65-36

TOWN OF WELLESLEY MASSACHUSETTS

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1965 JAN 5 PM 1:41

BOARD OF APPEAL

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DANA T. LOWELL

KATHARINE E. TOY, CLERK
TELEPHONE
CE 5-1664

Petition of Regan and Stapleton, 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 8:40 p.m. on September 15, 1965, on the petition of Regan and Stapleton, Inc., requesting a special permit under the provisions of Section XXIIA, Part C. Subpart 3.a.7. and Part E, of the Zoning By-law which will allow the applicant to erect a standing sign at 965 Worcester Street.

On August 31, 1965, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Thomas J. Joyce, representative of the Donnelly Elec. & Mfg. Co. represented the petitioner at the hearing.

Statement of Facts

The property involved is on the northerly side of the Worcester Turnpike within a Business District. The petitioner, who has the Lincoln-Mercury Dealership Agency, is presently erecting a retail automobile sales and service building on the property involved. It is located approximately fifty feet back from the street and between two business establishments which are much closer to the street than the petitioner's building. The petitioner, therefore, seeks permission to erect a standing sign six feet back from the street. The proposed sign is designed to be ten feet wide and ten feet high, supported on two steel posts, seven feet high. The height from the ground to the top of the sign is to be 17'. It is to have black plexiglas letters on a white plexiglas face, with the wording, "Regan & Stapleton, Lincoln Continental, Mercury & Comet," and is to be internally illuminated by slimline flourescent lamps.

A plot plan drawn by Gleason Engineering Company, dated August 27, 1965, was submitted which showed the proposed location of the sign. Said plan showed the location of the proposed sign to be 90' from the westerly lot line and six feet back from the street line.

At the request of this Board, a new plan was submitted which showed the proposed sign in a slightly different location. The revised plan was drawn by Gleason Engineering Company, dated October 18, 1965, and showed the proposed sign to be 125' from the westerly lot line and three feet back from the street line. It was felt by this Board that the revised location of the proposed sign from the westerly boundary line would be more beneficial to the petitioner as well as to the public as the sign would not be visible to traffic until it had passed the entrance to the building if located on the original site.

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Decision

The requested permit cannot be granted under Section XXIIA, Part C, Subpart 3. a. 7. of the Zoning By-law since the petitioner seeks to locate the sign closer than fifteen feet from a property boundary line. However, Part E of said Section permits the Board to grant a special permit for a sign not complying with the provisions of Part C of said Section if it determines that the particular sign will be in harmony with the general purpose and intent of this section and will not be injurious to the neighborhood, nor to traffic and safety conditions therein nor otherwise detrimental to the public safety and welfare.

The Board has determined that the proposed sign to be erected in accordance with the amended plan and subject to the conditions hereinafter set forth, fulfills the above-stated requirements for issuance of a special permit.

Accordingly, the Board hereby grants a special permit for a standing sign to be located in accordance with the plan submitted and on file with this Board and in the location shown on the revised plot plan drawn by Gleason Engineering Company, dated October 18, 1965, provided that said sign shall be located at least six feet back from the street line and erected in compliance with all applicable laws and regulations of the Commonwealth of Massachusetts.

Richard O. Aldrich

Richard O. Aldrich

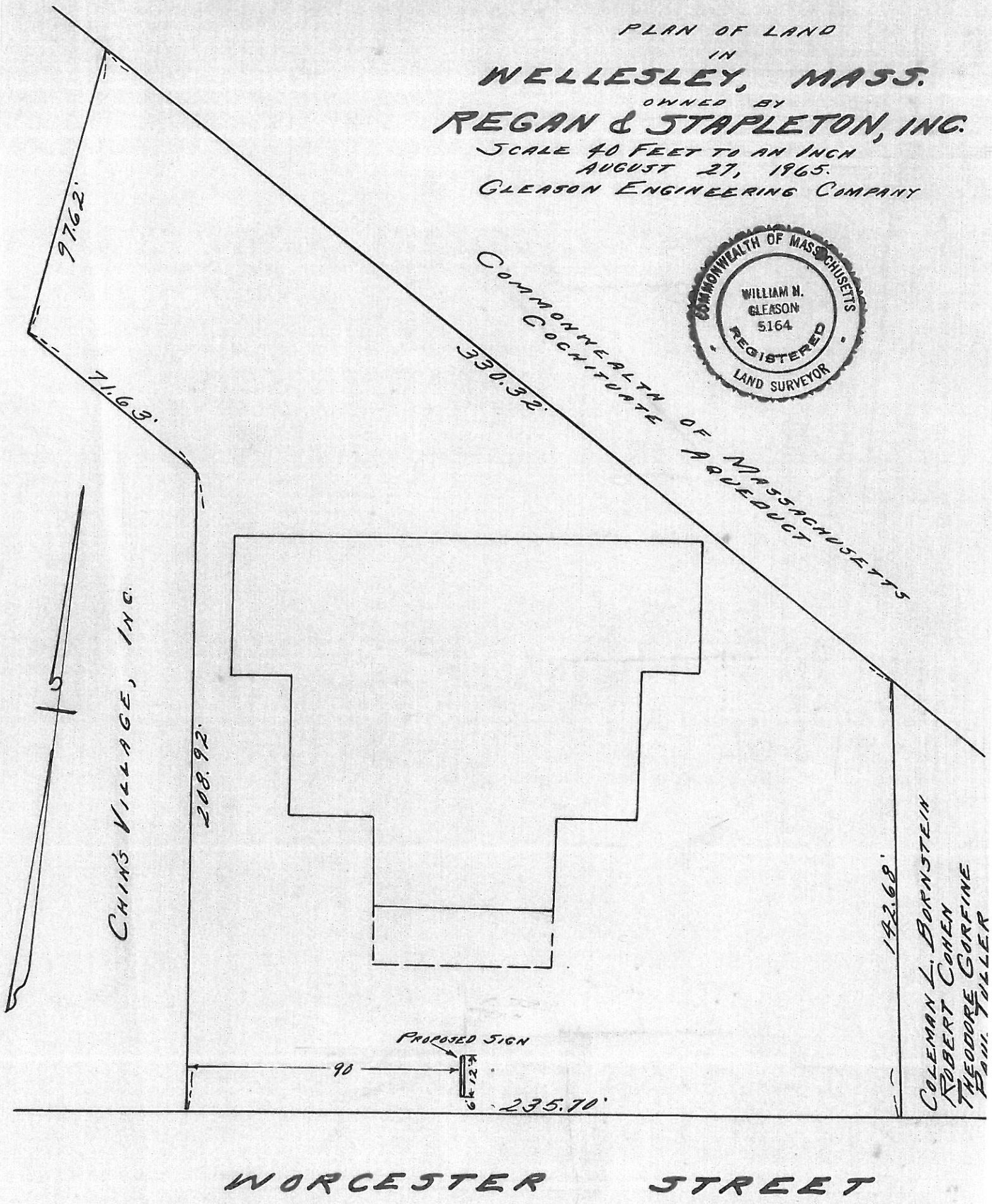
F. Lester Fraser

F. Lester Fraser

Edward T. Kilmain

Edward T. Kilmain

Filed with Town Clerk_____

PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
REGAN & STAPLETON, INC.
SCALE 40 FEET TO AN INCH
AUGUST 27, 1965.
GLEASON ENGINEERING COMPANY

COMMONWEALTH OF MASSACHUSETTS
WILLIAM H. GLEASON
5164
REGISTERED
LAND SURVEYOR