80-48

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

WILLIAM F. CULLINANE, CHAIRMAN
STEPHEN S. PORTER
JOHN A. DONOVAN, JR.

STEPHANIE J. GOSSELIN
Executive Secretary
Telephone
235-1664

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

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 Tuesday, September 23, 1980 at 8:00 PM on the Petition of Myrtle Lambert, requesting a Variance to sell Christmas trees on the premises of 139 Worcester Street from December 1, 1980 - December 25, 1980, as provided under Section XXIV-D of the Zoning Bylaw.

On September 5, 1980, 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 spoke on behalf of her request for a Variance 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.

It was stated at the hearing that the Zoning Board of Appeals, for a number of years, has granted permission to the petitioner to sell Christmas trees at the location involved for a similar period of time. 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 24, 1980. The sale of Christmas trees at this location has been in existance for approximately fourteen years.

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

OCT 8 11 18 AM '80
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.

WELLESLEY CENTENNIAL

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181
STEPHANIE J. GOSSELIN
Executive Secretary
Telephone
235-1664

WILLIAM F. CULLINANE, CHAIRMAN
STEPHEN S. PORTER
JOHN A. DONOVAN, JR.

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

Petiton of Myrtle Lambert

the value of any 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, 1980 through December 25, 1980, 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.

William F. Cullinane
William F. Cullinane, Chairman

Stephen S. Porter
Stephen S. Porter

John A. Donovan Jr.
John A. Donovan, Jr.

OCT 8 11 18 AM '80
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.

WELLESLEY CENTENNIAL