

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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ZBA 2022-03  
Petition of Dana Hall School  
28 Hampden Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 6, 2022 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Dana Hall School requesting renewal of a Special Permit pursuant to the provisions of Section 2 A 8 (b) and Section 25 of the Zoning Bylaw to allow the premises at 28 Hampden Street to be used as a two-family dwelling to house faculty, which is a use not allowed by right in a Single Residence District.

On December 1, 2021, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing were David Himmelberger, Esq., and Charles Breslin, COO, Dana Hall School. Mr. Himmelberger said that the request is for renewal of a special permit, pursuant to Section 2 A 8 b of the Zoning Bylaw to allow the premises at 28 Hampden Street to be used as a two family dwelling to house faculty, which is a use not allowed by right in a Single Residence District. He said that the conditions remain the same. He said that faculty are living there, there were no issues with the neighbors or neighborhood, and no signage. He said that there is sufficient off-street parking and the house is compliant with Building and Fire Department regulations. He said that the request is for another three year renewal.

The Chairman asked if there are any issues caused by the misalignment in time between the date of the permit and the school year. Mr. Breslin said that faculty housing is renewed on an annual basis, from July 1<sup>st</sup> to June 30<sup>th</sup>. He said that this is the second or third renewal of the special permit and they have not had any issues.

A Board member said that the property appears to be well maintained.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 28 Hampden Street, an 11,248 square foot lot in a Single Residence District.

The Petitioner is requesting renewal of a special permit to allow the premises to be used as a two-family dwelling to house faculty, which is a use not allowed by right in a Single Residence District.

On January 5, 2022, the Planning Board Staff reviewed the petition and recommended that renewal of the special permit be granted, subject to the same terms and conditions.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that renewal of a special permit to allow the premises to be used as a two-family dwelling to house faculty shall not disturb or disrupt the customary character of the residential neighborhood, and is in harmony with the intent and purpose of the Zoning Bylaw.

Therefore, a special permit is granted for the requested use, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. The two-family dwelling shall be used for faculty housing only and shall not be rented out for any other purpose and shall revert back to a single family dwelling if it ceases to be used as faculty housing in connection with Dana Hall's education purpose.
2. The Petitioner shall comply with the requirements and recommendations of the Inspector of Buildings and the Fire Department.
3. Sufficient off-street parking shall be provided so that no vehicle associated with the two-family dwelling shall be parked on any street in the neighborhood.
4. No sign identifying the premises shall be displayed on the property except in accordance with the Zoning Bylaw.
5. There shall be no disturbance or disruption to the residential neighborhood.
6. This special permit shall expire three years from the date time stamped on this decision.

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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.

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J. Randolph Becker, Chairman

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Robert W. Levy

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David G. Sheffield

ZBA            2022-03  
Applicant     Dana Hall School  
Address       28 Hampden Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

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Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm