

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

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 489-7450

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2025-66
Petition of Wellesley Oak LLC
35 Garrison Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, December 4, 2025, on the petition of Wellesley Oak LLC 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 a one-story addition with less than required right side yard setbacks on an existing nonconforming structure with less than required right side yard setbacks, at 35 Garrison 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 November 3, 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 Lei Shen and Chih Lee, Architect.

Mr. Lee said that the existing home is a two-story single-family house with a small garage on the right side and a family room that was built by a previous owner.

Mr. Lee said that Mr. Shen would like to have more space to accommodate his family. He said that the kitchen and the dining room at the back of the house are too small. He said that the single car garage, at 9 feet 8 inches, is too small to fit a modern car. He said that the plan is to build a tandem two-car garage.

Mr. Lee said that the existing side yard setback is 14 feet and the proposed side yard setback is 15 feet, where 20 feet is required. He said that the setback will be a little wider at the front to keep more distance from the neighbor. He said that the rear setback at 11 feet and the front setback at 30.5 feet are conforming. He said that proposed lot coverage of 23.9 percent is below the maximum of 25 percent. He said that the extension will only be on the first floor and the second floor will remain the same.

Mr. Lee said that they will expand the garage by eliminating the breezeway access to the kitchen. He said that the length of the garage will extend to the back of the house.

A Board member asked about the gable peak roof over the garage door where the rest of the house shows a gambrel roof. He said that it calls more attention to that place rather than the main body of the house. Mr. Lee said that the garage extension is long and they need the slope to drain water to the side.

A Board member confirmed with Mr. Lee that there will be light fixtures on either side of the garage doors and that the light fixtures will be designed to reduce any horizontal glare to the neighborhood.

The Chairman said that the existing nonconformances are the right side and left side yard setbacks.

The Chairman said that the Planning Board recommended that the Applicant be required to submit a TLEG affidavit to the Zoning Board of Appeals.

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

Statement of Facts

The subject property is located at 35 Garrison Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 19 feet and a minimum right side yard setback of 14 feet 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 construction of a one-story addition with less than required right side yard setbacks on an existing nonconforming structure with less than required right side yard setbacks, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 9/23/25, stamped by Scott M. Cerrato, Professional Land Surveyor, #50049, Floor Plans and Elevation Drawings, dated 9/25/25, prepared by Chih-Ming Lee, Architect, and photographs were submitted.

On December 2, 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 a one-story addition with less than required right side yard setbacks on an existing nonconforming structure with less than required right 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 one-story addition with less than required right side yard setbacks , subject to the following conditions:

1. A TLAG Affidavit shall be submitted to the Zoning Board of Appeals.
2. The Applicant shall submit a Certificate of Good Standing from the Secretary of the Commonwealth.

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.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02480
2025 DEC 17 PM 12:28

ZBA 2025-66
Petition of Wellesley Oak LLC
35 Garrison 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 (hm)
J. Randolph Becker, Chairman

David G. Sheffield (hm)
David G. Sheffield

Peter Covo (hm)
Peter Covo

ZBA 2025-66
Applicant Wellesley Oak LLC
Address 35 Garrison Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2025 DEC 17 PM 12:29

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

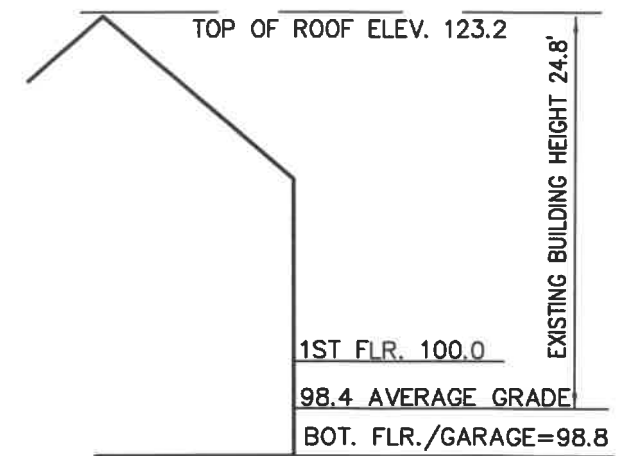
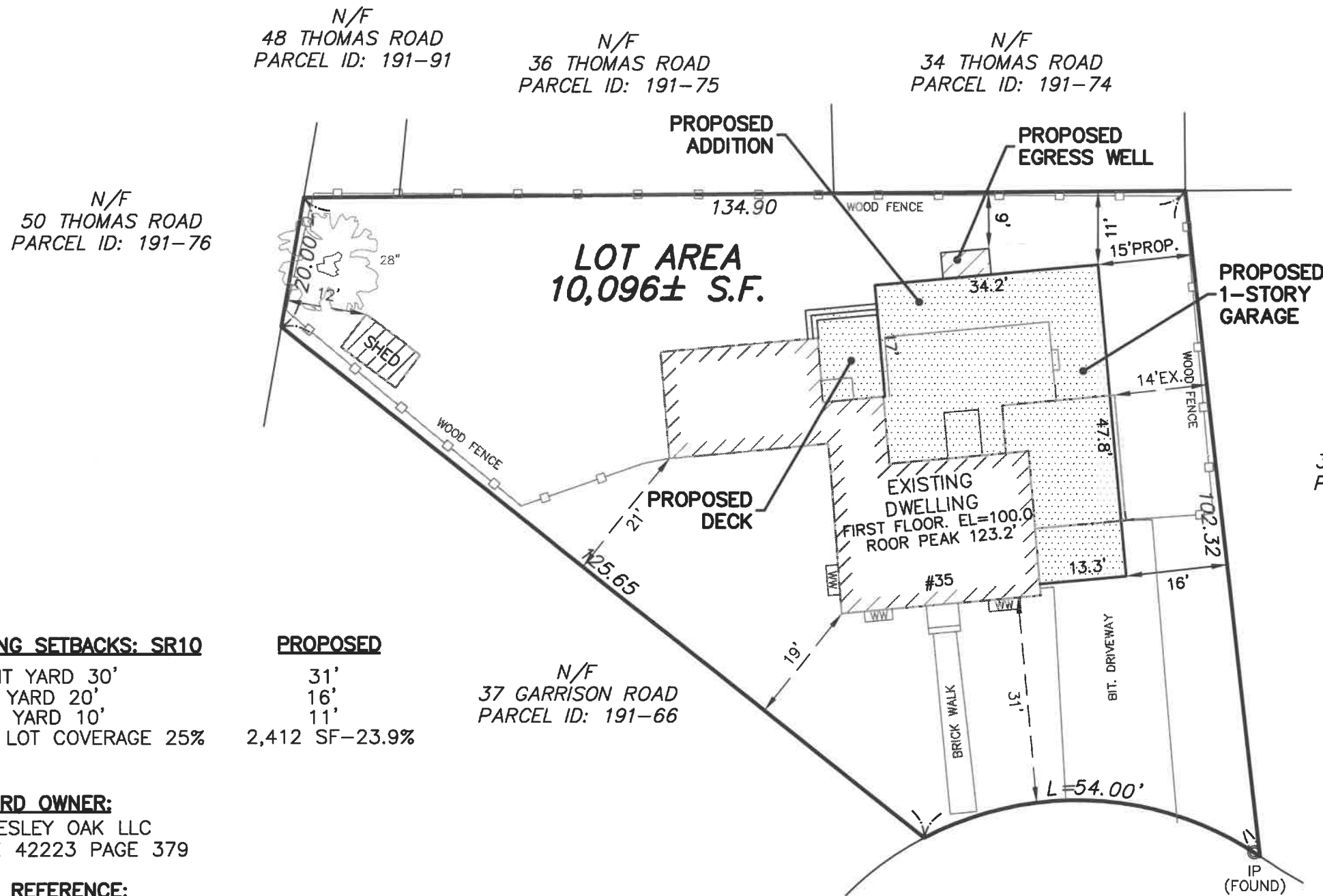
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

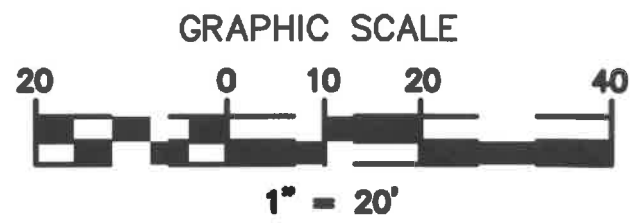
Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrn



DWELLING HEIGHT



ZONING SETBACKS: SR10
FRONT YARD 30'
SIDE YARD 20'
REAR YARD 10'
MAX. LOT COVERAGE 25%
PROPOSED
31'
16'
11'
2,412 SF-23.9%

RECORD OWNER:
WELLESLEY OAK LLC
BOOK 42223 PAGE 379

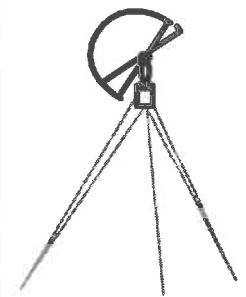
PLAN REFERENCE:
LOT E-1 ON PLAN BOOK 2254 PAGE 513

GARRISON ROAD
(PUBLIC - 40' WIDE)



I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL INSTRUMENT SURVEY MADE ON THE GROUND IN JULY 2025 AND THE STRUCTURES DEPICTED HEREON ARE LOCATED AS SHOWN.

9-23-25 Scott M Cerrato
DATE SIGNATURE



PLOT PLAN
35 GARRISON ROAD
WELLESLEY, MASSACHUSETTS
PARCEL ID: 191-67

SCOTT CERRATO, PLS
51 WAREHAM STREET
MEDFORD, MA. 02155

SEPTEMBER 23, 2025
PHONE: (781) 775-3724
www.cerrato-survey.com

ZBA 2025-66
35 Garrison Rd, Wellesley

R E C E I P T
Printed: January 8, 2026 @ 10:06:18
Norfolk Registry of Deeds
William P O'Donnell
Register

Trans#: 1194 Oper:CMCELMAN

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Book: 42872 Page: 297 Inst#: 1196
Ctl#: 112 Rec:1-08-2026 @ 10:06:15a
WELL 35 GARRISON ROAD

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 1006		106.00

ZBA 2025-66
35 Garrison Rd, Wellesley