

TOWN OF WELLESLEY



MASSACHUSETTS

72-64

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BOARD OF APPEAL

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Petition of Penn Central Transportation Company

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 8:30 p.m. on December 7, 1972, on the petition of the Penn Central Transportation Company, requesting a renewal of a permit issued to it a year ago to continue to use a Class V Telephone Pole on property owned by the Town of Wellesley, located on Maugus Hill, Wellesley Hills, as provided under Section XXIV-E of the Zoning By-law.

On November 21, 1972, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner was represented at the hearing by David W. Walsh, attorney.

Statement of Facts

The property involved is located within a Single-residence District, in which the continued use of the property is not permitted unless a special permit is granted by the Board of Appeal.

The petitioner now seeks a renewal of the permit issued by this Board a year ago which will allow continued use of the pole for another year. The pole is used in connection with a radio system automatically relaying radio telephone conversations and radio messages from Worcester for the petitioner's Police Department and better protection for the Railroad property as well as a better control of itinerant trespassers.

It was stated at the hearing that there have been no changes in the circumstances during the past year.

Decision

The Board feels that the petitioner has a real need for the pole which has proved to be most beneficial during the past years, and in its opinion, its continued use will not substantially reduce the value of any property within the district or otherwise injure the neighborhood. The evidence would not warrant a variance under Chapter 40A, Section 15, of the General Laws.

Accordingly, a temporary permit for the continued use of the facility requested, as described in the permit granted by this Board and recorded by the Town Clerk on August 15, 1961, is granted in accordance with the plans submitted and on file with this Board on condition that said permit shall expire one year from the filing hereof with Town Clerk.

Filed with Town Clerk

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