



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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TOWN OF WELLESLEY

ZBA 90-5
Petition of Financial Data Planning Corporation
30 Washington Street

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, February 15, 1990 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 FINANCIAL DATA PLANNING CORPORATION requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to exceed the maximum number of signs allowed for a business establishment by erecting a second wall sign, approximately 7 feet by 2 feet, at their premises at 30 WASHINGTON STREET, in a Business District. A Special Permit is also requested pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to exceed the allowed height of 20 feet by locating said sign at a height of 37 feet.

On January 29, 1990, 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 Sumner Ochs of the Back Bay Sign Company. Mr. Ochs stated that because the building is set so far back from Washington Street, the second sign would serve as the primary identification for the business. Due to the height of the hill on the premises and the configuration of the access road, the sign has to be placed at the requested height in order to be visible. Mr. Ochs said that there is no signage at the street entrance.

The Board commented that the Design Review Board had recommended that the top of the sign be aligned with the top of the windows on the facade, which would be less than 37 feet high. Mr. Ochs agreed that the height of the sign would be about 35 feet in the recommended location.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 30 Washington Street, constructed in 1989 as an addition to 34 Washington Street, in a Business District. The property is owned by Haymac Trust, managed by Haynes Management Inc., and leased by the petitioner.

The petitioner is requesting a variance from Section XXIIA to exceed the maximum number of signs allowed at a business establishment by erecting a second wall sign, approximately 14 square feet, on the facade of the building, in addition to a

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permitted sign of 1 and 1/2 square feet located at the front entrance. A Special Permit is also requested to allow the sign to be erected at a height of 37 feet, thereby exceeding the allowed height of 20 feet.

The proposed sign will be comprised of individual 24 inch by 2 inch deep aluminium letters with a white epoxy finish and will be located at the third floor level of the building to face Washington Street.

A drawing of the sign dated December 11, 1989, drawn by Back Bay Sign Company, photographs, and a letter of endorsement by Haynes Management, Inc. were submitted.

The Design Review Board held a preliminary review of the sign on January 11, 1990 and a final review on February 8, 1990, at which time final approval of the sign was recommended with the understanding that the top of the letters of the sign would be aligned with the top of the windows on the building facade.

The Planning Board, on February 6, 1990, voted to offer no objection to the granting of the request.

Decision

This Authority has made a careful study of the evidence submitted. The petitioner is requesting a variance for a second wall sign and a Special Permit for said sign to be located at a height of 37 feet at 30 Washington Street.

It is the opinion of this Authority that due to the distance of the location of the building in relation to Washington Street and the topography of the property, the proposed second wall sign, approximately 7 feet by 2 feet, can be allowed in this particular instance as a literal enforcement of the provisions of Section XXIIA of the Zoning Bylaw would involve a substantial hardship to the petitioner due to the topography of such land but not generally effecting the zoning district in which it is located, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is hereby granted for a second wall sign approximately 7 feet by 2 feet, in accordance with the drawing submitted and noted in the foregoing Statement of Facts.

In regard to the request for a Special Permit to locate the sign at a proposed height of 37 feet, it is the opinion of this Authority that due to the special circumstances mentioned above, the petitioner has demonstrated a need for the Special Permit and the proposed wall sign will be in harmony with the intent and purpose of Section XXIIA of the Zoning Bylaw.

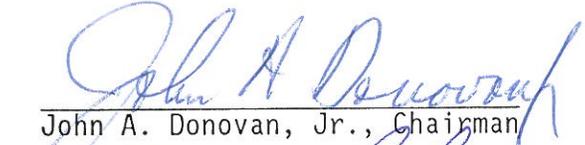
Therefore, the requested Special Permit is hereby granted, but with the condition that said sign be located, not at a height of 37 feet, but so that the top of the sign is aligned with the top of the windows on the facade which appear to be at a height of approximately 35 feet.

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The Inspector of Buildings is hereby authorized to issue a sign permit 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: Design Review Board
Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

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