



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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82-52

Petition of Richard W. Stanion and Robert S. Warren

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, November 18, 1982, on the petition of RICHARD W. STANION AND ROBERT S. WARREN, requesting a Special Permit under the provisions of Section XXV and Section II 8 (h) of the Zoning Bylaw which will allow ROBERT S. WARREN to use the premises at 889 WORCESTER STREET for the conduct of a home occupation, namely for private consultation and training of dogs, said location being in a Single Residence District.

On October 29, 1982, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Richard Stanion, owner of the property, who stated that Mr. Warren and his family would like to buy the property and Mr. Warren wishes to train dogs on the premises, one dog and one dog owner at a time. Robert Warren stated that he owns a kennel in Southboro, and that no dogs would be housed in Wellesley other than the two dogs which he personally owns. He stated that six to eight cars could be accomodated on the property. He presented a list of Wellesley residents as personal references, and a letter of support from Franklin Wood, 7 Shadow Lane. He stated that he would not be selling any products from the property, but that he does own a van with advertising on it which he proposes to park on the premises

Other than the above mentioned petitioners, there was no one present favoring or opposing the petition.

Statement of Facts

The property involved is located at 889 Worcester Street, in a Single Residence District. Richard Stanion is the present owner of the property. Robert S. Warren wishes to purchase the property as a residence and to conduct a home occupation as a private consultant and trainer of dogs. Hours of operation would be from 9 a.m. to 5 p.m.

The Planning Board, in a letter dated November 15, 1982, stated that it has no objection to the requested use for a home occupation in compliance with the home occupation criteria in the Zoning Bylaw granted on an annual basis.

A letter of support for the application was received from Barbara Leah Harman (Cain) and William E. Cain.

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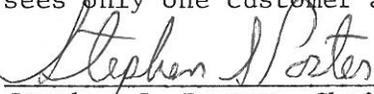
Decision

This Authority has made a careful study of the evidence submitted. It finds that the requested use of the property for the home occupation proposed by Robert S. Warren for the training of dogs is in compliance with the home occupation criteria of the Zoning Bylaw.

This Authority is reluctant to grant Richard Stanion a Special Permit for a home occupation. Mr. Stanion has petitioned this Board in the past. He requested a Special Permit for a home occupation for his property at 603 Washington Street (Zoning Board of Appeals Case 80-11) and his request was denied on June 26, 1980. It appears to this Authority that Mr. Stanion disregarded the Board of Appeals decision and continued to use the property at 603 Washington Street in violation of the Zoning Bylaws.

However, due to the fact that Richard Stanion proposes to sell the property at 839 Worcester Street to Robert Warren, this Authority grants a Special Permit for a home occupation with the following conditions:

1. That said Special Permit is specifically granted to Robert Warren for the training of dogs.
2. That if Mr. Stanion does not sell the property to Robert Warren, said Special Permit shall not be valid.
3. That all consultation and training of dogs shall be conducted between the hours of 9 a.m. and 5 p.m.
4. That all parking related to said home occupation shall be on the premises.
5. That no sign advertising or incidental to the home occupation shall be displayed on the property except in accordance with Section XXIIA of the Zoning Bylaw.
6. That this Special Permit shall expire one year from the date of this decision.
7. That Mr. Warren sells no goods on the premises, sees only one customer at a time, and parks no vehicle on the premises which displays advertising of any kind whatsoever.


 Stephen S. Porter, Chairman


 John A. Donovan, Jr.


 William E. Polletta