

Coates, Emmalin

From: David Himmelberger <David@himmelbergerlaw.com>
Sent: Friday, August 18, 2023 9:03 AM
To: Arbeene, Eric
Cc: Coates, Emmalin
Subject: 125 Oakland Street

[**EXTERNAL EMAIL** : This message originated outside of the TOWN OF WELLESLEY mail system. **DO NOT CLICK on links or open attachments** unless you are sure the content is safe.]

Eric: After further discussion with my clients, we would like to propose the following zoning amendment to be, hopefully, sponsored by the Planning Board.

The zoning relief that will now be sought is an amendment of Section 2.7 Educational Districts, by adding a provision in Paragraph A. 1. Permitted Uses, adding:

g. Assisted elderly living, independent elderly housing, nursing home and/or skilled nursing facilities and related services, so long as such uses existed in buildings or facilities prior to March 1, 2023.

This proposed amendment is what was originally offered this past spring after the RIO proposal was withdrawn. Subsequently, we considered adding further language that attempted to clarify the extent of the grandfathered rights, (and limited to the current scope of these buildings or facilities) but upon further reflection we believe that this additional phrase does not add any clarity, but rather is potentially confusing. As has been pointed out, the existing zoning bylaws contain numerous provisions that pertain to the Educational District and that would address any future development of the site; and from my clients' perspective, this should be sufficient, insofar as they wish to age in place in the existing buildings.

Could you provide meeting invitations to the following individuals: Krista Thibault; Mary Anne Foster? Finally, given that Ms. Thibault is in an earlier time zone, in Halifax, Canada, my clients would greatly appreciate it if this matter be placed at the start of the agenda.

Thank you for your consideration. Best regards, David

David J. Himmelberger, Esq.
The Law Office of David J. Himmelberger
One Hollis Street, Suite 400
Wellesley, MA 02482
781 237-8180
fax 781 235-8242

FRAUD NOTICE—Hackers are using the e-mail accounts of attorneys, other professionals and businesses to initiate fraudulent wire, transfer, and credit card requests. Please do not send wire instructions, banking data, credit card information, or other sensitive personal information to this office via unsecured e-mail. Please call this office immediately if you receive an e-mail from this office requesting that you wire, transfer funds, or provide your credit card information.

This e-mail message, its contents, and any attachments are privileged and confidential information intended solely for the use of the intended addressee only. If you are not the intended addressee, any dissemination, distribution, copying, or other use of this message,

its contents, or any attachments is prohibited. If you have received this e-mail in error, please notify me immediately by reply e-mail, phone, or fax and delete the message. Thank you.