



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Jul 13 8 26 AM '89

JOHN A. DONOVAN, JR., Chairman  
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ZBA 89-30  
Petition of Nancy S. Serafini  
400 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 29, 1989 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street on the petition of NANCY S. SERAFINI requesting a variance from the terms of Section XXIIA D (5) and pursuant to Section XXIV-D of the Zoning Bylaw to allow two window signs, each approximately 4 square feet at her business premises (HOMEWORKS), at 400 WASHINGTON STREET, in a Business District; the maximum number of window signs allowed being one.

On June 13, 1989, 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 Nancy Serafini who said that the store front of her new business premises has two symmetrical windows, and that she would like two window signs rather than one sign above the store. Mrs. Serafini said that she believed, according to the zoning bylaw, she is allowed to use 10% of the facade, which would be 42 feet. The total of the two window signs is 8 square feet. The sign meets with the approval of the Design Review Board.

No other person present had any comment on the petition.

#### Statement of Facts

The property in question is located at 400 Washington Street, owned by Thomas Cummings, and is in a Business District.

Mrs. Serafini leases a portion of the premises and proposes two window signs for the two symmetrical store front windows. Each sign would be 4 square feet with no illumination, with a height of 7 and 1/2 feet and a setback of 21 feet from the property line. A variance is requested to exceed the maximum number of exterior signs allowed for a business establishment as only one sign is allowed.

Unsigned, undated, drawings of the sign and the store front, as well as photographs of the site, were submitted.

A letter, dated June 16, 1989, in support of the petition was received from Thomas J. Cummings, owner of the property.

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The Design Review Board held a preliminary review on May 11, 1989 and waived a final review. The Board recommended that the variance for the second sign be granted for the following reasons: the facade of the business establishment is highly symmetrical and in a visible location; proposed square footage of the two signs combined is considerably less than the maximum area allowed for one sign; and the two signs proposed will appear more like a decoration than a sign.

The Planning Board, on June 20, 1989, voted to favor the request for the variance being granted, provided that no further signage be allowed for this business.

Decision

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

The petitioner is requesting a variance for a second window sign at 400 Washington Street to identify her business, Homeworks; said sign will exceed the maximum number of exterior signs allowed for a business establishment.

It is the opinion of this Authority that due to the location of the business, the symmetry of the store facade, and the total square footage of the two signs being so much less than that allowed for one sign, that a literal enforcement of the provisions of Section XXIIA D (5) of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted for a second window sign, 4 square feet in area, no higher than 7 and 1/2 feet above the ground, as shown on the drawing described in the foregoing Statement of Facts, with the condition that no further signage be requested for this particular business establishment.

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

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