



BURTIS S. BROWN, CHAIRMAN
THOMAS M. REYNOLDS
SHERMAN J. L. BROWN

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
TELEPHONE
WE. 5-1664

Petition of Caroline H. Arnold, Tr.
Arnold Trust

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the first floor of the Intermediate Building at 324 Washington Street at 8:20 p.m. on May 26, 1955 on the petition of Caroline H. Arnold, Tr., Arnold Trust, requesting an extension of the business zone at the rear of properties numbered 284-286-294-304 Washington Street; said extension to continue southeasterly across the present established boundary line of the business zone at the rear of properties at 284-286 Washington Street into a more restricted district, a distance of approximately forty-five feet to the southeasterly property line of #13 Eaton Court; also to continue southeasterly across the present established boundary line of the business zone at the rear of properties at 294-304 Washington Street into a more restricted district a distance of approximately fifty feet; said extension starting at Eaton Court and continuing southwesterly to the property line of Edith M. Perrin.

Statement of Facts

On May 18, 1955 the petitioner filed her written request as provided under Section 7-D of the Zoning By-law for the above-mentioned permission and thereafter due notice of the hearing was given by mailing and publication.

A plot plan was submitted, drawn by E. T. Sanderson, dated May 18, 1955, which showed the area involved indicating the present and proposed business district boundary lines.

Paul Jameson, attorney representing the petitioner at the hearing, stated that the purpose of the request for the extension of the business zone is to provide off-street parking for customers of the stores owned by the petitioner, to enable the petitioner to make minor alterations for the purpose of providing toilet facilities in the building owned by her at the rear of 294-304 Washington Street; said building being bisected by the business zone and to convert the dwelling at #13 Eaton Court into professional offices.

A small parking area is being maintained by the petitioner at the rear of 284-286 Washington Street, stated Mr. Jameson, but only a small portion of it is zoned for business purposes, the remainder is zoned for residential purposes. It is the desire of the petitioner to provide parking space for approximately twenty-five additional cars and to allow the cars to park legally on the entire lot.

The dwelling at #13 Eaton Court has been owned by the petitioner for a number of years. It is one of three row houses, all of which are located within a residential zone. The house involved, containing ten rooms, is undesirable for single-family occupancy because of its size and proximity to the business zone. It is in need of repair and it is the desire of the petitioner to make extensive improvements to the property providing the requested permission is granted.

Lester M. Holbrook, 14 Eaton Court, stated that while he did not object to the granting of the requested permission, he would oppose the use of outside signs and lights which, in his opinion, would tend to depreciate the value of his property and detract from the appearance of the neighborhood.

The following nearby property owners appeared and stated their objections: Lillian M. Walker, 18 Eaton Court, Katherine F. McAndrew, 12 Eaton Court, Lincoln S. Fifield, 28 Eaton Court, Daniel Barnicle, 17 Eaton Court and Edith M. Perrin, 6 Maugus Avenue. All felt that the municipal parking lot nearby is ample to accommodate the needs of the people in that area and, in their opinion, additional parking facilities are unnecessary.

The Planning Board in its report offered no objections to the granting of the requested permission provided the extended zone is restricted only to the parking of motor vehicles.

Decision

This is a petition for the extension of the business zone as described for the purpose of providing additional parking space, to allow minor alterations to be made to a garage building on the petitioner's property in order to provide toilet facilities appurtenant to that part of the garage building now located in the business zone and to convert the existing dwelling at #13 Eaton Court into professional offices.

While the Board is reluctant to authorize encroachment of business uses into a restricted district, in its opinion, the requested extension of the business zone for limited uses will not depreciate the value of surrounding properties or prove detrimental to the neighborhood. By granting the extension, it will provide off-street parking for approximately twenty-five additional cars which otherwise would be parked either on Eaton Court or Washington Street and should alleviate to some extent the present traffic congestion in that area.

It will enable the petitioner to make necessary alterations to the garage building which otherwise could not be accomplished.

The house involved is no longer desirable as a single-family dwelling. It is adjacent to business property and within forty feet of a large grocery store and a number of other stores in the same block. The area in general has become much more commercialized during the past few years and less desirable for residential purposes. The petitioner plans to improve the property which, in the opinion of the Board, will enhance the values of surrounding properties.

The Board, therefore, unanimously finds that the requested extension is reasonably necessary and will not substantially reduce the value of any property within the district nor otherwise injure the neighborhood and that the requested permission can be granted without substantially derogating from the intent and purpose of the Zoning By-law.

Accordingly, the requested permission is granted and the business zone is extended a distance of forty-five and fifty feet as shown on the plan submitted, drawn by E. T. Sanderson and dated May 18, 1955 subject to the

following limitations and conditions: that the affected open area be used only for the purpose of temporary parking of non-commercial motor vehicles and that it be promptly resurfaced with hard top and lined for parking; that no exterior changes be made to the house at #13 Eaton Court; that said house be used only for professional offices or other uses permissive within a residential zone; that no outside signs or lights be displayed on said house or premises appurtenant thereto; and that no additions be made to the garage units now located in the affected area or changes of use thereof except for construction of toilet facilities appurtenant to that part of the garage building now located in the business zone.

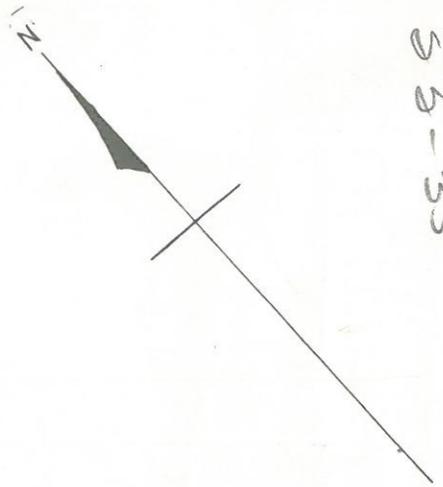
B. S. Brown
Burtis S. Brown

Richard O. Aldrich
Richard O. Aldrich

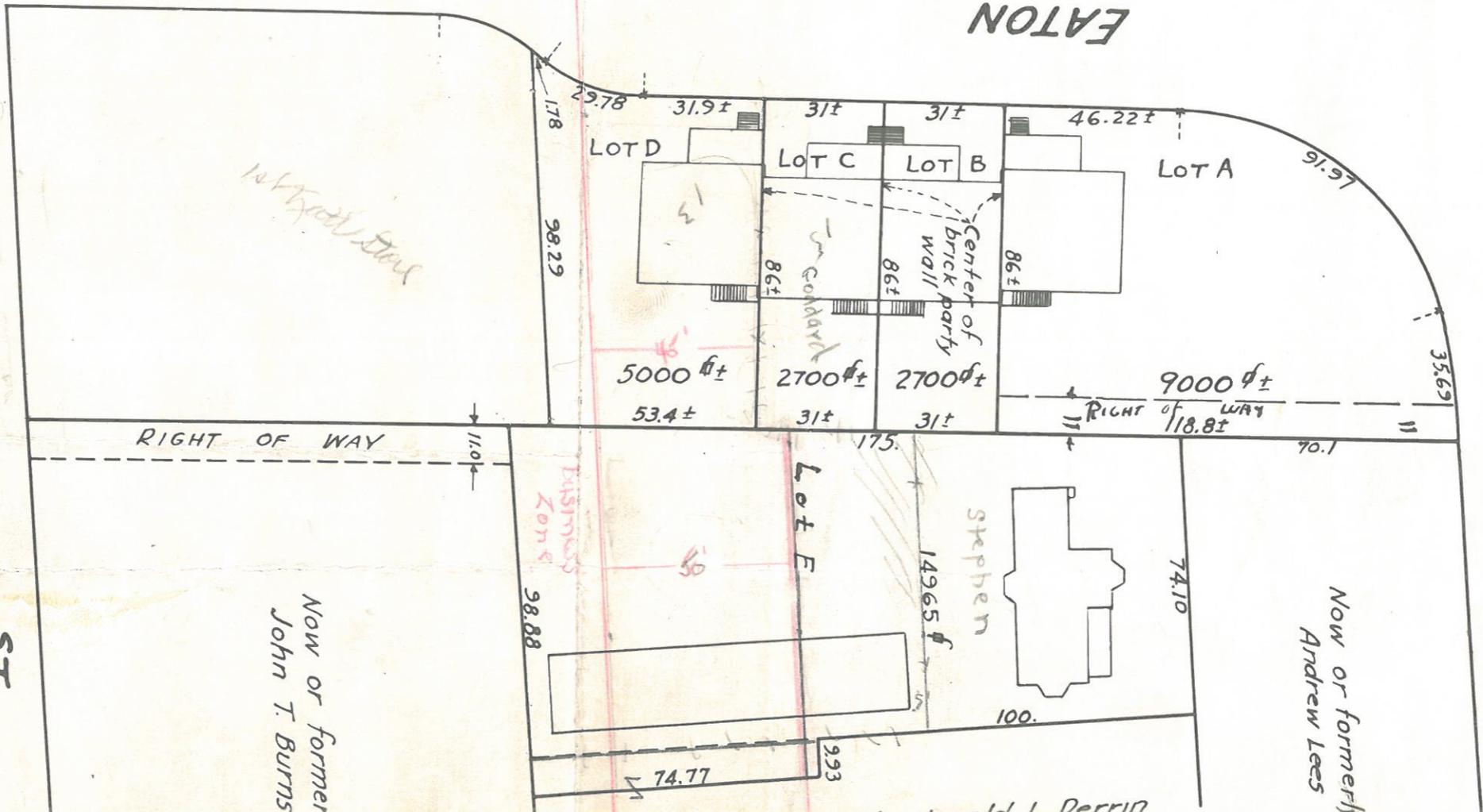
Sherman J. L. Brown
Sherman J. L. Brown

Filed with Town Clerk JUN 16 1955

55-35



COURT



ORIGINAL ON FILE.

200

Norfolk Registry of Deeds

DEDHAM, MASS.

Received May 23, 1945 with Deed

Howard S. Cosgrove to

Frederick E. Ordway

Filed as No. 201-1945 Bk. 2539 Pg. 425

Attest: *Walter W. Johnstone*

WASHINGTON

ST.

EATON COURT

Now or former
Andrew Lees

Stephen

Lot E

BUSINESS
KORNER

Now or former
John T. Burns

PLAN OF LAND
IN

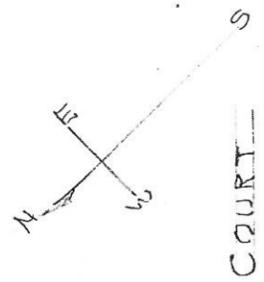
WELLESLEY, MASS.

Register.

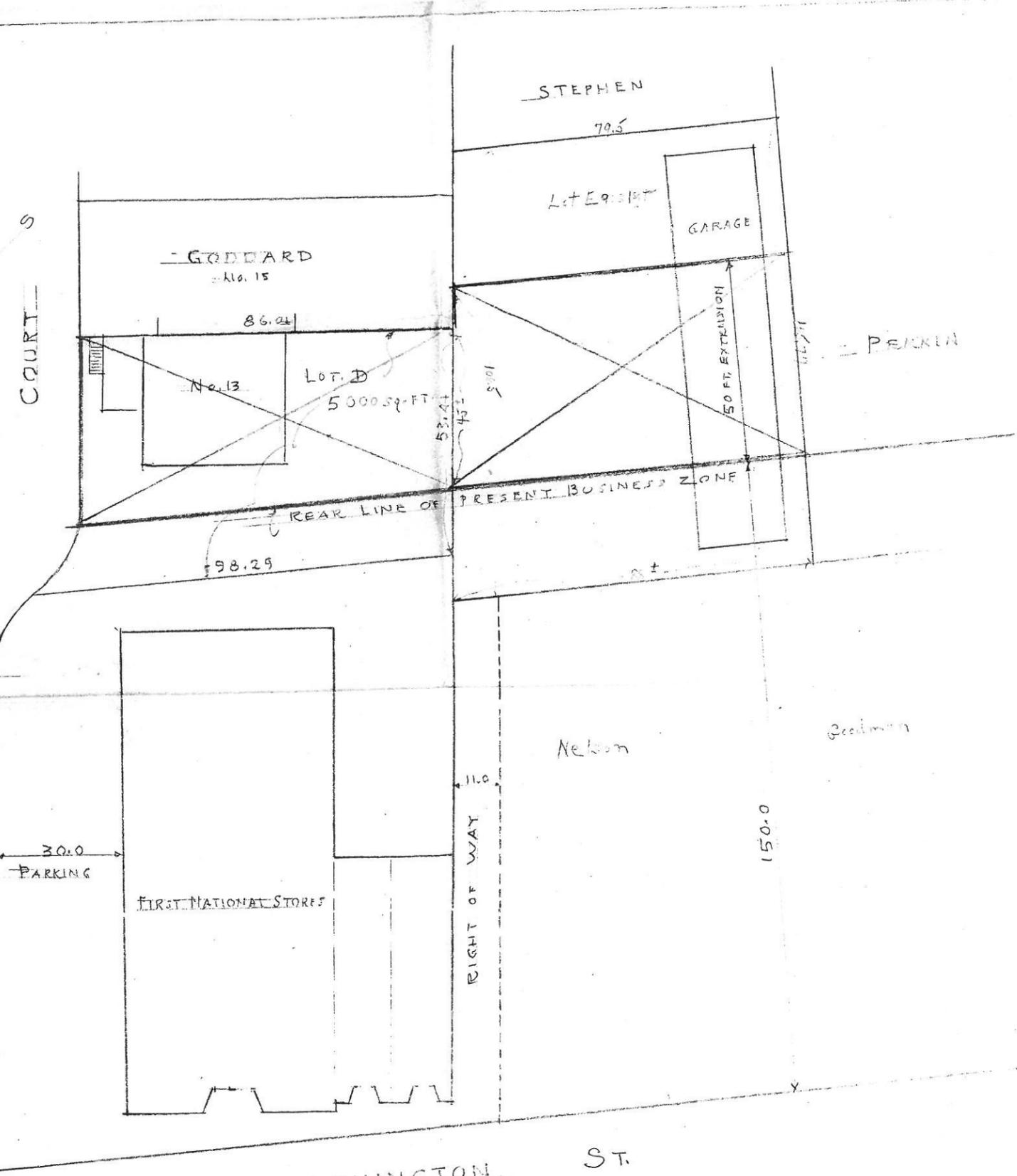
Scale 1" = 40'

May 1945

S. Chipman - Surveyor



EATON



PARKING

FIRST NATIONAL STORES

RIGHT OF WAY

WASHINGTON ST.

SCALE 1" = 20'

E. J. SANDERSON

PL. 112