

**ZONING BOARD OF APPEALS**

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ZBA 2008-30
Petition of Wellesley College
33 Dover Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY COLLEGE requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (b) and Section XXV of the Zoning Bylaw to allow the property at 33 DOVER ROAD to continue to be used for education purposes as a language residence for seven Wellesley College students, which is a use not allowed by right in a Single Residence District.

On April 23, 2008, 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 Barry Monahan, who said that he was representing Wellesley College (the "Petitioner"). He said that the carriage house has been used for 15 years as a residence for college students. He said that there have been no complaints in recent years.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 33 Dover Road, on a 46,135 square foot lot abutting the Nehoiden Golf Course, in a Single Residence District. The property has been owned by Wellesley College for many years and contains a main house and a carriage house. Nine Wellesley College students live in the main house. Seven students live in the carriage house, which is used as a language residence for students majoring in French.

In 1984, Wellesley College was granted a Special Permit to allow the carriage house to be used as a separate dwelling unit to house seven students on the same lot as the main house. This Special Permit has been renewed annually or biennially since that time. The College is seeking renewal of the Special Permit under the same conditions as previously granted.

On May 5, 2008 the Planning Board reviewed the petition and had no objection to the renewal of this request on the same terms and conditions as are currently in effect assuming there has been no change in the circumstances since the time of the last review.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

The petitioner seeks renewal of a Special Permit to allow the carriage house at 33 Dover Road to continue to be used as a residence for seven college students on the same property that contains a main house housing nine students in a Single Residence District.

It is the opinion of this Authority that the continued use of the carriage house as a separate dwelling unit shall not disturb or disrupt the customary character of the residential neighborhood, and is in harmony with the intent and purpose of the Zoning Bylaw.

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

1. No more than seven Wellesley College students shall be housed in the carriage house at any one time.
2. The petitioner shall comply with the requirements and recommendations of the Inspector of Buildings and the Fire Department.
3. Sufficient off street parking shall be provided so that no vehicle associated with the carriage house shall be parked on any street in the neighborhood.
4. No sign identifying the premises shall be displayed on the property except in accordance with the Zoning Bylaw.
5. There shall be no disturbance or disruption to the residential neighborhood.

This Special Permit shall expire two 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.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm