


 ZONING BOARD OF APPEALS
 TOWN HALL WELLESLEY, MA 02181

MAY 26 10 00 AM '82

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82-32

Petition of Myrtle Lambert

The Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, September 16, 1982 at 8 p.m. on the petition of Myrtle Lambert, requesting a variance to sell Christmas trees on the premises at 139 Worcester Street from December 1, 1982 through December 25, 1982. Said request is made pursuant to Section XXIV-D of the Zoning Bylaw.

On August 27, 1982, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner was not present at the hearing. No one was present either favoring or opposing the petition.

Statement of Facts

The property involved is part of a farm and is located at 139 Worcester Street, in a Single Residence District.

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 sixteen 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, 1982.

Decision

This 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

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, 1982 through December 25, 1982, 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.

Stephen S. Porter

Stephen S. Porter, Chairman

John A. Donovan, Jr.

John A. Donovan, Jr.

Robert R. Cunningham

Robert R. Cunningham

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