



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Appeal of Texaco, 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 8:15 p.m. on August 11, 1970, on the appeal of Texaco, Inc., from the refusal of the Inspector of Buildings to issue a permit to replace a standing sign at 873 Worcester Street, on property owned by Anna F. and Warren M. McNamara Trs. McNamara Trust. The reason for such refusal was that said sign was erected without a permit in violation of Section XXIIIA, Part F., Subpart 2., and Part C. Subpart 3. a. 4. which restricts illuminated signs to not more than two colors. Said appeal was made under the provisions of Section XXIIIA, Part F. Subpart 3. of the Zoning By-law.

On July 20, 1970, the appellant filed an application for a permit to erect the new sign. The Inspector of Buildings refused the permit for the above-mentioned reasons, and on July 20, 1970, the appellant took an appeal from his refusal. Thereafter due notice was given by mailing and publication.

Henry D. White, attorney, represented the appellant at the hearing.

A letter was received from Robert P. MacBey, Chief of Police, dated August 13, 1970, in which he stated that he found the sign involved would in no way confuse or create any hazard to the motorist.

Statement of Facts

The property involved is located within a Business "A" District, on the northerly side of Worcester Street (Route 9); a portion of said property is leased by Texaco, Inc. who operate a gasoline service station on it.

In order to improve and standardize the service station, the appellant seeks permission to replace its old trade-mark sign with a new type sign. It was stated at the hearing that through a misunderstanding the new sign had already been erected without a permit. The appellant had applied to the Board of Selectmen for permission to erect the new lights, but did not apply to the Board of Appeal to replace the sign.

The sign is 4'6" high and 7 $\frac{1}{2}$ ' wide, mounted on the original pole which is 11'11 $\frac{1}{8}$ " in height. The pole is 3'6" from the street line and the sign will not extend over the street. The sign contains three colors on a white background, with the word "Texaco" in black letters on a white background outlined in red with a small green "T" in the center of the circle. It will be lighted internally.

A plot plan was submitted, drawn by Alexander Crucioli, Land Surveyor, dated July 13, 1970, which showed the location of the existing sign and the service station on the lot.

Decision

The Board of Appeal finds that, subject to the restrictions imposed herein, the sign involved 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.

Accordingly, permission is granted for the sign involved to remain in its present location as described above and in accordance with the plan submitted and on file with this Board, subject to the following conditions;

1. That the sign involved shall not move and that all sign lights shall be steady.
2. That said sign shall not overhang Worcester Street.
3. That said sign shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m. unless the service station involved is open to the public.

Philip H. Cahill
 Philip H. Cahill

Dana T. Lowell
 Dana T. Lowell

F. Bester Fraser
 F. Bester Fraser

Filed with Town Clerk _____

RECEIVED
 TOWN CLERK
 JAN 10 1968

PLAN OF LAND
IN
Wellesley
OWNED BY

Anno F & Warren M. McNamara Trs.

Scale: 40 Feet To An Inch. JULY 13, 1970
SURVEYOR

Alexander Crucio!
57 Winthrop Rd.
Chelsea, Mass.

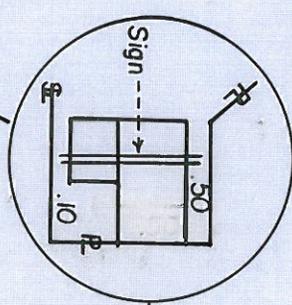


I hereby certify to the location of buildings and sign shown on this plan and that it complys with the zoning and building laws of the Town of Wellesley when constructed.

Alexander Crucio!
Alexander Crucio!

Planning Board Approval not required under
Subdivision Control Law.

Wellesley Planning Board.



Not to Scale

