



BOARD OF APPEAL

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Petition of the Town of Wellesley

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:15 p.m. on September 30, 1976, on the petition of the Town of Wellesley, requesting permission to continue to allow a private contractor to park sixteen school buses and one field office trailer on Town of Wellesley property at 455 Worcester Street, between the Highway Department Building and the parking area adjacent to the Electric Substation.

On August 5, 1976, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Leo J. Hession, Town Counsel, represented the School Committee at the hearing.

A letter favoring the request was received from Mr. and Mrs. Clifford McIntyre, 43 Colburn Road.

Statement of Facts

The property involved is located within a Single Residence District, a district in which the requested use of the property is not permitted under Section II of the Zoning By-law unless a variance is granted by the Board of Appeal.

The petitioner seeks permission to continue the present non-conforming use of the above-mentioned property and requested that the permit granted by this Board a year ago be renewed for another year. Attorney Hession stated that he had received a letter from the Director of the Board of Public Works authorizing the continued use of the property and imposing a number of stipulations in addition to those imposed by the Board of Appeal. He further stated that to his knowledge, there have been no violations reported during the past year as to the manner in which the buses have been operated and that the School has had no problems. He also stated that he had data available regarding the number of drivers' cars parked on the premises which he would provide if desired.

Decision

It is the opinion of the Board that the continued use of the property involved will provide for a need which still exists in the Town, and that the continued use for another year, if conducted properly, will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious or offensive to the neighborhood.

Accordingly, the requested permission is granted subject to the following conditions:

1. That not more than sixteen buses and one field office

1. Cont. trailer shall be parked at any one time at the location involved, and as shown on the plan submitted and on file with this Board.
2. That said buses shall be in operation only during the hours stipulated and on file with this Board.
3. That all buses and drivers' personal vehicles shall use Route 9 to enter and exit and at no time shall the Woodlawn Avenue exit be used for any purpose.
4. That no repairs or maintenances shall be performed at the location involved except for the repair of a flat tire or similar minor emergency repair.
5. That all vehicles going west of the locus shall exit back of the Fire Station, and that all vehicles going east shall cross Route 9 at the customary crossing.
6. That the proposed operation shall be conducted in accordance with the requirements of the local and State Police Departments, the Wellesley Fire Department and all other concerned local and State agencies.
7. That the buses shall be used solely for the transportation of Wellesley School children.
8. That this Board shall reserve the right to limit the number of drivers' personal vehicles on the premises, if it becomes necessary during the coming year.
9. That said permit shall expire one year from this date or sooner in the event of a breach of any of the above-mentioned conditions.

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OFFICE

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