



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

SEP 9 18 03 AM '94
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

ZBA 94-55
Petition of William Diehl Realty Trust
200 Linden Street

Pursuant to due notice, the Permit Granting and the Special Permit Granting Authority held a Public Hearing on Thursday, August 25, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of WILLIAM DIEHL REALTY TRUST requesting the following relief to erect a double-sided standing sign with an area of 80 square feet (40 square feet per side), at a height of 10 feet, set back 7 feet from the front property line, at its premises at 200 LINDEN STREET (DIEHL'S PLAZA), in a Business District and an Industrial District:

1. A variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to exceed the allowed area of 25 square feet for a standing sign.
2. Special Permits pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw are requested to exceed the allowed height of 6 feet and to have less than the required setback of 15 feet.

On August 8, 1995, 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 Butch Kiser, General Manager of F. Diehl & Sons, of which William Diehl Realty Trust is a subsidiary. Mr. Kiser said that the purpose of the sign is for identification of the tenants, who have no street frontage, as the building is perpendicular to Linden Street. The individual wooden name panels will be removable. The sign will be externally illuminated from dusk to midnight, and will be on the same lighting system as the parking lot.

The Board noted that the submitted plot plan did not show the existing entrances and exits to Diehl's Plaza from Linden Street, and requested a new plot plan showing the entrances and exits, and the location of the sign with measurements from the front and side lot lines, as a condition of granting the requested relief.

No other person present had any comment on the petition.

ZBA 94-55
Petition of William Diehl Realty Trust
200 Linden Street

Statement of Facts

The subject property is located at 200 Linden Street, owned by William Diehl Realty Trust, in a Business and an Industrial District. The existing commercial building, containing eleven tenants, is positioned perpendicular to Linden Street which allows for little or no visibility of the businesses.

The petitioner is proposing to erect a double-sided standing directory sign which will be located in an existing landscaped island that separates the parking lot of Diehl's Plaza from the Linden Street sidewalk. The proposed sign will have an area of 80 feet (40 feet per side), for which a variance is requested; a height of 10 feet and a minimum front setback of 7 feet for which Special Permits are requested.

A drawing of the sign dated June 16, 1994, drawn by Northern Lights Sign Co.; a portion of an enlarged Town Plan of the site; and photographs were submitted.

On July 14, 1994, the Design Review Board reviewed the proposed sign and voted to approve the design and placement of the sign, with the conditions that if the sign were illuminated, the illumination should come from shielded ground spotlights located within the landscaped island, and that the island itself be planted with an evergreen cover that reaches a mature height of 1.5 feet.

On August 18, 1994, the Planning Board reviewed the petition and voted to support the recommendations of the Design Review Board on the condition that the sign not exceed a height of 10 feet, and that the Zoning Board is satisfied that the sign does not hinder traffic visibility entering or exiting the site.

On August 29, 1994, Mr. Kiser submitted the requested revised site plan showing the 32 foot curb cut, and the location of the sign 143 feet from the right side lot line, 76 feet from the left side lot line, and 7 feet from the front lot line.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner is requesting a variance for the area of a double-sided standing sign, and Special Permits for the height and setback of said sign, which will serve to identify the eleven tenants in the Diehl Plaza building.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181
SEP 9 8 03 AM '94

ZBA 94-55
Petition of William Diehl Realty Trust
200 Linden Street

It is the opinion of this Authority that due to the position of the building in which the tenants are located, the tenant signage has minimal visibility from Linden Street, and that the area of the sign is necessitated by the number of tenants.

It is the opinion of this Authority that a literal enforcement of the provisions of Section XXIIA of the Zoning Bylaw would involve a substantial detriment to the petitioner, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

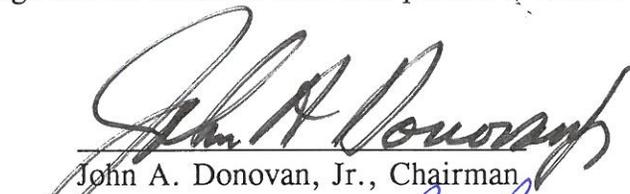
Therefore, the requested variance is granted for the double-sided standing sign to have a maximum area of 80 feet (40 feet per side).

The Board is of the further opinion that the proposed standing sign is in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw with regard to height and setback, and therefore grants the Special Permits as requested.

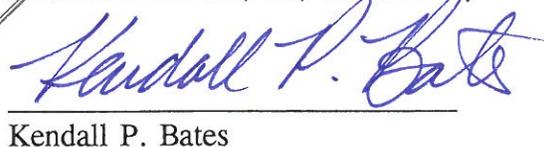
The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of an application. No sign can be installed until said permit is issued.

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.

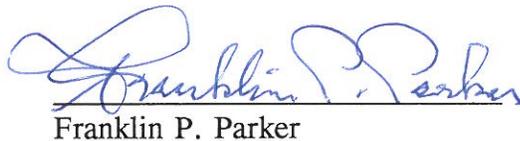
cc: Planning Board
Inspector of Buildings
edg



John A. Donovan, Jr., Chairman



Kendall P. Bates



Franklin P. Parker

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

SEP 9 8 03 AM '94