80-27

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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Petition of Dana Hall Schools

Pursuant to due notice the Special Permit Granting Authority held a public hearing in the hearing room of the second floor of the Town Hall at 8:30 PM on July 1, 1980, on the Petition of Dana Hall Schools, requesting a Special Permit under the provisions of Section II and Section XXV of the Zoning Bylaw. Such Special Permit will allow the use of the premises located at 22 Eliot Street as a dormitory for ten students.

On June 2, 1980, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

John Kessler, Attorney for Dana Hall School spoke in support of the request.

Statement of Facts

The house involved is located within a Single Residence District, a district in which the desired use of the property is not permitted unless a Special Permit is granted by this Authority. Dana Hall purchased this building in 1930. From 1930 to 1965, Dana Hall used this house as a dormitory. In 1965, it was reverted back to a single ~~family~~ dwelling for faculty members. Due to the increase in enrollment in 1979, the petitioner sought permission to use the house again as a dormitory. Dana Hall at this time is requesting to renew this permit and extend the term for longer than one year.

The dormitory shall house no more than ten students during the school year. The dorm will remain vacant during the Summer months. It is felt that the house being used as a dormitory will be in harmony with the general purpose and intent of the Zoning Bylaws. Also, if the dormitory cannot be deemed an "educational use" it is certainly an accessory use to the property of the Dana Hall School in it's adjoining Educational Zone. The house contains eleven rooms and five bathrooms.

Decision

This is a request to use the house involved as a dormitory for Dana Hall students as outlined in the evidence submitted. The house is located within a Single Residence District, a district in which the proposed use of the building is not allowed unless a Special Permit is granted by this Authority.

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The Authority, however, has made a careful study of the evidence submitted and has taken a view of the locus. In its opinion, the proposed non-conforming use of the property, subject to the conditions hereinafter set forth, will not substantially reduce the value of any property within the district, and will not otherwise be injurious, obnoxious or offensive to the neighborhood, nor substantially derogate from the public good.

The proposed use should not create added traffic to any extent nor should it create any noise in the neighborhood to a greater extent than that resulting from an allowable use within the district.

The Authority, therefore, grants the requested Special Permit under the provisions of Section II 8 (b) and Section XXV of the Zoning Bylaw, subject to the following conditions:

1. That not more than ten (10) students shall be housed in the building at any one time.

2. That all applicable local and State Bylaws shall be complied with, with the exception herein granted.

3. That, except for ordinary maintenance and repairs, no alterations or additions shall be made to the building unless permission is obtained from the Zoning Board of Appeals.

4. That the petitioner shall comply with all requirements and recommendations of the Building Inspector and the Chief Engineer of the Fire Department.

5. That said permit shall expire June 30, 1981 or may be revoked for violation of any condition hereof.

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