



## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2016-88  
Petition of FR Linden Square  
200 Linden Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 3, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of FR Linden Square, Inc. requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of a second wall sign that will exceed the number of wall signs allowed by right, six window signs that will exceed the number and size of window signs allowed by right and two by-right window signs. The number of permanent signs will exceed the amount allowed by right at 200 Linden Street, in the Linden Square Corridor Overlay District and a Business District.

On October 17, 2016, the Petitioner filed a request for 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 Heather Dudko, representing the property owner and the new tenant, Blue Mercury. She said that the request is for a special permit to install a second wall sign. She said that the property is unique in the plaza with a front entrance and a side elevation. She said that Blue Mercury is a spa/makeup/skin up business.

Ms. Dudko said that the request is also asking for vinyl signs on the door. The Chairman said that he would not vote to approve that.

A Board member said that when the property was being developed, the Board met with Federal Realty to talk about an overall signage plan. He said that bringing sign requests in piecemeal is contrary to that plan. The Chairman said that the Board told Federal Realty that it did not want to look at signs on a per store basis.

Ms. Dudko said that the storefront has been in place for quite a while.

The Chairman said that he would not approve any signs that will not comply.

Ms. Dudko asked if the Board would allow the petition to be withdrawn without prejudice.

A Board member said that the Board would be willing to reconsider the proposed signage if it came back as part of an overall plan. The Chairman said that the Board has set up the ground rules. The Board said that Town Meeting passed the Sign Bylaw.

### Statement of Facts

The Petitioner is requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of a second wall sign that will exceed the number of wall signs allowed by right, six window signs that will exceed the number and size of window signs allowed by right and two by-right window signs. The number of permanent signs will exceed the amount allowed by right at 200 Linden Street, in the Linden Square Corridor Overlay District and a Business District.

Letter of Authorization, dated 6/2/15, signed by Mike Kelleher, Vice President-Specialty Leasing-Retail & Office, Federal Realty, Sign Information, Justification, dated 9/27/16, Proposed Signage, Fabricated Foam, Back-Lit Letters on Aluminum Backer, dated 8/25/16, Existing Signage Permitted 8/2016, Photosimulation of Proposed Signage, dated 8/25/16, and Sign Elevation, dated 8/25/16, prepared by Kerley Signs Inc. were submitted.

On September 15, 2016, the Design Review Board reviewed the application and voted to recommend approval of the wall sign, as presented and approval of the windows signs allowed by-right only.

On November 1, 2016, the Planning Department Staff reviewed the petition and recommended that a Special Permit be granted for the second wall sign and that the Special Permit for the six additional window signs be denied.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject signs are a second wall sign that will exceed the number of wall signs allowed by right, six window signs that will exceed the number and size of window signs allowed by right and two by-right window signs. The number of permanent signs will exceed the amount allowed by right at 200 Linden Street, in the Linden Square Corridor Overlay District and a Business District.

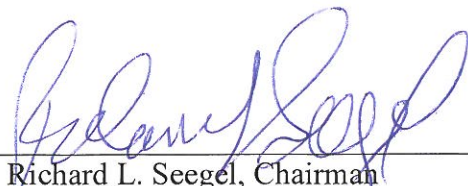
It is the opinion of this Authority that installation of a second wall sign that will exceed the number of wall signs allowed by right, six window signs that will exceed the number and size of window signs allowed by right and two by-right window signs that will exceed the number of permanent signs allowed by right will not be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw.

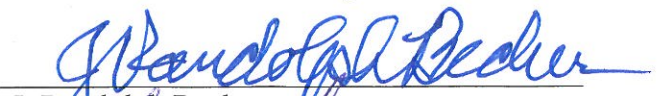
Therefore, a Special Permit is denied for installation of a second wall sign that will exceed the number of wall signs allowed by right, six window signs that will exceed the number and size of window signs allowed by right and two by-right window signs that will exceed the number of permanent signs allowed by right.

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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.

  
Richard L. Seegel, Chairman

  
J. Randolph Becker

  
Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm