

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEDEL, CHAIRMAN  
CYNTHIA S. HIBBARD  
DAVID G. SHEFFIELDLENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208J. RANDOLPH BECKER, VICE CHAIRMAN  
ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2007-68  
Petition of RBLs REALTY LLC  
C/O ROCHE BROS SUPERMARKETS, LLC  
184 Linden Street

---

Petition of RBLs REALTY, LLC C/O ROCHE BROS. SUPERMARKETS, LLC requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to install a 66 square foot wall sign at 184 LINDEN STREET, that will exceed the total area that is allowed in a Business District.

The Petitioner is requesting a Variance pursuant to the provisions of Section XXIIA and Section XXIV of the Zoning Bylaw to exceed the letter height that is allowed in a Business District on the 66 square foot wall sign.

On September 24, 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 Chuck Braumley, who said that he was representing Roche Bros. (the "Petitioner"). He said that the Petitioner is requesting relief for the size of the wall sign and for the size of the letters on the wall sign.

Mr. Braumley said that sign foam letters will be post mounted two inches off of the glass. In addition to ambient lighting, there will be four 42 watt fluorescent uprights mounted on the supports for the glass canopy. He said that the lights will be directional and adjustable.

The Board asked about the brightness of the lighting in comparison to what was proposed for CVS Pharmacy and Citizens Bank. David Webster, Federal Realty, said that CVS Pharmacy and Citizens Bank will install halogen light fixtures. Bob Rosefeld, Carter & Burgess Consultants, Inc., said that the wattage of the lighting for CVS Pharmacy and Citizens Bank can be adjusted for an overall consistent look. The Board said that it will conduct an on-site review of the lighting levels proposed for 182, 184, and 188 Linden Street after completion of the project. The Board will make a finding at that time.

Mr. Braumley said that the hours of illumination of the wall sign will be the same as those for the existing Roche Bros. sign.

The Board said that the scale of the proposed wall sign is reasonable.

ZBA 2007-68  
Petition of RBL REALTY LLC  
C/O ROCHE BROS SUPERMARKETS, LLC  
184 Linden Street

---

Stephen Langer, Esquire, said that one of the conditions of the Site Plan Approval that was granted by the Zoning Board in 2006 (ZBA 2006-28) was that an overall tenant sign package be presented to the Board for its approval. Mr. Langer said that the proposed sign package has been approved by the Design Review Board.

The Board said that, in accordance with Condition 12, ZBA 2006-28, the design of the signage to be attached to the buildings has been received, reviewed and approved by the Zoning Board of Appeals.

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

#### Statement of Facts

The subject property is located at 184 Linden Street, in the Linden Street Corridor Overlay Zone, in a Business District.

The Petitioner is requesting a Special Permit to install a 66 square foot wall sign that will exceed the total area that is allowed in a Business District.

The Petitioner is requesting a Variance to exceed the letter height that is allowed in a Business District on the 66 square foot wall sign.

#### Submittals from the Petitioner

- Exterior Storefront Elevations, Plan A3.05, dated 2/8/06, revised 3/9/06, 3/20/06 & 3/27/06, drawn by Plan B Retail Design & Project Management, LLC.
- Linden Square – Tenant Signage and Lighting Plan, Daytime and Nighttime Elevation Drawings
- Elevation Drawings for Citizens Bank, Roche Bros., and CVS Pharmacy, with specifications for lighting.
- Building Signage Submission, dated January 14, 2007, revised March 21, 2007, drawn by Carter & Burgess Consultants, Inc.

On April 26, 2007, the Design Review Board voted to recommend approval of the proposed signage plan dated 3/21/2007, subject to further review of the second story signage to be located on the 190 Linden Street building.

On August 22, 2007, the Design Review Board voted to recommend that the Zoning Board of Appeals approve the proposed wall signs to be located at 184 and 188 Linden Streets as presented on August 15, 2007.

#### Decision

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

ZBA 2007-68  
Petition of RBLs REALTY LLC  
C/O ROCHE BROS SUPERMARKETS, LLC  
184 Linden Street

---

The Petitioner is requesting a Special Permit to install a 66 square foot wall sign that will exceed the total area that is allowed in a Business District.

It is the opinion of this Authority that granting a Special Permit to allow for installation of a 66 square foot wall sign 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 a 66 square foot wall sign, as shown as Elevation 2 on Plan A3.05.

The Petitioner is requesting a Variance for 36 inch letters for the wall sign that will exceed the letter height that is allowed in a Business District.

It is the opinion of this Authority that granting a Variance for installation of letters up to 36 inches on the 66 square foot wall sign would not cause substantial detriment to the public good, and that relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore a Variance is granted, as voted unanimously by this Authority at the Public Hearing for letter height up to 36 inches on the 66 square foot wall sign, as shown as Elevation 2 on Plan A3.05.

The Board voted unanimously to approve the lighting levels proposed for 182, 184 and 188 Linden Street, subject to the following condition:

- The Board shall conduct an on-site review of the lighting levels proposed for 182, 184, and 188 Linden Street 45 days after completion of the project. The Board shall make a finding at that time.

The Inspector of Buildings is hereby authorized to issue a permit for the proposed sign subject to approval of a sign application. No sign shall be installed until said permit has been issued.

ZBA 2007-68  
Petition of RBLs REALTY LLC  
C/O ROCHE BROS SUPERMARKETS, LLC  
184 Linden Street

---

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.

---

Cynthia S. Hibbard, Acting Chairman

---

David G. Sheffield

---

David L. Grissino

cc: Planning Board  
Inspector of Buildings  
lrm