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CITY CLERKS OFFICE  
GARDNER, MA

COMMONWEALTH OF MASSACHUSETTS  
CITY OF GARDNER  
ZONING BOARD OF APPEALS  
**DECISION**

NAME: Michael Botte Paul Barba  
ADDRESS: 40 Circuit Lane, Waltham, MA 02453 126 Willis Road, Gardner, MA 01440

DECISION OF THE BOARD OF APPEALS REGARDING THE USE OF THE PREMISES LOCATED ON:

**14 - 18 East Broadway**

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

**BOOK 11476 PAGE 308**

ON APPLICATION DATED November 6, 2009 FOR A **SPECIAL PERMIT** TO:  
Convert property at 14 - 18 East Broadway, Gardner, MA to a four family dwelling. Denied a building permit by the Building Commissioner because it does not comply with Section 4, 415 Table of Uses, #5 Multifamily dwelling, in Commercial I Area, of the Gardner Zoning Ordinance.

**On January 26, 2010, the Gardner Zoning Board of Appeals voted unanimously to accept the withdrawal of Michael Botte and Paul Barba's application for the above Special Permit at 14 - 18 East Broadway, 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 January, 2010

*Raymond F. LaFond (d)* *Randall Heglin (d)* *Michael Gerry (d)*  
Raymond F. LaFond, Chairman Randall Heglin, Clerk Michael Gerry, Third Member

I, Kathleen M. Lesneski, 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