

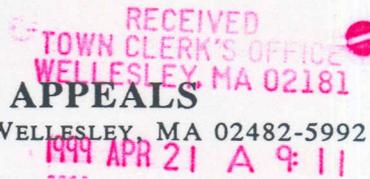
TOWN OF WELLESLEY



MASSACHUSETTS

**ZONING BOARD OF APPEALS**

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



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ZBA 99-17

Petition of Ronald P. Labadini  
127 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 8, 1999 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of RONALD P. LABADINI requesting a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to allow him to use a portion of his premises at 127 LINDEN STREET, in a General Residence District, for the purpose of a home occupation; namely Building Management involving overseeing the administration and maintenance of commercial property. Hours of operation will be from 9 a.m. to 4 p.m. on Mondays through Fridays throughout the year, with one nonresident employee, and infrequent visits by tenants.

On March 22, 1999, 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 Leslie Shea, counsel for Mr. Labadini, who was also present. Mr. Shea explained that through a trust, Mr. Labadini also owns the property at One Hollis Street. He has managed the building from an on-site office since it was built. He recently purchased the property at 127 Linden Street, and is currently living there. He would like to manage the property at One Hollis Street from his home, so he could vacate his office space in the building and secure a tenant for the space. He also owns and manages a property on Worcester Street.

Mr. Shea said there will be no pick-up or deliveries, no sign or advertising, no outdoor storage, and no change in the outside of the building. There is parking available for three cars on the premises. Tenants at One Hollis Street will drop checks off at the mail drop in the building, or walk over to 127 Linden Street. Deliveries will be made at One Hollis Street.

Bob DiSchino, 6 Delanson Circle, voiced support for the petition.

Bill Hutchinson, 115 Crest Road, asked if the granting of a special permit in a residential district would have any effect on future zoning changes. The Board responded that it does not approve rezoning. This is under the jurisdiction of Town Meeting. The Special Permit would have no impact on any zoning change.

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Statement of Facts

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The subject premises are located at 127 Linden Street in a General Residence District.

The petitioner is requesting a Special Permit for a home occupation; namely Building Management, with hours from 9 a.m. to 4 p.m. on Mondays through Fridays throughout the year, and one-nonresident employee. There is parking on the premises for three vehicles.

On April 5, 1999, the Planning Board reviewed the petition and offered no objections.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing, and finds that the requested use of a portion of the premises at 127 Linden Street by Ronald Labadini is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw. It is the opinion of this Authority that the requested home occupation will not disturb or disrupt the customary character of the neighborhood.

Therefore, the requested Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

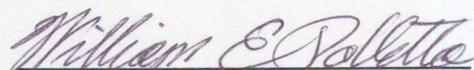
1. All parking related to the home occupation shall be on the premises, and no vehicles associated with the home occupation shall be parked on Linden Street, Hollis Street or any other adjacent street at any time.
2. The hours of the home occupation shall be limited to 9 a.m. to 4 p.m. on Mondays through Fridays throughout the year.
3. There shall be one non-resident employee with hours limited to 9 a.m. to 4 p.m. on Mondays through Fridays throughout the year.
4. This Special Permit shall expire one year from the date of this decision.

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  
edg



Kendall P. Bates, Chairman



William E. Polletta



Robert A. Bastille