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Barney Heath
Director

STAFF MEMORANDUM

Meeting Date: **Wednesday, September 14, 2022**
DATE: September 12, 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. 978 Watertown Street – The Body Center

PROJECT DESCRIPTION: The property located at 978 Watertown Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, externally illuminated, with approximately 20 square feet of sign area on the northern façade facing Watertown 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 42 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.

2. 135 Wells Avenue – The Y

PROJECT DESCRIPTION: The property located at 135 Wells Avenue is within Limited Manufacturing zoning district and has a free-standing sign and two secondary signs authorized by a special permit via Board Order # 231-07 (attachment A). The applicant is proposing to replace and install the following signs:

1. Reface of one free-standing sign, internally illuminated, with approximately 20 square feet of sign area perpendicular to Wells Ave.
2. One wall mounted principal sign, internally illuminated, with approximately 61 square feet of sign area on the western façade facing Wells Ave.

TECHNICAL REVIEW:

- This property has a free-standing sign and two oversized secondary signs approved by a special permit. Staff has not been able to find the drawings associated with the board order and is still looking for those drawings. Staff will provide an update at the meeting.

STAFF RECOMMENDATION: Staff will provide a recommendation at the meeting.

3. 823-833 Washington Street – Crystal's Bakery

PROJECT DESCRIPTION: The property located at 823-833 Washington Street is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, internally illuminated, with approximately 26 sq. ft. of sign area on the southern building façade facing Washington Street.

TECHNICAL REVIEW:

- The proposed 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 24.5 feet, the maximum size of the sign allowed is 73 sq. ft., which the applicant is also not exceeding.

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

4. 33-41 Austin Street – M&T Bank

PROJECT DESCRIPTION: The property located at 33-41 Austin Street is within a Business 2 district. The applicant is proposing to replace and install the following signs:

1. *Reface* one free-standing principal sign, internally illuminated, with approximately 26 sq. ft. of sign area facing Austin Street.
2. *Replace* one secondary sign, internally illuminated, with approximately 13 sq. ft. of sign area on the southern building façade facing Austin Street.

TECHNICAL REVIEW:

- Both the principal and secondary signs are face replacements of existing signs.
- The proposed free-standing signage will replace the existing ‘People’s United Bank’ signage, which are considered pre-existing non-conforming structures. The changing of the signs will not result in an enlargement of the non-conforming structure. It has been determined by the Commissioner of Inspectional Services that the existing signs are legally non-conforming according to Section 30-20(j)(1). The proposed sign does not enlarge the existing sign area and will only replace the existing sign cabinets and panels with signage of the same size.
- The proposed 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 205 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 free-standing principal sign and secondary sign as proposed.

5. 1-55 Boylston Street – Gorjana

PROJECT DESCRIPTION: The property located at 1-55 Boylston Street is within a Business 4 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 218-22. The applicant is proposing to install the following signs:

1. One wall mounted split principal sign, internally illuminated, with approximately 19 sq. ft. of sign area on the southern building façade facing Boylston Street.
2. One perpendicular split principal sign, internally illuminated, with approximately 4 sq. ft. of sign area on the southern building façade perpendicular to Boylston Street.

TECHNICAL REVIEW:

- Both the proposed split principal signs appear 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 15.5 feet, the maximum size of the sign allowed is 46.5 sq. ft., which the applicant is also

not exceeding. 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.”* However, the wall mounted proposed sign is not consistent with the comprehensive sign package (attachment B).

- Window signs that cover less than 25% of the window area are allowed by right and do not require a sign review.

STAFF RECOMMENDATION: Staff recommends approval of the perpendicular split principal sign as proposed. Staff encourages the applicant to revise the wall mounted split principal sign location, so it is consistent with the comprehensive sign package.

6. 131-181 Needham Street – Citizens

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 replace and install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 27 sq. ft. of sign area on the southeastern building façade facing Needham Street.
2. One wall mounted principal sign, internally illuminated, with approximately 27 sq. ft. of sign area on the northeastern building façade facing the parking lot.
3. One bracket mounted blade sign, non-illuminated, with approximately 6 sq. ft. of sign area on the northeastern building façade facing the parking lot.

TECHNICAL REVIEW:

- Both principal signs are consistent with the Comprehensive Sign Package.
- The bracket mounted blade sign appears to be consistent with the Comprehensive Sign Package via the Board Order *“There may be one blade sign per tenant entrance or occupancy up to 6 sq. ft. per side.”* (Attachment C)
- Window signs that cover up to 25% of the window area are allowed by right and do not require a sign review.

STAFF RECOMMENDATION: Staff recommends approval of both principal signs and the blade sign as proposed.

7. 45 Crescent Street - Forge

PROJECT DESCRIPTION: The property located at 45 Crescent Street is within a Business 2 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 187 sq. ft. of sign area on the southern building façade facing Massachusetts Turnpike.
2. One wall mounted secondary sign, non-illuminated, with approximately 18 sq. ft. of sign area on the northern building façade facing Crescent Street.
3. One wall mounted secondary sign, non-illuminated, with approximately 36 sq. ft. of sign area on the eastern building façade facing the parking lot.

TECHNICAL REVIEW:

- The proposed wall mounted 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 200 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is exceeding.
- Both the proposed secondary signs appear 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 200 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 both proposed secondary signs. Staff seeks recommendation from UDC regarding the principal sign.

8. 714-724 Beacon Street – Small Door Veterinary

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 31 sq. ft. 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 150 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.
- Window signs that cover up more than 25% of the window area are prohibited in Newton. Staff has informed the applicant to remove the window signs.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign on the condition that window signs are compliant with the sign ordinance.

9. 1199-1217 Centre Street - Ceremony

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

1. One wall mounted split principal sign, externally illuminated, with approximately 6 sq. ft. of sign area on the southeastern building façade at the corner of Pelham Street and Centre Street.
2. One perpendicular split principal sign, on the southern building façade perpendicular to Pelham Street. This sign is not included on the application but there is a drawing shown in the packet. Staff has sent a message to the applicant to check about this sign, size of the sign, illumination, and height from the sidewalk to the bottom of the sign.

TECHNICAL REVIEW:

- Staff is waiting to hear from the applicant regarding the blade sign.

STAFF RECOMMENDATION: Staff will provide a recommendation at the meeting.

10. 10 Langley Road – Ding’s Kitchen

PROJECT DESCRIPTION: The property located at 10 Langley Road is within a Business 1 zoning district. The applicant is proposing to install the following signs:

1. One awning mounted principal sign, non-illuminated, with approximately 20 sq. ft. of sign area on the southern building façade facing Langley Road.
2. One awning mounted secondary sign, non-illuminated, with approximately 46 sq. ft. of sign area on the eastern awning perpendicular to Langley Road.

TECHNICAL REVIEW:

- The proposed awning 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 60 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.
- The proposed awning 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 60 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 and secondary signs.

11. 118 Needham Street – Heine Goodale Law

PROJECT DESCRIPTION: The property located at 118 Needham Street is within a Mixed Use 2 district and has a free-standing sign authorized by a special permit via Board Order #163-86(2). The applicant is proposing to install the following signs:

1. One free-standing principal sign, non-illuminated, with approximately 11 sq. ft. of sign area perpendicular to Needham Street.
2. One wall-mounted secondary sign, non-illuminated, with approximately 32 sq. ft. of sign area on the southern façade facing the parking lot.
3. One perpendicular secondary sign, non-illuminated, with approximately 7 sq. ft. of sign area on the southern façade facing the parking lot.

TECHNICAL REVIEW:

- This property has an existing approved free-standing sign, and the applicant has applied for an additional free-standing sign. As per §5.2.13, City Council may grant a special permit to allow free-standing signs and exceptions to the limitations imposed by Section 5.2 on the number, size, location and height of signs. Applicant will need to apply for an amendment to the special permit to allow an additional free-standing sign at this property.
- One of the two secondary signs appear 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 495 ft., the maximum size of the sign allowed is 50 sq. ft., which the applicant is also not exceeding. Per the Zoning Ordinance, only one secondary sign is allowed per building, entrance, or frontage on a street, which the applicant is exceeding. Applicant will also need to apply for an amendment to the special permit to allow the second secondary sign.

STAFF RECOMMENDATION: Staff recommends approval of the secondary sign as proposed. The staff seeks recommendation from the Commission regarding the free-standing sign and the secondary sign.

12. 323-333 Washington Street – Tech Rescue

PROJECT DESCRIPTION: The property located at 323-333 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 19 sq. ft. of sign area on the southeastern 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 on this façade of 37 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.

III. Old/New Business

1. Approval of Minutes

Staff will provide meeting minutes before the meeting.

Attachments

- Attachment A: 135 Wells Avenue Board Order
- Attachment B: 1-55 Boylston Street – Comprehensive Sign Package
- Attachment C: 131-181 Needham Street - Comprehensive Sign Package

Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 8/9/2019 4:00:29 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
211708	DECISION		50395/206	11/28/2007	
Property-Street Address and/or Description					
135 WELLS AVE					
Grantors					
NEWTON CITY, BOSTON SPORTS CLUB, BOS CLUBB LL MA LLC					
Grantees					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



*3M
for atty*

CITY OF NEWTON
BOARD OF ALDERMEN

October 15, 2007

2007 OCT 18 1 PM 3:37
CITY CLERK
NEWTON, MA 02159

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action 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, hereby grants the following SPECIAL PERMIT and SITE PLAN APPROVAL for a freestanding sign and two secondary wall signs in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefor, through its Chairman, Alderman George E. Mansfield:

1. The Board finds that the public convenience and welfare will be served through the granting of these approvals because:
 - a. The signs are in keeping with the scale and character of the business and the area and provide an appropriate identification for the site;
 - b. The two secondary wall signs are appropriate given the scale of the building and the architecture, which includes a drive-up entry and porte-cochere.

PETITION NUMBER: #231-07

PETITIONER: Boston Sports Club *Bos Club MA LLC*

LOCATION: 135 Wells Avenue, Section 84, Block 34, Lot 2E, Ward 8

OWNER: Boston Sports Club ✓ *B 49252 P 590*

ADDRESS OF OWNER: 135 Wells Avenue, Newton, MA ✓

TO BE USED FOR: Identification of Boston Sports Club: One (1) freestanding sign and two (2) oversized secondary wall signs on the Wells Avenue façade.

CONSTRUCTION: Metal, wood, and Plexiglas

EXPLANATORY NOTE: Sections 30-20(f)(2) and 30-20(l) allow the Board of Aldermen to grant a special permit for secondary signs

*BATHEN Bros Inc.
893 MAIN ST
WAKEFIELD, MA 01880*

A True Copy
Attached

George E. Mansfield

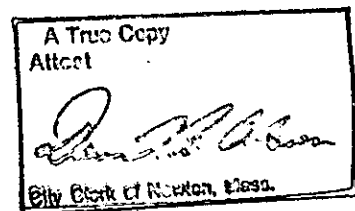
City Clerk of Newton, Mass.

exceeding 50 square feet for more than one secondary wall sign; Sections 30-20(f)(9), Section 30-20(1), and 30-24(d) allow the Board of Aldermen to grant a special permit for freestanding signs; Sections 30-23 and 30-24 allow the Board of Aldermen to grant site plan approval and a special permit for secondary signs and a free standing sign.

Land referred to is located in Limited Manufacturing Zone.

Approved, subject to the following conditions:

1. The signs associated with this special permit shall be located and constructed consistent with the following plans:
 - a. "Map/Lot Proposed Plot Plan;" as prepared by Cuoco Cormier Engineering Associates, Inc. dated March 30, 2007
 - b. "Existing Ground Sign Retrofit," as prepared by Batten Bros. Sign Advertising, dated 12/16/06.
 - c. "Boston Sports Club Planting Plan," as prepared by Batten Brothers Sign Advertising, dated 5/8/07.
 - d. "BSC Ground Lamp Specifications," as prepared by Batten Brothers Sign Advertising, dated 9.24.07
2. Except as amended by the board order, all conditions of the Deed Restriction and Board Orders # 276-68(3), 734-72, and 570-72 shall remain unchanged and in effect.
3. All buildings, driveways, walkways, landscaping and other site improvements associated with the relief and approvals granted through this Special Permit and Site Plan Approval shall be consistent with the approved plans.
4. All plantings proposed in accordance with this special permit amendment shall be maintained at a maximum height of 20" to assure clear sight lines for drivers of vehicles exiting the site. Damaged or diseased plants shall be replaced annually with comparable plant materials.
5. The illuminated signs shall conform to the City's Lighting Ordinance and Sign Ordinance and sign lighting shall be turned off within a half hour of the close of business.
6. No building permit for the freestanding sign shall be issued pursuant to this AMENDMENT TO A SPECIAL PERMIT/SITE PLAN APPROVAL until:
 - a. The petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a Certified copy of this Board Order granting this amendment to a special permit and site plan approval.



- b. A certified copy of such recorded notices shall have been filed with the City Clerk, the Inspectional Services Department and the Department of Planning and Development.
- 7. No CERTIFICATE OF OCCUPANCY for the freestanding sign or the two secondary wall signs shall be issued pursuant to this AMENDMENT TO A SPECIAL PERMIT/SITE PLAN APPROVAL until:
 - a. There shall have been filed with the City Clerk and the Department of Inspectional Services a statement by the Director of Planning and development certifying that the signs have been constructed and the signs and plantings at the base of the freestanding signs shall have been located in accordance with Condition 1. above.

Under Suspension of Rules

Readings Waived and Approved

21 yeas 0 nays 3 absent (Aldermen Johnson, Mansfield, and Weisbuch)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen 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 October 18, 2007. 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.

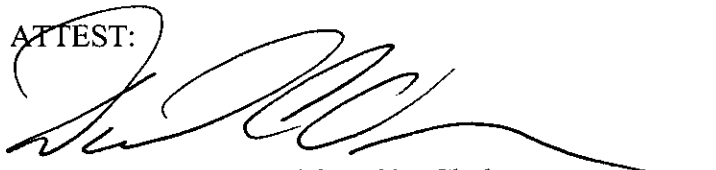
ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen

I, David A. Olson, as the Clerk of the Board of Aldermen 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 Board of Aldermen in the Office of the City Clerk on 10/18 and that NO APPEAL to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

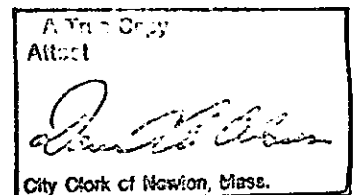
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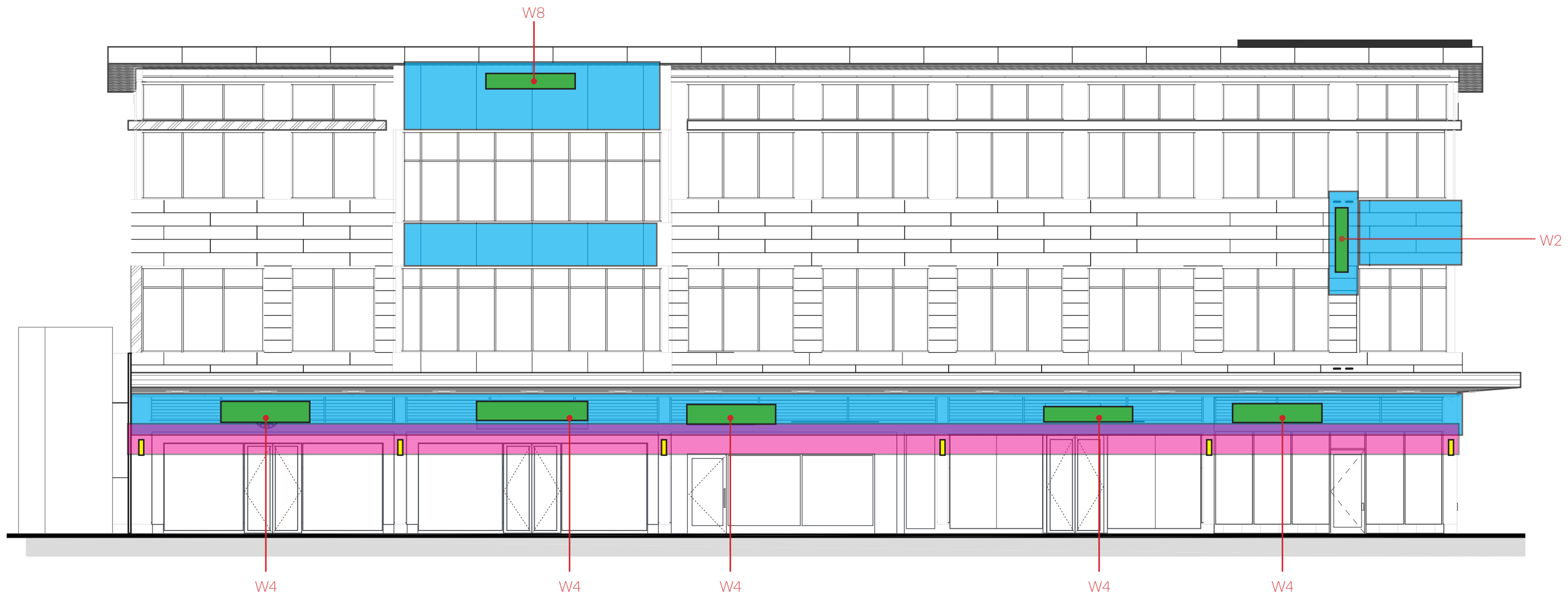


(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen



Eugene C. Brune
Attest Middlesex S. Register

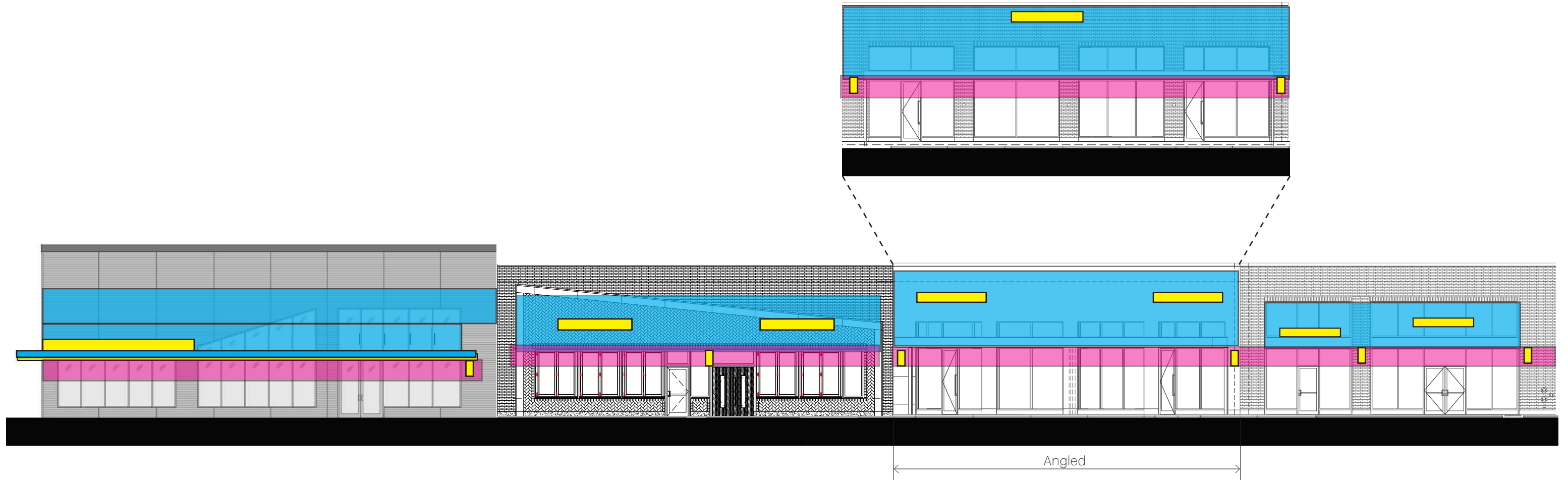




33 Boylston Street
South Elevation

- Legend
- All Sign Band
 - Blade Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
- Green:
- W1 - Theatre Sign
 - W2 - Additional Principal Wall Sign - Pondsides Tenant
 - W3 - Secondary Sign
 - W4 - Canopy Sign
 - W8 - Upper Story Sign
- Wall areas for locating common signs
- Brown:
- W5 - Wall Directory Sign
 - W6 - Blade Panel & Column Capital Signs
 - W7 - Wall Panels



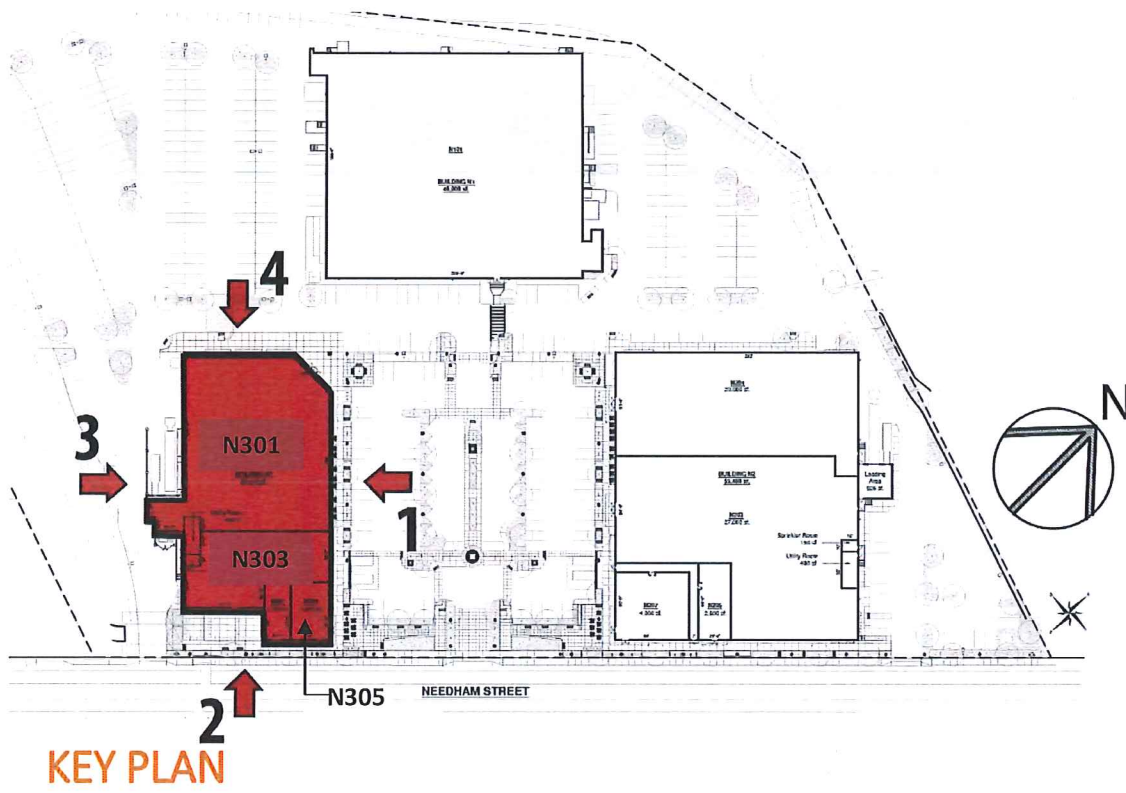


49 Boylston Street
South Elevation

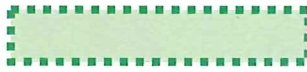



- Legend
- All Sign Band
 - Blade Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
- Green:
- W1 - Theatre Sign
 - W2 - Additional Principal Wall Sign - Pondsides Tenant
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 - W4 - Canopy Sign
 - W8 - Upper Story Sign
- Wall areas for locating common signs
- Brown:
- W5 - Wall Directory Sign
 - W6 - Blade Panel & Column Capital Signs
 - W7 - Wall Panels



BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



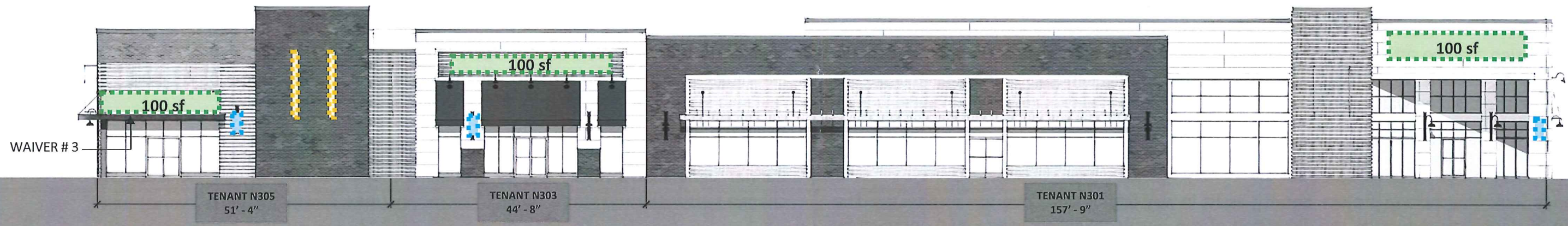
LEGEND

-  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

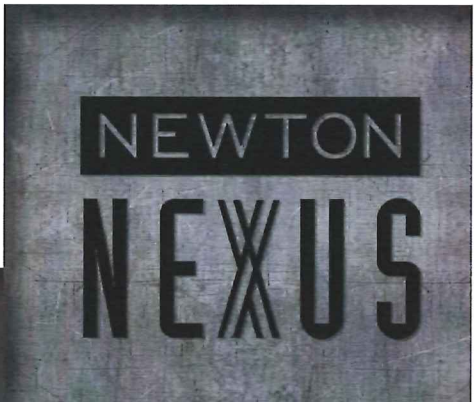
Calculations :
 $44.66 \text{ ft.} \times 3 \text{ ft.} = 133.98 \text{ sf}$
 Max allowed = 100 sf

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

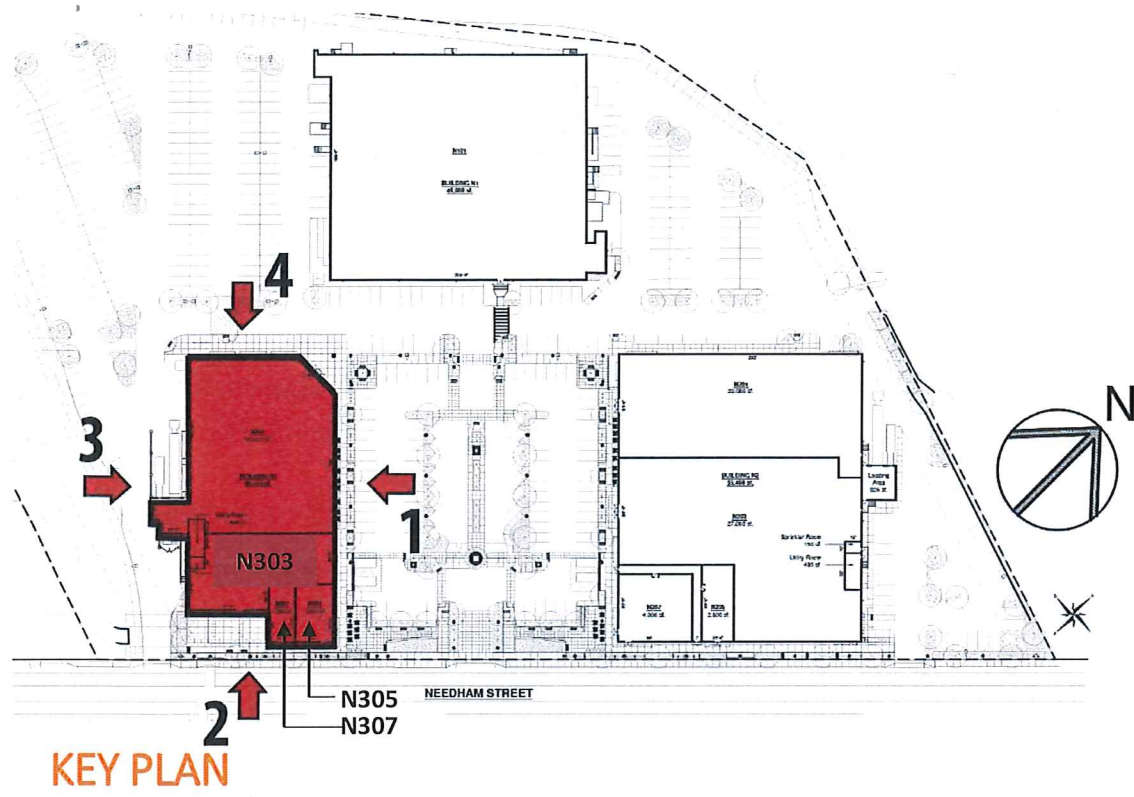


View 1 – North Façade (Facing Parking Lot)





BUILDING N3



BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



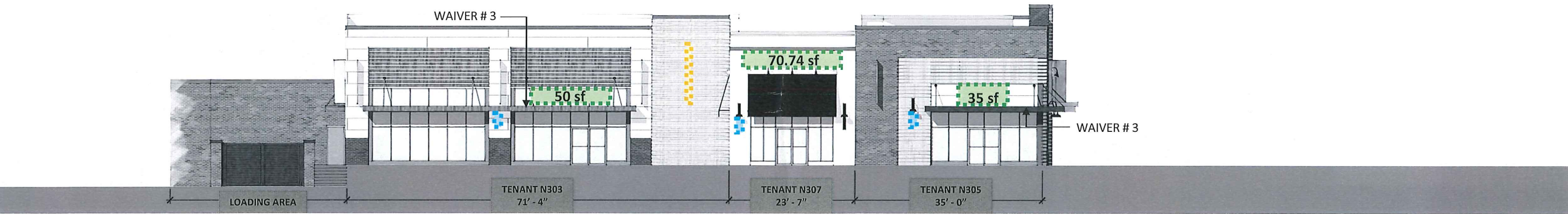
LEGEND

-  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

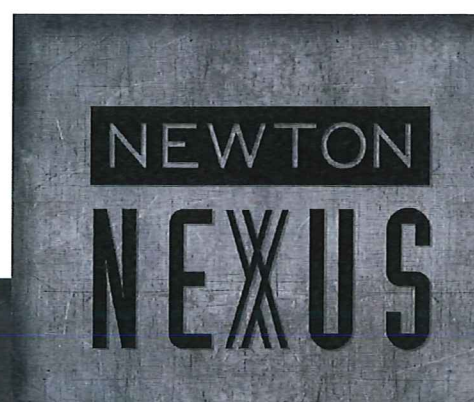
Calculations :
23.58 ft. x 3 ft. = 70.74 sf
Max allowed = 70.74 sf

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

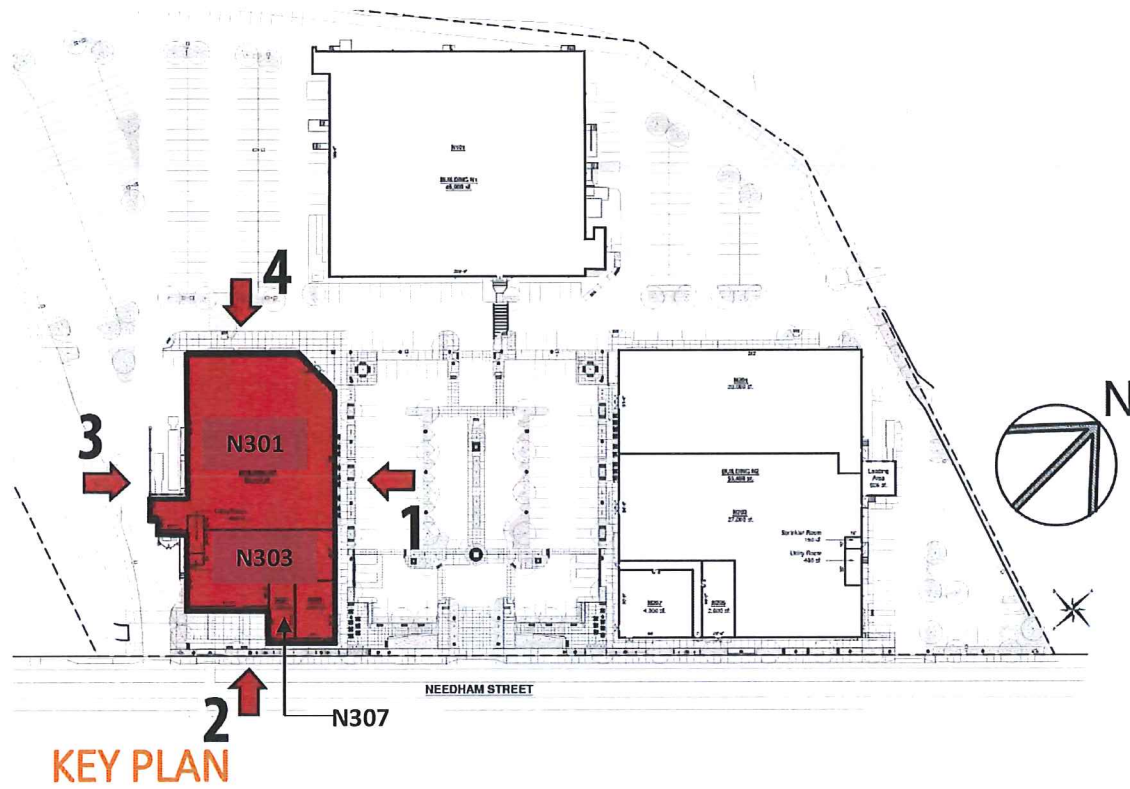


View 2 – East Façade (Facing Needham Street)

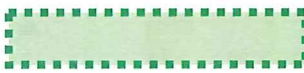



BUILDING N3

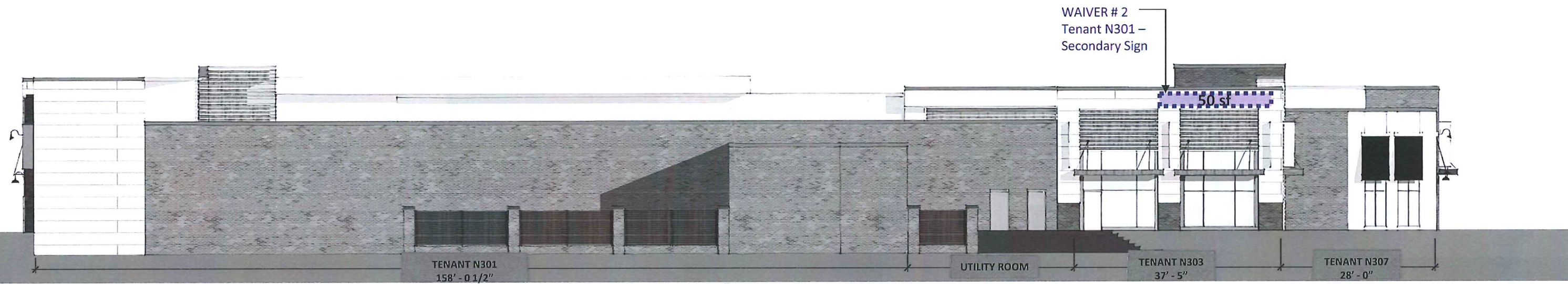


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



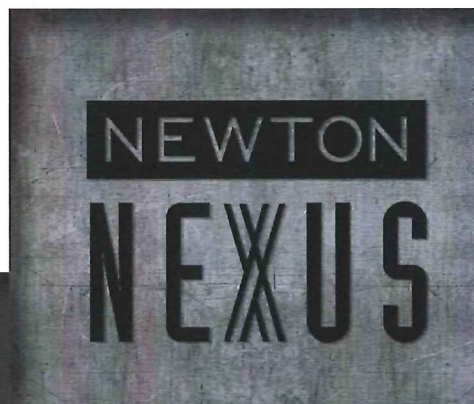
LEGEND

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

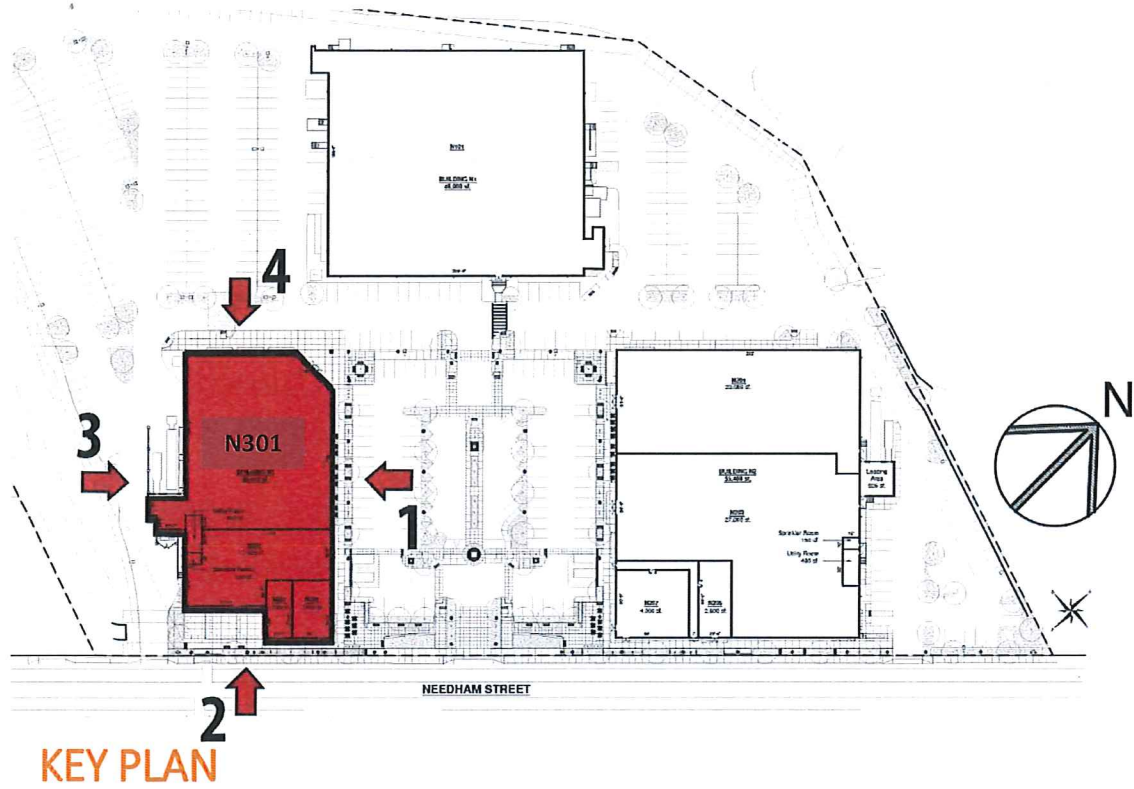


View 3 – South Façade

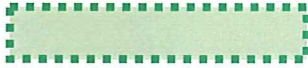



BUILDING N3

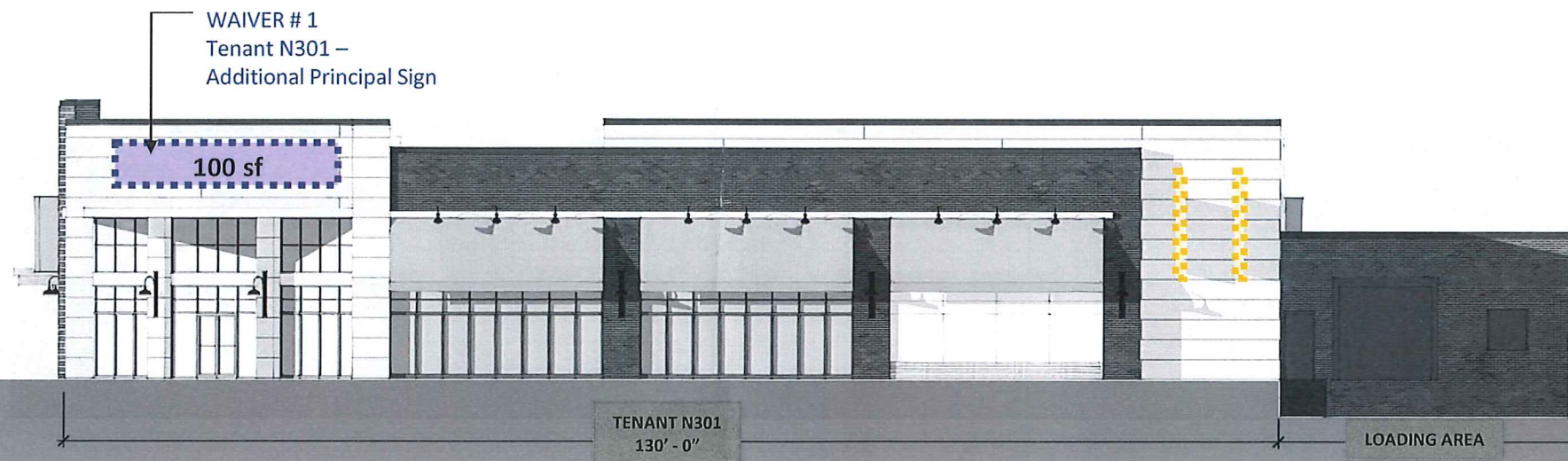


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



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

