

COMMONWEALTH OF MASSACHUSETTS  
CITY OF GARDNER  
ZONING BOARD OF APPEALS  
DECISION

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CITY CLERKS OFFICE  
GARDNER, MA

NAME: Wayne D. Johnston and Eileen F. Johnston  
ADDRESS: 34 Woodland Avenue, Gardner, MA 01440

DECISION OF THE BOARD OF APPEALS REGARDING THE USE OF THE PREMISES LOCATED ON:  
295 Timpany Boulevard

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

BOOK 5505 PAGE 70

ON APPLICATION DATED January 19, 2010 FOR A **SPECIAL PERMIT** TO:  
Your request to convert a resident dentist office plus apartment to an office building with two (2) apartments at 34  
Woodland Avenue, Gardner, MA, is denied as it does not comply with Section 4, 415 Table of Uses, #29 and #30,  
in Single Family Residential I Area, of the Gardner Zoning Ordinance.

**On February 16, 2010, the Gardner Zoning Board of Appeals voted unanimously to accept the withdrawal,  
without prejudice, on Wayne D. and Eileen F. Johnston's application for the above Special Permit at 34  
Woodland Avenue, Gardner, MA.**

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 17th DAY OF February, 2010

Randall Heglin (d)  
Randall Heglin, Chairman Pro Tem

Michael Gerry (d)  
Michael Gerry, Clerk

Anthony Asmar (d)  
Anthony 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