

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

RICHARD L. SEEGEL, CHAIRMAN
CYNTHIA S. HIBBARD, VICE CHAIRMAN
DAVID G. SHEFFIELD

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A. BASTILLE
J. RANDOLPH BACKER
ROBERT W. LEVY

ZBA 2004-11
Petition of Boston Federal Savings Bank and
Bellini Baby and Teen Furniture
999 Worcester Street

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
FEB 25 A 8:15

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 12, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of BOSTON FEDERAL SAVINGS BANK and BELLINI BABY AND TEEN FURNITURE requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to install a split-faced, double sided internally illuminated 96 inch by 72 inch standing sign, with a total area of 97 square feet, at a height of 20 feet, set back 15 feet from the front property line, to identify the two businesses at their premises at 999 WORCESTER STREET, in a Business District. The Boston Federal Savings upper portion of the sign would contain three colors, as would the Bellini Baby and Teen Furniture Lower portion of the sign.

A Special Permit is required to exceed the allowed area of 50 square feet, to exceed the allowed height of 10 feet, to have less than the required setback of 20 feet, to internally illuminate the sign, and for the internally illuminated sign to contain more than two colors.

On January 22, 2004, the petitioners 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 Jeff Sarra of Batten Bros. Sign Advertising, Marc Gulezian, Purchasing Officer, and Amy Timmerman, Marketing Manager, both representing Boston Federal Savings.

The Board stated that the Special Permit request is for the height, area, setback, internal illumination and the number of colors contained in the sign. It appears there would be no problem with the first three.

Mr. Sarra said the sign face is split. Initially, they thought the sign would be treated as two signs, but the Design Review Board said that the two signs are in one cabinet, and therefore treated as one sign. The Design Review Board further recommended that the white portion of both the upper and lower portions of the sign be opaque, to which they agreed.

The Board said that the issue is still the number of colors, as the sign would have blue, aqua, pink and purple, even with the opaque ground.

Mr. Sarra asked if the sign could contain all the colors if it were externally illuminated. The Board said that it could. Mr. Sarra said that the sign would not be internally illuminated. Mr. Sarra asked if the

ZBA 2004-11
Petition of Boston Federal Savings Bank and
Bellini Baby and Teen Furniture
999 Worcester Street

petitioners could be allowed to withdraw without prejudice their request for a Special Permit to internally illuminate the standing sign and for the internally illuminated standing sign to contain more than two colors. The Board voted unanimously to allow the petitioner to do so.

The Board noted that the pylon was not in good repair. Mr. Sarra said the pylon would be replaced in the same location.

A discussion of the hours during which the sign could be internally illuminated followed. Mr. Gulezian said the vestibule of the bank would contain a 24-hour ATM facility. As the wall sign illumination would be extinguished at the close of banking hours, the illumination of the standing sign would be the only indication that the ATM facility was open.

The Board decided that the externally illuminated standing sign would have no limitation in regard to hours. However, due to the fact that there was no way of knowing whether or not the illumination would affect the new homes behind the Bank on Edgemoor Circle, the Board decided that the Special Permit would be granted for one year. At the end of the year, the Bank would return for a renewal of the Special Permit, which would focus solely on the possibility of placing limits on the hours of illumination if any complaints had been received from the neighbors.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 999 Worcester Street, in a Business District. The building is owned by Boston Federal Savings Bank, which leases a portion of the premises to Bellini Baby and Teen Furniture.

The two petitioners are requesting a Special Permit to install a split-faced, double sided, internally illuminated 96 inch by 72 inch standing sign, with a total area of 97 feet, at a height of 20 feet, set back 15 feet from the front property line. The Boston Federal Savings Bank upper portion of the sign would contain three colors, as would the Bellini Baby and Teen Furniture lower portion of the sign.

A Special Permit is requested to exceed the allowed area of 50 square feet, to exceed the allowed height of 10 feet, to have less than the required 20 foot front setback, to internally illuminate the sign, and for the internally illuminated sign to have more than three colors.

As the petitioners were allowed to withdraw without prejudice their request for internal illumination of the standing sign, and for the internally illuminated sign to contain more than two colors, that part of the petition is moot.

A letter from Bellini dated January 21, 2004, authorizing Mr. Sarra to represent Bellini with reference to the standing sign; a colored rendering of the sign prepared by Batten Bros. dated 12/12/03; a photograph of the existing pylon sign, a colored rendering of the proposed pylon sign; and an Existing Site Plan dated 1/14/04, prepared by John Cavanaro Consulting were submitted.

RECEIVED
TOWN CLERK'S OFFICE
MELLESLEY MA 02488
2004 FEB 25 A 8:15

ZBA 2004-11

Petition of Boston Federal Savings Bank and Bellini Baby and Teen Furniture
999 Worcester Street

On January 14, 2003, the Design Review Board reviewed the standing sign, and recommended approval of the internally illuminated sign.

On February 10, 2003, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject standing sign does not conform to the current Zoning Bylaw in regard to total area, height, and setback. This Authority is of the opinion that the proposed standing sign is in harmony with the general purpose and intent of Section XXIIIA of the Zoning Bylaw in regard to total area, height and setback.

However, this Authority is concerned that the external illumination of the standing sign might have a negative affect on the occupants of the new homes on Edgemoor Circle, which are located behind the building, which cannot be determined at this time.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for a split-faced, double sided, externally illuminated standing sign with a total area of 97 square feet, at a height of 20 feet and set back 15 feet from the front property line under the following conditions

1. Prior to the issuance of a Sign Permit, a new colored rendering of the proposed standing sign shall be submitted to the office of the Board of Appeals.
2. This Special Permit shall expire one year from the date time stamped on this decision. The petitioner shall return before the Board solely for the purpose of determining if the external illumination of said sign is creating a negative impact on the occupants of the dwellings located on Edgemoor Circle.

Subsequent to compliance with Condition 1, 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.

Cc: Planning Board
Design Review Board
edg

Robert W. Levy

 David G. Sheffield

 Cynthia S. Hibbard, Acting Chairman

RECEIVED
 TOWN CLERK'S OFFICE
 WILLESLEY MA 01982
 FEB 25 10 48 AM '03