

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

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2025-68
Petition of Peter Smith
22 Ingersoll Road

2025 DEC 11 2025
WELLESLEY
ZONING BOARD OF APPEALS
MASSACHUSETTS

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, December 4, 2025, on the petition of Peter Smith requesting a Special Permit/Finding pursuant to the provisions of Section 3.8, Section 5.1 and Section 6.2 of the Zoning Bylaw that widening a front porch with less than required front yard setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, and for a Variance pursuant to the provisions of Section 5.3 and Section 6.2 of the Zoning Bylaw for construction of a two-story addition with less than required left side yard setbacks, at 22 Ingersoll Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District. The project includes construction of a second story addition that will meet setback requirements, demolition of an existing nonconforming one-car garage with less than required left side yard setbacks, and demolition of an existing shed.

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 David Himmelberger, Esq., Jillian Jacobs and Peter Smith, the record owners and applicants, and Mike Fields, SKA Architects.

Mr. Himmelberger said that the request is for a special permit to construct an addition to a non-conforming single-family home on an oversized lot. He said that the current front setback for the front porch is 26.7 feet. He said that the proposal is to expand the porch to the width of the house, while maintaining the 26.7 foot setback from the street. He said that, additionally, there is a request for a variance to extend a portion of the addition into the left side setback. He said that currently there is a non-conforming detached garage located in the left side setback. He said that a variance is needed to attach the addition to the house. He said that the variance is sought based on the shape of the lot, and the fact that the lot is oblong-shaped with 80 feet of frontage and 99.81 feet at the back. He said that the project had an outpouring of neighborhood support, with at least 9 letters from immediate and nearby neighbors.

Mr. Fields said that the proposed changes to the roof line over the front porch clean up the architecture and improve drainage.

Mr. Fields said that there is an existing detached garage and tool shed out back that they would like to coalesce and attach to the house. He said that the face of the garage will be pushed further back and the back of the addition will be pulled in further from the rear property line. He said that they pushed it back and kept it as close to the house as they could to connect it and make the driveway work.

Mr. Fields said that new living space over the garage will accommodate growing kids and may be used as a place for grandparents to stay.

Mr. Fields said that additions have been cobbled on the house over the years. He said that the plan is to bring some unity to it. He said that part of the project includes an as-of-right addition to the kitchen.

The Chairman questioned how connecting the garage to the house and pushing it out beyond the setback line is not a self-created hardship. Mr. Himmelberger said that the applicants were not the ones who created the rhombus lot. He said that the applicants are seeking a variance because the lot is a pre-existing awkward shape.

A Board member asked if the garage and storage structure could be pushed further into the center of the lot. Mr. Himmelberger said that if it was pushed into the center of the lot, the garage would need to be a side-facing, which requires a 30-foot side setback. He said it would put the garage between the house and the yard area.

The Chairman said that he understood the argument for the shape of the lot but there is plenty of space, both at the front and even more at the back. He questioned the hardship. Mr. Himmelberger said that subsequent to the design that is before the Board, he got clarification from the building inspector about the location of Accessory Dwelling Units (ADUs). He said that if the Board is leaning toward a negative vote on the variance as currently presented, the Petitioner would request to withdraw the request for the variance and seek only the special permit for the front porch.

Mr. Himmelberger requested that the request for a variance be allowed to be withdrawn without prejudice.

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

Statement of Facts

The subject property is located at 22 Ingersoll Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum front yard setback of 26.7 feet where 30 feet is required. The existing detached garage has a minimum left side yard setback of 13.1 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 6.2 of the Zoning Bylaw that widening a front porch with less than required front yard setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Letter to Zoning Board of Appeals, dated 10/28/25, from David Himmelberger, Esq., Progress Print showing Existing Conditions, dated 11/28/23 and Plan of Land, dated 10/27/25, stamped by Bradley J. Simonelli, Professional Land Surveyor #47581, Floor Plans & Elevation Drawings, Project Description and photographs, dated 10/27/25, prepared by Sam Kachmar Architects, and a TLAG Affidavit were submitted.

On December 2, 2025, the Planning Board recommended that a special permit and a variance be denied.

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 increasing the width of the front porch with less than required front 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, to increase the width of the front porch with less than required front yard setbacks, in accordance with submitted plan.

At the request of the Petitioner, the Board voted unanimously to allow the petition for a variance to be withdrawn without prejudice.

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.

2025-68
Petition of Peter Smith
22 Ingersoll Road
Planning Board
December 2, 2025
12:30 PM

ZBA 2025-68
Petition of Peter Smith
22 Ingersoll 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 (rm)
J. Randolph Becker, Chairman

David G. Sheffield (rm)
David G. Sheffield

Peter Covo (rm)
Peter Covo

ZBA 2025-68
Applicant Peter Smith
Address 22 Ingersoll Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

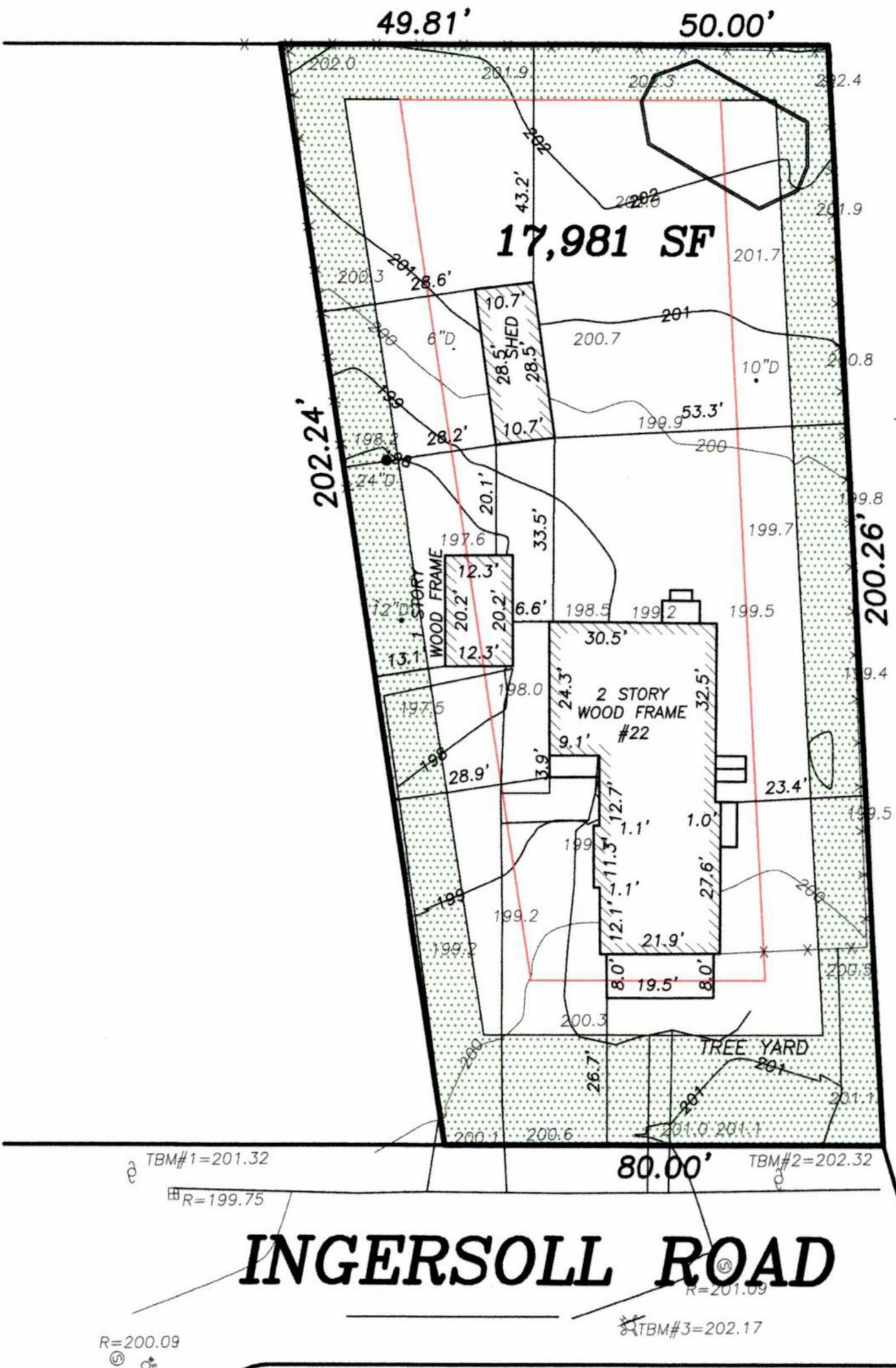
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

REQUIRED	EXISTING
MINIMUM LOT AREA	10,000 SF.....17,981 SF
MINIMUM LOT FRONTAGE.....	60 FEET.....80.00 FEET
MINIMUM FRONT SETBACK.....	30.0 FEET*.....71.0 FEET
MINIMUM SIDE YARD.....	20 FEET.....20.0 FEET
	25.0 FEET
MINIMUM REAR YARD	10 FEET.....97.6 FEET
MAXIMUM BUILDING COVERAGE.....	20%(4090 SF).....9.4%(2145 SF)
MAXIMUM BUILDING HEIGHT.....	36 FEET**
MAXIMUM BUILDING HEIGHT.....	30± FEET
MAXIMUM BUILDING HEIGHT.....	2 1/2 STORIES.....2 STORIES

*FRONT SETBACK TO BE DETERMINED BY THE 500 FOOT RULE

** HEIGHT DETERMINED FROM AVERAGE GRADE PLANE PER ZONING BYLAW SECTION 5.4



PROGRESS PRINT
SHOWING EXISTING CONDITIONS
22 INGERSOLL ROAD
WELLESLEY, MASS.

Field Resources, Inc.
LAND SURVEYORS

JOB NO. 109-23

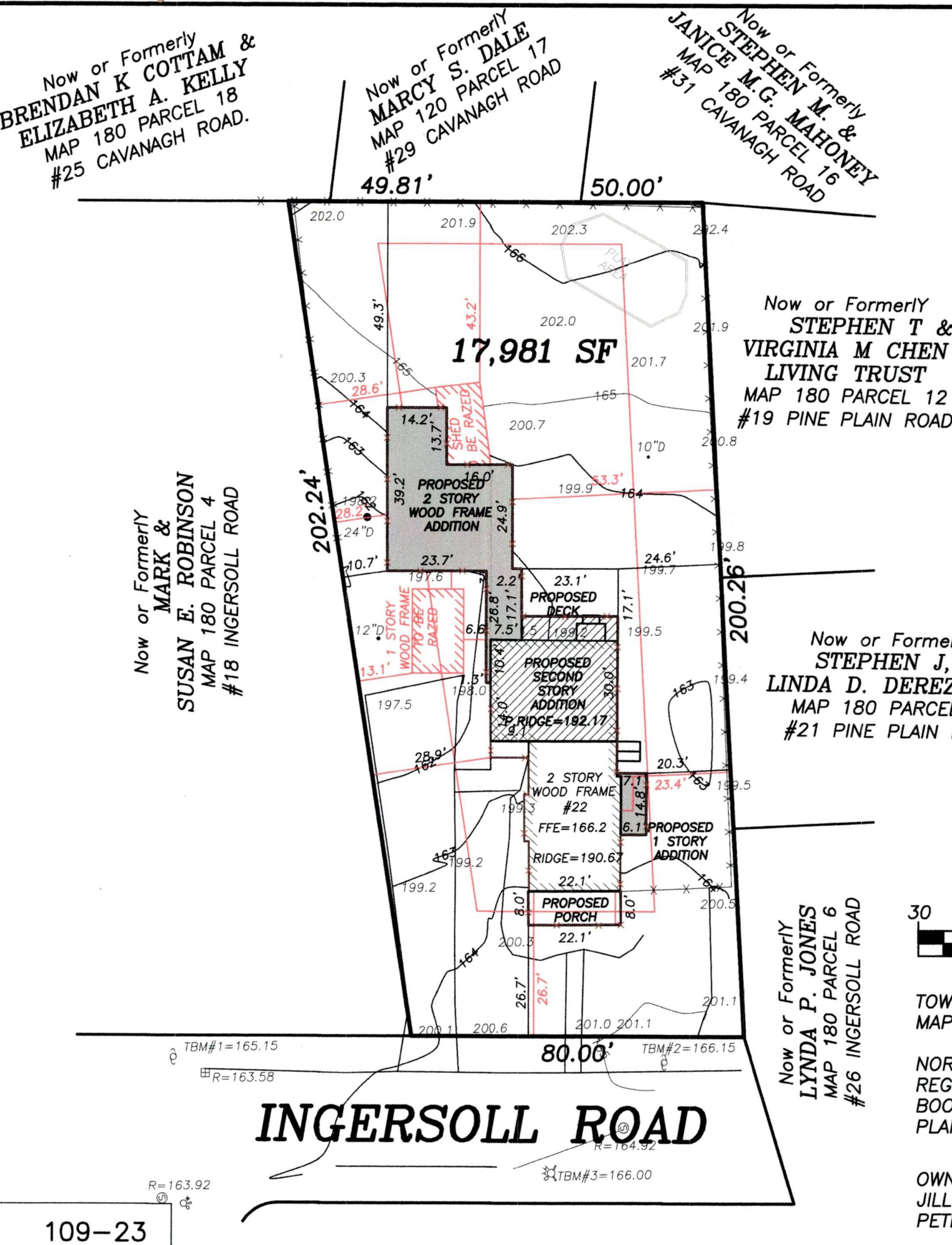
NOVEMBER 28, 2023

SCALE 1"=30'

P.O. BOX 324
AUBURN, MA281 CHESTNUT ST.
NEEDHAM, MA.
781 444 5936

office@fieldresources.net

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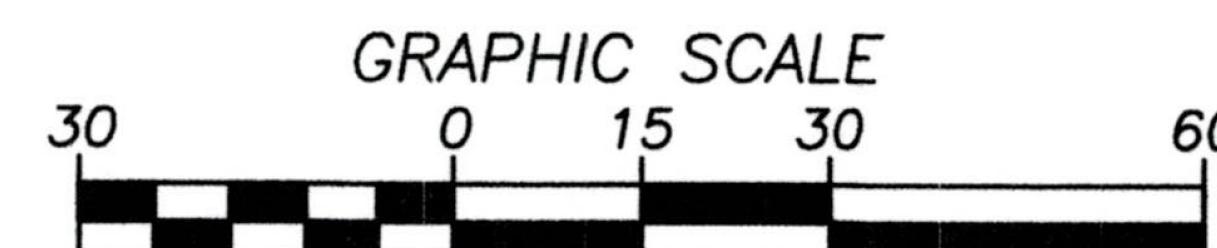
ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF	17,981 SF	17,981 SF
MINIMUM LOT FRONTAGE	60 FEET	80.00 FEET	80.00 FEET
MINIMUM FRONT SETBACK	30.0 FEET*	26.7 FEET	26.7 FEET
MINIMUM SIDE YARD	20 FEET	23.4 FEET	20.3 FEET
MINIMUM REAR YARD	10 FEET	13.1 FEET	10.7 FEET
MAXIMUM BUILDING COVERAGE	20%(4000 SF)	12.8%(2307 SF)	18.7%(3357 SF)
MAXIMUM BUILDING HEIGHT	36 FEET**	30± FEET	30± FEET
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 STORIES	2 STORIES

*FRONT SETBACK TO BE DETERMINED BY THE 500 FOOT RULE

** HEIGHT DETERMINED FROM AVERAGE GRADE PLANE PER ZONING BYLAW SECTION 5.4

THIS PLAN IS FOR THE EXPRESS AND SOLE PURPOSE OF SECURING A SPECIAL PERMIT &/OR VARIANCE THROUGH THE ZONING BOARD OF APPEALS AND NOT FOR ANY OTHER PERMITTING. ANY ATTEMPT TO ALTER OR MODIFY THIS PLAN MAKES THE DOCUMENT AND ITS CERTIFICATION NULL AND VOID.

TOWN OF WELLESLEY
MAP 180 PARCEL 05NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 40814 PAGE 6
PLAN 619 OF 1923OWNER/APPLICANT:
JILLIAN JACOBS &
PETER J. SMITH

JOB NO. 109-23

OCTOBER 27, 2025

P.O. BOX 324
AUBURN, MA.

781 444 5936

office@fieldresources.net

Field Resources, Inc.
LAND SURVEYORS

SCALE 1"=30'

281 CHESTNUT ST.

NEEDHAM, MA.

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS
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Property Address 22 Ingersoll Rd, Wellesley Deed Book 4084, Page 6