



ZONING BOARD OF APPEALS

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

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ZBA 2013-08
Petition of Back Bay Sign
962 Worcester Street

Record Owner of Property: Donald F. Bolles Trust

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 7, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of BACK BAY SIGN requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of a 2 foot 9 inch by 9 foot double-sided, internally illuminated standing sign with 24.75 square feet per panel for a total area of 49.5 feet, set at a height of 15 feet, in a Business District, at 962 WORCESTER STREET. The proposed standing sign will be at least 15 feet from the nearest property line.

On January 23, 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 Jason Parillo, Back Bay Sign (the "Petitioner") and Wes Vickers, Lee Volvo.

Mr. Parillo said that the request is for a Special Permit for a free standing sign. He said that the sign is to be internally illuminated. He said that the request is to set the sign at 15 feet, where 10 feet is allowed by right.

Mr. Parillo said that internal illumination of the sign will be for the letters only. He said that the blue background panel will not be illuminated. He said that it will be similar to other signs in Wellesley.

Mr. Parillo said that they reduced the size of the sign slightly so that it now is 49.5 square feet. He said that the sign is positioned almost 23 feet back from the road.

Mr. Parillo said that the reason that they are proposing to put the sign on the side of the property is to get it out of the way. He said that it is a very tight congested space. He said that there is not a lot of room between the stone wall and the building. He said that there are already challenges with car carriers coming in to unload cars. He said that they wanted to make sure that the sign was out of the way and would not get hit. He said that this is the best place to put the sign.

Mr. Parillo said that the request is for the sign to be five feet higher than allowed by right to be visible from the road. He said that there will be 11 feet of clearance under the sign.

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Mr. Parillo said that the sign was approved unanimously by the Design Review Board.

The Board said that the 23 foot setback dimension was not shown on the plan. Mr. Parillo said that, from the front edge of the sign to the property line will be 23 feet. He said that he did a lot of site work for this project. He said that he met with the MLP on site to make sure that there would not be any issues with the transformer. He said that he took the site measurements. He said that the center of the transformer is approximately 15 feet from the property line. He said that the sign will be 5 to 6 feet behind that. He said that it will be over 20 feet to the property line.

The Board confirmed that this will be a two- sided sign. The Board questioned the need of the sign to identify the business. The Board said that the dealership has been there for 25 years.

The Board said that it approved a larger sign last year. Mr. Vickers said that the Jaguar signage has been removed. He said that there is less signage on the building now. He said that clients say that they have tough time finding the sign on the front of the building.

Mr. Parillo said that the previously approved sign had similar push through letter except only the edges were going to light up. He said that this sign is different in that the entire letter will light up. He said that it is still a very subtle form of illumination.

The Board confirmed that, as shown in the presentation graphics, there are only 5 letters illuminated and the background is a metal panel. Mr. Parillo said that the structure of the pole is aluminum cladding with a silver finish.

Mr. Parillo said that the illumination can be dimmed. He said that LED technology allows for control of the brightness factor. He said that they usually use a light diffuser film on the inside of the polycarbonate plastic to make the light less sharp. The Board said that direct glare for people driving could be a distraction. Mr. Parillo said that he would make sure that issue is addressed. The Board said that the illumination should be set at the lowest setting.

Mr. Vickers said that the dealership closes at 7 pm in the winter and at 8 pm in the summer. He said that during some periods they are open 7 days a week.

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 2 foot 9 inch by 9 foot double-sided, internally illuminated standing sign with 24.75 square feet per panel for a total area of 49.5 feet, set at a height of 15 feet, in a Business District, at 962 WORCESTER STREET. The proposed standing sign will be at least 15 feet from the nearest property line.

Justification For Special Permit from Jason Parillo, Back Bay Sign, Letter of Authorization, signed by E. Tyson Bolles, Site Plan, Satellite View, Street View, Sheet 3 of 5, Street View, Sheet 4 of 5, and 4500

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Series Pylon dimensions, dated 8/8/12, prepared by Federal Heath Sign Company, and photographs were submitted.

On September 26, 2012, the Design Review Board reviewed the application and voted unanimously to accept the proposal as presented.

On February 6, 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 sign is a 2 foot 9 inch by 9 foot double-sided, internally illuminated standing sign with 24.75 square feet per panel for a total area of 49.5 feet, set at a height of 15 feet.

It is the opinion of this Authority that installation of a 2 foot 9 inch by 9 foot double-sided, internally illuminated standing sign with 24.75 square feet per panel for a total area of 49.5 feet, set at a height of 15 feet, 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, and shall not be substantially more detrimental than the existing nonconforming structure.

Therefore, a Special Permit is granted for installation of a 2 foot 9 inch by 9 foot double-sided, internally illuminated standing sign with 24.75 square feet per panel for a total area of 49.5 feet, set at a height of 15 feet, subject to the following conditions:

1. The sign shall be no closer than 23 feet to the front lot line.
2. The sign shall be illuminated only during hours of operation of the dealership.
3. Illumination of the sign shall be set at its lowest level with the dimmer all the way down.

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.



J. Randolph Becker, Acting Chairman



Robert W. Levy



David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm