



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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Petition of Robert L. Garcea

Pursuant to due notice, the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:30 PM on July 1, 1980, on the Petition of Robert L. Garcea, requesting a Variance from the terms of Section II A of the Zoning Bylaw in order to continue to use the premises located at 25 A Seaver Street as an active storage of landscaping equipment.

On June 2, 1980, the Petitioner filed his request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Robert L. Garcea represented his Petition, also in favor were Michael Galvin and Duncan Ross, owners of the Ross-Galvin Landscaping Company which presently stores equipment in this barn.

Ms. Mary Fitzpatrick, 30 Seaver Street, spoke in opposition to this petition. She stated a concern for traffic in relation to the large amount of children in the area and how that side of the street is where the sidewalk is located, she feared the traffic would one day harm someone. She also mentioned that at that point there begins a steep grade which might also be of concern.

Statement of Facts

The Petitioner is seeking a one (1) year temporary permit in order to allow the Ross-Galvin Landscaping Company to seek another location. It was pointed out that the year is more than enough time as Ross-Galvin's season ends around December 15th.

The landscapers store three (3) trucks well to the rear of the barn, one (1) long trailer and five to six (5-6) lawnmowers. Also rakes, shovels and fertilizer. They do have a telephone in the barn. The work week is up to six (6) days. The barn has been used the past three (3) years by landscapers. This barn represents the headquarters for their operation.

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Decision

The property is located in a Single Residence District. The Authority has made a careful study of the evidence presented and is of the unanimous opinion that the requested Variance does not conform with the intents and purposes of the Zoning Bylaw in a Single Residence District. The requested use also is potentially injurious to children living in the neighborhood.

It is therefore the decision of this Authority that the premises of 25 A Seaver Street must be vacated of the Ross-Galvin Landscaping Company no later than October 15, 1980. The requested Variance is denied and the Petition is dismissed.

William F. Cullinane

William F. Cullinane, Chairman

John A. Donovan, Jr.

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