



BOARD OF APPEAL

GARRETT S. HOAG
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TELEPHONE
CE. 5-1664

Petition of Prudence Landers
(Kathryn Doebler)

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on November 20, 1963, on the petition of Prudence Landers requesting permission to rent three rooms in the dwelling owned by H. Ward and Kathryn Doebler at 20 Ledyard Street as provided under Section II of the Zoning By-law.

The petitioner appeared at the hearing and spoke in support of her request.

H. Ward and Kathryn Doebler, owners of the property, also spoke in favor of the request.

Bruce A. Mansfield, son of the petitioner, explained further the mother's need for additional income.

The following persons spoke in opposition to the granting of the request: William W. Storey, 16 Ledyard Street, Thomas G. Davis, 15 Ledyard Street, Thomas A. Capobianco, 24 Columbia Street, Helen C. Randall, 12 Ledyard Street and Raymond Capobianco, 18 Columbia Street.

Letters of opposition were received from Emery P. Stratton, 22 Ledyard Street and Edward P. Barry, 28 Ledyard Street.

The Planning Board stated in its report that it believed that the situation is not one for which the Board can grant permission.

On October 30, 1963, the petitioner filed her request for a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The house involved is a two-family dwelling located within a single-family district requiring a minimum lot area of 10,000 square feet. It was built over fifty years ago and prior to the enactment of the Zoning By-law restricting the area to single-family dwellings. The petitioner occupies one side of the house which contains ten rooms, four on the first floor, four on the second floor and two on the third floor. There are eight rooms on the other side of the house.

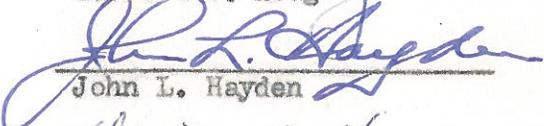
The petitioner, who is a tenant in the house, seeks permission to rent two or three rooms to augment her income and to help defray the expense of her youngest son's college education. Unaware that permission was necessary, she has been renting rooms but now has only one roomer. It was pointed out that although in the past there was one roomer who was undesirable, that this situation would not occur again and the rooms would be rented only to persons of the highest calibre.

Decision

After careful study of the evidence submitted, the Board is unable to find that the criteria set forth in Section II of the Zoning By-law has been satisfied. The petitioner is a tenant in the house involved and it is the opinion of this Board that if the apartment is too large for the petitioner's needs, it would be more feasible for her to find a smaller apartment. From the evidence submitted, it was not shown that the apartment as such could not be rented to a single family without additional roomers, nor was it shown that the house could no longer be used or adapted at a reasonable expense and without a fair financial return as a use regularly permitted within the district. The house is a non-conforming two-family duplex and the size of each apartment not in excess of the other houses in the neighborhood. In the opinion of the Board, while the apartment may be excessively large for the petitioner, it could be rented without additional roomers and with a fair financial return. Furthermore, the petitioner has been renting rooms for some time in disregard for the Town By-laws. For these reasons the Board finds that the requested permission cannot be granted.

Accordingly, the permission is denied and the petition dismissed.


Garrett S. Hoag


John L. Hayden


David C. Miswall

Filed with Town Clerk _____