



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 87-8<sub>1</sub>

Petition of Solomon Boucai (Confetti Fine Confections)  
101 Central Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 15, 1987 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of Solomon Boucai (Confetti Fine Confections), requesting a Special Permit pursuant to Sections XXV and XXIIA(D)(6) of the Zoning Bylaw to allow the installation of an internally illuminated window sign at 101 Central Street; and requesting a variance from Section XXIIA(D)(5) pursuant to Section XXIV-D to allow more than the maximum number of signs permitted at said location. Said premises are located in a Business District.

On September 25, 1987, the petitioner requested 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 Solomon Boucai who stated that he had purchased and installed the sign without being aware that he needed a Special Permit and/or variance to do so. When notified by Mr. LaConte, the Building Inspector, that he was in violation of the Zoning Bylaw, he made necessary application for both the Special Permit and variance.

Mr. Boucai explained that Confetti Fine Confections is the first store on the block, and that in this location, more visibility than the present canopy sign affords is necessary. The sign cost \$3,000.00. The hours of store operation are 10:00 a.m. to 5:30 p.m., after which the sign would not be illuminated.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is located at 101 Central Street in a Business District and is leased from the Samuel M. Poorvu Family Trust, 25 New Chardon Street, Boston MA. The sign in question is an internally illuminated single color (green) window sign, 68 inches by 22 inches and 65 inches above the ground. A Special Permit is requested to allow the illuminated window sign and a variance is requested to allow more than one sign on the premises.

Drawings of the sign, unsigned, but dated September 1, 1987, as well as photographs of the illuminated installed sign, were submitted.

The Design Review Board conducted a preliminary review of the sign on September 8, 1987 and a final review on October 8, 1987. While the Board felt the sign was

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tasteful and effective, it was concerned with the setting of a precedent in allowing two signs at the same location.

The Planning Board, at its regular meeting on September 29, 1987, voted to strongly oppose the granting of the variance for the same reasons.

Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting an illuminated window sign, said sign to be the second sign on the premises.

It is the opinion of this Authority that the proposed green neon internally illuminated window sign, 68 inches by 22 inches, can be allowed and a Special Permit for the internal illumination and a variance for said sign to exceed the maximum number are hereby granted subject to the following condition:

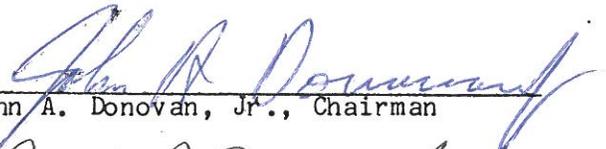
1. That said sign shall be illuminated only from 9 a.m. to 6 p.m.

The Inspector of Buildings is hereby authorized to issue a permit for the erection of said sign upon his receipt and approval of a building application and construction plans.

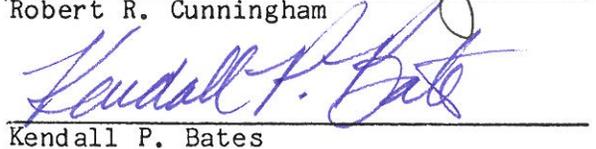
If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

cc: Planning Board  
Inspector of Buildings

  
John A. Donovan, Jr., Chairman

  
Robert R. Cunningham

  
Kendall P. Bates

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