

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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TELEPHONE
(781) 431-1019 EXT. 208

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PLANNING BOARD'S OFFICE
WELLESLEY, MA 02482

ROBERT A. BASTILLE
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ZBA 2004-59
Petition of Cosmo-Ray Realty Trust
3-13 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 9, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of COSMO-RAY REALTY TRUST, requesting an extension to a previously approved Site Plan Approval, pursuant to the provisions of Section XVIA, Section IXB and Section XXV of the Zoning Bylaw, granted by the Zoning Board of Appeals on September 20, 2002 and recorded in the Norfolk County Registry of Deeds on October 11, 2002 at Book 17375, Page 548. There are no changes requested.

On August 23, 2004, 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 was Raymond DiLucci. Mr. DiLucci said that he was requesting an extension of the Site Plan Approval. He said that financial concerns caused a delay in the initialization of the start on the construction drawings and technical difficulties encountered with the complete renovation of the existing building have caused sufficient delay that it is uncertain as to whether the Building Permit could be obtained prior to the expiration of the Special Permit on October 11, 2004.

The Board encouraged Mr. DiLucci to begin work as soon as possible.

The Board noted that the Planning Board asked that consideration be given to allowing a two-year extension to coincide with the statutory two-year limit contained in Section 9 of Chapter 40A.

Statement of Facts

The subject property is located at 3-13 Washington Street, in the Lower Falls Commercial District.

The petitioner is requesting an extension of a previously approved Site Plan Approval, granted by the Zoning Board of Appeals on September 20, 2002 and recorded in the Norfolk Registry of Deeds at Book 17375, Page 548. There are no changes requested.

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On August 31, 2004, the Planning Board reviewed the petition and asked that consideration be given to allowing a two-year extension to coincide with the statutory two-year limit contained in Section 9 of Chapter 40A.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject Site Plan Approval was granted by the Zoning Board of Appeals on September 20, 2002, pursuant to Section XVIA and Section IXB of the Zoning Bylaw and recorded in the Norfolk Registry of Deeds at Book 17375, Page 548.

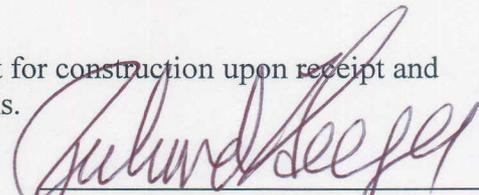
Therefore, an extension of the Site Plan Approval is granted, as voted unanimously by this Authority, subject to the following condition:

Extension to the Site Plan Approval will be measured two years from October 11, 2004, expiring October 11, 2006, to coincide with the statutory two-year limit contained in M.G.L. Chapter 40A, Section 9.

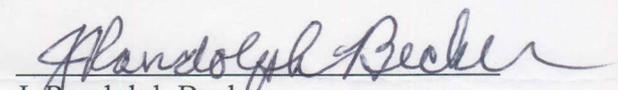
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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
lrm


Richard L. Seegel, Chairman


Robert A. Bastille


J. Randolph Becker

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