



ZONING BOARD OF APPEALS

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

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ZBA 2015-82
 Petition of Christopher Metcalf
 324 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 8, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Christopher Metcalf requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story addition with basement and unfinished attic that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, in a 10,000 square foot Single Residence District, at 324 Linden Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 22, 2015, 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 Christopher Metcalf, the Petitioner. He said that the request is to add a 17 foot by 17 foot addition at the back left corner of the property to add a bedroom on the first floor and an en suite bath and walk in closet on the second floor.

Mr. Metcalf said that the lot is conforming but the house is nonconforming. He said that the east side of the house is approximately 20 inches into the setback. He said that the work will be done on the other side of the house. He said that it will be a two-story addition on a nonconforming house.

Mr. Metcalf said that the addition is in character with the rest of the house. He said that it is screened by trees from the neighbors. He said that he spoke with the neighbors and they are supportive of the plans. The Board said that there are substantial trees between this property and 1 Alba Road. The Board asked about the fence at the back. Mr. Metcalf said that he did not know if it is a shared fence. He said that it is in fairly bad shape. He said that the trees are probably on his property. He said that there is one tree that is within the footprint of the proposed addition. The Board said that the trees should be protected during construction.

Mr. Metcalf said that the shed will remain.

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

Statement of Facts

The subject property is located at 324 Linden Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 29.76 feet and a minimum right side yard setback of 18.14 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-story addition with basement and unfinished attic that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 9/10/15, stamped by Paul J. DeSimone, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 9/8/15, prepared by Pam Woodworth, Architect, and photographs were submitted.

On, 2015, the Planning Board reviewed the petition and recommended that the Zoning Board of Appeals approve 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 to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that construction of a two-story addition with basement and unfinished attic that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a two-story addition with basement and unfinished attic that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, subject to the following condition:

- Trees that will be affected by construction of the addition shall be protected during construction.

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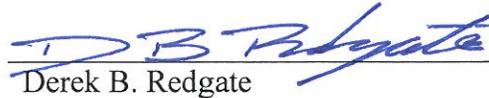
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



David G. Sheffield, Acting Chairman

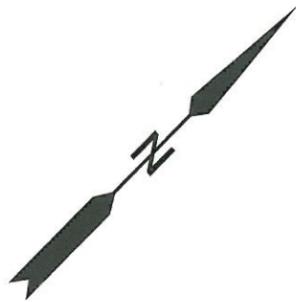


Robert W. Levy

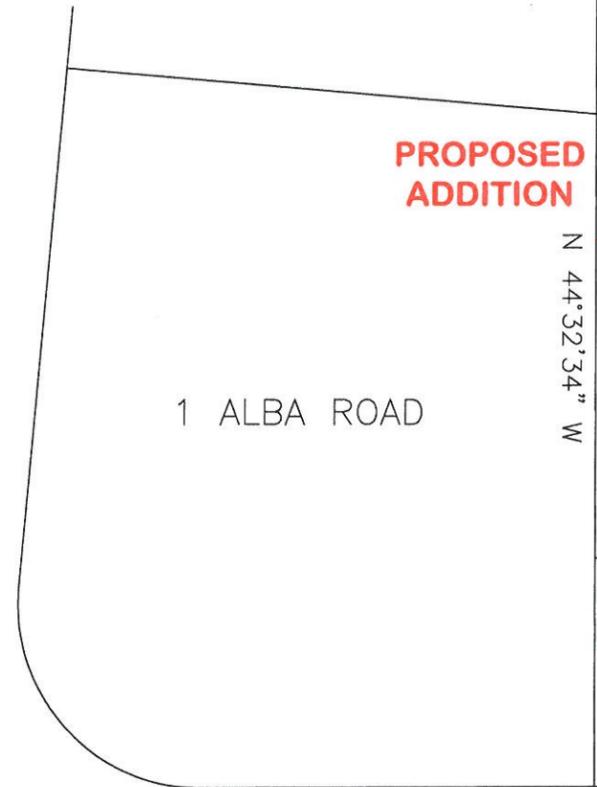


Derek B. Redgate

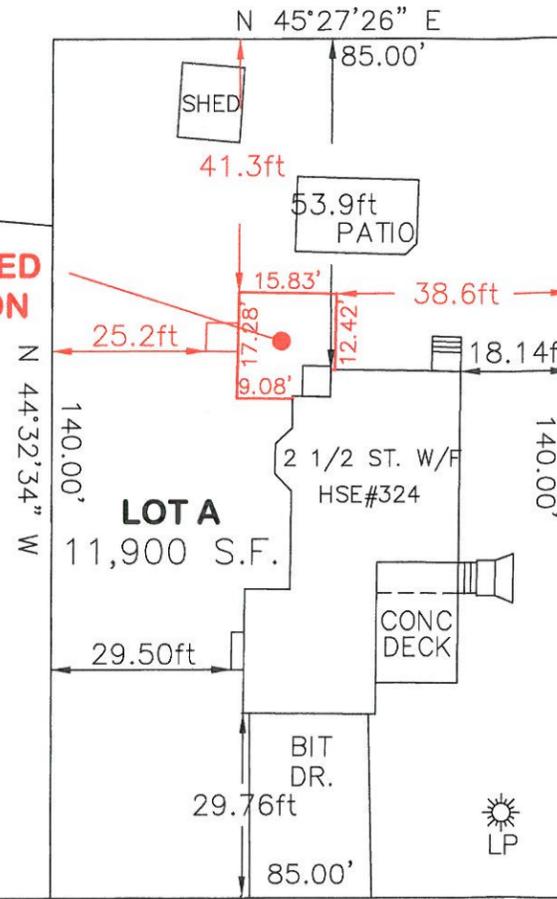
cc: Planning Board
Inspector of Buildings
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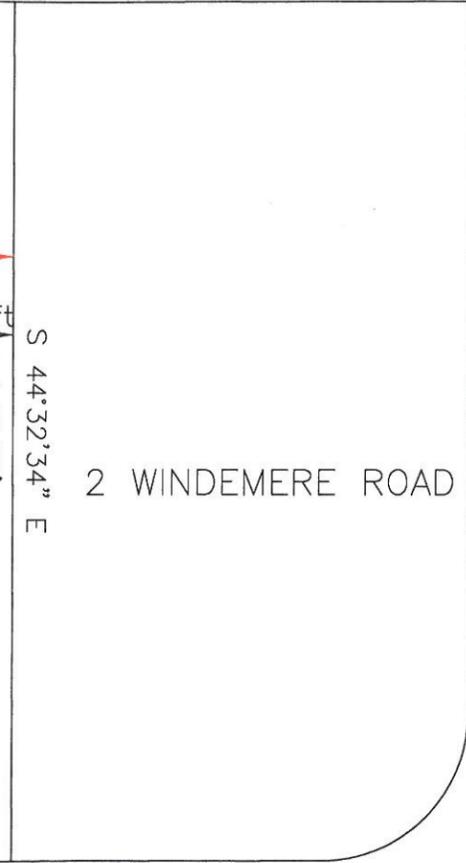
LOT A
11,900 S.F.

2 1/2 ST. W/F
HSE#324

CONC
DECK

BIT
DR.

LP



2 WINDEMERE ROAD

WINDEMERE ROAD

POLE#12/42

S 45°27'26" W

POLE#43

LINDEN STREET

PLAN DATED 12/22/1943

ZONE SR10

FRONTAGE 60'

WIDTH 60'

SETBACK 30'

SIDEYARD 20'

REARYARD 10'

MAX. LOT COVERAGE 20%

EXISTING LOT COVERAGE 13.87%
1,651 SQ. FT.

PROPOSED LOT COVERAGE 16.32%
1,943 SQ. FT.

PLAN OF LAND

IN

WELLESLEY, MA.

SCALE: 1"=30' SEPT. 10, 2015

OWNER: Christopher Metcalf
324 Linden Street
Wellesley, Ma. 02481

COLONIAL ENGINEERING INC.
11 AWL STREET MEDWAY, MA.
508-533-1644

