



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Petition of Gordon E. and Ann E. Miller

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 8:20 p.m. on March 29, 1967, on the petition of Gordon E. and Ann E. Miller requesting two modifications of the extension of a business use at 192 Worcester Street which was granted by them by the Board of Appeal on September 30, 1966. A modification was requested which would permit the construction of an addition on the side of the existing office building located within a Business District at the above address and another modification was requested which would permit the petitioners to use that portion of the existing garage located within a Business District for any use allowable within said District. Both requests would require the amendment of conditions imposed by the Board of Appeal in its decision of September 30, 1966.

The petitioners filed their request for a hearing before this Board on March 11, 1967, and thereafter due notice of the hearing was given by mailing and publication.

Henry D. White, attorney, represented the petitioners at the hearing.

The Planning Board in its report stated that it was not persuaded that the situation calls for removal of the limitation previously imposed by the Board of Appeal.

There were no objections made at the hearing to the granting of the request.

Statement of Facts

The property involved is on the southerly side of Worcester Street (Route 9) and is located partly within a Business District and partly within a Single-residence District. In 1966, this Board granted permission for the extension of a business use, specifically for parking purposes only, a distance of fifty feet across the zoning boundary line between the Business District and the Single-residence District. See Board of Appeal decision on petition of Gordon E. Miller and Ann E. Miller filed with Town Clerk on September 30, 1966.

The petitioners now seek two modifications of this decision; one which would allow an addition 13' x 35' to be constructed on the side of the office building located within a Business District and the other which would allow that portion of the existing garage, located at the rear of the property within a Business District, to be used for any use allowable within said District.

It was stated at the hearing that the proposed addition on the office building is required in order to provide additional storage space and enlarge one of the tenants' offices. No additional tenant will be provided for as a result of the proposed addition. It was also pointed out that the proposed addition will not reduce the size of the parking area as it is not within an area which cars would be parked.

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The garage located at the rear of the property is partly within a Business District and partly within a Single-residence District. Because of a condition imposed by this Board in its decision, that part of the garage located within a Business District can be used only for the parking of motor vehicles used in connection with the petitioners' business, thus imposing a limitation which is not imposed on other properties within such a district.

A plan drawn by Gleason Engineering Company, dated March 14, 1967, was submitted which showed the existing buildings on the property as well as the proposed addition.

Decision

On further consideration of the decision filed by this Board with the Town Clerk on September 30, 1966, on the petition of Gordon E. Miller and Ann E. Miller, and specifically of the conditions of the permit granted thereby, the Board is of the opinion that the desired addition may be constructed according to the plan submitted and on file with this Board and that that portion of the garage located within the Business District may be used for any allowable use within said District.

Accordingly, said decision is hereby modified by striking out the first four lines of condition No. 2, and by striking out in its entirety Condition No. 3. Condition No. 3 will read as follows: "That no additions, except the addition authorized by this decision, shall be made to the existing office building or the existing garage, nor shall any additional building be constructed without permission of this Board." Conditions No. 1 and No. 4 as set forth in the decision referred to shall remain in force.

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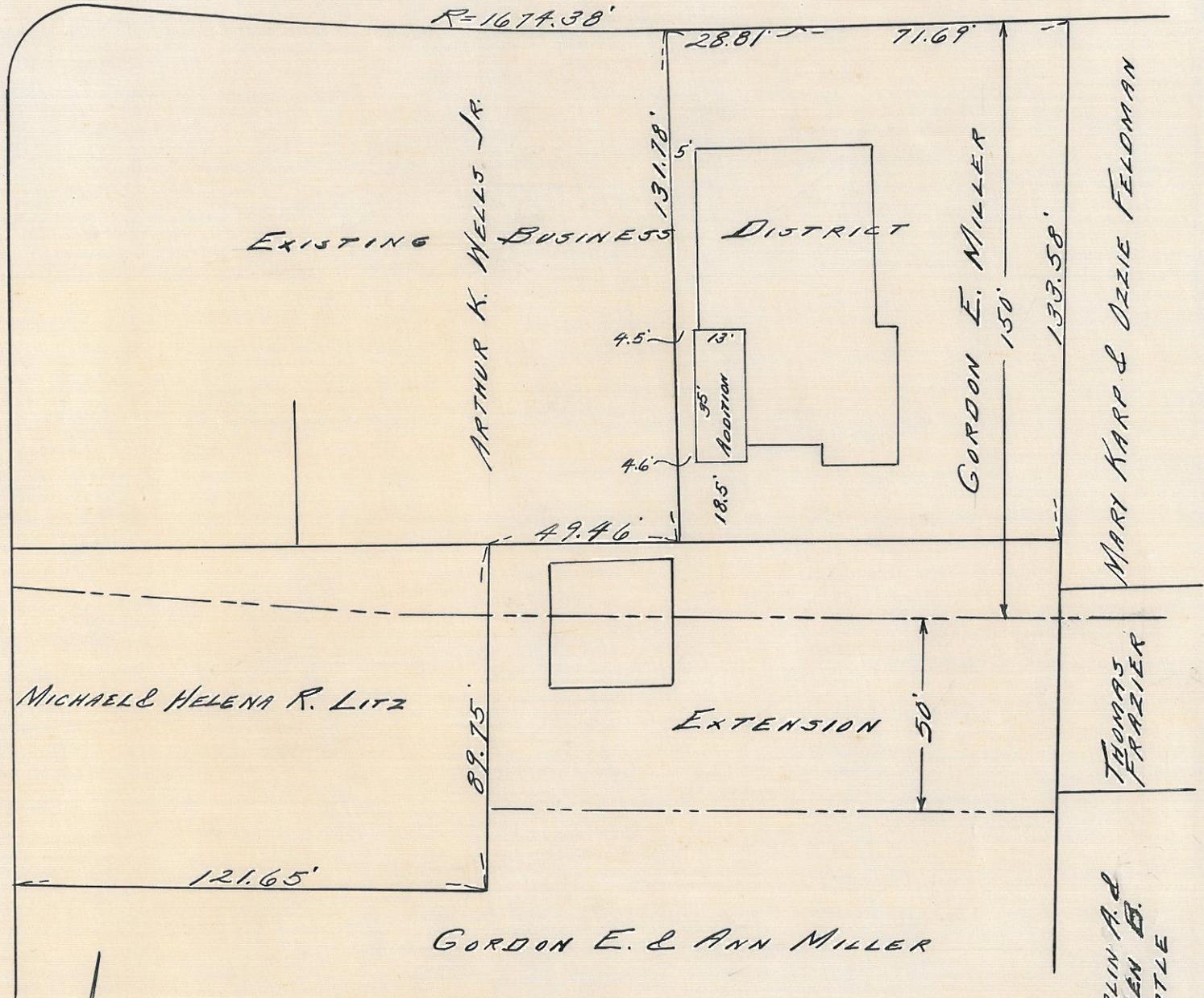
Philip H. R. Cahill
Philip H. R. Cahill
Dana T. Lowell
Dana T. Lowell
F. Lester Fraser
F. Lester Fraser

Filed with Town Clerk _____

WORCESTER STREET

CEAR STREET

CEAR STREET



PLAN OF LAND
IN
WELLESLEY, MASS.
SCALE 40 FEET TO AN INCH
MARCH 14, 1967
GLEASON ENGINEERING COMPANY

