

COMMONWEALTH OF MASSACHUSETTS  
CITY OF GARDNER  
ZONING BOARD OF APPEALS  
DECISION

RECEIVED  
2014 MAY 9 AM 9 44  
CITY CLERK'S OFFICE  
GARDNER MA

NAME: Wass Arthur Signs for Lawrence M. DuBuske, MD  
ADDRESS: 358 Elm Street, Gardner, MA 01440

DECISION OF THE BOARD OF APPEALS REGARDING THE USE OF THE PREMISES LOCATED ON:  
358 Elm Street  
Parcel ID #R22-24-34

IN THE CITY OF GARDNER, THE PREMISES BEING MORE PARTICULARLY DESCRIBED IN A DEED DULY RECORDED IN WORCESTER DISTRICT REGISTRY OF DEEDS Book 08641, Page 2

ON APPLICATION DATED January 21, 2014 FOR A Variance TO:  
Install a free standing sign at 358 Elm Street, Gardner, MA. Parcel ID Number R22-24-34. Denied a building permit by the Building Commissioner because it does not comply with Chapter 675, Article 9, Signs and Advertising Devices, Section 950, of the Gardner City Code.

The Gardner Zoning Board of Appeals at its April 15, 2014 meeting voted unanimously deny a Variance under Section 675-950 to Wass Arthur Signs for Lawrence M. DuBuske, MD to install signage at 358 Elm Street, Gardner, MA.

The Public Hearing was held on March 18, 2014. The Board conducted a site visit on March 29, 2014.

The Board in its decision determined that the proposed sign did not maintain and was an infringement upon the character of the residential neighborhood zone in which it was proposed. Several signs identifying this business already exist.

ANY PERSON AGGRIEVED BY A DECISION OF THE BOARD OF APPEALS OR ANY SPECIAL PERMIT/VARIANCE GRANTING AUTHORITY, WHETHER OR NOT PREVIOUSLY A PARTY TO THE PROCEEDING, OR ANY MUNICIPAL OFFICER OR BOARD MAY APPEAL EITHER TO THE SUPERIOR COURT, DISTRICT COURT, OR LAND COURT DEPARTMENT OF THE TRIAL COURT FOR THE COUNTY IN WHICH THE LAND CONCERNED IS SITUATED BY BRINGING AN ACTION WITHIN TWENTY (20) DAYS AFTER THE DECISION HAS BEEN FILED IN THE OFFICE OF THE CITY OR TOWN CLERK. (M.G.L. SECTION 17, CHAPTER 40A)

A COPY OF THIS DECISION HAS THIS DAY BEEN FILED WITH THE PLANNING BOARD AND THE CITY CLERK, CITY OF GARDNER:

CERTIFIED THIS 9th DAY OF May, 2014

Raymond F. LaFond dx  
Raymond F. LaFond, Chairman

Michael D. Gerry dx  
Michael D. Gerry, Acting Clerk

Anthony J. Asmar dx  
Anthony J. Asmar, Third Member

I, Alan L. Agnelli, City Clerk, City of Gardner, hereby certify the attached decision by the Zoning Board of Appeals was filed with my office on \_\_\_\_\_ and that twenty days have elapsed since the filing of said decision with my office and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Alan L. Agnelli, City Clerk