



## ZONING BOARD OF APPEALS

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

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

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208

J. RANDOLPH BECKER, VICE CHAIRMAN  
ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2007-65

Petition of TBCI, LLC, Trustee of 54 Washington Realty Trust  
54 Washington Street

---

Petition of TBCI, LLC, TRUSTEE OF 54 WASHINGTON REALTY TRUST requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for three window signs, the number of which will exceed that which is allowed in a Commercial District, at 54 WASHINGTON STREET.

On August 20, 2007, 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 Charles LeRay, Esquire, who said that he was representing TBCI, LLC, 54 Washington Realty Trust (the "Petitioner"). He said that the former Spivack Antique building is being converted into a medical building. He said that Newton Wellesley Orthopedic Associates will occupy the front two-thirds of the building for MRI and physical therapy services. He said that the remaining one-third at the back of the building will be used for a Lasik operation by Dr. Kornmehl.

Mr. LeRay said that the sign package was designed to facilitate patients finding the building. He said that all of the signs comply with Zoning requirements with respect to letter height.

Bill Panasuik said that he is the sign designer. He said that the main entrance to the building is at the rear. There is an emergency exit at the front of the building.

Mr. Panasuik said that the proposal is to install sign bands above the windows at the front of the building, a window sign on the east elevation directing patients to the parking lot and rear entrances, and tenant information window signs on the doors at the rear of the building.

The Board asked if the window sign for NWOA at the front of the building is necessary. The Board asked what information the window sign would provide that the wall sign does not. Mr. Panasuik said that the window sign is at eye level.

The Board said that it discourages any type of advertising or logos on signs. Signs should be for identification of the building and entrance. Mr. LeRay said that there are many stores on Washington Street that have signs with logos.

The Board asked about similar signage on the west elevation of the building directing patients to the parking lot and rear entrances. Mr. LeRay said that the Funeral Home blocks the view of the building when seen while driving east on Washington Street.

The Board said that the majority of the 30 square foot window sign proposed for the side window on the east elevation is comprised of logos, not the directional sign. Patients should be directed to the parking lot.

The Board asked that the NWOA and the Kornmehl logos be removed from the window sign on the east elevation of the building. The letters for "Newton Wellesley Orthopedic Associates" and "Kornmehl Laser Eye Associates" and "parking and entrance to rear" could then be larger. "54 Washington Street" could be added at the top of the sign.

The Board said that it would approve the wall signs at the front and the window signs at the back of the building. A new design should be submitted for the window sign on the east elevation of the building.

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 54 Washington Street, in a Commercial District.

The Petitioner is requesting a Special Permit for three window signs, the number of which will exceed that which is allowed in a Commercial District.

#### Submittals from the Petitioner

- Narrative Accompanying Application for Special Permit for Signs
- Computer rendering of North elevation of 54 Washington Street
- North, South and East Elevation drawings, dated 8/14/07
- Dimension plan for six proposed signs at 54 Washington Street, dated 8/14/07
- Photographs, dated 8/14/07

On August 15, 2007, the Design Review Board voted to recommend approval of the sign package, as proposed.

On August 29, 2007, the Planning Board reviewed the petition and had no objection to granting the request.

#### Decision

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

The Petitioner is requesting a Special Permit for three window signs to direct patients to the parking lot and entrances at the rear of the building, and to identify the entrances at the rear of the building at 54 Washington Street.

It is the opinion of this Authority, that granting a Special Permit to allow for:

- A 2'8" by 9'1.5" wall sign with a total area of 24.3 square feet at a height of 19'3" above the ground;
- A 7" by 15'5" wall sign with a total area of 9 square feet at a height of 11'10" above the ground;
- A 7" by 14'5" wall sign with a total area of 8.4 square feet at a height of 11'10" above the ground;
- A 2'10" by 2'6" window sign with a total area of 7.1 square feet at a height of 4'11" above the ground;
- A 9" by 2'6" window sign with a total area of 1.9 square feet at a height of 5'9" above the ground

is in harmony with the intent and purpose of Section XXIIA of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing for three wall signs and two window signs.

It is the opinion of this Authority, that granting a conditional Special Permit for a wall sign on the west elevation and a window sign on the east elevation of the building at 54 Washington Street is in harmony with the intent and purpose of Section XXIIA of the Zoning Bylaw, subject to the following conditions:

- Plans for a new wall sign on the west elevation of the building at 54 Washington Street that are satisfactory to the Board shall be submitted.
- Revised plans for a window sign on the east elevation of the building at 54 Washington Street that are satisfactory to the Board shall be submitted.

The Inspector of Buildings is hereby authorized to issue a permit for the proposed signs subject to approval of a sign application. No signs 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