



TOWN OF WELLESLEY

MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 91-7
Petition of American Stores Properties, Inc.
452 Washington Street (Osco Pharmacy)

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, February 28, 1991 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 AMERICAN STORES PROPERTIES, INC. 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 12 feet 8 inches by 2 feet 8 inches, on the facade of their building facing STATE STREET, at 452 WASHINGTON STREET (OSCO PHARMACY) in a Business District. A Special Permit is also requested pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for the area of the two signs to exceed the 50 square feet allowed by permit.

On February 11, 1991, the petitioner filed a request for 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 Robert Cook, District Manager of Osco Pharmacy, who said that the company was changing the name on the existing sign facing Star Market from "Osco Express" to "Osco Pharmacy", and wanted to erect a second sign on the back of the building where CVS used to have its second sign. The sign will have an orange ground with white letters and exterior illumination.

Al Indresano, 51 Smith Street, objected to the size of the sign, as it would face a residential area.

Robert Day, President of the Needham Cooperative Bank, asked if the requested sign would be the same size as the previous CVS sign. Mr. Cook said that it would.

Statement of Facts

The subject property is located at 452 Washington Street, in a Business District, and is owned by American Stores Properties, Inc, the parent company of Osco Pharmacy. The prior occupant was CVS Pharmacy, which had two signs; one facing Star Market and one on the State Street facade of the building.

In May, 1990, the petitioner requested a variance to erect four signs with a total area of 109 square feet at the subject location (ZBA 90-43), which was denied by the Board of Appeals. The petitioner is now requesting a variance to exceed the maximum number of signs allowed for a business establishment by erecting a second wall sign on the State Street facade of the building. Said sign would be approximately 12 feet 8 inches by 2 feet eight inches, at a height of 11 feet, with an orange ground and white letters.

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The petitioner is also requesting a Special Permit for the area of the two signs to exceed the 50 square feet allowed by permit. The area of the sign on the front facade is 42 square feet; the area of the sign on the State Street facade is 33 square feet, with a total signage area of 75 square feet.

Drawings of the two signs and elevations dated January 15, 1991, a site drawing, and photographs were submitted.

The Design Review Board reviewed the signage on January 24, 1991, and voted to accept the design of the signs and to support the petition for a second sign.

The Planning Board, on February 26, 1991, voted to offer no comment on the request.

Decision

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

The petitioner is requesting a variance to erect a second sign on the State Street facade of the building to identify the premises to traffic approaching the building from the rear. This Authority is of the opinion that as the previous occupant of the premises, CVS Pharmacy, was allowed a second sign on this facade, and as the proposed sign will not have internal illumination, said sign is in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw.

The petitioner is also requesting a Special Permit for the total area of 75 feet for two signs to exceed the 50 square feet allowed by permit. Signage with a total area between 50 feet and 75 feet requires a Special Permit. This Authority is of the opinion that the total area of 75 square feet for the two signs is in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw.

Therefore, a variance is hereby granted for a second sign on the State Street facade of the premises to be erected in conformance with the drawings noted in the foregoing Statement of Facts. A Special Permit for the total area of the two signs not to exceed the 75 feet requested as noted in the foregoing Statement of Facts is also granted.

The Inspector of Buildings is hereby authorized to issue a permit for said 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


Kendall P. Bates


William E. Polletta

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