



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 96-51

Petition of John Hynes

637 Washington Street (Elms House)

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 25, 1996 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOHN HYNES 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 him to continue to use his premises at 637 WASHINGTON STREET known as ELMS HOUSE, in a Single Residence District, as a lodging house, a use not allowed by right in a Single Residence District.

On July 8, 1996, 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 John Hynes, who said that the rental income helps him to maintain the property. The house has always been used for multiple lodging. Prior to the 1953 Special Permit, it was used by Wellesley College as a dormitory, and since 1953, as a lodging house. Although the Special Permit allows up to 6 lodgers, usually there are no more than 4 or 5. The family lives on the first floor.

The Board asked if the house had an exterior street number, as it was difficult to locate. Mr. Hynes said that the number was on the corner of the porch.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 637 Washington Street, in a Single Residence District, and is known as Elms House. The property was originally owned by Wellesley College and used as a dormitory. From 1953 to 1958, it was owned and operated as a lodging house by John Worley. From 1958 to 1980, Mr. Worley's widow, Alma D. Worley, continued to own and operate the lodging house. John Hynes purchased the property in 1980, and continued its use as a lodging house with no more than 6 lodgers since that time.

Mr. Hynes and his family occupy the first floor of the 20 room house. Kitchen facilities on the first floor are available for limited use by the lodgers. Special Permits for the use of the premises as a lodging house have been granted since 1953.

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On July 23, 1996, the Planning Board reviewed the petition and voted to recommend renewal on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. It is the opinion of this Authority that the use of the premises as a lodging house is in compliance with Section II A 8 (a) of the Zoning Bylaw, and does not disturb or disrupt the customary character of the neighborhood.

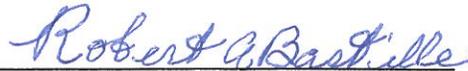
Therefore, the Special Permit to continue the use of the premises at 637 Washington Street as a lodging house is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. All applicable State and local laws and fire code regulations shall be fully complied with.
2. No more than six (6) lodgers shall occupy the premises at any one time.
3. Lodgers shall be allowed limited use of kitchen facilities on the first floor.
4. No cars shall be parked on either Washington Street or Lovewell Road by guests occupying the premises.
5. The premises shall be owner occupied for the duration of this Special Permit, which will lapse with the conveyance of the property or the expiration of the Special Permit, whichever event is the first to occur.
6. 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.



Kendall P. Bates, Acting Chairman



Robert A. Bastille



William E. Polletta

cc: Planning Board
Inspector of Buildings
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