

**ZONING BOARD OF APPEALS**

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

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ZBA 2007-48

Petition of Unitarian Universalist Society of Wellesley Hills
309 Washington Street

Petition of UNITARIAN UNIVERSALIST SOCIETY OF WELLESLEY HILLS requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (j) and Section XXV of the Zoning Bylaw for non-accessory use of off-street parking spaces in its existing parking lot at 309 WASHINGTON STREET, in a General Residence District, which is a use not allowed by right.

On June 25, 2007, 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 Alan Ouellet, who said that he is representing the Unitarian Universalist Society of Wellesley Hills (the "Petitioner"). He said that there are approximately 65 parking spaces that are used for church on Sundays and for different events. He said that occasionally they get requests from merchants in the area to allow them use of some of the parking spaces. He said those parking spaces have been allowed to be used between the hours of 7:00 a.m. and 5:00 p.m. The parking spaces are typically used by Banks, Community Newspaper, and dentists. The Board confirmed that none of the current rentals are to commuter rail people.

Mr. Ouellet said the request is for a Special Permit to allow non-accessory use of 15 parking spaces. The Board asked how many spaces are actually being used. Mr. Ouellet said that the number of parking spaces used varies but currently there are four parking spaces being used. He said that at one time there was a request for 15 spaces. He said that the existing spaces are in a fairly large parking lot. Some of the tenants have never used the spaces but just wanted to have them available. He said that there is rarely ever 15 spaces full.

Mr. Ouellet said that there were no problems or issues that he was aware of. He said that the parking lot is well lit.

Mr. Ouellet said that the non-accessory parking is clustered in one area of the lot. The spaces are not numbered.

The Board said that the current proposal was based on a previous plan that was color coded. The Board said that the first area for parking was the 5 spaces at the back of the lot. The second area was at the two-sided island where the headlights were facing away from residents.

There was no one present who wished to speak to the petition.

Statement of Facts

The subject parking lot is located at 309 Washington Street, in a General Residence District. The petitioner is requesting renewal of a Special Permit to allow for non-accessory use of 15 off-street parking spaces in its existing parking lot, which is a use not allowed by right.

The designated parking spaces are intended for daytime use by business professionals.

On July 12, 2007, the Planning Department reviewed the petition and had no objection to granting the request under the same terms and conditions as the previous Special Permit.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. A Special Permit is required pursuant to Section II A 8 (j) of the Zoning Bylaw, as the requested use of the parking lot for non-accessory off-street parking for 15 vehicles in the existing parking lot is not a use allowed by right in a General Residence District.

It is the opinion of this Authority that the non-accessory use parking shall not cause significant disturbance or disruption of any residential neighborhood, shall not detract from the use of the parking lot for the accessory use, or reduce landscaping or screening areas, subject to the following conditions:

1. Hours of operation shall be from 8 a.m. to 7 p.m., Monday through Friday.
2. Parking spaces shall be assigned on a monthly basis only.
3. There shall be no overnight parking.
4. Parking shall be in accordance with the original plan submitted for ZBA 2006-49. Parking shall be assigned to the blue area at the back of the lot. Parking shall be assigned to the spaces closest to Washington Street in the green area when the blue parking area is full. There shall be no parking in the pink area.
5. Lighting shall be turned off by 10 p.m.
6. The Special Permit shall expire one year from the date time-stamped on 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.

J. Randolph Becker, Acting Chairman

Robert W. Levy

David Grissino

cc: Planning Board
Inspector of Buildings
lrm
cc: Planning Board