



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

OCT 6 7 52 AM '94

JOHN A. DONOVAN, JR., Chairman
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ZBA 94-60
Petition of Albert W. Young
11 Cleveland Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 22, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ALBERT W. YOUNG requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to allow him to continue to use the basement portion of his dwelling at 11 CLEVELAND ROAD, in a Single Residence District, for the purpose of a home occupation; namely, the repair of data communication equipment, with hours from 7:30 a.m. to 4 p.m. on Mondays through Fridays throughout the year, with one full time employee.

On September 2, 1994, the petitioner filed a request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Albert Young, who asked for renewal of his Special Permit under the same conditions as previously granted. The Board noticed that the location of the repair shop had been moved from the garage to the basement of Mr. Young's home.

The Board stated that several letters had been received from neighbors regarding the petition. One of the letters noted that after six months, Mr. Young would be seeking another location for his business. Mr. Young responded that the business has not done too well, and that he would like to keep it in his home. The Board asked if a six-month renewal would be sufficient. Mr. Young said it would depend on the success of the business.

Sue Brickman, 18 Cleveland Road, said that she and the Holbrooks at 22 Cleveland Road have no objection to the renewal as they are very satisfied with Mr. Young's conduct of his business.

Statement of Facts

The subject property is located at 11 Cleveland Road in a Single Residence District. The petitioner is requesting renewal of a Special Permit to use a portion of the basement of his home for the purpose of a home occupation; namely the repair of fiber optic bridges of personal computers by means of soldering microchip replacement parts, with hours from 7:30 a.m. to 4 p.m. on Mondays through Fridays throughout the year. There would be no

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clients coming to the premises as the faulty computers will be delivered and picked up for return by UPS. There will be one full time employee.

Letters in opposition to the petition were received from Edward Coakley, 12 Cleveland Road, and Howard Reed, 19 Cleveland Road. A letter in support of the petition was received from Jane and William Allen.

On September 13, 1994, the Planning Board reviewed the petition and voted to offer no comment.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. It is clear from the information presented by the petitioner that the need to continue to operate his business from his home is still present. It is also clear that Mr. Young's conduct of his home occupation, in strict adherence to the conditions imposed by the Special Permit, has diffused most of the neighborhood opposition expressed at the prior hearing on this petition.

Therefore, this Authority unanimously grants renewal of the Special Permit subject to the following conditions:

1. The conduct of the home occupation shall be solely in the basement portion of the petitioner's dwelling.
2. The hours of the conduct of the home occupation shall be limited to 7:30 a.m. to 4 p.m. on Mondays through Fridays throughout the year.
3. Pick-up and/or delivery by UPS or any other delivery service shall be limited to no more than one visit per day.
4. There shall be one full time employee whose car shall be parked only in the driveway of the petitioner.
5. This Special Permit shall expire six months from the date of this decision.

It is the opinion of this Authority that continued compliance with the above conditions will ensure that the requested home occupation will not disturb or disrupt the customary character of the residential neighborhood.

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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.

cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates
Kendall P. Bates, Acting Chairman



Sumner H. Babcock
Sumner H. Babcock



William E. Polletta
William E. Polletta

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