

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 489-7450

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2024-74
Petition of Dana Hall School
28 Hampden Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, November 7, 2024 at 7:30 pm, on the petition of Dana Hall School requesting renewal of a Special Permit pursuant to the provisions of Section 2.1 A 8 (b) and Section 6.3 of the Zoning Bylaw to allow the premises at 28 Hampden Street to continue to be used as a two-family dwelling to house faculty, which is a use not allowed by right in a 10,000 square foot Single Residence District.

On October 7, 2024, 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, CFO, Dana Hall School.

Mr. Himmelberger said that the request is for renewal of a special permit to permit the use of 28 Hampden Street 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 Applicant continues to comply with the conditions of the original decision that was granted in 2011. He said that the request is for renewal for another three years.

The Chairman confirmed that there have been no changes or problems.

A Board member asked if the spaces are rented or are provided housing for faculty. Mr. Breslin said that the faculty have an occupancy agreement as part of their employment. He said that the occupants' work requires them to be on campus. The Board member asked that said that the word "rented" be stricken from the application.

A Board member asked if the property is ever used for meetings. He said that he saw a number of cars parked on the street adjacent to and on the property. Mr. Breslin said that the school has no control over cars parked on the street. He said that there are two tandem spaces for four cars on the driveway that are used by the two families who live there.

The Chairman said that the six conditions of the original decision will apply to this decision.

Statement of Facts

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

A special permit was granted on March 24, 2011, extended pursuant to the provisions of Section 173 of Chapter 240 of the Acts of 2010 (The Permit Extension Act), and renewed on March 16, 2017, January 24, 2019, and January 20, 2022.

The Petitioner is requesting renewal of a special permit to allow the premises to continue 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 October 29, 2024, the Planning Board Staff reviewed the petition and recommended that renewal of the special permit be granted.

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 continue 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.

Robert W. Levy (cm)
Robert W. Levy, Acting Chairman

David G. Sheffield (cm)
David G. Sheffield

Derek B. Redgate (cm)
Derek B. Redgate

ZBA 2024-74
Applicant Dana Hall School
Address 28 Hampden Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

RECEIVED
TOWN CLERK
2024 NOV 21 PM 1:29

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

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Deed: Book 4401, Page 531
Property Address: 28 Hampden St., Wellesley