



MAR 21 8 37 AM '96

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman  
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Executive Secretary  
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WILLIAM E. POLLETTA  
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ZBA 96-7  
Petition of Jane Peele Greene  
37 Pond Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 14, 1996 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 JANE PEELE GREENE requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (a) and Section XXV of the Zoning Bylaw to allow the premises at 37 POND ROAD, in a Single Residence District, to continue to be used as a residence for not more than two families, a use not allowed by right in a Single Residence District.

On February 12, 1996, the petitioner requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

At the hearing, the Executive Secretary read into the record a letter from Nathanael Greene, occupant of the premises and son of the owner, requesting renewal of the Special Permit under the same conditions. Due to a conflict with a prior commitment, Mr. Greene was unable to attend the Public Hearing.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 37 Pond Road, in a Single Residence District, on a 7.96 acre lot. The house, built in 1875, has been in the family since its original construction. The house contains thirty-five rooms and cannot be used economically as a single family dwelling. Jane Peele Greene, the owner, currently lives in Guilford, Connecticut, but her son, Nathanael Greene, occupies one-half of the premises. The apartment has been occupied by the same tenant for several years.

The petitioner requests permission to continue the present use of the premises as a two-family dwelling. Special Permits to continue this use have been granted regularly since the first Special Permit was issued in 1973.

On February 20, 1996, the Planning Board reviewed the petition and voted to recommend renewal of the Special Permit based on the terms and conditions currently in effect.

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Decision

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This Authority has made a careful study of the information submitted. It is the opinion of this Authority that the continued use of the premises as a two-family dwelling, with the son of the owner in residence, will not substantially reduce the value of any property within the neighborhood and will not be injurious or offensive to the neighborhood.

Therefore, a Special Permit is granted pursuant to the provisions of Section II A 8 (a) of the Zoning Bylaw to continue to allow the use of the premises at 37 Pond Road as a two-family dwelling, subject to the following conditions:

1. Said dwelling shall not be occupied by more than two families at any time; and that one of the families shall be that of the son of the owner.
2. All applicable State and local laws and regulations shall be complied with by the petitioner, her son, and the tenant(s).
3. 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



Kendall P. Bates, Acting Chairman



Sumner H. Babcock



William E. Polletta