



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL
Executive Secretary
Telephone
~~281-1004~~
431-1019

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

RECEIVED
CLERK'S OFFICE
WELLESLEY MASS.
APR 15 9 48 AM '85

85-17

Petition of Catherine H. Early and Sunoco
2 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 25, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, on the petition of Catherine H. Early and SUNOCO requesting a variance from the terms of Section XIX and XI of the Zoning Bylaw to allow the construction of a two column canopy approximately 24 feet by 36 feet covering the gasoline pumps at the SUNOCO Station at 2 Washington Street at the corner of River Street, leaving less than the required front yard setback from River Street. Said property is located in a Business District, said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On April 1, 1985, the petitioner requested 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 John DeVito, attorney and Chris Barry from Sunoco. Mr. DeVito stated that a canopy is proposed over the gasoline pumps similar to a photo presented and according to plans submitted. A variance is requested for the setback from River Street.

No others were present favoring or opposing the request.

Statement of Facts

The property in question is located at 2 Washington Street at the corner of River Street, containing 8,644 square feet, in a Business District. The property is owned by Catherine H. Early and leased by Sunoco. The petitioners were represented by Roland A. Cormier, Esquire, 376 Washington Street, Wellesley.

Sunoco wishes to upgrade the gasoline station and to construct a canopy approximately 36' by 24' over the gasoline pumps. A variance is requested for the proposed setback from River Street. A Special Permit is requested separately (ZBA Case 85-18) to allow an illuminated sign on the canopy.

A Plot Plan was presented, drawn by Louis F. Bruno, Registered Land Surveyor of LKF Consultants Inc., Needham. Construction sketches were submitted, drawn by Madison Industries Inc. of GA., dated 5/17/84, as were photos.

Petition of Catherine H. Early and Sunoco
2 Washington Street

The Planning Board, in a letter dated April 23, 1985, stated the following: "At its Regular Meeting of April 22, 1985, the Planning Board moved, seconded and voted to offer no comment on this petition. No variance should be required for this project. ZBA exempts pre-1939 Business zoned land fronting on certain streets from the front yard requirements."

Decision

This Authority has made a careful study of the evidence submitted. The petitioner is requesting a variance to construct a canopy 36' by 24' with less than the required setback from River Street.

It is the opinion of this Authority that because the property lies in a Business District and is a corner lot, a literal enforcement of the provisions of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

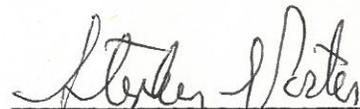
Therefore, the requested variance is granted to construct the canopy approximately 36' by 24' as shown on the Plot Plan by Louis F. Bruno, Registered Land Surveyor, dated December 17, 1984, coming no closer than 18.38 feet from the property line at River Street.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

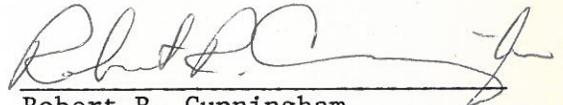
APPEALS FROM THIS DECISION,
 IF ANY, SHALL BE MADE PURSUANT
 TO GENERAL LAWS, CHAPTER 40A,
 SECTION 17, AND SHALL BE FILED
 WITHIN 20 DAYS AFTER THE DATE
 OF FILING OF THIS DECISION IN
 THE OFFICE OF THE TOWN CLERK.

cc: Planning Board

mam



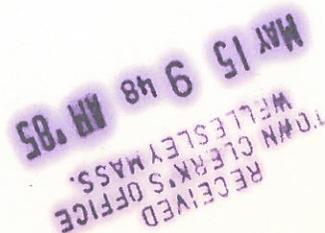
Stephen S. Porter, Chairman



Robert R. Cunningham



William E. Polletta



PLOT PLAN
SUNOCO SERVICE STATION
 2 WASHINGTON STREET
 WELLESLEY, MA

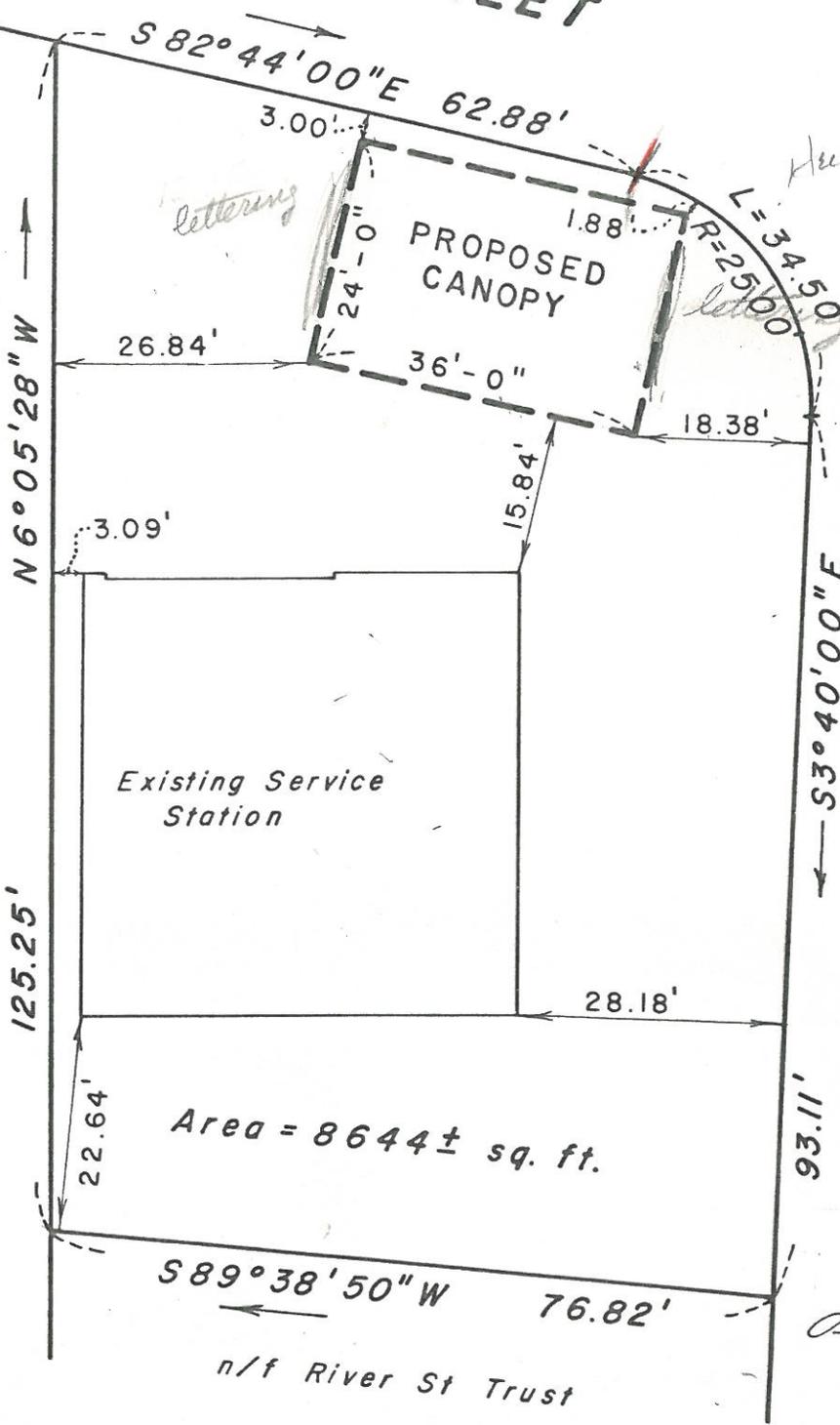
SCALE: 1 Inch = 20 Feet DATE: Dec. 17, 1984

Prepared By:
 LKF CONSULTANTS INC.
 12 Taylor Street
 Needham MA

WASHINGTON STREET

RIVER STREET

n/f John H. Campbell



Louis F. Bruno