

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-27
Petition of Jani Margolin
200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 5, 2011 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JANI MARGOLIN requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for an awning sign with 24 inch letters, at 200 LINDEN STREET, in a Business District.

On April 19, 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 Harold Withrow, who said that he was representing Jani Margolin (the "Petitioner"). Mr. Withrow said that Ms. Margolin has been in business in Dedham for over 20 years. He said that it is a very small store. He said that she is relocating to Linden Street.

Mr. Withrow said that the Petitioner is seeking relief for the letter height on the awning sign. He said that eight inch letters are allowed. He said that the request is for three 18 inch letters and five 14 inch letters. He said that would have a viewing distance of 400 feet. He said that the distance from the storefront to the street is almost 800 feet.

The Board said that none of the signs on that side of Linden Square have 18 inch letters.

The Board said that it received an email stating that Mr. Withrow had spoken with Michael Zehner in the Planning Department regarding moving both the awning and the sign to be consistent with the Design Review Board's (DRB) recommendation.

The Board said that four different drawings were submitted. The Board confirmed that the April 28, 2011 drawing is correct. The "S" the two "T"s are proposed to be 18.75 inches and the other letters are proposed to 14 inches.

The Board said that because of the 60 degree slope of the awning, the letters that are shown on the drawing will appear smaller.

The Board said that the blade sign will block the L&M sign at the proposed height. The Board said that the blade sign should be closer to the entrance door and at the other end of the awning. Mr. Withrow said

that the bottom of the awning is at 9 feet 6 inches. The Board said that the blade sign should be at the same height as the Hercules sign. The Board said that there should be consistency with the signs along the façade.

The Board said that there are fire lights along the whole façade over the doors. The Board said that the awning will cover up the fire light. Mr. Withrow said that Federal Realty will move the fire light. The Board said that Mr. Withrow should check with the Fire Department to see if the light can be moved. The Board said that if the light cannot be moved, the Petitioner will have to come back before the Board because the light cannot be blocked.

The Board said that the awning sign will not be visible from Linden Street. The Board said that customers will have to park near the store before they can read the sign. The Board said that 18.75 inch letters are not acceptable because of the size of the signs along that whole façade. The Board said that it would not allow a letter size over 14 inches there.

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

Statement of Facts

The subject property is located at 200 Linden Street, in a Business District.

The Petitioner is requesting a Special Permit for an awning sign with 24 inch letters, at 200 Linden Street, in a Business District.

Renderings dated 4/2/11, revised 4/28/11, prepared by Harold the Awning Guy, and a photograph were submitted.

On April 28, 2011, the Design Review Board voted to recommend approval of the proposed awning sign, with conditions.

On April 26, 2011, the Planning Board voted to recommend 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 sign will be revised from the proposed 24 inch letters to a letter height not to exceed 14 inches.

It is the opinion of this Authority that installation of a revised awning sign with 14 inch letters 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, subject to the following conditions:

1. The letter height shall not exceed 14 inches.
2. The blade sign shall be moved to be adjacent to the entrance and mounted at the same height as the other blade signs on the façade, i.e. Hercules.

3. The fire emergency light shall be visible from the parking lot or sidewalk in front of the store. If the fire emergency light has to be relocated, no sign can be installed until the light is relocated.

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

Cynthia S. Hibbard

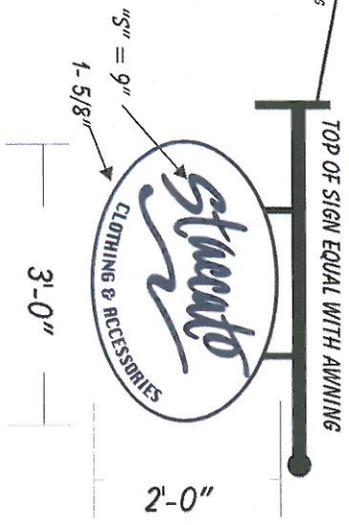
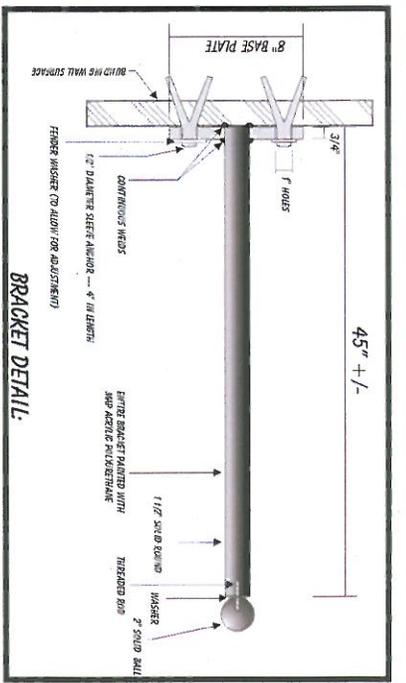
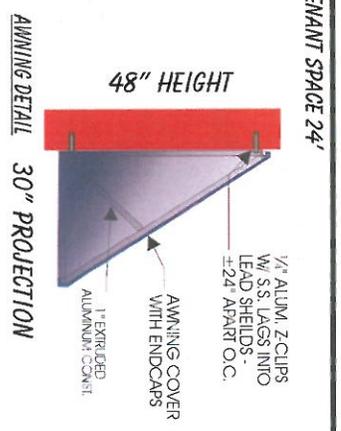
David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm

(11" = 18.75") OVERALL 39.11 H X 59.75" TOTAL LENGTH
 "STACCATO": A = 14" TALLEST
 3 1/2" TAG LETTERS



ENTRANCE AWNING: SCALE 1/4" = 1'-0"
 AWNING: SUNBRELLA, COLOR: CONCORD
 GRAPHICS: SILVER
 CLOSED SIDES



BLADE SIGN: SCALE 1/2" = 1'-0"
 BKGD: WHITE
 RASIED GRAPHICS: PURPLE (MATCH AWNING)
 MOUNTING BRACKET

Sign On.
 Partner with the best.
 CLIENT SIGNATURE & APPROVAL DATE: _____

HAROLD THE AWNING GUY
 781-475-2644 HAROLD WITHROW
 EMAILS: TheAwningGuyNow@yahoo.com
 WithrowSigns@yahoo.com

CLIENT, LOCATION & PHONE:
STACCATO
200 LINDEN SQ.
WELLESLEY, MA

DETAILS:
REV L: MOVE AWNING
REV M: MOVE AWNING FROM GROUND LEVEL

DWG FILE NAME#
STACCATO.CDR
 DATE: 3/20/11 PAGE: 1
 REVISION DATES:
REV M: 4-28-11 DWG