

**ZONING BOARD OF APPEALS**

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

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ZBA 2005-17

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 10, 2005 at 7:30 p.m. in the Great Hall 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 25, 2005, 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, who said that he is a parishioner of St. Andrews Church. He said that present with him was the Associate Reverend of St. Andrews Church.

Mr. Thayer said that this will be the tenth renewal of the Special Permit since 1984. Mr. Thayer displayed the plan that was submitted in 1984.

The Board asked if all of the structures are located on one lot. Mr. Thayer said that they are. He said that Building #7 is a large house that was built around 1900. He said that he has spoken with the neighbors around the Church and there have been no complaints about the tenants. He said that two of the tenants are Divinity students. Mr. Thayer said that all of the parking is off of the street. He said that they want to continue the present arrangement.

The Board said that Mr. Thayer sent a statement along with the application stating that the current use is for two families. The Board asked if there has ever been a situation where there have been more than two people per unit. Mr. Thayer said that he did not believe that there has been more than two people per unit.

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.

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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.

On February 1, 2005, 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, to continue to be used as a two-family dwelling, a use not allowed by right in a Single Residence District.

It is the opinion of this Authority that use of the subject 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.

Cynthia S. Hibbard, Acting Chairman

David G. Sheffield

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm