

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY, MA 02181

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ROBERT A. BASTILLE
CYNTHIA S. HIBBARD

ZBA 99-28

Petition of Shell Oil Products Company
987 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 29, 1999 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 SHELL OIL PRODUCTS COMPANY requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to allow removal of its existing standing sign and installation of a new double-sided standing sign at its premises at 987 WORCESTER STREET, in a Business District, which will need the following Special Permits:

1. To exceed the allowed height of 10 feet with a height of 20 feet.
2. To exceed the allowed area of 50 square feet with a total area of 100 square feet (50 square feet/side). The Shell logo and "Friendly's Cafe" will have a combined area of 25 square feet/side. The pricing information will have a total area of 25 square feet/side.
3. To internally illuminate said sign.
4. To exceed the allowed number of two colors on an internally illuminated sign with a sign of four colors.

On April 12, 1999, 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 Conrad Decker, representing both Shell and Friendly's. Mr. Decker said that Shell Oil Company is the property owner, and Friendly Ice Cream Corporation is a subtenant. The petition is to allow removal of an existing 25 foot standing pylon sign with an area of 82 square feet per panel, which is set back one foot at the westerly end of the property; and to install a new goal post standing sign at a height of 20 feet, with a 25 square foot Shell and Friendly Cafe identification panel and a 25 square foot price sign. The sign will be located at the easterly end of the property set back 10 feet from the property line.

Mr. Decker said that the signage area will be reduced from 82 to 50 square feet per side; the height reduced from 25 to 20 feet; the setback increased from 1 foot to 10 feet; the number of colors reduced from 8 to 4. The sign will be relocated to a planter on the easterly side.

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The Board questioned the length of the lease, as if the lease was short term, Shell might be back to change the sign. Mr. Decker said that there is a long term lease, but if there are any changes, Shell would submit a new petition.

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1999 MAY 12 A 4:01

The Board asked if there would be additional signage. Mr. Decker replied that the only additional signage is on the awnings and the building pediment for Friendly's Cafe. All other signage has been removed.

The Board noted that the Planning Board had no objection as long as the Design Review Board recommendations were followed.

Kimberly Walker, 132 Overbrook Drive, objected to the area of the sign in relation to the size of the lot, to the internal illumination of the sign, and to the use of the word "Cafe" on the sign.

Robert Cappozzi, 116 Woodside Avenue, was concerned about the piecemeal additions to the property, and about the internal illumination, as the signs on abutting properties have very discreet lighting.

The Board commented that the existing sign is very visible from Overbrook Drive. The new sign will be around the corner of the building. The petitioner has made an effort to get the signage off the street, and to reduce the size and height. Furthermore, it is not within the Board's jurisdiction to edit information on a sign.

Statement of Facts

The subject property is located at 987 Worcester Street, in a Business District, and is owned by the Shell Oil Products Company. A portion of the existing building is leased to the Friendly Ice Cream Corporation for use as Friendly's Cafe, which is a retail establishment where retail items are sold for off-site consumption.

The petitioner is requesting a Special Permit to remove an existing double-faced 25 foot internally illuminated standing sign with a total area of 128 square feet, located 1 foot from the property line at the westerly end of the property; and to install a new double-faced 20 foot internally illuminated standing sign with a total area of 100 square feet, located in a planter 10 feet from the front property line at the easterly end of the property.

There will be two double-faced sign panels. The higher 25 square foot panel will contain the yellow Shell logo on a red ground and the red "Friendly's Cafe" logo on a white ground. The lower 25 square foot panel will contain pricing information in black on a yellow ground.

An Alta/ACSM Land Title Survey dated October 21, 1996, prepared by Golden Land Survey Company; a Sign Plan dated 1/19/99, Cafe Exterior Elevations dated 10/16/98; and a Sign

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Detail in Color, dated 3/11/99, revised 3/17/99, prepared by Decker & Company, were submitted.

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On March 11, 1999, the Design Review Board held a preliminary review of the standing sign and made recommendations as to height, area, location and setback, and that all illegal signs be removed immediately. A final review was held on March 25, 1999 at which the Design Review Board voted acceptance of the modified sign.

On April 27, 1999, the Planning Board reviewed the sign and had no objections provided all Design Review Board recommendations are followed.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing.

The petitioner is requesting a Special Permit for a double-faced internally illuminated standing sign at 987 Worcester Street to identify the Shell station and Friendly's Cafe. This Authority is of the opinion that the proposed standing sign is in harmony with the intent and purpose of Section XXIIA of the Zoning Bylaw in regard to height, area, and setback.

It is the opinion of this Authority that internal illumination of signage identifying service stations is customary, and that the use of four colors is in keeping with the design of the sign.

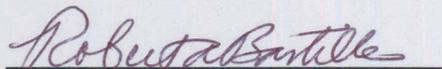
Therefore, a Special Permit is granted for the proposed sign subject to construction in accordance with the submitted site plan and design, and further subject to the condition that the proposed sign shall not be installed until the existing sign is removed and a sign permit issued by the Inspector of Buildings.

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

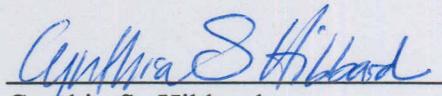
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.



Kendall P. Bates, Chairman

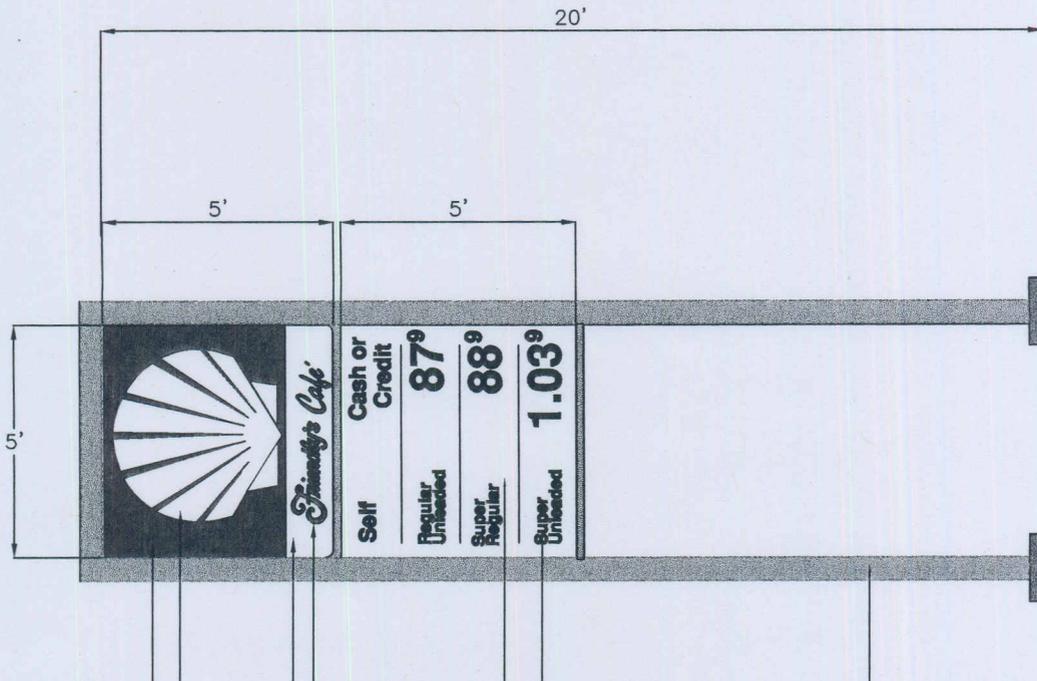


Robert A. Bastille



Cynthia S. Hibbard

cc: Planning Board
Inspector of Buildings
edg



SHELL I.D. SIGN

RED- BACKGROUND
 YELLOW- PECTIN
 25 SQ. FT. (1) SIDE

WHITE- BACKGROUND
 RED- LETTERS

SHELL PRICE SIGN

YELLOW- BACKGROUND
 BLACK- LETTERS
 25 SQ. FT. (1) SIDE

STEEL SIGN FRAME

INTERNALLY ILLUMINATED

FREE STANDING SIGN

TOTAL = 50 SQ. FT (1 SIDE)

REV. 3-17-99

DECKER & COMPANY
 COMMERCIAL REAL ESTATE CONSULTANTS
 P.O. BOX 258
 LEE, MA 01238

SHELL OIL COMPANY
 SIGN DETAIL
 987 WORCESTER ROAD
 WELLSLEY, MASS.

SCALE: NTS

DATE: 3-11-99

DRW: DEA

FILE: S3901