

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

RICHARD O. ALDRICH  
F. LESTER FRASER  
WILLIAM O. HEWETT

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Petition of Robert G. and Dorothy M. Magliozzi

The Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:35 p.m. on May 10, 1973, on the petition of Robert G. and Dorothy M. Magliozzi, requesting an extension of a General Residence Use at #7 Morton Street; said extension to continue southeasterly across the present established boundary line of the General Residence District into a more restricted district a distance of 32.89 feet along Morton Street and running southwesterly along the property owned by Lillian Cooke, then running northwesterly along the property line of Charles F. and Carole A. Doherty a distance of 20.13 feet. Said request is being made for the purpose of converting the dwelling located on the lot involved from a one-family dwelling into a two-family dwelling as the district line now bisects the dwelling involved.

On April 5, 1973, the petitioner filed a request with this Board for a hearing and thereafter due notice of the hearing was given by mailing and publication.

Richard J. Wilder, attorney, spoke in support of the petition at the hearing.

The following persons spoke in opposition to the granting of the request at the hearing: Charles Doherty, 26 Atwood Street, Robert C. Wiard, 35 Atwood Street, Lillian Cooke, 32 Atwood Street and Linnea K. Mix, 24 Atwood Street. All contended that to extend the General Residence use the requested distance would downgrade other properties in the neighborhood and depreciate property values.

Statement of Facts

The property involved contains 12,500 square feet and has a frontage of 92.25 feet on Morton Street. It is located partially within a General Residence District and partially within a Single Residence District. The district line now bisects the dwelling located on the lot, with approximately two-thirds of the lot within the General Residence District and one-third of the lot within the Single Residence District. The dwelling is well centered on the lot.

The petitioners seek an extension of a General Residence Use a distance of approximately 32.89 feet in a southeasterly direction which, if allowed, will extend to the lot boundary line and include the entire dwelling. The zone line presently bisects the dwelling with approximately three-quarters of it in the General Residence District and one-quarter in the Single Residence District.

Mr. Wilder stated that the petitioners are making the request at this time so that Mrs. Magliozzi's mother can come to live with them in a separate suite. It was pointed out that there are several two-family dwellings within the immediate neighborhood and that the lot involved is within a short distance from business-zoned property on Washington Street where there are a funeral home and other business establishments. It was alleged that the proposed use of the property will not reduce the value of any property within the district or injure

the neighborhood and that the character of the dwelling will not change to any great degree as no exterior changes will be made to the house.

A plot plan was submitted, drawn by MacCarthy Engineering Service, Inc., Natick, Mass., dated March 2, 1973, which showed the dwelling on the lot with the zone line bisecting the dwelling on the lot. Said plan showed that 59.36 feet of the lot is located within a General Residence District and 32.89 feet in the front and 20.13 feet in the rear, within a Single Residence District.

Decision

This is a petition requesting an extension of a General Residence Use a distance of approximately 32.89 feet into a Single Residence District. While the Board is reluctant to authorize the extension of a less restricted district into a more restricted district, in its opinion the requested extension is in this case reasonably necessary and will not substantially reduce the value of any property within the district or otherwise injure the neighborhood. The property is located approximately 145 feet from Washington Street, a main thoroughfare with heavy traffic where there are business-zoned properties including a funeral home, an automobile sales and service garage, a police station, a medical building, an office building and stores. It appears from an examination of the neighborhood that there are several other two-family dwellings within the neighborhood and that the proposed use of the dwelling involved will not change the character of the neighborhood or the appearance of the dwelling as no exterior alterations are to be made. The Board does not feel that the extension of use need occasion any inconvenience or annoyance to the occupants of the single family dwellings to the rear and right side of the property in question.

Accordingly, the requested extension is granted under the provisions of Section XXIV-E 2 of the Zoning By-Law, and a General Residence Use is extended a distance of approximately 32.89 feet to the southeasterly boundary line of the property involved as shown on the plan submitted and on file with this Board subject to the following conditions:

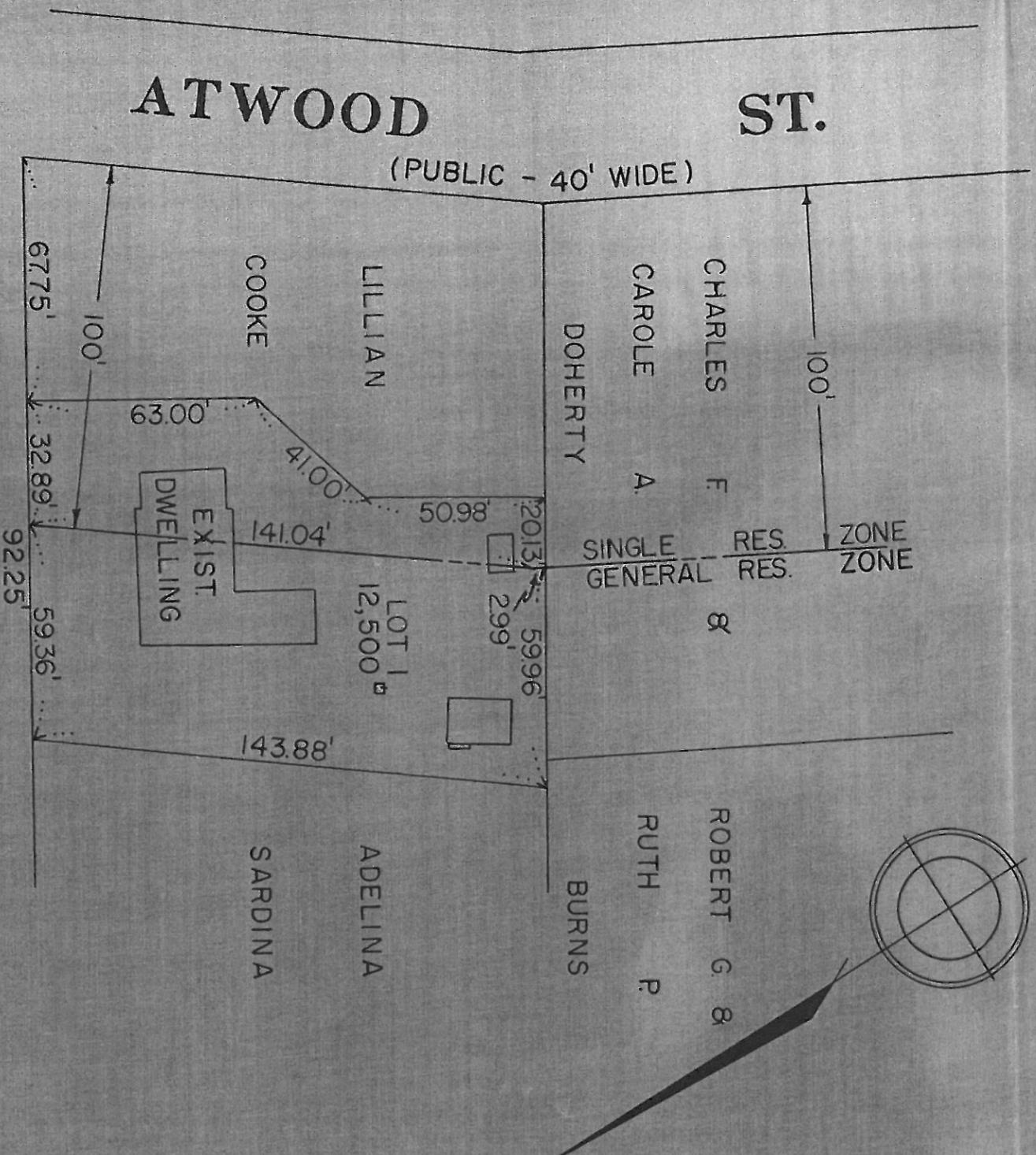
1. That not more than two families shall occupy the dwelling involved at any one time.
2. That no exterior additions or substantial alterations shall be made to the dwelling unless special permission is obtained from the Board of Appeal.
3. That said dwelling shall not be used for any other allowable uses within a General Residence District, unless and until permission has been obtained from the Board of Appeal.
4. That the continuation of the use hereby permitted is conditioned upon compliance with such regulations regarding its exercise including, without limitation, the number of motor vehicles to be garaged or parked on the premises as this Board may in its discretion make or amend from time to time hereafter.

APR 13 11 01 AM '73  
M. J. STEVENS  
TOWN CLERK'S OFFICE  
RECEIVED

Filed with Town Clerk

*Stanley J. Glod*  
Stanley J. Glod

*Richard O. Aldrich*  
Richard O. Aldrich  
*F. Lester Fraser*  
F. Lester Fraser



APPROVED BY WELLESLEY BOARD OF APPEALS

AREA IN GENERAL RES. = 8,504 S.F.  
 AREA IN SINGLE RES. = 3,996 S.F.

DATE \_\_\_\_\_

PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY: ROBERT G. & DOROTHY M. MAGLIOZZI

SCALE: 1" = 40'

MARCH 2, 1973



PLAN BY: MACCARTHY ENGINEERING SERVICE, INC.  
 NATICK & SO. HARWICH, MASS.

JOSEPH R. SULLIVAN  
 REG. LAND SURVEYOR