



BOARD OF APPEAL

THEODORE C. MERLO
F. LESTER FRASER
WILLIAM O. HEWETT

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of W. Eugene and Kathryn D. Ferguson

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 8:30 p.m. on October 24, 1974, on the petition of W. Eugene and Kathryn D. Ferguson, requesting permission to distribute products made by Shaklee from their dwelling at 36 Forest Street, and to serve as a local source from which those interested can receive advice relative to the product. Said request was made under the provisions of Section XXIV-E (1) of the Zoning By-law.

On September 17, 1974, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

W. Eugene Ferguson spoke in support of the request at the hearing.

The following persons spoke in favor of the request at the hearing: Mrs. William Price, 45 Forest Street, Stanley B. Barber, 38 Laurel Avenue, Inez T. Dadomo and Rose G. Dadomo, 58 Laurel Avenue, W. Ward Fearnside, 39 Forest Street, James Gallerani, 46 Forest Street, Ralph MacGilvra, 21 Laurel Avenue, and Harold Wells, 41 Forest Street.

Letters favoring the request were received from W. Ward and Margaret Ellen Fearnside, 39 Forest Street, Dorothea Jump, 44 Laurel Avenue, Stanley B. Barber, 38 Laurel Avenue and Lucy B. Keddie, 28 Laurel Avenue.

Statement of Facts

The house involved is located within a Single-residence District, a district in which the desired use of the property is not permitted unless special permission is granted by this Board.

The petitioners seek permission to use a portion of their dwelling to distribute Shaklee Products, a food supplement and to serve as a headquarters where people can avail themselves of products made by Shaklee and can receive advice on how they can participate. Distributors come to the house to pick up the products, not more than three daily, and meetings are held for from five to ten persons who want to talk about the product and obtain further information. The house is so situated, it was stated, that there is ample space to park all the cars which may be coming on the property so that no cars need to be parked on the street which would be incidental to the business. The products are picked up either at the airport or from the company by the petitioners and brought to petitioners' dwelling where they are later picked up by the distributors. No trucks, therefore, are involved in transporting the products to or from the house.

It was explained that the petitioners have five children to educate and greatly need the extra source of income obtained from this business in order to continue financing their education. If the business is continued, they intend to find permanent quarters in a commercial building, but request a special permit now for a reasonable time.

* as well as bio-degradable household cleaning compounds, cosmetics, pet shampoos and coat conditioners.

DEC 5 1974
KATHARINE E. TOY
ADMINISTRATIVE SECRETARY

Decision

The Board has considered all the facts in this case and is of the opinion that a temporary need exists and that the proposed use, subject to the conditions hereinafter set forth, will not substantially reduce the value of any property within the district and will not otherwise injure the neighborhood.

The Board, therefore, grants the desired permission under Section XXIV-E of the Zoning By-law, subject to the following conditions:

1. That no trucks or other commercially labelled vehicles will at any time deliver or pick up materials incidental to the Shaklee products business or park on or about subject premises.
2. That no signs advertising or incidental to the business be displayed on the property or on any motor vehicle parked or standing on or about the property.
3. That said permit shall remain valid only so long as the petitioners reside on subject premises.
4. That said permit shall expire one year from this date.

Henry H. Thayer
Henry H. Thayer
F. Lester Fraser
F. Lester Fraser
William O. Hewett
William O. Hewett

Filed with Town Clerk _____

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