



ZONING BOARD OF APPEALS

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

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ZBA 2012-65
Petition of Northern Construction Service LLC
8 Rockland Street

Record Owner of Property: The First Church of Christ, Scientist

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 6, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of NORTHERN CONSTRUCTION SERVICE LLC requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (j) and Section XXV of the Zoning Bylaw for 7,150 square feet of fenced and gated non-accessory parking for construction worker vehicles and a tool storage trailer in association with the Massachusetts Department of Transportation project known as Contract 66333, Bridge Replacement Br. No. W-13-007 (Concrete) Rockland Street over the MBTA and CSX Railroads in the Town of Wellesley. The parking lot is located at 8 ROCKLAND STREET, in a 10,000 square foot Single Residence District.

On July 23, 2012, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

August 9, 2012

As there was no quorum of Board Members, the hearing was rescheduled to September 6, 2012.

September 6, 2012

Presenting the case at the hearing was Maureen Capplis, representing Northern Construction Service, LLC, (the "Petitioner").

Ms. Capplis said that the request is to renew the Special Permit for Non-Accessory Parking on 8 Rockland Street for construction worker vehicles and tool storage trailer in conjunction with the MassDOT project.

The Board asked when the project is expected to be done. Ms. Capplis said that the project has been delayed because CSX has to provide the flagmen, which has been a problem.

A Board member said that he spoke with a Policeman at the site, who said that the conditions have been followed.

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

Statement of Facts

The subject parking lot is located at 8 Rockland Street, in a 10,000 square foot Single Residence District.

The Petitioner is requesting renewal of a Special Permit for 7,150 square feet of fenced and gated non-accessory parking for construction worker vehicles and a tool storage trailer in association with the Massachusetts Department of Transportation project known as Contract 66333, Bridge Replacement Br. No. W-13-007 (Concrete) Rockland Street over the MBTA and CSX Railroads in the Town of Wellesley.

On August 9, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be renewed subject to the same terms and conditions as are currently in effect.

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 for 7,150 square feet of fenced and gated non-accessory parking for construction worker vehicles and a tool storage trailer is not a use allowed by right in a Single 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.

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

The Special Permit shall be subject to the conditions:

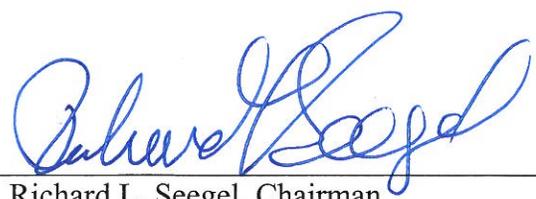
1. Privacy fence fabric shall be used along all 4 sides of the fencing.
2. No gas/diesel powered construction vehicles or equipment stored/parked in the subject area shall be operated within the area.
3. This Special Permit shall expire one year from the date time-stamped on this decision.

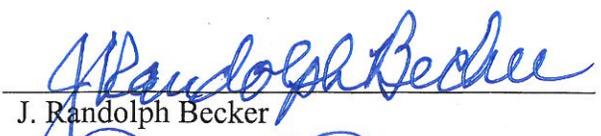
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Petition of Northern Construction Service LLC
8 Rockland Street

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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.


Richard L. Seegel, Chairman


J. Randolph Becker


David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm