

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 88-82

Petition of Phillips Park Assoc. Ltd. Partnership  
12 Seaward Road/324 Washington Street (Phillips Park)

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 22, 1988 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 PHILLIPS PARK ASSOC. LTD. PARTNERSHIP requesting a variance from the terms of Section XXIIA and pursuant to Section XXIV-D of the Zoning Bylaw to erect a single-sided standing sign approximately 5 feet by 30 inches at its property at 12 SEAWARD ROAD/324 WASHINGTON STREET (PHILLIPS PARK), in a Single Residence District, which will exceed the maximum area of signage allowed in said district.

On September 6, 1988, the petitioner requested 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 Peter Celona, Director of Marketing for McNeil & Associates, developers of the Phillips Park project. Mr. Celona said that Phillips Park is located in 2 zoning districts: the refurbished section is in a Business District, while the new construction which houses the main entrance is in a Residential District. The sign will be located in the Residential District. The sign meets all requirements for a Business District, but needs a variance for the Residential District.

No other persons present had any comment on the petition.

#### Statement of Fact

The property in question is located at 12 Seaward Road/324 Washington Street, owned by Phillips Park Assoc. Ltd. Partnership, and is a multi-family dwelling. The Seaward Road portion of the building is located in a Single Residence District, while the 324 Washington Street portion is located in a Business District.

The petitioner is requesting a variance for a sign to identify the new elderly housing complex. The proposed sign would be 12 square feet, at a height of 4 feet and set 20 feet from the property line. As the sign would be located in the Single Residence portion of the property, a variance is requested to exceed the maximum area requirement of 1 square foot.

A drawing of the proposed sign dated July 29, 1988, drawn by Paula M. Salerno of Salerno Signs; a site plan locating the sign; a letter of approval dated August 24, 1988, signed by Alexander H. McNeil, President of McNeil & Associates, owners of the property; and photographs were submitted.

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The Design Review Board held a preliminary review on the proposed sign on August 25, 1988, and voted to approve the sign provided that the sign posts had pointed capitals. This change was incorporated in the final submission and the Board waived additional review.

The Planning Board, on September 13, 1988, voted to recommend that the sign comply with the "other districts" provisions of the Sign Bylaw which pertains to multi-family residential developments and allows a maximum area of 10 square feet.

Decision

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

The petitioner is requesting a variance for a sign at 12 Seaward Road/324 Washington Street to identify Phillips Park as noted in the foregoing Statement of Facts.

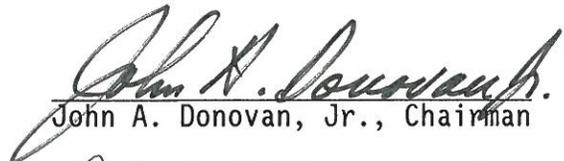
This Authority is of the opinion that due to the unusual circumstances of split-lot zoning on this property, literal enforcement of the provisions of Section XXIV-D of the Zoning Bylaw would involve substantial hardship to the petitioner and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to erect a single-sided sign, no larger than 12 square feet, with a height of 4 feet, set 20 feet back from the property line as shown in the submitted drawings and site plan.

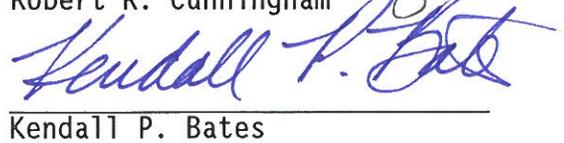
The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of an application.

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

  
John A. Donovan, Jr., Chairman

  
Robert R. Cunningham

  
Kendall P. Bates