



71-6

BOARD OF APPEAL

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 FEBRUARY 22 1971

Petition of Wellesley College

The Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on February 11, 1971, on the petition of Wellesley College requesting permission to use the building at 33 Dover Road, now in a Single-residence District, as a cooperative dormitory for approximately 18 students. Said request was made under the provisions of Section II, 8 (b) of the Zoning By-law, without waiving the petitioner's rights under Chapter 40A, Section 2, of the General Laws.

On December 31, 1970, the petitioner made application to the Board of Appeal for a hearing and thereafter due notice of the hearing was given by mailing and publication.

Robert I. Hunneman, attorney, represented the petitioner at the hearing.

Philip M. Phipps, Professor at Wellesley College, outlined in detail the College's need for a cooperative dormitory, the benefits to be derived by the students, financial and otherwise and the desirability of using the house involved for that purpose.

Ruth M. Adams, President of the College, also explained that the College desires to provide a cooperative dormitory for a group of middle-income students. Wellesley College at present is pressed for dormitory space and the house involved would provide accommodations for this group, which otherwise will have to live off campus at extra expense. The cooperative dormitory, President Adams asserted, would provide better facilities for studying, an opportunity for the student to save up to \$600., and an environment closer to the student's family scale of living. All of these tend to make her a better student.

A petition opposing the request was submitted which was signed by 32 nearby neighbors.

The following persons spoke in opposition to the request: Thomas J. Harrington, 50 Dover Road, Warren F. Witherell, 38 Dover Road, Parker D. Morris, 60 Dover Road, John Rogers, 13 Pine Ridge Road, Arthur M. Bell, 11 College Road, Mary E. Rich, 16 Midland Road, Alfred A. Fraser, 20 Dover Road, Louise C. and Max W. Keller, 2 Roanoke Road, Dorothy W. Weeks, 28 Dover Road, Mrs. Edwin H. Jenks, 32 Dover Road, Daniel D. Ewing, Jr., 4 Birch Road, Edmund T. Rice, 24 Belair Road, James Folsom, 22 Dover Road, William H. Allison, 46 Dover Road and Charles W. Heard, 4 Upland Road. All strongly opposed the proposed use of the property. They felt that a dormitory as proposed should be on campus, that it would increase the traffic on the street, it would be a precedent for other properties owned by the College to be used in a similar manner in the future and that such use of the property would definitely reduce the values of surrounding properties.

Statement of Facts

The property involved is located within a Single-residence District requiring a minimum lot area of 20,000 square feet. It abuts the Wellesley College Golf Course at the rear and is across from a street of above-average dwellings. The house involved was purchased by Wellesley College approximately ten years ago and has been occupied by members of the college faculty since that time. Prior to that it was owned and occupied as a single family dwelling for approximately fifty years.

Allegedly, the college is now in need of additional housing for students, as it cannot presently accommodate all students who wish to live on the campus. In addition, there is a demand on the part of some students for more cooperative dormitories, that is, dormitories where students do their own housekeeping, including cooking, laundry and other household duties.

The attorney for the college stated that permission is sought to alter the interior of the house involved and use the premises to provide accommodations for approximately 18 upper classmen and graduate students. There would be a resident at the house to oversee the students and see to it that the rules for "Residence" in the dormitory" were complied with. (A copy of the rules was submitted). It was stated that ample parking space would be provided for the limited number of cars which may be used by the students. There was no specification as to this number.

Decision

The Board has given careful consideration to this petition and finds that although there may be a need for a cooperative dormitory by the petitioner, sufficient reasons do not exist for granting this particular request.

The premises involved are located in a Single-residence Zone, and so far as appears the other dwellings in the area are occupied as single residences, or if otherwise occupied, without official sanction. Several of the persons occupying neighboring homes expressed the opinion that the grant of the petitioner's request would reduce the value of properties within the district, and be injurious to the neighborhood. No evidence was introduced on behalf of the petitioner which could be regarded as sufficient to contradict these expressions of opinion.

It seems clear that the proposed use is the equivalent of a small college dormitory. While allegations were made as to possible increases in traffic, activity and noise late at night, etc., the statements to this effect cannot be regarded as evidence sufficient to support findings.

However, the Board is required in all cases brought under Section II, 8 of the Zoning By-law to make certain findings to the effect, "that the proposed use will not substantially reduce the value of any property within the district, and will not otherwise be injurious, obnoxious or offensive to the neighborhood."

In view of the allegations made by certain objectors and the absence of evidence introduced to contradict them, beyond general statements regarding the reputation of Wellesley College, the Board does not believe that sufficient evidence has been introduced before it, nor has its investigation demonstrated, that none of these can or will occur. Neither does the Board believe that the evidence was such as to compel a finding that a denial of the requested permission would, either of itself or in conjunction with the Zoning By-law of the Town, constitute a violation of the applicable provisions of General Laws,

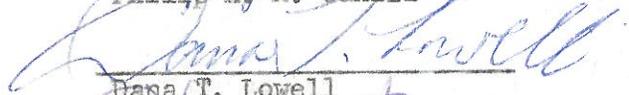
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Chapter 40A, Section 2.

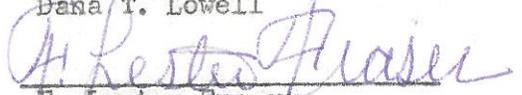
Accordingly, the requested permission is denied and the petition dismissed.



Philip H. R. Cahill



Dana T. Lowell



F. Lester Fraser

Filed with Town Clerk _____

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