



ZONING BOARD OF APPEALS

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ZBA 2003-17
 Petition of St. Andrew's Church of Wellesley
7 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 13, 2003 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ST. ANDREW'S CHURCH OF WELLESLEY 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 7 DENTON ROAD, in a Single Residence District, to continue to be used as a two-family dwelling, a use not allowed by right in a Single Residence District.

On January 24, 2003, 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 Henry Thayer, representing the Church, who was accompanied by Meg Harris, Senior Warden, and Mr. Parker, the vestry person in charge of property. Mr. Thayer said the Church would like to renew the permit it has had for a number of years. There have been no complaints from the neighbors. The present occupants are two seminarians. A choir member will be moving in shortly to occupy the second floor apartment. The Church tries to keep the property tenants church-related.

The Board noted that the first permit had been granted in 1984.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 7 Denton Road, in a Single Residence District, on a parcel of land owned by and including St. Andrew's Church of Wellesley at 79 Denton Road. The subject dwelling is located 10 feet from the Parish House of the Church.

The house, constructed prior to 1900, was purchased by the Church in 1947, and used to house clergy or rented as a single family dwelling. In 1984, a Special Permit was granted for the use of the house as a two-family dwelling, and has been renewed annually or biennially since that date.

The petitioner is requesting renewal of the Special Permit pursuant to Section II A 8 (a) of the Zoning Bylaw to continue to use the premises as a two-family dwelling. The first floor is occupied by two seminarians and the second floor will soon be occupied by a choir member.

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On January 28, 2003, the Planning Board reviewed the petition and recommended renewal on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. St. Andrew's Church of Wellesley is requesting renewal of a Special Permit to allow the dwelling at 7 Denton Road, on property owned by the Church, in a Single Residence District, to continue to be used as a two-family dwelling, a use not allowed by right in said District.

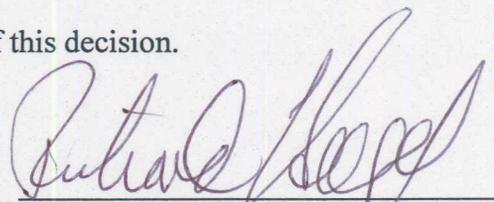
It is the opinion of this Authority that the subject dwelling can no longer be used or adapted at a reasonable expense and with a fair financial return as a single family dwelling; and that the use of this dwelling as a two-family residence will not disturb or disrupt the customary character of the neighborhood.

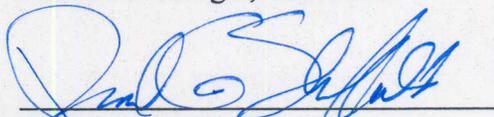
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to allow the premises at 7 Denton Road to continue to be used as a two-family dwelling, subject to the following conditions:

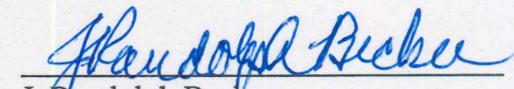
1. All parking related to the premises shall be on the premises, and no vehicles related to the premises shall be parked on Denton Road.
2. This Special Permit shall expire two years from the date of this decision.

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


Richard L. Seegel, Chairman


David G. Sheffield


J. Randolph Becker

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