



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-37
Petition of Marilyn Fraser
332 Washington Street/Abbott Road Parking Lot

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, July 27, 1989 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall on the petition of MARILYN FRASER requesting the following Special Permit pursuant to Section XXIIA and Section XXV of the Zoning Bylaw and the following variances from the terms of Section XXIIA and pursuant to Section XXIV-D of the Zoning Bylaw for 2 standing signs and a directory sign to be erected in conjunction with the Fraser Medical Building at 332 WASHINGTON STREET, in a Business District, and the existing ABBOTT ROAD PARKING LOT in a Single Residence A District: 1) Special Permit to allow standing sign A to exceed the allowed height and to have less than the minimum setback allowed in a Business District; 2) Variance for standing sign B to exceed the allowed height and area and to have less than the minimum setback allowed in a Single Residence A District; 3) Variance to allow the number of standing signs to exceed the maximum number allowed per lot; and 4) Variance to allow a directory wall sign (Sign C) to be located in a place other than at a public entrance.

On July 10, 1989, 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 Marilyn Fraser, who gave a detailed explanation of the reasons for requesting the special permit and variances for each of the three signs. She also stated that the Design Review Board had seen and approved the three signs and that the Planning Board had no comment.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 332 Washington Street (Fraser Medical Building), in a Business District, and the abutting existing parking lot on Abbott Road, in a Single Residence A District. The property is owned by the Estate of Alfred A. Fraser.

Three signs are proposed in conjunction with identification of the medical building and the parking lot:

1) Standing Sign A to be 30 inches by 40 inches, double-faced, with an area of 16.6 square feet. The sign is to be 7 feet above the ground, which is higher than the allowed 6 feet, with a setback of 5 feet which is less than the allowed setback of 15 feet. The additional height is requested for visibility to vehicle traffic on Washington Street, and the setback because the sign will be located at the corner of

ZBA 89-37
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AUG 14 1 53 PM '89

a building which is set back only 10 feet. A Special Permit is requested for the height and setback of this sign.

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2) Standing Sign B to be 30 inches by 40 inches, double-faced, with an area of 16.6 square feet, which is greater than the area of 1 square foot allowed in a Single Residence A District. The sign is to be 6 feet above the ground, which is higher than allowed height of 4 feet, with a setback of 5 feet, which is less than the setback of 15 feet allowed in a Single Residence A District. The size and height are requested to allow the sign to be visible above plantings and parked cars. The setback is requested to offer protection from parking cars and snow plowing, as the sign will be located in a planter. Variances are requested for the size, height and setback of this sign.

3) Directory wall Sign C to be 18 inches by 24 inches at a height of 5 feet 3 inches above the ground. The sign would be located on the rear wall of the Fraser Medical Building and requires a variance as it would be sited in a place other than a public entrance. The variance is requested for the sign to be positioned on the rear wall to direct those walking from the parking lot as to the appropriate entrance to reach the doctor they are seeking.

A variance is also requested for the two standing signs (A and B) to be sited on the same lot, as only one standing sign is allowed per lot.

Drawings of the proposed signs, dated May 30, 1989, drawn by Marilyn Fraser, Registered Architect; and a site plan, dated April 20, 1989, revised May 30, 1989, drawn by Marilyn Fraser, Registered Architect, were submitted.

The Design Review Board held a preliminary review of the three signs on June 8, 1989, and voted to approve the signs and to waive a final review.

The Planning Board, on July 11, 1989, voted to offer no objections to the request.

Decision

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

The petitioner is requesting a Special Permit and 3 variances for 3 signs in conjunction with the Fraser Medical Building at 332 Washington Street and the existing parking lot on Abbott Road.

This Authority is of the opinion that the proposed Standing Sign A is in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw in regard to height and setback.

This Authority is of the opinion that the area, height and setback of Standing Sign B; the location of Sign C; and the existence of two standing signs on one lot are not in conformance with the Zoning Bylaw of the Town.

ZBA 89-37
Petition of Marilyn Fraser
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This Board is of the opinion that literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship to the petitioner and that the allowance of the requested variances would not be detrimental to the neighborhood nor be in derogation of the intent or purpose of the Zoning Bylaw. ZBA 89-37

Therefore, a Special Permit is hereby granted for Sign A to exceed the allowed height and less than the allowed setback in a Business District as described in the foregoing Statement of Facts.

The requested variances from the terms of Section XXIIA of the Zoning Bylaw are also allowed for Sign B to exceed the allowed area and height and have less than the required setback in a Single Residence A District; for Sign C to be located in a place other than a public entrance; and for two standing signs to be located on the same lot; according to the specifications which are described in the foregoing Statement of Facts.

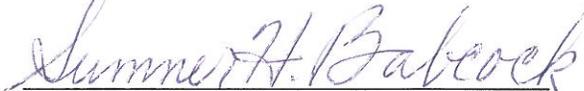
The Inspector of Buildings is hereby authorized to issue permits for all three signs upon his receipt and approval of applications.

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


William E. Polletta


Sumner H. Babcock

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