



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 92-27

Petition of Wellesley Design Center/Weston Kitchens
868 Worcester Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 25, 1992 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY DESIGN CENTER/WESTON KITCHENS requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow installation of a double-faced standing sign with an area of 43.2 square feet (21.6 square feet per face) to be installed with a minimum setback of 2.5 feet from the eastern property line at their premises at 868 WORCESTER STREET on the eastbound ramp connecting WORCESTER STREET AND WESTON ROAD in a Business District.

On April 9, 1992, the petitioners requested a hearing before this Board and thereafter due notice was given by mailing and publication. The petition was continued from April 30, 1992 to the Public Hearing on May 21, 1992, which was also duly noticed. The petition was amended and continued again to the Public Hearing on June 25, 1992. Due notice was given again by mailing and publication.

Presenting the case at the hearing was Camille Belmonte, owner of Wellesley Design Center. Ms. Belmonte brought a model of the site on which the building and sign were located. Ms. Belmonte stated that the amended proposal was to locate the sign 18 feet from the curb line, 14 feet from the rear curb line and 2.5 feet from the property line. She also indicated the location of her premises as the center store in the middle of the building. Due to the center location of her store, she felt it is necessary to have the additional identification which the standing sign would provide for traffic on the exit ramp.

The Board noted that as Weston Kitchens currently has a wall sign on one facade and a window sign on the facade of the building facing the exit ramp, the standing sign would represent a third sign for the premises. Ms. Belmonte stated that the total area of signage for Wellesley Design Center was 61.6 square feet; 40 square feet of wall sign and 21.6 square feet of standing sign; which is less than the allowed area of 100 square feet. She was not aware that the signage installed by Weston Kitchens was not allowed; she was concerned with her portion of the standing sign.

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The Board also noted that the Planning Board had several concerns regarding issuance of the requested variance.

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No other person present had any comment on the petition

Statement of Facts

The subject property is located at 868 Worcester Street, on the eastbound exit/entrance ramp between Worcester Street and Weston Road, in a Business District. The 3-store building is owned by 868 Worcester Street Corporation. The petitioners lease the two stores closest to the eastern property line.

The petitioners are requesting a variance to install a double-faced standing sign at a height of 10 feet, with a total area of 43.2 square feet and a minimum setback of 2.5 feet from the eastern property line. A minimum 20 foot setback is allowed by permit; a minimum 10 foot setback is allowed by Special Permit.

The original request was submitted to be heard at the Public Hearing on April 30, 1992. As neither petitioner appeared, the petition was continued to the Public Hearing on May 21, 1992. At that hearing Camille Belmonte, owner of Wellesley Design Center appeared to present the petition.

The original petition located the sign in front of the first access drive and requested a variance for installation of said sign with a minimum setback of 1.5 feet from the eastern property line. At the May 21 hearing, the Board stated that the location would present a traffic hazard as the driveway is close to the corner of Worcester Street. Although the corner lot is State property, vehicles belonging to the adjacent garage are often parked there, blocking site lines. The location of the sign in front of the access drive would create a more dangerous situation. The Board recommended relocating the sign to the rear of the property and decided to continue the hearing on the petition to June 25, 1992. Ms. Belmonte presented the amended petition at the hearing on June 25 as noted above.

A drawing of the proposed standing sign, a site plan and photographs were submitted with the original petition. An amended site plan and additional photographs were submitted with the amended petition.

On March 25, 1992, the Design Review Board reviewed the design and placement of the standing sign and voted to approve both the design and placement. However, the minority opinion voiced strong opposition to the granting of a variance due to its location on the exit/entrance ramp and its proximity to a residential area.

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The Planning Board reviewed the original petition on April 14, 1992 and voted to offer no comment on the petition. On June 16, 1992, the Planning Board reviewed the amended petition and voted to recommend that the variance request be denied as the sign poses a potential safety problem on the exit/entrance ramp. RECEIVED
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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearings. The petitioner is requesting a variance from Section XXIIA of the Zoning Bylaw to install a double-faced standing sign with a minimum setback of 2.5 feet from the eastern property line to identify the premises of Weston Kitchens and Wellesley Design Center.

It is the opinion of this Authority that the proposed location of the standing sign would pose a potential safety problem on the exit/entrance ramp. It would confuse the traffic pattern on the ramp, and further diminish visibility for drivers exiting the driveway onto the ramp at a point where visibility is already limited due to the presence of parked vehicles on the corner lot.

The Board noted that the minimum allowed setback is 20 feet; the minimum setback allowed by Special Permit is 10 feet. The petitioners' request for a minimum setback of 2.5 feet represents a reduction of 75 per cent of the Special Permit requirement, which, in the opinion of the Board, is too great to be allowed.

The Board is of the further opinion that it could not allow a third sign to identify the premises of Weston Kitchens when the status of the second sign on its premises is questionable.

Therefore, for all of the above reasons, it is the unanimous opinion of this Authority that the requested variance be denied and this petition be dismissed.

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
DECISION IN THE OFFICE OF
THE TOWN CLERK.


Kendall P. Bates, Acting Chairman


Franklin P. Parker


William E. Polletta

cc: Planning Board
Inspector of Buildings
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