



## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2018-76  
Petition of Wei Chao Guan  
25 Old Colony Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 6, 2018 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Wei Chao Guan requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two car garage at the basement level with one floor of living area above and construction of a two-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, on a 16,898 square foot corner lot in a district in which the minimum lot size is 20,000 square feet, at 25 Old Colony Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 15, 2018, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Wei Chao Guan, the Petitioner. Mr. Guan said that the request is to put an addition behind the house and a two car garage beside the house. He said that the original setback of the house is 17.5 feet. He said that the request is for a special permit to continue that setback where 20 feet is required.

A Board member confirmed that the two retaining walls that are shown on the plot plan are existing.

A Board member said that the height above grade was shown on the plans but there was no information about what the grades are.

A Board member asked about the existing garage that is shown on Elevation Drawing, Sheet A2.0a. Mr. Guan said that the existing garage is a one car garage and the proposed two car garage will be next to it. He said that the plan is to reduce the size of the door on the existing one car garage.

A Board member said that the Board received a letter from the DPW, dated November 14, 2018, regarding drainage. The Chairman read the letter from James Manzolini into the record. He said that the DPW requirement for silt sacks in the catch basins during construction will be made a condition of the decision.

A Board member identified the nonconformities on the property.

There was no one present at the public hearing who wished to speak to the petition.

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### Statement of Facts

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The subject property is located at 25 Old Colony Road, on a 16,898 square foot corner lot in a district in which the minimum lot size is 20,000 square feet, with minimum side yard setbacks of 17.5 feet and 18.6 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two car garage at the basement level with one floor of living area above and construction of a two-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, on a 16,898 square foot corner lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 8/28/18, stamped by Joseph March, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 9/20/18, prepared by Gary Chen Architect, and photographs were submitted.

On November 20, 2018, 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 subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that although construction of a two car garage at the basement level with one floor of living area above and construction of a two-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, on a 16,898 square foot corner lot in a district in which the minimum lot size is 20,000 square feet is intensifying an existing nonconformity, the proposed alteration shall not result in additional nonconformities and shall 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 two car garage at the basement level with one floor of living area above and construction of a two-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, on a 16,898 square foot corner lot in a district in which the minimum lot size is 20,000 square feet, subject to the following conditions:

1. Onsite catch basins shall be equipped with silt sacks during construction to eliminate any silt or construction debris from entering the town drainage system.
2. If any changes to the existing catch basins are made (elevation, location, inlets, outlets, etc.) in the scope of this project, the DPW, specifically the engineering division, shall require a review, approval, and inspection.

The Inspector of Buildings 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.

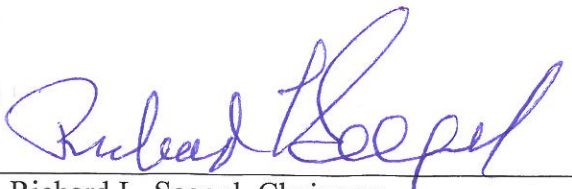


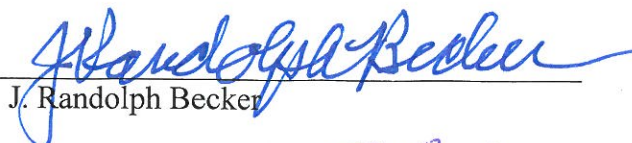
ZBA 2018-76  
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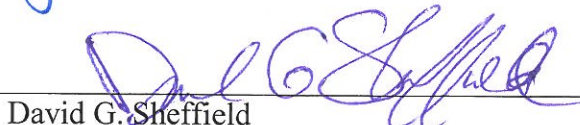
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
Richard L. Seegel, Chairman

  
J. Randolph Becker

  
David G. Sheffield

ZBA 2018-76  
Applicant Wei Chao Guan  
Address 25 Old Colony 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.

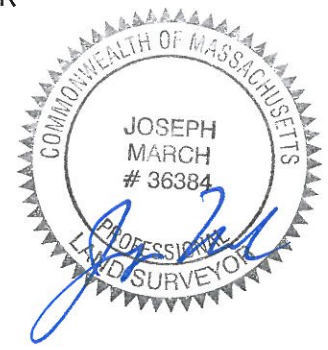
Date:

Attest:

\_\_\_\_\_  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm

DATE 8/12/18 REGISTERED PROFESSIONAL LAND SURVEYOR *J. L. [Signature]*



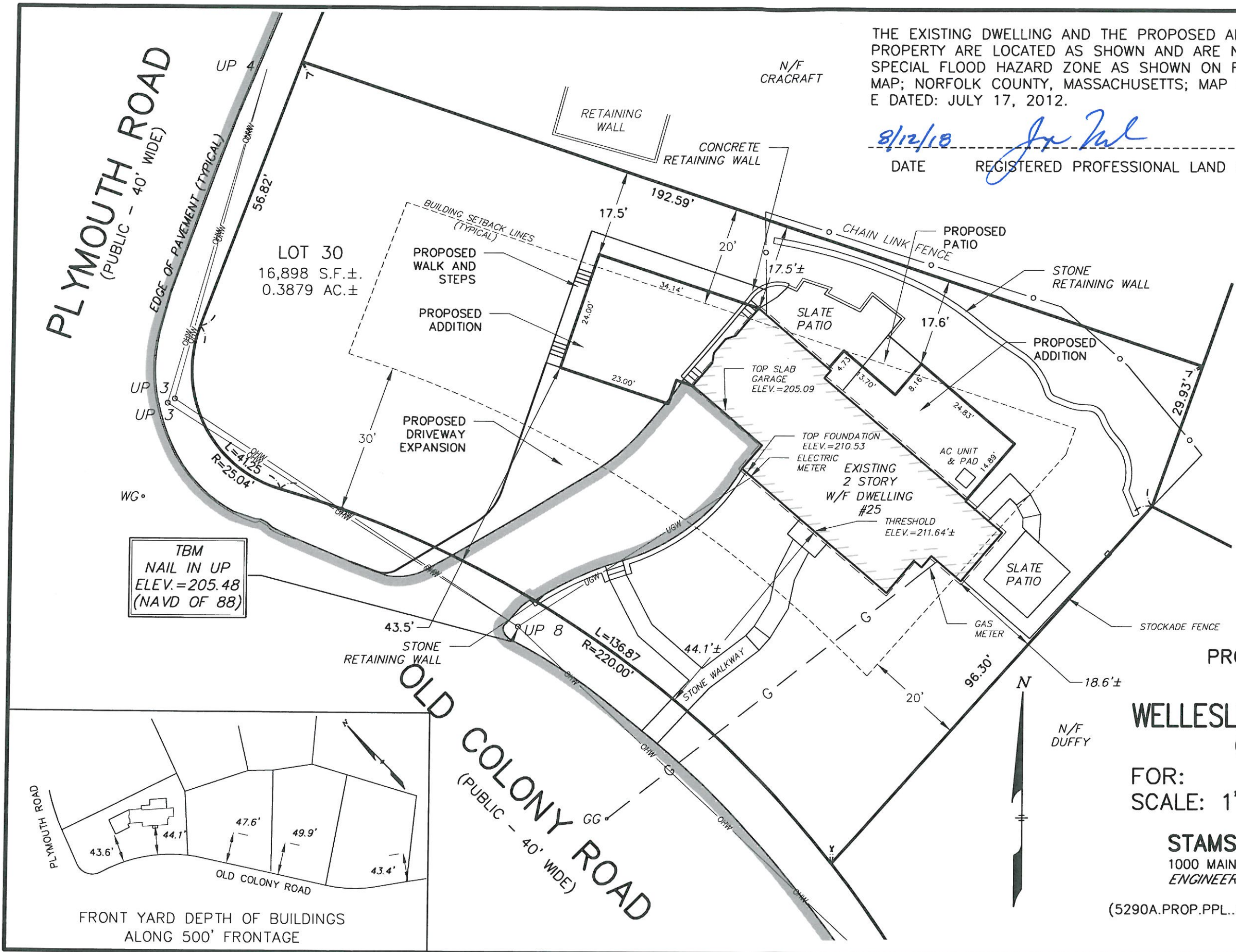
SR20 - SINGLE RESIDENCE 20

EXISTING	1,468 ±S.F.	8.7%
PROPOSED	2,614 ±S.F.	15.4%

WELLESLEY, MASSACHUSETTS  
(MIDDLESEX COUNTY)

FOR: GUAN  
SCALE: 1"=20' AUGUST 28, 2018

(5290A.PROP.PPL..dwg) 25 Old Colony Road SM-5290A



FRONT YARD DEPTH OF BUILDINGS  
ALONG 500' FRONTAGE