

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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RICHARD L. SEESEL

2021 JUN 11 P 11 18  
WELLESLEY  
MASSACHUSETTS

ZBA 2021-51  
Petition of Thomas Peluso  
46 River Ridge

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, June 3, 2021 at 7:30 pm, on the petition of Thomas Peluso requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition and reconstruction of an existing nonconforming porch with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, at 46 River Ridge, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 27, 2021, 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 Thomas Peluso, the Petitioner, who said that the request is for relief to reconstruct an existing nonconforming covered front porch, in conjunction with a renovation project that he is moving forward with. He said that the existing porch is in the setback and the plan is to reconstruct and expand it. He said that the intent is to not increase the coverage or space in the setback.

A Board member asked how the Petitioner proposes to put a driveway in. He said that the property appears to drop off dramatically from the street. Mr. Peluso said that the plan is to relocate the driveway to the right side of the property and connect to the basement level garage. He said that the elevation at the garage is approximately 148 feet and the elevation at the street is approximately 149 feet.

A Board member said that the 29.6 foot dimension on the plan is drawn from the property line to the garage overhang, rather than from the face of the garage doors. He said that the dimension to the garage door should be shown on the plan to indicate that it conforms to the Zoning Bylaw. Mr. Peluso said that he will provide revised plot plan that shows a clear dimension of at least 30 feet from the garage door to the side property line.

A Board member asked what the drywell at the bottom of the driveway flows into. Mr. Peluso said that it is a site drain to diffuse the water away from the driveway onto the grass on the property. The Board member said that the Planning Board recommended a condition that a stormwater detention with infiltration system and/or low impact development measures be included to offset any increase in runoff from the increase in impervious area. He said that the concern is about water flowing down the driveway a good distance. Mr. Peluso said that he looked at this with a Civil Engineer. He said that there is no direct neighbor. He said that the wooded area on the side is owned by the Commonwealth of Massachusetts. The Chairman said that the condition relates to additional impervious surface.

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

Statement of Facts

The subject property is located at 46 River Ridge, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 12.8 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition and reconstruction of an existing nonconforming porch with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An Existing Conditions Site Plan, dated 2/16/21, a Proposed Site Plan and a TLAG Plan dated 3/9/21, and Letter to Town of Wellesley, dated 9/19/19, re: Building Alignment, stamped by Peter J. Nolan, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 4/8/21, prepared by Ron F. Jarek, Architect, and photographs were submitted.

On May 17, 2021, Jason Tobin, Civil Engineer, Town of Wellesley, reviewed the project and submitted comments.

On June 2, 2021, the Planning Board reviewed the petition and recommended that a special permit be approved, subject to a condition.

Decision

2021-51  
Planning Board  
Decision  
Approved  
6/2/21  
81-11

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that demolition and reconstruction of an existing nonconforming porch with less than required left side yard setbacks, on an existing nonconforming structure with less than required left 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 and reconstruction of an existing nonconforming porch with less than required left side yard setbacks, subject to the following conditions:

1. A revised site plan that shows a dimension of no less than 30 feet from the right side lot line to the garage door shall be submitted.
2. Stormwater detention system(s) with infiltration and/or low impact development to offset any increase in runoff from any increase in impervious surface shall be installed.

The Inspector of Buildings 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.

ZBA 2021-51  
Petition of Thomas Peluso  
46 River Ridge

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 (Ch.m.)*  
J. Randolph Becker, Chairman

*David G. Sheffield (Ch.m.)*  
David G. Sheffield

*Richard L. Seegel (Ch.m.)*  
Richard L. Seegel

ZBA 2021-51  
Applicant Thomas Peluso  
Address 46 River Ridge

2021 JUN 17 P 1:18  
WELLESLEY TOWN CLERK'S OFFICE

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:

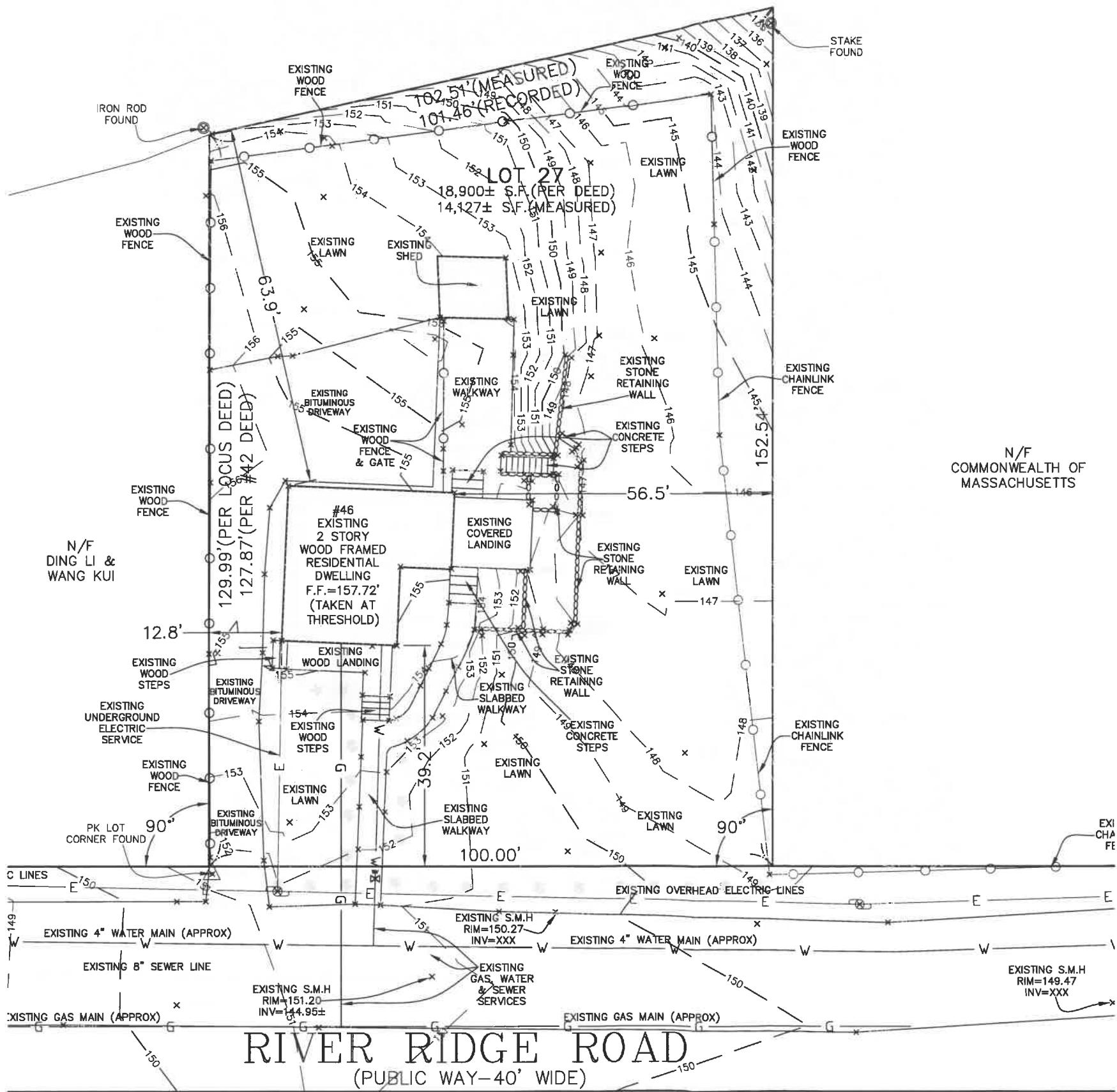
Attest:

Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm

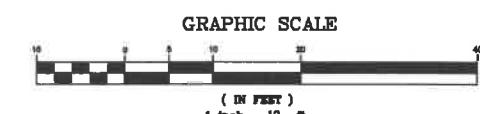
EXISTING LEGEND	
SEWER LINE	
SEWER MANHOLE	
WATER LINE	
GAS LINE	
UTILITY POLE	
GAS VALVE	
OVERHEAD ELECTRIC SERVICE	
WATER VALVE	
CATCH BASIN	
FENCE	
CONTOUR LINE (MJR)	
CONTOUR LINE (MNR)	
X SPOT GRADE	
DRAIN MANHOLE	
HYDRANT	
TREE	

N/F  
COMMONWEALTH OF  
MASSACHUSETTS



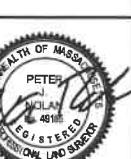
NOTES:

1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 02/06/2021.
2. DEED REFERENCE: BOOK 38282 PAGE 302, PLAN REFERENCE: BOOK 12, PLAN 502, NORFOLK COUNTY REGISTRY OF DEEDS.
3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25021C0009E, PANEL NUMBER 0009E, COMMUNITY NUMBER: 250255, DATED JULY 17, 2012.
5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.
6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.
7. NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS PETER NOLAN & ASSOCIATES LLC ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.
8. ZONING DISTRICT = S.R.-10 SINGLE RESIDENCE 10



PETER NOLAN & ASSOCIATES LLC SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION METHODS, METHODS, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT. THE LIABILITY OF PETER NOLAN & ASSOCIATES LLC FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE, LESS THIRD PARTY COST.  
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SCALE 1'=10'	DATE 02/16/2021	REV 1	REVISION 1	BY
SHEET 1	PLAN NO. 1 of 1	46 RIVER RIDGE ROAD WELLESLEY MASSACHUSETTS		
CLIENT:	EXISTING CONDITIONS SITE PLAN			
DRAWN BY	PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com			
CHKD BY PN	SHEET NO. 1			
APPD BY PN				



1

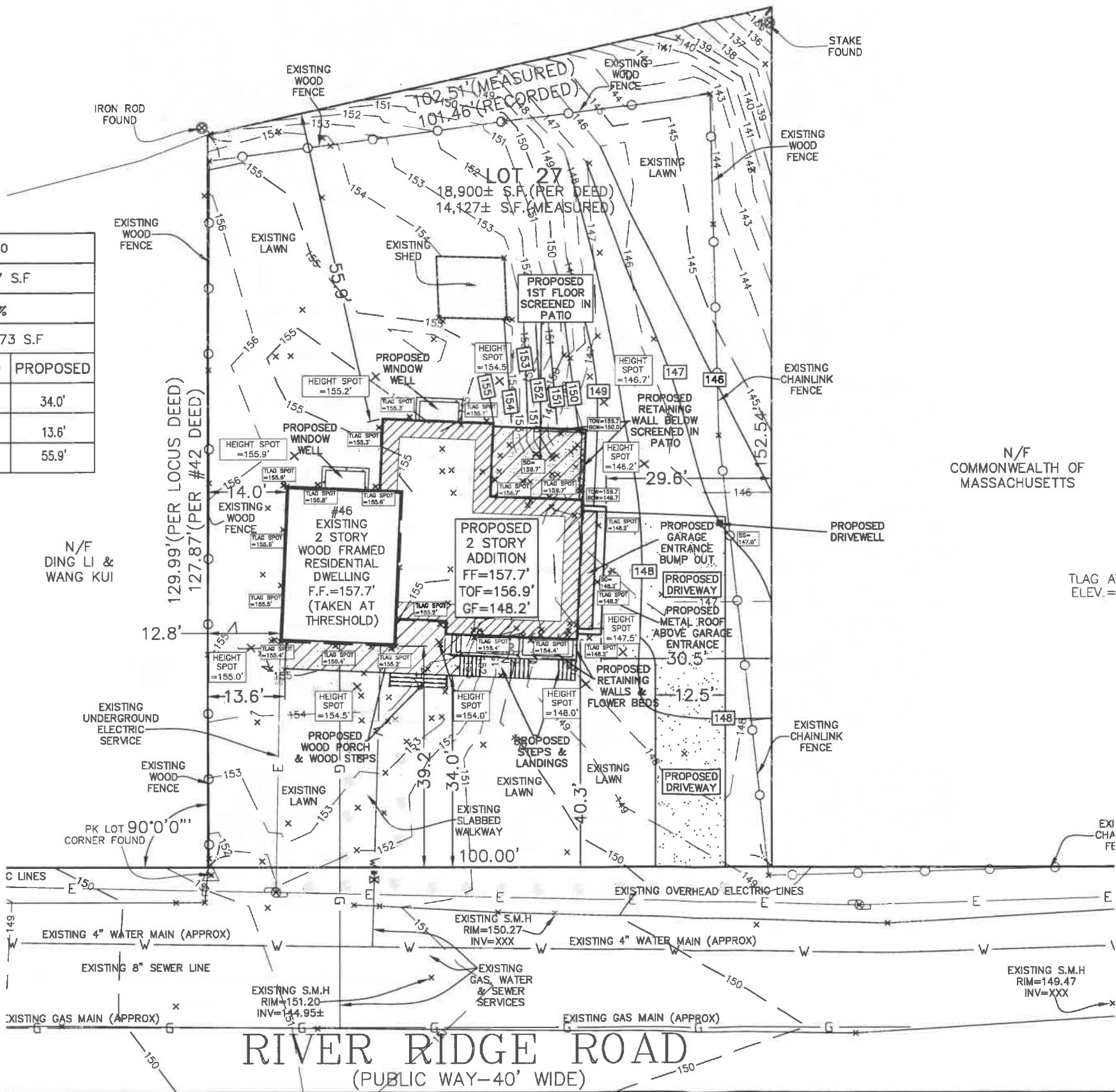
## EXISTING LEGEND

	SEWER LINE
⑤	SEWER MANHOLE
	WATER LINE
	GAS LINE
⑦	UTILITY POLE
8V	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
WV	WATER VALVE
□	CATCH BASIN
	FENCE
805	CONTOUR LINE (MJR)
185	CONTOUR LINE (MNR)
X	SPOT GRADE
⑧	DRAIN MANHOLE
•	HYDRANT
•	TREE

N/F  
COMMONWEALTH OF  
MASSACHUSETTS

ZONING DISTRICT: SINGLE RESIDENCE-10		
LOT AREA	14,127 S.F	
PROPOSED LOT COV. (%)	15.36%	
PROPOSED. LOT COV. (S.F)	2,170.73 S.F	
	REQUIRED	PROPOSED
MIN. YARD FRONT	30'*	34.0'
SIDE	20'	13.6'
REAR	15'	55.9'

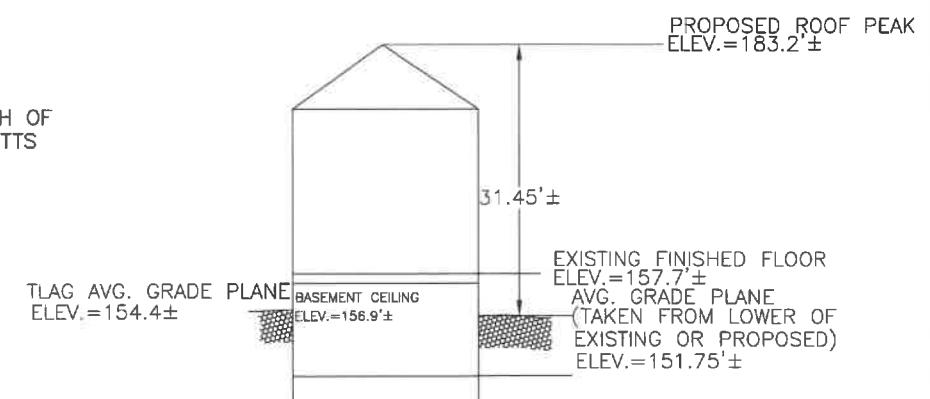
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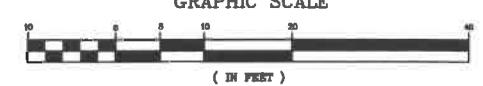
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PROPOSED PROFILE  
NOT TO SCALE

### GRADING SCALE



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SCALE 1"=10'			
DATE 03/08/2021	REV	DATE	REVISION
SHEET 1	46 RIVER RIDGE ROAD WELLESLEY MASSACHUSETTS		
PLAN NO. 1 OF 1			
CLIENT:	PROPOSED SITE PLAN		
DRAWN BY DK			
CHKD BY PJN	PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5891 EMAIL: <a href="mailto:pnolan@pnasurveyors.com">pnolan@pnasurveyors.com</a>		
APPD BY PJN			
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## **EXISTING LEGEND**

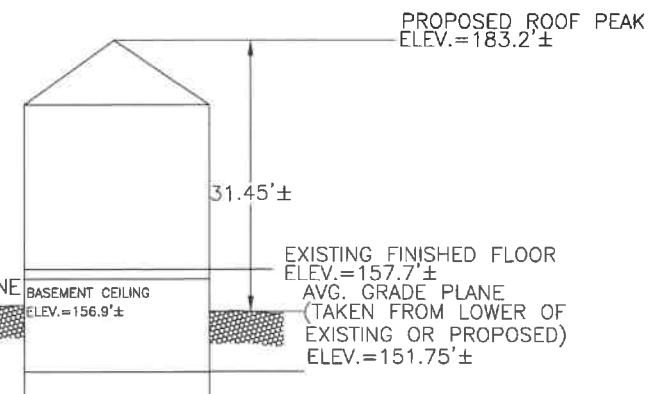
	SEWER LINE
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	WATER LINE
	GAS LINE
□	UTILITY POLE
☒	GAS VALVE
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☒	WATER VALVE
□	CATCH BASIN
	FENCE
— 205 —	CONTOUR LINE (MJR)
— 195 —	CONTOUR LINE (MNR)
X	SPOT GRADE
⑥	DRAIN MANHOLE
☒	HYDRANT
⑦	TREE

N/F  
COMMONWEALTH OF  
MASSACHUSETTS

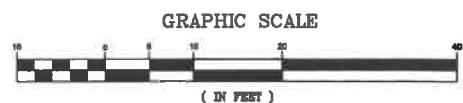
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N/F  
COMMONWEALTH OF  
MASSACHUSETTS



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NOT TO SCALE



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