

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

2002 JUN -5 A 8:21

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ZBA 2002-50  
Petition of Hunnewell Land Trust  
891 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 23, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of the HUNNEWELL LAND TRUST 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 accessory garage apartment at 891 WASHINGTON STREET, in a Single Residence District, to continue to be used as a separate dwelling unit, a use not allowed by right in a Single Residence District.

On May 6, 2002, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

At the Public Hearing, Ellen Gordon, Executive Secretary for the Board of Appeals, read into the record a letter dated May 21, 2002 from Walter Hunnewell, Jr., Trustee of the Hunnewell Land Trust. The letter stated that there had been no changes in conditions at the garage apartment since the issuance of the last permit, and authorized Ms. Gordon to act as agent for the Hunnewell Land Trust on the matter.

The Board noted that the Planning Board had recommended renewal of the Special Permit under the same terms and conditions as currently exist.

The Board stated, for the record, that the site contains 5.6 acres located at the corner of Washington Street and Pond Road, and contains a two-family dwelling, two detached garages, a barn and a shed. One of the garages has been allowed to contain a separate dwelling unit for many years.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 891 Washington Street, on a 5.629 acre lot on the corner of Washington Street and Pond Road, in a Single Residence District. A two-family dwelling, two detached garages, a barn are located on the premises. The garage closest to the house was constructed in the early 1900's and is used as a three-car garage, which has an attached two-story apartment. In June, 1987, the Board of Appeals granted a Special Permit (ZBA 87-48) for the premises to be used as a separate dwelling unit, as the use had been discontinued for more than a two-year period. The Special Permit has been renewed every three year since that time.

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On May 14, 2002, the Planning Board reviewed the petition and recommended renewal on the same terms and conditions as are currently in effect.

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Decision

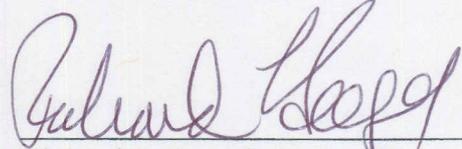
This Authority has made a careful study of the material submitted and the information presented at the hearing. It is the opinion of this Authority that the requested Special Permit can be granted pursuant to Section II A 8 (a) of the Zoning Bylaw to allow the garage apartment at 891 Washington Street to continue to be used as a separate dwelling unit, as said use shall neither be detrimental to the neighborhood nor in derogation of the intent and purpose of the Zoning Bylaw.

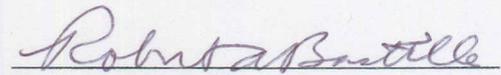
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. All applicable State and local laws and regulations shall be complied with by both the petitioner and the tenant.
2. This Special Permit shall expire three years from the date time stamped on 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

  
Richard L. Seegel, Acting Chairman

  
Robert A. Bastille

  
J. Randolph Becker