

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

EST 119 81 A E 106

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

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Petition of L. Grossman Sons, 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 8:30 p.m. on February 1, 1973, on the petition of L. Grossman Sons, Inc., requesting a special permit under the provisions of Section XXIII, Part C, Subpart 3. a. 7. and Part E. of the Zoning By-law which will allow the applicant to replace a standing sign on the property owned by C. H. Spring, Inc., at 27 Washington Street. Said sign would also violate Part C, Subpart 3. a. 4., Illumination, which limits all such signs to not more than two colors.

On December 21, 1972, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Jerome Preston, Jr., attorney for the petitioner spoke in support of the request.

Everett P. Grossman and James H. Doherty, Chief Engineer, for the petitioner, also spoke in favor of the petition.

A letter was received from the Metropolitan District Commission, 20 Somerset Street, Boston, opposing the request.

A letter was received from Mrs. Joseph B. Fyffe, 99 Pond Road, Wellesley, in which she requested the Board not to allow a non-conforming sign, expressed the hope for a smaller sign and some planting done to bring the area up to the standard of the surrounding businesses.

Harry J. Palladino, member of the Park and Tree Board, stated that his Board was very much interested in seeing some landscaping. The petitioner, he stated, assured his Board when it moved the old building that the area designated would be planted with Junipers.

Marshall I. Goldman, 17 Midland Road, felt that while the proposed sign is an improvement to the existing sign, it is still at variance with the Code and it should be restricted. He also stated that in the past years there has been a clean-up along the Charles River, and he felt that the petitioner should improve their back property.

Seventeen petitions favoring the request were submitted. These were signed by nearby business operators and property owners.

Statement of Facts

The property involved is located partly within a Business District and partly within an Industrial District

The petitioner for many years has operated a retail store on the property involved and seeks permission to replace a deteriorating standing sign. It is proposed to erect a double-face sign perpendicular to Washington Street which, if erected, will conform to the Grossman trademark used in other branch stores. There are to be two panels supported by two steel poles set into a planter. The top panel is to be 4'2" x 20' with the lettering, "Grossman's" in white letters on an orange background, and the lower panel to be 6' x 14' with the lettering, "Everything to Build With," in black letters on a white background. In addition there is to be an orange truck above the top panel with the lettering, "Here comes," in black letters on a white background, and black framework on the truck. The height of the sign from the ground to the top is to be 20' inclusive of the truck. It is to be located seven feet back from Washington Street, approximately 125' from both side lines and approximately 275' from the building on the property, with the sign itself extending to the street line.

It was stated that the petitioner recently built a new building on the property and intends to update the store and upgrade the property in general. While the proposed sign has been designed to conform with the standard Grossman sign, it has been reduced in size from the existing sign and will contain fewer colors. It is to be illuminated internally.

A plot plan was submitted, drawn by David M. Berg, Registered Engineer, dated November 22, 1972, as well as sketches of the proposed sign.

#### Decision

The Board finds that the proposed sign, subject to the following conditions, 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 neighborhood or to the public safety and welfare.

It is the view of the Board that the proposed sign, as approved, will be an improvement over the existing sign and will serve to identify the petitioner's business for motorists approaching the building on a heavily traveled highway. The present sign is deteriorating and it is the opinion of the Board that it should be replaced. The Board, however, does not consider that the truck logo mounted on the top panel of the sign is necessary for proper identification of the petitioner's business, nor does it consider that it should be located only seven feet from the street line to be advantageous. In addition, it considers that the desired location and the truck logo are not in keeping with the intent and purpose of Section XXIII of the Zoning By-law.

Accordingly, permission is granted to erect a standing sign in the manner aforesaid, with the exception of its location and the truck logo, in accordance with the plans submitted and on file with this Board, subject, therefore, to the following conditions:

1. That said sign shall not contain the truck logo.
2. That said sign nor any of its supports shall not be any nearer than fifteen feet from the sideline of Washington Street.

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3. That a landscape plan shall be submitted and approved by the Board of Appeal as well as the Park and Tree Board prior to the erection of the sign involved.

*Theodore C. Merle*  
Theodore C. Merle

*Dana T. Lowell*  
Dana T. Lowell

*F. Lester Fraser*  
F. Lester Fraser

Filed with Town Clerk \_\_\_\_\_