

**ZONING BOARD OF APPEALS**

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ZBA 2010-04

Petition of Hastings Street Realty Associates, LLC  
70 Hastings Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 7, 2010, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of HASTINGS STREET REALTY ASSOCIATES, LLC, requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for a 3 foot 1 inch by 15 foot 2 inch wall sign with a total area of 46.75 square feet set at a height of 32 feet to the bottom of the sign. The aggregate sign area of the wall sign and the existing standing sign will be 69.26 square feet. The Petitioner is requesting a Variance for capital letters that will have a height of 20 inches. The property is located at 70 HASTINGS STREET, in a Business District.

On December 21, 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 was John Connors, Batten Bros. Sign Advertising, who said that he was representing Roche Bros. (the "Petitioner").

Mr. Connors said that Roche Bros. has an existing halo-illuminated 47 square foot sign that was installed on the building at 20 feet. He said that over the past few years trees have grown in and the sign has become somewhat ineffective. He said that Roche Bros. is a company that has grown in the past 15 years. He said that they get 80 to 100 visitors a day. He said that people have been complaining that they have not been able to find the building. He said that some of the people see the sign too late and are not able to make the turn into the driveway in time.

Mr. Connors said that the Petitioner is going to erect a small monument sign at the entrance to the driveway.

Mr. Connors said that the Petitioner would like to raise the wall sign up to a height of 32 feet to make it more visible to Route 9. He said that the building is set back over 400 feet from Route 9. He said that the sign represents only three percent of the building façade.

Mr. Connors said that the visibility of 14 inch letters at 400 feet is not good. He said that the letters are Roman style with thin strokes. He said that the proposed sign will not be illuminated because most of the visitors come during the day.

Mr. Connors said that the six foot logo will be replaced with a three foot logo.

Mr. Connors said that the Petitioner is proposing to have the capital letters at 20 inches and the lower case letters at 13 inches. The Board said that the letter size could be increased to 24 inches. The Board said that the letter heights should be kept proportional.

A Board member stated that he drove by the building and was unable to locate it. The Board said that the number 70 should be put on the building. Mr. Connors said that the number 70 will be put on the bottom of the monument sign.

The Board said that the Petitioner would not have to go back before the Design Review Board (DRB) because the design will be consistent with what DRB had approved.

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 70 Hastings Street, in a Business District.

The Petitioner is requesting a Special Permit for a 3 foot 1 inch by 15 foot 2 inch wall sign with a total area of 46.75 square feet set at a height of 32 feet to the bottom of the sign. The aggregate sign area of the wall sign and the existing standing sign will be 69.26 square feet. The Petitioner is requesting a Variance for capital letters that will have a height of 20 inches.

Letter of Authorization, dated 10/28/09, signed by Richard Ordway, was submitted.

Existing & Proposed Sign Simulations, dated 11/19/09, prepared by Batten Bros., a Site Plan, dated 3/27/90, stamped by Henry Thomas Jr., a Site Plan, dated 11/19/09, prepared by Batten Bros., and Existing & Proposed Elevation Drawing, prepared by Batten, were submitted.

On December 16, 2009, the Design Review Board voted unanimously to

Recommend the Zoning Board of Appeals approve the Special Permit and Variance request for the proposed wall sign to be located at 70 Hastings Street to read "Roche Bros." as presented.

On January 5, 2010, the Planning Board recommended that the Special Permit petition be approved with conditions and that the Variance petition be denied.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject wall sign will be set at a height of 32 feet to the bottom of the sign. The aggregate sign area of the wall sign and the existing standing sign will be 69.26 square feet. Capital letters on the wall sign will have a height of 20 inches.

It is the opinion of this Authority that installation of a 3 foot 1 inch by 15 foot 2 inch wall sign with a total area of 46.75 square feet set at a height of 32 feet to the bottom of the sign will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw, as the lettering styles, materials and colors will not detract from the area and are appropriate for this specific location, subject to the following modifications:

- the capital letters of the wall sign may be increased to 24 inches with a proportional increase in the lower case letters and a corresponding increase in the sign area.

Therefore, a Special Permit is granted for installation of a 3 foot 1 inch by 15 foot 2 inch wall sign with a total area of 46.75 square feet set at a height of 32 feet to the bottom of the sign that may be modified so that the capital letters of the wall sign be increased to 24 inches with a proportional increase in the lower case letters and a corresponding increase in the sign area.

Therefore, a Variance is granted for 24 inch capital letters with a proportional increase in the lower case letters.

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.

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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J. Randolph Becker

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David L. Grissino

cc: Planning Board  
Inspector of Buildings  
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