



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 94-7
Petition of Jane Peele Greene
37 Pond Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 24, 1994 at 8:00 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JANE PEELE GREENE requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (a) and Section XXV of the Zoning Bylaw to allow the premises at 37 POND ROAD, in a Single Residence District, to continue to be used as a residence for not more than two families, a use not allowed by right in a Single Residence District.

On February 7, 1994, the petitioner requested 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 Nathanael Greene, son of the property owner, Jane Peele Greene. Mr. Greene requested renewal of the Special Permit, and stated that the conditions under which the permit was granted have not changed.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 37 Pond Road, in a Single Residence District, on a 7.96 acre lot. The house, built in 1875, has been in the family since its original construction. The house contains thirty-five rooms and cannot be used economically as a single family dwelling. Jane Peele Greene, the owner, currently lives in Guilford, Connecticut, but her son, Nathanael Greene, occupies one-half of the premises. The apartment is tenant occupied.

The petitioner request permission to continue the present use of the premises as a two-family dwelling. Special Permits to continue this use have been granted regularly since the first Special Permit was issued in 1973.

On February 15, 1994, the Planning Board reviewed the petition and voted to recommend renewal of the special permit based on the terms and conditions currently in effect.

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Decision

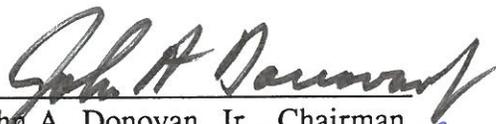
This Authority has made a careful study of the material submitted and the information presented at the hearing. It is the opinion of this Authority that the continued use of the house as a two-family dwelling, with the son of the owner in residence, will not substantially reduce the value of any property within the neighborhood and will not be injurious or offensive to the neighborhood.

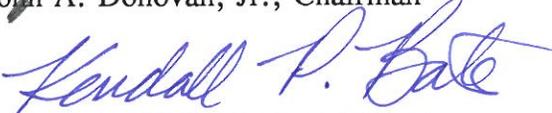
Therefore, a Special Permit is granted pursuant to the provisions of Section II A 8 (a) and Section XXV of the Zoning Bylaw to continue to allow the use of the premises at 37 Pond Road as a two-family dwelling, subject to the following conditions:

1. Said dwelling shall not be occupied by more than two families at any one time; and that one of the families shall be that of the son of the owner.
2. All applicable State and local laws and regulations shall be complied with by the petitioner, her son, and the tenant(s).
3. This Special Permit shall expire two years from the date of this decision.

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
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta