

**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. 2208
web: www.wellesleyma.govJ. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINO

ZBA 2008-73

Petition of Wellesley Realty Associates
978 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 18, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY REALTY ASSOCIATES requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to install an 8 foot 4 inch by 14 foot 5 ¾ inch standing sign, set back 15 feet from the property line, that will exceed the height and area that are allowed by right in a Business District.

On October 20, 2008, 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 were Dean Behrend (the "Petitioner") and Clark Brewer, Architect.

The Board said that the proposed standing sign will be just over 14 feet in height and that the bylaw allows for 20 feet. The Board said that the proposed sign will be lower than the Jarvis sign that is close to this property on Worcester Street. Mr. Behrend said that the base of the sign will be below the highway, so the sign will appear to be only 10 to 11 feet high.

The Board confirmed that the sign will be externally lit. Mr. Brewer said that the signage area will be 7 feet by 7 feet. He said that the addresses for the front and back buildings will be on the sign. The address for the residential building will be on the small hanging sign. Mr. Brewer said that the name of the residences has been changed to "Waterview". Mr. Behrend said that the number for the commercial building will be at the top of the sign.

Mr. Brewer said that there will be an opening in the middle between the two rotated piers. He said that the base of the sign will be a bench.

Mr. Brewer said that the colors on the sign will work with both buildings. He said that the cornice will be Fypon, which is extruded polyurethane composite which can be made to look like stone. He said that the bench will have cast Arriscraft stone of the same color used on the buildings. He said that the columns will be steel inside of brick and will be rotated 45 degrees.

Mr. Brewer said that the retail spaces will have priority for the signage. Mr. Behrend said that the threshold for tenants getting a panel on the standing sign will be 2,500 square feet of retail space. He said that there is a similar sign at 873 Worcester Street.

The Board said that colors and fonts on the panels for the tenants should be consistent. The Board said that signs should be for identification, not advertising. The Board said that logos are rarely permitted.

The Board said that 100 square feet total is the maximum area allowed under the bylaw. The Board asked about the size of the hanging sign and if it was included in the 98 square foot calculation. Mr. Brewer said that the sign dimensions will be changed to fit the 100 square foot requirement, if necessary.

Mr. Brewer said that the address for the retail spaces should be given priority. Mr. Behrend said that the hanging residential sign was mainly for the benefit of the Fire Department. He said that the numbers will also be on the buildings.

Mr. Brewer said that the 1 ½ inch letters on the residential sign will be visible from 100 feet.

Mr. Behrend said that they can limit the number of tenant panels on the sign to four.

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 978 Worcester Street, in a Business District. The Petitioner is requesting a Special Permit to allow for installation of a new sign that will exceed the maximum height and area that is allowed by right in a Business District.

Proposed Signage & Pavement Markings Plan, Sheet #5, prepared by Beals Associates, Inc., dated 1/15/08, revised 3/5/08, 6/3/08, 8/20/08, 12/10/08, and Details Plan, stamped by Clark Harlow Brewer, dated 8/19/08, revised 12/21/08 were submitted.

On October 22, 2008, the Design Review Board voted unanimously to:

Recommend the Zoning Board of Appeals approve the proposed standing sign to be located at 978-980 Worcester Street as presented.

On November 3, 2008, the Planning Board reviewed the petition and recommended denial of the request since the sign exceeds the height and area specified in the Sign Bylaw.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject externally illuminated standing sign does not conform to the current Zoning Bylaw in regard to total area and height that is allowed by right in a Business District.

The Petitioner is requesting a Special Permit to install an 8 foot 4 inch by 14 foot 5 $\frac{3}{4}$ inch externally illuminated standing sign, set back 15 feet from the property line.

It is the opinion of this Authority that granting a Special Permit to install an 8 foot 4 inch by 14 foot 5 $\frac{3}{4}$ inch externally illuminated standing sign, set back 15 feet from the property line 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, to install an 8 foot 4 inch by 14 foot 5 $\frac{3}{4}$ inch externally illuminated standing sign, set back 15 feet from the property line, subject to the following conditions:

1. The total area of the sign shall not exceed 100 square feet, including the hanging sign.
2. There shall be no more than four identification panels for the tenants.
3. The font, color and appearance of the tenant panels shall be consistent
4. There shall be external illumination for the sign.

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 2008-73
Petition of Wellesley Realty Associates
978 Worcester 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

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm