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ZONING BOARD OF APPEALS

KATHARINE E. TOY
 Administrative Secretary
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Petition of Donald Demers

Pursuant to due notice the Special Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:10 p.m. on April 26, 1979, on the petition of Donald Demers, requesting a special permit, under the provisions of Section XXIIA, Part C, Subpart 3. a. 7. (b) and Part D., and Section XXV of the Zoning By-law, which will allow the petitioner to reletter the panel on the standing sign at 978 Worcester Street, on property owned by Louis Nicolai.

On April 10, 1979, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

Statement of Facts

The property involved is located within a Business A District on the southerly side of Worcester Street at the corner of Stuart Road.

The petitioner seeks permission to reletter a panel on an existing sign in order to identify the new name of the restaurant in the Wellesley Motor Inn. The new lettering on the panel is to be, "Steakloft - Restaurant & Pub," in gold letters on a brown background. The panel is to be 5' x 13' and located 13' from the ground to the top of the panel.

The petitioner stated that there is a great need for the new identification panel as Route 9 is a busy highway, with cars traveling at high speeds which makes it difficult for patrons to see the restaurant.

The existing standing sign was erected prior to the enactment of the present Sign Code and has a sign identifying the Wellesley Motor Inn, which is mounted on two posts approximately thirty feet in height. There is to be no change in the upper panel.

Decision

The Authority has made a careful study of the evidence submitted, studied the plan and taken a view of the locus. It is the opinion of the Authority that the proposed sign would not be in harmony with the general purpose and intent of the Zoning By-law, a finding it must make under the provisions of Section XXV of the Zoning By-law. The existing standing sign on which the desired panel is requested, is non-conforming as it was erected prior to the adoption of the Sign Code. It is non-conforming and exceeds the height limitation and setback requirements of the present code, and in the opinion of this Authority, it should be brought into conformity if it is to be enlarged, reworded, redesigned or altered in any way as required by Section XXIIA, Part D. Non-Conforming Signs, of the Zoning By-law.

It is the unanimous opinion, therefore, of this Authority that due to the size of the existing standing sign identifying the owner's business, to allow a sign as proposed, would be contrary to the intent and purpose of the Zoning By-law governing signs.

Accordingly, the petition is denied.


Francis L. Swift


William O. Hewett


William F. Cullinane

Filed with Town Clerk

Copies of the decision and all plans referred to in this decision have been filed with the Planning Board and with the Town Clerk.

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