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KINGSBURY BROWNE, JR.
OF COUNSEL

August 23, 1972

Messrs. Richard O. Aldrich
Dana T. Lowell
F. Lester Fraser

Board of Appeal
Town Hall
Wellesley, Massachusetts 02181

Gentlemen:

This is to confirm my conversation with Miss Katharine Toy on Tuesday, August 22nd, in which I advised Miss Toy that the reason for our failure to appear at the meeting of the Board of Appeal held on August 17, 1972 in regard to our petition for a variance was due to our failure to receive any notice of such hearing.

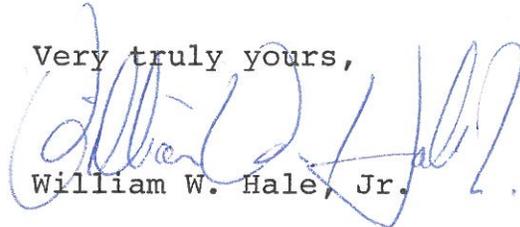
My wife and I were vacationing in Maine and did not return to our home in Wellesley until Saturday, August 19th. Incredible as it may seem and contrary to our written instructions, the United States Postal Service failed to forward to our vacation address in Maine approximately six items of first class mail, one of which was the notice from the Board of Appeal indicating that the hearing was to be held on August 17th. Thus, we did not receive this notice or have any knowledge of the hearing until August 21st when we obtained our third class mail and the six items of first class mail which were not forwarded.

As Miss Toy will advise you, we made every effort to determine, prior to our departure on vacation in mid-July, as to the probable date of the hearing. At that time Miss Toy was unable to specify an exact date and, indeed, was not clear that a meeting would be scheduled in August. In addition, in Miss Toy's letter of July 20th which was forwarded to our vacation address, it was again indicated that no date had been set for the hearing.

In any case we wish to apologize for our failure to appear and request that this petition be granted, or, if the Board deems it necessary, that this petition be set down for hearing

at the next scheduled meeting of the Board of Appeal. In support of this request, we enclose a letter from Mrs. Jean Martinez, who we understand from Miss Toy appeared at the hearing, indicating that she appeared as a matter of personal interest and not to object to the granting of the variance. We further understand from Miss Toy that Mrs. Charles V. Reynolds of 61 Kenilworth Road appeared at the hearing. Prior to filing our petition, I reviewed our plans with Mr. Reynolds and the reasons for the variance and he indicated there was no objection. Mr. and Mrs. Reynolds are presently vacationing on Martha's Vineyard and Mr. Reynolds confirmed by telephone to me today that Mrs. Reynolds also appeared as a matter of personal interest, that they have no objection to the variance and that he will meet with Miss Toy on Monday, August 28th, to confirm this. We are also enclosing a letter from our Architect, Mr. Gustav Hagen, outlining the matters he would have covered at the hearing had we received notice.

Very truly yours,

A handwritten signature in blue ink, appearing to read "William W. Hale, Jr.", is written over the typed name. The signature is fluid and cursive, with a large initial "W" and "H".

William W. Hale, Jr.

WWH:vpf

Enclosures

cc: Mr. and Mrs. Eugene Martinez
51 Kenilworth Road

cc: Mr. and Mrs. Charles V. Reynolds
61 Kenilworth Road