

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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1999 JUL -8 A 10:07

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ZBA 99-44

Petition of Anthony Cosimini
The Cat's Hospital
459 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 24, 1999 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ANTHONY COSIMINI requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to allow his externally illuminate double-sided standing sign identifying THE CAT'S HOSPITAL, with a total area of 48 square feet (24 square feet/panel) at a height of 10 feet, and with the required setback of 17 feet from the front property line, to have a minimum right side yard setback of 10 feet, at his premises at 459 WORCESTER STREET, in a Business District.

On June 7, 1999, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Anthony Cosimini, who said he would like to have the sign situated in the requested location as the lot is narrow in the front and he is unable to meet the 15 foot side yard setback without moving the sign back almost to the building, which would limit the visibility of the sign to motorists, creating potential traffic problems.

The Board commented that there is an existing "Gulf" sign on the property, and questioned whether Dr. Cosimini owned the premises. Dr. Cosimini replied that he owned the property, and that the Purchase & Sale agreement conditioned that the sign be removed. It should have been removed by now, but will be done.

The Board expressed concern as to traffic safety for vehicles entering and exiting the property, as the access is through a cross easement from the Gulf property to the left of the site. Dr. Cosimini said that his brochure suggests using the fire station to turn around or access from Route 16, so that vehicles will not turn straight into the traffic. The fire station provides public access at the light.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 459 Worcester Street, in a Business District, on a lot with no direct access onto Worcester Street. A cross easement to the Gulf Station, which is the direct abutter to the west

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of the premises, will provide access through existing curb cuts. The premises was previously used by Gulf as a training facility for employees. Dr. Cosimini purchased the property for use as a veterinary hospital for the treatment of cats.

The petitioner is requesting a Special Permit to allow his externally illuminated double sided standing sign identifying the premises as "The Cat's Hospital", with a total area of 48 square feet, at a height of 10 feet, and with a conforming front setback of 17 feet, to have a minimum right side yard setback of 10 feet rather than the required 15 feet.

A copy of the ANR Plan (PBC 98-9) dated 11/18/98, drawn by Samuel A. White, Jr., Professional Land Surveyor; an enlargement of the right front corner of the lot showing the location of the sign; a drawing of the sign prepared by RG Signs & Graphics; and photographs were submitted.

On May 20, 1999, the Design Review Board held a review of the sign and made recommendations as to height, area, shape, design and setback. The Board then voted unanimously to approve the sign as modified. The petitioner's application to the Board of Appeals has incorporated all of the requested modifications.

On June 22, 1999, the Planning Board reviewed the petition and had no objection to granting of the request based on the recommendations of the Design Review Board.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

The petitioner is requesting a Special Permit for a sign at 459 Worcester Street to identify The Cat's Hospital. This Authority is of the opinion that the proposed externally illuminated double-sided standing sign is in harmony with the general purpose and intent of Section XXIIA in regard to height, area, illumination, and front setback. The Board is of the further opinion that the sign would not be easily visible to vehicular traffic if set back the required 15 feet from the right side lot line, and that the proposed site of the sign will not derogate from the intent or purpose of Section XXIIA of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the proposed sign as shown in the proposed drawings to be located 17 feet from the front property line and 10 feet from the right side property line, subject to the condition that said sign not be installed until the existing Gulf sign is removed from the premises.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of an application. Said sign shall not be installed until this permit has been issued and the existing Gulf sign removed.

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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
edg Inspector of Buildings

Kendall P. Bates

Kendall P. Bates, Chairman

Richard L. Seegel

Richard L. Seegel

Cynthia S. Hibbard

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80"
72"

LIGHT
FIXTURE
- SINGLE
LAMP (72")
EACH
SIDE



4'

10'

DOUBLE FACE ALUMINUM SIGN
BLACK GRAPHICS ON WHITE FIELD

4"x4" STEEL TUBES -
PAINTED MATE BLACK

LONG'S OFFICE
WELLESLEY, MA 02181

JUN - 7 A 11:57

CONCRETE

4'

SCALE - 3/32" = 1"



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