



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-17
Petition of St. Andrew's Church of Wellesley
7 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 16, 1995 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ST. ANDREW'S CHURCH OF WELLESLEY requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (a) and (c) and Section XXV of the Zoning Bylaw to continue to allow the premises at 7 DENTON ROAD, in a Single Residence District, to be used as a two-family dwelling, a use not allowed by right in a Single Residence District.

On January 30, 1995, 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 Henry Thayer, representing St. Andrew's Church. Mr. Thayer said that this is the seventh time the Special Permit has come before the Board for renewal. The house is still a big, white, old house, and is so close to the Church that it cannot be sold separately. There have been no complaints from the neighbors.

Mr. Thayer said that at the present time, they do not have a member of the clergy living in either unit. The first floor apartment is occupied by lay people, and the second floor is occupied by a social worker, who is on the pastoral care team of the Church, but is not an ordained person.

The Board agreed to suspend the condition that one of the units be occupied by a member of the clergy for two years, which would be the duration of the Special Permit.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 7 Denton Road, in a Single Residence District, on a parcel of land owned by and including St. Andrew's Church at 79 Denton Road. The subject dwelling is located 10 feet from the Parish House of the Church.

The house, constructed prior to 1900, was purchased by the Church in 1947, and used to house clergy, or rented as a single family dwelling. In 1984, a Special Permit was granted for use of the house as a two-family dwelling. This Special Permit has been renewed annually or biennially since that date.

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The petitioner is requesting renewal of the Special Permit pursuant to Section II A 8 (a) and (c) of the Zoning Bylaw to continue to use the premises as a two-family dwelling. The first floor is occupied by a lay family, and the second floor is occupied by a social worker, affiliated with the Church, and her husband.

On February 7, 1995, the Planning Board reviewed the petition and voted to offer no objection if the Special Permit was granted under the same conditions as the previous one.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. St. Andrew's Church of Wellesley is requesting renewal of a Special Permit to allow the dwelling at 7 Denton Road, on property owned by the Church, to continue to be used as a two-family dwelling, a use not allowed by right in a Single Residence District.

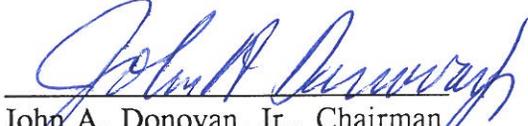
It is the opinion of this Authority that the subject dwelling can no longer be used or adapted at a reasonable expense and with a fair financial return as a single family dwelling; and that the use of this dwelling as a two-family residence will not disturb or disrupt the customary character of the neighborhood.

Therefore, a Special Permit is hereby granted pursuant to Section II A 8 (a) and (c) of the Zoning Bylaw to allow the premises at 7 Denton Road to continue to be used as a two-family dwelling, subject to the following conditions:

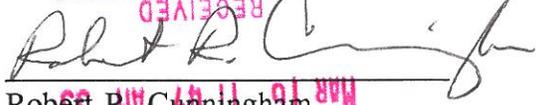
1. All parking related to the premises shall be on the premises and no vehicles related to the premises shall be parked on Denton Road.
2. This Special Permit shall expire two years from the date of this decision.

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.

cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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