



ZONING BOARD OF APPEALS

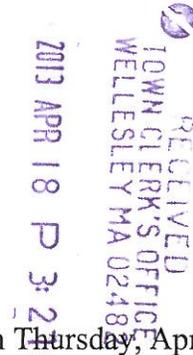
TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2013-24
 Petition of Viewpoint Sign & Awning
 98 Central Street



Record Owner of Property: Linear Retail Wellesley #1, LLC

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 4, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of VIEWPOINT SIGN & AWNING requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of two wall signs and four awning signs on the front of the building and two wall signs and three awning signs on the rear of the building, at 98 CENTRAL STREET, in the Wellesley Square Commercial District. The proposed wall signs will exceed the number of signs, the maximum area, and the maximum letter height allowed by right. The rear wall signs will not be mounted on the façade of the business establishment owned or leased by the Sign Permit applicant. The proposed awning signs, located in the rear of the building, will not be mounted on the façade of the business establishment owned or leased by the Sign Permit applicant, will exceed the number of signs, the maximum area, and the maximum letter height allowed by right.

On March 18, 2013, 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 David Himmelberger, Esq. and Mark Fuerti, Senior Construction Manager, Dunkin Brands.

Mr. Himmelberger said that after reviewing the initial package that was submitted to the Design Review Board (DRB), the DRB made suggestions to scale down an ambitious sign package. He said that the primary suggestions that were adopted by Dunkin Brands were to combine the two front walls signs to a single front wall sign, and to scale down and eliminate a number of the awning signs in the front and the back. He said that the rear wall sign is fully compliant. He said that the front wall sign is fully compliant except for the two lead letters BR, which are approximately four inches higher than the allowed 14 inches. He said that there are two graphics on the two end awnings that are tone on tone silhouettes of an ice cream cone and a cup of coffee.

Mr. Himmelberger said that the request for the Special Permit for the letter height for the B and the R is appropriate given the number of other signs on block that have certain elements to lead letters that are larger than 14 inches. He said that the larger size serves to match the two lines of text that follow and act as a bookend or introduction to it.

Mr. Himmelberger said that the backer board was suggested by the DRB to help mute the overall presence of the sign, as well as the color of the awning, which is a deep brown.

Mr. Himmelberger said that the Building Inspector and the staff that put together the initial submittal to the DRB calculated this as two establishments, thus the two signs would not require a Special Permit. He said that the only way in which they would require a Special Permit is if the Board treated this as a single business establishment. He said that if the Board does determine that this is a single business establishment, the Petitioner would seek relief for that with a Special Permit.

The Board said that Dunkin Donuts/Baskin Robbins has totally disregarded the character of this town by suggesting that the Board allow a five colored sign in the main business district. The Board said that the majority of signs there are on awnings. The Board said that Dunkin Brands should rethink its request for the sign.

The Board asked about the significance of the "31". Mr. Fuerti said that 31 represents having ice cream 31 days of the month. He said that it does not represent 31 flavors. He said that it is a signature element for Baskin Robbins, which is a California based company. The Board said that Baskin Robbins is well known in this area and they do not need a sign, as proposed, to attract people to the business.

The Board asked if Baskin Robbins has any other logo other than the large BR. Mr. Fuerti said that they do not. He said that the graphic on the awning is representative of what they had years ago.

The Board said that the proposed sign seems really busy compared to other signs on Central Street. Mr. Himmelberger said that Central Street today is a street that the Board of Selectmen, the Central Street Initiative for Merchants, and the Planning Department have sought to increase the vitality of, and to bring in restaurants. He said that this restaurant is located at the end of the street where it is adjacent to another restaurant and across the street from two other restaurants. He said that this is different than putting it in the middle of Central Street at Cross Street or Crest Road. He said that he did not agree with the Planning Board suggestion that a gold on black sign looks any better. He said that when there is a block of stores with facades like this, with signs with similar dimensions, it risks trivializing the downtown in making it look like Ye Olde Downtown.

Mr. Himmelberger said that the DRB recommendation should not be discounted. He said that the town did not choose to regulate the number of colors on signs when it recodified the Sign Bylaw. He said that with respect to the requested Special Permit, the alternative to granting the Special Permit with regard to the B and the R, is to cause the sign to shrink by four inches proportionately. He said that would not fit the façade as well but it can be done. He said that the more aesthetic look is proportionality as opposed to four inches less. He said that the muted silhouette graphics on either end of awnings serve to break up what is a dark awning and to frame the building and contribute to highlighting the slight parapet at the top.

The Board asked if the Petitioner is willing to take the logos away and just have Baskin Robbins and Dunkin Donuts. The Board said that the purpose of the bylaw is to show where the entrance is, not to advertise logos.

The Board said that it disagreed with the Building Inspector's determination. The Board said that it would consider this to be one business establishment.

The Board said that it would impose a condition that the sign be lit only between sunset and closing time.

Mr. Himmelberger said that, under the bylaw, the Petitioner would be entitled to a single awning graphic or sign. The Board said that having a Dunkin Donuts sign on the façade and a Baskin Robbins sign on the awning would be a little more tasteful. Mr. Himmelberger said that would create a vertical stack that will look disproportionate to the width of the façade. He said that is why the DRB asked for a combined single sign.

The Board said that every entity on the property is not entitled to have a sign on the front facade. The Board said that there is a single entryway into what is almost like a mini mall with the two establishments on either side. Mr. Fuerti said that this is more of a cohesive unit.

The Board said that the building number needs to be shown.

The Board asked about having the sign along the central awning. Mr. Fuerti said that it could be reduced to fit there but the letters would be very small. He said that the awning has a 6'2" dimension from end to end. Mr. Himmelberger said that the total width of the sign is 12'8". He said that it would be cut in half and the letters would become quite small at 4 inches, if everything is reduced proportionately.

Mr. Fuerti asked about taking the logos out and using the proposed letter size for Dunkin Donuts and Baskin Robbins, pushing them together at a reasonable distance, and then allowing for some overhang of the center aisle. The Board said that would be an improvement. The Board said that the sign could extend beyond the center awning.

Mr. Fuerti asked about taking the current sign, reducing it proportionately to meet the standard letter height for the lead in letters, reduce the size and place it over the center of the awning. He said that the size would be at least one-third less than what it is now. The Board said that the logos are the confusing part visually.

The Board discussed the purpose of the Sign Bylaw. The Board said that the proposed sign is distracting, will not preserve the natural beauty and environment, as well as the architectural and historical assets of the town, will not protect the public health, safety, and general welfare, nor promote aesthetic integrity, village character, creativity and community appearance by exercising reasonable control. The Board said that the proposed sign will not encourage compatibility and harmony with surrounding buildings, land and land uses, is not like any of the other signs, and will not ensure fair and consistent enforcement of sign standards. The Board said that it appears that the Petitioner did not look at the Sign Bylaw.

Mr. Fuerti said that they contracted with a sign company that has done business with the town before. He said that they tried to work with the Dunkin Brands standards as well as those of the Town. He said that they went before the DRB and welcomed their suggestions. The Board said that the DRB does not look at the proposed signs with respect to compliance with the Zoning Bylaw.

Mr. Himmelberger discussed options that the Board might be amenable to. He said that it was suggested that they eliminate the oversized BR and the coffee cup. He said that would significantly reduce the length of the sign. He said that it would become a dimensionally compliant sign. The Board said that the proposed sign would be a substantial improvement. The Board said that it would be willing to accept the awnings as presented if the sign was reduced, as proposed. The Board said that it does consider this to be one business establishment.

Mr. Himmelberger said that his client would be willing to remove the BR and the coffee cup and keep the proportionate distance between them. He said that it is currently 12 inches. He said that there will be some proportional edge at the ends.

The Board said that the decision will not be submitted to the Town Clerk until a new graphic is received by the Board.

Mr. Himmelberger said that removing the BR now removes one Special Permit request.

The Board confirmed that the lighting will be on a timer. Mr. Fuerti said that the lighting is behind the whole unit, not behind the individual letters. He said that the field around the form of the letters will be halo lit. He said that the pink, brown and orange are muted. The Board confirmed that there will be a rheostat to adjust the lighting.

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

Statement of Facts

The Petitioner is requesting a Special Permit for installation of two awning logos for a single business in one establishment, on the front of the building at 98 CENTRAL STREET, in the Wellesley Square Commercial District.

Memo, dated 3/11/13, from Rachel St. Germain,

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Title	Date	Revisions
DD Wellesley 98Central rear wallsign 1c.plt	1/30/13	2/4/13, 2/20/13, 3/13/13
DD Wellesley 98Central rear open sheds 1d.plt	1/17/13	1/30/13, 2/4/13, 2/15/13, 2/20/13, 3/13/13
DD Wellesley 98Central front open sheds 2f.plt	1/16/13	1/18/13, 1/30/13, 1/31/13, 2/4/13, 2/15/13, 3/13/13
DD Wellesley 98Central front wallsign 6b.plt	1/16/13	1/18/13, 1/25/13, 1/30/13, 1/31/13, 2/4/13, 2/15/13, 2/19/13, 2/20/13, 3/13/13
DD Wellesley 98Central rear wallsign 1d.plt	1/30/13	2/4/13, 2/20/13, 3/13/13 & 3/18/13
DD Wellesley 98Central front wallsign 7b.plt	3/19/13	3/20/13
DD Wellesley 98Central front wallsigns	3/20/13	

nightview 3a.plt		
DD Wellesley 98Central rear open sheds 1e.plt	1/17/13	1/30/13, 2/4/13, 2/15/13, 2/20/13, 3/13/13 & 3/18/13
DD Wellesley 98Central front open sheds 3a.plt	1/16/13	1/18/13, 1/30/13, 1/31/13, 2/4/13, 2/15/13, 3/18/13 & 3/19/13
DD Wellesley 98Central front open sheds 4a.plt	1/16/13	1/18/13, 1/30/13, 1/31/13, 2/4/13, 2/15/13, 3/18/13
DD Wellesley 98Central rear wallsign 1d Bl.plt	1/30/13	2/4/13, 2/20/13, 3/13/13, 3/18/13 & 3/29/13
DD Wellesley 98Central front wallsign 7b Bl.plt	3/19/13	3/20/13 & 3/29/13
DD Wellesley 98Central front wallsigns nightview 3a Bl.plt	3/20/13	3/29/13
DD Wellesley 98Central front open sheds 3a Bl.plt	1/16/13	1/18/13, 1/30/13, 1/31/13, 2/4/13, 2/15/13, 3/18/13, 3/19/13 & 3/29/13

and photographs were submitted.

On March 27, 2013, the Design Review Board reviewed the application and voted to accept the proposal as presented with Option A for the front awnings.

On April 2, 2013, the Planning Board reviewed the petition and recommended that the Special Permit be denied.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject signs are two awning logos for a single business in one establishment, at 98 CENTRAL STREET, in the Wellesley Square Commercial District.

It is the opinion of this Authority that installation of two awning logos for a single business in one establishment, will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw, as the sign scale will be will in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures; sign size, shape, and placement will serve to define or enhance architectural elements of the building and will not unreasonably interrupt, obscure or hide them; sign design will be in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures; sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use; and sign size, location design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic, and shall not be substantially more detrimental than the existing nonconforming structure.

Therefore, a Special Permit is granted for installation of two awning logos for a single business in one establishment, subject to the conditions:

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1. The "31", "BR" and steaming coffee cup shall be removed from the sign.
2. A new design graphic showing the two names approximately 12 inches apart, centered above the doors as much as possible, shall be submitted.
3. Lighting is only to be lit from approximately 30 minutes before sunset until closing time.

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.

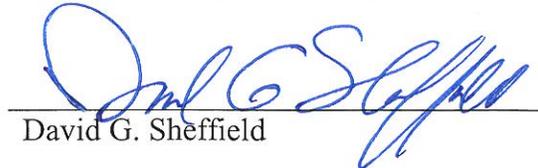
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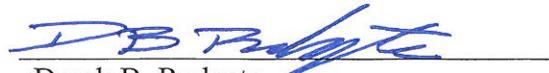
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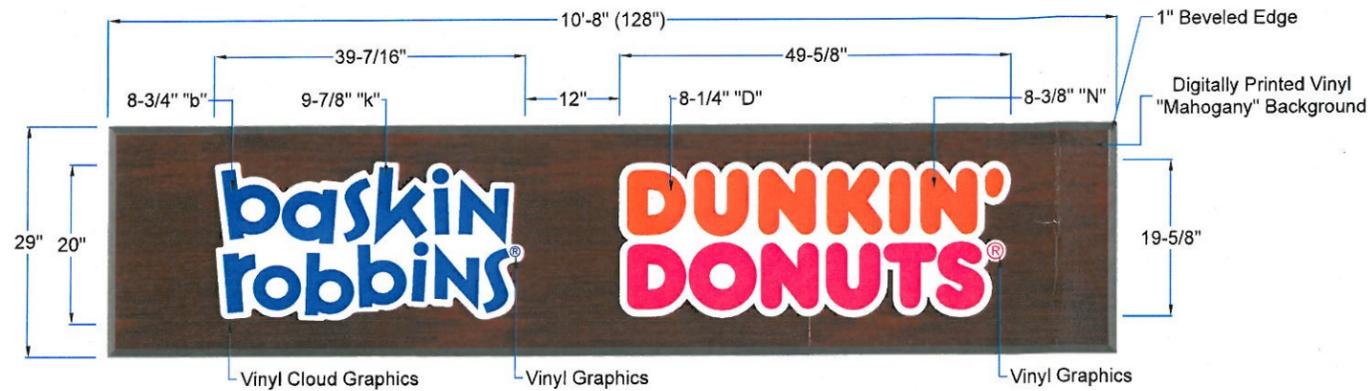
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman

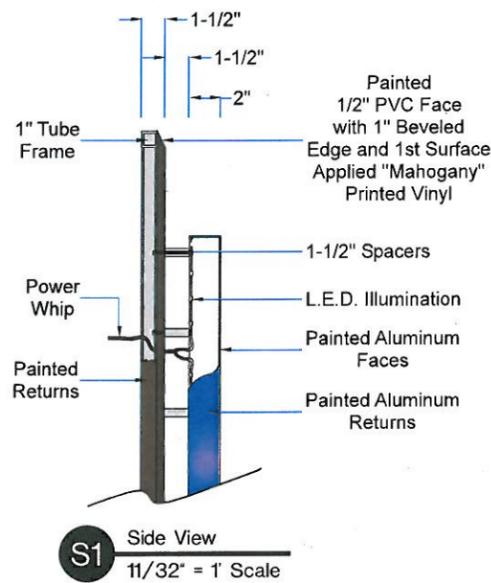

David G. Sheffield


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



E1 Elevation: (Qty: 1) #4299 Wall Sign with Halo-Lit Channel Style Graphics
 29' x 128' = 25.77 Sq. Ft.
 11/16" = 1' Scale



Description:
 (Qty: 1) Belt sign with Halo-Lit channel style graphics.
 • Painted 1" tube frame with a painted 1/2" PVC face, with 1" beveled edge, face to have 1st surface applied digitally printed "Mahogany" grain vinyl, printed on 3M Controllac with 3M Clear gloss overlamine
 • L.E.D. Halo-lit channel style graphics with 1-1/2" spacers
 • First surface applied vinyl graphics
 • Sign installed onto existing facade with brackets and hardware as needed, power to be remotely located

Typeface/Logo:
 • Art on file

Colors:
 Baskin Robbins -
 • Halo-Lit Graphics - Painted to match Blue PMS#286c
 • Vinyl Graphics - Sapphire Blue H.P. 3M#220-37 (close match to Blue PMS#286c)
 Dunkin' Donuts -
 • Halo-Lit Graphics - Painted to match Orange PMS#165c
 • Painted to match Magenta PMS#219c
 • Vinyl Graphics - DD Orange H.P. 3M#220-14
 • DD Magenta H.P. Arlon #58
 • Backer Panel - Digitally Printed Mahogany Flood (printed per embedded color scheme)
 • Backer Returns - Painted BM Night Shade #2116-10

Installation:
 • By ViewPoint
 • This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code (NEC) and/or other applicable Local Electrical Codes (LEC). This includes proper grounding and bonding of the sign.



PE Photo Elevation Views (Proposed & Existing)

Job: Dunkin' Donuts
 Account Manager: Bill Gavigan
 Location: 98 Central St., Wellesley, MA
 Date: 04.12.13 D1.75
 Designer: Pete Rivera

Revisions: Revisions:

ViewPoint SIGN AND AWNING
 1.508.393.8200
 FAX 1.508.393.4244

Customer Approval Acct. Manager Approval Production Approval

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