

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Squire Circle Associates, Inc.

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:55 p.m. on March 19, 1970, on the petition of Squire Circle Associates, Inc., requesting a special permit under the provisions of Section XXIIIA, Part C, Subpart 3. a. 7 (b) and Part E. of the Zoning By-law which will allow the applicant to erect two standing flag poles with Sozio Corporate Flags at 999 Worcester Street.

On February 26, 1970, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Nicholas V. Scali, attorney, represented the petitioner at the hearing.

No objections were made at the hearing to the granting of the request.

Statement of Facts

The petitioner recently purchased the property involved and seeks permission to erect two standing flag poles with the Sozio corporate flag. The flags will be 4' x 6', erected on aluminum poles twenty-five feet in height, with the word "Sozio" in white letters on a green background. It was stated that there would also be an American flag erected, similar in size and height for which no permit is required. The corporate signs, if erected, will be located 34' and 45' back from Worcester Street and approximately 35' from the side boundary lines. A sketch and design of the flag poles as well as a plot plan showing the proposed location of the poles were submitted at the hearing.

It should be noted that the petitioner on February 26, 1970 filed two other petitions, one for an extension of the business use of the premises a distance of 50 feet northward into a part of the premises zoned for residence purposes, and one for permission to erect a standing sign. Both of these petitions were previously granted by the Board subject to certain conditions as set forth therein.

Decision

The Board is unable to make findings to the effect that the proposed flag poles will be in harmony with the general purpose and intent of

Section XXIIIA of the Zoning By-law and will not be injurious to the neighborhood nor to traffic and safety conditions, nor otherwise detrimental to the public safety and welfare.

It has come to the attention of the Board that since the petitioner was authorized to erect its standing sign and to use the land at the rear of the premises for business parking, the petitioner in several instances performed acts, in one case continued for several weeks, which not only violated the specific conditions under which the prior permits were granted but also constituted violations of the provisions of the Zoning By-law.

The permit to use the rear of the premises for business parking specifically provides that for violation of any of its conditions the permit granted might be revoked without notice or hearing, and the Board believes that it will be in the public interest to place the petitioner on notice that they will be so revoked in the event that further violations are brought to the attention of the Board.

The Board believes that under all the circumstances, to allow the addition of two flag poles and flags bearing advertising material in the area involved in this petition would be inconsistent with the express purpose and intent of that part of the Zoning By-law covering Signs and Advertising Devices.

Accordingly, the petition is denied.

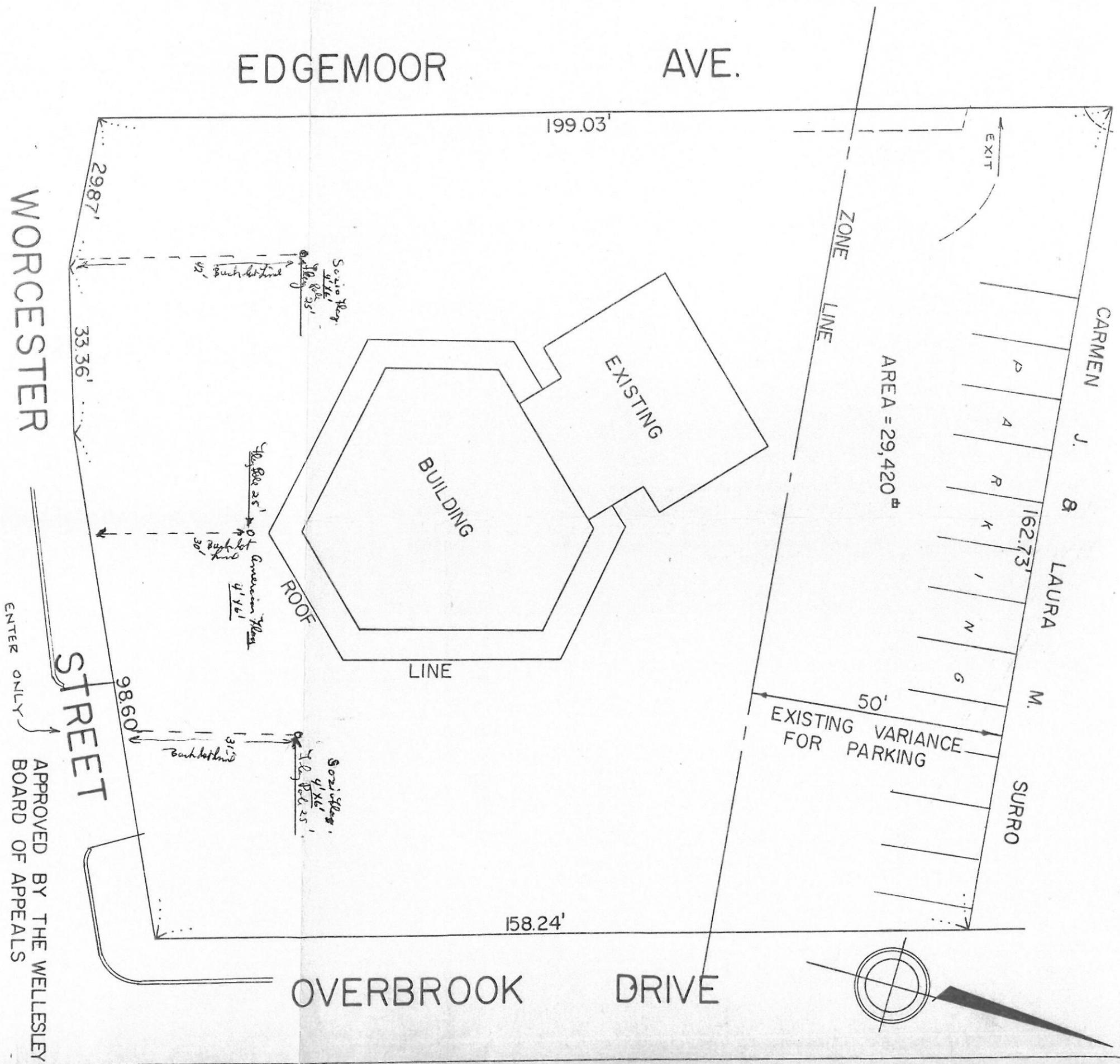

Philip H. R. Cahill

Dana T. Lowell

F. Lester Fraser

Filed with Town Clerk _____

RECEIVED
TOWN CLERK'S OFFICE
MAY 11 1967
8:28 AM



PLAN OF LAND IN WELLESLEY, MASS.

SCALE: 1" = 20'

FEBRUARY 17, 1970

PLAN BY: MACCARTHY ENGINEERING SERVICE, INC. NATICK, MASS.



APPROVED BY THE WELLESLEY BOARD OF APPEALS

 DATE _____