


 RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY, MASS.

FEB 3 11 42 AM '83

 ZONING BOARD OF APPEALS
 TOWN HALL WELLESLEY, MA 02181

 STEPHEN S. PORTER, Chairman
 JOHN A. DONOVAN, JR.
 ROBERT R. CUNNINGHAM

 MARY ANN McDOUGALL
 Executive Secretary
 Telephone
 235-1664

 WILLIAM E. POLLETTA
 FRANKLIN P. PARKER
 SUMNER H. BABCOCK

82-54

Petition of Faber's Rug Company

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, December 16, 1982 on the petition of Faber's Rug Company, requesting a Special Permit to alter a wall sign at their place of business at 11 Central Street, said property owned by Central Street Trust, which will violate Section XXIIA, Part C, Subpart 3-a-2-a and Section XXIIA, Part C, Subpart 3-a-3-a of the Zoning Bylaw. Said request is made pursuant to Section XXV of the Zoning Bylaw.

On November 24, 1982, the petitioner filed a request for a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Albert Auburn, attorney representing Mr. Faber. Mr. Auburn stated that the sign had been in place for 17 years advertising Faber's and Stuart Swan Furniture. When Stuart Swan moved to another location, Faber's altered the sign by removing "Swan Furniture". Mr. Auburn stated that the sign is vitally necessary to identify the entrance to Faber's, which is actually on the side towards the rear of the building, and confusing to customers.

No one was present at the hearing favoring or opposing the petition.

Statement of Facts

The property in question is located at 11 Central Street, owned by Central Street Trust, which owns the property at 9 to 23 Central Street, in a Business District. Faber's Rug Company is the tenant at 11 Central Street.

Two wall signs have existed at 11 Central Street for 17 years, each advertising Faber's and Stuart Swan Furniture. Stuart Swan Furniture has moved to a new location and the signs were altered to remove the words "Swan Furniture".

Section XXIIA, Part D of the Zoning Bylaw states: "any non-conforming sign legally erected prior to the adoption of this section or any amendment thereof, may continue to be maintained but shall not be enlarged, reworded, redesigned or altered in any way unless it is brought into conformity." Faber's reworded the two existing signs, and obtained a permit for the sign located directly on the street. The second sign, however, required a Special Permit, and exceeds the size limitations of the Bylaw.

A sketch of the sign was submitted as were photographs of the existing sign.

The Design Review Board voted to recommend that the special permit for the sign not be granted. They noted that other businesses on Central Street have a single sign to identify themselves and do not claim hardship or visibility problems as justification for additional signs.

The Planning Board reviewed the petition and voted unanimously to recommend that the petition be denied.

Decision

This Authority has made a careful study of the evidence presented.

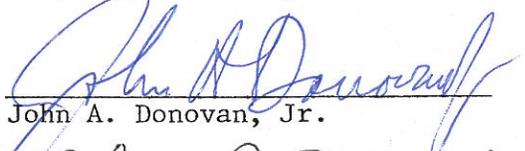
This Board is disturbed that the applicant has disregarded the Zoning Bylaws in regards to the sign on the premises at 11 Central Street. However, because of the layout of the building and the fact that the entrance to Faber's is actually on the side at the rear of the building, this Authority is of the opinion that a second sign should be allowed.

Therefore, a Special Permit is granted to Faber's Rug Company for a sign on the side of the building at 11 Central Street. However, said sign shall be no more than 36 square feet in size, and no more than 2 feet wide and 18 feet long, and shall be placed no higher than the existing sign.

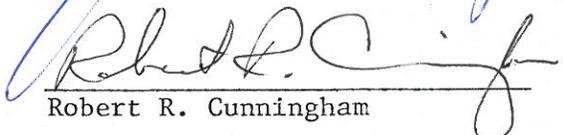
The Inspector of Buildings is hereby authorized to issue a permit for said sign upon receipt and approval of an application.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



Robert R. Cunningham

mam

RECEIVED
TOWN CLERK'S OFFICE
WILMINGTON, MASS.
FEB 3 11 42 AM '83