

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-72

Petition of Wellesley Washington Street SH LLC
23, 25 & 27 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 3, 2011, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of WELLESLEY WASHINGTON STREET SH LLC requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for a 1 foot 3 ½ inch by 15 foot 3 inch standing sign with a total area of 19.7 square feet, set at a height of 4.5 feet, mounted on a 5 foot high by 26 foot long stone wall with a setback of 7 feet from the street line and a setback of 1 foot from the side property line, at 23, 25 & 27 WASHINGTON STREET, in the Lower Falls Village Commercial District.

On October 18, 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 Theodore Tye, Managing Partner of National Development, representing Wellesley Washington Street SH LLC (the "Petitioner"). He said that there are now three addresses for the three buildings; 23, 25 & 27 Washington Street.

Mr. Tye said that when the project was before various boards, there was an understanding the Petitioner would come back to talk more specifically about signage. He said that the matter before the Board was for the entry sign.

Mr. Tye displayed large sized plans (retained by proponent). He displayed the location of the commercial building at the front of the property and the residential units at the rear of the property. He said that the residential units will be accessed by a driveway.

Mr. Tye said that the original project showed an angled sign. He said that the proposed sign will show all three addresses. He said that it will be located in a fairly tight spot on the site. He displayed the corner of the adjacent commercial building and the sidewalk that comes across the driveway. He displayed the location of the proposed sign. He said that it will be a stone wall sign with inset letters, set back seven feet from the front property line at the edge of the sidewalk and set back one foot from the side property line. He said that the sign will sit parallel with the front face of the adjacent building. He said that there is really no way to get good visibility driving from west to east.

Mr. Tye displayed an elevation drawing of the stone wall. He said that it will be capped. He said that the stone will match the stone on the buildings on the site.

Mr. Tye said that the face of the sign will have individually cut dark bronze letters. He said that one piece of the sign will read, "Waterstone at Wellesley" and the other piece will read, "23, 25, 27 Washington Street." He said that the sign will be lit from three ground lights.

Mr. Tye said that they wanted to mark the entrance to the residential part of the site. He said that there will be some cobblestone type pavers across the surface of the driveway and two columns that call out the residential component. He said that beyond the pillars will be a French allee of trees.

The Board said that the number of the property was not identified on the pillars for the residential units. Mr. Tye said that they could add the numbers 23 and 25 to the pillars. He said that the pillars will have L.E.D. lighting on top. He said that the Petitioner would be willing to install uplights for the pillars.

The Board said that the drawings do not quite match up. The Board asked about the thickness of the cap on the stone wall. The Board said that the dimension appears to be to the top of the stone and not to the top of the cap. The Board said that the total height should be five feet.

The Board said that the sign will be one foot off of the property line and the adjacent building is also one foot off of the property line for a two foot difference. Mr. Tye said that there is probably about three feet between the stone wall and the wall of the adjacent building. The Board said that area could become a debris collector. The Board said that planting at the corner might mitigate that situation.

Mr. Tye said that the lights will be on timers, probably with the parking lights. He said that a photocell will turn them on and a timer will turn them off. He said that because the residential units will be for senior living, he would discuss the sign lighting with the Fire Department.

Mr. Tye said that the majority of the parking is for the front building. He said that the lights will go down at a certain hour as security lights.

The Board said that the sign was tasteful and it made sense to move it out so that it is even with the adjacent building.

Frank Ouellet, 14 Mica Lane, asked if the sign measured up to the rules and regulations for size. The Board said that it would meet the bylaw requirements for size. The Board said that the sign will not meet the 15 foot setback requirement.

Mr. Ouellet said that when the supermarket and Grossman's were there, they allowed people to park there. He said that the Petitioner put up a chain and a gate when they purchased the property. He said that they shut everybody out. He said that the Petitioner said when they came into town that they wanted to be friends with the people of Wellesley. He said that they were not. He said that they flooded his building and won't admit to it. He asked that the Board deny the Special Permit. He said that the sign should be set back far enough. He said that everyone else has to abide by the rules and regulations.

Statement of Facts

The Petitioner is requesting a Special Permit for a 1 foot 3 ½ inch by 15 foot 3 inch standing sign with a total area of 19.7 square feet, set at a height of 4.5 feet, mounted on a 5 foot high by 26 foot long stone wall with a setback of 7 feet from the street line and a setback of 1 foot from the side property line, at 23, 25 & 27 WASHINGTON STREET, in the Lower Falls Village Commercial District.

Layout and Materials Plan, dated 10/12/11, Location Plan, dated 8/13/10, revised 10/12/11, Site Plan, Exhibit A, dated 10/12/11, Elevation, Exhibit B, dated 10/12/11, Elevation, Exhibit C, dated 8/17/11, prepared by Stantec, Entry Wall Sign, dated 9/8/11, prepared by GenSign, and photographs were submitted.

On October 12, 2011, the Design Review Board voted to recommend approval of the Special Permit for the proposed sign, as presented.

On October 24, 2011, the Planning Staff reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject sign will be a 1 foot 3 ½ inch by 15 foot 3 inch standing sign with a total area of 19.7 square feet, set at a height of 4.5 feet, mounted on a 5 foot high by 26 foot long stone wall with a setback of 7 feet from the street line and a setback of 1 foot from the side property line, in the Lower Falls Village Commercial District.

It is the opinion of this Authority that installation of a 1 foot 3 ½ inch by 15 foot 3 inch standing sign with a total area of 19.7 square feet, set at a height of 4.5 feet, mounted on a 5 foot high by 26 foot long stone wall with a setback of 7 feet from the street line and a setback of 1 foot from the side property line, in the Lower Falls Village Commercial District, will be in harmony with the general purpose and intent of Section XXIIA 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 installation of a 1 foot 3 ½ inch by 15 foot 3 inch standing sign with a total area of 19.7 square feet, set at a height of 4.5 feet, mounted on a 5 foot high by 26 foot long stone wall with a setback of 7 feet from the street line and a setback of 1 foot from the side property line, subject to the condition that:

- The total height of the sign structure shall be no higher than five feet.

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