



## BOARD OF APPEAL

GARRETT S. HOAG  
JOHN L. HAYDEN  
DANA T. LOWELL

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

Petition of G. Arnold Haynes

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 8:10 p.m. on July 31, 1963 on the petition of G. Arnold Haynes requesting an extension of the business use at the rear of property numbered 44 Washington Street and consisting of two lots: said extension to extend southeasterly from the present established boundary line of the business district at the rear of said 44 Washington Street into a more restricted district; said extension being bounded as follows:

Beginning at a point at the existing business district boundary line; thence running southeasterly 15.40'; thence turning and running northeasterly approximately parallel to said business district boundary line, 66.82'; thence running again northeasterly, still approximately parallel to said business district boundary line, 32.90'; thence turning and running northwesterly to said business district boundary line, 19.90'; thence turning and running along said business district boundary line 99' more or less to the point of beginning.

Said request was made under the provisions of Section XXIV E 2 of the Zoning By-law.

J. Philip O'Brien, Attorney, represented the petitioner at the hearing.

The Planning Board objected in its report to any permanent extension of a business use granted, but would have no objection to the granting of such a permit for one year solely for the purpose of parking.

On July 3, 1963, the petitioner filed his request and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

A plot plan drawn by MacCarthy Engineering Service, dated June 6, 1963, was submitted which showed the area involved with the present business district boundary lines and the proposed extension indicated.

The land on the southeast side of Washington Street and the northeast side of Washington Court is zoned for business to a depth of one hundred and fifty feet from the Washington Street line. The petitioner owns a rectangular parcel of land having a frontage on Washington Street of approximately one hundred feet and running back from the street approximately fifteen feet on one end, twenty feet on the other beyond the business zone and into a single-residence zone. A building now on the parcel is used for business offices and it is proposed to build another office building on the same parcel.

The petitioner requests an extension of the business use into the single-residence district for the purpose of providing additional parking space for eight automobiles to be used in connection with the office buildings

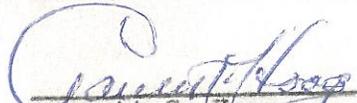
present and proposed. The area involved is the portion of the petitioner's lot which extends beyond the business zone. It is approximately ninety-nine feet in length and 15.40' on one end and 19.90' on the other end.

By two decisions of this Board rendered in 1946 and 1957 respectively, the business use was extended fifty feet into the single-residence district for a distance of approximately one hundred and fifty feet northeast of Washington Court to the rear of the Humble Oil Company gas station and overlapping the parcel in question by about fifty feet. As a result about half the parcel in question is surrounded on three sides by land zoned for business.

Decision

The Board finds that the requested extension is reasonably necessary, it will reduce parking on Washington Street and will not substantially reduce the value of any property within the district or otherwise injure the neighborhood.

Accordingly, the requested permission is granted and a business use is extended as shown on the plan submitted and on file with this Board, drawn by MacCarthy Engineering Service, Inc., dated June 6, 1963, subject to the condition that the area designated on said plan shall be used solely for parking purposes.

  
Garrett S. Hoag

  
F. Lester Fraser

  
Dana T. Lowell

Filed with Town Clerk \_\_\_\_\_

1963 JUN 10 AM 11:10  
TOWN CLERK'S OFFICE

