



BOARD OF APPEAL

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Norma V. Currier

Pursuant to due notice 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 November 30, 1967, on the petition of Norma V. Currier requesting a permit which will allow her to use a part of the dwelling located at 6 Standish Road as separate living quarters while renting the balance. Said request was made under the provisions of Section XXIV of the Zoning By-law.

On November 13, 1967, the petitioner filed her request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The Petitioner was represented at the hearing by George B. Rowlings, attorney.

Roland A. Cormier, attorney, 10 Standish Road, representing a number of nearby property owners, opposed the granting of the request. He also submitted a list of names and addresses for the record of those at the hearing opposing the request.

Statement of Facts

The property involved is located within a single-residence district, a district in which the proposed non-conforming use is not permitted unless a special permit is granted by this Board. The house was built in 1938 and in 1959 a one-story addition was constructed on the rear which provided two rooms and a bath.

The Petitioner purchased the property on November 21, 1967, and seeks permission to occupy the wing as separate living quarters and to rent the main part of the house. She needs to be on the ground floor as she has chronic bursitis of the hips which makes it difficult for her to climb stairs. A letter substantiating this fact was submitted by her physician, Dr. Kenneth Fremont Smith. She has a small income of her own, but to meet her expenses, she needs to augment it which the rental of the property will do. She will occupy the property only part of the year, if permission is granted, as she plans to spend some time in Florida and New Jersey. It is possible that an arrangement will work out eventually whereby a member of her family will take over the main part of the house.

No changes will need to be made to the house as it is her desire to continue to use it as it has been by the previous owner. Prior to the purchase of the property by the Petitioner, the wing involved was occupied by the previous owner with her son and his family occupying the remaining part of the house. There are light housekeeping facilities now installed in the wing which will meet the needs of the Petitioner.

Decision

After careful study of the evidence submitted and a view of the

locus, the Board is unable to find either that a real need exists for the proposed non-conforming use of the property within the contemplation of the pertinent provisions of the Zoning By-law or that such use would not substantially reduce the value of any property within the district or otherwise injure the neighborhood, the criteria set forth in Section XXIV E-1, of the Zoning By-law for granting permits of the type requested.

The property was purchased by Petitioner very recently and apparently under circumstances giving rise to no special equities or claim of hardship of which this Board can take cognizance. Neither the existence of separate living quarters nor the alleged use made of them by a previous owner is germane to the issue before the Board. Evidence was adduced that Petitioner was aware of the single family use limitation before she purchased the property.

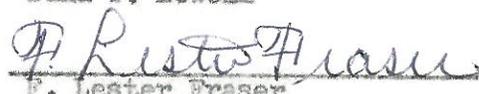
There are no other two-family dwellings within the immediate neighborhood and by granting the requested exception, a precedent could be established for other houses in the area to be converted in a similar manner.

The Board, therefore, unanimously finds that sufficient reasons do not exist for granting the requested permit and that to grant the requested permit would be detrimental to the value of surrounding properties and contrary to the intent and purpose of the Zoning By-law.

Accordingly, the requested permission is denied and the petition dismissed.


 Richard O. Aldrich


 Dana T. Lowell


 F. Lester Fraser

Filed with Town Clerk _____

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