



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

JOHN A. DONOVAN
KENDALL P. BATES
WILLIAM E. POLLETTA

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(617) 431-1019 EXT. 208

RECEIVED
Mar 13 1 50 PM '97
TOWN CLERK'S OFFICE
WELLESLEY, MA 02157

SUMNER H. BABCOCK
ROBERT A. BASTILLE

ZBA 97-14

Petition of Health Development Corporation
150 Great Plain Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 27, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Sreet, Wellesley, on the petition of HEALTH DEVELOPMENT CORPORATION requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow an externally illuminated, two-sided standing sign with a height of 7 feet, a total area of 25.19 square feet (12.59 square feet per panel), identifying THE WELLESLEY CENTER/BABSON SKATING CENTER at 150 GREAT PLAIN AVENUE, in an Educational B District, to have a height greater than the allowed height of 4 feet, to have an area exceeding the allowed maximum area of 10 square feet, and to be located 15 feet from the street line on property not belonging to the petitioner.

On February 10, 1997, 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 Gigi Bainbridge of Graham/Meus Architects, representing Health Development Corporation. Ms. Bainbridge said that the request is for a variance for the proposed sign. The current sign has an area of 27 square feet and a height of 4 feet. The new sign will be 7 feet tall, 3 feet wide, and will have 4 panels, two that are 12 inches wide, and two that are 6 inches wide. The sign will be a two-sided standing sign, placed perpendicular to the road in the same location as the current sign. The current sign is not clearly visible from the street, which is the reason for the additional height of 3 feet.

The Board stated that although the Design Review Board had approved the sign, and the Planning Board had no comment, it was the Board's opinion that the taller sign will be too close to the road and should be moved back from 15 feet to 20 to 25 feet. The Board also noted that the original point from which the 15 foot setback is measured, is not clear.

Ms. Bainbridge responded that the 15 feet begins at the curb of Great Plain Avenue. The property on which the sign will be installed belongs to Norfolk County. The property line of the premises begins 65 feet back from the curb. She has contacted the county, and was informed that when Great Plain Avenue was built, it was turned over to the town for maintenance and for the building of the road. Any subsequent decisions on signage or curb cuts reside with the authority of the town. The county recommended that permission be

obtained from the Wellesley DPW to allow the installation of the sign at the proposed location. The DPW has granted permission for the sign, as noted in the letter from W.T. Bailey, DPW Director.

Ms. Bainbridge said that her concern with placing the sign another 5 feet from the curb is that it might get too far back in the trees, which would impair visibility, particularly as the sign is past the entrance if one is approaching from Needham.

The Board stated that at 20 feet from the road, the taller sign would be visible. It will be sited higher on the hill, and if necessary, DPW could be requested to trim some of the low tree branches.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 150 Great Plain Avenue on a 26.76 acre parcel in an Educational B. District and a Water Supply Protection District. It is bounded by the Town of Needham, Babson College and a Single Residence District. The property, which is owned by Babson College, contains an ice skating rink, which is managed by the college, and a health and fitness center, formerly Babson Recreation Center, which is now managed by the Health Development Corporation, and which has been renamed The Wellesley Center.

In 1977, Babson Recreation Center, Inc. appeared before the Board of Appeals requesting permission to erect a standing sign to be located fifty feet north of the entrance driveway and 40 feet back from Great Plain Avenue. Permission for this sign was granted with conditions. (ZBA 77-7), but the sign was not installed in the permitted location.

In 1982, Babson Recreation Center, Inc. appeared before the Board of Appeals again requesting permission for a larger sign to be located no closer than 15 feet from the property boundary line on Great Plain Avenue. (ZBA 82-41). As the property line fronting Great Plain Avenue begins about 65 feet from Great Plain Avenue, it appears that the sign was not sited in the allowed location.

In October, 1996, Health Development Corporation applied for a sign permit to install the proposed sign at a distance of 15 feet from the curb of Great Plain Avenue. In a letter to Paul Couturier, President of Health Development Corporation, Arthur LaConte, Inspector of Buildings, referred the petitioner to the Board of Appeals, as the sign did not meet the allowed height and area requirements, and because its location was on Town of Wellesley land in a position other than the locus allowed by prior decisions.

The petitioner, Health Development Corporation, with the approval of Babson College, is now requesting a variance to install an externally illuminated two-sided standing sign at a

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02191
MAR 13 1 50 PM '97

ZBA 97-14
Petition of Health Development Corporation
150 Great Plain Avenue

height of 7 feet and a total area of 25.19 square feet, which will exceed the allowed height of 4 feet and the allowed area 10 square feet, to be located on property not owned by the petitioner. The sign will have 4 hanging panels; two blank panels, the third with "The Wellesley Center", and the last with "Babson Skating Center".

The sign will be placed 15 feet from the curb of Great Plain Avenue on land owned by Norfolk County, but under the management of the Town of Wellesley Department of Public Works. In a letter to Ms. Bainbridge dated February 3, 1997, W.T. Bailey, Director of the Department of Public Works stated,

"You have requested approval from the Department of Public Works (DPW) to replace the existing Babson Recreation Center sign with one for The Wellesley Center, in the same location, on Great Plain Avenue. The DPW is not opposed to replacement of this sign."

A composite package containing a letter of support from Babson College, Justification for the Request, ZBA Notice of Filing of Variance, ZBA 82-41 petition of Babson Recreation Center, Site Plan SK-1; Plans/Elevations - SK.A Partial Locus Plan/Existing Signage; SK.B Partial Locus Plan/Proposed Signage; SK.2 Street Sign; SK.3 Street Sign/Survey; and photographs was submitted.

On October 26, 1996, the Design Review Board moved, seconded and voted to approve the proposed sign.

On February 25, 1997, the Planning Board voted to make no comment on the petition.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject sign to identify the premises of The Wellesley Center and The Babson Skating Center is not in conformance with Section XXIIA of the Zoning Bylaw in respect to height, area, and location as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that due to the topography of the site, the height and area of the sign are necessary to ensure visibility from Great Plain Avenue.

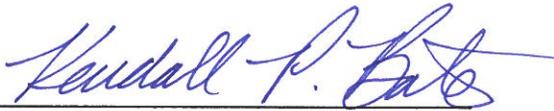
It is the opinion of this Authority that it does not have jurisdiction to grant the installation of the sign on land owned by Norfolk County, and managed by the Town of Wellesley DPW, but is willing to accept the authorization by said DPW for installation of the sign on town-managed land. However, it is the opinion of this Authority that the additional height of the sign will render it visible if installed 20 feet from the curb of Great Plain Avenue rather than at the proposed setback of 15 feet.

Therefore, a variance is hereby granted, as voted unanimously by this Authority at the Public Hearing, for an externally illuminated, two-sided standing sign with a height of 7 feet and a total area of 25.19 feet, in accordance with the submitted designs, subject to the following condition:

1. Said two-sided standing sign shall be located no closer than 20 feet from the curb of Great Plain Avenue as measured from the edge of the sign closest to Great Plain Avenue. A site plan showing the revised location and setback shall be submitted to the office of the Board of Appeals prior to the issuance of any sign permit.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of a sign application, and subsequent to the petitioner's compliance with Condition 1 of this decision.

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.


Kendall P. Bates, Acting Chairman


William E. Polletta


Sumner H. Babcock

cc: Planning Board
Inspector of Buildings
Paul Couturier, Health Development Corporation
David Carson, Babson College
W.T. Bailey, Wellesley Department of Public Works

edg

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181
MAR 13 1 50 PM '97