



BOARD OF APPEAL

F. LESTER FRASER
WILLIAM O. HEWETT
FRANKLIN P. PARKER
FRANCIS L. SWIFT
HENRY H. THAYER

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Wellesley Six Company Trust and
Wellesley Six Company

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 9:05 p.m. on February 17, 1977, on the petition of Wellesley Six Company Trust and Wellesley Six Company, requesting permission, under the provisions of Section XXIV of the Zoning By-law, to use certain remaining vacant space in Building VI, 45 William Street, as a cafeteria-restaurant, as provided under Section IX-2 of the Zoning By-law.

On January 27, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Norman B. Leventhal, spoke in support of the request at the hearing.

Robert Brannen, Architect, explained in detail the proposed layout of the cafeteria, its seating capacity, etc.

George Webb, Sargent of the Wellesley Police Department, stated that, in his opinion, the proposed cafeteria would alleviate the traffic on Route 9 at the noon hour.

Thomas J. Carens, Esquire, also spoke in support of the request and submitted seventeen letters endorsing the request to operate a restaurant on the premises of the building involved.

Statement of Facts

The property involved is located within an Administrative and Professional District. There are six buildings completed and occupied in the park and the building involved is completed, but not completely occupied as yet.

The petitioners seek permission to use 4,000 square feet of the building as a cafeteria-restaurant, with a seating capacity of approximately 165. It will serve the employees and their guests of the other buildings in the park and will be open from 8:00 a.m. to 6:00 p.m. or 8:00 p.m. at the latest daily.

It was stated that currently the park maintains a small food service facility in Building Two, which was built when the office park consisted of 80,000 square feet of space with a population of approximately 400 people. Today, the park consists of approximately 500,000 square feet of space with a total population of approximately 2,400 people. Therefore, it is the feeling of the petitioners that because of the inadequate facilities in terms of space, amenities, and quality of food service, the proposed restaurant is urgently needed.

A schematic floor plan was submitted, drawn by Eric & Ralph's, dated February 10, 1977, which showed the layout of the proposed cafeteria-restaurant.

Decision

The Board has made a careful study of the evidence submitted and the application of the Zoning By-law with respect to this request. The use requested is not one permitted within an Administrative and Professional District, unless this Board finds that it is "similar to one or more of the uses specifically authorized," by Section IX of the Zoning By-law.

It is the opinion of this Board that a real need exists for the proposed cafeteria-restaurant and it finds that the requested use is similar to the other uses permitted by Section IX 1, and 2. It further finds that in this specific case, it is an accessory use to the allowable uses within the building, and that the proposed use will not substantially reduce the value of any property within the district, and will not otherwise be injurious, obnoxious, or offensive to the neighborhood.

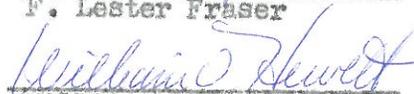
Accordingly, the requested permission is granted subject to the following conditions:

1. That this permit is granted for the use of the portion of the building designated on the plan submitted and on file with this Board, for a cafeteria-restaurant, and shall not be enlarged in size or capacity without further approval of this Board.
2. That all necessary permits and licenses shall be obtained, copies of which shall be submitted to this Board prior to occupancy of the cafeteria-restaurant.
3. The Board reserves the right to revoke this permit, if it finds that the above-mentioned conditions are violated or any other requirement of the Zoning By-law is violated as a result of this permit being issued.

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Francis L. Swift


F. Lester Fraser


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