TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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AUG 13 AM '92

ZBA 92-33
Petition of Betsy's
102 Central Street

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, August 13, 1992 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley on the petition of BETSY'S 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 an 18 square foot single-faced standing sign in the parking lot at the rear of its premises at 102 CENTRAL STREET, in a Business District. This sign would be in addition to the two permitted wall signs at the front and rear entrances of said premises.

A Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw is requested for the total area of 63.7 square feet of the three signs to exceed the area of 50 square feet allowed by permit.

On July 13, 1992, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Richard Stead, owner of Betsy's, who said that 12 years ago, John Douglas had built a 50 foot addition to the rear of its store, which blocked the last store, a shoe store, from visibility when driving into the parking lot. The shoe store requested a standing sign with an arrow indicating the location of its store so that drivers were aware that another store existed behind John Douglas. The shoe store had the sign for 7 years. Five years ago, Abigail's, a children's boutique requested and was granted permission to use the sign. Betsy's is now requesting permission to continue this use. The sign is essential as 90% of Betsy's business enters through the rear entrance from the 200 car parking lot. Without the sign, customers would not be aware of the existence of the store.

Mr. Stead said that the dimensions of the sign have not changed. The only change is in the materials, which have updated the appearance.

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The Board noted that the sign has been installed, and that Mr. Stead is asking permission for what has been done without permission.

No other person present had any comment on the petition.

Statement of Fact

The property in question is located at 102 Central Street, in a Business District, and is owned by Wellesley Realty Trust.

Betsy's operates a retail store at the location which has a front entrance on Central Street and a rear entrance to a private parking lot shared by other stores in the block.

The original sign was installed by Coward Shoe Store about 12 years ago. In 1985, Abigail's Children's Boutique replaced Coward Shoe Store, requested and was granted permission to use the sign (ZBA 85-37).

The petitioner has a 40.5 square foot wall sign above the front entrance, a 5.2 square foot sign above the rear entrance, and is requesting a variance to install a third sign, an 18 square foot single-faced standing sign, at a height of 5.5 feet. The standing sign would be installed in the parking lot at the rear of the store at a distance of 50 feet from the rear entrance. A Special Permit is also requested for the total area of 63.7 square feet of the three signs to exceed the 50 square feet allowed by permit.

A Plan of Land dated April 28, 1970, drawn by Charles Thompson, Registered Land Surveyor, a drawing of the sign, and photographs were submitted. A letter of endorsement was received from Hunneman Investment Management Company, agent for Wellesley Realty Trust.

On April 24, 1992, the Design Review Board reviewed the proposed sign and voted to approve the design as presented.

On July 14, 1992, the Planning Board reviewed the request and voted to recommend that the variance and Special Permit requests be denied as the Planning Board does not believe "there is a need for an additional sign at this location as many businesses do not have as much visibility as they would like to have and this perceived need does not justify adding signs which contribute to sign clutter."

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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner is requesting a variance to install a third sign at the rear of its premises and a Special Permit for the area of the three signs to exceed the 50 square feet allowed by permit as noted in the foregoing Statement of Facts.

This Authority is of the opinion that the proposed standing sign is needed for identification of the premises and will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw.

However, this Authority does not condone the installation of said standing sign without the required permission of the Board of Appeals and without the required sign permit to be issued by the Inspector of Buildings.

Therefore, a variance is hereby granted to Betsy's for the installation of a third sign to be an 18 square foot single-faced standing sign at a height of no more than 5.5 feet at the location showed on the submitted Plan of Land. A Special Permit is also granted for the total area of 63.7 square feet of the 3 signs to exceed the 50 square feet allowed by permit.

These requests are granted on the condition that the sign comply with the dimensions, height, and location as stated above, and that the petitioner apply to the Inspector of Buildings for the required sign permit.

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

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.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Franklin P. Parker

cc: Planning Board
Inspector of Buildings

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