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ZONING BOARD OF APPEALS

KATHARINE E. TOY  
Administrative Secretary  
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Petition of The Town of Wellesley

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:00 p.m. on June 28, 1979, on the petition of the Town of Wellesley, requesting a variance which will allow a private contractor to continue to park eighteen school buses and one field trailer on Town of Wellesley property at 455 Worcester Street, between the Highway Department Building and the parking area adjacent to the Electric Substation. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On June 13, 1979, the petitioner filed its request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Albert S. Robinson, Town Counsel, represented the petitioner at the hearing.

Statement of Facts

The property involved is located within a Single Residence District, a district in which the requested use of the property is not permitted under Section II of the Zoning By-law unless a variance is granted by this Authority.

The petitioner seeks permission to continue the present non-conforming use of the above-mentioned property and requests that the permit granted a year ago by this Authority be renewed for another year, with the same conditions.

It was pointed out by Attorney Robinson that there will be an additional charge to the Town if the buses cannot continue to be parked within the Town; also it will provide more advantageous busing for the school children by having them in the Town.

Decision

It is the opinion of the Authority that the continued use of the property involved will provide for a need which still exists in the Town, and that the continued use for another year, if conducted properly, will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious or offensive to the neighborhood. It is the further opinion of the Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially

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derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested permission is granted subject to the following conditions:

1. That not more than eighteen buses and one field office trailer shall be parked at any one time at the location involved, and as shown on the plan submitted and on file with this Board.
2. That said buses shall be in operation only during the hours stipulated and on file with this Authority.
3. That all buses and drivers' personal vehicles shall use Route 9, Worcester Street, to enter and exit and at no time shall the Woodlawn Avenue exit be used for any purpose.
4. That no repairs or maintenances shall be performed at the location involved except for the repair of a flat tire or similar minor emergency repair.
5. That all vehicles going west of the locus shall exit back of the Fire Station, and that all vehicles going east shall cross Route 9 at the customary crossing.
6. That the proposed operation shall be conducted in accordance with the requirements of the local and State Police Departments, the Wellesley Fire Department and all other concerned local and State agencies.
7. That the buses shall be used solely for the transportation of Wellesley School children.
8. That this Authority shall reserve the right to limit the number of drivers' personal vehicles on the premises, if it becomes necessary during the coming year.
9. That said permit shall expire one year from this date or sooner in the event of a breach of any of the above-mentioned conditions.

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*Francis L. Swift*  
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