

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEGEL, CHAIRMAN
CYNTHIA S. HIBBARD, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A BASTILLE
J. RANDOLPH BECKER
ROBERT W. LEVY

ZBA 2005-56
Petition of Joan Talmadge
30 Mayo Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 7, 2005 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOAN AND JEFFREY TALMADGE requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to use a portion of their premises at 30 MAYO ROAD, in a Single Residence District, for the purpose of a home occupation: namely an internet based vacation rental business, with no clients coming to the premises, but two nonresident employees working Mondays through Fridays from 9:00 a.m. to 5:00 p.m. Parking for nonresident employees shall be on the premises.

On June 23, 2005, 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 Jeff Talmadge, who said that they were granted a Special Permit one year ago for their home occupation. They would like to renew that permit with the same conditions.

The Board said that the house is set back from the road. Mr. Talmadge said that they have two acres with conservation land on one side.

Mr. Talmadge confirmed that they would like to renew the permit with the same conditions of Monday through Fridays, 9:00 a.m. to 5:00 p.m.

The Board said that the Talmadges have just completed a construction project. The Board asked if that project changed the accessibility to parking. Mr. Talmadge said that the project increased accessibility to parking because they did a lot of landscaping and redirected the driveway.

The Board said that the property was part of the old Mayo Farm.

The Board asked about provisions for future expansion of the business with regard to internet connections and the exterior of the house. Mr. Talmadge said that over the past year they have shored up their Comcast connections. He said that they may need more employee hours per week. He said that most of their employees work at home. He said that they have people working for them out of Colorado and Florida. He said that they are very much a virtual company.

The Board said that if the Special Permit was granted for two years, the Talmadges would have to come back if the number of employees on the premises increased.

The Board said that it would renew the Special Permit with the same conditions except for number six which will change from an expiration date of one year to an expiration date of two years.

Statement of Facts

The subject property is located at 30 Mayo Road, in a Single Residence District.

The petitioner is requesting renewal of a Special Permit to use a portion of their premises at 30 MAYO ROAD, in a Single Residence District, for the purpose of a home occupation: namely an internet based vacation rental business, with no clients coming to the premises, but two nonresident employees working Mondays through Fridays from 9:00 a.m. to 5:00 p.m. Parking for nonresident employees shall be on the premises.

On June 28, 2005, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that the requested use of a portion of the premises at 30 MAYO ROAD for the purpose of conducting an internet based vacation rental business is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw and shall neither disturb nor disrupt the customary character of the neighborhood.

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

1. There shall be no clients coming to the premises at any time.
2. The number of nonresident employees shall not exceed two.
3. The hours during which nonresident employees shall be on the premises are limited to between 9:00 a.m. and 5:00 p.m. on Mondays through Fridays throughout the year.
4. There shall be no signage or product delivery relating to the home occupation.
5. The two employees shall park their vehicles on the premises. No parking related to the home occupation shall be on Mayo Road at any time.
6. This Special Permit shall expire two years from the date time-stamped on this decision.

ZBA 2005-56
Petition of Joan Talmadge
30 Mayo Road

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.

Cynthia S. Hibbard, Acting Chairman

Robert A. Bastille

J. Randolph Becker

cc: Planning Board
Inspector of Buildings
lrm