



ZONING BOARD OF APPEALS

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ZBA 2020-46
Petition of Blue Hills Fuels LLC
461 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, October 1, 2020 at 7:30 pm, on the petition of Blue Hills Fuels LLC requesting a Special Permit pursuant to the provisions of Section 22A Section 25 of the Zoning Bylaw to reface an existing standing sign and add new LED illumination and LED illuminated price digits, at 461 Worcester Street, in a Business District.

On June 22, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for October 1, 2020.

Present at the public hearing was Suneet Sharma, representing Blue Hills Fuels LLC, the Petitioner, regarding the Gulf Station at 461 Worcester Street. He said that Gulf came out with a new national brand standard earlier this year and the station is required to upgrade to the new image.

Mr. Sharma displayed a plan showing the existing and proposed layout. He said that the new image incorporates a three dimensional piece on the canopy with two illuminated logos. He said that the request is also for internal illumination of the main identification sign where the Gulf logo is located, similar to the Shell Station that is 2.8 miles away on Worcester Street.

Mr. Sharma displayed on a plan the location of the proposed signs. He said that the site is open from 5 am to 11 pm, so all external lights will be turned off when the site closes at 11 pm. He said that illumination will be limited to the evening hours up until 11 pm.

Mr. Sharma displayed a plan of the main identification sign. He said that the Gulf section of the sign is the only portion that will be illuminated, just the Gulf logo, not the white background. He said that the electronic numbers will be low level LED lights. He said that they will just reface the existing cabinet. He said that the existing sign is externally illuminated.

Mr. Sharma displayed a plan showing the dispensers. He said that they will have a logo that is not illuminated.

The Chairman said that this location is a gateway to the town even though it is not on the border. He said that the site is prominent heading west on Route 9. He said that the sign package seems to be aggressive. A Board member agreed and said that it seems to be over the top with the orange colors. He said that it has been the desire of the town for a long time to maintain the area west on Route 9 beyond the Gulf Station as residential until Weston Road.

Mr. Sharma said that they are asking for the same consideration as other gas stations in town with internal illumination and LED price signs, especially the Shell Station that is two miles away on the same road. He displayed an image of the Shell Station at 987 Worcester Street. He said that the sign on the canopy extends above the height, all three sides are internally illuminated, there are large digits on the LED price sign where the proposed digits on the Gulf sign are significantly smaller on a small sign that is closer to the ground.

A Board member asked about the orange at the top of the columns under the canopy. Mr. Sharma said that those are the number signs so that the attendant inside knows which dispenser a customer is fueling from. The Board asked if it could just be a number on the column. Mr. Sharma said that he can propose not putting them up with Gulf. The Board member said that there is an advantage to seeing the number but not the orange color. He said that the number of the pump is located on the existing pumps rather than at the top of the column. He said that the Applicant may want to consider continuing that practice.

The Chairman said that one of the things that the Board has to consider is safety. He said that this is located at a bend in the road in a highly traveled area. He said that the Shell Station is on a straight away in a more remote area. He said that at this location, cars are turning onto Cliff Road, turning off of Route 16, out of the Fire Station and the Municipal Light Plant. He said that it is a difficult interchange and does not have the standard curb cuts that the Shell Station has. Mr. Sharma said that LED digits make it easier for the customer to read the price sign.

A Board said that in addition to the signs that are shown as part of the Gulf package, there are currently wall signs all over the face of the building and the windows facing Worcester Street are covered with signs as well. Mr. Sharma said that those signs may have been put up by the dealer, who is new and may not be aware of the regulations. He said that he will make sure that they are removed.

The Chairman said that there is also a free standing sign for inspections. He asked about the signs over the bay doors. Mr. Sharma said that those signs are existing. He said that this is a new dealer who is starting his business. He said that they would like to be able to keep the free standing sign and the signs over the bay doors. The Chairman said that the Board would not be giving permission to have the free standing sign but there may be a provision in the Zoning Bylaw to permit the sign.

A Board member discussed the Zoning Bylaw and internal illumination. Mr. Sharma said that internal illumination is more energy efficient, is an easier design for them and is what all the other gas stations in town have already. He said that it is not fair to exclude this station. The Board member said that those installations probably were done before the current version of the Zoning Bylaw went into effect.

The Chairman confirmed that the requested relief is for internal illumination for the signage. Mr. Sharma said that they are only asking to reface the existing monument sign and add internal illumination. He said that they are requesting relief to illuminate the logos on the canopy. He said that they will just be facing the canopy not replacing it. The Chairman confirmed that the standing sign will have the same footprint, size, and setback. He said that the only change is to change the background color behind the logo and illuminating the logo, two pricing areas instead of one that are digitized.

A Board member asked if the level of illumination can be adjusted behind the Gulf sign. Mr. Sharma said that the light level can be reduced if it is too bright. The Chairman said a condition would be that the sign

can be illuminated to an extent to not be a distraction to motorists and if it is found to be too bright, will be adjusted.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The Petitioner is requesting a Special Permit pursuant to the provisions of Section 22A Section 25 of the Zoning Bylaw to reface an existing standing sign and add new LED illumination and LED illuminated price digits, at 461 Worcester Street, in a Business District.

Letter of Authorization, dated 6/15/20, signed by Rodney Whitley, Vice President, Blue Hills Fuels LLC, ALTA/NSPS Land Title Survey, dated 8/23/16, Existing and Proposed Canopy, Site Map, Gulf Disc, Canopy Reface, Clearance, Dispensers, Dispensers, MID Sign, Color Specifications, and Paint Specifications, dated 1/15/20, prepared by Big Red Rooster Flow were submitted.

On March 3, 2020, the Design Review Board reviewed the application and voted unanimously to recommend approval of the proposed signage.

On September 23, 2020, the Planning Board reviewed the petition and recommended that the Special Permit be denied.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject signage consists of re-facing an existing standing sign and adding new LED illumination and LED illuminated price digits.

It is the opinion of this Authority that re-facing an existing standing sign and adding new LED illumination and LED illuminated price digits 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.

Therefore, a Special Permit is granted for re-facing an existing standing sign and adding new LED illumination and LED illuminated price digits, subject to the following conditions:

1. Lighting shall be shut off at the earlier of close of business or 11 pm.
2. The orange numbering on the columns shall be eliminated.
3. All other signs shall be removed and not replaced on the site, excluding the signs over the bay doors.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon receipt and approval of a sign application and any other materials he may require. No sign shall be installed until said permit has been issued.

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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.

Robert W. Levy, Acting Chairman

David G. Sheffield

Derek B. Redgate

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Applicant Blue Hills Fuels LLC
Address 461 Worcester Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm