeds
William P O'Donnell
Register

Trans#: 57709 Oper:VOGEL

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Book: 42600 Page: 258 Inst#: 58060
Ctl#: 151 Rec:8-21-2025 @ 10:36:31a
WELL 9 BENVENUE

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 304	106.00

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6 BENVENUE ST.