



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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84-59

Petition of Jane Peele Greene
37 Pond Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the Upper Town Hall Main Hearing Room on Thursday, November 1, 1984 at 8 p.m. on the petition of JANE PEELE GREENE requesting a Special Permit under Section II 8 (a) of the Zoning Bylaw which will allow the premises at 37 POND ROAD to continue to be used as a residence for not more than two families, said residence being in a Single Residence District. Said request is pursuant to Section XXV of the Zoning Bylaw.

On October 12, 1984, the petitioner filed a request for a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Jane Peele Greene, who stated that there have been no changes since last year's decision. She stated that in the next year her daughter may move out and her son move in. Discussion followed about the hard-wired smoke detectors which were required in last year's decision but have not yet been installed. Mrs. Greene's daughter, Jane Walsh stated that Mr. Nickerson from the Fire Department and an electrician have an appointment to inspect the house next week.

Statement of Facts

The house involved is located at 37 Pond Road, in a Single Residence District, containing 7.96 acres of land.

The petitioner seeks permission to continue the present use of the dwelling as a two family dwelling for another year under the same conditions as outlined a year ago. The house contains thirty-five rooms and cannot be used economically as a one-family dwelling. Jane Walsh, daughter of Jane Peele Greene, lives in half the house where she has resided for the past 13 years. Jane Peele Greene resides in Guilford, Connecticut.

The Planning Board, at its regular meeting of 10/23/84, voted to offer no comment on the petition.

The Fire Chief has notified this Authority that hard-wired smoke detectors have been installed at 37 Pond Road per a condition of the Special Permit granted by the Board of Appeals on November 21, 1983.

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Decision

This Authority has made a careful study of the evidence submitted.

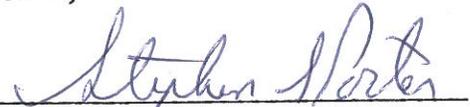
It is the opinion of this Authority that the continued use of the dwelling as a two-family dwelling, with the owner's daughter or son as a resident, will not substantially reduce the value of any property within the district and will not be injurious or offensive to the neighborhood.

Accordingly, a Special Permit is granted under the provisions of Section II 8 (a) and Section XXV to Jane Peele Greene to allow a two-family dwelling at 37 Pond Road subject to the following conditions:

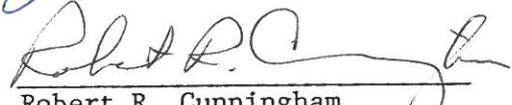
1. That said dwelling shall not be occupied by more than two families at any one time.
2. That all applicable State and local laws and regulations shall be complied with by the petitioner and the tenant.
3. That said Special Permit shall expire on March 1, 1986.

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.

cc: Planning Board
mam


Stephen S. Porter, Chairman


John A. Donovan, Jr.


Robert R. Cunningham

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