



Ruthanne Fuller
Mayor

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

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

Barney Heath
Director

STAFF MEMORANDUM

Meeting Date: **Wednesday, June 8, 2022**
DATE: June 6, 2022
TO: Urban Design Commission
FROM: Shubee Sikka, Urban Designer
SUBJECT: **Additional Review Information**

The purpose of this memorandum is to provide the members of the Urban Design Commission (UDC) and the public with technical information and planning analysis which may be useful in the review and decision-making process of the UDC. The Department of Planning and Development's intention is to provide a balanced view of the issues with the information it has at the time of the application's review. Additional information may be presented at the meeting that the UDC can take into consideration when discussing Sign Permit, Fence Appeal applications or Design Reviews.

Dear UDC Members,

The following is a brief discussion of the sign permit applications that you should have received in your meeting packet and staff's recommendations for these items.

I. Roll Call

II. Regular Agenda

Sign Permits

1. 333 Nahanton Street - JCC

PROJECT DESCRIPTION: The property located at 333 Nahanton Street is within Single Residence 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, non-illuminated, with approximately 107 sq. ft. of sign area on the eastern façade facing Winchester Street.

TECHNICAL REVIEW:

- The proposed principal sign appears to be not consistent with the dimensional controls specified in §5.2.7. Per the Zoning Ordinance, one wall mounted principal sign is allowed, which the applicant is not exceeding, the maximum size of the sign allowed is 10 sq. ft., which the applicant is exceeding.
- The applicant is required to send a letter to the Commissioner of Inspectional Services requesting a dover waiver.

STAFF RECOMMENDATION: Staff recommends approval of the wall mounted principal sign as proposed on the condition the Commissioner grants a dover waiver.

2. 1199-1217 Centre Street – The Cork & Board

PROJECT DESCRIPTION: The property located at 1199-1217 Centre Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, internally illuminated, with approximately 65 square feet of sign area on the eastern facade facing Centre Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 506 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

3. 3-21 Lincoln Street – Nomad Organic Spa

PROJECT DESCRIPTION: The property located at 3-21 Lincoln Street is within Business 1 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted split principal sign, non-illuminated, with approximately 9 square feet of sign area on the southern façade facing Lincoln Street.
2. One perpendicular split principal sign, non-illuminated, with approximately 1 square feet of sign area on the southern façade perpendicular to Lincoln Street.

TECHNICAL REVIEW:

- Both the proposed split principal signs appear to be consistent with the dimensional controls specified in §5.2.8. Per Zoning Ordinance §5.2.8, *“In particular instances, due to the nature of the use of the premises, the architecture of the building, or its location with reference to the street, the total allowable sign area may be divided between two wall signs which together constitute the principal wall sign.”* Per the Zoning Ordinance, one principal sign is allowed, which the applicant is

not exceeding, and on this façade of 150 feet, the maximum size of the total signage allowed is 100 sq. ft., which the applicant is also not exceeding.

- The window sign appears to be less than 25% of the area of the window and do not require a sign review.

STAFF RECOMMENDATION: Staff recommends approval of both split principal signs as proposed.

4. 131-181 Needham Street – Coast to Coast Cardiology

PROJECT DESCRIPTION: The property located at 131-181 Needham Street is within a Mixed Use 1 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 19-15. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, internally illuminated, with approximately 128 sq. ft. of sign area on the eastern building façade facing Needham Street.

TECHNICAL REVIEW:

- The proposed principal sign appears to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 28 feet 8 inches, the maximum size of the sign allowed is 85 sq. ft., which the applicant is exceeding. The principal sign is also not consistent with the comprehensive sign package (attachment A).
- Staff has reached out to the applicant to reduce the size of the proposed sign. Staff has also requested photos of the entire façade.

STAFF RECOMMENDATION: Staff recommends the applicant reduce the size of the proposed sign to be compliant with the comprehensive sign package.

5. 1134-1136 Beacon Street – Brilliant Foods

PROJECT DESCRIPTION: The property located at 1134-1136 Beacon Street is within Business 2 zoning district. The applicant is proposing to install the following sign:

1. One awning mounted principal sign, non-illuminated, with approximately 16 square feet of sign area on the northern façade facing Beacon Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 20.5 feet, the maximum size of the sign allowed is 61.5 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

6. 1106-1108 Beacon Street – Nota Nail Studio

PROJECT DESCRIPTION: The property located at 1106-1108 Beacon Street is within Business 2 zoning district. The applicant is proposing to install the following sign:

1. One awning mounted principal sign, non-illuminated, with approximately 38 square feet of sign area on the northern façade facing Beacon Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 26 feet, the maximum size of the sign allowed is 78 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

7. 2322 Washington Street – svb Private

PROJECT DESCRIPTION: The property located at 2322 Washington Street is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, non-illuminated, with approximately 14 sq. ft. of sign area on the northern building façade facing Washington Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and the applicant has not provided the façade frontage. Staff has sent an email requesting the façade frontage and has not heard back.

STAFF RECOMMENDATION: Staff will provide a recommendation after receiving the façade frontage.

8. 104 Needham Street – Free-standing sign

PROJECT DESCRIPTION: The property located at 104 Needham Street is within Mixed Use 2 zoning district and has a free-standing sign authorized by a special permit via Board Order # 100-21 (attachment B). The applicant is proposing to install the following signs:

1. Reface of one free-standing principal nonconforming sign, internally illuminated, with approximately 60 sq. ft. of sign area perpendicular to Needham Street.

2. One wall mounted secondary sign, internally illuminated, with approximately 30 sq. ft. of sign area on the western façade facing Needham Street.

TECHNICAL REVIEW:

- The proposed perpendicular sign is a reface of an existing perpendicular sign.
- The proposed wall mounted secondary sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is not exceeding, and on this façade of 739 feet, the maximum size of the sign allowed is 50 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the reface of the free-standing principal sign and secondary sign as proposed.

9. 308-322 Walnut Street – Blossom Nutrition

PROJECT DESCRIPTION: The property located at 308-322 Walnut Street is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, non-illuminated, with approximately 15 sq. ft. of sign area on the western building façade facing Walnut Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 14 feet, the maximum size of the sign allowed is 42 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

10. 714-724 Beacon Street – Beth Israel Lahey Health Primary Care

PROJECT DESCRIPTION: The property located at 714-724 Beacon Street is within Business 2 zoning district and is the subject of a special permit under Board Order #1-15. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 93 sq. ft. of sign area on the eastern façade facing the parking lot.
2. One perpendicular secondary sign, non-illuminated, with approximately 7 sq. ft. of sign area on the northern façade perpendicular to Beacon Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal

sign is allowed, which the applicant is not exceeding, and on this façade of 75 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.

- The proposed perpendicular secondary sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is not exceeding, and on this façade of 75 feet, the maximum size of the sign allowed is 50 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign and secondary sign.

Design Consistency Review

1. 156 Oak Street – Northland Design Consistency Review

The Subcommittee reviewed Northland for Design Consistency on May 18th for exterior lighting design. Staff is still preparing the memorandum with recommendations from the meeting. Staff intends to have it ready before the meeting and will be sent to the Commission before the meeting via email.

III. Old/New Business

1. Current Sign Ordinance Update

Attachment C provides the redline edits that Zoning and Planning (ZAP) Committee of the City Council is reviewing. This update is to remedy the constitutional issues, not to make other substantial changes to the ordinance. There is a public hearing on June 13th at ZAP for these proposed amendments.

2. Approval of Minutes

Staff will provide meeting minutes before the meeting.

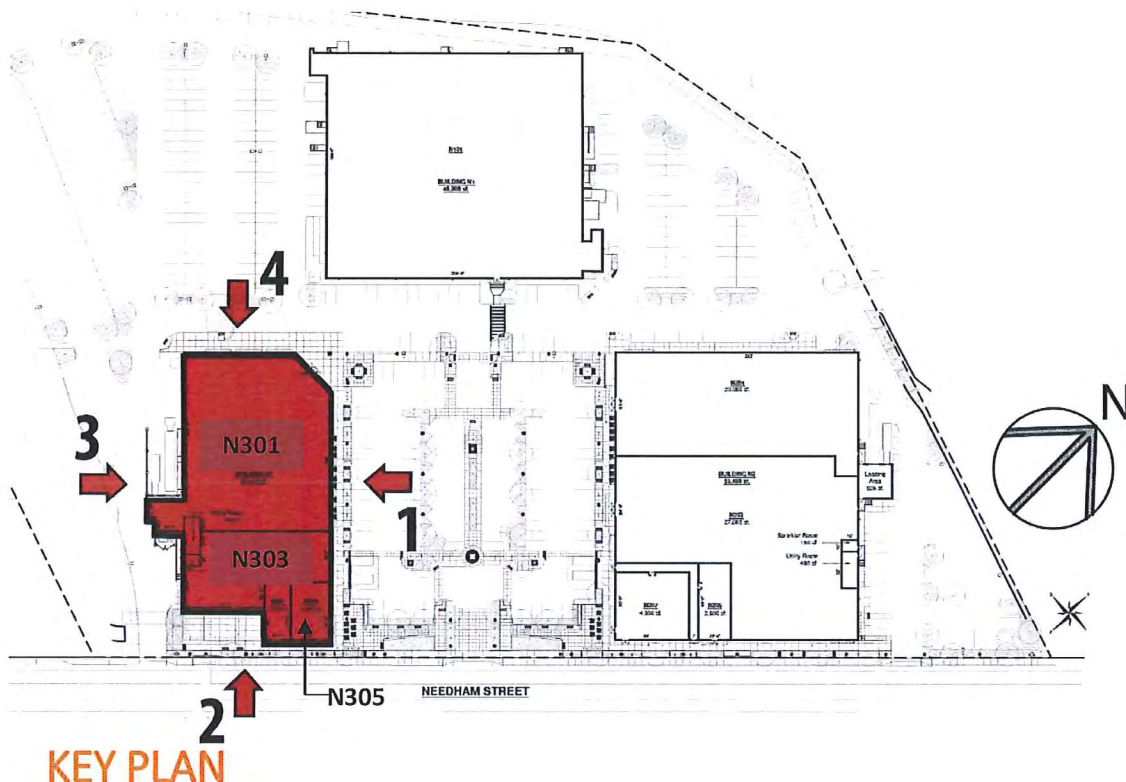
3. Commission Election – To Elect Chair and Vice Chair

Per Urban Design Commission Rules and Regulations, article IV, *“Each year the Commission shall hold the election of officers from the Commission membership at the regular meeting held on the third Wednesday in May. The officer positions shall be for terms of one (1) year and include a Chairman and Vice Chairman. The City Clerk shall be notified of the election results.”*





Attachments

- Attachment A: 131-181 Needham Street Comprehensive Sign Package
- Attachment B: 104 Needham Street Board Order
- Attachment C: 220412 Sign Ordinance Redline Edits v2

BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



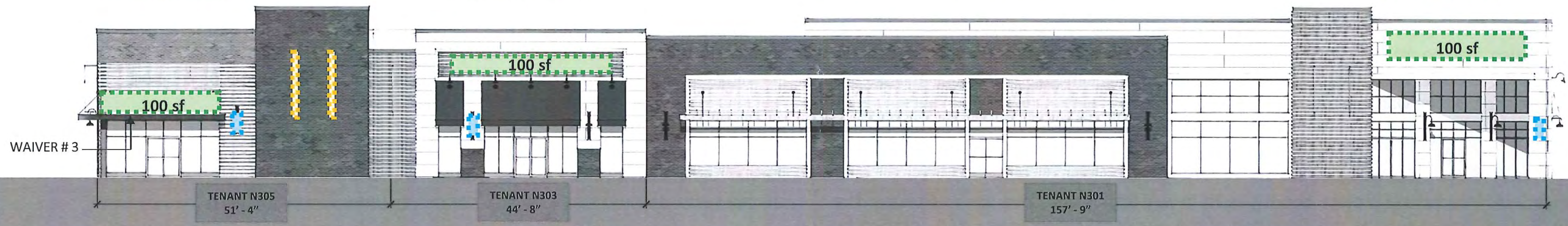
LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

Calculations :
 $51.33 \text{ ft.} \times 3 \text{ ft.} = 153.99 \text{ sf}$
 Max allowed = 100 sf

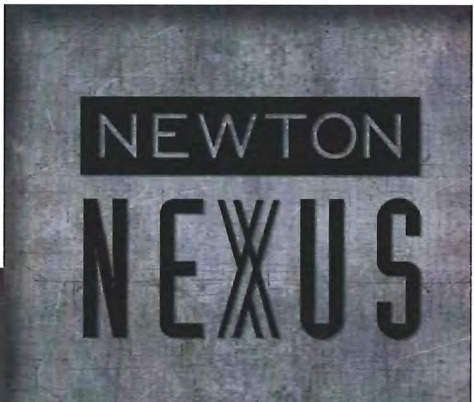
Calculations :
 $44.66 \text{ ft.} \times 3 \text{ ft.} = 133.98 \text{ sf}$
 Max allowed = 100 sf

Calculations :
 $157.75 \text{ ft.} \times 3 \text{ ft.} = 473.25 \text{ sf}$
 Max allowed = 100 sf



View 1 – North Façade (Facing Parking Lot)





BUILDING N3



BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



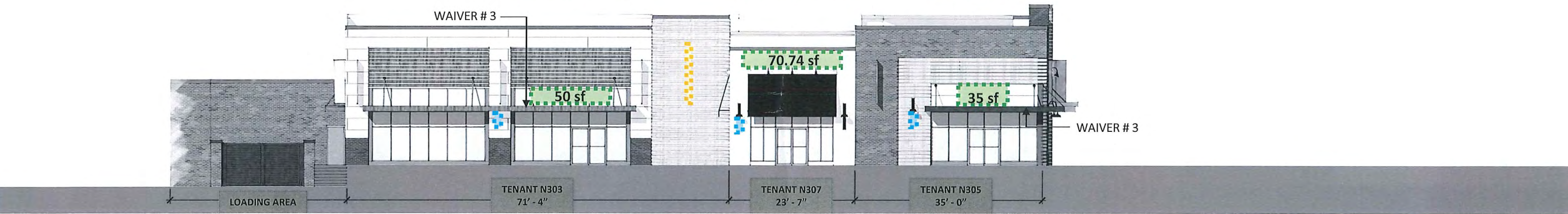
LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

Calculations :
71.33 ft. x 1 ft. = 71.33 sf
Max allowed = 50 sf

Calculations :
23.58 ft. x 3 ft. = 70.74 sf
Max allowed = 70.74 sf

Calculations :
35 ft. x 1 ft. = 35 sf
Max allowed = 35 sf

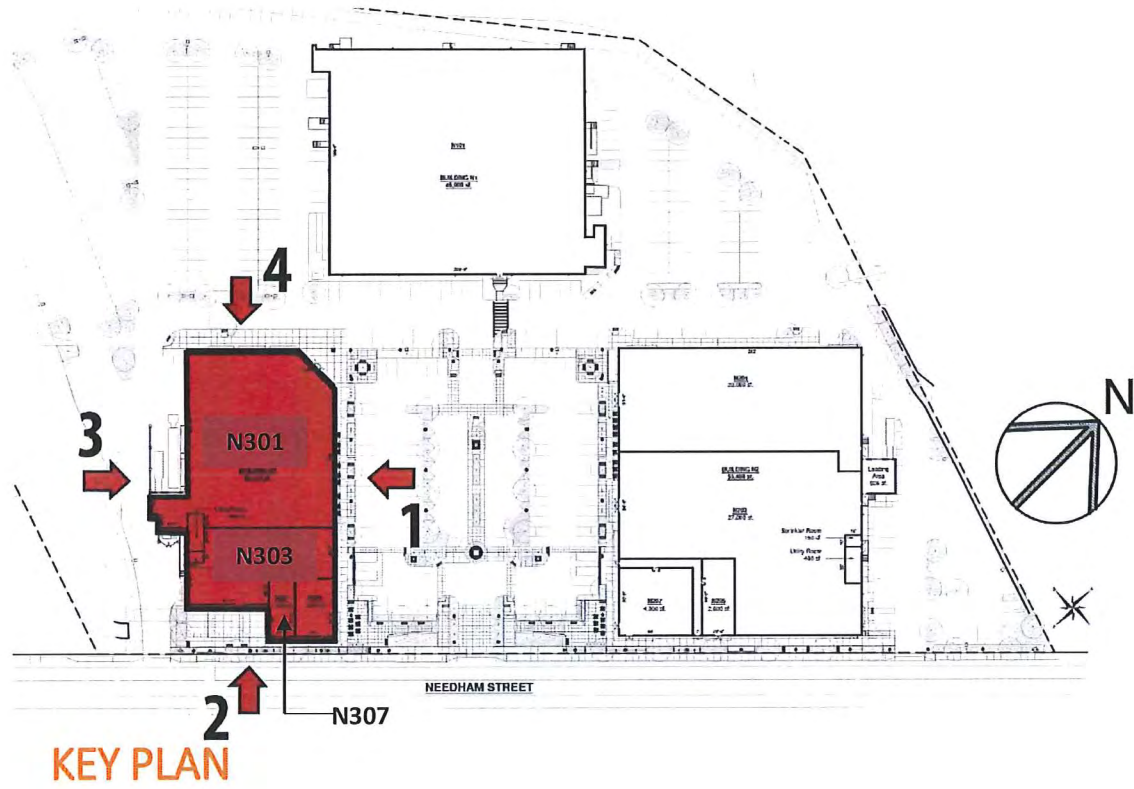


View 2 – East Façade (Facing Needham Street)





BUILDING N3

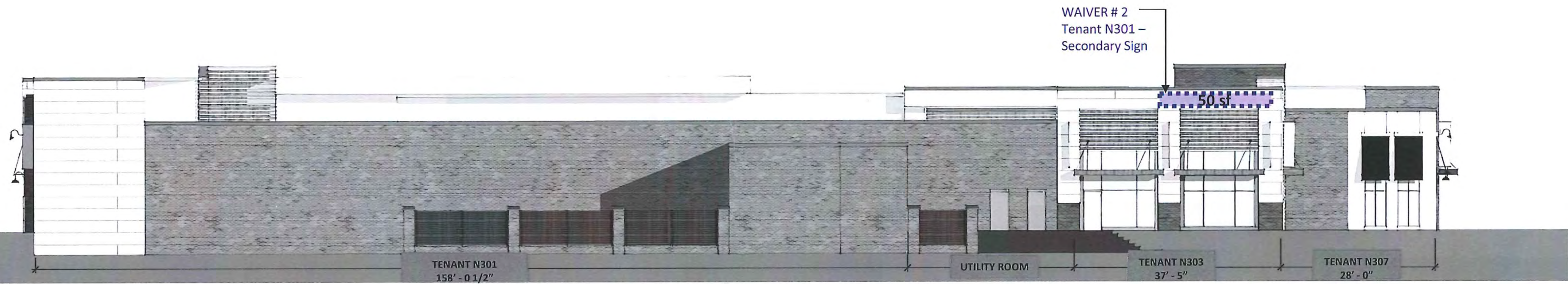


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



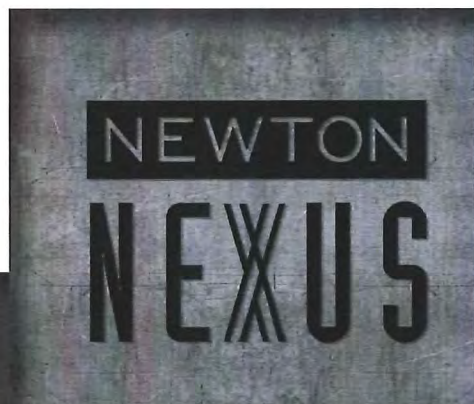
LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

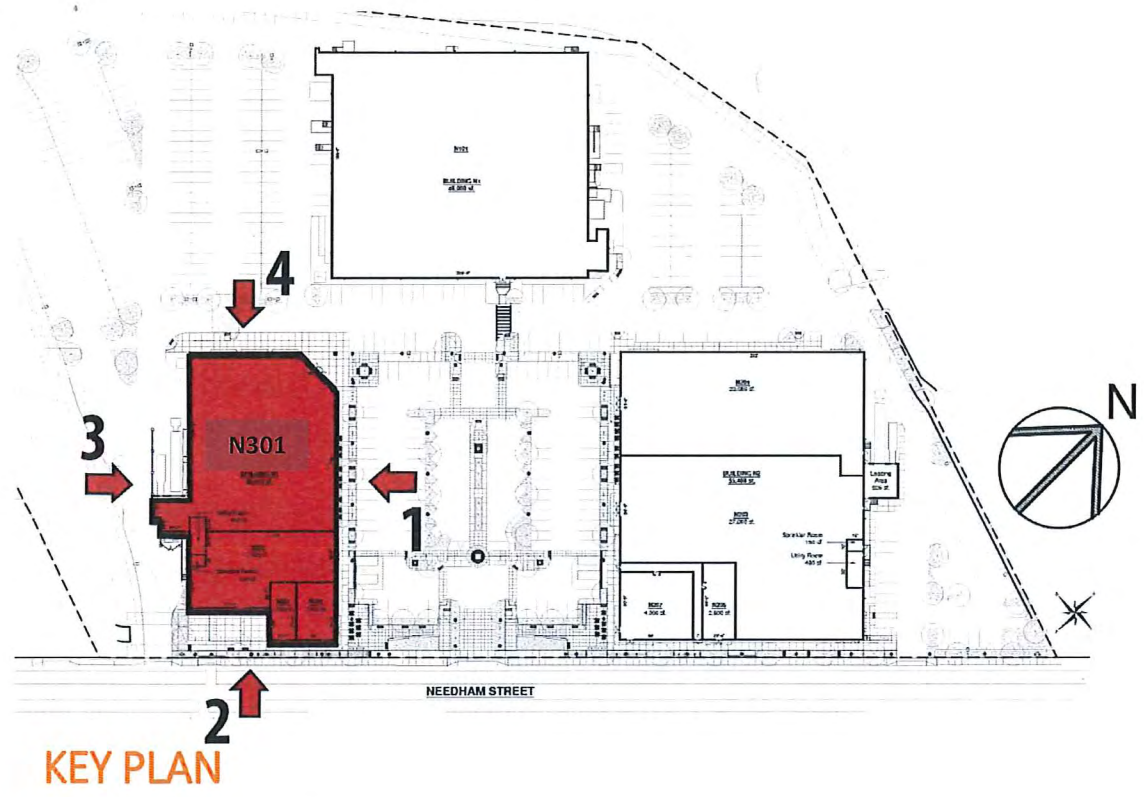


View 3 – South Façade





BUILDING N3

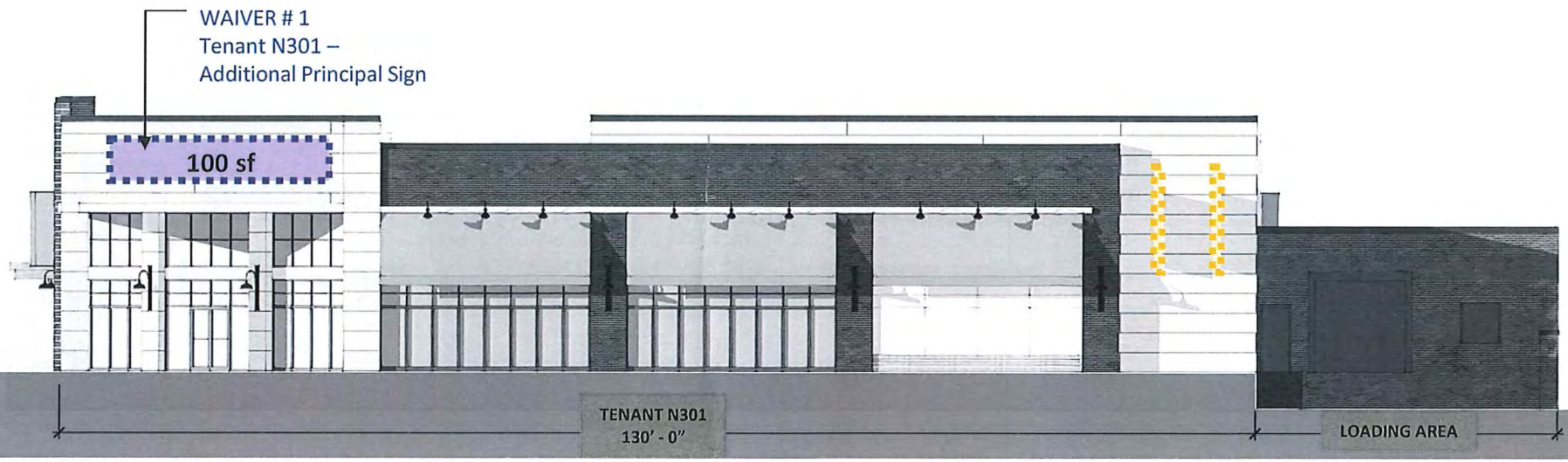


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



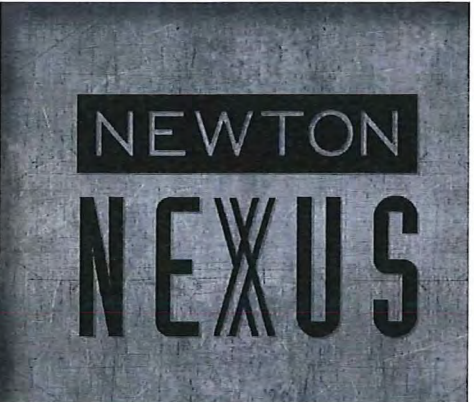
LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



View 4 – West Façade (Facing Parking Lot)

BUILDING N3



Property Address: 104 Needham Street, Newton MA
Title References (Both Ways) Book 73842, Page 162 - Recorded Land
Document No. 1831784, Cert. of Title No. 272284 - Reg. Land



2021 01883894
Bk: 01553 Pg: 53 Cert#: 272284
Doc: DECIS 06/22/2021 09:55 AM



2021 00140648
Bk: 78070 Pg: 34 Doc: DECIS
Page: 1 of 4 06/22/2021 11:14 AM

#100-21
104 Needham Street

CITY OF NEWTON

IN CITY COUNCIL

May 17, 2021

BOTH WAYS

RECEIVED
NEWTON CITY CLERK
2021 MAY 19 PM 2:11

ORDERED:

That the 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 a free-standing sign exceeding 35 square feet (§5.2.13.A, §5.2.13.B); alter the existing nonconforming parking facility and to waive two parking stalls (§5.1.4, §5.1.13, §7.8.2.C.2); and grant exceptions to literal compliance with certain parking facility requirements (§5.1.13), including to allow parking within the front setback (§5.1.8.A.1), a parking stall with less than 9 feet in width (§5.1.8.B.1), a parking stall with less than 19 feet in depth (§5.1.8.B.2), a maneuvering aisle for two-way traffic with less than 24 feet (§5.1.8.C), an entrance and exit drive exceeding 25 feet in width (§5.1.8.D.2), and tandem parking (§5.1.8.E.1); and to waive perimeter screening requirements (§5.1.9) and lighting requirements (§5.1.10.A), as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. Allowing the proposed relocation of the free-standing sign as designed would be in the public interest given that its location in reference to the adjoining street will allow for, and is required by, the widening of said adjoining street. (§5.2.13.A)
2. Allowing the proposed free-standing sign exceeding 35 square feet would be in the public interest as it would allow for the relocation of an existing nonconforming sign that is required to be relocated to facilitate the widening of the adjoining street. (§5.2.13.B)
3. The proposed reconfigured nonconforming parking facility as designed is not substantially more detrimental than the existing nonconforming parking facility is to the neighborhood as it is expected to improve access to the site and on-site maneuverability. (§7.8.2.C.2)
4. Literal compliance with parking facility requirements of Sec. 5.1, including the number of required stalls and certain dimensional, screening and lighting requirements, is impracticable due to the size, width, depth, and shape of the lot, and such exceptions would be in the public interest, given the modification of the parking facility.

272284

City Clerk of Newton, Mass
[Signature]

to facilitate the widening of the adjacent public right-of-way. (§5.1.13)

PETITION NUMBER: #100-21

PETITIONER: RK Newton LLC

LOCATION: 104 Needham Street, on land known as Section 83, Block 12, Lot 8,
containing approximately 7,500 square feet of land

OWNER: RK Newton LLC


ADDRESS OF OWNER: 50 Cabot Street
Suite 200
Needham, MA 02494

TO BE USED FOR: Commercial Building

EXPLANATORY NOTES: Special permit per §7.3.3 to

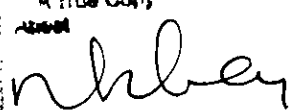
- allow a free-standing sign (§5.2.13.A)
- allow a free-standing sign exceeding 35 square feet (§5.2.13.B)
- alter the nonconforming parking facility and to waive two parking stalls (§5.1.4, §5.1.13, §7.8.2.C.2)
- allow parking within the front setback (§5.1.8.A.1, §5.1.13)
- allow a parking stall with less than 9 feet in width (§5.1.8.B.1, §5.1.13)
- allow a parking stall with less than 19 feet in depth (§5.1.8.B.2, §5.1.13)
- allow a maneuvering aisle for two-way traffic with less than 24 feet (§5.1.8.C, §5.1.13)
- allow an entrance and exit drive exceeding 25 feet in width (§5.1.8.D.2, §5.1.13)
- allow tandem parking (§5.1.8.E.1, §5.1.13)
- waive perimeter screening requirements (§5.1.9, §5.1.13)
- waive lighting requirements (§5.1.10.A, §5.1.13)

ZONING: Mixed Use 2 (MU2) district

A True Copy
Attest

City Clerk of Newton, Mass

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. a site plan entitled "Parking Exhibit, Map #83, Block #12, Lot #8, 104-106 Needham Street, City or (sic) Newton, Middlesex County," prepared by Bohler, dated March 22, 2021;
 - b. an architectural drawing entitled "RK Centers, 104 Needham St., Newton, MA, Freestand Sign," prepared by SignDesign, dated January 15, 2012 (Sheet 01 of 03)
 - c. architectural images on a sheet entitled "RK Centers, 104 Needham St., Newton, MA, Freestand Sign," prepared by SignDesign, dated January 15, 2012 (Sheet 02 of 03)
2. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
 - a. Recorded a certified copy of this Order for the approved 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. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - d. Obtained a written statement from the Department of Planning and Development that confirms plans submitted with any building permit are consistent with plans approved in Condition #1.
3. No Certificate of Occupancy for the buildings and uses covered by this Special Permit/Site Plan Approval shall be issued until the petitioner has:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a professional engineer or surveyor certifying substantial compliance with Condition #1a and a statement by a registered architect certifying substantial compliance with Conditions #1(b) and (c).
 - b. Submitted to the Department of Inspectional Services and the Department of Planning and Development a final as-built survey plan in paper and digital format.
 - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division certifying that the final site construction details have been constructed to the standards of the City of Newton Engineering Division.
 - d. Filed with the City Clerk and the Commissioner of Inspectional Services, a statement from the Planning Department approving final location and number of parking stalls.

A True Copy
Attest

City Clerk of Newton, Mass

Under Suspension of Rules
Readings Waived and Approved
23 Yeas 0 Nays 1 Absent (Councilor Gentile)

The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on May 19, 2021. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:



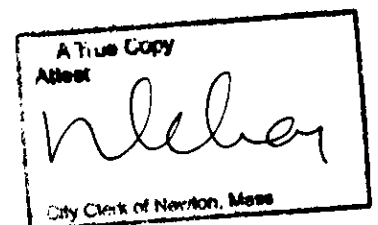
(SGD) NADIA H KHAN, Acting City Clerk
Acting Clerk of the City Council

I, Nadia H. Khan, as the Acting Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on May 19, 2021 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) NADIA H KHAN, Acting City Clerk
Acting Clerk of the City Council



Sec. 5.2. Signs

5.2.1. Intent and Purpose

- A. It is recognized that signs perform important functions in the City, which are essential for the public safety and general welfare, such as communicating messages, providing information about goods and services available, and providing orientation. It is further recognized that because of their potential detrimental impact on the visual and perceptual environment, signs must be regulated in order to:
1. Prevent hazards to vehicular and pedestrian traffic;
 2. Prevent conditions which have a blighting influence and contribute to declining property values;
 3. Provide for easy recognition and legibility of all permitted signs and other uses in the immediate vicinity; and
 4. Preserve the amenities and visual quality of the City and curb the deterioration of the village commercial areas.
- B. It is the intent of these provisions to protect property values, create a more attractive business climate, enhance and protect the physical appearance of the City, provide a more enjoyable and pleasing environment and to encourage the most appropriate use of land.

(Ord. No. 158, 10/18/76)

5.2.2. Applicability

All signs shall comply with the regulations for the erection and construction of signs contained in the 780 CMR and applicable City ordinances. No sign shall be erected, displayed, or maintained within the City, except those specifically provided for in this [Sec. 5.2](#) or in other chapters of the Revised Ordinances. ~~Signs allowed by this [Sec. 5.2](#) shall be either accessory signs or non-accessory directory signs and shall comply with all dimensional and other applicable regulations in this [Sec. 5.2](#).~~

(Ord. No. 196, 2/22/77)

5.2.3. Definitions

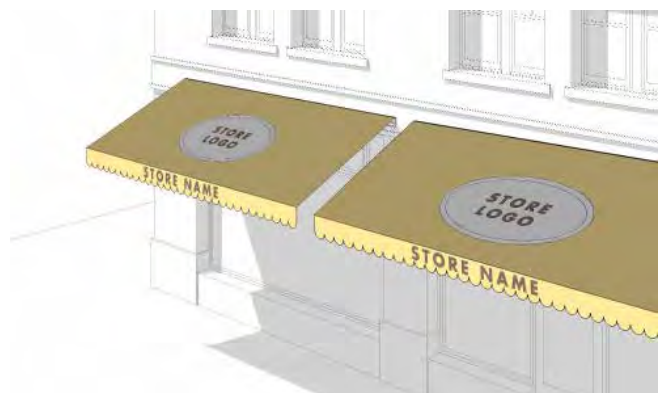
Sign. A permanent or temporary structure, device, letter, word, 2D or 3D model, insignia, banner, streamer, display, emblem, or representation which is an advertisement, announcement or direction, or which is designed to attract attention.

Sign, Accessory. A sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the address and/or occupant of the premises, the business transacted on the premises, the year the business was established, a slogan, directional or parking instructions, or the sale or letting of the premises or any part thereof.

Sign, Area. The entire area within a single continuous perimeter, and a single plane, which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim, or other integral part of the display excluding the necessary supports or uprights on which the sign is placed. Sign area of a free-standing sign or a perpendicular wall sign is the entire area of one side of such sign such that two faces which are back to back are counted only once.



Sign, Awning. A sign on or attached to a temporary retractable shelter which is supported entirely from the exterior wall of a building.



Sign, Directional. Signs indicating “Entrance,” “Exit,” “Parking,” or the like, erected on a premises for the direction of persons or vehicles.



~~Sign, Election. A sign specifically supporting or opposing the election of a candidate for office in an election to be held in the City within a year, or supporting or opposing a ballot question which shall appear on a ballot in the City within a year.~~

Sign, Free-Standing. A sign erected on or affixed to the land by post, pole, pylon or any framing or supporting device or stand which is not affixed to a building, and may include kiosks or public information bulletin boards.



Sign, Frontage. The length in feet of the building wall parallel or substantially parallel to a street that is occupied by an individual business establishment.

Sign, Noncommercial. A sign which contains only noncommercial messages.

Sign, Marquee. A sign on or attached to a permanent overhanging shelter which projects from the face of a building, is entirely supported by said building, and may have a changeable letter panel.



Sign, Non-Accessory. A billboard, sign or other commercial advertising device which does not come within the foregoing definitions of an accessory sign or of a non-accessory directory sign, or of a noncommercial sign.



Sign, Non-Accessory Directory. A sign that, with respect to the premises on which it is erected and/ or an adjacent premises for which the sign is a single common identifier, or with respect to a single integrated development consisting of two or more lots, advertises or indicates one or more of the following: the address and/ or occupant of the premises, the business transacted on the premises, the year the business was established, a slogan, directional or parking instructions, or the sale or letting of the premises or any part thereof.



Sign, Principal. The principal sign on a lot. Where permission is granted for a free-standing sign, the free-standing sign shall be considered the principal sign.

Sign, Secondary. A wall sign located on a wall other than that occupied by the principal sign.

Sign, Wall. A sign affixed either parallel or perpendicular to the wall of a building and not extending above the roof plate or parapet line.

- A. Wall signs shall be affixed either parallel or perpendicular to a wall of a building. Where a building or structure to which a parallel wall sign is to be affixed has an identifiable sign band, as determined by the Director of Planning and Development in consultation with the Urban Design Commission, or is part of a block of commercial establishments which, except for the petitioned property, is the subject of uniform signage, the parallel wall sign shall be located within the identifiable sign band or shall be consistent with any uniform signage.
- B. A parallel wall sign shall project no more than 12 inches from the building surface and shall not extend above the roof line or beyond the sides of the building.
- C. A perpendicular wall sign shall be attached at a right angle to the wall of a building; it shall have no more than 2 faces; and it shall not project in any linear dimension more than 6 feet, subject to the provisions of Revised Ordinances Chapter 26, Sections 26-1 to 26-6. When a projecting sign is closer than 12 feet to the corner of a building, its projection shall be no more than a distance equal to 1/2 the horizontal distance from the sign to that building corner.



Sign, Window. A sign affixed to the interior or exterior surface of a window or displayed behind a window so as to attract attention from the outside. A sign shall be

deemed a window sign if it is within 6 inches of the inside surface of a window through which it is intended to be viewed and is not merchandise on display.



(Ord. No. 158, 10/18/76; Ord. No. V-7, 03/20/95)

5.2.4. Permit Procedure

- A. No sign shall be erected on the exterior of any building or on any land, and no such sign shall be enlarged or altered, with the exception of copy changes on changeable letter panels, clocks, or thermometers, until an application on appropriate forms supplied by the Commissioner of Inspectional Services with such information including plans, drawings, and photographs as the Commissioner of Inspectional Services may require, shall have been filed with the Commissioner of Inspectional Services, and a permit for such erection, alteration or enlargement has been issued by the Commissioner of Inspectional Services.
- B. All non-accessory directory signs shall obtain an outdoor advertising permit from the Commonwealth of Massachusetts' Office of Outdoor Advertising.
- C. Upon receipt of an application for a sign permit, the Commissioner of Inspectional Services shall notify the Urban Design Commission and the Director of Planning and Development regarding said application within 2 weeks of the date of filing, if they deem it necessary. The Director of Planning and Development shall submit an advisory report, including any recommendation of the Urban Design Commission, to the Commissioner of Inspectional Services within 3 weeks of the application filing date.
- D. The fees for sign permits shall be established from time to time by the City Council.
- E. Within 2 months after the erection, alteration or enlargement of any sign, the owner or operator

of said sign shall file two 8 inch by 10 inch photographs, taken after intallation.

(Ord. No. 158, 10/18/76)

5.2.5. Prohibited Signs

The following signs shall not be permitted, constructed, erected, or maintained:

- A. Non-accessory signs;
- B. Signs constructed, erected, or maintained on the roof of a building or which extend above the roof plate line;
- C. Portable signs not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, including trailer signs and signs affixed to or painted on a vehicle permanently parked on the premises so as to serve as a sign, but excluding signs affixed to or painted on a vehicle temporarily parked on the premises;
- D. Window signs which cover more than 25 percent of the area of the window;
- E. Any sign which advertises or calls attention to any products, businesses, or activities which are no longer sold or carried on at any particular premises; or
- F. String lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration.

(Ord. No. 158, 10/18/76)

5.2.6. Signs Allowed By Right

- A. **Permanent Signs.** The following signs shall be allowed by right without the necessity of sign review, but may require a building permit:
 - 1. Signs erected by or on the order of a governmental agency when limited to governmental purposes, and excluding any advertising, except in the Open Space/ Recreation and Public Use districts (see Sec. 6.2.9);
 - 2. Names of buildings, date of erection, monumental citations and commemorative

tablets, when made a permanent and integral part of a building, not to exceed 10 square feet;

- 3. Banners or flags emblematic of or issued by national, state, or local governments;
- 4. Signs indicating the name and address of the occupant of a dwelling, not to exceed 1 square foot. Where a permitted accessory home business exists, such sign shall not exceed 2 square feet;
- 5. Awning signs in business, mixed use, limited manufacturing and manufacturing districts;
- 6. Window signs, in nonresidential buildings, not to exceed 25 percent of the area of the window;
- 7. Customary signs on gasoline pumps indicating in usual size and form the name, type and price of gasoline;
- 8. Clocks and thermometers displaying no information other than the time and temperature;
- 9. Holiday decorations and lights when in season; and
- 10. Signs not to exceed 2 square feet which indicate warnings, hazards, or public conveniences such as "trespass," "beware of dog," or rest room signs.

B. **Temporary Signs.** Temporary signs shall not be illuminated and shall comply with the provisions of this Sec. 5.2, but may require a building permit:

- 1. **Short-Term Event Sign.** The Commissioner of Inspectional Services may permit an establishment to display on its premises 1 non-illuminated sign announcing a special event of limited duration to take place on the premises. Such sign may be displayed for a period not to exceed 72 hours, including time required for installation and removal. The Commissioner of Inspectional Services shall issue such a permit to the same establishment no more than twice per calendar year. Applications for such permits shall be submitted in accordance with Sec. 5.2.4, but shall be submitted no later than 1 week prior to the proposed date of installation. Applications for such permits shall not be subject to notice to and review by the Urban

Design Commission and the Director of Planning and Development.

2. Temporary Identification Sign Procedure.

One temporary identification sign to identify a property or use during the period from the submission of a sign application to the Commissioner of Inspectional Services or during the special permit procedure to 30 days after the decision, may be erected, provided that in the event of an unfavorable decision such temporary sign shall be removed immediately, and provided that the temporary sign conforms with all applicable dimensional regulations of this Sec. 5.2, that it is, in fact, a temporary sign not involving any substantial expense, and that it is displayed in a manner which will not deface the building facade or otherwise impinge upon the review of the proposed sign.

3. Construction Signs. One or more signs during the construction or alteration of a building identifying the building, owner, contractor, architects and engineers and whether any business is or is not to be conducted there may be erected. Such signs shall not exceed in the aggregate 32 square feet and shall be removed within 48 hours after completion of the construction or alteration.

4. Real Estate Signs. One unlighted sign, not exceeding 12 square feet in residential districts and 32 square feet in commercial districts, advertising the sale, rental or lease of the premises or part of the premises or the willingness to build on the premises on which the sign is displayed may be erected. Such signs shall be removed within 48 hours after the sale, rental or lease of the premises.

5. Event Signs. Signs not exceeding 30 square feet, announcing a fundraising drive or event of a civic, philanthropic, educational or religious organization, displayed on the lot of the event or the property of the sponsoring agency and limited to 1 per lot, except that if a lot has frontage on more than one street, there may be a free-standing sign for each street frontage. Such signs shall not be erected before 14 days preceding the event and shall be removed within 48 hours after the event.

~~6. Yard or Garage Sale Signs.~~ Signs, not exceeding 5 square feet, announcing a yard or garage sale, which are displayed on private property and limited to 1 per premises, may be erected. Such signs shall not be erected before 3 days preceding the sale and shall be removed within 24 hours after the sale.

~~7. Election Signs.~~ Election signs shall be allowed in all zoning districts, except as otherwise provided in this Chapter, and shall conform to the following:

- ~~a. The face of the sign shall be no higher than and no wider than 3 feet;~~
- ~~b. The total area of all signs on a single lot shall not exceed 32 square feet;~~
- ~~c. Signs may be located anywhere on a lot, but shall not create a traffic safety hazard by blocking visibility of traffic on a public street from a driveway. Signs shall not overhang a public sidewalk; however, where there is no sidewalk, no part of the sign shall be closer than 8 feet to the edge of the paved portion of the public way;~~
- ~~d. Signs shall not include any names or logos advertising goods, services, or businesses or otherwise constituting commercial speech;~~
- ~~e. Signs shall not use obscene language in violation of established community standards;~~
- ~~f. Signs shall not be artificially illuminated except as permitted by Sec. 5.2.10;~~
- ~~g. Election signs may be erected no earlier than 45 days before an election and shall be removed within 7 days after the election; and~~
- ~~h. No more than 1 election sign per candidate or per ballot issue shall be erected on a single lot.~~

(Ord. No. 158, 10/18/76; Ord. No. T-64, 12/18/89; Ord. No. V-7, 03/20/95; Ord. No. Z-27, 05/19/08; Ord. No. A-29, 10/07/13; Ord. No. A-99, 01/17/17)

6. Noncommercial Signs. Noncommercial signs shall be allowed in all zoning districts, except as otherwise provided in this Chapter, and shall conform to the following:

- A. The face of the sign shall be no higher than and no wider than 3 feet;
- B. Signs may be located anywhere on a lot, but shall not create a traffic safety hazard by blocking visibility of traffic on a public street from a driveway. Signs shall not overhang a public sidewalk; however, where there is no sidewalk, no part of the sign shall be closer than 8 feet to the edge of the paved portion of the public way;
- C. Signs shall not include any names or logos advertising goods, services, or businesses or otherwise constituting commercial speech;
- D. Signs shall not be artificially illuminated except as permitted by Sec. 5.2.10.

5.2.7. Signs in Residence Districts

No **permanent** sign shall be erected or maintained in a residence district, except as provided in Sec. 5.2.6 and this Sec. 5.2.7:

Use	Number	Type	Area per Sign (max)	Notes
Residential: single- or two-family	1 per unit	Wall sign	1 sf	Name of occupant, address of premises
Residential: single- or two-family with permitted accessory use or occupation	1 per unit	Wall sign	2 sf	Name of occupant(s), address of premises
Residential: building with more than 2 families or group of buildings forming a single housing development	1 total	Principal wall sign OR Free-standing sign	15 sf OR 10 sf	
Residential: Each building in a group of buildings forming a single housing development	1 per building in group	Secondary wall sign	2 sf	
Churches, schools, other institution or group of buildings forming a complex or campus	2 per street frontage	Free-standing sign AND principal wall sign	1 @ 20 sf 1 @ 10 Ssf	1 Free-standing sign per frontage; for notices and announcements of services and events
Churches, schools, or other institutions: Each building in a group of buildings forming a single complex or campus	1 per building in group	Free-standing sign AND principal wall sign	10 sf	
	1 total	Principal wall sign	20 sf	
Nonresidential use, permitted or nonconforming	1 total	Free-standing sign	15 sf	The City Council may grant a special permit for a free-standing sign
Any use	--	Directional sign	3 sf	For the direction of Persons or vehicles, indicating "entrance," "exit," "parking," or the like

-- Not Applicable

5.2.8. Signs in Commercial Districts

No **permanent** sign shall be erected or maintained in a business, limited manufacturing, manufacturing, and mixed use district, except as provided in [Sec. 5.2.6](#) and this [Sec. 5.2.8](#):

Type	Number per business establishment	Area per Sign (max)	Notes
Principal sign	1 total	3 sf per linear foot of building wall frontage OR 100 sf, whichever is less	In particular instances, due to the nature of the use of the premises, the architecture of the building, or its location with reference to the street, the total allowable sign area may be divided between two wall signs which together constitute the principal wall sign.
Principal sign: Business on a corner lot	2 total	3 sf per linear foot of building wall OR 100 sf, whichever is less	Frontage on the second street must be at least 75 percent of frontage on first street
Secondary sign	1 per entrance or frontage on a street or parking area; 2 max	1 sf per linear foot of building wall OR 50 sf, whichever is less	May not be erected on the same wall as a principal sign.
Directory sign	1 per building entrance	1 sf per occupant or tenant	Indicating the occupants or tenants of the building to which the sign is affixed
Directory sign: building with 2nd entrance	1 per entrance	1 sf per occupant or tenant	The second entrance must have frontage on a street or parking lot. Such signs shall not be deemed nonaccessory directory signs.
Marquee sign	1 per theater		
Awning sign	--	Up to 20% of awning area	
Window sign	--	Up to 25% of window area through which they are visible	
Gas station sign	1 consolidated display	20 sf (aggregate)	Product identification signs (tires, oil...)
Directional sign		3 sf	For the direction of persons or vehicles, indicating "entrance," "exit," "parking," or the like

-- Not Applicable

(Ord. No. A-99, 01/17/17; Ord. No. B-2, 02-20-18)

5.2.9. Signs in Open Space/Recreation and Public Use Districts

In Open Space/Recreation and Public Use districts, no sign shall be erected, displayed or maintained except as provided below:

- A. ~~Those signs specifically exempt from prohibition, including the display of placards for the expression of political, religious, or public service ideas, so long as the placards remain in the physical possession of a person.~~
- B. Regulatory signs as may be erected by the City, county, state, or their agencies.
- C. Signs for the identification of public buildings or public premises, or allowed uses in open space/recreation and public use districts, or valid nonconforming uses existing in open space/recreation and public use districts. These identification signs shall not exceed 20 square feet in area.
- D. The City Council may permit free-standing signs, public information bulletin boards and exceptions to the maximum area requirement of 20 square feet for signs set out above, as provided for in Sec. 5.2.13. In no event shall any free-standing sign exceed 35 square feet in area in an Open Space/Recreation or Public Use district.

(Ord. No. 51, 02/03/75; Ord. No. 158, 10/18/76; Ord. No. V-90, 09/03/96)

5.2.10. Illuminated Signs

- A. No sign shall contain any moving parts or flashing or blinking lights so as to create an animated effect, except such portions of a sign which consist solely of indicators of time and temperature.
- B. No red or green lights or any lighting effect utilizing such colors shall be used on any sign if, in the opinion of the Chief of Police, such light or lighting effect would create a hazard to the operation of motor vehicles.
- C. Any lighting of a sign shall be continuous and shall be either interior, non-exposed or exterior illumination. All illumination shall be of reasonable intensity and shielded in such a manner that all direct light falls on the sign or the wall to which it is

affixed and does not shine onto any street or nearby property.

- D. No sign shall be lighted between the hours of 11:00 p.m. and 7:00 a.m., except those signs identifying police or fire stations, a residential building, or in the case of a commercial establishment, signs which may be lighted during a period extending from 30 minutes before opening for business and to 30 minutes after closing.
- E. The City Council may grant a special permit for the illumination of other signs if the City Council finds that such illumination is in the public interest.

(Ord. No. 89, 10/06/75; Ord. No. 158, 10/18/76)

5.2.11. Construction and Maintenance

- A. The construction, alteration, repair and maintenance of all signs, together with their appurtenant and auxiliary devices in respect to structural and fire safety, shall be governed by the provisions of the 780 CMR. Where provisions of this Sec. 5.2 are more restrictive with respect to location, use, size or height of signs and other applicable regulations, this Sec. 5.2.11 shall take precedence.
- B. No sign shall be erected so as to obstruct any door, window or fire escape on a building.
- C. Any sign which advertises or calls attention to any products, businesses or activities which are no longer sold or carried on at any particular premises shall be removed by the occupant or owner of the premises within 30 days. If any such sign is not removed within 30 days, the Commissioner of Inspectional Services shall give written notification, in hand or by certified mail, return receipt requested, to the owner or occupant of the premises that the Commissioner of Inspectional Services will have such sign removed and assess any costs of the removal to the owner or occupant. If within 30 days from the date of receipt of the notification the sign has not been removed by the owner or occupant, then the Commissioner of Inspectional Services shall remove said sign and assess any costs of the removal to the owner or occupant.

(Ord. No. 158, 10/18/76; Ord. No. R-273, 11/15/82)

5.2.12. Nonconforming Signs

- A. Any nonconforming sign legally erected prior to the adoption of this Sec. 5.2, or any amendment of this Sec. 5.2, may be continued to be maintained but shall not be enlarged, reworded, redesigned or altered in any way unless it conforms with the provisions contained of this Sec. 5.2.
- B. The exemption granted in paragraph A. above shall not apply to any non-accessory sign or to any sign which has been illegally erected, has been abandoned, or has not been repaired or properly maintained.
- C. Any sign which has been destroyed or damaged to the extent that the cost of repair or restoration will exceed one-third of the replacement value as of the date of destruction shall not be repaired, rebuilt, restored or changed unless it conforms with this Sec. 5.2.

(Ord. No. 158, 10/18/76)

5.2.13. Exceptions

- A. In particular instances, the City Council may grant a special permit to allow free-standing signs and exceptions to the limitations imposed by this Sec. 5.2 on the number, size, location and height of signs where it is determined that the nature of the use of the premises, the architecture of the building or its location with reference to the street is such that free-standing signs or exceptions should be permitted in the public interest.
- B. In granting such a permit, the City Council shall specify the size, type and location and shall impose such other terms and restrictions as it may deem to be in the public interest and in accordance with the 780 CMR. All free-standing signs shall not exceed 35 square feet in area, or 10 feet in any linear dimension, or 16 feet in height from the ground, except as further described in Sec. 5.2.7.
- C. Where a single lot is occupied by more than 1 establishment, whether in the same structure or not, there shall not be more than one free-standing sign for each street frontage. In granting such a permit, the City Council shall specify the size, type and location of any such sign and shall impose such other forms and restrictions as it may deem to be in

the public interest, and in accordance with the 780 CMR.

(Ord. No. 158, 10/18/76)

5.2.14. Guidelines

The Director of Planning and Development may from time to time prepare and issue guidelines to clarify the provisions of this Sec. 5.2.

(Ord. No. 158, 10/18/76)