



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-30
Petition of Denise Bacon
15 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 25, 1995 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 DENISE BACON 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 her to continue to use a portion of her premises at 15 DENTON ROAD, in a Single Residence District, for the conduct of a home occupation; namely a temporary resource facility for storage, sorting and classification of historical material on Monday through Friday from 9 a.m. to 2 p.m. throughout the year, with 4 part-time employees totalling 48 work hours per week.

On April 5, 1995, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

The petition was continued from the Public Hearing on April 27, 1995, and renoticed by mailing and publication.

Presenting the case at the hearing was Denise Bacon, who said that the archival materials will be moved to Providence shortly after Labor Day.

The Board asked if the move would be to Providence or to Yale as there seemed to be a question as to the final destination in Ms. Bacon's letter of April 28, 1995. Ms. Bacon said that although Yale had expressed interest in obtaining the archives, the Kodaly Center Board has decided to move the archives to Providence.

The Board requested that Ms. Bacon notify the Board after the move has been completed, as the Special Permit would no longer be necessary.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Denton Road, in a Single Residence District. The petitioner is requesting renewal of a Special Permit for a home occupation; namely the sorting, classifying and storage of historical materials, and service as a telephone information center for the Kodaly Center of America, Inc., with office hours from 9 a.m. to 2 p.m. on Monday through Friday throughout the year. There would be four part-time employees who

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would be on the premises for a total of 48 hours. All cars related to the home occupation will be parked in the driveway of the petitioner.

On April 24, 1995, the Planning Board reviewed the petition and voted to recommend that the Special Permit be renewed for two years under the same conditions.

Decision

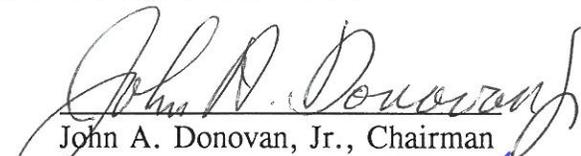
This Authority has made a careful study of the materials submitted and the information presented at the hearing, and is of the opinion that the petitioner's requested use of her premises for the conduct of a home occupation is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw. It is the opinion of this Authority that the requested home occupation will not disturb or disrupt the customary character of the neighborhood.

Therefore, the requested Special Permit is granted subject to the following conditions:

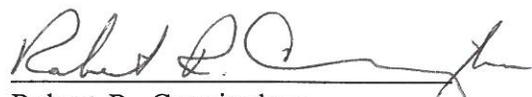
1. All parking related to said home occupation shall be in Ms. Bacon's driveway, and no cars related to said home occupation shall be parked on Denton Road at any time.
2. At no time shall there be more than 3 cars related to the home occupation parked in the driveway of the petitioner's premises.
3. Four part-time employees are allowed provided that the total number of work hours of all employees do not exceed 48 hours.
4. The office is allowed to be open Monday through Friday from 9 a.m. to 2 p.m. throughout the year.
5. The petitioner shall inform the office of the Board of Appeals when the removal of all archival material from the premises has been completed.
6. This Special Permit shall expire one year from the date of this decision.

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
edg Inspector of Buildings


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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TOWN CLERK'S OFFICE
WELLS RILEY # 02111