



## BOARD OF APPEAL

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65-31

Petition of The New York Central Railroad 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 8:15 p.m. on September 15, 1965, on the petition of The New York Central Railroad 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 Chapter 40A, Section 15, of the General Laws and Section XXIV of the Zoning By-law.

The petitioner was represented at the hearing by Richard J. Ferriter, its attorney.

On August 26, 1965, the petitioner requested a hearing before this Board 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 zone, a zone in which the proposed 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 connect on 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.

Decision

The Board feels that the petitioner has a real need for the pole which has proved to be most beneficial during the past year, 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 does 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 at the expiration of one year from the filing hereof with the Town Clerk.

*Richard O. Aldrich*  
 Richard O. Aldrich

*F. Lester Fraser*  
 F. Lester Fraser

*Edward T. Kilmain*  
 Edward T. Kilmain

Filed with Town Clerk \_\_\_\_\_

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