



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 90-40
Petition of Shawmut Bank
75 Central Street

Pursuant to due notice the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, May 24, 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 SHAWMUT BANK requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to exceed the maximum number of signs allowed for a business establishment; and the following Special Permits pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw: 1) to allow the total area of signage to exceed that allowed by permit; 2) to allow the height of the third wall sign to exceed that allowed by permit; and 3) to allow the permitted primary wall sign to be internally illuminated at its business premises at 75 CENTRAL STREET, in Business District.

On May 7, 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 at the hearing was William McConaghy of Advanced Signing, Inc., who represented the petitioner. Mr. McConaghy said that Shawmut wishes to erect three signs to identify two operations at the location. A retail branch will occupy the first floor and a private banking center will occupy the second floor. The primary wall sign on the front of the building and the wall sign at the rear entrance are allowed by permit.

Mr. McConaghy said that the variance request is for a third wall sign on the second level of the west side of the building. The private banking center on the second floor will be a separate entity. Due to the architecture of the building, and the lack of prominence of the front sign, the side wall sign will identify the building to westbound traffic.

Mr. McConaghy stated that the internal illumination is requested for the primary wall sign as the bank will be open after dusk in the winter; and to identify the general location of the ATM which will be a 24-hour operation. The bank would like permission to illuminate the primary sign on a 24-hour basis. The ATM will be a free-standing kiosk unit about 10 feet inside the building. The area will be illuminated, but there will be no illuminated signage on the machine or separate signage on the outside of the building.

No other person had any comment on the petition.

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Statement of Facts

The property in question is located at 75 Central Street, in the Galleria building, in a Business District. The property is owned by Peter Zeytoonjian and approximately half of the first and second floors of the building are leased by Shawmut Bank.

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The petitioner is requesting a variance to exceed the maximum number of signs allowed for a business establishment. A primary wall sign, approximately 16 square feet, and a rear wall sign, approximately 7 square feet, are allowed by sign permit. The petitioner is requesting a variance to erect a third sign, approximately 41 square feet, on the west wall of the building at a height of 23 feet. Special Permits are also requested to internally illuminate the primary wall sign, for the third sign to exceed the allowed height of 20 feet and for the total area of the three signs (64 square feet) to exceed the total allowed area of 50 square feet.

Drawings of the front, rear and west building facades dated August 22, 1989 and drawings of the primary wall sign and the west facade wall sign dated April 26, 1990, all drawn by Advanced Signing Inc.; a letter of support dated May 4, 1990, signed by Peter C. Zeytoonjian, property owner; and photographs were submitted.

The Design Review Board, on April 12, 1990, reviewed a package of 5 signs and voted to approve the signage plan if the two second-floor logo signs were eliminated; the west facade sign colors be blue and white; and the internally illuminated sign have an opaque blue background.

The Planning Board, on May 15, 1990, voted to support the recommendations of the Design Review Board with the exception that the logo sign on the west elevation be eliminated as being unnecessary and intrusive.

Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting a variance to erect a third wall sign which would exceed the maximum number of signs allowed for a business establishment, as well as Special Permits to internally illuminate the primary front wall sign, to exceed the allowed height and the total area of signage.

It is the opinion of this Authority that the third wall sign to be located on the west wall of the building is unnecessary for identification of the bank or the separate banking operation on the second floor which will be restricted to a select clientele. In the opinion of this Authority, there is no demonstrated hardship on which to base the granting of a variance, nor would such grant be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw.

Therefore, the request for a variance for a third wall sign, approximately 41 square feet, at a height of 23 feet, is unanimously denied, and that portion of the petition is dismissed, thereby dismissing the Special Permit requests to exceed the total area of signage allowed, and to exceed the maximum height allowed for a wall sign.

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It is the opinion of this Authority that the Special Permit request for internal illumination of the primary front wall sign is necessary for identification of the premises, and is in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw.

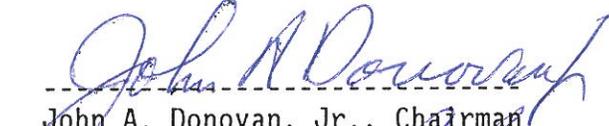
Therefore, a Special Permit is hereby granted to internally illuminate the primary front wall sign, subject to the following conditions:

1. That the background of the sign be of an opaque blue material.
2. That the hours of illumination of said sign be restricted to those hours during which the first floor retail branch of Shawmut Bank are staffed and open to the banking public. Any infraction of this condition will result in the revocation of the Special Permit.

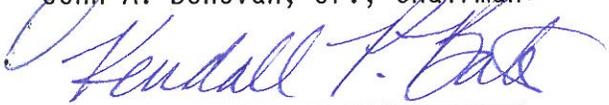
The Inspector of Buildings is hereby authorized to issue a permit to internally illuminate the primary front wall sign upon his receipt and approval of an application.

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.

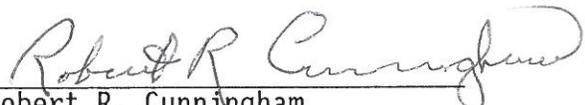
cc: Planning Board
Inspector of Buildings
edg



John A. Donovan, Jr., Chairman



Kendall P. Bates



Robert R. Cunningham

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