



BOARD OF APPEAL

GARRETT S. HOAG  
JOHN L. HAYDEN  
DANA T. LOWELL

KATHARINE E. TOY, CLERK  
TELEPHONE  
CE. 5-1664

Petition of Wellesley Motor Inn, Inc.

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 8:20 p.m. on November 20, 1963, on the petition of Wellesley Motor Inn, Inc. requesting an exception from the terms of Section XII of the Zoning By-law, and any other permits and variances, as may be necessary and required, to permit the construction of a three-story motel, covering a ground area of 5,200 square feet, on a lot of land on the westerly side of Stuart Road containing 32,295 square feet.

Richard L. Wilder, attorney for the petitioner spoke in support of the petition.

Anna Betts, Stuart Road and her attorney Frieda S. Thompson, appeared and stated that she did not want to have her property obstructed with a parking lot used in connection with the proposed building. If the area in front of her property could be kept clear, she would have no objections to the proposed building being constructed.

The Planning Board referred to its recommendations set forth in its report on June 11, 1963 in which it opposed the granting of the request.

On October 2, 1963, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

On September 23, 1963, this Board filed a decision on a petition of the petitioner requesting permission to construct a three-story "hotel" on the same parcel of land which is involved in this petition which contains less than 2,500 square feet required by Section XVIII C 2 of the Zoning By-law for each family for whose habitation a hotel is designed or adapted and less than the 150 square feet for each guest room required by Section XXI (b) for the parking and storage of motor vehicles. In that decision this Board made the following findings:

....In the instant case, it is again difficult to say with assurance whether or not the proposed building is a hotel and so should be considered within the purview of Section XVIII. Its plan, however, with a single front entrance and access to the rooms from central halls is characteristic of hotels and not motels. But its lack of dining facilities, lobbies, and office and public rooms is more characteristic of motels than hotels. We accept the petitioner's designation of the proposed building as a hotel and in view of the express language of Section XVIII, find that that section controls. The proposed building may therefore not be built on parcel B unless we grant a variance under G. L. Chapter 40A, Section 15 (3).

WELLESLEY, MASS.  
TOWN CLERK'S OFFICE  
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"If we should disagree with petitioner, as we do not, and find the proposed building to be a motel, we could not consider whether to grant a permit to build it in a Business District A by the exercise of our discretion under Section 5A 10 of the Zoning By-law because neither the petition nor the notice of the hearing gave the public notice of that issue.

.....Accordingly, the petition is denied."

The petitioner now seeks permission to construct a three-story "motel" based on the plans submitted at the previous hearing. The building will cover a ground area of approximately 5,200 square feet on a parcel of land on the westerly side of Stuart Road containing 32,295 square feet. It is proposed to provide thirty-one rentable rooms plus appurtenant management facilities and employees quarters. Approximately 27,000 square feet of land will be provided for parking of motor vehicles. The petitioner who built a similar motel in 1961 on a parcel of land directly across from the lot involved, feels that there is a real need for additional units as he turns away between 25 and 80 persons each week who desire lodging.

Decision

The building for which a permit is sought, in the opinion of this Board, is designed as a motel, a use not permitted in a Business District A unless this Board grants permission under paragraph 11 of Section XI.

In a Business District A, Section XII, a building may be constructed for any purpose authorized in a Business District, and in a Business District a building may be constructed or used for, among other purposes a "hotel" or an "inn". A "motel" is not mentioned. However, paragraph 11 of Section XII of the Zoning By-law provides that this Board may grant permission for a use not named in Section XI, in a specific case, if it finds that the proposed use is similar to one or more of the uses specifically authorized by this section.

It has been conclusively decided by this Board that use as a "motel" is similar to use as a "hotel". See Board of Appeal decision on Appeal of John G. Giarrusso filed July 8, 1960, with the Town Clerk. We repeat that finding here and we find further that the proposed motel will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious, or offensive to the neighborhood.

Accordingly, the petitioner is hereby granted permission to construct on the subject parcel a motel in accordance with the plans submitted and on file with this Board subject to the following conditions.

1. That the area designated by this Board on the plan submitted shall be left open and not used for the parking of motor vehicles.
2. That the Building Plans for the proposed building shall comply in all respects to the Building Code of the Town of Wellesley as well as the Department of Public Safety, if required.

Filed with Town Clerk

David C. Wiswall  
David C. Wiswall

Garrett S. Hoag  
Garrett S. Hoag

John L. Hayden  
John L. Hayden

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TOWN CLERK'S OFFICE  
WELLESLEY, MASS.

REC'D  
MAY 20 PM 4:25

PLAN OF LAND  
IN

WELLESLEY, MASS.

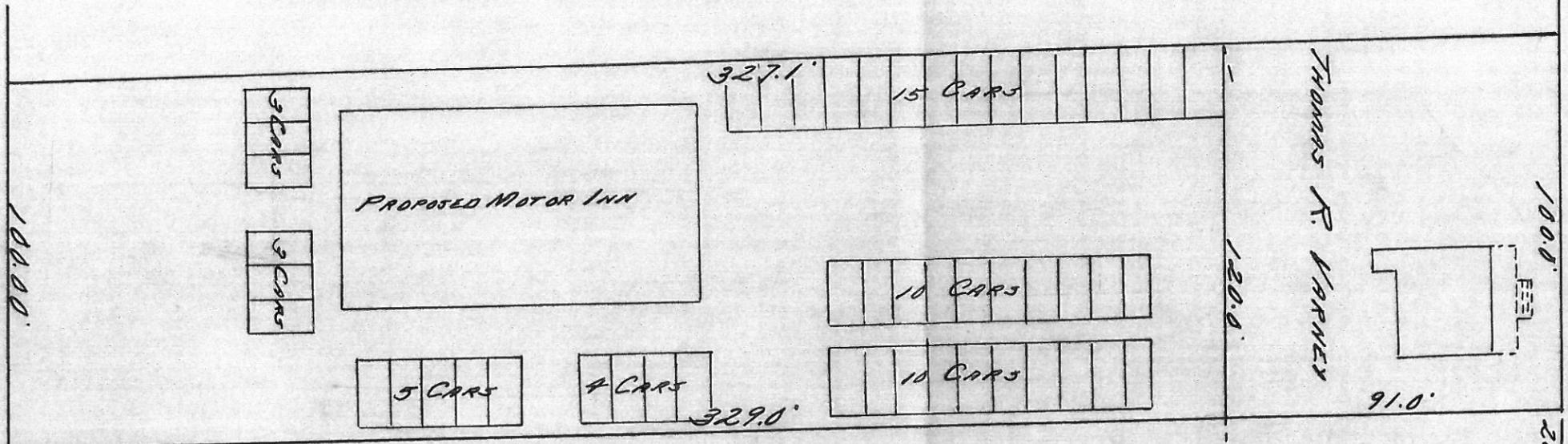
OWNED BY  
JOHN G. GIARRUSSO

SCALE 80 FEET TO AN INCH  
APRIL 3, 1963.  
GLEASON ENGINEERING COMPANY

WORCESTER STREET

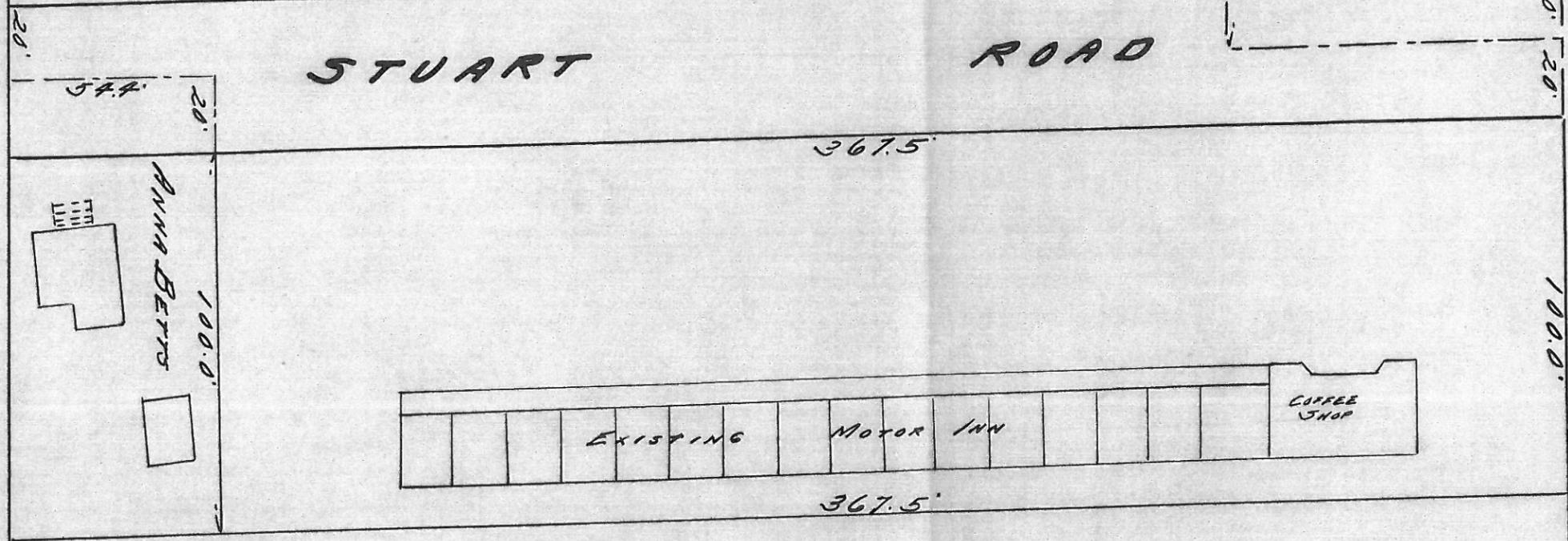
ELLEN M. WEGERT ET AL

THOMAS R. VARNER



STUART ROAD

367.5'



HOWARD T. & RUTH F. BOLLES

TOWN OF WELLESLEY

ALL OF ABOVE LAND IN BUSINESS DISTRICT A  
 AREA OF BUILDING 5,238 SQ. FT.  
 LAND AREA 32,295 SQ. FT.  
 LAND AREA TO CENTER LINE OF ROAD 38,875 SQ. FT.  
 TOTAL PARKING AREA 27,057 SQ. FT.

PLAN OF  
ORSE'S POND GROVE

VELLESLEY - NATICK MASS.

OWNED BY

NEIL McINTOSH JR. TRUSTEE

929 Old South Building, Boston

80 feet per inch

April 1, 1915.

C. H. GANNETT CO.  
95 STATE ST.  
BOSTON



Norfolk Registry of Deeds  
DEDHAM, MASS.

Received May 14, 1915, with

Deed No. 4272 Pl. Bk. 28

Witness: Walter W. Schambler

OVERSEEN  
STATUTE

Boston and Worcester