

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

THEODORE C. MERLO
F. LESTER FRASER
WILLIAM O. HEWETT

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Albert and Laura DeBello

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 8:15 p.m. on October 24, 1974, on the petition of Albert and Laura DeBello, requesting permission to use a Satellite Transfer Station on the premises located at 11 Forest Street, in connection with the existing garage. Said request was made under the provisions of Section XI, 11, 12, and XXIV-E of the Zoning By-law.

On August 13, 1974, the petitioners filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Albert Auburn, attorney, represented the petitioners at the hearing.

The following persons appeared at the hearing and spoke in opposition to the request: Owen Woods, 3 Ravine Road, Richard Birch, 35 Elm Street, Edward Bleiler, 103 Great Plain Avenue, Ernest Sibley, 404 Washington Street, Robert Hazeltine, 3 Ravine Road, Alan Winslow, 50 Woodlawn Avenue and Harold Wells, 41 Forest Street.

Statement of Facts

The property involved is located within a Business A District. On the premises is a dwelling house and a large building which was formerly used to garage the moving vans used by William Diehl Movers, and is now used by the petitioners in connection with their rubbish removal business.

The petitioners now seek permission to use a heavy duty compactor which is designed to accommodate both residential and commercial collection vehicles and will serve as a transfer station in the petitioners' business. It was pointed out by Mr. Auburn, that the proposed operation will enable the petitioners to load refuse into the transfer station where it will be compressed and hauled away in one unit rather than by several trucks carrying several loads to accomplish the same thing. At the most, it was stated, the machine would be in operation one hour a day, 30 minutes in the morning and 30 minutes in the afternoon. In addition to the service given to the residents of Wellesley, another service will be given to the Town, it was stated, as the refuse will not be taken to the Town incinerator, but will be taken out of town. One truck a day, it was stated, would come in and out and a 10-wheeler truck would come to haul away the refuse. It is the feeling of the petitioners that the proposed operation will be more efficient and will be more desirable than the present method of a number of trucks bringing in refuse which is stored in free standing metal containers and later removed in several loads.

Decision

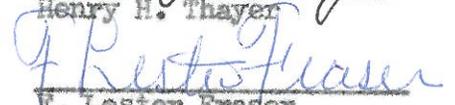
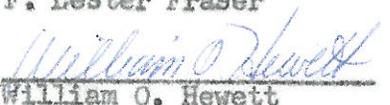
The Board has considered all the facts in this case and have taken a view of the locus. In its opinion, the introduction of the proposed transfer

station into the area involved, which abuts a residential district, in the rear, would be undesirable and contrary to the intent and purpose of the Zoning By-law. One of the provisions of the Zoning By-law which affects all districts, is that no building or structure shall be used in any part of the Town...A. "For any purpose which by the emission or fumes.....the causing of noise or vibrations,or otherwise, would be obnoxious, offensive, dangerous, or injurious to the public health or safety." (Section XVI. of the Zoning By-law)

It is the opinion of this Board that there can be no question that the proposed operation will create noise in the area as well as added traffic congestion at a busy corner when the 10-wheel truck comes daily to remove the refuse.

Therefore, it is the unanimous opinion of this Board that the requested permission should be denied.

Accordingly, the petition is dismissed.


Henry H. Thayer

F. Lester Fraser

William O. Hewett

Filed with Town Clerk _____

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