



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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85-65

Petition of St. Andrews Church of Wellesley
7 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 17, 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 ST. ANDREWS CHURCH OF WELLESLEY requesting renewal of a Special Permit which will allow the premises at 7 DENTON ROAD, adjacent to St. Andrews Church, to be used as a two-family dwelling, said premises being located in a Single Residence District. Said request is pursuant to Sections II 8 (a) and (c) and Section XXV of the Zoning Bylaw.

On September 30, 1985, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was William Tripp, attorney, who stated that a renewal is requested and that the church accepts the same conditions as a year ago. The house renovations have recently been completed and occupancy has just been implemented. Two associate clergy are occupying the units.

Present at the hearing and speaking in favor of the request was: Paul Shackford, 12 Fells Road.

Statement of Facts

The property in question is located at 7 Denton Road, situated on a parcel of land owned by and including St. Andrews Episcopal Church at 79 Denton Road, in a Single Residence District. The dwelling at 7 Denton Road is located 10 feet from the church building.

The house was constructed prior to 1900, purchased for St. Andrews Church in 1947, used principally to house clergy but was also rented as a one-family unit. A Special Permit was granted by the Board of Appeals on September 24, 1984 for a period of one year (ZBA Case 84-29) to allow 7 Denton Road to be used as a two-family dwelling. Interior renovations were completed and the two dwelling units are now occupied by two associate clergy of the church. The church may wish in the future to rent to non-clergy tenants.

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The Planning Board, at its regular meeting of October 8, 1985, voted to offer no objection to continuation of the requested use on the same terms and conditions as are currently in effect.

As per the requirements of the Special Permit granted on September 24, 1984, a new Plot Plan was submitted dated 8/3/81, revised 9/10/84, drawn by Alexander Cruciolli of Acres-Engineers, Chelsea. This plan was signed by the Planning Board (PBC 84-17) "Planning Board Approval Not Required Under the Subdivision Control Law" on October 9, 1984.

Decision

This Authority has made a careful study of the evidence presented. St. Andrews Episcopal Church is requesting renewal of a Special Permit to allow 7 Denton Road, on the church property, to be used as a two-family dwelling.

It is the opinion of this Authority that St. Andrews has complied with the conditions of this Board's decision of 1984. However, the dwelling units at 7 Denton Road have just recently been occupied, so the impact of the two-family use has not been assessed.

The building, built prior to 1900, was in existence when the Zoning Bylaw took effect (1925). This Board finds, pursuant to Section II 8 (a) of the Zoning Bylaw, that the dwelling can no longer be used or adapted at a reasonable expense and with a fair financial return as a one-family dwelling.

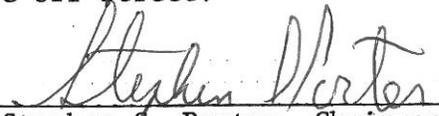
A Special Permit is hereby granted under Section II 8 (a) and Section XXV of the Zoning Bylaw to St. Andrews Church for the use of 7 Denton Road as a two-family dwelling, subject to the conditions as follows:

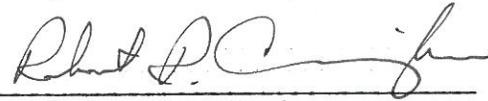
1. That this Special Permit is granted for a period of one year from the date of this decision.
2. That all parking related to said premises shall be off-street.

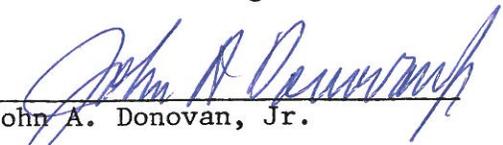
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Building Inspector

mam


Stephen S. Porter, Chairman


Robert R. Cunningham


John A. Donovan, Jr.

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