

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-56
Petition of Unitarian Universalist Society
of Wellesley Hills
309 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 4, 2011 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of UNITARIAN UNIVERSALIST SOCIETY OF WELLESLEY HILLS requesting a Special Permit pursuant to the provisions of Section II A 8 (j) and Section XXV of the Zoning Bylaw for non-accessory use of off-street parking spaces in its existing parking lot, at 309 WASHINGTON STREET, in a General Residence District, which is a use not allowed by right.

On July 19, 2011 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 Marlene Allen, who said that she is the Chair of the Governing Board of the Unitarian Universalist Society of Wellesley Hills (the "Petitioner").

A Board member said that she is a member of the Unitarian Universalist Society but she did not believe that will impair or affect her judgment on this case.

Ms. Allen said that the request is for a Special Permit to allow for up to 15 spaces in their parking lot for non-accessory parking. She said that they had had interest in the past from Boston Private Bank. She said that they had no demand, so they did not continue with the permit. She said that this time the Marino Center has asked for some parking for their doctors and nurses. She said that they have agreed to not use the lot if the Unitarian Universalist Society has need for it on any of the week days.

The Board asked if there was anything in the current request that is different from the original request. Ms. Allen said that the Marino Center had originally asked to start a little earlier. She said that she told them that the Unitarian Universalist Society did not want to change the previous arrangement. She said that the Marino Center agreed to the previously issued conditions. The Board confirmed that the hours will be from 8 a.m. to 7 p.m.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject parking lot is located at 309 Washington Street, in a General Residence District.

The Petitioner is requesting a Special Permit to allow for non-accessory use of 15 off-street parking spaces in its existing parking lot, which is a use not allowed by right.

The designated parking spaces are intended for daytime use by employees of the Marino Center.

On August 3, 2011, the Planning Board reviewed the petition and recommended that the Special Permit be granted with conditions.

Decision

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

A Special Permit is required pursuant to Section II A 8 (j) of the Zoning Bylaw, as the requested use of the parking lot for non-accessory off-street parking for 15 vehicles in the existing parking lot is not a use allowed by right in a General Residence District.

It is the opinion of this Authority that the non-accessory use parking shall not cause significant disturbance or disruption of any residential neighborhood, shall not detract from the use of the parking lot for the accessory use, or reduce landscaping or screening areas.

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

1. Hours of operation shall be from 8 a.m. to 7 p.m., Monday through Friday.
2. Parking spaces shall be assigned on a monthly basis only.
3. There shall be no overnight parking.
4. Parking shall be in accordance with the original plan submitted for ZBA 2006-49. Parking shall be assigned to the blue area at the back of the lot. Parking shall be assigned to the spaces closest to Washington Street in the green area when the blue parking area is full. There shall be no parking in the pink area.
5. Lighting shall be turned off by 10 p.m.
6. The Special Permit shall expire one year 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, Acting Chairman

Cynthia S. Hibbard

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

