

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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ZBA 2022-02
Petition of Hunnewell Land Trust
891 Washington Street

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 Hunnewell Land Trust requesting renewal of a Special Permit pursuant to the provisions of Section 2 A 8 (a) and Section 25 of the Zoning Bylaw to allow the accessory garage apartment at 891 Washington Street to continue to be used as a separate dwelling unit, 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 Walter Hunnewell, Jr. and Tom Hunnewell, representing the Hunnewell Land Trust, the Petitioner.

Walter Hunnewell, Jr. said that the initial special permit was granted in 1987. He said that the request is for renewal of the special permit to allow the detached garage apartment to continue to be used as a separate dwelling unit, which is a use not allowed by right. He said that there have been no substantive changes to the conditions of the property since the previous hearing. He said that the current tenant has lived in the detached garage for 10 years. He said that the old colonial dwelling across the driveway is in much the same state as it was in its early days. He said that the cows next door continue to enjoy the use of the property's pastures. He said that a letter was attached to the application that provided details.

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

Statement of Facts

The subject property is located at 891 Washington Street, on a 5.629 acre lot on the corner of Washington Street and Pond Road, in a Single Residence District. A two-family dwelling, two detached garages, and a barn are located on the premises. The garage closest to the house was constructed in the early 1900's

and is used as a three-car garage, which has an attached two-story apartment. In June 1987, the Board of Appeals granted a Special Permit (ZBA 87-48) for the premises to be used as a separate dwelling unit, as the use had been discontinued for more than a two-year period. The Special Permit has been renewed every three years since that time.

Letter to Zoning Board of Appeals, dated 11/5/21, from Walter Hunnewell, Jr., Trustee, Hunnewell Land Trust, was submitted.

On January 5, 2022, the Planning Board Staff reviewed the petition and recommended that the special permit be renewed, 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 the requested Special Permit can be granted pursuant to Section 2 A 8 (a) of the Zoning Bylaw to allow a garage apartment at 891 Washington Street to continue to be used as a separate dwelling unit, as the original building can no longer be used or adapted at a reasonable expense and with a fair financial return for a use regularly permitted in the district, and as said use shall neither be detrimental to the neighborhood nor in derogation of the intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit 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 regulations shall be complied with by both the petitioner and the tenant.
2. 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.

J. Randolph Becker, Chairman

Robert W. Levy

David G. Sheffield

ZBA 2022-02
Applicant Hunnewell Land Trust
Address 891 Washington 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:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm