



ZONING BOARD OF APPEALS

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ZBA 2013-44
 Petition of C.E. Holman LTD Partnership
 8 Church Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 11, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of C.E. HOLMAN LTD PARTNERSHIP requesting a Special Permit pursuant to the provisions of Section IXC, Section XXIIA and Section XXV of the Zoning Bylaw for installation of a blade sign that will meet all dimensional requirements for a wall sign but will project 4 feet over a public sidewalk, at 8 CHURCH STREET, in the Wellesley Square Commercial District.

On June 24, 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 Linda Shotkus, President, Lyn Evans Potpourri Designs.

Ms. Shotkus said that she is the owner of Lyn Evans Potpourri Designs, which is a retail establishment on Church Street. Ms. Shotkus said that she has been in business in Wellesley since 1980. She said that the business was originally located on Central Street and moved to Church Street about nine years ago.

Ms. Shotkus said that the request is to add a blade sign in front of the store, which is located in the Holman Building. She said that out of the six retailers who occupy that building, three of them have blade signs.

Ms. Shotkus said that Wellesley is a walking retail space. She said that it is not like a drive by strip mall where you can see signage on the front of the buildings from your car. She said that they have experienced many times when customers walk into the store and do not know what store they are in. She said that they have seen customers back up into the street to see what the store name is. She said that they think that it is important that they have this blade sign. She said that, in addition to the three blade signs on the Holman Building, there is a blade sign on Central Street for Lux Bond and another blade sign at the Crest Road Mall.

Mr. Shotkus said that Rob Skolnick sent a letter of support to the Board.

The Board said that one of the difficulties of that particular line of stores is that the sign band is very high and is not very visible. Ms. Shotkus said that there are trees all along the street.

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 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482

The Board said that a concern is that there are no blade signs on Church Street. Ms. Shotkus said that a lot of the stores on Church Street have awnings. She said that her business does not have an awning. She said that the awnings protrude over the sidewalk. She said that they would like to have a blade sign in lieu of an awning.

The Board said that the sign information sheet that was submitted says that there will be external illumination but there was nothing in the application that discussed external illumination. Ms. Shotkus said that she submitted a photograph of the sign at Blue Ginger, which is what she would like to do. She said that she has spoken with an electrician about installing external lighting. She said that it is not a simple process because it is a cement façade but it can be done.

The Board said that the sign at Blue Ginger is a different situation because it is set at an elevation where there is an inset to camouflage the lights. Ms. Shotkus said that there is a molding lower on the façade that the light would nestle into. The Board said that it needs to see that the proposed illumination will shine on the sign and not onto other places. The Board questioned whether it could support illumination without seeing some information to define what it is so that it knows what it is approving. The Board said that the request for illumination could be eliminated from the application.

The Board said that the proposed sign is double sided. The Board said that the total area of the sign should be listed as 17.8 square feet. Ms. Shotkus said that they took the dimensions from the Blue Ginger sign. The Board said that the bylaw changed a few years ago. The Board said that the Blue Ginger sign is grandfathered under a different set of rules. The Board said that a revised plan should be submitted that shows the correct total area of the sign.

The Board discussed the Zoning Bylaw, prohibited signs and blade signs over public right of ways and public sidewalks. Ms. Shotkus asked about blade signs at Linden Square. The Board said that it is not a public way. Ms. Shotkus said that some awnings are obstructions over public walkways. The Board said that if it interprets right of way to mean the street, it could grant a Special Permit.

The Board said that the Zoning Bylaw allows it to grant a Special Permit if it makes a finding of the six factors of the bylaw that permit it.

The Board discussed the sixth finding of Section XXIIA H 3 f of the Zoning Bylaw. The Board said that the plan discusses appropriate hardware for attachment to the building but there is nothing in the application that talks about the required hardware to attach it safely to the building. Ms. Shotkus said that Viewpoint Sign & Awning has done a lot of signs in Wellesley. She said that the company is very reputable. She said that her company has eight retail stores and Viewpoint has done a lot of work for them. She said that they have never had a problem. The Board said that the Building Inspector can regulate if the sign is mounted properly. The Board said that something should be provided that shows how the sign will be attached to the building for the Building Inspector to use as a point of departure.

Ms. Shotkus asked if the property line begins at the building. The Board said that the property line could include the sidewalk. The Board said that it would need to see a plot plan to determine that.

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 a blade sign that will meet all dimensional requirements for a wall sign but will project 4 feet over a public sidewalk, in the Wellesley Square Commercial District.

Letter to Linda & Stanley Shotkus, dated 5/30/13, from Steven H. Grindle, C.E. Holman Limited Partnership, Letter to Mr. Seegel, received 5/30/13, from Linda Evans Shotkus, President, Lyn Evans Potpourri Designs, Sign Drawing, dated 9/10/12, revised 10/15/12, 11/09/12, 12/12/12, & 4/10/13, designed by Steven Manna, Viewpoint Sign and Awning, Email to Linda Shotkus, dated 5/30/13, from Robert Skolnick, and photographs were submitted.

On March 27, 2013, the Design Review Board reviewed the application and voted unanimously to accept the proposal with the addition of the words, "potpourri design".

On July 9, 2013, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject sign is a blade sign that will meet all dimensional requirements for a wall sign but will project 4 feet over a public sidewalk.

It is the opinion of this Authority that installation of a blade sign that will meet all dimensional requirements for a wall sign but will project 4 feet over a public sidewalk at 8 Church Street, in the Wellesley Square Commercial District, will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw, as the sign scale will be 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.

Therefore, a Special Permit is granted for installation of a blade sign that will meet all dimensional requirements for a wall sign but will project 4 feet over a public sidewalk, acknowledging the Applicant's withdrawal of the request for external illumination, and subject to the condition that:

- A revised plan shall be submitted that shows the correct total area of the sign.

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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WELLESLEY SQUARE COMMERCIAL DISTRICT
PLANNING BOARD OFFICE

ZBA 2013-44
Petition of C.E. Holman LTD Partnership
8 Church Street

2013 JUL 25 P 2:47
TOWN CLERK'S OFFICE
MIDDLEBURY MA 024482

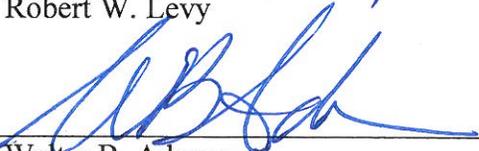
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings

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