



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.  
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL  
Executive Secretary  
Telephone  
~~285-1664~~  
431-1019

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MASS.  
JUL 9 12 51 PM '85

85-43

Petition of Despina, Robert T. and Marisa Bartlett  
66 River Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 18, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of DESPINA, ROBERT T. AND MARISA BARTLETT requesting a Special Permit under Section II 8(a) and pursuant to Section XXV of the Zoning Bylaws which will allow the premises located at 66 RIVER STREET to be used as a two-family dwelling, said premises being located in a Single Residence District.

On June 28, 1985, 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 Frank Conway, Attorney for the Bartletts, who presented photos of the property and a memorandum supporting the petition. He stated that the house was built in 1920, most recently owned by an absentee landlord who rented it to unrelated singles. The petitioner purchased the property in June, 1985 as an investment. She proposes to create a two-family dwelling for rental purposes. Mr. Conway stated that the lot is unique because part of it is in Industrial District, part in a Business District. He stated that all parking would be off-street, that the Bartletts are responsible land-owners, owning property on Church Street, Abbott Street and Cross Street. Despina Bartlett stated that improvements to the dwelling would benefit the neighborhood.

Present in favor of the request: Henry Shaw, 111 Walnut St, Mary Whalen, 80 Walnut St.

Statement of Facts

The property in question is located at 66 River Street, containing 16,316 square feet of land. The lot is in a Single Residence District except for a small area at the rear which is in an Industrial District and a shall area which is in a Business District. The dwelling was constructed in 1920 as a single residence.

The petitioners have recently purchased the property as an investment and propose to create a two-family dwelling to be used as rental property. The petitioners would not reside at the property.

A memorandum was presented in support of the petition. Photos were also presented. Construction drawings were presented drawn by John C. Stanionas Associates, dated June 25, 1985.

Petition of Despina, Robert T. and Marisa Bartlett  
66 River Street

The Planning Board, at its regular meeting of July 17, 1985, voted to oppose the petition, stating the following: " ....The Planning Board believes that the intent of Clause 8 a. of Section II. is to allow large pre-1925 houses to be converted to two-family houses in instances when the resident owner has found that the excessive space makes the maintenance and upkeep of the house impossible. These conditions do not appear to be present concerning the property at 66 River Street. The house has only approximately 1400 square ft. according to our calculations....."

Letters of support were received from John C. Staniunas, 103 Walnut St. A letter in opposition was received from Miriam H. Bunker, 46 Chestnut St.

Decision

This Authority has made a careful study of the evidence presented. The petitioner proposes to create a two-family dwelling in a Single Residence District. Section II 8 a states that the Board of Appeals must make a written finding that the original building can no longer be used or adapted at a reasonable expense and with a fair financial return for a use regularly permitted in the district.

It is the opinion of this Authority that the original building was constructed and has been used as a single family dwelling and that no justification exists which would warrant two-family use in a Single Residence District. The Authority agrees with the Planning Board that the intent of Section II 8 a of the Zoning Bylaw is to allow large pre-1925 houses to be converted to two-family houses in instances when the resident owner has found that the excessive space makes the maintenance and upkeep of the house impossible. In this case, the petitioners have just recently purchased the house as an investment and do not plan to reside on the premises.

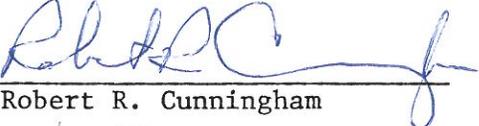
Therefore, the Special Permit for two-family use at 66 River Street is hereby denied and the petition is dismissed.

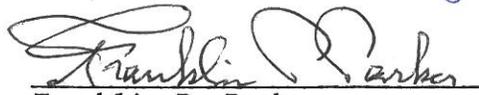
APPEALS FROM THIS DECISION,  
 IF ANY, SHALL BE MADE PURSUANT  
 TO GENERAL LAWS, CHAPTER 40A,  
 SECTION 17, AND SHALL BE FILED  
 WITHIN 20 DAYS AFTER THE DATE  
 OF FILING OF THIS DECISION IN  
 THE OFFICE OF THE TOWN CLERK.

CC: Planning Board  
 Building Inspector

mam

  
 Stephen S. Porter, Chairman

  
 Robert R. Cunningham

  
 Franklin P. Parker

Aug 9 12 51 PM '85  
 RECEIVED  
 TOWN CLERK'S OFFICE  
 WELLESLEY MASS.