TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-68
Petition of Appleseed's
8 Church Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 30, 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 APPLESEED'S requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV to allow internal illumination of an allowed sign approximately 8 feet 6 inches by 1 foot 3 inches located on an awning approximately 27 feet 7 inches by 4 feet 2 inches at their premises at 8 CHURCH STREET, in a Business District.

On November 14, 1989, 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 Jon Boyd of Appleseed's, who said that he was requesting approval to internally illuminate a sign to be contained in an awning being erected on the front of the building. The new awning incorporating the sign will replace an existing awning, which covers only the door, and an existing wall sign. The illumination is not only a major design feature for the awning, but because the awning will extend 4 feet over the sidewalk, will provide additional safety and security for pedestrians.

Mr. Boyd stated that Appleseed's closes at 8 p.m. and that the sign would be illuminated until that time.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 8 Church Street in a block of retail stores in a Business District. The property is owned by the Charles Holman Trust and is leased by Appleseed's.

Appleseed's is requesting a Special Permit to internally illuminate an allowed sign approximately 8 feet six inches by 1 foot 3 inches to be contained in an awning approximately 27 feet 7 inches by 4 feet 2 inches to be erected across the facade of the premises at a height of 10 feet 9 inches. Internal illumination will be provided by fluorescent tubes in two lines extending the length of the awning.

Drawings of the sign located on the awning, dated October 4, 1989, drawn by CPM, and photographs were submitted.

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At a preliminary review held on October 12, 1989, the Design Review Board approved the awning sign without illumination and a sign permit was issued. The Design Review Board held a final review on November 30, 1989, at which time the Board voted to recommend approval of internal illumination for the sign.

The Planning Board on November 28, 1989 voted to offer no objection to the special permit request.

Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting a Special Permit for internal illumination of an allowed sign incorporated in an awning to be erected at Appleseed's at 8 Church Street.

This Authority is of the opinion that the internal illumination of the awning sign is in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw.

Therefore, a Special Permit is hereby granted to internally illuminate the proposed sign in accordance with the drawings submitted and the dimensions noted in the foregoing Statement of Facts and subject to the following conditions:

1. That the existing awning and wall sign shall be removed.

2. That said sign shall not be illuminated except while Appleseed's is open to the public.

The Building Inspector is hereby authorized to issue a permit for the internal illumination of the allowed 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.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
edg

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