



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

300-10(2)
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: July 9, 2013
Land Use Action Date: September 17, 2013
Board of Aldermen Action Date: September 23, 2013
90-Day Expiration Date: October 7, 2013

DATE: July 5, 2013

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner

SUBJECT: **Petition #300-10(2)**, Walter Enright d/b/a Sign Right/Burke & Blackington Funeral Home, for SPECIAL PERMIT/SITE PLAN APPROVAL for a free standing sign, at **1479 Washington Street**, West Newton, Ward 3, on land known as SBL 33, 5, 4, containing approx. 8,990 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, and 30-20(f)(9), of the City of Newton Rev Zoning Ord, 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



1479 Washington Street

EXECUTIVE SUMMARY

The property at 1479 Washington Street consists of an 8,990 square foot lot improved with a 2-story funeral home. The petitioner received a special permit to expand the funeral home in 2010. Unfortunately, the petitioner did not contemplate signage at that time. The petitioner is now seeking a special permit to place a 48”h X 42”w freestanding sign in front of the building facing Washington Street. The Urban Design Commission and Planning Department believe this sign is well-placed and provides appropriate identification for the business.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed freestanding sign will improve the visibility of the site, and should be permitted in the public interest.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on Washington Street between Perkins Street and the Mass Pike. Directly to the North of the site are the Mass Pike and the Washington Street overpass. A mix of businesses, non-profit organizations, and single-family and multi-family residences comprise the remainder of the site’s surrounding uses. The site is located in an area zoned as Business 2.

B. Site

The site is a corner lot that consists of 8,990 square feet of land and is improved with a 2-story funeral home.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The property will remain a funeral home.

B. Building and Site Design

No changes to the building are proposed.

C. Signage

The petitioner is proposing to place a 48” X 42” freestanding sign in the front of the building facing Washington Street. The proposed signage does not impede pedestrian or vehicular sight lines and does not exceed maximum allowed size

requirements. The petitioner has been before the Urban Design Commission, which recommends approval of this sign.

D. Parking and Circulation

There will be no parking or circulation changes to the site.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum, (**ATTACHMENT A**), provides an analysis of the proposal with regard to zoning. The petitioner is requesting a special permit to place a freestanding sign on the property.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following reliefs:

- Section 30-20(f)(9) to place a freestanding sign in the front of the building.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

Attachment A: Zoning Review Memorandum
Attachment B: Zoning Map
Attachment C: Land Use Map



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Attachment A

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TDD/TTY
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www.newtonma.gov

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Director

ZONING REVIEW MEMORANDUM

Date: May 28, 2013

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Walter Enright, sign-maker for the applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request for a Special Permit for a free-standing sign**

Applicant: Burke & Blackington Funeral Home	
Site: 1479 Washington Street	SBL: 33 05 04
Zoning: BU2	Lot Area: 8,990 square feet
Current use: Funeral home	Proposed use: No change

BACKGROUND:

The property at 1479 Washington Street consists of a 8,990 square foot corner lot improved with a newly reconstructed funeral home. The applicant proposes to place a 48”h X 42”w free-standing sign in front of the building facing Washington Street. The applicant has been before the Urban Design Commission and has received their approval for the proposed sign. A 2010 special permit (B.O. 300-10) allowed for the expansion of the legally nonconforming structure and use, but did not address a free-standing sign. No special permit could be found in the records for a free-standing sign on the site, and thus a new special permit is required.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Walter Enright, sign-maker, dated 4/16/13
- Sign permit application, prepared by Walter Enright, sign-maker, dated 2/7/13
- Sign permit site plan, signed and stamped by Bradley J. Simonelli, dated 3/25/13
- Photos of proposed sign and location, undated

ADMINISTRATIVE DETERMINATIONS:

1. Section 30-20(f)(9) requires a special permit from the Board of Aldermen for a free-standing sign.

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-20(f)(9)	Free-standing sign	S.P. per §30-24

300-10(2)
Zoning Map
1479 Washington
Street

City of Newton,
Massachusetts

Legend

- Streets - Pavement Edge
- Building Outlines
- Zoning**
- Single Residence 2
- Multi-Residence 1
- Business 2

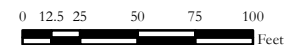


ATTACHMENT B

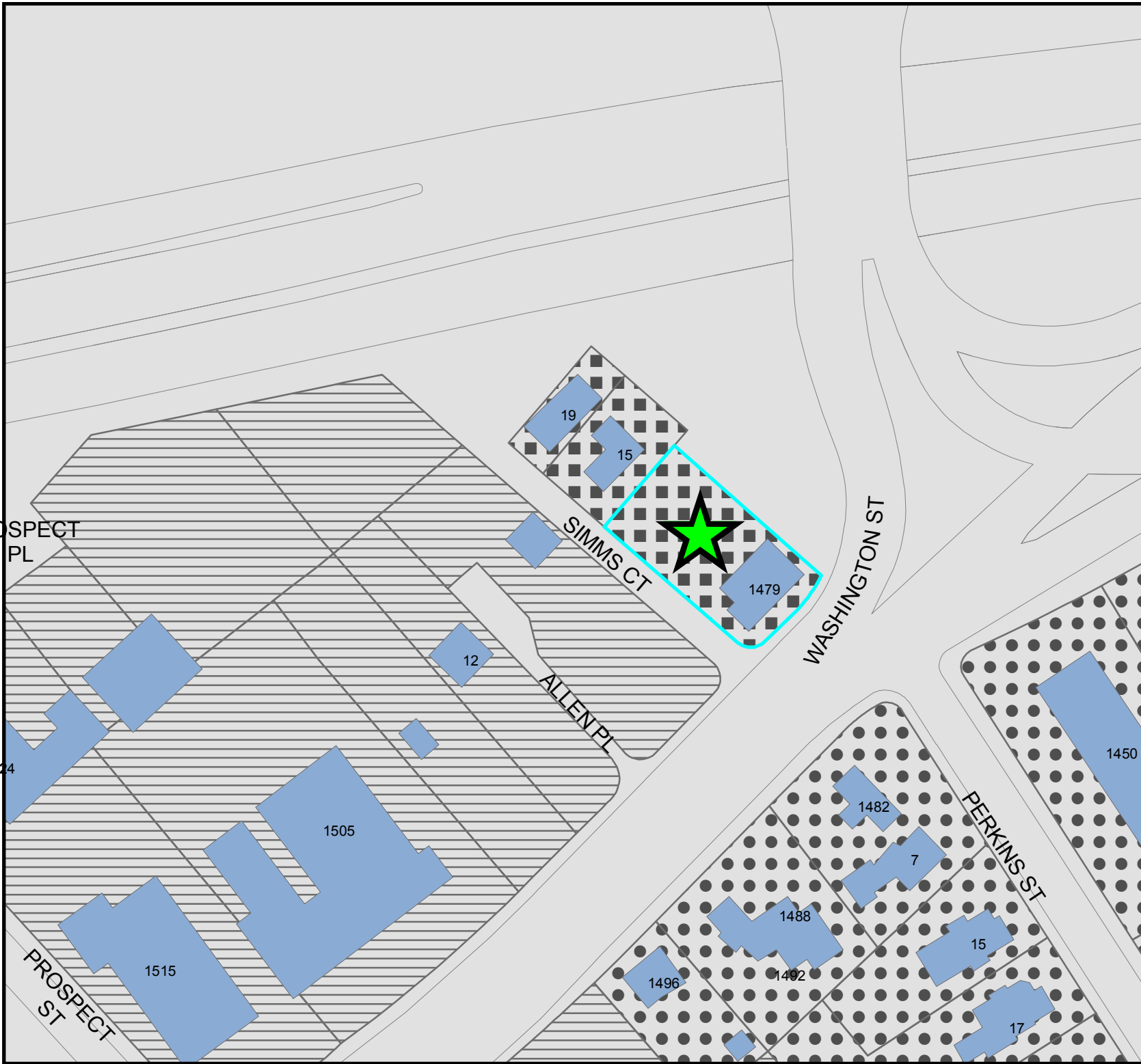


The information on this map is a Geographic Information System. The City of Newton cannot guarantee the accuracy of the information. Each user of this map is responsible for determining its suitability for their purpose. City departments will not approve applications based solely on this map.

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GIS Administrator - Douglas



Map Date: July 01, 2013



Land Use Map 1479 Washington Street

*City of Newton,
Massachusetts*

Legend

- Streets - Pavement Edge
- Building Outlines

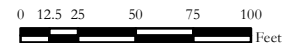
Land Use

- ▨ Single Family Residential
- ▲ Multi-Family Residential
- Commercial
- ▤ Mixed Use
- ▧ Private Educational
- ▩ Nonprofit Organizations



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ATTACHMENT C

