TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-42
Petition of Century 21/Westward Homes
378 Washington Street

Pursuant to due notice the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, August 24, 1989 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 CENTURY 21/WESTWARD HOMES, requesting a Special Permit pursuant to the terms of Section XXIIA and Section XXV of the Zoning Bylaw to allow a standing sign at its premises at 378 WASHINGTON STREET, in a Business District, to have a greater height and a lesser setback than allowed by right, and to be internally illuminated. A variance from the terms of Section XXIIA and pursuant to the terms of Section XXIV-D of the Zoning Bylaw is requested to allow said internally illuminated sign to exceed the number of colors allowed by right.

On August 4, 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 Alan Lyman, Sales Manager of Century 21/Westward Homes. Mr. Lyman said that he was requesting the variance and special permit for their three-color sign, which is the Century 21 national logo, at the company's new address at 378 Washington Street.

Mr. Lyman addressed the comments of the Design Review Board and the Planning Board, both of which opposed the internal illumination of the sign. He stated that there are other signs on Washington Street which have three colors and are internally illuminated such as Bank of Boston, which has four colors; Haskins and the Mobil station. Mr. Lyman said the Century 21 sign is lower than some of the others and is not bright as it is brown with white highlights and a yellow border. The sign would be lit until 8 p.m. which is the closing hour for the office.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 378 Washington Street, in a Business District, and is owned by Govoni Realty Trust. Century 21/Westward Homes leases a the premises, and proposes a new standing sign to identify the new office. The proposed sign would be 24 square feet, with a height of 10 feet and a setback of 14 feet from the property line. The three-colored sign would be internally illuminated. A Special Permit is requested for the height, setback and internal illumination. A variance is requested to allow the internally illuminated sign to have more than two colors.

Unsigned and undated drawings of the sign; a sketch of the sign on Front Elevation of the Building; and photographs were submitted.

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The Design Review Board held a preliminary review on July 13, 1989 and a final review on August 10, 1989. At the final review, the Design Review Board voted to approve the sign provided it was not internally illuminated as it was felt that an internally illuminated three-color sign would be inappropriate and intrusive to the streetscape in this location. The Board suggested external illumination by means of two spotlights on the ground, a recommendation which was amenable to the petitioner.

The Planning Board, on August 8, 1989, voted unanimously to oppose the internal illumination for the three-color sign for the same reason.

Decision

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

The petitioner is requesting a Special Permit for a standing sign at 378 Washington Street to identify the Century 21/Westward Homes office. This Authority is of the opinion that the proposed standing sign is in harmony with the general intent of Section XXIIA of the Zoning Bylaw in regard to height and setback.

However, this Board is of the opinion that the internal illumination of the proposed sign should not be allowed as it would be intrusive and inappropriate in this particular location. The Board is of the opinion that external illumination, as recommended by the Design Review Board, would be a viable alternative that would be in keeping with both the streetscape and the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit, pursuant to Section XXIIA of the Zoning Bylaw, is hereby granted for the proposed standing sign at 378 Washington Street, 24 square feet in size, no higher than 10 feet and no closer than 14 feet to the property line, as shown in the drawings and information submitted as noted in the foregoing Statement of Facts.

The request for a Special Permit for internal illumination is hereby denied, which renders the request for a variance for an internally illuminated sign to have more than two colors null and void.

The Inspector of Buildings is hereby authorized to issue a permit for the externally illuminated 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.

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John A. Donovan, Jr., Chairman

Kendall P. Bates

Robert R. Cunningham

cc: Planning Board
Inspector of Buildings

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