



**City of Waltham**  
COMMONWEALTH OF MASSACHUSETTS

**ZONING BOARD OF APPEALS**

**LEGAL NOTICE**

DATE FILED: February 27, 2012

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 APRIL 3, 2012 AT 7:00 P.M. ON THE FOLLOWING:

**Case #:** 2012-04. **Petitioner(s)/Owner:** Panera, LLC and Waltham Ventures, LLC. **Owner(s):** Peter J. Morris, Trustee of Main Street Realty Trust and DPS Waltham Development LLC. **Nature of Appeal/Petition:** Application for Sign Variance. **Subject Matter:** The locus consists of a parcel containing 187,873± square feet of land (4.313± acres) with a proposed commercial building to be situated thereon. The Petitioners propose to construct, use and maintain three additional ground signs on the locus. The Petitioners also propose to construct, use, and maintain secondary signs, directional signs and awnings with advertising situated thereon. **Location and Zoning District:** 1022 Main Street and 1006 Main Street, Business B Zoning District. **Provisions of Zoning Ordinance Involved:** Article 6, §6.52, §6.62, §6.63, §6.672, §6.6722, §6.6724, §6.6721 and §6.6762. **Specific Manner in Which Subject Matter Varies From Zoning Ordinance:** §6.62(c) states that only one ground sign shall be permitted per lot in the districts where they are allowed. §6.62(b) states that a ground sign is permitted in the Business B Zoning District. No Ground sign shall exceed one square foot in area for each linear foot of street line frontage of the lot but in no event shall such sign exceed 48 square feet in area. §6.63 states that a ground sign shall be set back at least six feet from the street line. §6.674 provides that each shopping center is authorized to have a ground sign area of the size allowed in the zoning district in which it is located. Each shopping center may divide the allowable sign area into as many as three ground signs. Separate ground signs identifying separate establishments are prohibited. §6.62(c) provides that no ground sign in a Business B Zoning District shall exceed 48 square feet. (1) Here, the Petitioner proposes to construct, use and maintain a second shopping center ground sign with an area of 48 square feet. (2-4) Petitioners propose to construct, use, and maintain three additional ground signs (§6.62(c)) for a separate establishment, Panera, LLC, for the purpose of identifying products at the drive-thru lane. (2) A ground sign is proposed as a menu preview board for Panera with a sign area of ±22 square feet to be situated at 3.1± feet from the street line (§6.63). (3) A ground sign is proposed as a menu sign for Panera with a sign area of ±36 square feet. (4) A ground sign is proposed as the Ordering Box for Panera with a sign area of 3.9 square feet. §6.52; entitled Secondary wall sign, states each business establishment which abuts more than one exterior wall of the building may have a secondary wall sign provided the secondary wall sign shall not exceed 18 square feet. (5) Here, Panera, LLC proposes to construct, use and maintain a secondary wall sign ±57.92 square feet on the south side of the building. §6.672; Signs on awnings, states that advertising placed on awnings shall be considered a primary sign. §6.6722 states that no advertising placed on awnings shall exceed 30 inches in height, nor shall it exceed 15 square feet in total area of coverage, nor shall the advertising exceed 50 % of the total area of the front of the

awning. (6) Panera, LLC proposes to construct, use and maintain an awning as a second primary sign on the south side of the building. The awning shall contain a wheat graphic. The total area of the advertising on the awning shall be 34.3± square feet (§6.6722) which is 56% coverage of the awning (§6.6722). The height of the wheat graphic or advertising shall be 54 inches. (7) The Petitioners/Panera, LLC also propose to construct, use and maintain an awning consisting of four panels along the front of the store front as a third primary sign. The wheat graphic shall be placed on each awning panel with a height of 44 inches and a total area of 106.8 square feet. This is 56% coverage of the area of the awning. §6.6762 states that a directional sign shall not exceed four square feet in area. (8) Here, Panera, LLC proposes to construct, use and maintain a directional sign on the store front of the building with an area of 11.9 square feet. (9) Panera, LLC also proposes to construct use and maintain a directional sign on the south wall of the building with an area of 11.9 square feet. 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, Gordon LaSane.