



ZONING BOARD OF APPEALS

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

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ZBA 2011-02
Petition of Dana Hall School
28 Hampden Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, March 10, 2011 on the petition of DANA HALL SCHOOL requesting a Special Permit pursuant to the provisions of Section II A 8 (b) and Section XXV of the Zoning Bylaw for conversion of a single family dwelling to a two-family dwelling to house faculty at 28 HAMPDEN STREET, which is a use not allowed by right in a Single Residence District.

On December 20, 2010, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

On January 6, 2011, the Board opened a Public Hearing. The Board voted unanimously to continue the petition to March 10, 2011.

March 10, 2011

The Board said that the petition would be heard de novo under Section II A 8 b rather than under Section II A 8 a & b.

Presenting the case at the hearing was Stephen Langer, Esq. He said that also present were Jim Wernig and Rob Ayres, Dana Hall School (the "Petitioner").

Mr. Langer said that revised plans had been submitted to the Board.

Mr. Langer displayed photographs of the house (retained by Proponent). He displayed a copy of the plan showing two-families and school-owned properties in the vicinity of the subject property.

Mr. Langer said that space for two cars in the garage and for up to four cars in the driveway will provide sufficient off-street parking. He said that there is no exterior signage proposed. He said that the use will be consistent with the neighborhood.

The Board said that the use for Educational purposes is consistent with the neighborhood.

Jeffrey Stonberg, 31 Brook Street, said that he has lived there since 1981. He said that his seven bedroom house is the largest house in the neighborhood. He said that it is a single family house.

Mr. Stonberg said that he was concerned about the impact of having more cars associated with a two-family structure. He said that it would benefit the neighborhood if the Board required that any use other than a single family use be required to have no more parking than what is allowed for a single family house. The Board said that would violate the Zoning Bylaw.

Mr. Stonberg said that having extra cars on a lot is physically unattractive and detrimental to the neighborhood. He said that this neighborhood is in close proximity to the train and Town center. He questioned the need for more cars. The Board said that there are single family homes around Wellesley with three-car garages and three additional cars in the driveway for the children. Mr. Stonberg said that cars within an enclosed space look a lot nicer than cars sitting outside.

The Board said that it has limited discretion if it finds that the two-family will be used for educational purposes. Mr. Stonberg questioned if the proposed use was for an educational purpose. He said that an educational use would be using the dwelling for classrooms. He said that a domicile could be rented out by the institution for income. The Board said that the two-family use would be limited to faculty housing only.

Statement of Facts

The subject property is located at 28 Hampden Street, an 11,248 square foot lot in a Single Residence District.

The Petitioner is requesting a Special Permit for conversion of a single family dwelling to a two-family dwelling to house faculty.

An Existing Plot Plan, dated 3/1/11 and Proposed Plot Plan, dated 3/1/11, stamped by Todd P. Chapin, Professional Land Surveyor, Enlarged Stair Plan, dated 2/23/11, Demolition Floor Plans, dated 10/21/10, Proposed Floor Plans and Elevations, dated 10/21/10, Site Plan, dated 10/21/10, prepared by Dixon Salo Architects, Inc. were submitted

On March 8, 2011, the Planning Board reviewed the petition and recommended that the Special Permit be denied until such time as the applicant can prove the necessity for faculty housing on site.

Decision

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 conversion of a single family dwelling to a two-family dwelling to house faculty shall not disturb or disrupt the customary character of the residential neighborhood, and is in harmony with the intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted for the requested use, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. The two-family dwelling shall be used for faculty housing only and shall not be rented out for any other purpose. .
2. The Petitioner shall comply with the requirements and recommendations of the Inspector of Buildings and the Fire Department.
3. Sufficient off-street parking shall be provided so that no vehicle associated with the two-family dwelling shall be parked on any street in the neighborhood.
4. No sign identifying the premises shall be displayed on the property except in accordance with the Zoning Bylaw.
5. There shall be no disturbance or disruption to the residential neighborhood.
6. This Special Permit shall expire two years from the date time stamped on this decision.

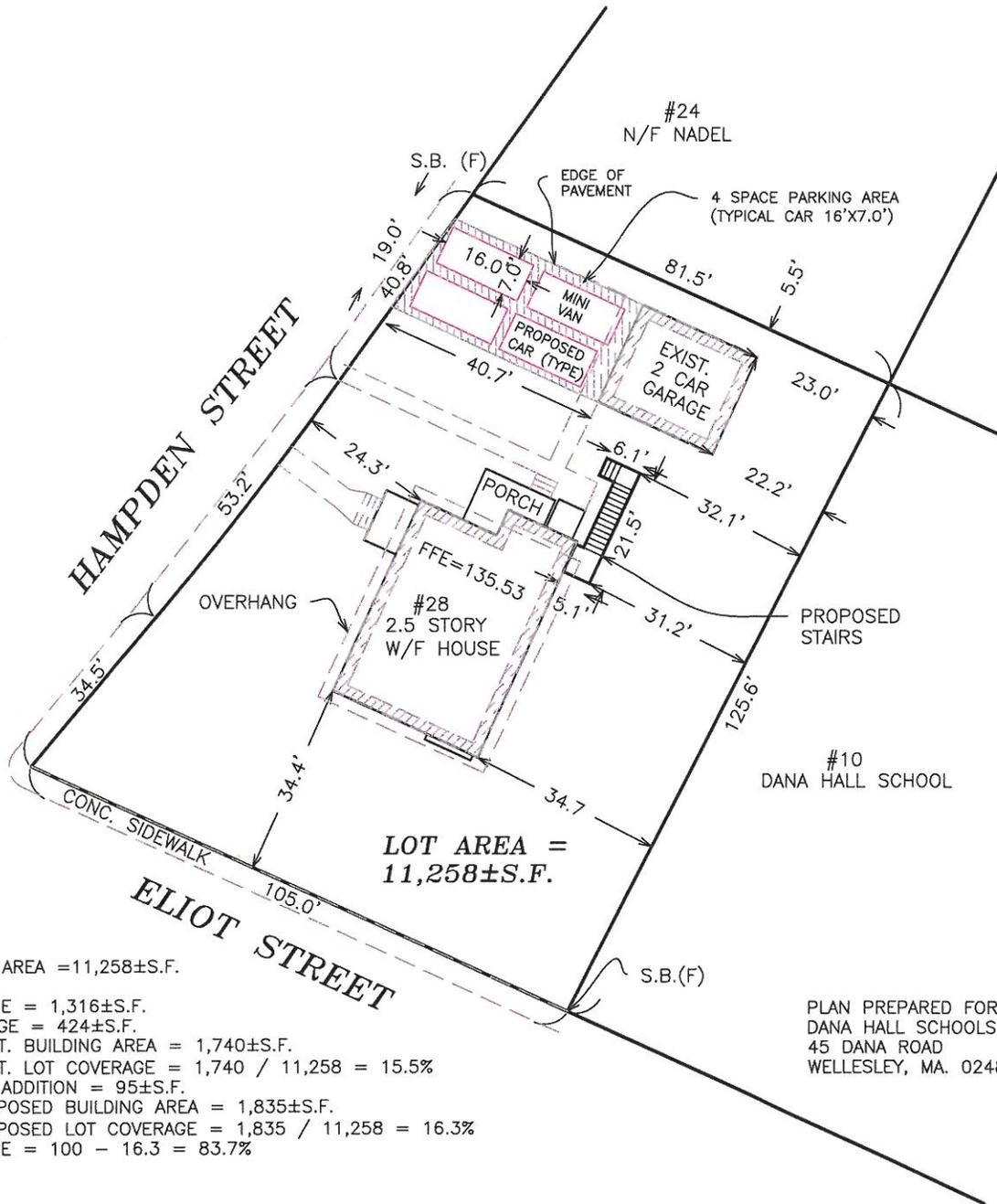
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

Cynthia S. Hibbard

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm



TOTAL LOT AREA = 11,258 ± S.F.
 EXISTING:
 AREA HOUSE = 1,316 ± S.F.
 AREA GARAGE = 424 ± S.F.
 TOTAL EXIST. BUILDING AREA = 1,740 ± S.F.
 TOTAL EXIST. LOT COVERAGE = 1,740 / 11,258 = 15.5%
 PROPOSED ADDITION = 95 ± S.F.
 TOTAL PROPOSED BUILDING AREA = 1,835 ± S.F.
 TOTAL PROPOSED LOT COVERAGE = 1,835 / 11,258 = 16.3%
 OPEN SPACE = 100 - 16.3 = 83.7%

PLAN PREPARED FOR:
 DANA HALL SCHOOLS
 45 DANA ROAD
 WELLESLEY, MA. 02482



ASSESSORS MAP: 112 PARCEL 41
 ZONING DISTRICT: SRD 10 SING. RESIDENTIAL
 MINIMUM YARD SETBACK REQUIREMENTS:
 FRONT = 30.0' SIDE = 20.0' REAR = 10.0'
 MAXIMUM LOT COVERAGE = 20% OF LOT
 = 11,258 ± S.F. X 0.20 = 2,251 ± S.F.

PROPOSED ADDITION

PLOT PLAN OF LAND IN
 WELLESLEY, MASS

ATLAS LAND SURVEYING, INC.

ATLASLANDCO.COM
 508-393-9533

8 MOORE LANE, NORTHBORO, MA 01532

SCALE: 1"=30'

DATE: 3/01/2011

DEED BOOK 4401 PAGE 531

SITE PLAN OF 2003

RECORDED @ NORFOLK CNTY REGISTRY DEEDS