

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-19

Petition of Back Bay Sign, LLC

962 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 7, 2011 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of BACK BAY SIGN, LLC requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of a 5 foot by 10 foot two-sided internally illuminated standing sign set at a height of 10 feet with a 10 foot setback and for three halo illuminated walls signs that will exceed the maximum number and area allowed by right in a Commercial District fronting 962 WORCESTER STREET, as follows:

- The existing "Lee Imported Cars" wall sign will be reduced in size down to 24 square feet to read "Lee Imports".
- The existing "Volvo" wall sign of 32 square feet will remain.
- The proposed "Jaguar" wall sign of 43 square feet will be set at a height of 31 feet above ground.

On March 22, 2011 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 Jason Parillo, Back Bay Sign, LLC (the "Petitioner"). He said that the purpose of the petition is to replace the existing Jaguar wall sign with a new Jaguar wall sign that reflects the current branding. He said that they also plan to install a standing sign that will have a ten foot setback. He said that a 15 foot setback is required by the bylaw.

Mr. Parillo said that there are currently three wall signs at the site, Jaguar, Volvo, and Lee Imported Cars. He said that the Lee Imported Cars sign will be reduced to read Lee Imports.

Mr. Parillo said that all of the proposed wall signs will be halo illuminated. He said that the standing sign will be internally illuminated. He said that only the letters will be illuminated.

Mr. Parillo said that the lot is very tight. He said that the standing sign is proposed to be 10 feet from the property line. He said that it will be 19 feet back from the curb line. He said that the sign will be perpendicular with Route 9 to give the site more visibility.

The Board asked why the lettering will be different for the Volvo and Jaguar signs. Chris Lee, 962 Worcester Street, said that the lettering is different because of the different auto manufacturers. He said that they have different fonts and coloring. He said that the font is part of their logo.

The Board said that the property is located on the eastbound gateway to the Town. The Board said that the Town had just gone through lengthy approval processes for the two properties to the west. The Board said that the Town required landscaping there. The Board said that it would like to see a change in the way this property looks. Mr. Lee said that his plan is to improve the visual impact of the property on Route 9.

The Board asked about the banner signs attached to the light poles. Mr. Lee said that the banner signs will be coming down. He said that the banner signs were not permitted.

The Board said that part of the request is for a sign on the ground with less than required setbacks. Mr. Lee said that setting the sign back farther will stop all flow of traffic on the site. The Board said that the cars that are already parked there must be doing that as well. Mr. Parillo said that there is a raised stone wall area at the site. He said that they submitted a Site Plan that shows the stone wall.

Mr. Lee said that there is an issue with trucks unloading. He said that the trucks cannot unload on Route 9. He said that trucks could not get around the sign if it was pushed back. He said that they wanted to move the sign further over to the right but cannot do so because there is a transformer located there.

Mr. Parillo said that they worked hard to find a suitable location for the standing sign. He said that they looked at putting it on the raised elevation but that would not meet the setback. He said that it would interfere with the transformer on the right side of the lot. He said that the proposed location was the only place where the sign would not interfere with the truck unloading operation and traffic onto the site.

Mr. Parillo said that the sign will be located 19.5 feet off of the street. He said that it was his understanding that the purpose of setbacks was for sight lines. He said that the proposed sign will not obstruct views for traffic on Route 9.

The Board asked about leaving the Lee Imported Cars sign on the building and having Jaguar and Volvo on the standing sign. Mr. Lee said that the Mazda sign across the street is larger and they have a Mazda wall sign.

The Board said that this petition is subject to the new Zoning Bylaw for signs. The Board said that the Town has asked that the Route 9 corridor be cleaned up. The Board asked the Petitioner to come back with a Site or Landscaping Plan that does not include parking vehicles in front. The Board said that it would be helpful to see on a Site Plan why the standing sign must be located in the proposed location due to traffic flow.

Mr. Lee said that he would submit a better Site Plan that would show how a truck has to come onto the property. He said that his goal is to not create a hazard on Route 9.

The Board said that it would like to see the look of the entrance improved.

The Board asked if it would be reasonable to not allow parking of vehicles west of the sign. The Board said that there could be a landscaped area with a sign.

The Board asked about letter sizes on the free standing sign. Mr. Parillo said the letters will be eight to ten inches and will meet the bylaw requirements. He discussed illumination of the sign. He said that the

edge of the letters and the edge of the Jaguar will be illuminated. He said that only the letters for the Volvo sign will be illuminated. Mr. Lee said that it will be a very subtle sign.

The Board asked that the truck turning radii be added to the Site Plan.

The Board voted unanimously to continue the petition to May 5, 2011.

May 5, 2011

The Board voted unanimously to continue the petition to June 16, 2011.

June 16, 2011

Presenting the case at the hearing were Jason Parillo and Chris Lee. Mr. Parillo said that one part of the petition was for a free standing sign. He said that they are still asking for relief for the setback for the standing sign. He said that they submitted a Site Plan prepared by Metrowest Engineering that shows the truck turning radii and the need for the sign to be closer than 15 feet to the property line. He said that originally they were asking for 5 feet of relief. He said that now they are only asking for relief of 4.5 feet. He said that they were able to move the sign a little further away from the road and still accommodate trucks. Mr. Lee said that they added a flower bed around the sign.

The Board said that the Metrowest Site Plan demonstrated the circulation required on the site that would dictate the location of the sign. Mr. Parillo said that the sign will actually be 20 feet from the curb line of the road. He said that the setback is from the property line.

The Board said that the neighbors on the Natick side are now improved properties. The Board said that it would like to see some landscaping so that the combined entrance and sign would improve the look of this property. Mr. Lee said that they will plant more grass on the highway side. He said that they have installed grass already but it is not shown on the plans. The Board said that there is a circle between the sign and the requirement for trucks to enter the site where there is a place for landscaping that will enhance the sign and the entry at the same time.

Mr. Parillo said that the wall mount signs will be halo illuminated. He said that the free-standing sign will have push through illuminated letters. He said that on the Volvo portion of the sign, only the letters will be illuminated. He said that the Jaguar portion of the sign will have the edge of the puma and the letters illuminated.

Mr. Parillo said that they will be replacing the existing Jaguar wall sign with a new one that will be slightly larger. He said that the letters will be conforming at 14 inches. He said that they reduced the Lee Imported Cars wall sign to read Lee Imports. He said that the square footage of the existing wall signs will match what they are proposing. He said that the Volvo wall sign will remain. The Board confirmed that all of the other wall signs will be taken down and the banners will be removed from the posts on Route 9.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The Petitioner is requesting a Special Permit for installation of a 5 foot by 10 foot two-sided internally illuminated standing sign set at a height of 10 feet with a 10 foot setback and for three halo illuminated walls signs that will exceed the maximum number and area allowed by right in a Commercial District fronting 962 WORCESTER STREET, as follows:

- The existing "Lee Imported Cars" wall sign will be reduced in size down to 24 square feet to read "Lee Imports".
- The existing "Volvo" wall sign of 32 square feet will remain.
- The proposed "Jaguar" wall sign of 43 square feet will be set at a height of 31 feet above ground.

Existing & Proposed Plans for wall and standing signs for "Jaguar", "Lee Imported Cars", "Lee Imports" and "Volvo", dated 8/27/10, 11/2/10, 11/4/11, & 12/21/10, prepared by Pattison Sign Group, Survey Record, dated 6/5/78, stamped by Phillip Brown, Proposed Sign Site Plans, dated 5/24/11, prepared by Metrowest Engineering, Inc., Justification for Special Permit, dated 2/28/11 & one undated, signed by Jason Parillo, and Letter of Authorization, were submitted.

On February 23, 2011, the Design Review Board voted to recommend approval of the Special Permit for the proposed signs.

On June 15, 2011, the Assistant Planning Director reviewed the petition and recommended that the Special Permit be denied as submitted.

Decision

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

It is the opinion of this Authority that installation of a 5 foot by 10 foot two-sided internally illuminated standing sign set at a height of 10 feet with a 10.6 foot setback, a 24 square foot halo illuminated wall sign to read "Lee Imports", an existing 32 square foot halo illuminated wall sign to read "Volvo", and a 43 square foot halo illuminated wall sign set at a height of 31 feet above the ground to read "Jaguar", will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw, as the lettering styles, materials and colors will not detract from the area and are appropriate for this specific location.

Therefore, a Special Permit is granted for installation of a 5 foot by 10 foot two-sided internally illuminated standing sign set at a height of 10 feet with a 10.6 foot setback, a 24 square foot halo illuminated wall sign to read "Lee Imports", an existing 32 square foot halo illuminated wall sign to read "Volvo", and a 43 square foot halo illuminated wall sign set at a height of 31 feet above the ground to read "Jaguar", subject to the following conditions:

1. All banner signs on the lightpoles on Route 9 shall be removed.

2. All other wall signs on the building with the exception of the three approved wall signs shall be removed.

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.

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.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

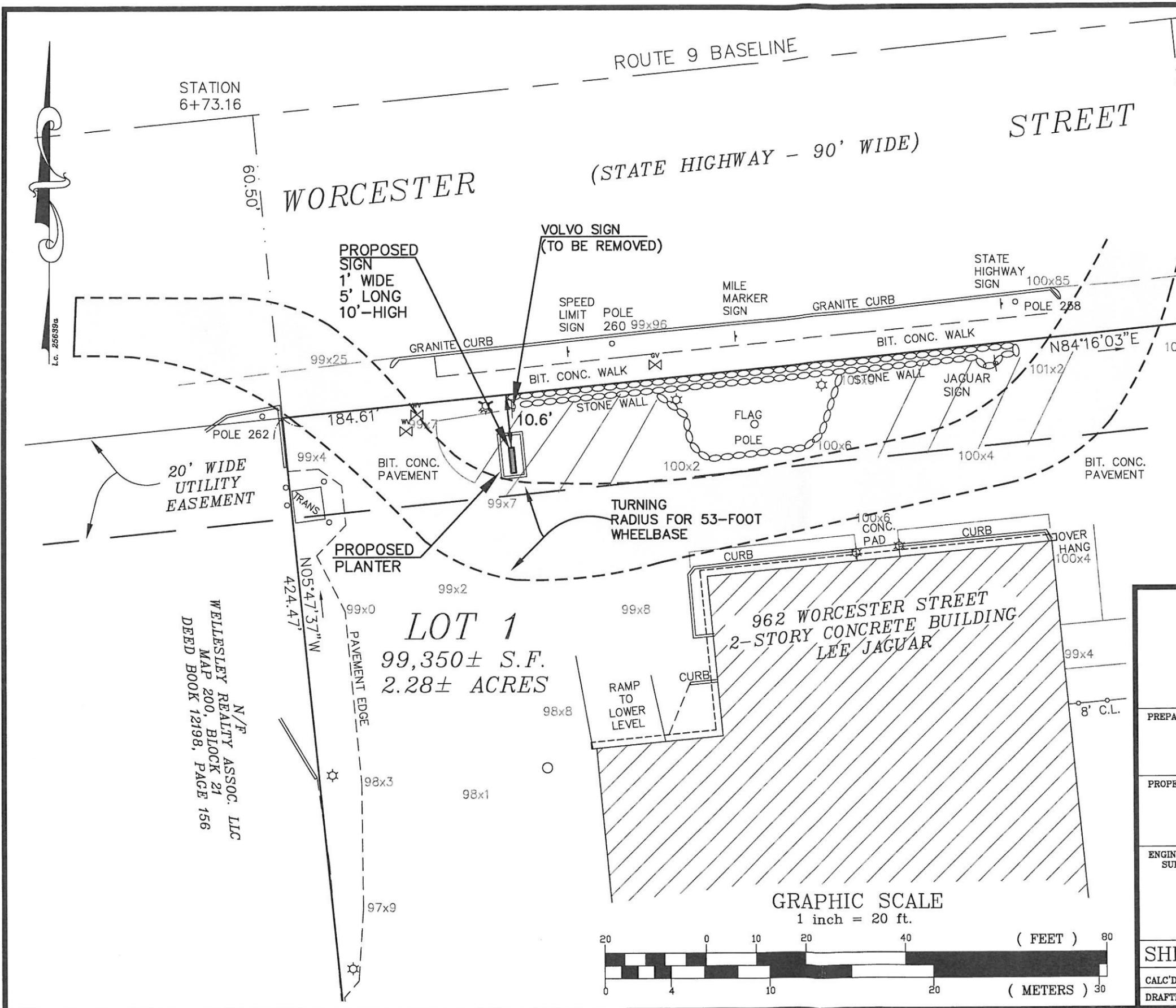
cc: Planning Board
Inspector of Buildings
lrm

NOTES:

1. SUBJECT PARCEL IS SHOWN AS ASSESSORS SHEET 200, LOT 20. RECORD TITLE FROM LAND REGISTRATION CERTIFICATE #172729.
2. THIS PLAN IS THE RESULT OF AN ON-GROUND SURVEY PERFORMED BY METROWEST ENGINEERING, INC. UTILITY LOCATIONS ARE BASED ON FIELD OBSERVATIONS, AVAILABLE RECORDS AND INFORMATION. METROWEST ENGINEERING, INC. DOES NOT WARRANT LOCATION, CHARACTER NOR ELEVATIONS OF ALL UNDERGROUND UTILITIES NOR THE LOCATION NOR CHARACTER OF SURFACE IMPROVEMENTS THE OBSERVATION OF WHICH WAS OBSCURED AT THE TIME OF THE SURVEY.
3. THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE PROPERTY LIES WITHIN ZONE "C" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO.250255 0005B, BEARING AN EFFECTIVE DATE OF SEPTEMBER 5, 1979.

N/F
C&T JARVIS LLC
MAP 200, BLOCK 19
LAND REG. CERT. #160904

FOR METROWEST ENGINEERING, INC. DATE
ROBERT A. GEMMA, P.L.S. #37046



N/F
WELLESLEY REALTY ASSOC. LLC
MAP 200, BLOCK 21
DEED BOOK 12198, PAGE 156

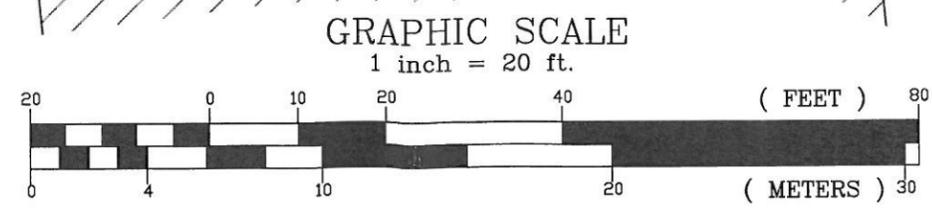
**PROPOSED SIGN
SITE PLAN
IN
WELLESLEY, MASS**

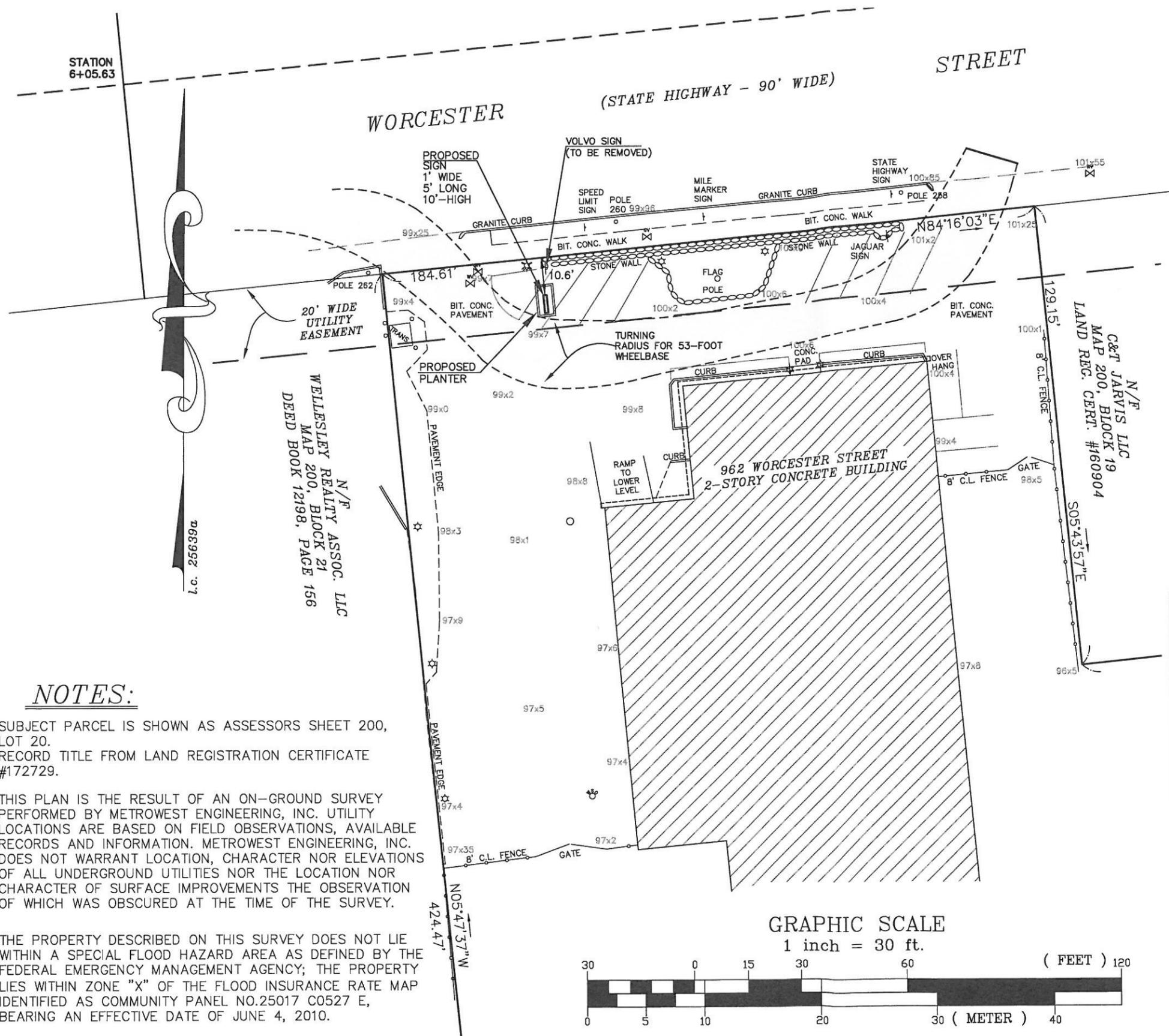
PREPARED FOR:
LEE JAGUAR
962 WORCESTER STREET
WELLESLEY, MA 02481

PROPERTY OF:
DONALD REALTY TRUST
183 TAHANTO ROAD
POCASSET, MA

ENGINEERS & SURVEYORS:
MWE METROWEST ENGINEERING, INC.
75 FRANKLIN STREET
FRAMINGHAM, MA 01702
TELE.: (508)626-0063

SHEET 1 OF 1		DATE: MAY 24, 2011
CALC'D BY: BTN	FIELD BK: 563	CAD FILE: WORKING.dwg
DRAFTER: BTN	PROJECT: WST_DEER	DWG FILE: SP052511.dwg





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3. THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE PROPERTY LIES WITHIN ZONE "X" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO.25017 C0527 E, BEARING AN EFFECTIVE DATE OF JUNE 4, 2010.

FOR METROWEST ENGINEERING, INC. DATE
 ROBERT A. GEMMA, P.L.S. #37046

PROPOSED SIGN
 SITE PLAN
 IN
 WELLESLEY, MASS

PREPARED FOR:
 LEE JAGUAR
 962 WORCESTER STREET
 WELLESLEY, MA 02481

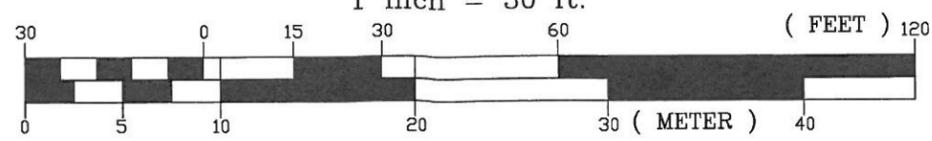
PROPERTY OF:
 DONALD REALTY TRUST
 183 TAHANTO ROAD
 POCASSET, MA

ENGINEERS & SURVEYORS:
MWE METROWEST ENGINEERING, INC.
 75 FRANKLIN STREET
 FRAMINGHAM, MA 01702
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SHEET 1 OF 1 DATE: MAY 24, 2011

CALC'D BY: BTN	FIELD BK: 563	CAD FILE: WORKING.dwg
DRAFTER: BTN	PROJECT: WST_DEER	DWG FILE: SP052511.dwg

GRAPHIC SCALE
 1 inch = 30 ft.



Job No.

Version #: 27-Aug-10
Date: 10-11-10
Design #: 378-1-07
Sales: Dimarco
Designer: Robinson

Rev: 6: R1
Date: Sept 10, 2010

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required
- Site Check Required
- Conceptual Artwork
- Approved for Production

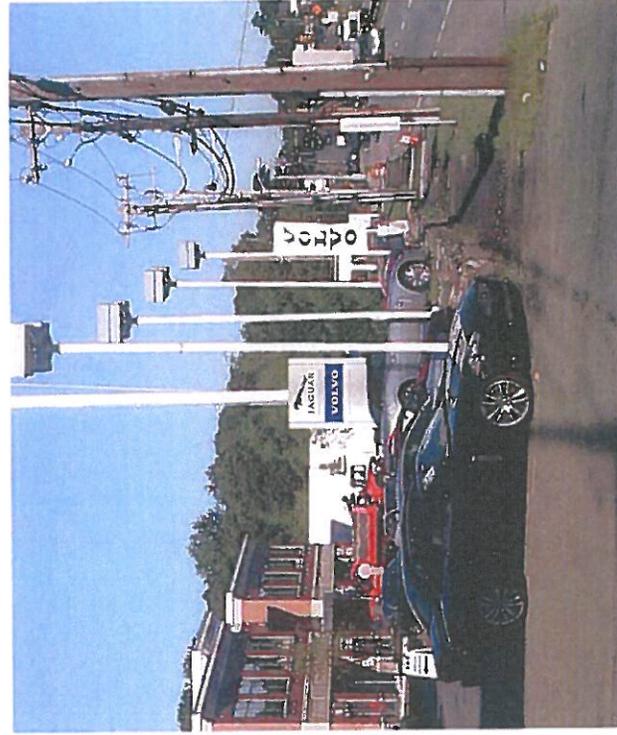
Electrical Requirements
 120V 240V
 Other

Customer Approved
Date



PANT
MPT1085
BLUE

SIGN FINISH:
PAINT BRAND USED IS "MATTHEWS" AND NEEDS TO
BE ORDERED FROM A MATTHEWS DEALER.
ALL PAINTS ARE CUSTOM "VOLVO" COLORS.
ALL PAINTS ARE MANUFACTURED WITH A GLOSS FINISH
INTEGRATED INTO THE PAINT. NO OTHER CLEAR COATING REQUIRED.



Note: Size of signage in relation to surroundings is approximate. This overlay is intended for location purposes only and may not accurately reflect the scale of the proposed signage to surroundings. A site survey is required for exact proportions.

Fluorescent, Neon and LED signs contain Mercury. Dispose of these items according to Local, Provincial, State, or Federal Laws.

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Jaguar Volvo MultiBrand

SUPPLY & INSTALL ONE (1) ILLUMINATED PYLON DISPLAY
ALUMINUM CONSTRUCTION THROUGHOUT
ALUMINUM BKGD. PAINTED YORK

JAGUARS ARE METAL LETTERS
WITH A SMOCKED PAINTED BRONZE FINISH
ON BEVELLED EDGED CLEAR ACRYLIC
EDGE LIGHTING EFFECT OCCURS

VOLVO:

VOLVO is a 1/2" Clear Push Through with
shoulder cut, with 3-M 3635-30 White Diffuser
on the first Surface

NOTES

ELECTRICAL

Max 15 amp/120 volt circuits
Unless otherwise specified



Pattison Sign Group illuminated signs contain Fluorescent, Neon and/or HID lamps. These lamps contain Mercury (Hg). Dispose of these lamps according to Local, State, Provincial or Federal Laws.

NOTICE

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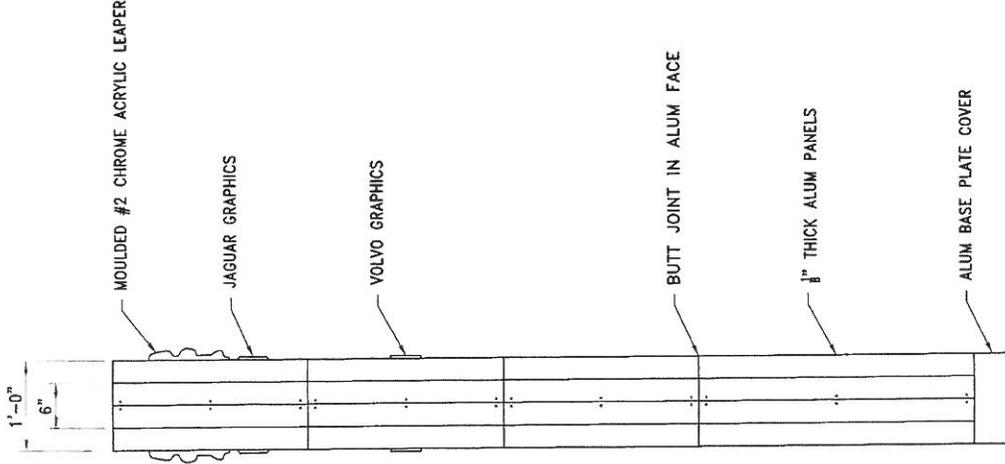
REVISIONS

NO.	DESCRIPTION	DATE

DESIGNER: ANTHONY DIMARCO
 DRAWN BY: B. NAKASUJI
 CHECKED: AS NOTED
 DATE: NOVEMBER 4, 2010
 CUSTOMER: JAGUAR WELLESLEY
 ADDRESS: 962 WORCESTER ROAD
 WELLESLEY, MA
 JOB No. 78549 DRAWING: MULTI-1



**PATTERSON
SIGN GROUP**
 A DIVISION OF JIM PATTERSON INDUSTRIES LTD.
 555 ELLESMERE RD., SCARBOROUGH ONT., M1R 4E8
 TORONTO 416-759-1111



SIDE ELEVATION
SCALE 3/4" = 1'-0"

MOULDED #2 CHROME ACRYLIC LEAPER TO BE INCISED & PUSHED THRU ALUM FACE c/w 1/2" WIDE WHITE OUTLINE AROUND PERIMETER

JAGUAR GRAPHICS TO BE INCISED & PUSHED THRU 1/2" THICK CLEAR BEVELED ACRYLIC c/w SMOKED BRONZE ALUM FACE

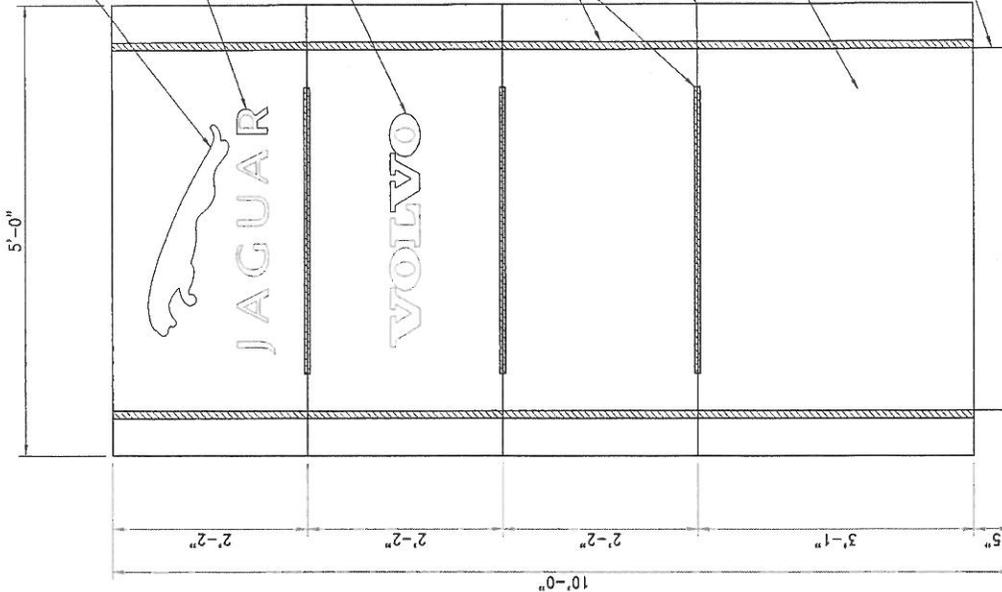
VOLVO GRAPHICS TO BE INCISED & PUSHED THRU 1/2" THICK WHITE ACRYLIC c/w VINYL APPLIED TO FIRST SURFACE & PAINTED EDGES

VINYL APPLIED TO ALUM PANELS

BUTT JOINT IN ALUM FACE

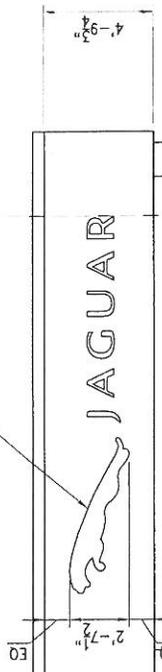
1/8" THICK ALUM PANELS

ALUM BASE PLATE COVER



FRONT ELEVATION
SCALE 3/4" = 1'-0"

NEW HALO ILLUMINATED JAGUAR LETTERS & HALF CAT



NEW JAGUAR LETTERS & HALF CAT TO LINE UP WITH THE RIGHT EDGE OF THE EXISTING VOLVO LETTERS

JAGUAR

EXISTING VOLVO LETTERS

15'-3 7/8"

Lee Imports

EXISTING "Lee Imported Cars" TO BE REWORKED TO READ "Lee Imports" SQUARE FOOTAGE = 30.6 SQ FT

FRONT ELEVATION
SCALE 3/16" = 1'-0"

NOTES

ELECTRICAL

Pattison Sign Group illuminated signs contain Fluorescent, Neon and/or HID lamps. These lamps contain Mercury (Hg). Dispose of these lamps according to Local, State, Provincial or Federal Laws.

Max 15 amp/120 volt circuits
Unless otherwise specified

NO.	REVISIONS	DATE
1	ADD LEE IMPORTS LETTERS	3/28/11

NOTICE

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DESIGNED BY	ANTHONY DIMARCO
DRAWN BY	B. NAKASUJI
SCALE	AS NOTED
DATE	NOVEMBER 2, 2010
PROJECT	JAGUAR WELLESLEY
ADDRESS	962 WORCESTER ROAD WELLESLEY, MA
JOB NO.	78549
CUSTOMER	JAG CUS-1

PATTISON SIGN GROUP
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TORONTO 416-759-1111