



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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83-53

Petition of Jane Peele Greene

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, October 20, 1983 at 8 p.m. on the petition of JANE PEELE GREENE, requesting a Special Permit under Section II 8 (a) of the Zoning Bylaw which will allow the premises at 37 POND ROAD to continue to be used as a residence for not more than two families, said residence being in a Single Residence District. Said request is made pursuant to Section XXV of the Zoning Bylaw.

On September 30, 1983, the petitioner filed a request for a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Jane Peele Greene, who stated that there have been no changes in the use of the property. Her daughter resides there and an apartment is rented out.

Present at the hearing in favor of the petition was Mary Fyffe, 99 Pond Road.

Statement of Facts

The house involved is located at 37 Pond Road, in s Single Residence District, containing 7.96 acres of land.

The petitioner seeks permission to continue the present non-conforming use of the above-mentioned property for another year under the same conditions as outlined a year ago. The house contains thirty-five rooms and cannot be used economically as a one-family dwelling. Mrs. John Walsh, daughter of Jane P. Greene, lives in half the house where she has resided for the past twelve years. Jane Peele Greens resides in Guilford, Connecticut.

The Planning Board, at its regular meeting of October 25, 1983, voted to offer no comment of the petition.

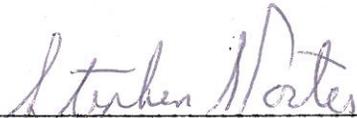
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The owner of the property does not reside at the residence. The Board has been reticent to approve Special Permits for non-resident owners. In this case, however, Mrs. Greene's daughter, Mrs. John Walsh, resides at the residence and plans to live there in the future.

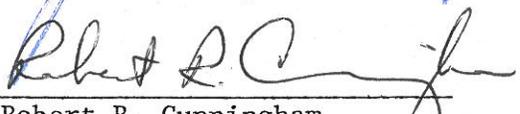
It is the opinion of this Authority that the continued use of the dwelling as a two-family dwelling, with the owner's daughter as a resident, will not substantially reduce the value of any property within the district and will not be injurious, obnoxious or offensive to the neighborhood.

Accordingly, a Special Permit is granted under the provisions of Section XXV of the Zoning Bylaw for one year from the date of this decision, subject to the following conditions:

1. That said dwelling shall not be occupied by more than two families at any one time.
2. That the recommendations of the Wellesley Fire Department be followed: specifically, that hard wired smoke detectors be installed, as would be required under Massachuestte State Building Code (Sec.1216.3.22) for new construction.

  
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 Stephen S. Porter, Chairman

  
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 John A. Donovan, Jr.

  
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 Robert R. Cunningham

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