



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 92-17
Petition of Maria Nuzzi Realty Trust
15 Columbia Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 19, 1992, at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of the MARIA NUZZI REALTY TRUST 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 15 COLUMBIA STREET, 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 March 2, 1992, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Corey Surett, counsel for Mrs. Nuzzi, who was also present. Mr. Surett stated that Mrs. Nuzzi occupies the first floor of the premises according to the conditions of the Special Permit. There have been no complaints from the neighbors, and the premises continue to be well maintained. Mr. Surett requested that the Board grant renewal of the Special Permit.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Columbia Street, in a Single Residence District, on an 18,000 square foot lot. The dwelling, which is over 100 years old, is two and one-half stories in height and has 10 room which are divided into two five room apartments. Mrs. Nuzzi presently occupies the first floor apartment.

The property was purchased by the late Pietro Nuzzi about 43 years ago. In 1975, Mr. Nuzzi requested and received permission to convert the dwelling into a two-family house. The family has maintained residence on the premises since that time. In 1977, a variance was granted to continue the use for a period of 5 years. Special Permits renewing the allowed use have been granted annually or biennially since 1982.

Mr. Nuzzi passed away in 1988 and the ownership of the property has been placed in the Maria Nuzzi Realty Trust.

On March 10, 1992, the Planning Board reviewed the petition and voted to offer no objection to the renewal of the Special Permit under the same conditions as currently in effect.

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Decision

This Authority has made a careful study of the evidence presented.

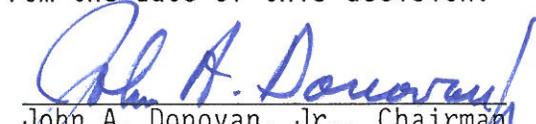
It is the opinion of this Authority that the continued use of the dwelling as a two-family residence, with the owner residing on the property, will not substantially reduce the value of any property within the district, and will be neither injurious nor offensive to the neighborhood.

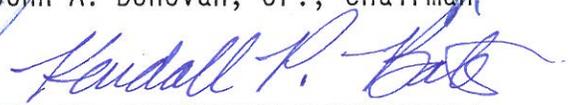
Therefore, a Special Permit pursuant to the provisions of Section II A 8 (a) of the Zoning Bylaw is granted for the continued use of the premises at 15 Columbia Street as a two-family dwelling subject to the following conditions:

1. No more than two families shall occupy said dwelling at any one time.
2. The owner shall occupy the dwelling.
3. All applicable State and local laws, ordinances and regulations shall be complied with by both the petitioner and the tenant.
4. 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


Franklin P. Parker

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