

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2006-32

Lindwell SC, Inc., Lindwell OP, Inc., Lindwell Realty Trust
161-231 Linden Street

Petition of LINDWELL SC, INC., LINDWELL OP, INC., LINDWELL REALTY TRUST (collectively, the "Petitioner") requesting a Special Permit pursuant to the provisions of Section XXIIA(C)(12) of the Zoning Bylaw for signs in the Linden Street Corridor Overlay District, at 161-231 LINDEN STREET, namely, seven standing signs, one of which will exceed the area of 25 square feet that is allowed in a Business District, one free-standing Site Directory Sign, 9 Vehicular Directional Signs, and 6 Pedestrian Directional Signs. The number of signs will exceed 1 per lot that is allowed in a Business District, the district underlying the Linden Street Corridor Overlay District.

On March 9, 2006, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

April 25, 2006 Public Hearing

Presenting the case the hearing were Jim Lamp, Tim Sullivan and Stephen Langer.

The Board said that it had reviewed the sign package submittal. The submittal did not include drawings for signs on the buildings. The Board said that it would be difficult for it to approve the sign package because approval of the number of signs that are in the package may affect what the petitioners are able to put in later. Mr. Lamp said that the building signs were intentionally omitted because some of the tenants are unknown at this time. He said that the package consists of the full proposal for signs that are on the ground. He said that they would be coming back to the Board for a Special Permit for the building signs.

Mr. Sullivan said that in their meetings with the Design Review Board (DRB) it was agreed that the Petitioner would come back at a later date for building signage. The Petitioner felt that site signage should be addressed at the same time as Site Plan Approval.

Mr. Sullivan said they plan to come back before DRB and the Board with a master signage package which will establish ranges of sizes, types, and locations while preserving the flexibility that they need to work on a tenant by tenant basis.

The Board asked that the petitioner send a letter granting a three month extension on the application for ZBA 2006-32.

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July 19, 2006 Public Hearing

Presenting the case the hearing were Jim Lamp, Tim Sullivan and Stephen Langer.

The Board confirmed that the June 29, 2006 ZBA Site Signage Submission replaces the March 8, 2006 submission. Mr. Sullivan said that the Petitioner also submitted building sign plans to show how the signs relate to the Site Plan.

Mr. Lamp said that there was one on-the-ground sign that was changed for the building at 161 Linden Street. He said that the height of the sign is the same. The Petitioner decreased the width of the sign band to get three more tenants on it. He said that the other changes involved dimensioning.

Mr. Sullivan said that the Petitioner is requesting a Special Permit to exceed the number of signs allowed and to exceed the maximum height allowed for one of the standing signs.

Mr. Lamp said that the ground signs will identify Linden Square first and have a few of the principal tenants listed underneath. The Board said that the continuity of sign configuration will create a sense of single destination.

The Board asked about site directional signs, SD01 and SD02. Mr. Lamp said that they are basically the same sign. SD02 will be mounted on one of the circular towers comprising part of the 165 Linden Street building. He said that those signs are designed to make the parking lot more efficient. He does not anticipate that every tenant will be listed on those signs.

The Board asked about vehicular directional signs. Mr. Lamp said that those signs are intended to direct people toward the appropriate building when they come onto the site and are far enough away from the entrances to the buildings so they cannot read the smaller building signs. He said that the signs were proposed to address pedestrian safety issues by allowing vehicles to efficiently enter the site without undue focus on finding their destination, thus allowing better focus on any pedestrian traffic.

The Board asked if the signs will be double sided. Mr. Lamp said that they will be colored but blank on the back side.

The Board questioned the need for pedestrian directional signage. Mr. Lamp said the signs were proposed to address the concerns of a citizens group that came on board during the PSI process. The Board said that such pedestrian signs add to the clutter of signs on the site. The on-site signs should be directing vehicles on the site not pedestrian traffic to destinations off of the site.

The Board asked when the brick wall signs will be installed. Mr. Lamp said that off-site work, including roadway, sidewalks, and curbing, needs to be done for the Roche Brothers' opening, that is to say, during Phase 1 of the Project. The Petitioner will install the wall signs on the north side at the same time as the sidewalk and landscaping work is done. The signs on the south side will be installed much later with the exception of 161 Linden Street where the building will be under construction at the same time as Roche Brothers.

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The Board asked if site directional sign, SD01, is single sided. Mr. Lamp said that it is single sided. The back of it will face a landscaped area.

The Board asked if the standing and vehicular directional signs are located in relation to the lighting shown on the lighting plan. Mr. Lamp said that the vehicular directional signs are set up to be straight ahead of a car so that they will be visible at night in the light of the cars headlights. He said that while the site lighting has been generally coordinated with the standing sign locations, it was possible that late changes to certain sign locations may result in some standing signs not being adjacent to lighting fixtures.

The Board asked about the location of site sign, A01. Mr. Lamp said that sign consists of a three-part curved wall. He said that the Petitioner will submit a plan showing the dimensions. He said that there will be quite a bit of landscaping in front of it, which they are trying to keep to low plantings.

The Board asked if it would make sense to move the site directional sign, SD02, to the front of 211 Linden Street after the entire south side is built out. Mr. Lamp said that they might add another site directional sign there. He said that the directory signs were put at the large intersections. The 165 Linden Street building is the largest and the sign works well on the tower.

The Board asked that plans be submitted showing numbers identifying the buildings.

The Board asked about site sign, D01. The only way to enter traffic on Linden Street is to stop in the crosswalk. Mr. Lamp said that the height of the sign is only 2 feet 8 inches. He said that the wall is only 4 feet tall at its highest point. Mr. Lamp said that visibility should not be an issue there.

The Board asked about the black circle with an "S" in the middle that is shown on the Site Location Plan. The Board said that is probably where a police officer will be directing traffic during busy times. The Board said that it might be a good idea to have a spotlight somewhere to illuminate the police officer. Mr. Lamp said that the Petitioner would add the wiring and connection for such a spotlight but would prefer to design it into the signal. He said that the Petitioner will do whatever is necessary to address any safety issues.

The Board asked what relief the Petitioner was looking for in the Special Permit. Mr. Lamp said that the Petitioner is asking for approval of vehicular signage, the limitation of tenant per directional arrow on the vehicle directional signs, one-sided signs, single color, wall signage location and size and number. He said that if the lots are treated as a single development site, it would come across as having multiple signs.

The Board said that the application says that they are looking for relief for more than one standing sign on a lot, and for standing signs exceeding 25 square feet. The Board said that some of the signs exceed 25 square feet if the brick area between the features shown on the plans submitted is included, as is implied by the Zoning Bylaw. Mr. Lamp said that site sign, A01, probably exceeds 25 square feet.

The Board said that the sign requirements are by lot and by district. Mr. Lamp said that they actually have fewer signs than the number of lots. The Board said that the area would be treated as one lot in the Linden Street Corridor Overlay District. The Board said that it must be determined how many signs there are of a certain type in a certain location.

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The Board asked about the size of the site directory sign. Mr. Lamp said that the width of the sign is four feet, the maximum height is seven feet, and it will be five feet from top to bottom of the sign.

The Board said that it did not want to take any action on the vehicular signs except for the site directory. Mr. Langer said that the Petitioner would like to have the Board's expression of willingness to entertain a future request for additional vehicular signage.

The Board asked about the size of the lettering on the tenant signs. Mr. Lamp said that might have to be based on the length of a name. The Board said that the length of tenants' names should be limited.

The Board said that it is important to have signage for vehicles coming off of Linden Street so that traffic is not backed up. The signs should not be marketing the tenants. The Board said that there needs to be a balance between directing people to where they need to go versus advertising for every tenant who might like to have a sign on the street.

The Board said that once some tenants are in, there could be some temporary vehicular signage installed on a trial basis. Mr. Lamp said that the Petitioner would want to have it understood that if there is any issue, the Board would welcome the petitioners back to talk about vehicular directional signs.

Mr. Lamp said that the Petitioner will revise the plans to show the square footage of the tan areas of the brick, that is the area between the features detailed on the plans submitted. They will also submit dimensions for the directory signs.

Statement of Facts

The subject property is located on 18.4 acres zoned as Business and Industrial within the Linden Street Corridor Overlay District at 161-231 Linden Street.

The Petitioner is requesting a Special Permit for one free-standing site directory sign and for seven standing signs, one of which will exceed the area of 25 square feet that is allowed in a Business District. The number of signs will exceed 1 per lot that is allowed in a Business District.

ZBA Site Signage Submission, dated March 8, 2006, revised April 19, 2006 and June 29, 2006, drawn by Carter-Burgess was submitted.

On March 27, 2006, the Design Review Board reviewed the petition and found the signs and advertising devices to be acceptable.

On April 10, 2006, the Planning Board reviewed the petition and had no objection to granting the request.

Letter of Extension, dated April 28, 2006, signed by Stephen T. Langer, was submitted.

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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject standing signs and free-standing site directory sign do not conform to the current Zoning Bylaw in regard to maximum number of signs that are allowed per lot in a Business District. One standing sign does not conform to the current Zoning Bylaw in regard to maximum area allowed in a Business District.

It is the opinion of this Authority that installation of seven standing signs and one free-standing site directory sign is in harmony with the intent and purpose of Section XXIIA(C)(12) of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for more than one standing sign on the development site on which the Lindwell SC, Inc., Lindwell OP, Inc. and Lindwell Realty Trust project stands, being the Linden Street Corridor Overlay District, and that seven standing signs and one free-standing site directory sign, SD01, at the locations shown on the Site Plan may be installed, in accordance with the dimensioned plans submitted to the Board, dated March 8, 2006, revised June 29, 2006. The Board rejects the pedestrian informational and directional signs and does not grant a Special Permit for such signs. The Board defers decision with respect to various vehicular directional signs and invites the applicant to submit a new proposal at such time as it has an opportunity to study the concept further.

The Inspector of Buildings is hereby authorized to issue a permit for the proposed signs subject to approval of a sign application. No signs shall be installed until said permit has been issued.