



STANLEY W. LEIGHTON, CHAIRMAN  
 BURTIS S. BROWN  
 THOMAS M. REYNOLDS

## BOARD OF APPEAL

KATHARINE E. TOY, CLERK  
 TELEPHONE  
 WE. 5-1664

Petition of Venusta Cristofori

Pursuant to due notice the Board of Appeal held a public hearing in the Upper Town Hall at 8:30 p.m. on October 18, 1951 on the petition of Venusta Cristofori for permission to move a two-family dwelling, which is now located at 4 State Street, onto Lot 5, State Street, as provided under Section 2 B 7 and Section 7-E of the Zoning By-law.

Under date of October 8, 1951, the petitioner filed her written request for a hearing, and thereafter due notice of the hearing was given by mailing and publication.

The house in question is a two-family dwelling, located in a business zone, and it is the desire of the petitioner to move the dwelling to another lot on State Street approximately 165 feet beyond its present location. The proposed locus is situated in a single-residence district and approximately 130 feet from the business zone.

Under Section 2 B 7 the Board of Appeal may grant permission for a two-family residence in the single-residence zone provided that the building so used was in existence when the by-law took effect; and provided further that the Board finds that the original building can no longer be used or adapted at a reasonable expense and with a fair financial return for a use regularly permitted in the district. Under Section 7-C, no non-conforming building shall be moved until a permit has been obtained from the Inspector of Buildings which permit shall not be issued until the applicant has obtained from the Board of Appeal any permission required.

Joseph Cristofori, son of the petitioner, appeared at the hearing and stated that his mother had an agreement to purchase the house in question and desired to move it onto the lot which she has owned for some time. He felt that the house would be in keeping with the other houses in the neighborhood, and would not in any way depreciate the neighborhood.

Guyton Vaccari, 10 State Street, owner of two vacant lots in the rear of the lot in question, appeared and stated that he was definitely opposed to the granting of the permit. He explained that he originally sold the lot to the petitioner and as it was in the single-residence district, he did not place further restrictions on the land.

Reginald M. Beuttel, 15 State Street appeared and stated that he had no objections to having the house moved.

Dominic Bernardi, 6 Session Street, also appeared and spoke in favor of granting the petition. Likewise a representative for Rose Zoletti, 55 Atwood Street, also spoke in favor of granting the petition.

Gardner T. Bolster, Chairman of the Planning Board, appeared and stated that the Planning Board was opposed to the granting of the petition.

The petitioner requests permission to move a two-family dwelling which is now located in a business zone, onto a lot which is located in the single-residence zone.

Section 7-C of the Zoning By-law, expressly provides that no building shall be moved across a boundary line into a district where such a building is not authorized for a distance greater than fifty feet into the more restricted district. The location to which it is proposed to move the building in question is approximately 130 feet within the single-family zone.

It is the unanimous opinion of the Board, therefore, that it is not within the jurisdiction of the Board to grant the requested permit. Accordingly, the petition is dismissed.

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S. W. Leighton

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B. S. Brown

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T. M. Reynolds

Nov. 13, 1951.

