TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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82-5
Petition of Villa Partnership Trust

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, April 1, 1982, on the petition of Villa Partnership Trust, requesting a Special Permit to erect a sign at their place of business known as Goobie's at 39 Oak Street, in a General Residence District. Said request is made pursuant to Section XXIIA and Section XXV of the Zoning Bylaw.

On March 12, 1982 the petitioner filed for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing was Francesca Villa, petitioner, who explained that the existing sign in question replaced a sign which had been up for many years. The existing sign has been in place for three years. She stated that Goobie's has been in existence since 1922, so is grandfathered in as a business in a General Residence District. Ms. Villa stated that there has been no agravation in the neighborhood either because of the store or the sign. She presented signed statements by the following neighbors in favor of the petition: Joseph Niccoli, 47 Oak St., Edith E. Vara, 46 Oak St., Joyce M. J. Boiardi, 61 Oak St., Arthur Maccini, 42 Oak St., Raymond Villa, 64 Oak St., Esther E. Villa, 39A Oak St., Delia Gentile, 41 Oak St., Louise A. Slamin, 33 Oak St., Carl C. Bertonazzi, 54 Oak St., C. Joseph Grignaffini, 148 Linden St. (owner of 28-36 Oak St.), Benny and May Ralli, 31 Oak St., She also presented a picture of the old sign, which was larger than the new one.

There were no other persons present at the hearing either in favor of or in opposition to the petition.

Statement of Facts

The property involved is located in a General Residence District. The locus is 37-39 Oak Street, comprised of 10,690 square feet of land. It is a pre-existing non-conforming structure.

Drawings of the sign were submitted, drawn by Wellesley Design Architectural Service, dated 1/14/82. Photos were also submitted.

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The Design Review Board conducted a preliminary design review and voted at its meeting of February 10, 1982: "The current sign is oversized and out of character with the residential nature of the neighborhood, and therefore, should be removed. A smaller, more discrete sign should be erected. The Board would prefer the new sign be limited to the width of the pillars and be located under the roof overhang between the pillars." The petitioner did not respond to the Design Review Board preliminary recommendation. No final Design Review Board report was made.

The Planning Board, at its regular meeting of March 30, 1982, voted to offer no comment on the petition.

Decision

This Authority has made a careful study of the evidence submitted, and is aware that Goobie's has been in existence as a business in a General Residence District since 1922, and that an advertising sign is necessary for the business.

It is the unanimous opinion of this Authority that the two-color wooden sign which is presently in place at Goobie's is in harmony with the general purpose and intent of the sign bylaws.

Therefore, the Special Permit for the sign at Goobie's is granted, and the Building Inspector is hereby authorized to issue a permit for the sign upon receipt and approval of an application.

Stephen S. Porter, Chairman

John A. Donovan, Jr.

Robert R. Cunningham

mam

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