TOWN OF WELLESLEY MASSACHUSETTS

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

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ZBA 89-70
Petition of Amarin of Thailand
27 Grove Street

Pursuant to due notice, the 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 AMARIN OF THAILAND requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow the maximum number of signs for a business establishment to be exceeded by the installation of two window signs, each approximately 3 feet 9 inches by 9 inches, in addition to their allowed wall sign approximately 5.25 square feet at their premises at 27 GROVE 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 Jim Treacy of Thompson Sign Company who was accompanied by the owner of Amarin, Sam Rojansasuvan. Mr. Treacy said that as the front of the building is 60-70% glass, the area for signage is limited. The allowed wall sign is a 12 inch band of mahogany with gold letters depicting the name of the restaurant. The request is for two additional window logo signs in gold leaf to add visibility to the restaurant.

Mr. Treacy said that the Design Review Board had recommended reducing the size of the letters in the logo signs from 9 to 6 inches and placing them at the height of the window mullions. He felt that the size would be too small and the placement too high for pedestrian and vehicular visibility. He stated that the total area of the three signs would be far less than the 50 feet allowed.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 27 Grove Street, in a Business District. The property is owned by the CGI Company and leased to Amarin of Thailand for use as a restaurant.

Amarin is requesting a variance to exceed the allowed number of signs for a business establishment to install two logo signs, each 3 feet 9 inches by 9 inches, at a height of 5 feet 9 inches, in addition to an allowed wall sign of 5.25 square feet. The total area of the three signs would be 10.85 square feet.

An unsigned drawing of the signs on the business facade, dated July 31, 1989, drawn by the Thompson Corporation; and photographs were submitted.

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The Design Review Board held a preliminary review of the two logo signs on September 14, 1989 and a final review on November 30, 1989. The Board recommended approval of the sign variance provided that the letters were reduced to 6 inches and that placement align with the horizontal window mullions.

The Planning Board, on November 29, 1989, voted to support the recommendations of the Design Review Board and to offer no objection to the request.

Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting a variance to exceed the number of signs allowed for a business establishment in order to install two window signs, each to have an area of 2.8 square feet, in addition to an allowed wall sign with an area of 5.25 square feet.

It is the opinion of this Authority that as the design of the facade does not allow for a larger wall sign, and as the total area of signage is much less than the maximum area allowed by Section XXIIA of the Zoning Bylaw, the additional signage can be allowed in this particular instance as a literal enforcement of the provisions of Section XXIIA of the Zoning Bylaw would involve a substantial hardship to the petitioner owing to circumstances relating to the particular structure, and that desirable relief can be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to erect two window signs, each sign to be 3 feet 9 inches by 9 inches at a height of 5 feet 9 inches in accordance with the plan submitted as noted in the foregoing Statement of Facts.

The Inspector of Buildings is hereby authorized to issue a permit for the two signs 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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