

City of Newton, Massachusetts

Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459
617-796-1120

Ruthanne Fuller
Mayor

Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

DATE: June 9, 2023

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development
Katie Whewell, Chief Planner for Current Planning
Cat Kemmett, Senior Planer

SUBJECT: **Petition #200-23**, for SPECIAL PERMIT/SITE PLAN APPROVAL to locate an oversized second principal sign for the medical office at 714 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lot 08, containing approximately 37.932 sq. ft. of land in a district zoned BUSINESS 2

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



714-724 Beacon Street

I. Project Description

The subject site consists of a 37,932 square foot lot in the Business Use 2 (BU-2) district in Newton Centre. The site is improved with a one-story commercial building constructed circa 1920 and 45 surface parking stalls located along the east and south sides of the structure. The commercial building has several tenants including a post office, medical office and a bank. Vehicular access is provided via a curb cut and paved driveway on the east side of the lot. The lot is largely level, with an unpaved area towards the back right corner. The site abuts multi-family residential and commercial land uses, and the Massachusetts Bay Transportation Authority’s (MBTA) Green Line subway tracks to the rear. The surrounding parcels are zoned Single Residence 2, Multi-Residence 1 and 2, and Business 1 and 2.

The petitioner proposes to locate an oversized second principal sign for the Beth Lahey medical office, requiring special permit waivers. The Planning Department is unconcerned with the proposed secondary principal wall sign. The building is a commercial use within a business district, and other commercial buildings in the vicinity have two principal wall signs. Having a principal sign on Beacon Street can assist patients and visitors in finding the location of the facility.

II. Zoning Relief Requested:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§5.2.8 §5.2.13	Request to allow a second principal sign	S.P. per §7.3.3
§5.2.8 §5.2.13	Request to allow an oversized principal wall sign	S.P. per §7.3.3
§5.2.8 §5.2.13	Request to allow a principal and secondary sign on the same wall	S.P. per §7.3.3

For more details around the zoning analysis please refer to **Attachment A**.

III. Criteria for Consideration per §7.3.3. and/or §7.8.2.C.2:

- The proposed exceptions to the sign ordinance should be permitted and are appropriate due to the nature of the use of the premises, the architecture of the buildings or their location with reference to the street is such that such exceptions are in the public interest. (§5.2.13)
- The specific site is an appropriate location for the proposed oversized second principal wall sign located on the same wall as a secondary sign. (§7.3.3.C.1)

- The proposed sign will adversely affect the neighborhood. (§7.3.3.C.2)
- There will be a nuisance or serious hazard to vehicles or pedestrians; (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

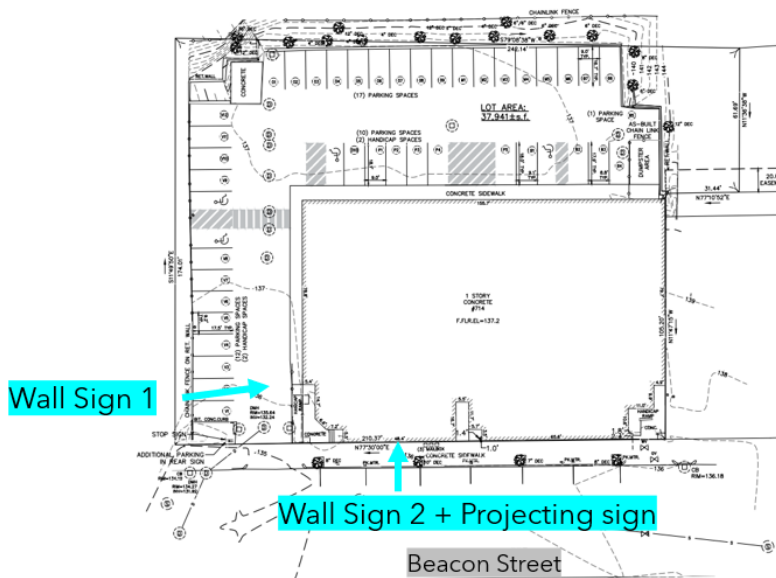
IV. Project Proposal and Site Characteristics

The petitioner proposes to construct an oversized second principal sign for the medical office. Wall Sign 1 is an existing principal wall sign that is 93 square feet of sign area that is already in place on the eastern wall of the building facing the parking lot. The petitioner also has an existing projecting blade sign with a total sign area of 6.25 square feet perpendicular to the front of the building facing Beacon Street.

The petitioner proposes a second principal wall sign (Wall Sign 2) at the eastern entrance of the building facing Beacon Street. Because only one principal wall sign is permitted by right for each establishment, a special permit is required to allow a second principal wall sign. Per section 5.2.8, a secondary wall sign may not be located on the same wall as a principal sign. The new proposed principal sign will be located on the same wall as the projecting sign, requiring a special permit.

As proposed, Wall Sign 2 will be approximately 93 square feet and internally illuminated, like Wall Sign 1. The sign will read “Beth Israel Lahey Health Primary Care.”

Site plan





Existing Wall Sign 1
(Identical design to proposed Wall Sign 2)



V. Interdepartmental Review:

No interdepartmental review is required at this time.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete.

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum
Attachment B: Engineering memo
Attachment C: DRAFT Council Order

#200-23
714-724 BEACON STREET

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow the proposed oversized second principal wall sign located on the same wall as a secondary sign as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed exceptions to the sign ordinance should be permitted and are appropriate and are in the public interest because the approved sign will enhance wayfinding from Beacon Street to the commercial property with multiple tenants. (§5.2.13)
2. The specific site is an appropriate location for the proposed oversized second principal wall sign located on the same wall as a secondary sign because it is associated with a commercial building in a business district. (§7.3.3.C.1)
3. The proposed oversized second principal wall sign located on the same wall as a secondary sign will not adversely affect the neighborhood because the proposed sign is similar in size and placement to other commercial signs in the neighborhood. (§7.3.3.C.2)
4. There will be no nuisance or serious hazard to vehicles or pedestrians because the sign will improve wayfinding for both modes of transport. (§7.3.3.C.3)
5. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

PETITION NUMBER: #200-23

PETITIONER: Collin Celic

LOCATION: 714 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lot 08, containing approximately 37.932 sq. ft. of land in a district zoned BUSINESS 2

OWNER: Canton Circle LLC

ADDRESS OF OWNER: 651 WASHINGTON ST., SUITE 200
Brookline, MA 02446

TO BE USED FOR: Sign

RELIEF GRANTED: Special permit per §7.3.3 to allow a second principal wall sign (§5.2.8 and §5.2.13), an oversized principal wall sign (§5.2.8 and §5.2.13), and to allow a principal and secondary sign on the same wall (§5.2.8 and §5.2.13)

ZONING: Business Use 2

Approved subject to the following conditions:

CONDITIONS

1. All Special Permit approved signs shall be located and constructed consistent with the following plans:
 - a. “Beth Israel Lahey Health Primary Care”, prepared by Batten Bros. Signs and Awnings, consisting of two sheets, dated February 26, 2022.
2. All signs shall be designed and installed to comply with applicable building codes.
3. No building/sign permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Obtained a written statement from the Planning Department that confirms the building/sign permit plans are consistent with plans approved in Condition #1.
4. No Final Inspection for a sign covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. Submitted final as-built plans in digital format signed and stamped by the sign installer.