



APR 6 9 52 AM '90

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 90-14  
Petition of Baybank  
342 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, March 22, 1990 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 BAYBANK requesting the following variances from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to change the faceplates of an existing internally illuminated standing sign at 342 WASHINGTON STREET on the corner of ABBOTT ROAD: 1) to exceed the maximum height allowed; 2) to exceed the maximum area allowed; 3) to have less than the minimum setback required from WASHINGTON STREET; 4) to internally illuminate said sign; 5) to internally illuminate a sign having more than two colors. The property is located in a Business District, but the sign is located on a portion of the Cochituate Aqueduct which is zoned as a Single Residence A District.

On March 5, 1990, 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 was Carol Bugbee of the Thompson Sign Company. Ms. Bugbee said that the existing sign was allowed by a variance granted in 1986. The sign is internally illuminated and has three colors, light beige, dark brown and white. The bank officers feel that the sign does not sufficiently identify the premises as the logo colors have been changed to green, blue and white. The present sign fades into the landscape and the facade of the building.

Ms. Bugbee said that if the size of the sign were reduced, it would become more obscure and if it were shorter, would be blocked by cars occupying the parking space in front of the building. If the sign were moved off the Aqueduct, it would be too close to the building. The sign is attached to a substantial base which would be difficult to move.

Ms. Bugbee presented color samples of the sign and said that Baybank is willing to make the blue and green opaque so that only the white letters will be illuminated.

It was noted that Baybank is currently in violation of the 1986 Special Permit as the sign is illuminated for longer than the hours allowed.

Statement of Facts

The subject property is located at 342 Washington Street at the corner of Abbott Road in a Business District. The existing internally illuminated standing sign is located on the portion of the Cochituate Aqueduct, zoned Single Residence A, which crosses the property and is leased to Baybank by the Board of Selectmen. The sign

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has existed at the same location since 1981 (ZBA 81-12). A Special Permit to change the face of the sign was granted in 1986 (ZBA 86-39).

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The petitioner is requesting another change in the faceplates of the existing sign. A green sign with horizontal blue lines and white lettering is proposed. The green and blue will be opaque so that only the white letters will be illuminated. The sign has an area of 24 square feet at a height of 5 feet and is set back 6 feet from Washington Street and 18 feet from Abbott Road.

Variations are requested to exceed the maximum area and height allowed in a Single Residence A District, as well as a variance to have less than the minimum setback allowed from Washington Street. A variance to internally illuminate said sign and a variance to internally illuminate a sign with more than two colors are also requested.

Drawings of the sign dated January 10, 1990 drawn by Thompson Corporation; a site plan and front elevation of the bank dated July 12, 1989 drawn by Thompson Corporation; and photographs were submitted.

The Design Review Board held a preliminary review on February 22, 1990 and recommended that the area of the sign be reduced, or the sign set further back from the street as the Board felt that the proposed colors of the sign would be an unattractive addition to the Town, particularly at its present size and in its present location. The Board also noted that the sign is actually located on the Cochituate Aqueduct, which is zoned Single Residence A, and has more stringent signage requirements than the requirements for signage in a Business District under which the previous two petitions have been granted. The Design Review Board requested a second review which was not complied with by the petitioner.

The Planning Board, on March 13, 1990, voted to oppose the granting of the request and was in agreement with the objections stated by the Design Review Board.

#### Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting the variances enumerated in the foregoing Statement of Facts to change the faceplates of an existing internally illuminated standing sign to identify Baybank at 342 Washington Street.

It is the opinion of this Authority that the size, height, location and internal illumination of the existing sign have not changed since the original sign was allowed in 1981. The request for variances for area and height, which would be allowed by permit in a Business District, are necessary due to the discovery that the sign is, in fact, located on the Cochituate Aqueduct which is zoned Single Residence A. The variances for setback from Washington Street and internal illumination, which are Special Permit requests in a Business District, are due to the stricter requirements for signage in a Single Residence A District. Only the variance request for internal illumination of a sign of more than two colors is not affected by the zoning district in which the sign is located.

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It is the opinion of this Authority that the presence of the Cochituate Aqueduct on the property especially affects this particular site and that relocation or a change in the size of the existing sign would involve a substantial hardship to the petitioner as would the revocation of permission to internally illuminate said sign.

It is the further opinion of this Authority that as the existing internally illuminated sign has more than two colors and that as precedent has been set allowing internal illumination of signs in which more than two corporate colors are involved, the literal enforcement of Section XXIIA-D-6 of the Zoning Bylaw would be a substantial hardship to the petitioner.

Therefore, the requested variances are granted from the terms of Section XXIIA and pursuant to Section XXIV-D for the proposed standing sign at 342 Washington Street to be 24 square feet at a height of 5 feet to be internally illuminated with more than two colors and to be located no closer than 6 feet from Washington Street as shown in the submitted drawings, with the following conditions:

1. That the green ground and the blue horizontal lines on the faceplates of the sign be composed of an opaque material.
2. That only the white letters on the sign be internally illuminated.
3. That the sign be internally illuminated only during the banking hours of 9 a.m. to 3 p.m., Monday through Thursday and 9 a.m. to 6 p.m. on Friday.
4. That any violation of Condition #3 will be grounds for revocation of that portion of the variance granted to allow internal illumination of said sign.

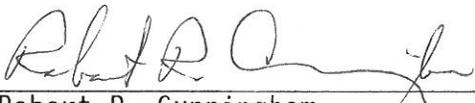
The Inspector of Buildings is hereby authorized to issue a permit for the internally illuminated sign upon his receipt and approval of an application.

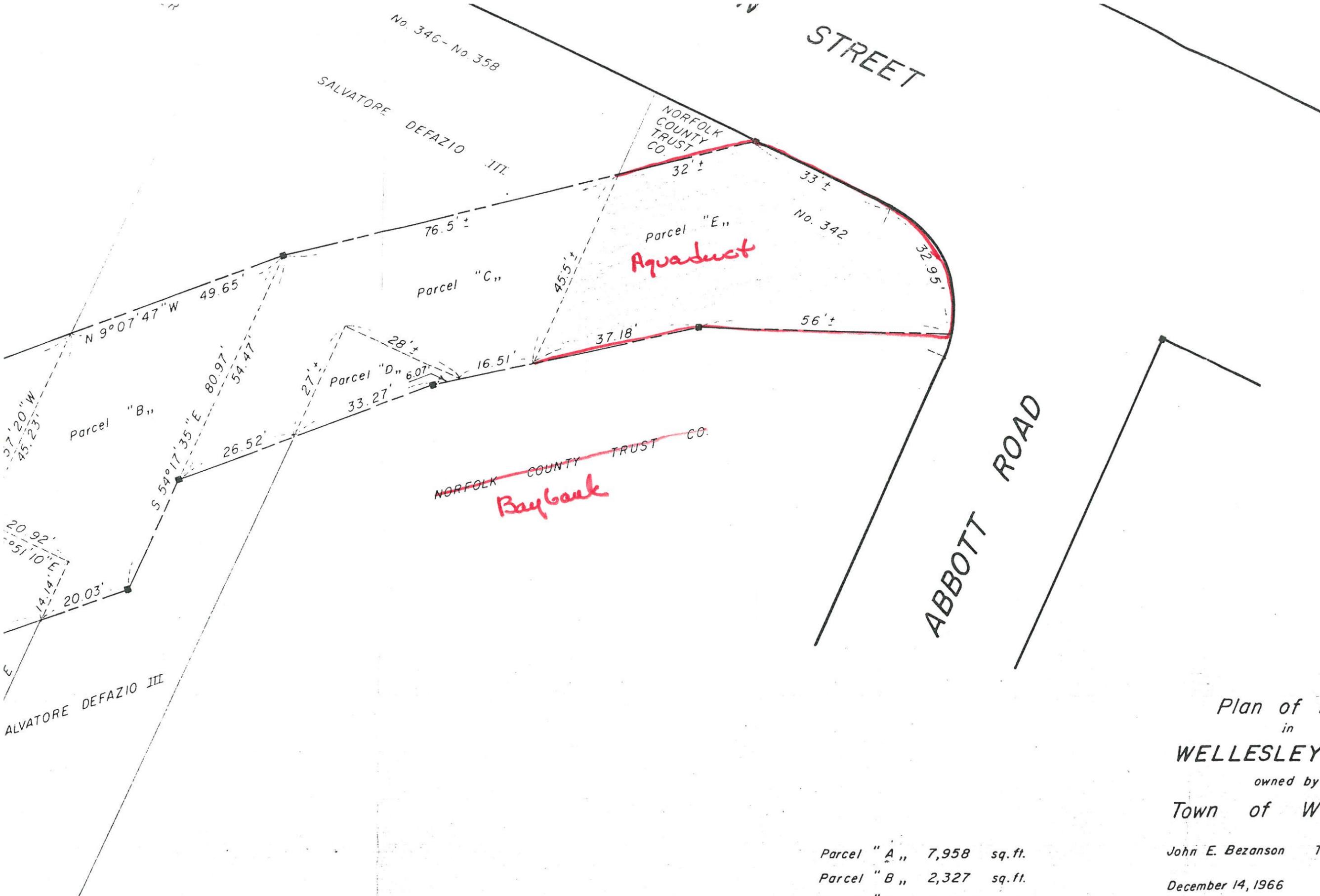
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Robert R. Cunningham



Plan of Land  
in  
**WELLESLEY MASS.**  
owned by  
**Town of Wellesley**

John E. Bezanson Town Engineer

December 14, 1966 Scale 1"=20'

Parcel "A"	7,958	sq. ft.
Parcel "B"	2,327	sq. ft.
Parcel "C"	2,570 ±	sq. ft.
Parcel "D"	385 ±	sq. ft.
Parcel "E"	2,820 ±	sq. ft.