

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2005-85  
Petition of TD Banknorth  
999 Worcester Street

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Petition of CAROLYN PARKER requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to install a 42 inch by 16 foot 10 7/8 inch internally illuminated wall sign, composed of 13 1/2 inch white individually affixed letters, and replace an existing 2 foot 9 1/2 inch by 7 foot 8 inch internally illuminated standing sign composed of two colors, with a total area of 42.8 feet at a height of 20 feet, set back 15 feet from the front property line. Both signs will identify TD Banknorth, at 999 WORCESTER STREET, in a Business District.

On November 22, 2005, 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 Carolyn Parker representing TD Banknorth. She said that the sign modifications were due to a merger with Boston Federal Savings Bank. She said that they will be replacing the pylon sign with one of the same size. She said that the Design Review Board did require that they have a white background, similar to the Bellini sign. The Board said that internally illuminated signs cannot have more than two colors.

The Board said that illumination of the signs will have to be restricted to business hours. The Board said that the illuminated pylon sign should be shut off when Bellini closes at night.

The Board asked about the hours for the Shell Station. Ms. Parker said that it is open 24 hours.

The Board said that it gets input from the Design Review and Planning Boards. The Board said that the dimensions given in the Design Review Board's comments did not match up with the submitted plans. Ms. Parker displayed on the plans the correct size of the sign. She said that they measured to the bottom of the green line whereas Design Review measured to the bottom of the letters.

The Board said that there could be a small sign highlighting the entrance to the ATM and that could be on for 24 hours.

The Board said that there is a residential development behind the bank. The last permit had an expiration condition to allow the new neighbors to evaluate the lighting situation. Ms. Parker said that there is no lighting at the back.

### Statement of Facts

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

The petitioner is requesting a Special Permit to install a 42 inch by 16 foot 10 7/8 inch internally illuminated wall sign, composed of 13 ½ inch white individually affixed letters, and replace an existing 2 foot 9 ½ inch by 7 foot 8 inch internally illuminated standing sign composed of two colors, with a total area of 42.8 feet at a height of 20 feet, set back 15 feet from the front property line. Both signs will identify TD Banknorth.

Pictures of existing and proposed signs, drawn by NW Sign Industries of New Jersey, and photographs were submitted.

On October 12, 2005, the Design Review Board reviewed the proposed wall and proposed standing signs and recommended approval of the silhouette illuminated wall sign and the internally illuminated standing sign that has a dark green and a light green background with white letters not in excess of 18 inches that would read "TD Banknorth."

On November 29, 2005, 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 height. A Special Permit is required for internal illumination of the wall and standing signs. It is the opinion of this Authority that the proposed standing sign is in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw in regard to height and internal illumination. It is the opinion of this Authority that the proposed wall sign is in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw in regard to internal illumination.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for installation of a 42 inch by 16 foot 10 7/8 inch internally illuminated wall sign, composed of 13 ½ inch white individually affixed letters, and replacement an existing 2 foot 9 ½ inch by 7 foot 8 inch internally illuminated standing sign composed of two colors, with a total area of 42.8 feet, subject to the following conditions:

1. The signs shall not be illuminated after hours of operation of any tenant on the sign.
2. The decision of the Design Review Board is incorporated into this decision.

The Inspector of Buildings is hereby authorized to issue a permit for the signs 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.

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Cynthia S. Hibbard, Acting Chairman

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David G. Sheffield

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Robert W. Levy

cc: Planning Board  
Inspector of Buildings  
lrm