

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2020-22
Petition of Lower Falls LLC
10 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, April 2, 2020 at 7:30 pm, on the petition of Lower Falls LLC requesting a Special Permit pursuant to the provisions of Section 9B, Section 22A and Section 25 of the Zoning Bylaw for installation of a second wall sign at 10 Washington Street, in the Lower Falls Village Commercial District.

On March 11, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Kathy McLean, owner of Fitness Advantage, located at 10 Washington Street. She said that the request is for a special permit to add a sign on the side of the building that faces oncoming traffic from Newton into Wellesley.

The Chairman said that the bylaw does not allow two signs on the building unless there are two separate entrances. He said that there has to be a good reason for the Board to allow it. He said that the building is such that you can clearly see the sign coming from Newton. Ms. McLean said that the front of the building is angled, so it is not really visible to oncoming traffic. She said that when Zoots owned the space, they had a sign above what is her front door and also an awning with a sign where her sign is currently located. She said that there was a special approval for a second sign. She said that she wants to have a sign over her front door. She said that the size of the signs and the letter size will be compliant.

The Chairman discussed the Planning Board recommendation. A Board member discussed a similar situation on Linden Street. He suggested compromising by putting a logo above the door. He said that the Planning Board was concerned that reading all of the words on the proposed sign could be distracting to traffic. Ms. McLean described a possible logo design. The Chairman said that he could accept the logo design as a compromise as long as it is in accordance with the dimensions on the plans that were submitted.

The Board voted unanimously to approve a special permit for a sign with the changes discussed at the public hearing.

Ms. McLean asked to reopen the hearing to further discuss the proposed logo design. The Chairman said that Ms. McLean will have to re-submit her plans and go back to the DRB if she wants to change them. He said that the Board has to see what is actually going up on the sign. The Board voted to rescind its approval.

The Board voted unanimously to continue the petition to June 4, 2020.

June 4, 2020

Ms. McLean said that she went back to the DRB and the logo sign was approved.

A Board member said that three lamps illuminated the previous sign. He asked if all three are needed for the proposed smaller sign, as it appears that two of the lamps will light brick and one will light the logo. He said that the image provided by the sign company does not center the sign over the door. Ms. McLean said that it will be centered.

A Board member asked if the sign behind the glass door will be removed. He said that the image that was submitted shows two signs on that façade, one on the door and the other above the door. Ms. McLean said that it is fixed to the inside and says, "By Appointment," and has her phone number. She said that the sign on the door is not visible to oncoming traffic. She said that the gas station next door has three huge signs that block her door, which is why she wanted a sign that is high enough for oncoming traffic to see.

A Board member read an excerpt from Section 22A of the Zoning Bylaws regarding the limitation for the total number of signs. Another Board member said that informational announcements can be placed on the adjacent panels on either side of door. Ms. McLean said that she will remove the sign on the inside of the door. She said that due to Covid, she currently does have information for private instruction on her windows.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The Petitioner is requesting a Special Permit pursuant to the provisions of Section 9B, Section 22A and Section 25 of the Zoning Bylaw for installation of a second wall sign at 10 Washington Street, that will exceed the number of signs that is allowed by right in the Lower Falls Village Commercial District.

Sign Information, Front Existing Sign, Side – Proposed, and Sign Dimension Plans, dated 7/25/19, revised 7/29/19, Existing and Proposed Rendering, dated 2/6/20, revised 5/11/20 and 5/13/20, prepared by Agnoli Sign, and photographs were submitted.

On May 29, 2019 and May 29, 2020, the Design Review Board reviewed the application and voted unanimously to recommend approval of the sign.

On April 2, 2020 and June 4, 2020, the Planning Department Board reviewed the petition and recommended that the special permit be denied.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject signage is a second wall sign that will exceed the maximum number of signs allowed by right in the Lower Falls Village Commercial District.

It is the opinion of this Authority that installation of a second wall sign at 10 Washington Street, that will exceed the number of signs that is allowed by right in the Lower Falls Village Commercial District will be in harmony with the general purpose and intent of Section 22A of the Zoning Bylaw, as the sign scale will be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures; sign size, shape, and placement will serve to define or enhance architectural elements of the building and will not unreasonably interrupt, obscure or hide them; sign design will be in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures; sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use; and sign size, location design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic.

Therefore, a Special Permit is granted for installation of a second wall sign at 10 Washington Street, that will exceed the number of signs that is allowed by right in the Lower Falls Village Commercial District, subject to the following conditions:

1. The sign shall be as shown on a plan dated 2/26/20, revised on 5/11/20 and 5/13/20.
2. The second sign on the door advertising the business shall be removed.

The Board understands that temporary signs that meet the definition under the bylaw may be posted on the side panels of the door for announcements.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon receipt and approval of a sign application and any other materials he may require. No sign shall be installed until said permit has been issued.

MA 02482
JUN 10 PM 12:33

ZBA 2020-22
Petition of Lower Falls LLC
10 Washington Street

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
Richard L. Seegel, Acting Chairman

David G. Sheffield
David G. Sheffield

Derek B. Redgate
Derek B. Redgate

ZBA 2020-22
Applicant Lower Falls LLC
Address 10 Washington Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

AGNOLI SIGN COMPANY, INC.
722 WORTHINGTON STREET
SPRINGFIELD, MA 01105
TEL. (413) 732-5111

CUSTOMER:
FITNESS ADVANTAGE
10 WASHINGTON STREET
WELLESLEY, MA

LOCATION:
ABOVE

STORE:
#000

CONTACT:
KATHY McLEAN

SALES PERSON:
CM

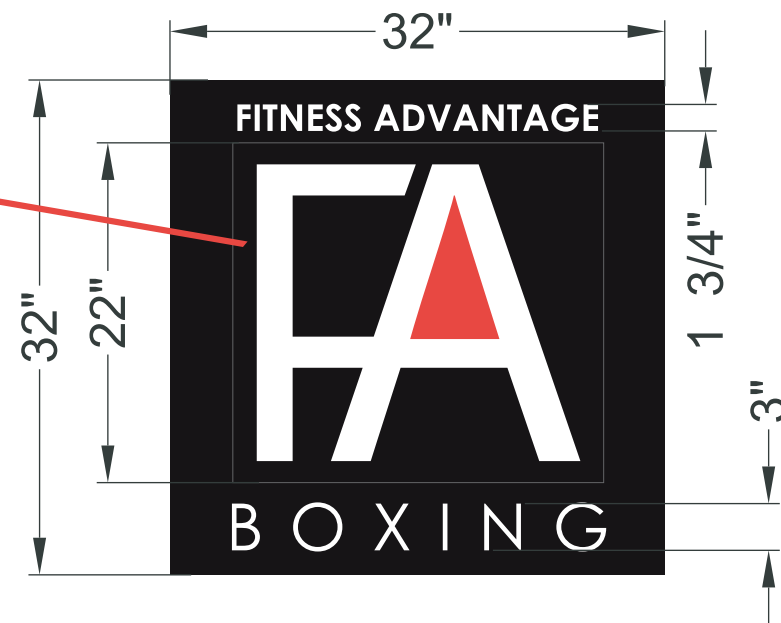
DESIGNER:
LANCE

ORIG DATE: 02-06-20
REV. DATE: 05-11-20LRV
05-13-20BSA

SCALE:
0" = 1'-0"

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CENTER OF "A" RED VINYL



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NOT FOR PRODUCTION

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PROPOSED



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FITNESS ADVANTAGE-WELLESLEY, MA-10 WASHINGTON STREET.CDR