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ZONING BOARD OF APPEALS

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ZBA 98-14
Petition of Jane Peele Greene
37 Pond Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 26, 1998 at 8 p.m. in the Great Hall 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 3, 1998, 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 Nathanael Greene, son of the owner, who said that there have been no changes in the conditions. He and his family continue to occupy one apartment, and the second apartment is occupied by the same tenant that has occupied it for the past several years.

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 the 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 second apartment has been occupied by the same tenant for several years.

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

On February 10, 1998, the Planning Board reviewed the petition and recommended renewal on the same terms and conditions as are currently in effect.

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Decision

This Authority has made a careful study of the information submitted and presented at the Public Hearing. It is the opinion of this Authority that the continued use of the premises as a two-family dwelling, with the owner's son 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, as voted unanimously by this Authority at the Public Hearing, 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.

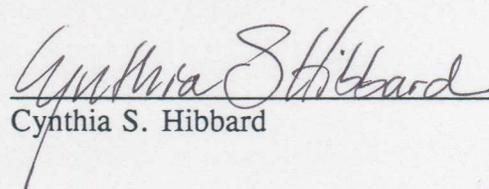
cc: Planning Board
Inspector of Buildings
Jane Peele Greene
edg



Kendall P. Bates, Acting Chairman



William E. Polletta



Cynthia S. Hibbard

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