



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

Appeal of World Plan Executive Council

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 8:55 p.m. on June 17, 1976, on the appeal of World Plan Executive Council from the order of the Inspector of Buildings, dated February 13, 1976, in which he ordered the Appellant to cease the use of the premises at 67 Longfellow Road for the instruction, practice or office of Transcendental Meditation, or any use not permitted by the Wellesley Zoning By-Laws. Said appeal was made pursuant to the provisions of Chapter 40A, Section 13, of the General Laws and Section XXIV - B of the Zoning By-law.

Robert L. Deutsch, Esquire, 141 Milk Street, Boston, appeared on behalf of the appellant.

Counsel for the appellant requested that the Building Inspector be sworn for the purpose of ascertaining on what basis he issued his order dated February 13, 1976. This request was denied. Thereafter, no testimony nor evidence was offered by the appellant or anyone else in support of the appeal.

On October 16, 1975, the Inspector of Buildings issued a building permit No. 17690 to construct a small addition to the premises at 67 Longfellow Road. The issuance of this permit was appealed to this Board, and a public hearing was held relative to that appeal on November 20, 1975.

This Board rendered and filed its decision on January 22, 1976, in which decision this Board found that the use of the premises "is not an allowed use under Section II of the Zoning By-law," and this Board hereby revokes, to the extent it may do so itself procedurally, and directs the Inspector of Buildings to revoke Building Permit No. 17690.

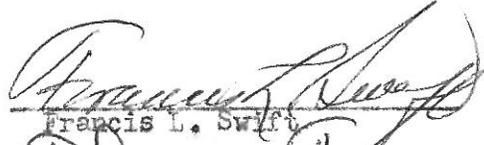
The appellant instituted its appeal from this decision to the Superior Court, Norfolk County, pursuant to M.G.L. Chapter 40A, Section 17, and bears docket number 117700 in that Court. This was done on February 11, 1976.

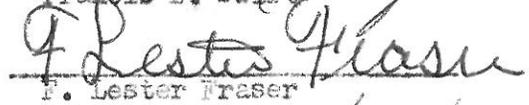
By Certified mail, the Inspector of Buildings, sent a letter to the appellant and its counsel, wherein he ordered the appellant to "immediately cease the use of the premises for the instruction, practice, or office for Transcendental Meditation, or any use not permitted by the Wellesley Zoning By-law."

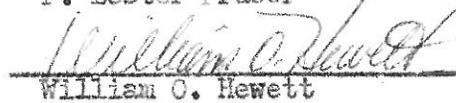
The order of the Inspector of Buildings, dated February 13, 1976, was then appealed to the Board of Appeals. Notice of public hearing was published setting forth the date of hearing on this appeal for May 6, 1976. At the request of the appellant, on the proffered reason that its principal would not be available to attend the public hearing so scheduled, this hearing was postponed. Notice was thereafter published that this appeal would not be heard on said date. The new date of June 17, 1976 was set.

On the morning of June 17, 1976, the appellant appeared at the Superior Court, Norfolk County and presented to the Court its motion for a restraining order seeking to enjoin this Board from conducting the public hearing on its appeal from the February 13, 1976 order of the Inspector of Buildings. This motion was denied.

It is the unanimous decision of this Board, that there being no basis, evidence or testimony presented to this Board upon which it could act to change, alter or revoke the order of the Inspector of Buildings, and that the Inspector of Buildings did in fact carry out the directive of this Board, this appeal from the order of the Inspector of Buildings is dismissed.


Francis L. Swift


F. Lester Fraser


William C. Hewett

Filed with Town Clerk _____

RECEIVED
MILITARY EXCHANGE
TOWN OFFICE
JULY 22 1976
JUNE 17 4 00 PM '76