

ZBA 2002-87

PLANNING BOARD

TOWN OF WELLESLEY

MASSACHUSETTS

Thomas Frisardi, Chairman  
James C. Meade, Vice Chairman  
Rose Mary Donahue, Secretary  
Robert C. Sechrest  
Patricia N. Grandieri



Town Hall, 525 Washington Street  
Wellesley, MA 02482  
Tel. (781) 431-1019 ext. 230, 232, 234, 238  
Fax (781) 237-6495 or 239-1043  
Email: rickb@ci.wellesley.ma.us

Sue Wright, Associate Member

Richard H. Brown, Planning Director

August 22, 2002

Alice H. Peisch, Town Clerk  
Town Hall  
Wellesley, MA 02482

RE: 6 Wellesley Avenue

Dear Ms. Peisch,

On July 9 the Planning Board sent the attached letter to the Inspector of Buildings requesting enforcement of the Zoning Bylaw with respect to what the Board believes are outstanding zoning violations at this address. We have received no response. Therefore in accordance with Section 8 of Chapter 40A MGL and XXIV C. of the Zoning Bylaw we are hereby appealing the failure of the Inspector of Buildings to enforce the Zoning Bylaw, and asking the Zoning Board of Appeals to enforce the Zoning Bylaw as detailed in the attached letter.

Sincerely,  
  
Thomas Frisardi  
Chairman

cc: Ellen Gordon, Executive Secretary, ZBA  
Edgar Phaneuf, Inspector of Buildings  
Richard H. Brown, Planning Director  
Albert S. Robinson, Town Counsel  
Planning Board

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TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
SEP - 3 2002

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Richard H. Brown, Planning Director

July 9, 2002

Edgar Phaneuf, Jr.  
Inspector of Buildings and Zoning Enforcement Officer  
Wellesley Town Hall  
525 Washington Street  
Wellesley, MA. 02482

Re: 6 Wellesley Avenue

Dear Mr. Phaneuf:

This is a request that you act to enforce the Zoning Bylaws of the Town of Wellesley, Massachusetts (the "Zoning Bylaw"), pursuant to Massachusetts General Laws, Chapter 40A, Section 7. It has come to the attention of the Planning Board that the use of the single family residence at 6 Wellesley Avenue for home occupation purposes appears to be in violation of Section II.A.6, subsections f and g, of the Zoning Bylaw. The residence at 6 Wellesley Avenue has reportedly been used as a dentist's office continuously since before 1977. This use is allowed under Section II.A.6, provided however, that "[t]here shall be no change in the outside appearance of the premises, including building and grounds" and that "[t]here shall be no additional parking permitted." The entire yard at 6 Wellesley Avenue has been paved over and striped for parking, which appears to be a clear violation of both restrictions under Section II.A.6. The violation would appear to continue even if the striping is removed. In the opinion of the Planning Board, the only way to bring the premises at 6 Wellesley Avenue back into conformity with the Zoning Bylaw is for the asphalt paving to be removed, and the yard restored to a conventional appearance with grass, shrubs and trees.

Please advise the Planning Board of whatever action you take in response to this letter, or otherwise, regarding 6 Wellesley Avenue. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Thomas Frisardi".

Thomas Frisardi  
Chairman, Planning Board

cc: Planning Board  
Richard H. Brown, Planning Director  
Albert S. Robinson, Town Counsel

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TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2002 SEP - 9 9:08 AM

Thomas Frisardi, Chairman  
James C. Meade, Vice Chairman  
Rose Mary Donahue, Secretary  
Robert C. Sechrest  
Patricia N. Grandieri

~  
Sue Wright, Associate Member



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~  
Richard H. Brown, Planning Director

September 19, 2002

Zoning Board of Appeals  
Town Hall  
Wellesley, MA 02482

RE: #6 Wellesley Avenue Appeal

Dear Board members:

The Planning Board has received a copy of the letter from Paul DeBaggis, (Temporary) Inspector of Buildings and Zoning Enforcement Officer, dated September 16, 2002, to the owner of 6 Wellesley Avenue, demanding compliance with the Zoning Bylaw. The Board feels that this addresses its immediate concern relative to this matter. Consequently the Board respectfully wishes to withdraw its appeal before you this evening. The Board trusts that there will be follow-up as necessary. In the event that the land owner does not comply within a reasonable time frame, the Planning Board would support further enforcement action. The Planning Board strongly feels that this zoning violation must be corrected.

Sincerely,

Richard H. Brown  
Planning Director

cc: Edgar Phaneuf, Inspector of Buildings  
Paul DeBaggis, (Temporary) Inspector of Buildings and Zoning Enforcement Officer  
Christopher Clark, Deputy Director of General Government

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

KENDALL P. BATES, CHAIRMAN  
RICHARD L. SEEGL, VICE CHAIRMAN  
CYNTHIA S. HIBBARD

ELLEN D. GORDON  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 208

ROBERT A BASTILLE  
J. RANDOLPH BECKER  
ROBERT W. LEVY

September 25, 2002

Thomas Frisardi, Chairman  
Planning Board  
Wellesley Town Hall  
525 Washington Street  
Wellesley, MA 02482

Re: ZBA 2002-87  
Appeal of Wellesley Planning Board  
Re: 6 Wellesley Avenue

Dear Mr. Frisardi;

Please be advised that at the Public Hearing held on September 19, 2002, the Zoning Board of Appeals voted unanimously to grant your request to withdraw the above referenced petition without prejudice.

Thank you for attending the hearing. If you have any questions, or need further assistance, please do not hesitate to call me.

Very truly yours,

A handwritten signature in cursive script that reads "Ellen D. Gordon".

Ellen D. Gordon  
Executive Secretary, Zoning Board of Appeals

cc: Town Clerk  
Planning Board  
Inspector of Buildings