



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

RECEIVED  
ZONING BOARD OF APPEALS  
9 49 AM '88

ZBA 88-19  
Petition of Nike, Inc.  
239 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, March 3, 1988 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley on the petition of NIKE, INC. requesting a variance from the terms of Section XXIIA, Part D (5) and pursuant to Section XXIV-D of the Zoning Bylaw to allow the petitioner to exceed by one the maximum number of signs allowed at 239 WASHINGTON STREET (NIKE, WELLESLEY), in a Business District.

On February 8, 1988, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Edward Kinally, manager of the Nike, Wellesley store. Mr. Kinally said that there is presently a sign on the front of the building. If the square footage of the present sign were added to that of the proposed sign, the total would be less than that allowed for a single sign in that location. The only change in the plans submitted would be in the color scheme of the sign. The Nike logo will be orange and the background will be the color of the building in deference to the landlord's wishes.

No other person had any comment on the petition.

Statement of Facts

The property in question is located at 239 Washington Street, owned by Lighthouse Properties, Co., 65 William Street, Wellesley, and is in a Business District. Nike, Inc. leases a portion of the building and proposes to install an 8 square foot sign above the front entry, and requests a variance for a second sign of 29.3 square feet to be located on the left upper corner of the right side of the building, 15 feet 3 inches above the ground, facing the adjacent parking lot and the traffic flowing west on Washington Street. Customers approaching from the east are likely to pass the parking lot before they see the store which fronts on Washington Street. The total area for both signs would be 37.3 square feet, which is less than the 50 square feet allowed for one sign.

Drawings of the proposed sign, dated January 27, 1988, were submitted by Dalrymple, Braden, Associates, Inc., Beaverton, Oregon.

A letter dated February 9, 1988, was received from Lighthouse Properties Co., owner of the property, confirming its permission for the installation by Nike, Inc. of two exterior signs.

ZBA 88-19  
Petition of Nike, Inc.  
239 Washington Street

The Design Review Board conducted a preliminary review of the proposed signs on January 28, 1988 and a final review on February 11, 1988. The Board voted to approve the second sign as presented as it will provided needed identification of the store at this location.

The Planning Board, at its regular meeting on February 16, 1988 voted to oppose the variance request, stating that if the variance were granted, other businesses in the building could require similar signage for the same reasons. The Planning Board felt that a coordinated approach to the parking lot signage is essential.

Decision

This Authority has made a careful study of the evidence presented.

The petitioner is requesting a variance for a second sign at 239 Washington Street to identify the store to westbound traffic on Washington Street.

This Authority is of the opinion that the nature of the use of the premises and the location of the building with reference to the street is such that the sign will be in harmony with the general purpose of the Zoning Bylaw.

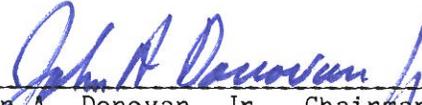
Therefore, a variance is hereby granted for the proposed second sign at 239 Washington Street (Nike, Wellesley), 29.3 square feet in size, and 15 feet 3 inches above the ground, as shown in the drawings submitted and referenced in the foregoing Statement of Facts.

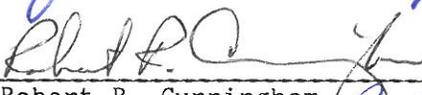
The Building Inspector is hereby authorized to issue a permit for the sign upon his receipt and approval of an application.

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  
edg

  
\_\_\_\_\_  
John A. Donovan, Jr., Chairman

  
\_\_\_\_\_  
Robert R. Cunningham

  
\_\_\_\_\_  
Kendall P. Bates

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MASS.  
MAR 17 1988