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 X208

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

JUN 5 8 AM '92
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

ZBA 92-30
Petition of T.J.'s Cantina
978 Worcester Street

Pursuant to due notice the Permit Granting and the Special Permit Granting Authority held a Public Hearing on Thursday, May 21, 1992 at 8 p.m. in the Great Hall of the Town Hall, 525 Washington Street, Wellesley on the petition of T.J.'S CANTINA requesting Special Permits pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to replace the lower double-faced internally illuminated panels on an existing standing sign at its premises at 978 WORCESTER STREET, in a Business District. Said internally illuminated sign will have an area of 38.3 square feet per panel, a height of 13 feet and a setback of 16 feet. Special Permits are requested for internal illumination, to exceed the area and height allowed by permit, and to have less than the minimum setback.

A variance is also requested from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaws to exceed the maximum number of colors allowed in an internally illuminated sign as the proposed sign will have four internally illuminated colors.

On May 4, 1992, 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 were Susan Brooks and Dennis Hanks, co-owners of T.J.'s Cantina. Ms. Brooks said that the sign would be the same size and placed in the same position as the previous "Steakloft" sign. The proposed sign would have four colors illuminated: white, green, grey and yellow on a black ground. The words "Mexican Restaurant" will be added to the sign.

In response to the Board's question regarding the hours of illumination, Mr. Hanks stated that the illumination must conform to the hours of the liquor license, and would be turned off at midnight.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 978 Worcester Street, in a Business District. Both the Wellesly Motor Inn and T.J.'s Cantina are located on this property.

The petitioner is requesting to replace the internally illuminated double-faced lower panels of the previous "Steakloft" sign, which are attached below

ZBA 92-30
Petition of T.J.'s Cantina
978 Worcester Street

JUN 5 8 16 AM '92
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.

the Wellesley Motor Inn sign on an existing standing sign for which Special Permits were granted in 1989 (ZBA 89-10). The proposed sign would have an area of 38.3 square feet per panel at a height of 13 feet at the present setback of 16 feet and would be internally illuminated. The sign would have 5 colors, 4 of which would be internally illuminated and would be located on the existing sign poles.

A sketch of the sign, a site plan and photographs were submitted. A letter in support of the petition was received from Louis Nicoli, owner of the property.

On March 26, 1992, the Design Review Board reviewed the sign proposal and voted to approve the design of the sign and to support the granting of the requested Special Permits and variance.

On May 13, 1992, the Planning Board reviewed the petition and voted to offer no objection to the granting of the Special Permits for internal illumination, area, height and setback, but to oppose the requested variance for the number of colors on an internally illuminated sign.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner is requesting Special Permits for internal illumination, area, height and setback for replacement panels on an existing standing sign, and a variance to exceed the number of colors allowed on an internally illuminated sign.

This Authority is of the opinion that the proposed replacement sign panels are in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw with regard to internal illumination, area, height and setback.

However, this Authority is of the opinion that the request for a variance from the number of colors cannot be allowed. In this instance, the design and number of colors of the sign have been chosen by the petitioner and are not the result of an established local or national logo. The Board does not want to institute a precedent of allowing internally illuminated signs of 4 colors on Worcester Street where a concerted effort has been made to bring signage into conformance with the Zoning Bylaw.

Therefore, Special Permits are hereby granted for the proposed sign in regard to internal illumination, area, height and setback as stated in the foregoing Statement of Facts. The request for a variance to internally illuminate 4 colors of the sign is hereby denied.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of an application and subject to the following conditions:

1. The number of colors to be internally illuminated cannot exceed two.

ZBA 92-30
Petition of T.J.'s Cantina
978 Worcester Street

2. The hours of the internal illumination of said sign shall be from dusk to midnight.

3. Said sign cannot be installed until a sign permit has been issued by the Inspector of Buildings.

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 77IN THE OFFICE OF THE TOWN CLERK.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
edg

JUN 5 8 16 AM '92
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181