

**ZONING BOARD OF APPEALS**

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

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ZBA 2009-12  
Petition of Toyota of Wellesley  
216 Worcester Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 5, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of TOYOTA OF WELLESLEY requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to install a 6 foot by 18 foot internally illuminated two-sided standing sign with a total area of 100 square feet, with the 50 square foot panels set at a height of 9.5 feet above the ground, set back 10 feet from the property line, at 216 WORCESTER STREET, in a Business District.

On February 17, 2009 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 Luc Duguay and Nai Nan Ko, owner of Toyota of Wellesley, (the "Petitioner"). Mr. Ko said that the request is for a Special Permit for a new sign.

Mr. Duguay said that he represented Patterson Sign Group, which is the national supplier for Toyota. He said that the request is to replace the existing pylon sign with a new one. He said that the replacement sign will reflect a more modern national image. He said that the new sign will be more energy efficient.

Mr. Duguay said that the only portion of the sign that will be illuminated will be the Toyota and Scion logos and the Toyota letters. He said that the black Scion letters will be perforated vinyl that will illuminate to show black during the daytime and white at night. He said that the Scion sign will be halo illuminated. He said that the swoosh that separates Toyota from Scion will be aluminum and not illuminated. The Board confirmed that the white background on the sign will not be illuminated.

Mr. Duguay said that they are requesting to move the sign closer to the street at a 10 foot setback.

Mr. Duguay said that the height of the existing pylon sign is 17 feet. The Board asked about the location of the flagpole and the light pole. Dan Viola, Manager, Toyota of Wellesley, said that the flagpole is located on the edge of the property. He said that the location of the light pole will conflict with the proposed location of the sign.

The Board asked about the temporary signs on the other property. Mr. Ko said that they are under pressure from Toyota to redo the entire building. He said that they were unable to find a location for a sign on the other property that would meet Zoning requirements. He said that there will be no sign on the other property.

Mr. Duguay said that they will be coming back before the Board at a later date for Special Permits for signs on the building.

The Board said that it typically requests that illuminated signs be turned off at the close of business. Mr. Ko said that the business usually closes at 9:00 p.m. but there can be customers there as late as 10:00 p.m. Mr. Duguay said that there are no residences in the area.

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 216 Worcester Street, in a Business District.

The Petitioner is requesting a Special Permit to install a 6 foot by 18 foot internally illuminated two-sided standing sign with a total area of 100 square feet, with the 50 square foot panels set at a height of 9.5 feet above the ground, set back 10 feet from the property line.

A Site Plan dated 2/23/94, revised 5/5/94, stamped by Charles Francis Arnold, Registered Professional Land Surveyor, Sign Specification Drawings, dated 2/26/04, prepared by Pattison Sign Group, and photographs were submitted.

On December 22, 2008, the Design Review Board voted unanimously to

Recommend the Zoning Board of Appeals approve one of two proposals for the standing sign to be located at 216 Worcester Street. The Board notes the option presented at the meeting on December 17<sup>th</sup>, noted as Option B received a special permit from the ZBA in 2004. The Board further notes Option A, exceeds the special permit threshold of 100 square feet for total area, but is a sign the Board is willing to support considering the design and location of the proposed standing sign.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

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 and height that is allowed by right in a Business District fronting Worcester Street.

It is the opinion of this Authority that installation of the standing sign will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw in regard to total area and height.

Therefore, a Special Permit is granted for the standing sign with a total area of 100 square feet, at a height of 18 feet, with a 10 foot setback from the property line, subject to the condition that

- Illumination for the pylon sign shall be turned off at 10:00 p.m.

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.

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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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Richard L. Seegel, Chairman

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Cynthia S. Hibbard

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David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
lrm