



ZONING BOARD OF APPEALS

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

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ZBA 2012-86
 Petition of Wellesley Historical Society
 323 Washington Street

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 2012 DEC 10 P 2:41

Record Owner of Property: Washington Street 33 Realty Trust, David L. Zuretti, Trustee

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 6, 2012 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY HISTORICAL SOCIETY requesting a Special Permit pursuant to the provisions of Section II A 8 b and Section XXV of the Zoning Bylaw to use the structure located at 323 WASHINGTON STREET for storage and care of collections, office, work and meeting space. The hours of operation are 9 am to 5 pm, Monday through Friday. Meetings of the Board of Directors take place on the first Thursday of each month from 7 to 9 pm. The Society has a full time Executive Director, a part time Curator and a part time intern. There will be no customers or clients coming to the premises.

On November 19, 2012 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 Leslie Shea, Esq. Also present were John Celi, President, Jared Parker and Chris Mayr, members, Wellesley Historical Society.

Mr. Shea said that the Historical Society is seeking a Special Permit pursuant to the provisions of Section II A 8 c of the Zoning Bylaw. He said that the Wellesley Historical Society intends to remain in the Dadmun/McNamara House. He said that house is currently overburdened with collections. He said that the Historical Society has a Purchase & Sale Agreement with David Zuretti, the owner of 323 Washington Street, who has a significant illness and is desirous of selling the property.

Mr. Shea said that under Section II A 8 c of the Zoning Bylaw, the proposed use is not allowed by right in a General Residence District. He said that the Historical Society is seeking an exception to the bylaw as a semi-public institution of a Philanthropic, Charitable or Religious character. He said that the Historical Society is a 501 (c) organization, and that it provides charitable scholarships, among other things.

Mr. Shea said that there are two employees: a full time Executive Director and a part time Curator. He said that, in addition, there is a part time intern. He said that once a month in the evening there is a Board of Directors Meeting that they intend to hold at 323 Washington Street.

Mr. Shea said that there is a three-car garage in the rear of the property and parking spaces for at least eight vehicles on the property. He said that the Unitarian Church that is located next door has said that

the Historical Society can use their parking lot, if needed, for Board of Directors Meetings. He said that the meetings are held from 7 to 9pm when most of the area is not in use by the surrounding businesses.

Mr. Shea said that the submitted photographs show that the house is one house in from Cliff Road. He said that it is located in a significantly commercial area with large residential areas across the street. He said that there public parking lots nearby

Mr. Shea said that the petition is for a Special Permit for the use of the house at 323 Washington Street for storage and care of some of the collections of the Society, office space for the Society's Curator, work space for care and cataloging of the Society's collections, office space for the Society's Executive Director, and meeting space for the Society's Board of Directors.

The Board confirmed that the Historical Society would agree to the condition that there be no overnight living in the house.

The Board said that there was a letter submitted from the Unitarian Universalist Society in favor of the proposed use. The Board asked if the Unitarian Universalist Society would submit a letter supporting the use of their parking lot during the Historical Society's Board of Directors Meetings. Mr. Shea said that he did have a letter from them that supported that use. He said that there was a problem with the letter in that the Unitarian Universalist Society referred to a previous Special Permit that had been granted by the Zoning Board of Appeals for non-accessory parking. He said that he reviewed the issue with the Executive Secretary of the Zoning Board of Appeals and the Board agrees that the proposed use of the parking lot at the Unitarian Universalist Society would not be in violation of the previously issued Special Permit.

The Board said that the Special Permit will run with the owner and the use. The Board said that it will be a two-year renewable permit.

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

Statement of Facts

The Wellesley Historical Society is a 501 (c) charitable organization, formed in 1925 and incorporated in the Commonwealth of Massachusetts in 1965. It is the Historical Resource Center for the Town of Wellesley.

The Wellesley Historical Society is the primary archival repository for the Town of Wellesley, and is responsible for the archives of several non-profit organizations. Collections include manuscripts, photographic images, maps and plans, art pieces, costume collections, butterflies, individual artifacts, and a significant textile and lace collection. In addition, the Society annually awards scholarships to Wellesley students to "inspire public involvement in and appreciation of Wellesley's heritage and culture by Wellesley youth in their endeavor to further their studies" via higher education.

The Society is currently located in the Dadmun/McNamara House at 229 Washington Street at the intersection of Routes 16 and 9 on the same grounds as the Community Center.

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The current collections of the Society occupy almost all the current usable space in the Dadmun/McNamara House (1,760 square feet) leaving insufficient work space for the care and ongoing cataloging of the collections, and monthly meetings of the Board of Directors.

The Society's proposed change for use of 323 Washington Street reflects the organization's desire to secure a second physical space that will allow it to fulfill its mission to a degree that it is unable to do within the confines of its current location. The Society intends to continue to use the space at the Dadmun/McNamara House for storage and research activities.

On December 6, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

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

The Petitioner seeks a Special Permit to use the structure located at 323 Washington Street, in a General Residence District, for storage and care of collections, office, work and meeting space. The hours of operation are 9 am to 5 pm, Monday through Friday. Meetings of the Board of Directors take place on the first Thursday of each month from 7 to 9 pm. The Society has a full time Executive Director, a part time Curator and a part time intern. There will be no customers or clients coming to the premises.

It is the opinion of this Authority that the use of the structure for storage and care of collections, and office, work and meeting space meets the requirements of Section XVI and Section XXV and 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:

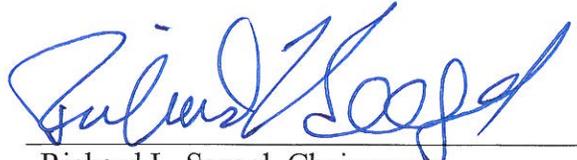
1. There shall be no overnight living in the premises.
2. This Special Permit shall expire two years from the date time stamped on the decision.

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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