



## ZONING BOARD OF APPEALS

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

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ZBA 2020-41  
Petition of Olga Boric  
30 River Ridge

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Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, October 1, 2020 at 7:30 pm, on the petition of Olga Boric requesting amendment of a Variance and/or a Special Permit Finding pursuant to the provisions of Section 14E, Section 17, Section 19, Section 24 and Section 25 of the Zoning that demolition of an existing nonconforming deck with less than required right side yard setbacks and construction of a one-story addition with a two-car garage underneath, with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks and frontage, at 30 River Ridge, in a 10,000 square foot Single Residence District and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 26, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for October 1, 2020.

Present at the public hearing were Olimpiu Dejeu and Olga Boric, the Petitioner. Mr. Dejeu said that the request is for a special permit/finding or modification of a variance to extend a nonconforming structure and build a one level addition with a garage underneath.

Mr. Dejeu said that 30 River Ridge is located in a 10,000 square foot district Single Residence District and a Water Supply Protection District. He said that the lot is odd shaped and has nonconforming right side and front yard setbacks as well as nonconforming frontage. He said that the addition will encroach into the Riverfront Protection area. He said that an Order of Conditions was approved by the Wetlands Protection Committee (WPC) on June 5, 2020.

Mr. Dejeu said that existing lot coverage of 8 percent will increase to 17 percent, which is below the maximum allowed. He said that TLAG will be 3,481 square feet, with 640 square feet in the basement and garage. He said that the existing height of 25.7 feet will increase to 26.1 feet. He said that the proposal is to extend the current house out with the addition. He said that the garage doors will meet the required 30 feet to the side lot line. He said that they will use permeable pavers on the driveway that comes in from the street. He said that there will be no new nonconformities. He said that they tried to minimize the impact to the Riverfront Protection area.

Mr. Dejeu said that they showed the plans to the neighbors and they were supportive. He said that some of the neighbors sent emails in support of the project.

There was no member of the public who wished to speak to the petition.

### Statement of Facts

The subject property is located at 30 River Ridge, in a 10,000 square foot Single Residence District and a Water Supply Protection District, with a minimum front yard setback of 1 foot where 30 feet is required, a minimum right side yard setback of 1 foot where 20 feet is required, and 24 feet of frontage where 60 feet is required.

The Petitioner is requesting amendment of a Variance and/or a Special Permit Finding pursuant to the provisions of Section 14E, Section 17, Section 19, Section 24 and Section 25 of the Zoning that demolition of an existing nonconforming deck with less than required right side yard setbacks and construction of a one-story addition with a two-car garage underneath, with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks and frontage, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 4/3/20, an Existing Conditions Plan of Land and a Tree Protection and Mitigation Plan, dated 4/28/20, stamped by David W. Humphrey, Professional Land Surveyor, Erosion Control Plan, dated 4/27/20, stamped by Chi Y. Man, P.E., Existing and Proposed Floor Plans and Elevation Drawings, dated 5/25/20, prepared by McGavern Design, and photographs were submitted.

On June 5, 2020, the Wetlands Protection Committee issued an Order of Conditions, DEP #324-0945.

On September 23, 2020, 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 XIVE of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition of an existing nonconforming structure and reconstruction of a two-story structure with basement, on the existing footprint with less than required front yard, left and right side yard setbacks 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 of an existing nonconforming structure and reconstruction of a two-story structure with basement, on the existing footprint with less than required front yard, left and right side yard setbacks, in accordance with the submitted plot plan and construction drawings.

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.

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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.

Robert W. Levy (h.m.)  
Robert W. Levy, Acting Chairman

David G. Sheffield (h.m.)  
David G. Sheffield

Derek B. Redgate (h.m.)  
Derek B. Redgate

ZBA            2020-41  
Applicant    Olga Boric  
Address      30 River Ridge

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

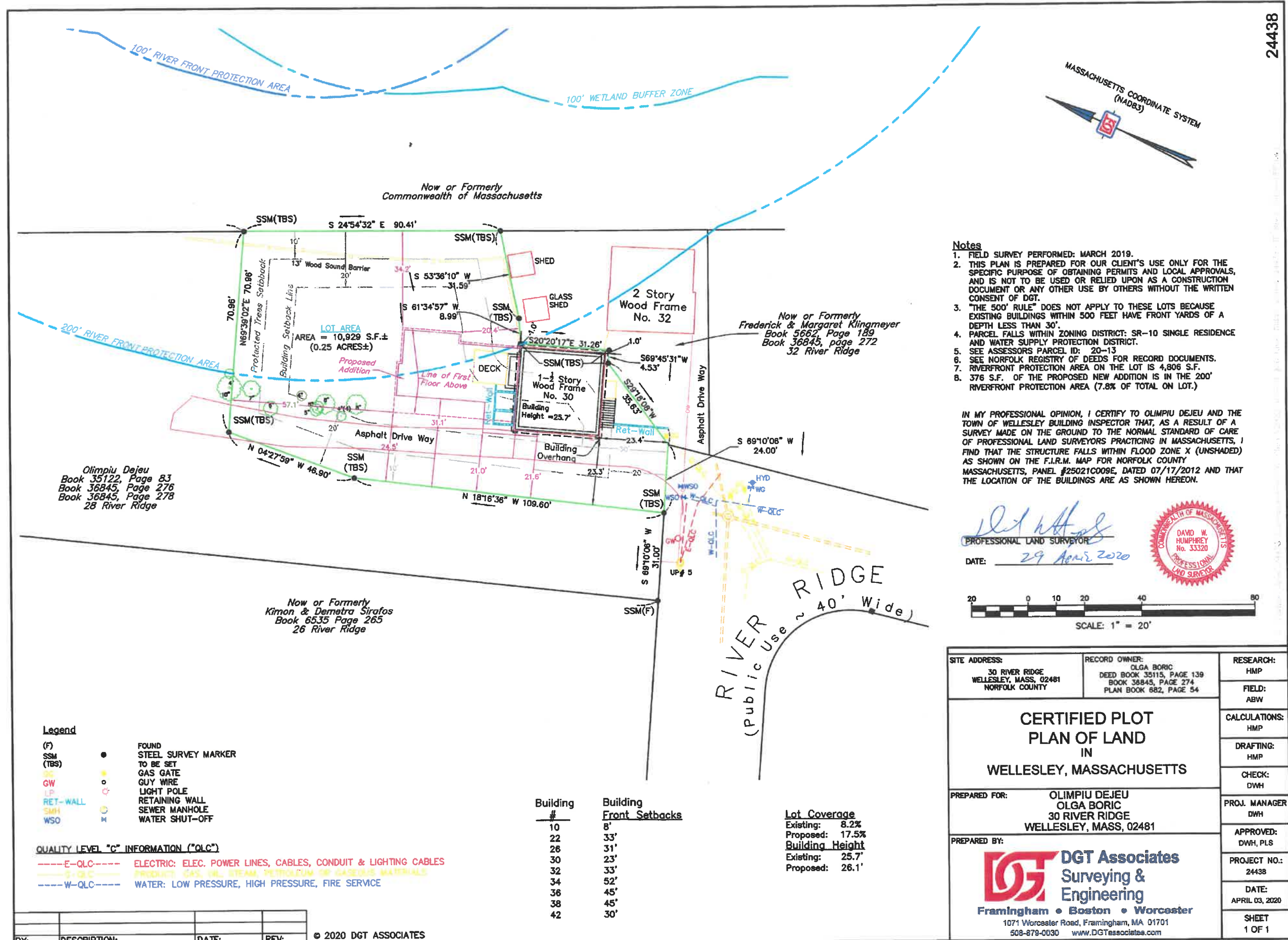
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

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

cc: Planning Board  
Inspector of Buildings  
lrm



LEGEND

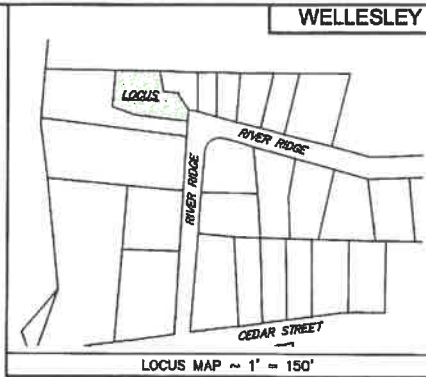
- (F) FOUND  
SSM (TBS) STEEL SURVEY MARKER  
TO BE SET  
GAS GATE  
GLY WIRE  
LIGHT POLE  
RETAINING WALL  
SEWER MANHOLE  
WATER GATE  
WATER SHUT-OFF

QUALITY LEVEL "C" INFORMATION ("QLC")

- E-QLC ELECTRIC: ELEC. POWER LINES, CABLES, CONDUIT & LIGHTING CABLES  
W-QLC WATER: LOW PRESSURE, HIGH PRESSURE, FIRE SERVICE



Building #	Building Front Setbacks	Lot Coverage
10	0'	Existing: 8.2%
22	33'	Building Height
26	31'	Existing: 25.7
30	23'	Impervious Surface
32	33'	Existing: 2409 S.F. ± 22.5
34	52'	
36	45'	
38	45'	
42	30'	



- Notes
1. FIELD SURVEY PERFORMED: MARCH AND APRIL 2020.
  2. THIS PLAN IS PREPARED FOR OUR CLIENT'S USE ONLY FOR THE SPECIFIC PURPOSE OF OBTAINING PERMITS AND LOCAL APPROVALS, AND IS NOT TO BE USED OR RELIED UPON AS A CONSTRUCTION DOCUMENT OR ANY OTHER USE BY OTHERS WITHOUT THE WRITTEN CONSENT OF DGT.
  3. "THE 500' RULE" DOES NOT APPLY TO THESE LOTS BECAUSE EXISTING BUILDINGS WITHIN 500 FEET HAVE FRONT YARDS OF A DEPTH LESS THAN 30'.
  4. PARCEL FALLS WITHIN ZONING DISTRICT: SR-10 SINGLE RESIDENCE AND WATER SUPPLY PROTECTION DISTRICT.
  5. SEE ASSESSORS PARCEL ID: 20-13
  6. SEE NORFOLK REGISTRY OF DEEDS FOR RECORD DOCUMENTS.
  7. RIVERFRONT PROTECTION AREA ON THE LOT IS 4,806 S.F.
  8. 378 S.F. OF THE PROPOSED NEW ADDITION IS IN THE 200' RIVERFRONT PROTECTION AREA (7.8% OF TOTAL ON LOT.)

BENCHMARK:  
OUTSPRINK IN WOOD FENCE  
ELEV = 154.81  
TOWN OF WELLESLEY DATUM

Olympic Datum  
Book 15122, Page 43  
Book 35845, Page 276  
Book 35845, Page 278  
26 River Ridge

BENCHMARK:  
OUTSPRINK IN 18" DECIDUOUS  
ELEV = 148.31  
TOWN OF WELLESLEY DATUM

Now or Formerly  
Commonwealth of Massachusetts

Now or Formerly  
Frederick & Margaret Kingmeyer  
Book 5862 Page 169  
32 River Ridge

LOT AREA  
AREA = 10,929 S.F.±  
(0.25 ACRES±)

IN MY PROFESSIONAL OPINION, I CERTIFY TO OLIMPIU DEJEU AND THE TOWN OF WELLESLEY BUILDING INSPECTOR THAT, AS A RESULT OF A SURVEY MADE ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN MASSACHUSETTS, I FIND THAT THE STRUCTURE FALLS WITHIN FLOOD ZONE X (UNSHADED) AS SHOWN ON THE F.L.I.M. MAP FOR NORFOLK COUNTY MASSACHUSETTS, PARCEL #250210008, DATED 07/17/2012 AND THAT THE LOCATION OF THE BUILDINGS ARE AS SHOWN HEREON.

OLIMPIU DEJEU  
PROFESSIONAL LAND SURVEYOR  
DATE: 29 April 2020



SITE ADDRESS: 30 RIVER RIDGE WELLESLEY, MASS, 02481 NORFOLK COUNTY	RECORD OWNER: OLGA BORIC DEED BOOK 30115, PAGE 139 BOOK 30115, PAGE 274 PLAN BOOK 282, PAGE 04	RESEARCH: HMP FIELD: ABW CALCULATIONS: HMP DRAFTING: HMP CHECK: DWH PROJ. MANAGER: DWH APPROVED: DWH, PLS PROJECT NO.: 24438 DATE: APRIL 28, 2020 SHEET 1 OF 1
EXISTING CONDITIONS PLAN OF LAND IN WELLESLEY, MASSACHUSETTS		
PREPARED FOR: OLIMPIU DEJEU OLGA BORIC 30 RIVER RIDGE WELLESLEY, MASS, 02481		
PREPARED BY:  DGT Associates Surveying & Engineering Frammingham • Boston • Worcester 1071 Worcester Road, Frammingham, MA 01701 508-679-0030 www.DGTassociates.com		

BY:	DESCRIPTION:	DATE:	REV:

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24438



NOTES

- 1.) RECORD OWNER IS OLGA BORIC.
- 2.) SEE WELLESLEY ASSESSORS PARCEL ID 20-13.
- 3.) PARCELS FALL WITHIN ZONING DISTRICT SR-10 SINGLE RESIDENCE.
- 4.) SEE NORFOLK REGISTRY OF DEEDS FOR RECORD DOCUMENTS.
- 5.) SITE DETAILS AND SIGNIFICANT IMPROVEMENTS DEPICTED HEREON, WERE OBTAINED FROM A FIELD SURVEY CONDUCTED BY DGT ASSOCIATES MARCH AND APRIL 2020.
- 6.) THIS PLAN IS INTENDED TO ACCOMPANY A TREE PROTECTION REPORT PREPARED BY KRAY A. SMALL, MASSACHUSETTS CERTIFIED ARBORIST DATED APRIL 26, 2020. TREE IDENTIFICATION AND SIZE INFORMATION SHOWN HEREON IS TAKEN FROM SAID REPORT.

Legend

- (F) FOUND  
SSM (TBS) STEEL SURVEY MARKER  
TO BE SET  
GW GAS GATE  
LP GUY WIRE  
RET-WALL LIGHT POLE  
RETAINING WALL

*David W. Humphrey*  
PROFESSIONAL LAND SURVEYOR  
DATE: 29 April 2020



Now or Formerly  
Commonwealth of Massachusetts

Now or Formerly  
Frederick & Margaret Klingmeyer  
Book 5662, Page 189  
Book 36845, page 272  
32 River Ridge

Olimpiu Dejeu  
Book 35122, Page 83  
Book 36845, Page 276  
Book 36845, Page 278  
28 River Ridge

Now or Formerly  
Kimon & Demetra Siratos  
Book 6535 Page 265  
26 River Ridge

RIVER RIDGE  
(Public Use ~ 40' Wide)

LIST OF TREES

ID	HEIGHT	DBH	SPECIES (COMMON NAME)
T-1	50'	10"	FRAXINUS AMERICANA (AMERICAN WHITE ASH)
T-2	55'	16"	ACER PLATANOIDES (NORWAY MAPLE)
T-3	50'	18"	QUERCUS RUBRA (RED OAK)

THE ABOVE INFORMATION IS TAKEN FROM A TREE REPORT DATED APRIL 26, 2020 BY KRAY SMALL, MASSACHUSETTS CERTIFIED ARBORIST, LICENSE # 1797.

KEY TO SYMBOLS

- T-1 ID NO. OF TREE SUBJECT TO MITIGATION  
T-1 ID NO. OF HAZARD TREE EXEMPT FROM MITIGATION  
CRITICAL ROOT ZONE (CRZ)  
DRIP LINE

BY:	DESCRIPTION:	DATE:	REV:

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SITE ADDRESS: 30 RIVER RIDGE WELLESLEY, MASS, 02481 NORFOLK COUNTY		RECORD OWNER: OLGA BORIC DEED BOOK 35115, PAGE 139 BOOK 36845, PAGE 274 PLAN BOOK 682, PAGE 54	RESEARCH: HMP
TREE PROTECTION AND MITIGATION PLAN IN WELLESLEY, MASSACHUSETTS			FIELD: ABW
			CALCULATIONS: HMP
PREPARED FOR: OLIMPIU DEJEU OLGA BORIC 30 RIVER RIDGE WELLESLEY, MASS, 02481			DRAFTING: HMP
			CHECK: DWH
PREPARED BY:  DGT Associates Surveying & Engineering Framingham • Boston • Worcester 1071 Worcester Road, Framingham, MA 01701 508-879-0030 www.DGTAssociates.com			PROJ. MANAGER DWH
			APPROVED: DWH, PLS
			PROJECT NO.: 24438
			DATE: APRIL 26, 2020
			SHEET 1 OF 1