



BOARD OF APPEAL

RICHARD O. ALDRICH  
DANA T. LOWELL  
F. LESTER FRASER

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Petition of R. H. Long Motor Sales 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 8:05 p.m. on September 26, 1968, on the petition of R. H. Long Motor Sales Company, requesting permission to conduct a wholesale and retail automobile parts business at 141 Linden Street. Said request is made under the provisions of Section XI, 11 and Section XXIV, D. of the Zoning By-law.

On August 16, 1968, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

J. Walter Tuttle, attorney, represented the petitioner at the hearing.

Robert L. DiSchino, 141 Linden Street, expressed his concern regarding the proposed operation and requested that some consideration be given to the residential property owners in the area with respect to pick-ups and deliveries of automobiles, automobile parts and materials. He suggested that they be made through the roadway on the east side of the building and that an effort be made to see that customers do not violate the no parking ban across the street.

Statement of Facts

The property involved which consists of a parcel containing 33,552 square feet of land with a building thereon, is zoned for business a distance of 100' back from Linden Street and the balance of the property in the rear is zoned for industrial purposes. The conduct of a wholesale and retail parts business is permitted in the industrial portion of the premises, but a wholesale parts business is not a permitted use in the business zoned portion of the premises.

The petitioner has owned the property since 1943, and operated an automobile sales and service station until 1958. Since then it has been leased to another automobile agency and operated in a similar manner.

The petitioner has entered into a lease with New England Automotive Distributors Co., Division of Boston Foreign Cars, Inc. conditioned upon the leasee being able to conduct a wholesale and retail automobile parts business including without limitation the right to purchase from manufacturers and others, receive, store, distribute and sell at wholesale, to wholesale and retail dealers and others, automobile parts and equipment, and further permitting such accessory uses as are customary or incidental to any such use.

Permission, therefore, is requested by the petitioner for the above-mentioned use of the property under the provisions of Section XI, 11 and Section XXIV of the Zoning By-law. The petitioner feels that the proposed use will not substantially reduce the value of any property within the district

and will not otherwise be injurious, obnoxious or offensive to the neighborhood. It further feels that said use will not tend to impair the status of the neighborhood; that it will be in harmony with the surrounding area and that the public convenience and welfare will be substantially served.

Decision

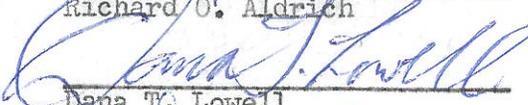
This case comes before this Board because a wholesale business is not permitted within a Business District unless it is found that it is, "Similar to one or more of the uses specifically authorized" by Section XI of the Zoning By-law.

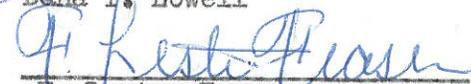
The Board finds that the requested use is similar to one or more of the uses specifically authorized by paragraphs 4 and 8 of Section XI of the Zoning By-law, specifically a store, salesroom, showroom, public or private garage, storage or parking of motor vehicles, gasoline filling station, printing plant or telephone exchange, and that the proposed use will not substantially reduce the value of any property within the district and will not be dangerous, injurious, obnoxious or offensive to the neighborhood by reason of noise, vibration, smoke, cinders, odor, gas, fumes, dust, chemicals, or other objectionable feature.

Accordingly, the requested permission is granted subject to the following conditions:

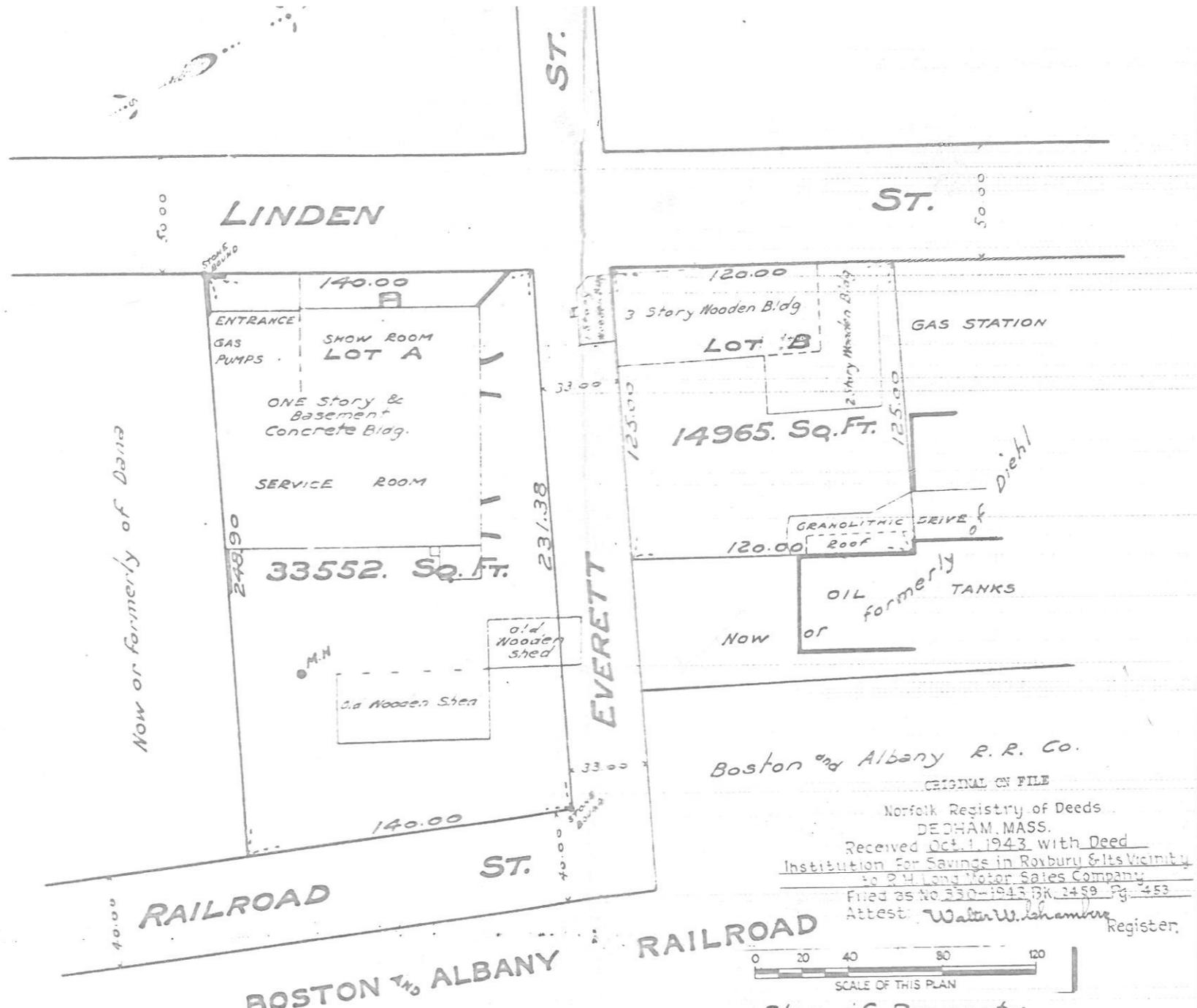
1. That all truck deliveries or pick-ups, whenever practicable, shall be made from the road on the east side of the building and not from Linden Street.
2. That all lights including signs shall be shut off no later than 10:00 p.m.

  
Richard O. Aldrich

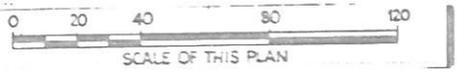
  
Dana T. Lowell

  
F. Lester Fraser

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



Boston and Albany R. R. Co.  
 ORIGINAL ON FILE  
 Norfolk Registry of Deeds  
 DEDHAM, MASS.  
 Received Oct. 1, 1943 with Deed  
 Institution For Savings in Roxbury & Its Vicinity  
 to P. H. Long Motor Sales Company  
 Filed as No. 350-1943 BK. 2459 Pg. 453  
 Attest: *Walter W. Chamberlain* Register.



Plan of Property  
 ~ IN ~  
**WELLESLEY - MASS.**

BOSTON, May 31, 1941  
 scale 40 Feet to an inch  
 Henry C. Milaram, Real Est. Engr.