



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

BOARD OF APPEAL

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

Petition of Marion T. Reynolds

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 January 23, 1963 on the petition of Marion T. Reynolds requesting permission to remove and sell fill from the property owned by her on Bethel Road as provided under Section 2 B 7 (f) of the Zoning By-law.

The petitioner was represented at the hearing by Ernest Reynolds, the petitioner's husband.

The Planning Board offered no objections to the granting of the request in its report providing certain conditions are imposed.

On January 9, 1963, the petitioner filed her request with this Board for a hearing and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The property involved is located within a single-residence district in which the removal of fill is not permitted unless a special permit is granted by this Board.

The petitioner seeks permission to remove fill in order to level the land involved for two house lots. It was alleged at the hearing that the Town has lowered its abutting property on one side and the Temple Beth Elohim has lowered its property on the other side. For this reason it is the desire of the petitioner to remove the existing mound to meet the level of the adjoining properties. A plot plan was submitted, drawn by Gleason Engineering Company, dated December 4, 1962, which showed the existing grades of the property as well as the proposed grades.

Conclusion

This is a petition for permission to remove and sell fill from the petitioner's property in order to level the property for house lots.

It is the unanimous opinion of the Board that the desired removal, if performed in accordance with the plan on file and under the conditions hereinafter imposed, will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious or offensive to the neighborhood. The Board finds that the proposed removal is necessary in order to prepare the land for house lots which will improve the property as

well as the neighborhood.

Accordingly the requested permission is granted subject to the following conditions:

1. That no loam shall be removed from said property.
2. That during the removal of fill all possible safeguards shall be used to prevent excessive blowing of dust and to prevent any spilling of fill from trucks on the traveled way.
3. That all work shall be performed in accordance with the plan submitted and on file with this Board drawn by Gleason Engineering Company, dated December 4, 1962.
4. That as soon as practicable following removal of fill all surfaces shall be loamed, and if not built upon, shall be planted to grass, trees or shrubs and such plantings shall be maintained in living condition or replaced.
5. That said removal of fill, loaming and planting shall be under the supervision of the Inspector of Buildings and Town Engineer and shall be completed by June 30, 1963.

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 RECEIVED
 TOWN ENGINEER
 TOWN OF LITTLE FALLS

Richard O. Aldrich
 Richard O. Aldrich

F. Lester Fraser
 F. Lester Fraser

Dana T. Lowell
 Dana T. Lowell

Filed with Town Clerk _____