

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
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235-1664

Petition of William Diehl, 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 8:25 p.m. on February 5, 1970, on the petition of William Diehl, Inc., requesting a special permit under the provisions of Section XXIIIA, 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 231-265 Linden Street. Said sign is to be erected to identify the Used Car lot entrance of the proposed Volkswagen Dealership building.

On January 5, 1970, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

John M. Frey, president of Wellesley Volkswagen, Inc., spoke in support of the request at the hearing.

Statement of Facts

The property involved is on the southerly side of Linden Street within a Business District. At present there is a building under construction on the property which is to be occupied by a Volkswagen Agency for its sales and service business, and it is in connection with its used car sales business that the petitioner seeks permission to erect a sign identifying the used car lot entrance.

A similar request was made by the petitioner on April 29, 1969, which was denied by this Board at that time. It was explained at the hearing that new factors and relevant considerations not previously brought to the Board's attention make the current request essentially new in nature. The building has been set back 30' in a southerly direction from Linden Street rather than 17' as originally planned and will be seven feet from the rear property line rather than 20' as shown originally.

Granite curbing has been provided and installed along the length of the 540-foot frontage on Linden Street and two of the three curb cuts have been increased from 24' to 30' to provide an added public safety.

Because of these changes, the petitioner is requesting permission to erect the proposed "Used Car" sign in a new location. The location of the sign is to be 13 1/2' back from Linden Street rather than 10' as previously requested and 52 1/2' from the building, now under construction, rather than 42 1/2'. It is to have dimensions of 5' x 8' and is to be supported on a 12' steel pole, with the Volkswagen symbol VW in a circle in white letters and the words, "Used Cars," in white letters on a blue background. The face of the sign is to be plexiglas, internally lighted with fluorescent lamps.

It was stated that the main entrance is designed to accommodate new car and service customers. With no sign to identify the separate used

car entrance which is over 200 feet away from the main entrance, all undirected used car customer traffic will have to be re-routed back onto Linden Street to reach the proper entrance, or it will be necessary to widen the driveway immediately in front of the building to safely accommodate these customers. If the requested permission is granted for the sign, it is intended to plant the area in front of the building with grass and shrubbery as recommended by the Park and Tree Department of the Public Works. The petitioner feels there is a real need for two signs along the frontage of 540 feet from the standpoint of public safety and the general operational efficiency of the proposed business. It would also help to reduce entering and exiting traffic onto Linden Street which might otherwise cause unnecessary congestion in an already busy area.

Decision

On September 16, 1969, this Board filed a decision with the Town Clerk in which it denied the petitioner permission to erect a standing sign to identify its proposed Used Car lot entrance. At that time it felt that two signs serving a single business establishment would be unnecessary and unreasonable and undesirable both from esthetic considerations and from the standpoint of public safety.

The Board, however, has made a careful study of the new evidence submitted and has taken another view of the locus. The building which had not been started when the request was previously submitted, is now up and nearing completion. It is quite evident from the location of the building on the lot and the extensive frontage of the lot, some identification is desirable to direct customers to the used car lot. As the building has been set back on the lot, now only seven feet from the rear lot line, there is no space for a driveway which might have been used to reach the used car lot, had the building been set back only 17' as originally proposed. The Board also feels that from an esthetic view, it would be better to have the area in front of the building landscaped as planned than to have a wider driveway which could increase congestion and possibly endanger pedestrian traffic within the area.

For these reasons the Board finds that the proposed sign will be in harmony with the general purpose and intent of Section XXIII 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, the Board hereby grants permission for the proposed sign to be erected as shown on the plan submitted and on file with this Board as well as the detailed specifications and drawings, drawn by Gleason Engineering Co., dated January 5, 1970, subject to the following conditions:

1. That the area in front of the building now under construction, shall be seeded and landscaped with shrubbery as designated by the Board of Public Works and Board of Appeal
2. That said sign shall have no movement and all sign lights shall be steady.

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3. That said sign shall not be illuminated after 11:00 p.m.
4. That said sign shall not violate any condition imposed in the license issued by the Board of Selectmen.


Richard O. Aldrich


Dana T. Lowell


H. Lester Fraser

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