

**ZONING BOARD OF APPEALS**

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

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ZBA 2009-60  
Petition of TL Concepts  
169 Grove Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 10, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of TL CONCEPTS requesting a Special Permit pursuant to the provisions of Section II A 8 (b) and Section XXV of the Zoning Bylaw to allow the premises at 169 GROVE STREET, to be used as a Design Home from October 15 to November 1, 2009, which is a use not allowed by right in a Single Residence District. The hours of operation will be from 12 pm to 6 pm on Thursdays through Sundays. All parking will be off-site.

On August 25, 2009 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 Tamra Tricky, TL Concepts (the "Petitioner"), who said that TL Concepts are the project coordinators. Also present was Dean Behrend.

The Board asked about the delivery schedule for decorating the design home. Ms. Tricky said that they will be staging the home with furniture. She said that the home is estimated to be ready on October 1, 2009, in preparation for staging. She said that will give them two weeks to stage the home. She said that they will be moving furniture into the home over a two-day period. She said that the furniture will be moved out of the home on November 2 and 3, 2009. She said that a moving truck will be moving the furniture in and out of the home. She said that other than some six foot tables that she will use in the garage, there will be no other items that will be moving in and out. She said that the furnishings include window treatments and floor coverings.

The Board asked where the truck will park while it is loading and unloading. Mr. Behrend said that the trucks will use the driveway at 169 Grove Street. Ms. Tricky said that there will be several smaller trucks over several days. She said that the furnishings will be coming from a variety of places.

The Board said that there will be a restriction that there be no trucks arriving before 8:30 a.m. or between the hours of 2:15 p.m. and 3:30 p.m. The Board said that deliveries will be after 10:00 a.m. on Saturdays and that there will be no Sunday deliveries allowed.

The Board said that the hours of operation are different on the website than those listed in the application. Ms. Tricky said that they would like to request a modification of the hours. She said that they felt that the 12:00 p.m. to 6:00 p.m. hours would cut into commuter time. She said that they would like to move the

four times up to 10:00 a.m. to 5:00 p.m., to be less disruptive to the neighborhood. She said that they would like to have the Sunday hours for the home tour to start at noon so that they do not conflict with the Wellesley Meeting of Friends' services.

Wendell Ross, 26 Benvenue Street, said that she is the caretaker of the Friends Meeting House. She said that September is a busy time of year for them. She said that they gather for worship at 10:00 a.m. and then have coffee and committee meetings until 1:00 or 2:00 in the afternoon. She said that during that time, the children are out front playing in the yard. She said that they have on-street parking on Sundays on Benvenue, Ingraham, and the side streets behind.

The Board said that it would be appropriate to have a Police detail from 12 to 4 p.m. on Saturday and Sunday of the first weekend of the home tour when the Dana Hall Homecoming is going on.

The Board asked about signage for the home tour. Ms. Tricky displayed a diagram of their typical sign. She said that they are 24 inch by 24 inch signs that direct people to the Home Tour parking. She said that 18 inch by 18 inch "No Parking" signs will be placed along both sides of Grove and Benvenue Streets. The Board said that the signs should be taken down on Sundays until the following Thursday.

Mr. Himmelberger, representing the Wellesley Meeting of Friends, said that the Friends park on the street on Sunday mornings. The Board said that they know not to pay attention to the "No Parking" restriction.

Mr. Himmelberger asked if signage could be placed at the entrance to the easement on Grove Street, indicating that there is no event parking.

#### Statement of Facts

The subject property is located at 169 Grove Street, in a Single Residence District.

The Petitioner is requesting a Special Permit to allow the premises at 169 Grove Street, to be used as a Design Home from October 15 to November 1, 2009. The hours of operation will be from 10:00 a.m. to 5:00 p.m. on Thursdays through Saturdays, and from 12:00 p.m. to 5:00 p.m. on Sundays. All parking will be off-site.

A letter dated 7/22/09, signed by Tamra Tricky, TL Concepts LLC Project Coordinator, was submitted by the Applicant.

A letter dated 8/26/09, signed by Lieutenant John F. Lyons, Town of Weston Police Department, was submitted.

A letter dated 7/23/09, signed by Lieutenant Jack Pilecki, Town of Wellesley Police Department, was submitted.

On August 31, 2009, the Planning Board review the petition and had no objection to granting the request, stating that it:

Believes a police detail should be assigned for all hours of operation to facilitate ingress and egress on Benvenue Street, the hours of operation should be considerate to the Friends Meeting House worship hours, and signage should adequately direct guests to the parking area.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the Public Hearing. It is the opinion of this Authority that the use of the property at 169 Grove Street for a non-profit purpose is in harmony with the general intent and purpose of Section IIA 8 (b) of the Zoning Bylaw.

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

1. Trucks bringing furnishings to or from the premises shall not arrive prior to 8:30 a.m. on any day, or between the hours of 2:15 p.m. and 3:30 p.m. on Thursdays and Fridays, throughout the event.
2. Deliveries to the Design Home shall be from the driveway at 169 Grove Street.
3. Hours of operation of the Design Home event shall be between 10:00 a.m. and 5:00 p.m. on Thursdays, Fridays and Saturdays, and between 12:00 p.m. and 5:00 p.m. on Sundays, throughout the event.
4. The premises may be used for a preview party on Thursday, October 15, 2009 between the hours of 6:00 p.m. and 9:00 p.m.
5. "No Parking" signs shall be posted on Benvenue and Grove Streets on Thursdays through Sundays, throughout the event.
6. Signage indicating "No Access" and "No Parking" shall be placed at the easement so that visitors will not enter onto the easement.
7. Invitations, notices and advertisements shall indicate that the home is not accessible without a ticket.
8. All means of communicating to the public, whether it is print media or electronic media shall show hours of operation and conditions consistent with the Special Permit.

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.

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Richard L. Seegel, Chairman

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J. Randolph Becker

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David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
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