

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181STEPHEN S. PORTER, Chairman  
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Executive Secretary  
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81.55

Petition of Myrtle Lambert

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Wednesday, September 30, 1981, at 8 p.m. on the Petition of Myrtle Lambert, requesting a Variance to sell Christmas trees on the premises of 139 Worcester Street from December 1, 1981 through December 25, 1981, as provided under Section XXIV-D of the Zoning Bylaw.

On September 2, 1981, the Petitioner filed her request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

The petitioner was not present at the hearing.

Statement of Facts

The property involved is part of a farm, located on Worcester Street within a Single Residence District, in which products raised on the premises may be sold at retail to the consumer.

Section XXIV-D of the Zoning Bylaw allows this Authority to grant a Variance for an activity or use not otherwise permitted in the zoning district in which the land or structure is located, provided, however, that such Variance properly granted prior to January 1, 1976, may be extended on the same terms and conditions that were in effect for such Variance upon said effective date.

The Zoning Board of Appeals has granted permission to the petitioner to sell Christmas trees at the location involved for approximately fifteen years. Off street parking will be provided for the customers and no cars will be parked on Worcester Street. The premises will be cleared of all Christmas trees by December 25, 1981.

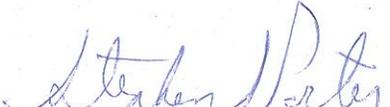
Decision

The Authority feels that there is still a need for the requested non-conforming use of the property and that such use will not substantially reduce the value of any

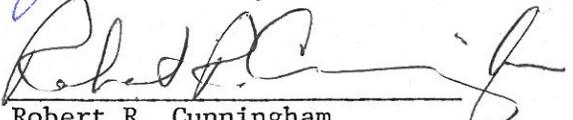
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property within the district or otherwise injure the neighborhood.

Accordingly, a Variance is granted as requested to sell Christmas trees on the premises involved for the specified period of time, namely, December 1, 1981 through December 25, 1981, providing that no cars shall be parked at any time on Worcester Street in front of the petitioner's property incidental to the selling of Christmas trees.

  
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Stephen S. Porter, Chairman

  
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John A. Donovan, Jr.

  
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Robert R. Cunningham

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