



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 90-82
Petition of Gap/GapKids/BabyGap
74 Central Street

Pursuant to due notice the Special Permit Granting Authority and the Permit Granting Authority held a Public Hearing at 8 p.m. on Thursday, October 25, 1990 in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of GAP/GAPKIDS/BABYGAP requesting the following Special Permits pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for signage at their premises at 74 CENTRAL STREET, in a Business District: 1) Internal illumination for one 25 square foot wall sign above the front entrance, one 25 square foot wall sign above the rear entrance, and one 6.65 square foot front window sign; 2) Total area of all signage to exceed the 50 square feet allowed by permit.

A variance is also requested from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to erect 8 signs more than the maximum number of signs allowed by permit.

On October 10, 1990, the petitioner requested 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 Michael McCall, architectural consultant for the GAP. Mr. McCall presented display boards of the building facades and the requested signage. He explained the reasons for requesting each of the signs in the package, and that the package as a whole is part of the GAP's national merchandising concept to incorporate their logo with the clothing sold.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 74 Central Street, in a Business District. The property is owned by Wellesley Realty Trust and will be leased to GAP/GAPKIDS/BABYGAP for the sale of retail merchandise. The premises are presently occupied by several departments of Filene's, a retail store. GAP plans to remodel the existing premises including the addition of several large display windows.

The petitioner is requesting a Special Permit for internal illumination of a 25 square foot wall sign above the front entrance, a duplicate wall sign at the rear entrance, and a 6.65 square foot pendant window sign. A Special Permit is also requested for the total area of 74.85 square feet for 11 signs to exceed the 50 square feet allowed by permit. A variance is also requested for 8 signs in excess of the two wall signs and 1 square foot window sign allowed by permit. The 8 additional window signs are comprised of the following: one 1 square foot "hours of operation" sign; one 6.65 square foot BABYGAP pendant sign; one 2.4 square foot

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BABYGAP sign; 3 GAP signs totalling 9 square feet; one 2.4 square foot GAPKIDS sign; one 2.4 square foot BABYGAP sign.

Drawings of the signs and elevations (A-5.0, A-5.1, A-5.3) drawn by the McCall Design Group; and photographs were submitted.

A letter supporting the petition, dated October 10, 1990, was received from Hunneman Investment Management Company on behalf of Wellesley Realty Trust.

The Design Review Board reviewed the proposed signage plan on September 27, 1990, and voted to accept the design of the two 25 square foot internally illuminated "GAP" signs to be located above the front and rear entrances. In the opinion of the Design Review Board, the additional small window signs were unnecessary as the window displays and the entrance signs would sufficiently identify the business and the merchandise sold.

The Planning Board, on October 16, 1990 voted to strongly recommend denial of the variance for the number of signs and the special permits for internal illumination of the three signs. The Board was of the opinion that the two wall signs above the front and rear entrances respectively represented sufficient advertising for the new store.

Decision

This Authority has made a careful study of the evidence presented. The petitioner is requesting two Special Permits and one variance for signage at 74 Central Street as described in the foregoing Statement of Facts.

It is the opinion of the Board that the requested special permit to internally illuminate the two 25 square foot wall signs above the front and rear entrances respectively and the pendant window sign should not be allowed as internal illumination of said signs would not be in harmony with the general intent and purpose of the Zoning Bylaw.

It is the opinion of the Board that the requested second 1 square foot "hours of operation" sign to be located on the rear entrance door is in harmony with the general intent and purpose of the Zoning Bylaw. Therefore, a Special Permit is hereby granted to exceed the area of 50 square feet allowed by permit by 1 square foot, bringing the total area of signage to 51 square feet.

Section XXIIA-D-5 of the Zoning Bylaw states:

"Unless otherwise provided herein there shall be not more than one exterior sign for each business establishment except that if a business establishment has more than one public entrance, at street level, there may be a secondary sign affixed to the wall, in the vicinity of each such entrance, other than the wall to which the principal sign is affixed."

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"In addition to the foregoing sign or signs, a permanent window sign consisting of individual letters may be painted directly onto the inside surface of a glass window or door. Such sign shall not occupy an area in excess of one square foot. The area of any such sign shall be included in the calculation of the total allowable sign area."

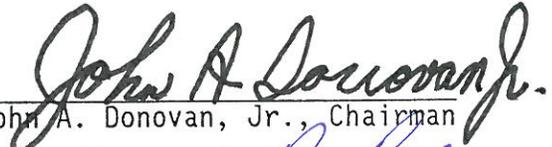
It is the opinion of this Board that the variance request for 8 signs, in addition to the two wall signs and one "hours of operation" sign allowed by the above quoted Section of the Zoning Bylaw, represents an unnecessary proliferation of small window signs and an excessive level of advertising. However, this Board is of the opinion that one additional 1 square foot "hours of operation" sign would be allowable.

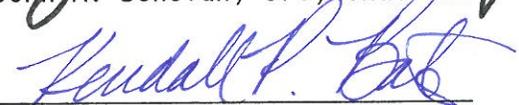
Therefore, a variance is hereby granted for a second 1 square foot "hours of operation" sign in addition to the two 25 square foot non-illuminated wall signs and the one 1 square foot "hours of operation" sign allowed by permit.

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


William E. Polletta

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