



Ruthanne Fuller
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Barney S. Heath
Director

MEMORANDUM

Public Hearing Date: September 13, 2022
Land Use Action Date: November 22, 2022
City Council Action Date: December 5, 2022
90-Day Expiration Date: December 12, 2022

DATE: September 9, 2022

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development
Katie Whewell, Chief Planner

SUBJECT: **Petition #333-22** for SPECIAL PERMIT /SITE PLAN APPROVAL to replace two existing nonconforming signs with three signs, exceeding the maximum number and size of principal wall signs at 333 Nahanton Street, Ward 8, Newton, on land known as Section 83 Block 35 Lot 4Z, containing approximately 28.1 acres of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 5.2.7, 5.2.13.A of the City of Newton Rev Zoning Ord, 2017.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. 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 City Council will want to consider in its discussion at a subsequent Working Session.



333 Nahanton Street

EXECUTIVE SUMMARY

The subject property consists of just under 30 acres and is improved with several buildings with elderly housing and community uses, parking, and conservation land in the Single Residence 1 (SR-1) zone. The site has frontage on Winchester Street and is set back into the site with landscaping and surface parking as a buffer between the building and Winchester Street. The petitioner is seeking to install new signs that exceed the size limitations of the Ordinance for an institutional use in the SR-1 zoning district.

The Urban Design Commission (UDC) recommended approval for the proposed sign which exceeds the size limitations. The Planning Department agrees with the recommendation as the sign is replacing existing signage and serves as useful wayfinding for the institutional use. The institutional use within the SR-1 zone also lends itself to requiring larger sign areas. The site is well screened by landscaping and the sign will not be visible from a public way. For these reasons, the Planning Department recommends approval of the proposed sign.

The below analysis will discuss the site as it relates to the special permit for the proposed signage.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council consider whether:

- 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 signs that require waivers from the Sign Ordinance . (§7.3.3.C.1)
- The proposed signs that require waivers from the Sign Ordinance 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)

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

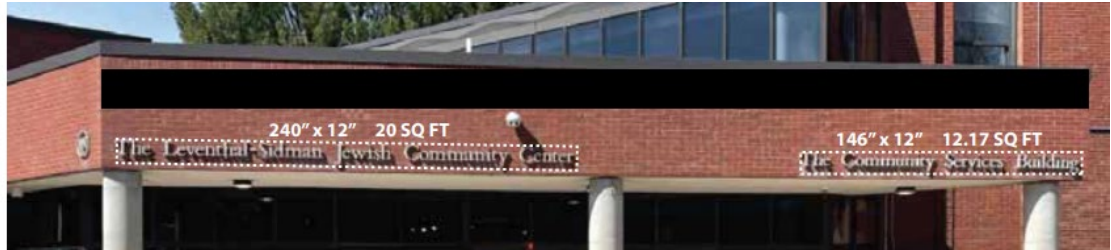
A. Neighborhood and Zoning

The site is located at the northwest intersection of Nahanton Street and Winchester Street within the SR-1 zoning district. Nahanton Park is located to the west of the site and is zoned Public Use (PUB). To the east is the Newton Community Farm (PUB) and land zoned Multi Residence 1 (MR1), containing a multi-family development. To the northeast is the Charles River Country Club, also zoned SR1 and to the south is the Wells Avenue Office Park, zoned Limited Manufacturing (LM) **(Attachments A & B).**

B. Site

The site consists of just under 30 acres and is improved with several buildings with elderly housing and community uses, parking, and conservation land. There is existing signage on the building at the front entrance.

Existing Signage



III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The principal use of the site is and will remain nonprofit organization use.

B. Proposed Signs

The petitioner's proposed signage requires waivers for size of the principal wall sign. The sign image below is shown for illustrative purposes and the content of the sign shown below may not reflect the final illustration.

Figure 1. Proposed Signs that require Special Permit



Principal Wall-Mounted Signs

The petitioner is proposing one wall-mounted sign which requires a special permit. The wall-mounted sign totals 107 square feet of sign area.

The proposed sign requires special permit relief for the size of the sign. Per the Ordinance, the SR-1 zone limits signage to one principal wall sign and one free standing sign for an institutional use. The Ordinance places limits of 20 square feet (free standing) and 10 square feet (wall mounted) on the size of signs in the SR-1 district for institutional uses.

The UDC recommended approval of the 107 square feet of total signage on the eastern façade of the building. Planning also recommends approval of the signage as it replaces existing signage. The institutional use justifies the size of the signage proposed and serves as helpful wayfinding and as identifying signage.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the project regarding zoning (**ATTACHMENT C**). Based on the Memorandum, the petitioner is seeking the following relief:

Zoning Relief Required		
Ordinance		Action Required
§5.2.7 §5.2.13.A	To allow exceptions to the number and size of principal wall signs	S.P. per §7.3.3

B. Urban Design Commission Review:

The petitioner appeared before the UDC on June 8, 2022 (**ATTACHMENT D**). The UDC recommended approval of the proposed sign.

V. PETITIONER’S RESPONSIBILITIES

The petition is complete at this time.

ATTACHMENTS

Attachment A: Zoning Map

Attachment B: Land Use Map

Attachment C: Zoning Review Memorandum

Attachment D: UDC Memorandum, dated June 15, 2022






Attachment E: DRAFT Council Order

Zoning

333 Nahanton Street

City of Newton,
Massachusetts

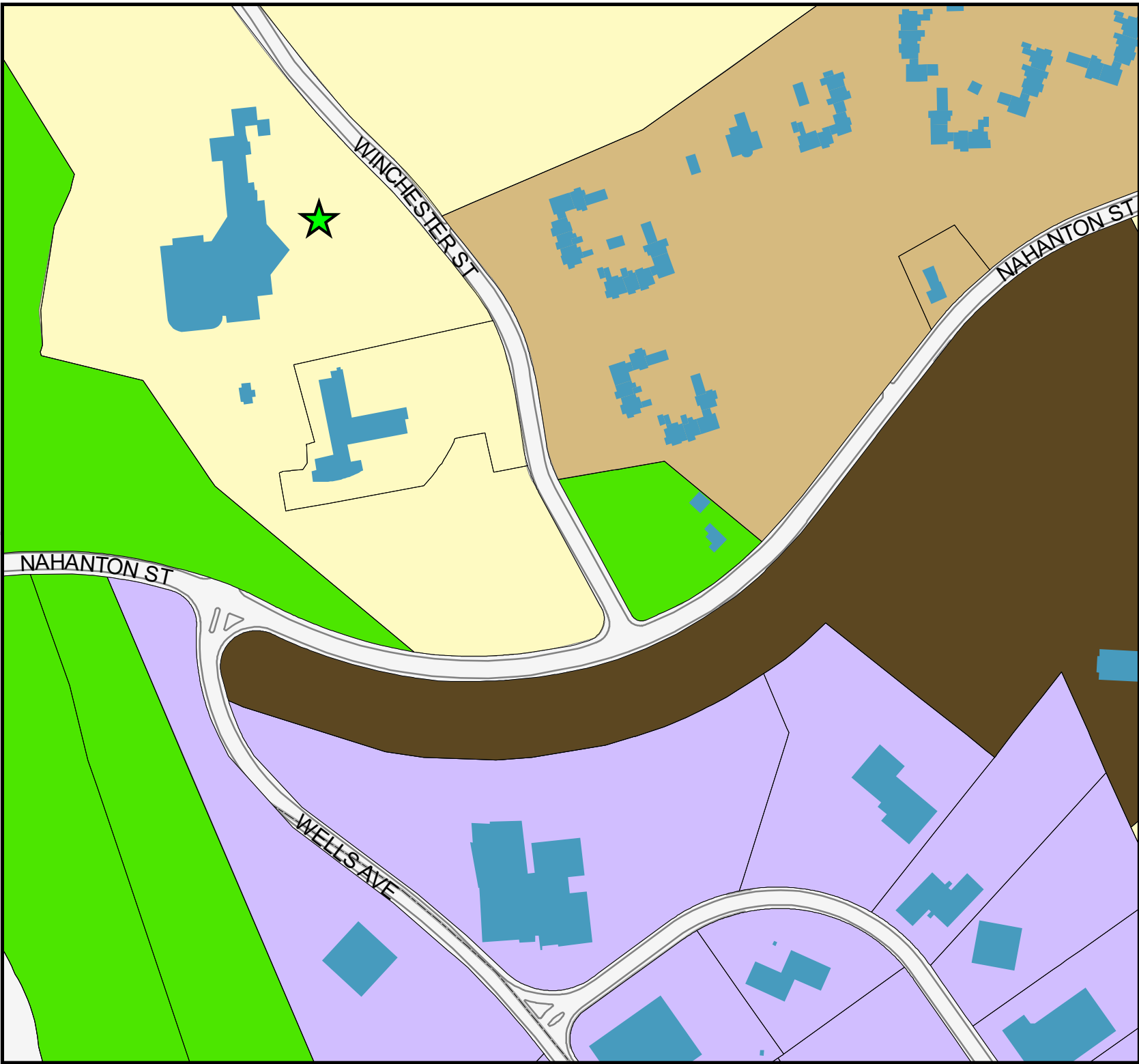
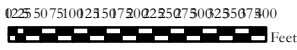
Zoning

-  Single Residence 1
-  Multi-Residence 1
-  Multi-Residence 3
-  Limited Manufacturing
-  Public Use



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller
GIS Administrator - Douglas Greenfield



ATTACHMENT B

Land Use

333 Nahanton Street

*City of Newton,
Massachusetts*

Land Use

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Golf Course
- Open Space
- Private Educational
- Nonprofit Organizations

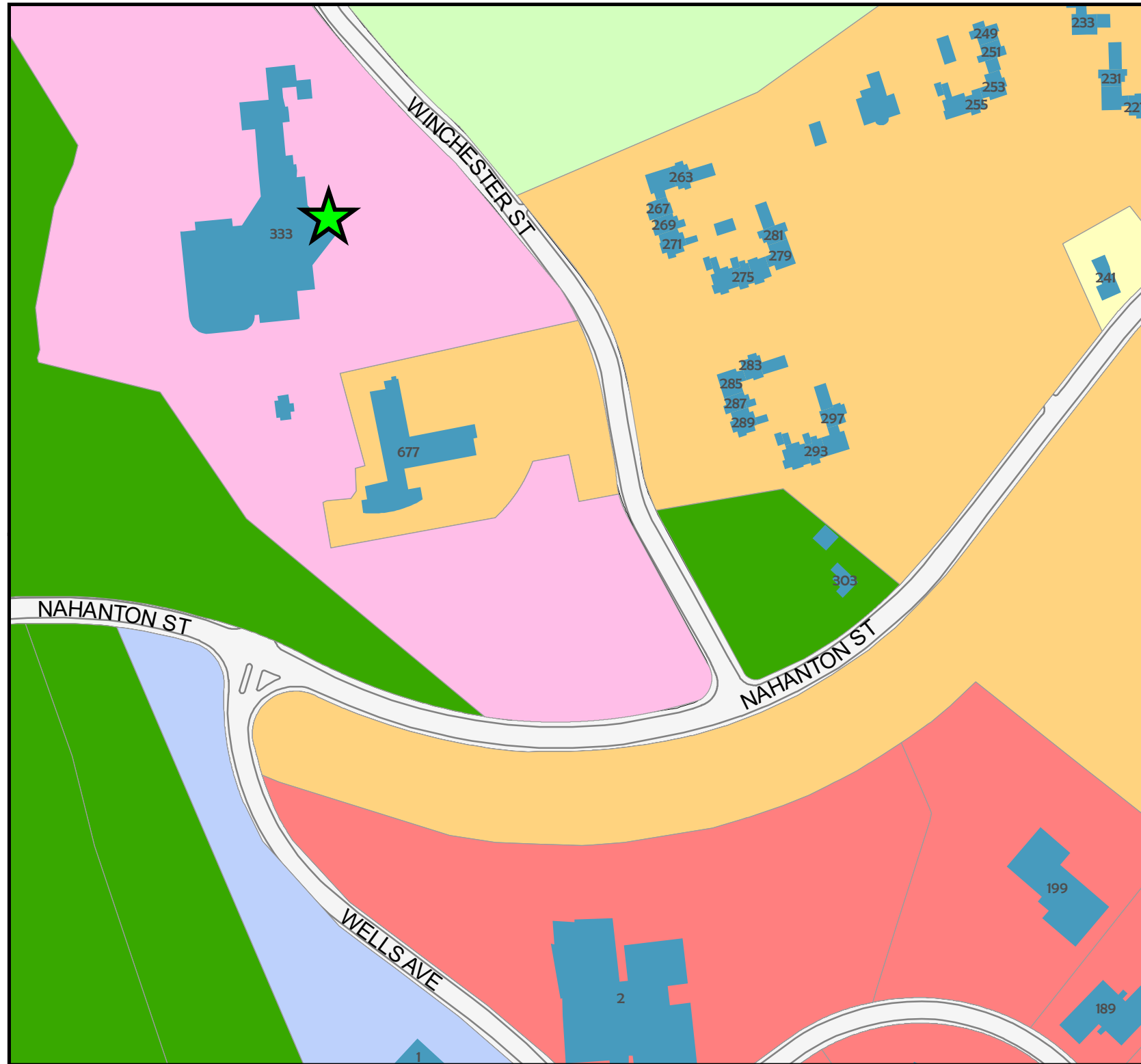


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CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller
GIS Administrator - Douglas Greenfield

0 25 50 75 100 (1:25,000) Feet

Map Date: September 08, 2022





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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: July 21, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Jewish Community Centers of Greater Boston, Applicant
Carol Ann Fahey, i.d. sign Group
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to allow signs exceeding 10 square feet

Applicant: Jewish Community Centers of Greater Boston

Site: 333 Nahanton Street	SBL: 83035 0004Z
Zoning: SR1	Lot Area: 28.1 acres
Current use: Jewish Community Center	Proposed use: No change

Background:

The Leventhal-Sidman Jewish Community Center is located at 333 Nahanton Street, a 28-acre parcel located in the Single Residence 1 zoning district. The site is comprised of several buildings, a large parking lot, two accessory parking lots and two large conservation areas. The site is mostly surrounded by open space. The JCC seeks to update the signage at the main entrance of the community building which exceeds the maximum size and number of signs allowed in the district, requiring a special permit.

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

- Zoning Review Application, prepared by i.d. sign Group, submitted 6/22/2022
- UDC Memo, dated 6/15/2021
- Existing and Proposed Signage, prepared by i.d. sign Group, submitted 6/22/2022

ADMINISTRATIVE DETERMINATIONS:

1. Per section 5.2.7, an institution in the SR1 zoning district is allowed one principal wall sign with a maximum area of 10 square feet. The petitioner proposes to replace the two existing nonconforming signs with three new signs; two with 8.62 square feet and one with 24.38 square feet, totaling 41.62 square feet. A special permit per sections 5.27 and 5.2.13 is required to allow exceptions to the size and number of signs for an institution in the SR1 district.

2. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§5.2.7 §5.2.13.A	To allow exceptions to the number and size of principal wall signs	S.P. per §7.3.3



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Director

DATE: June 15, 2022
TO: Katie Whewell, Chief Planner
Jane Santosuosso, Chief Zoning Code Official
FROM: Urban Design Commission
RE: 333 Nahanton Street
CC: Land Use Committee of the City Council
Petitioner

At the request of the Department of Planning and Development, the Urban Design Commission has reviewed and provides the following comments to the Department of Planning and Development and the Land Use Committee of the City Council regarding the wall mounted sign at 333 Nahanton Street. The following members were present at the UDC meeting: Michael Kaufman, John Downie, Robert Linsky, Carol Todreas, Visda Saeyan, and William Winkler. The following information is intended to give advice on specific matters affecting the wall mounted sign.

333 NAHANTON STREET –WALL MOUNTED SIGN

At its regularly scheduled meeting on June 8th, the Urban Design Commission (UDC) reviewed the proposed Signage at 333 Nahanton Street for:

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

Based on the signage submitted and the presentation by the applicant, the Urban Design Commission recommends approval for the proposed wall mounted sign.

#333-22
333 NAHANTON 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 grant exceptions to the number and size of signs, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The exceptions to the number and size of signs are in the public interest because the proposed sign will enhance wayfinding and replaces an existing sign in the same location (§5.2.7, §5.2.13.A).
2. The site is an appropriate location within the Single Residence 1 zone for the proposed sign package due to the site's institutional nature. (§7.3.3.C.1)
3. The proposed sign package will not adversely affect the neighborhood as the signs are well placed within the site and not visible from a public way. (§7.3.3.C.2)
4. There will be no nuisance or serious hazard to vehicles or pedestrians as the signs provide clear wayfinding for the building's entrance (§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: #333-22

PETITIONER: JCC Greater Boston

LOCATION: 333 Nahanton Street, on land known as Section 83, Block 35, Lot 4Z, containing approximately 28.1 acres

OWNER: JCC Greater Boston

ADDRESS OF OWNER: 333 Nahanton Street
Newton Centre, MA 02459

TO BE USED FOR: Signs

CONSTRUCTION: Signs

EXPLANATORY NOTES: To grant exceptions to the number, type, location and size of signs. (§5.2.13.A, §5.2.7, §7.3.3)

ZONING: Single Residence 1

Approved subject to the following conditions:

CONDITIONS

1. All Special Permit approved signs shall be located and constructed consistent with the following plans prepared by i.d. sign Group showing signage for Leventhal-Sideman Jewish Community Center, not dated, consisting of 1 sheet.
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 order for the approved Special Permit/Site plan 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. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a licensed design professional that the signs have been installed to comply with applicable building codes.

- b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by the sign installer.

DRAFT