

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2021-16

Petition of Sue Fun Lee and Ronald Ko
1 Crescent Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, March 4, 2021, on the petition of Sue Fun Lee & Ronald Ko requesting renewal of a Special Permit pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw for use as a three-family dwelling at 1 Crescent Street, in a 10,000 square foot Single Residence District.

On January 14, 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 Sue Fun Lee and Ronald Ko, the Petitioner. Ms. Lee said that they are the owners of 1 Crescent Street and have lived there since 2011. She said that they were previously before the Board in 2018. She said that they have been in compliance with all of the conditions.

Ms. Lee said that they live on the second floor with their two sons, who recently graduated from college and are seeking employment locally. She said that a single person has resided in the unit on the first floor for more than three years. She said that two people have resided in the other unit for four years. She said that this is their forever home. She said that they like the Town of Wellesley, the community, the culture and their neighbors. She said that the request is for renewal of the special permit to continue as long as the owner or a family member occupies one of the units. She said that they will continue to be in compliance with all of the conditions.

A Board member said that he is familiar with the property and found that it is quietly used.

Tom Atkinson, 14 Crescent Street, said that he has known the Petitioners for 10 years since they lived at 1 Crescent Street and he fully supports the petition. He said that they take great care of their home and nothing has changed since they applied three years ago.

There was no one present at the public hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 1 Crescent Street, in a 10,000 square foot Single Residence District.

The Petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw for use as a three-family dwelling at 1 Crescent Street, in a 10,000 square foot Single Residence District.

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On February 11, 2021, Jason Tobin, Civil Engineer, Town of Wellesley, reviewed the petition and submitted comments.

On March 3, 2021, the Planning Board reviewed the petition and recommended that a Special Permit be approved on 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, pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw, granting renewal of a Special Permit that was originally granted on May 20, 1977 pursuant to the provisions of M.G.L. Chapter 40A, Section 15, for use as a three-family dwelling, shall not be substantially more detrimental to the neighborhood than the existing nonconforming use.

Therefore, renewal of the Special Permit is granted, subject to the following conditions:

1. This permit shall be contingent on compliance with these conditions and all applicable Rules & Regulations.
2. This permit shall remain in effect as long as one of the dwelling units is owner occupied.
3. Use of the third floor as auxiliary space for the owner occupied unit is allowed with no bedrooms.
4. The permit shall be subject to review in three years.
5. The Building Inspector shall inspect the premises and make a report of his findings upon transfer of ownership.

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WELLESLEY TOWN ENGINEER

ZBA 2021-16
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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.

J. Randolph Becker (Chm.)
J. Randolph Becker, Chairman

Richard L. Seegel (Chm.)
Richard L. Seegel

Walter B. Adams (Chm.)
Walter B. Adams

ZBA 2021-16
Applicant Sue Fun Lee and Ronald Ko
Address 1 Crescent Street

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WELLESLEY MA 02458

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:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm