

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

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WELLESLEY MA 02482
2025 JUL 24 PM 12:02

ZBA 2025-35
Petition of Dita Mayer
11 Bryn Mawr Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, July 10, 2025, on the petition of Dita Mayer 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 and reconstruction of an existing nonconforming garage with less than required left side yard and rear yard setbacks, on a 5,016 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with less than required frontage, in a Water Supply Protection District, at 11 Bryn Mawr Road, 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 Johnathan Freitas, Contractor, who said that the request is to rebuild an existing garage in the same location with the same dimensions. He said that the existing garage is very old and deteriorated. He said that the project includes new framing, roof, siding and foundation.

The Chairman said that the lot size, frontage, left and right side yard setbacks for the main structure, and side and rear yard setbacks for the garage are nonconforming. A Board member said that the lot is nonconforming for lot coverage, but the proposed construction will not increase the lot coverage.

The Chairman asked about the proposed height of the garage. Mr. Freitas said that it will be 15 feet to the ridge. A Board member said that the dimensions for the garage should be shown on the plan.

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

Statement of Facts

The subject property is located at 11 Bryn Mawr Road, on a 5,016 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with minimum frontage of 50 feet where 60 is required, a minimum left side yard setback of 10.5 feet and a minimum right side yard setback of 11 feet where 20 feet is required. The existing nonconforming detached garage has a minimum left side yard setback of 3 feet where 20 feet is required and a minimum rear yard setback of 2.52 feet where 10 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 and reconstruction of an existing nonconforming garage with less than required left side yard and rear yard setbacks, on a 5,016 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with less than required frontage, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 4/25/25, stamped by Michael El-Ashkar, Professional Land Surveyor, #39686, and a Garage Plan, PR-100, dated 3/19/25, 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.

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 and reconstruction of an existing nonconforming garage with less than required left side yard and rear yard setbacks, on a 5,016 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with less than required frontage, 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 and reconstruction of an existing nonconforming garage with less than required left side yard and rear yard setbacks, subject to the following condition:

- Either a plot plan or the drawing, PR100, be revised to add the ridge height to the dimensions of the garage.

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.

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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 (lm)
J. Randolph Becker, Chairman

Walter B. Adams (lm)
Walter B. Adams

Derek B. Redgate (Am)
Derek B. Redgate

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2025 JUL 24 PM 12: 02

ZBA 2025-35
Applicant Dita Mayer
Address 11 Bryn Mawr Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

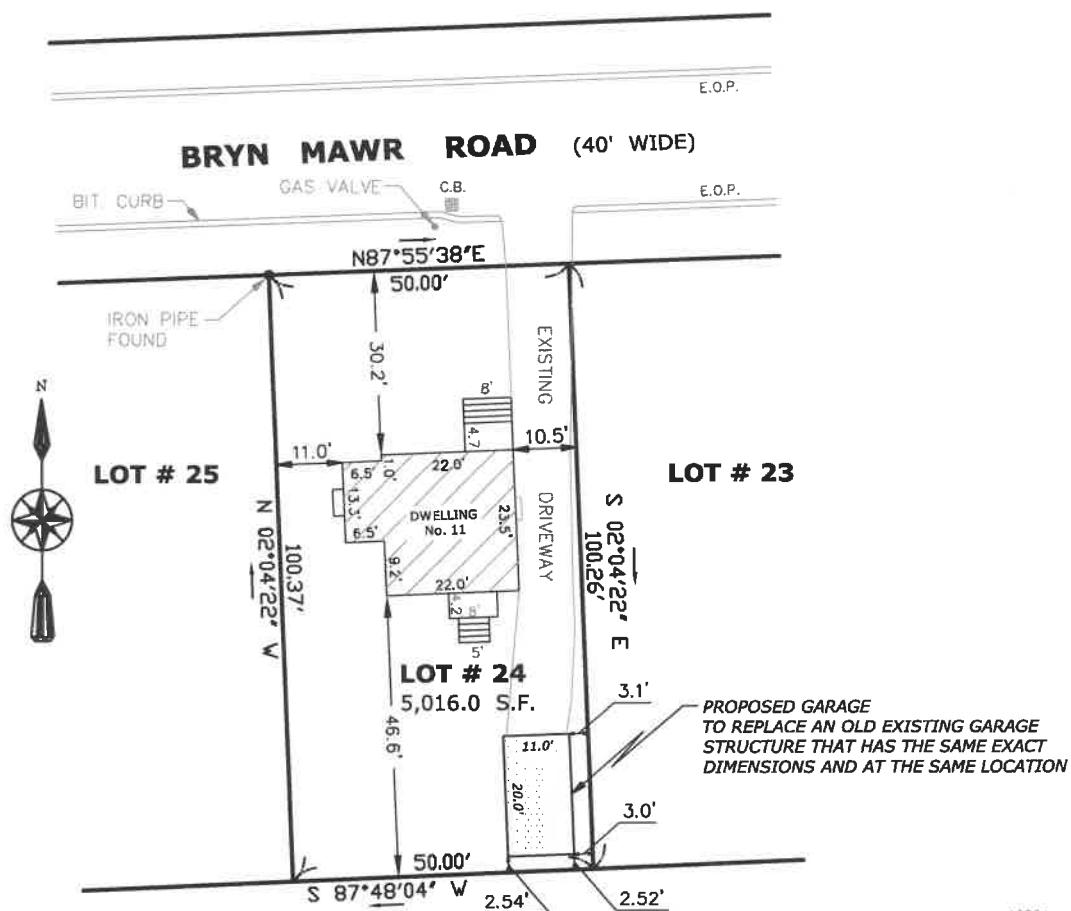
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lm



ASHKAR ENGINEERING
 70 Washington Street, Suite 306
 Haverhill, MA 01832
 Tel: (978) 914-6527
 Cell: (508) 982-3071
 E mail: ashkarengineering@live.com



SITE PLAN
*Showing a proposed new garage structure
 to replace an old existing garage*

11 BRYN MAWR ROAD, WELLESLEY, MASS.

Prepared for: Dita Mayer
 Surveyed by: Michel G. El-Ashkar, PLS

Scale: 1"= 20 ft.

Date: April 25, 2025

RECEIPT
Printed: August 21, 2025 @ 11:30:02
Norfolk Registry of Deeds
William P. O'Donnell
Register

Trans#: 57745 Open: LEAH

Book: 42600 Page: 454 Inst#: 58105
Ct#: 205 Rec: 8-21-2025 @ 11:30:02a
WELL 11 BRYN MAWR 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
CASH PMT PAYMENT -CASH		110.00
Overpayment amount:		4.00
REF CASH REFUND -CASH		4.00



LEY MASSACHUSETTS

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