

COMMONWEALTH OF MASSACHUSETTS
CITY OF GARDNER
ZONING BOARD OF APPEALS
DECISION

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CITY CLERK'S OFFICE
GARDNER MA

NAME: Hillman Property Management LLC
ADDRESS: 62 Chapman Park, Gardner, MA 01440

DECISION OF THE BOARD OF APPEALS REGARDING THE USE OF THE PREMISES LOCATED ON:
497 - 505 Chestnut Street

IN THE CITY OF GARDNER, THE PREMISES BEING MORE PARTICULARLY DESCRIBED IN A DEED DULY RECORDED IN WORCESTER DISTRICT REGISTRY OF DEEDS:

BOOK 32495 PAGE 278

ON APPLICATION DATED August 20, 2012 FOR A **Special Permit** TO:
Operate/construct a restaurant at 497-505 Chestnut Street (Parcel ID # R22/23/13), Gardner, MA. Denied a building permit by the Building Commissioner because it does not comply with Section 7 Off-Street Parking and Loading Standards, 750 Schedule of Parking Uses, in Commercial 2 Zoning District, of the Gardner Zoning Ordinance.

On September 18, 2012, the Gardner Zoning Board of Appeals voted unanimously to accept the withdrawal of the Kevin Cancellieri's application for the above Special Permit at 497-505 Chestnut Street, Gardner, MA. The withdrawal of the application was without prejudice.

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 27th DAY OF September, 2012

Raymond F. LaFond *dk* Randall W. Heglin *dk* Michael D. Gerry *dk*
Raymond F. LaFond, Chairman Randall W. Heglin, Clerk Michael D. Gerry, 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 September 27, 2012 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.

October 18, 2012
Dated

Alan L. Agnelli
Alan L. Agnelli, City Clerk