

TOWN OF WELLESLEY



MASSACHUSETTS

64-54

BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
TELEPHONE
CE 5-1664

Petition of Antonio Lambert, Jr.

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 8:05 p.m. on December 2, 1964, on the petition of Antonio Lambert, Jr. to sell Christmas trees on the premises owned by him and situated at 139 Worcester Street from December 4th through December 25th, 1964, as provided under Section XXIV of the Zoning By-law.

At the hearing the petitioner was represented by Richard L. Wilder, his counsel.

On November 9, 1964, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

Under Section XXIV of the Zoning By-law, the Board of Appeal may grant temporary and conditional permits for non-conforming uses in any district in the Town for a period of not more than one year at a time when it finds after a public hearing that a real need exists, and that the proposed non-conforming use will not substantially reduce the value of any property within the district.

The property involved is part of a farm located on the Worcester Turnpike within a single-residence district in which products raised on the premises may be sold at retail to the consumer.

The petitioner seeks permission to sell Christmas trees from a vegetable stand on the property during the holiday season. This Board has granted permission to him for a similar request for several years and it is his desire to sell the trees again this year for a limited period of time. It was pointed out that the petitioner cannot make a living merely farming the land and he needs the sale of the Christmas trees to augment his income.

Decision

The Board finds that a real need exists for the proposed use of the property for the time specified and that such use will not substantially reduce the value of any property within the district or otherwise injure the neighborhood.

Accordingly, the permission is granted as requested to sell Christmas trees on the premises involved from the time specified namely, December 4th through December 25th, 1964, upon the condition that no cars shall be parked at any time on the Worcester Turnpike in front of the petitioner's property.

Garrett S. Hoag
Garrett S. Hoag

F. Lester Fraser
F. Lester Fraser

Dana T. Lowell
Dana T. Lowell

Filed with Town Clerk _____

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