

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

J. RANDOLPH BECKER, CHAIRMAN  
ROBERT W. LEVY, VICE CHAIRMAN  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208

WALTER B. ADAMS  
DEREK B. REDGATE  
RICHARD L. SEEGEL

November 17, 2020

7:30 pm

Juliani Meeting Room

Town Hall

Zoning Board of Appeals Members Present:

J. Randolph Becker  
David G. Sheffield  
Derek B. Redgate  
Robert W. Levy

**ZBA 2020-58, SUN LIFE ASSURANCE COMPANY OF CANADA, 100 WORCESTER STREET**

Present at the public hearing were Tom Fontaine, Chief Banking Officer, Dave Marshall, Design Consultant, and Adelle Greenberg, Cambridge Trust. Mr. Fontaine said that the request is for approval of an exterior sign at 100 Worcester Street that is almost the exact one that the Board approved a year ago. He said that Wellesley Bank merged with Cambridge Trust in June. He said that this is the last piece of signage that they are waiting to complete. He said that, with the exception of the letters and colors, there is no change to the sign that was approved by the Board. Mr. Levy said that the lighting has changed. Mr. Becker said that, from a Zoning Bylaw perspective, the lighting has gone from an approved category to a prohibited category.

Mr. Levy confirmed that Cambridge Trust occupies one-third of the building and it is not a retail branch and is used just for offices.

Mr. Levy said that the previously approved sign was halo lit and the current request is for internal illumination. He asked why the lighting needed to change, since it was deemed to be sufficient in 2019. He asked what has changed since the prior approval. Mr. Marshall said that his company recommended the face lit letters versus halo lit, based on the distance of viewing the sign which is a significant distance off of the highway. He said that halo illumination will not be seen, especially with the trees along the highway. Ms. Greenberg said that there is a more elegant look and feel to the face lit letters. Mr. Becker said that the Board has not heard a reason to approve a sign that the bylaw prohibits. Mr. Fontaine said that it is a far distance from where it will be viewed. Mr. Becker said that the distance has not changed since last July. Mr. Fontaine said that the sign that was approved last July was probably not in the Bank's best interests. Mr. Marshall said that his company was not involved in that prior approval and would not have recommended that lighting. Mr. Levy read from an excerpt from the previously approved decision. Mr. Fontaine said that what has changed is a recommendation from a better sign company. Mr. Levy asked if any other signs in the

office park are illuminated. Mr. Fontaine said that the Sun Life sign is lit but he was not sure what type of illumination it had.

Mr. Becker read the Planning Board recommendation.

Mr. Becker asked what the bank's business hours are at 100 Worcester Street. Mr. Fontaine said that the general hours Monday through Friday, 8 am to 6 pm with some night meetings. He said that occasionally they run some after hour gatherings for some of their higher end clients. He said that it will be difficult for those clients to see the sign if they do not know where they are going, especially during the night during the winter. He said that Wealth Management may relocate to the facility and they tend to work later hours. He said that some sort of lit sign will be very helpful, especially coming from Route 128 or Route 9. He said that 100 Worcester Street does not show up on Google. Mr. Levy said that there is a Sun Life sign at the entrance, so customers can be directed to the Sun Life Office Park. Mr. Fontaine said that it can be a difficult location to find for people who are not from this area. He said that they have clients who come from all over New England.

Mr. Marshall displayed a recently installed letter set sign for Cambridge Trust that was mounted over a retail front in front of glass, so there is no fascia or a backer. He said that it is nice clean letter forms that they are after as opposed to halo, which does not communicate well from a distance as far as reading, "Cambridge Trust". Mr. Levy asked how consistent the sign will be with other signs in the office park. Mr. Fontaine said that the only other sign in the park is for Sun Life. He said that this sign will only be visible from Route 9 and Route 128. Mr. Becker said this intersection is a gateway to Wellesley from the north, south and the east. He said that it is a leap for the Board to go from a prohibited sign to something in that prominent location. He said that the Planning Board is strongly opposed to internal illumination. Mr. Fontaine said that the Design Review Board (DRB) did not have any issue with internal illumination. Mr. Becker said that the DRB were not reviewing the sign in terms of it being prohibited by the bylaw.

Mr. Becker asked if there was anyone present at the public hearing who wished to speak to the petition.

Mr. Becker discussed the Board's voting process. Mr. Levy discussed approving a special permit with conditions. Mr. Marshall said that if the Board is amenable to a halo lit sign, the basic look would be the same except for internally. He said that alternatively, there could be external lighting but that would not be a good look at that height. He said that another option is halo lit with full color letters, with a red "Cambridge" and dark grey "Trust". He said that the backer panel to the building would be white.

Mr. Levy said that he would not opposed to allowing a special permit with a condition that the lighting change from internally lit to halo lit, as long as the graphics do not change.

Mr. Marshall said that the plans show white letters. He said that if it was halo lit it would be all white letters on an all white base. He said that they could do full color, as shown at the bottom of Plan 22, under Project. He said that the white letters would benefit being on the north side of the building where it brings more shadow. He said that Trust would be very similar to the building color. He said that the backer will be painted to match the building. He said that having a backer is a cleaner way to mount the sign. He said that shining lights back for halo lit will create funky shadows that will distract from the letter.

Mr. Becker asked Mr. Fontaine if he would prefer to come back with a revised sign design. Mr. Fontaine asked that they approve the proposed sign with a change to being halo lit. Mr. Levy confirmed that the request is for a sign of the same color and same size letters, with the only change to halo lit lighting.

Mr. Levy moved, Mr. Becker seconded the motion and the Board voted unanimously to approve the sign, as submitted, with the conditions that the lighting be changed from internal illumination to halo lit and if the sign is removed, the façade be restored, and that the lighting be shut off no later than 10 pm, which are the last two conditions of the previously granted decision.

Mr. Levy voted aye.

Mr. Sheffield voted aye.

Mr. Becker voted aye.

ZBA 2020-59, MICHAEL & PATRICIA MORDAS, 15 TAPPAN ROAD

Mr. Redgate acknowledged that he knows the Applicant through his son's school and stated that it will not affect his judgment on the application.

Present at the public hearing were Michael and Patricia Mordas, the Petitioner, and Mike Tartamella, Architect.

Mr. Becker said that the Planning Board commended Mr. Tartamella for the neighborhood context that he provided.

Mr. Tartamella said that the request is for proposed additions and renovations to a pre-existing nonconforming structure. He said that his clients are both Wellesley residents who are relocating to Tappan Road and downsizing.

Mr. Tartamella said that 15 Tappan Road is located in a 10,000 square foot Single Residence District. He said that the lot is 9,360 square feet. He displayed total living area and lot sizes of some of the houses in the immediate area. He displayed photographs of the existing house. He said that it is an American 4 Square with some additions that were put on in 2004,

Mr. Tartamella said that one of the existing nonconformities is on the side yard at 9.8 feet where 20 feet is required and a bay that was approved by variance in 1950. He said that the proposal is to remove the existing mudroom connector and garage and put back an addition off of the rear that improves the side yard setback from 9.8 feet to 10 feet. He said that the proposed addition continues to the right side of the property, conform on the rear yard setback.

Mr. Tartamella said that they studied building on top of the existing garage and had some concerns about the integrity of the foundation and its depth.

Mr. Tartamella said that existing lot coverage is 2,257 square feet, which will be reduced to 2,243 square feet, which is still under the allowable 25 percent.

Mr. Tartamella said that the property is located in a Conservation jurisdiction and an Order of Conditions was issued. He said that there will be a reduction in impervious surface from 2,018 square feet to 2,012 square feet.

Mr. Tartamella said that existing TLAG is 3,772 square feet and proposed TLAG will be 4,473 square feet, for an increase of 701 square feet.

Mr. Tartamella said that the envelopment calculation is at 32 percent which is well below the Historic Commission's threshold for demolition review. He displayed the front elevations from Tappan Road, which will remain mostly unchanged except for a modification to a third floor dormer. He said that they changed out some of the paneling detail and reclad it. He said that they added shadow boxes and shutters for scale. He displayed the left side elevation where they raised a hip roof and created second floor space with dormers. He said that they scaled down the pitch on the front side. He said that the proposed design will allow for more access to the garage for today's vehicles. He said that the ridge height of the garage will increase by 5.5 feet. He said that the rear side currently has a fence and because of the drop off, most of the rear wall will not be seen. He said that they consulted with the neighbors and they supported the proposed design.

Mr. Tartamella said that there are currently eight lamps on the house and one spotlight. He said that the proposal is to take the spot light off and have six carriage lights on the house that will be dark sky compliant. He said that they preserved the open space, landscaping and topography as it exists today. He said that there will be some upgrades in terms of deferred maintenance. He said that his clients intent to restore the landscape buffers.

Mr. Tartamella said that his clients received letters from the neighbors on all four sides.

Mr. Tartamella said that the proposed renovations and additions are in keeping with the character and scale of the neighborhood. He said that they made an effort to design something that looks like it could have been an original thought and compliments the architecture of the existing house and the neighborhood.

Mr. Sheffield asked about the large oak tree at the rear of the garage. Mr. Tartamella said that the tree was reviewed under the jurisdiction of the Wetlands Protection Committee (WPC) and it was determined that it needs to be removed, from a hazard and a construction standpoint. He said that it is leaning and there is some long term concern about the health of the tree. He said that the WPC deemed it acceptable to remove the tree. Mr. Becker discussed the Tree Preservation Bylaw and other options other than preserving the tree. He said that Tree Preservation is not part of a special permit. Mr. Redgate said that WPC decisions supercede the Tree Protection Bylaw. Mr. Tartamella said that they did not do the calculations to see if the project would exceed the threshold but the intent is to put trees along the property line.

Mr. Becker – not proper part of a special permit - -

Mr. Becker read the Planning Board recommendation.

Mr. Redgate said that it was helpful for the Applicant to go through the LHR criteria. Mr. Becker said that there are four other homes in the neighborhood that are over the TLAG trigger and this is not the biggest one.

Mr. Redgate asked if they will be replacing the siding to shingle style. Mr. Tartamella said that it is a larger exposed red cedar shingle that is painted. He said that it complements the house and its volume.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Sheffield moved, Mr. Redgate seconded the motion, and the Board voted unanimously to approve a special permit and make a finding that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

ZBA 2020-60, KRISTEN DiBELLA & FRANK PRALL, 28 LONGFELLOW ROAD

Present at the public hearing was Kristen DiBella and Frank Prall, the Petitioner. Ms. DiBella said that the request is for relief on the right side of the house to wrap the porch around the house and for a two story addition on the left side that will be conforming. She said that the existing structure is nonconforming.

Mr. Sheffield said that the wrap around porch will be a great improvement. He discussed concerns about the size of the two story addition and its proportion to the house as seen from the rear. Ms. DiBella said that there is a significant slope from the front to the back. She said that there is a house down the street that has a similar addition. She said that paid attention to keeping the historical Victorian feel to the house. She said that tried to make sure that the addition did not overscale the house. She said that the front of the house is prominent to the street and the addition is set back and set down into the grade.

Mr. Redgate asked about the TLAG and size of the proposed structure. Ms. DiBella said that the existing TLAG is 4,942 square feet and the proposed TLAG is 5,774 square feet. Mr. Becker said that, although this is exempt from LHR, the Board likes to see TLAG data to see how the house as existing and proposed fits into the neighborhood. Ms. DiBella said that they reviewed the plans with the neighbors, who are happy to see the house revitalized. She said that there have been some additions that do not fit with the house. She said that 60 percent of the houses on the street are at or above the proposed TLAG. She said that many of the homes on Longfellow Road are large scale older, historic houses. She said that the direct abutters have similarly sized houses.

Mr. Sheffield asked what effect the slope of the lot has on drainage to properties on Washburn Avenue. Ms. DiBella said that there is an existing drywell that drainage goes into. She said that they have lived there for six months, so she is not sure how it drains to the back of the property. She said that Washburn Avenue is a direct drop off. She said that they are proposing the addition in the space that it is because of the slope of their lot. She said that there currently does not seem to be any drainage issues.

Mr. Becker asked if any member of the public wished to speak to the petition.

Wayne Sher, 26 Longfellow Road, said that he would like to see the old house become new. He asked to see the plans. Mr. Becker said that the plans are shown on the website.

Victor Kestenbaum, 35 Washburn Avenue, said that he lives downhill from the property. He discussed concerns about drainage. He said that a property was clear cut about seven years ago and subsequently a neighbor has had water in the basement. He said that he is concerned about the effect of this project on his property. He said that he and his neighbor on Washburn Avenue would have appreciated it if the plans had been discussed with them.

Mr. Becker read the Planning Board recommendation. – do not enclose wrap around porch

Mr. Sheffield read an email from Mr. Hinderliter, 25 Washburn Avenue, regarding his concerns about the mass seen from his property, the retaining wall, drainage toward his property, and trees that were removed.

Mr. Redgate said that the neighbors on Washburn Ave were concerned about drainage on the downside of Longfellow Road. He discussed asking for a drainage analysis that is reviewed by the Town's Engineering Division. He said that the property is located in a Water Supply Protection District and it may be appropriate as a condition of approval. Ms. DiBella said that would be acceptable to them. She said that they are not installing a foundation so as to not disturb the slope to the extent possible. Mr. Becker said that the analysis should discuss what the runoff will be and what happens to it to show that it will not affect the neighbors' property. Mr. Redgate said that it would mitigate the increase in the roof area, showing the neighbors that what will be put in is apples to apples and not an increase.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve a special permit and make a finding that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, subject to a condition that a drainage analysis be submitted and reviewed and approved by the Town's Engineering Division that relates to stormwater management and runoff in the direction of Washburn Avenue.

Mr. Redgate voted aye.

Mr. Sheffield vote aye.

Mr. Becker voted aye.

#### ZBA 2020-62, 199 WORCESTER ST., LLC, 199 WORCESTER STREET

Present at the public hearing was Stanley Brooks, Esq., representing 199 Worcester St., LLC, the Petitioner. He said that also present were Aharonian, property owner and Mark Smith, Project Manager, CNG Environmental.

Mr. Becker displayed an aerial photograph of the property with the red property lines shown and the canopy in 1997. He said that the property line is south of the edge of the canopy. He said that he had similar maps from 2004, 2010 and 2017. He said that eventually the canopy lapped over the boundary line. He said that eventually the canopy went away. Mr. Brooks said that the canopy was demolished in 2012.

Mr. Becker said that the site plan that the Board has shows the building at 199 Worcester Street set back from the southern boundary. He said that since this is a business district, the front yard setback does not come out of Table 1. Mr. Brooks said that it is subject to 30 foot front yard setbacks and the building is compliant. He said that the proposed canopy clearly encroaches into the front yard setback. He said that he had no explanation as to why the lot lines changed over the years. Mr. Becker said that the length of the lot lines did not change. He said that the canopy is not the building but is an accessory structure.

Mr. Brooks said that the request is for a variance for the canopy. He said that there is an easement that runs behind the building at the rear 10.5 feet of the lot. He said that without having to dig up the tanks and demolish and relocate the building, they could not make it compliant in any event. He said that there is no other place for the canopy to go and have any useful purpose. He said that they are stuck because of the shape and the dimensions of the lot. He said that the fuel dispensers are under the canopy shown in the 1997 photograph. He said that the canopy will provide public safety, convenience, protect the equipment and be more energy efficient. He said that there are no alternative places for the canopy. He said that due to the existing site specific conditions that are present on this particular lot but not generally in this district, compliance with the bylaw is impossible. He said that they are seeking relief to allow the canopy to be installed. He said that the size and the shape of the lot does not allow the business to operate within the letter and spirit of the bylaw. He said that the requested relief can be granted without any substantial detriment to

the public good, for the reasons outlined the memorandum that was submitted. He said that the installation of the canopy will not substantially derogate from the intent or purpose of the bylaw and literal enforcement of the bylaw involve a substantial hardship, financial and otherwise, to the owner of the property because it leaves him at a competitive disadvantage with other stations. He said that the plan is to add signage that will further promote the gas station.

Mr. Becker said that the request is for the Board to grant a variance for the location of the canopy and to grant a special permit to allow spillover of light on the south side beyond that which is required by the lighting bylaw. Mr. Brooks said that the spillage is in the range of what is allowed in a residential district under Section 16G of the Zoning Bylaw. He said that they went back to the lighting company several times and asked them to dial it down until they reached a level of lighting that was operationally safe and enhances the public safety but did not overstep the bounds. He said that there will be spillage of approximately one foot candle into the travel lane. He said that there is a sidewalk on the south side of the property line and a breakdown lane. He said that at the gutter at the curb, it is 14 feet to the canopy. He said that light spillage into that 14 feet provides a public service because it lights the sidewalk area. He said that add seven to eight feet at the easterly entrance, it lowers to approximately three feet. He said that there is significant distance between the light and the actual travel lane. He said that the small amount of downward directed light would make travel on the exit ramp to Cedar Street north safer.

Mr. Redgate said that in addition to keeping people dry while they are pumping gas, the canopy serves a significant fire protection safety element. He said that it would be helpful to have a document related to that. Mr. Brooks said that this will be a service station where attendants come out to pump gas, so customers will not pump their own gas here. He said that because of that service, no fire suppression system is required. Mr. Becker said that fire suppression is a building code question.

Mr. Redgate discussed criteria to justify granting a variance. He said that it is a small lot and lot shape plays into that finding. He said that it is an existing fill station that had a canopy at one time. Mr. Becker said that it is a business district, not a residential district. He said that the Board could consider the shape of the lot because of the curve at the other side. He said that the fact that it used to have a canopy is strong evidence that the Board could look at it as something that it could grant. He said that not having fire suppression equipment in the canopy takes away the public safety side of it.

Mr. Smith said that he is an oil engineer who has been doing filling station projects for over 20 years. He said that if that station has a fire suppression system, it does work better with a canopy. He said that a canopy is considered to be a heat collector and reduce wind. He said that if there was an incident, you would be more likely to get a quick response with the fire suppression system. He said that if the station is not self-serve, Massachusetts does not require a fire suppression system. He said that you have to have a dry chemical system with self-serve.

Mr. Redgate said that there would be some safety improvement with a canopy.

Mr. Sheffield asked if there will be a card reader for after hours at the station.

Mr. Brooks said that the canopy protects the equipment. He said that the public has come to expect a well lit safe and secure environment at fuel stations, whether they are getting out of their car or not. He said that this is all part of a modernization of the station. He said that Mr. Aharonian is updating the fuel dispensers. He said that he has owned the property for about 18 months. He said that the canopy is beneficial to the public and promotes public safety. He said that the shape of the lot, the location of the existing buildings, the

infrastructure the UST's, the dispensers and the underground components make this a unique property. He said that none of this has been not self-created. He said that the shape of the lot constricts what can be done, how and where, and does not affect every property in this Zoning district. He said that literally enforcing the bylaw would cause significant substantial hardship to Mr. Aharonian.

Mr. Becker discussed the required findings, under Section 24 D 1 a and b of the Zoning Bylaw. He said that the circumstances relate to the shape of the lot.

Mr. Brooks said that there is signage that is proposed to be on the canopy, in addition to a standing sign.

Mr. Sheffield said that the canopy becomes advertisement for the driver that there is a gas station there. He said that if there are card read on the dispensers for after hours, the station will need a fire suppression system. Mr. Becker said that if this is a manned station, the dispensers can be disabled when the station is closed.

Mr. Redgate said that he had no objection to the lighting spillover, given the location on a major roadway and no residences close by. Mr. Brooks said that he spoke with the abutters or their representatives and they indicated their support.

Mr. Becker read the Planning Board recommendation.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve a variance for the proposed location of a new canopy and make a finding that literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to the petitioner owing to circumstances relating to the shape of such land, which does not generally affect the zoning district in which it is located, the hardship has not been self-created, and desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

Mr. Redgate moved, Mr. Becker seconded the motion, and the Board voted unanimously to approve a special permit pursuant to the provision of Section 16G, finding that enhances or does not negatively impact community ambiance and character.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

#### ZBA 2020-61, 199 WORCESTER ST., LLC, 199 WORCESTER STREET

Present at the public hearing was Stanley Brooks, Esq., Mark Smith, Project Manager, CNG Environmental, and Mike Hannigan, Sign Designer, representing 199 Worcester St., LLC.



Mr. Brooks said that the property owner spoke with the abutters at 118 and 120 Cedar Street, 195 and 197 Worcester Street, and they were supportive of the proposed signage.

Mr. Brooks said that the request is for special permit, pursuant to Section 22A. H of the Zoning Bylaw to replace an existing standing sign that is quite outdated and in disrepair, and replace it with a new up to date one in the same location. He said that the existing standing sign is not set back 15 feet from the street and will stay in the same location. He said that the proposed is lower and smaller in square footage than the two signs that are currently there. He displayed a photograph of the existing sign. He said that the plan is to take the two-part sign and condense it to a single modern sign, similar to what is seen at most gas stations and consistent with what was recently approved for the Gulf Station that is next to the Fire Station. He said that the total square footage of the existing two signs exceeds the new two-sided sign, which is 50 square feet on each side. He said that they will take the gas pricing and move it up into the main sign that identifies the station so that it looks like a smooth, clean, modern looking unit. He said that it will be over a foot lower than the existing sign. He said that the height is driven in part by the light poles and other street signage that is in the area. He said that the sign was appropriately placed in this location. He said that the proposed size is necessary. He said that on the approach from the east, you come up the hill from Route 128 and the existing sign is not visible until you are within several hundred feet of it. He said that by having a more updated internally illuminated standing sign and additional signage on the canopy will provide a public service by identifying the station to make it safer for vehicles to maneuver to the station from further away. He said that it is the first gas station west of Newton Center and Route 128.

Mr. Brooks said that standing signs located on Worcester Street are allowed to be 75 square feet and 10 feet in height. He said that because of the location and the crest of the hill, the additional height and size are warranted. He said that the sign is reasonable in relation to scale of the area, is not inconsistent with other signage in the area. He said that Wellesley Toyota at 264 Worcester Street and their used car facility further east have taller standing signs with significant logos on them.

Mr. Brooks said that placement of the sign is designed to be proportionate to the neighborhood. He said that the property is located in a commercial district. He said that the closest buildings are located at 118 to 120 Cedar Street and are shielded by the gas station service building. He said that the two buildings to the right are 165 feet away from the proposed sign. He said that they tried to make the sign conform as much as possible and believe that it is in harmony with Section 22A findings. He said that the scale and size are reasonable in relation to the area and it will not hurt architecturally any buildings in the neighborhood, it will not obscure any buildings or create sight lines issues, the proposed colors, materials and illumination proposed are reasonably compatible with the building design in the neighborhood and the use of the property. He said that this will not create any safety hazards to vehicular or pedestrian traffic and will be a safety enhancement for vehicular traffic.

Mr. Brooks said that the Planning Board had concerns about interference with the State directional signs that direct traffic to the exits. He said that he looked at Google Maps and drove along Route 9 and determined that this sign is not lined up with or interferes with visibility of those signs.

Mr. Becker read the Planning Board recommendation.

Mr. Redgate said that the setback listed on the application is for 3.5 inches. He confirmed that the setback will be 3.5 feet. Mr. Brooks said that it is 3.5 feet to the edge of the sign. Mr. Hannigan said that the sign is 10 feet wide and the pole is set back 8.5 feet from the lot line and 20 feet back from the street.

Mr. Redgate asked about the square footage of the proposed signage. Mr. Brooks said that the standing sign will be 100 square feet for branding and led pricing and there will be 35 square feet of signage on the canopy.

Mr. Sheffield confirmed that the standing sign is double faced. Mr. Hannigan said that it will be 50 square feet per side. He said that the existing sign is 60 square feet per side and 17 feet in height. He said that the proposed sign will be two feet lower. Mr. Brooks said that the sign needs to be two sided to be visible for traffic on Route 9 and Cedar Street.

Mr. Becker discussed limitations on overall signage on the site and wall and window signs on the existing building and standing on the site. Mr. Brooks said that there is a standing sign at the westerly exit, which the Board, in 2011, required to be removed as part of its approval. He said that sign was not removed but will be as part of the upgrade of the station, as indicated in the materials submitted. He said that they will work to get window or wall signs into compliance or take them down. Mr. Becker said that the bylaw limits the number of standing and wall signs. He said that information that was submitted only addressed the signage that is proposed. He said that the Board does not have a complete picture of signage on the site. Mr. Redgate discussed inserting a condition to eliminate extraneous signage.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve special permit and make findings that will be in harmony with the general purpose and intent of Section 22A of the Zoning Bylaw, as the sign scale will be will in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures; sign size, shape, and placement will serve to define or enhance architectural elements of the building and will not unreasonably interrupt, obscure or hide them; sign design will be in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures; sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use; and sign size, location design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic, subject to a condition that all extraneous signs on the site shall be removed.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

#### ZBA 2020-63, JILL & TODD MAHER, 44 RADCLIFFE ROAD

Present at the public hearing were Jill and Todd Maher, the Petitioner. Ms. Maher said that the request is to extend an existing nonconformity on their home. She said that the request is to convert an existing screened in porch off the back of the house into a one story addition with part of it having a second story above it. She said that they will not move beyond the existing nonconforming back left. She said that the proposed structure is well within the TLAG threshold. She said that the addition of 894 square feet will bring their total square footage to 4,800 square feet, which is below the 5,900 square feet that is allowed.

Mr. Becker said that all of the properties in the neighborhood meet the minimum lot size.

Mr. Redgate said that it is a modest addition on a large lot. He asked about the dimensions of the shed. Mr. Maher said that he did not have the dimensions of the shed but it will be moved.

Mr. Sheffield asked about the dimensions of the new front porch. Ms. Maher said that it is 8 feet by 4 feet.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Becker read the Planning Board recommendation.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve a special permit and make a finding that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

ZBA 2020-66, FR LINDEN SQUARE, 182 LINDEN STREET (CITIZENS BANK)

Present at the public hearing was Samantha Burgner, Leasing Manager at Citizens Bank. She said that the request is for renewal of a special permit for operation of three drive through lanes at their bank branch on Linden Street.

The Board members discussed increasing the term of the special permit from two to three years. Mr. Becker discussed removing Conditions 3 and 5 regarding the canopy lighting and the dumpster, as those issues have been resolved. Mr. Sheffield confirmed with the Applicant that they would prefer to renew the special permit for three years.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Becker read the Planning Board recommendation.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve renewal of the special permit, subject to modifying the conditions to eliminate Conditions 3 and 5 regarding the canopy lighting and the dumpster, and increasing the term of the special permit from two to three years.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

ZBA 2020-67, BEVERLY ST. CLAIR, 11 GILSON ROAD

Present at the public hearing was Beverly St. Clair, the Petitioner. Ms. St. Clair said that the request is for renewal of special permit that has been granted since 1989 for a private practice at her home office. She said that the most recent renewal was granted for a three year permit.

Mr. Becker thanked Ms. St. Clair for reviewing the standards in the bylaw in her submittal letter.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve renewal of the special permit, subject to the same conditions.

Mr. Sheffield voted aye.  
Mr. Redgate voted aye.  
Mr. Becker voted aye.

ZBA 2020-68, SHANNON & TIMOTHY SCARLETT, 11 PINE TREE ROAD

Present at the public hearing was Shannon Scarlett, the Petitioner, who said that the request is to add a one story addition to the right side of the existing house to accommodate a first floor guest bedroom for in-laws and parents who are getting older. She said that the size of the addition is approximately 20 feet by 14 feet with a full basement.

Mr. Redgate questioned whether the plans meet the criteria of the application. He said that the plans only includes the addition and not the existing house. Mr. Becker said that the information for the addition is there but it is seen in isolation, so that Board does not have a context for it. He said that you can see on the plot plan how it fits onto the existing house. Mr. Redgate discussed inserting a condition that the plans should be consistent with the requested information for ZBA records. He said that this is a simplistic addition and he is able to visualize it from the information that has been provided.

Mr. Becker read the Planning Board recommendation.

Mr. Becker asked if any member of the public wished to speak to the petition.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve a special permit and make a finding that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, subject to a condition that plans that meet submittal requirements that are typical for applications are provided to the Zoning Board of Appeals.

Mr. Sheffield voted aye.  
Mr. Redgate voted aye.  
Mr. Becker voted aye.

ZBA 2020-69, UNITARIAN UNIVERSALIST WELLESLEY, 309 WASHINGTON STREET

Present at the public hearing was John Spencer, representing the Wellesley Farmers Market. Mr. Spencer said that they have been using the church parking lot for the last six years. He said that the request is for renewal of the special permit.

Mr. Becker asked about the start and end date of the Farmers Market. Mr. Spencer said that it operates year round with one week off at the end of the year.

Mr. Becker asked what changes have been made to deal with the Covid pandemic. Mr. Spencer said that Covid has the changed the dynamics of Farmers Markets around the region. He said that the demand has doubled, with a wait list to get on. He said that people stand in line at a six foot distance and wear masks. He said that conditions of the previous approval conditions have not changed except for Covid restrictions.

Mr. Sheffield confirmed that the hours are limited to 12:30 to 2:30 pm on Thursdays. Mr. Spencer said that the only exception that they are asking for is to hold the market on Wednesday of Thanksgiving week.

Mr. Redgate confirmed that the area does not conflict with the church parking space rental.

Mr. Becker read the Planning Board recommendation.

Mr. Redgate moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to approve renewal of the special permit, subject to the same conditions with an exception to allow the market to operate on the Wednesday before Thanksgiving.

Mr. Sheffield voted aye.

Mr. Redgate voted aye.

Mr. Becker voted aye.

As there was no further business to come before the Board, the hearing was adjourned at 10:20 pm.

Respectfully submitted,

Lenore R. Mahoney  
Executive Secretary

DRAFT