



# City of Waltham

COMMONWEALTH OF MASSACHUSETTS

## ZONING BOARD OF APPEALS

### LEGAL NOTICE

DATE FILED: October 30, 2015

THE ZONING BOARD OF APPEALS OF THE CITY OF WALTHAM WILL HOLD A PUBLIC HEARING IN THE GOVERNMENT CENTER, 119 SCHOOL STREET, WALTHAM, MA ON DECEMBER 1, 2015 AT 7:00 P.M. ON THE FOLLOWING:

**Case #:** 2015-22. **Petitioner:** Posto Waltham LLC. **Owner:** BP 99 Third Avenue, LLC. **Nature of Application/Petition:** Application for Sign Variance. **Subject Matter:** The Petitioner seeks a variance from sections 6.52 and 6.672 of the Zoning Ordinances to allow for its proposed signage package in support of its restaurant business at the property. **Location and Zoning District:** 99 Third Avenue, Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Section 6.52 & 6.672. **Specific Manner in Which Subject Matter Varies from Zoning Ordinance:** The proposed signage plan for the Applicant's restaurant space at the Property includes a main sign on the east elevation of the building (82 sq. ft.), five (5) awning signs displaying the logo of the restaurant (69.66 sq. ft. each) and a secondary sign which wraps around the top of the building (90 sq. ft. facing Rt. 128, 35 sq. ft. on the South elevation of the building). Case number 2014-15 (the "Original Decision") categorized the main sign and the awning signs as "Primary Signage" under the ordinances and received relief from section 6.51 which limits a business establishment to one primary sign. However, the redesign of the awnings, which replaced the name of the restaurant with the logo of the restaurant, has necessitated relief from Section 6.672 which restricts the total amount of primary signage on an awning to 50% of the total area of the front of the awning. This formula allows for 300 sq. ft. of signage (100 feet (store front) x 6 = 600 sq. ft., reduced by 50% pursuant to Section 6.672). The total amount of signage on the awnings is proposed to be 348 sq. ft. Therefore, the Applicant requires relief from Section 6.672 of the Ordinances as to 48 sq. ft. of additional awning signage. Additionally, the Original decision allowed for a secondary sign consisting of 88 sq. ft., which is in excess of the 18 sq. ft. allowed by the Ordinances. The Applicant's proposed secondary sign is 125 sq. ft. with 90 sq. ft. of the sign fronting on Rt. 128 and an additional section of the "wrap around" sign consisting of 35 sq. ft. of signage on the South elevation of the building. The Applicant therefore wishes to amend the variance previously granted from Section 6.52 of the Ordinances to provide for the larger secondary sign. Further information and plans concerning this case may be viewed at the Zoning Board of Appeals' Office, 119 School Street, Waltham, Massachusetts 02451; Hours: Monday - Friday 8:30-4:30. **MEMBERS:** Chair Barbara Rando, Michael Cotton, Mark Hickernell, John Sergi, Glenna Gelineau. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Sarah Hankins.