



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Feb 16 11 49 AM '95  
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ZBA 95-19  
Petition of West Side Mobil  
870 Worcester Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 16, 1995 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, on the petition of WEST SIDE MOBIL requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a canopy approximately 24 feet by 69 feet at a height of 17.5 feet with a 15 foot clearance which will have less than the required 30 foot setback (3.35 feet) at its premises at 870 WORCESTER STREET, in a Business District.

On January 30, 1995, the petitioner filed a request for 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 Rob St. John, Site Development consultant, who was accompanied by Carl King of Goldstein & Manello; Kim Hazarvartian, traffic consultant, John Dirkmaat, Business Development Manager for Mobil; and George and Michael Alexandropoulis, owners of the premises.

Mr. St. John stated that West Side Mobil was previously a Sunoco station, and was built in 1950. The Design Review Board approved facade changes which have already been implemented. The owners are requesting a canopy over the three gasoline pumps.

Mr. St. John explained that the canopy will not only provide protection from the elements for customers using the gas pumps, but will contain fire suppressant equipment. The canopy will be a replication of the canopies installed at other service stations in town.

A video produced by Mobil Corporation showing the fire suppressant equipment in action was shown.

The Board asked if the canopy was required to install the fire suppressant equipment. Mr. St. John said that the fire suppressors come out on either side of the cars, but not to the edge of the canopy. The canopy was not required, but would hide the suppression system from view.

The Board expressed concern with the problems of sight distance and traffic circulation on the site. The Board noted that the exit onto the Weston Road ramp was being opened, and

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the opening of that egress presented a definite hazard. Mr. St. John explained that the property at its eastern end is encumbered by a right of way for the rear abutting property and that no condition regarding the use of the exit could be put in place as it does not belong to the petitioner.

Mr. Hazarvartian stated that the line of sight, with an automobile parked at a pump, met the National safety standards; and that sight lines were better if the exit was open than if cars were parked in the right of way. The vertical supports of the canopy have no impact on sight distance. The sight lines for vehicles entering the premises is a little better than for those exiting, but the standards for the latter are met. He added that he had recommended in his traffic report that no parking along the edge of the right of way should be allowed.

Mr. Hazarvartian said that he also had made recommendations in the report regarding site circulation. The primary recommendation was that the five "head in" spaces be made angle spaces to eliminate problems occurring when vehicles backed out of the spaces.

The Board asked how much space existed between the pumps and the sidewalk. Mr. Hazarvartian said that there was 20 feet, which is sufficient space for a car to pass between a car at the pump and the sidewalk.

The Board stated that it would condition that only live parking at the pumps or dead parking in the five designated spaces would be allowed to eliminate the possibility of cars parked on the sidewalk or in the right of way.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 870 Worcester Street, on a 13,539 square foot lot, in a Business District, and is owned by G & J Realty Trust of which George Alexandropoulos is the Trustee.

The petitioner is requesting a variance to construct a 24 foot by 69 foot canopy at a height of 17.5 feet with a 15 foot clearance and a front setback of 3.35 feet, which is less than the required 30 foot setback.

A Site Plan prepared by John R. Andrews, Registered Land Surveyor and Robert St. John, Registered Landscape Architect; Elevations of the canopy; a Site Distance Study dated December 14, 1994, prepared by Kim Hazarvartian; and photographs were submitted.

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On January 26, 1995, the Design Review Board reviewed the proposed canopy and voted to approve the design and placement of the canopy.

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A Memorandum dated January 30, 1995 was received from Captain Jay Verner of the Wellesley Fire Department. Captain Verner expressed his opinion that the canopy installation should receive favorable consideration for fire safety reasons outlined in the Memorandum.

On February 7, 1995, the Planning Board reviewed the petition and voted to offer no objection to the request.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed 24 foot by 69 foot canopy with a setback of 3.35 feet from the front property line will have less than the 30 foot front setback required in a Business District.

It is the opinion of this Authority that because of the narrow shape of the lot, the location of the gasoline pumps on the lot, and the increased fire safety provided by the fire suppressant equipment contained in the canopy, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct said canopy in accordance with the submitted Site Plan and construction sketches and subject to the following conditions:

1. No customer or delivery vehicles shall be parked on the premises except in the five angled spaces designated on the Site Plan or at the three gasoline pumps, and no vehicles of any type shall be parked in any portion of the designated right of way or on the Worcester Street sidewalk fronting the premises.
2. One-way signs and pavement arrows shall be provided at the Worcester Street egresses to ensure proper one-way traffic flow (right turns in at the westerly drive and right turns out at the easterly drive).
3. White reflective striping shall be added along the Worcester Street curbing to ensure that vehicles enter and exit through said curb cuts.

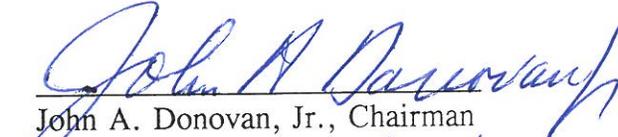
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The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

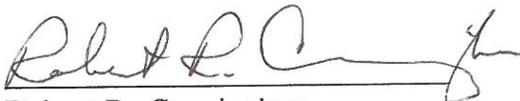
If the rights authorized by this variance are not exercised within one year of the date of said variance, they shall lapse and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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  
IF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Robert R. Cunningham

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