



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.  
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL  
Executive Secretary  
Telephone  
~~235-1664~~  
431-1019

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

ZBA 86-44  
Petition of Victor Realty Development Company  
Newton Wellesley Executive Office Park  
40, 60, 70 Walnut Street

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MASS.  
AUG 8 9 51 AM '86

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, July 24, 1986 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of VICTOR REALTY DEVELOPMENT COMPANY requesting a Special Permit and variances from the terms of Section XXIIA and pursuant to Section XXIV-D, Section XXV of the Zoning Bylaws to allow alterations to an existing standing sign at NEWTON WELLESLEY EXECUTIVE OFFICE PARK at 40, 60, and 70 WALNUT STREET, said sign visible from Route 128.

On July 1, 1986, 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 Dick Jensen, Property Manager, Victor Realty Development Co., who stated that they wish to reface the existing sign with a white, black and green sign as shown. They wish to retain and upgrade the existing sign for visibility from Route 128 northbound. Discussion followed about discrepancies between a sign granted by the ZBA in 1976 and the existing sign. The existing sign is larger, higher and has less of a setback than the 1976 Special Permit allowed.

No others were present at the hearing expressing favor or opposition to the request.

Statement of Facts

The property in question is known as Newton Wellesley Executive Office Park, located at 40,60, and 70 Walnut Street, in a Business District, owned by Victor Realty Development Company. It contains three office buildings and is bordered by the Charles River.

The office park has two entrance signs on Walnut Street per ZBA Special Permit (ZBA 84-24). A third complex sign, a standing sign, exists facing Route 128. The ZBA approved a standing sign facing Route 128 in 1976 (ZBA 76-48).

The existing sign does not conform to the Special Permit granted for the sign in 1976: Granted, 1976: Height 16', Area 144 square feet, Setback 20 feet;  
Existing, 1986: Height 21', Area 192 square feet, Setback 8 feet.

Petition of Victor Realty Development Company  
Newton Wellesley Executive Office Park  
40, 60, 70 Walnut Street

The petitioner wishes to alter the existing standing sign and is requesting variances for the height (21 feet proposed), area (164.5 square feet proposed), and number of complex signs (three). A Special Permit is requested for the set-back from the property line (8 feet proposed).

The Design Review Board reviewed the proposed sign and in a letter of June 13, 1986 accepted the most recently submitted design proposal.

The Planning Board, in a letter of July 14, 1986, stated it had voted to oppose the granting of the requested sign.

Decision

This Authority has made a careful study of the evidence presented. The petitioner has an existing standing sign which he proposes to alter. The existing sign exceeds the Special Permit granted in 1976 (ZBA 76-48) in regards to height, area, and setback.

The petitioner is now proposing a sign which exceeds the present requirements of the Zoning Bylaw with regards to height (21 feet requested), area (164.5 square feet requested), and number of signs per complex (3rd complex sign). Variances are requested for height, area and number of signs. A Special Permit is requested to allow a setback of 8 feet from the property line.

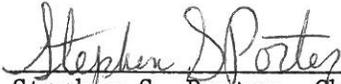
This Board is concerned about signs on Route 128 which de-face the Wellesley exposure from Route 128. This Board particularly does not want to encourage signs on Route 128 which exceed the Zoning Bylaw.

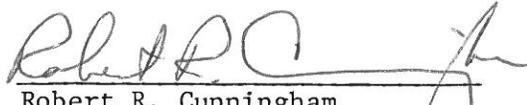
This Authority sees no justification for variances being granted for the proposed sign and fails to find a "substantial hardship" within the meaning of Section XXIV-D of the Zoning Bylaw. Therefore, the requested variances and Special Permit are hereby denied and the petition is dismissed.

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

mam

  
Stephen S. Porter, Chairman

  
Robert R. Cunningham

  
William E. Polletta

98. AM 9 51 6 8 09H  
RECEIVED  
TOWN CLERK'S OFFICE  
NEWTON, MASS.