

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2000-22

Petition of Ronald P. Labadini
127 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 23, 2000 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 renewal of 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, which involves overseeing 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. Parking for 3 vehicles is available on the premises.

On March 6, 2000, 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 the petitioner, who was not present due to recent surgery. Mr. Shea said the premises are located between the Tailby Parking Lot and One Hollis Street. The property was bought by Mr. Labadini, who has been living there for the last year. There have been no problems during this time. Mr. Labadini is requesting renewal of the Special Permit for two years under the same conditions.

No other person present had any comment on the petition.

Statement of Facts

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, with one nonresident employee and infrequent tenant visits. There is parking on the premises for three vehicles.

On March 14, 2000, the Planning Board reviewed the petition and recommended renewal of the Special Permit under the same conditions and terms as are currently in effect.

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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 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 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 nonresident employee with hours limited to the hours defined in Condition #2.
4. This Special Permit shall expire two years 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

Richard L. Seegel

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