

BOYLE, SORGI & THRASHER
ATTORNEYS AT LAW
A PROFESSIONAL ASSOCIATION

EUGENE F. BOYLE, P.C.
JAMES D. THRASHER, P.C.
LOUIS V. SORGI, P.C.

MANSFIELD
200 CHAUNCY STREET
MANSFIELD, MA 02048
TELEPHONE: (508) 339-3658
(508) 339-4822
FAX NUMBER: (508) 339-6460

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Ellen D. Gordon, Executive Secretary
Zoning Board of Appeals
Town of Wellesley
525 Washington St.
Wellesley, MA 02181

NORWELL
263 WASHINGTON STREET
NORWELL, MA 02061
TELEPHONE: (617) 659-1584
FAX NUMBER: (617) 659-1419

Re: Cease and Desist - 68 Royalston Road, Wellesley

Dear Ms. Gordon:

As you know, I represent Mr. and Mrs. Kenneth O'Keefe of 76 Royalston Road with regard to their appeal of a decision of Mr. LaConte concerning the definition of "family" and its application to persons residing at 68 Royalston Road as set out in his letter to my clients dated October 17, 1989. I acknowledge receipt of your letter to me dated November 20, 1989, setting December 21, 1989, at 8:00 p.m. as the time for the hearing on my client's appeal. I also acknowledge receipt of a fax copy of a cease and desist order issued by Arthur LaConte following his investigation at the subject premises.

In the cease and desist order it is clear that Mr. LaConte has revised his earlier interpretation that the Wellesley By-laws allow any number of persons to live with the Krasnys as long as those persons were related to each other. In my opinion he has explicitly overruled his prior interpretation by the following statement in his findings: "The plain meaning of the definition of 'family (A)' allows all members of your family that are related by blood, adoption or marriage to live together, and then also allows two (2) additional persons, not related to the principal family, to reside together as a single housekeeping unit." It was Mr. LaConte's earlier interpretation which I considered erroneous and which formed the basis of my clients' appeal. Because Mr. LaConte has revised and explicitly corrected and overruled his earlier interpretation, the issue on appeal is now moot.

Therefore, on behalf of my clients, I withdraw the appeal

Sincerely,


James D. Thrasher

JT/bc

cc: Kenneth and Sandra O'Keefe
Mr. Arthur LaConte, Zoning Enforcement Officer