



## ZONING BOARD OF APPEALS

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

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ZBA 2000-93  
Petition of Louis and Margaret Ann Metzger  
12 Arlington Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 16, 2000 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of LOUIS AND MARGARET ANN METZGER requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction to their nonconforming dwelling, with less than the required left side yard setback, at 12 ARLINGTON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A one-story 10.5 foot by 10.5 foot kitchen expansion with less than the required left side yard setback.
2. A conforming 9 foot by 4.5 foot one-story addition with a 17 foot by 4 foot roof overhand that will have less than the required left side yard setback.

On October 30, 2000, the petitioners filed a request for a hearing before this Authority, and thereafter, due notice was given by mailing and publication.

Presenting the case at the hearing was Richard Bernstein, project architect, representing the Metzgers who currently live in Virginia. Using illustrated enlargements of the plans, Mr. Bernstein said that the Metzgers would like to expand their existing kitchen and breakfast area, part of which is closer than 20 feet from the left side lot line. This is part of a conforming addition which includes an office/study on the first floor and an expansion of the master bedroom on the second floor.

Mr. Bernstein said the proposal also includes a new entry to the basement, which will replace the existing entry. The new entry structure will be conforming, but the roof covering both the entry and stair to the basement will not conform. The additions are modest and fit into the neighborhood. Furthermore, the additions requiring a Special Permit will be only one-story. The neighbors have no objections to the project.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 12 Arlington Road, in a Single Residence District, on a 13,904 square foot lot, and has a minimum left side yard clearance of 10.4 feet.

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ZBA 2000-93  
Petition of Louis and Margaret Ann Metzger  
12 Arlington Road

The petitioners are requesting a Special Permit/Finding that the construction of a one-story 10.5 foot by 10.5 foot addition with a minimum left side yard clearance of 13.5 feet; and a 9 foot by 4.5 foot conforming one-story addition with a 17 foot by 4 foot roof overhang with a minimum left side yard clearance of 18.4 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A letter dated October 30, 2000 was received from Louis and Margaret Ann Metzger authorizing Richard Bernstein to act as their representative at the Public Hearing.

A Plot Plan dated October 5, 2000, drawn by Paul J. Sawtelle, Registered Land Surveyor; Existing and proposed Floor Plans and Elevations dated October 23, 2000, drawn by Richard Bernstein Architect; and photographs were submitted.

On November 14, 2000, the Planning Board reviewed the petition and had no objection to granting the request.

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 with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the proposed 10.5 foot by 10.5 foot one-story addition and the conforming 9 foot by 4.5 foot one-story addition with a nonconforming 17 foot by 4 foot roof overhang shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the proposed construction will neither intensify the existing nonconformance nor will it create new nonconformance.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the proposed construction of the one-story addition and the roof overhang 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 construction plans.

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.

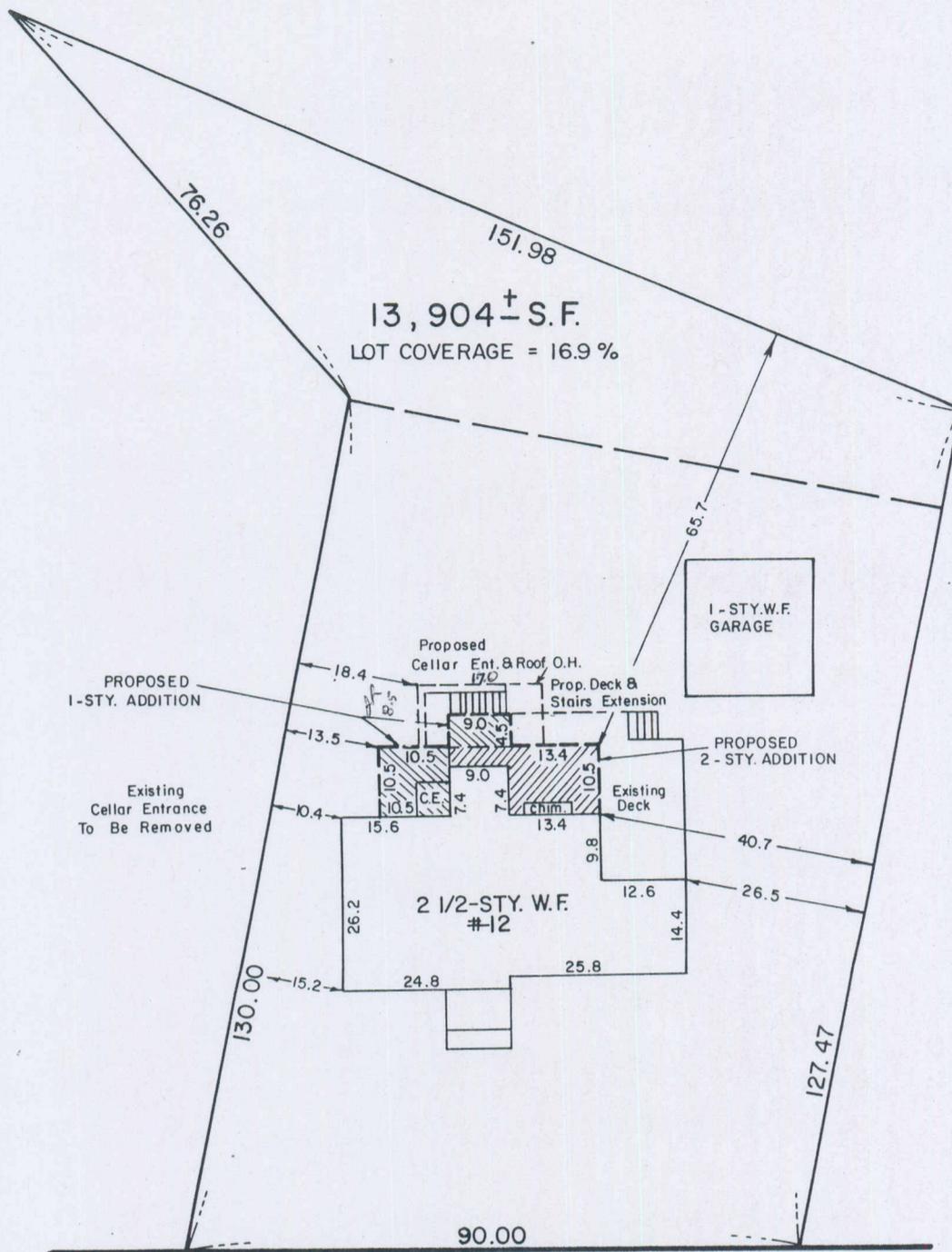
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Inspector of Buildings  
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Kendall P. Bates, Chairman

William E. Polletta

Richard L. Seegel



ARLINGTON ROAD



*Paul J. Sawtelle*

PLAN OF LAND  
IN

**WELLESLEY, MASS.**

SCALE : 1" = 20'  
MASS BAY SURVEY, INC.

OCT. 5, 2000  
NEWTON, MASS.

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