



## BOARD OF APPEAL

F. LESTER FRASER  
 STANLEY J. GLOD  
 WILLIAM O. HEWETT  
 FRANKLIN P. PARKER  
 FRANCIS L. SWIFT  
 HENRY H. THAYER

KATHARINE E. TOY  
 Administrative Secretary  
 Telephone  
 235-1664

Petition of William D. and Linda B. McLatchie

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 8:40 p.m. on February 19, 1976, on the petition of William D. and Linda B. McLatchie, requesting permission for the Foster-bush Studio to be operated within the residence owned by the Home Savings Bank at 2 Willow Street, as provided under Section XXIV of the Zoning By-law. The primary business of the studio would be photography, advertising design and phototypography.

On January 6, 1976, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

William D. McLatchie, spoke in support of the request at the hearing.

The following persons spoke in opposition to the request: Edward Frederick, 28 Willow Street, Louise W. Ottaway, 6 Duxbury Road, Robert W. Donahue, 29 McLean Street, Arthur S. Priver, 11 Ashmont Street, Michael Riley, 32 Willow Street and Marie M. Verde, 69 Standish Circle. All felt that a business should not be allowed to encroach into the area involved. They felt it would increase traffic in a congested area and prove detrimental to the neighborhood. Lincoln Burofsky, 6 Willow Park also opposed the request.

The Planning Board in its report opposed the petition on the basis that it represents a commercial encroachment on a residential zone.

Statement of Facts

The house involved was built in 1952 in a Single Residence District requiring a minimum lot area of 15,000 square feet.

At the hearing Mr. McLatchie stated that he would like to purchase the dwelling involved and use a part of it as a studio, and reside with his wife in the remainder of the house. He explained that he presently has his studio in the Wellesley Hills business area but felt that the proposed setup would be ideal in terms of location and would provide additional working space which he does not have currently at his studio. Because his work is primarily commercial, he would pick up most of it at the client's place of business and subsequently deliver it; therefore, it would be rare for a client to come to the house, and there should be little increased traffic as a result.

The grounds, he stated are overgrown due to the fact that the house has been unoccupied for several months, but it is his intention, if the permit is granted, to clean out the lawn and replant the grounds.

Decision

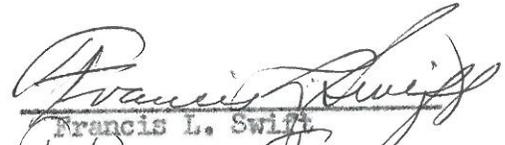
The Board has made a careful study of the evidence submitted and

have taken a view of the locus. The dwelling involved is located on the easterly corner of Route 9, (Worcester Street) and Willow Street, within a single-family district and, to the knowledge of this Board, there are no non-conforming uses in the dwellings within the neighborhood. The Board has considered the fact that the property is located on a very busy thoroughfare, within a few hundred feet of a Business District and across the street from a business complex of stores and offices. However, the Board has considered the fact as it is the intention of the petitioners to move their studio from a business district and make all the necessary changes, it appears to be for a long-term period. Under the provisions of Section XXIV-E of the Zoning By-law, the Board is restricted in such cases to granting temporary and conditional permits which may at any time be revoked.

For these reasons, it is the feeling of the Board a temporary permit in this case would not prove beneficial to the petitioners and would be contrary to the intent and purpose of the Zoning By-law, in particular as referred to in Section XXIV-E.

The Board, therefore, finds that sufficient reasons do not exist for granting the requested permit and such a use of the property could become detrimental to the value of surrounding properties.

Accordingly, the requested permit is denied and the petition dismissed.

  
Francis L. Swift  
  
F. Lester Fraser  
  
William O. Hewett

Filed with Town Clerk \_\_\_\_\_

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