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

FEB 28 AM '95
RECEIVED
TOWN CLERKS OFFICE
WELLESLEY, MASS.

ZBA 95-1
Petition of P.I.P. Printing
180 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 19, 1995 at 8:10 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of P.I.P. PRINTING requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to allow a 13 inch by 32 inch "Open" window sign to be internally illuminated by neon tubing in two colors at its premises at 180 LINDEN STREET, in a Business District.

On January 3, 1995, 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 Lawrence Damon, owner of P.I.P Printing. Mr. Damon said that the proposed sign would face the parking lot perpendicular to Linden Street, and would be visible to traffic westbound on Linden Street. As the building has recessed lighting, it is difficult to determine whether or not the store is open. The sign would serve as a reminder to the public that the store is open during its hours of operation.

Mr. Damon said that the sign would be about 3 square feet and would be centered in the 600 square foot window, facing two other neon signs located across the parking lot. The nature and size of the sign would neither be a disturbance nor would it set a precedent.

The Board questioned whether the sign would not indeed set a precedent, and noted that both the Design Review Board and the Planning Board had recommended denial of the petition on the grounds that "it would set an undesirable and unfortunate precedent" and would derogate from the intent and purpose of the Zoning Bylaw.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 180 Linden Street, in a Business District, and is owned by F. Diehl & Sons. The premises are leased to P.I.P. Printing, which is owned by Lawrence Damon.

ZBA 95-1
Petition of P.I.P. Printing
180 Linden Street

The petitioner is requesting a Special Permit to internally illuminate a neon 13 inch by 32 inch window sign, which would say "Open". Presently, the premises are identified by an externally illuminated 15 foot by 2 foot wall sign located on the facade above the existing windows.

On January 12, 1994, the petitioner received a letter from the Assistant Building Inspector to remove an unauthorized internally lighted neon sign, which had been installed without a Special Permit. The petitioner removed the sign, and is petitioning for a Special Permit for said sign.

An unsigned, undated sketch of the sign and photographs showing the facade of the premises were submitted.

On September 22, 1994, the Design Review Board reviewed the sign and voted to reject the design and placement of the internally illuminated neon window sign. The Board was of the opinion that approval of an internally illuminated neon-tube window sign would set an undesirable and unfortunate precedent, and would substantially derogate from the intents and purposes of the Wellesley Sign Bylaw.

On January 10, 1995, the Planning Board reviewed the petition and voted to strongly recommend that the request be denied, and to support the recommendation of the Design Review Board.

FEB 3 8 01 AM '95
RECEIVED

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner is requesting a Special Permit for the internal illumination of a neon-tube "Open" window sign at his premises at 180 Linden Street.

It is the opinion of this Authority that the purpose of identification to the public as to whether or not the premises are open for business can be accomplished by means other than the proposed sign.

It is the further opinion of this Authority, in concert with the opinions of the Design Review Board and the Planning Board, that the grant of this Special Permit would set an unfortunate and undesirable precedent, which could result in a proliferation of internally illuminated neon-tube "Open" signs in windows of businesses throughout the Town; and would substantially derogate from the intent and purpose of Section XXIIA of the Zoning Bylaw.

ZBA 95-1
Petition of P.I.P. Printing
180 Linden Street

Therefore, it is the unanimous decision of this Authority that this request for a Special Permit be denied, and that this petition be dismissed.

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.

Kendall P. Bates

Kendall P. Bates, Acting Chairman

Sumner H. Babcock

Sumner H. Babcock

William E. Polletta

William E. Polletta

cc: Planning Board
Inspector of Buildings
edg

FEB 3 8 01 AM '95
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.