

COMMONWEALTH OF MASSACHUSETTS
CITY OF GARDNER
ZONING BOARD OF APPEALS
DECISION

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CITY CLERKS OFFICE
GARDNER, MA

NAME: Francis A. D'Ambrosio, Jr., M.D. President, D'Ambrosio Eye Care, Inc.
ADDRESS: 479 Old Union Turnpike, Lancaster, MA 01523-3029

DECISION OF THE BOARD OF APPEALS REGARDING THE USE OF THE PREMISES LOCATED ON:
351 West Broadway

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

BOOK 8256 PAGE 138

ON APPLICATION DATED September 21, 2010 FOR A **Special Permit** TO:
Demo a residential property at 351 West Broadway, Gardner, MA and build a 5,700 square foot mixed use
building. (Denied a building permit by the Building Commissioner because it does not comply with Section 4,
415 Table of Uses, #29 Mixed Use in General Residence III Area, of the Gardner Zoning Ordinance.)

On January 18, 2011, the Gardner Zoning Board of Appeals voted unanimously to accept the withdrawal of
D'Ambrosio Eye Care, Inc. application for the above Special Permit for 351 West 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 26th DAY OF January, 2011

Raymond F. LaFond dx Michael D. Gerry dx Anthony J. Asmar dx
Raymond F. LaFond, Chairman Michael D. Gerry, Clerk 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 January 26, 2011 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.

February 16, 2011
Dated

Alan L. Agnelli
Alan L. Agnelli, City Clerk