

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

RICHARD O. ALDRICH
DANA T. LOWELL
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Petition of Norman J. Kelly

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 8:15 p.m. on December 7, 1972, on the petition of Norman J. Kelly, requesting permission to continue to use part of his dwelling at 37 Cottonwood Road as separate living quarters for his father. Said request was made under the provisions of Section XXIV-E of the Zoning By-law.

On November 16, 1972, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the petition at the hearing.

Statement of Facts

The property involved is located within a Single-residence District, a district in which the requested non-conforming use is not permitted unless a special permit is granted by this Board.

It was stated at the hearing that the petitioner's father is still living with him and his family, and that there is a real need for the non-conforming use to continue for another year. There are no changes in the circumstances from a year ago when the Board granted a permit for the requested use of the property, it was stated, and to the petitioner's knowledge no objections have been made to the use during the past year.

Decision

It is the opinion of the Board that the continued use of dwelling with separate living quarters for the petitioner's father will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious or offensive to the neighborhood. A real need still exists, in the opinion of the Board, for the continuation of the non-conforming use involved and to deny this would result in hardship to the petitioner and his family.

Accordingly, the requested permit for the continuation for another year is granted, subject to the Board's earlier decision on a similar petition of the petitioner with respect to the property involved. See "Petition of Norman J. Kelly filed with Town Clerk September 10, 1972. "

Richard O. Aldrich
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Filed with Town Clerk