



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 86-16
Petition of John E. McCabe
257 Oakland Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 20, 1986 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, Ma. on the petition of JOHN E. McCABE requesting a Special Permit under the terms of Section II 8 (h) and pursuant to Section XXV of the Zoning Bylaw which will allow the applicant to use a part of his residence located at 257 OAKLAND STREET for the conduct of a home occupation, namely a part-time legal practice, said premises being located in a Single Residence District.

On March 3, 1986 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was John McCabe who stated that he has a full-time position on the North Shore but is a member of the Norfolk County Bar Association and wishes to see referrals from that Association on a part-time basis at his home, one day per week, seeing no more than four clients in a week. He would be using the upstairs room over the garage as an office.

Present at the hearing and opposed to the request: Marjorie Nealon, 30 Jackson Road, Wanda & William Frederickson, 36 Jackson Road, Mr. Looney.

Statement of Facts

The property in question is located at 257 Oakland Street, in a Single Residence District.

The petitioner seeks a Special Permit to allow a part-time legal practice in his home, one day per week, from 9 a.m. to 9 p.m., seeing two to four clients per week. He has a full-time office in Wakefield but is a member of the Norfolk County Bar Association and wishes to see referrals from that Association on a part-time basis. All parking would be on the premises, there would be no changes in the appearance of the premises, there would be no non-resident employees.

The Planning Board, at its regular meeting of March 18, 1986, voted to offer no objection to the special permit based on an annual renewal and based on there being no non-resident employees.

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Decision

This Authority has made a careful study of the evidence presented. Section II 8 (h) of the Zoning Bylaw allows home occupations such as requested by the petitioner if a Special Permit is granted. The petitioner has agreed to abide by the requirements of Section II 8 (h). It is the opinion of this Board that the requested home occupation meets the intent of the Zoning Bylaw and will not disrupt or disturb the customary character of the residential neighborhood.

Therefore, the requested Special Permit is granted to John E. McCabe for a part-time legal practice at 257 Oakland Street, subject to the following conditions:

1. That all parking related to said home occupation will be in Mr. McCabe's driveway and that no clients cars will be parked on Oakland Street at any time.
2. That no more than four clients will be seen each week and it shall be on one day only.
3. That all appointments will be scheduled between the hours of 9 a.m. and 9 p.m.
4. That the Special Permit will expire one year from the date of this decision.
5. That the practice will be limited to civil clients only.

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.

cc: Planning Board
Inspector of Buildings

mam

Stephen S. Porter
Stephen S. Porter, Chairman

John A. Donovan, Jr.
John A. Donovan, Jr.

William E. Polletta
William E. Polletta

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