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ZBA 2012-30
Petition of Newton-Wellesley Hospital
25 Washington Street

Record Owner of Property: Wellesley Washington Street Housing LLC c/o National Development

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 5, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of NEWTON-WELLESLEY HOSPITAL requesting a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw for installation of two (2) wall signs, to exceed the maximum individual sign area allowed, to exceed the maximum total sign area allowed, to exceed the maximum mounting height allowed, to project further from the wall than allowed, and to use internal illumination, at 25 WASHINGTON STREET, in an Industrial A District, Lower Falls Village Commercial District, and Residential Incentive Overlay District.

On March 20, 2012, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Frank Stearns, Esq. Also present at the hearing were Brian O'Dea, and Elizabeth Langford on behalf of Newton-Wellesley Hospital (the "Petitioner"), Mike Vickers, DCL Sign Designer, and Mark Paris, NDNE.

Mr. Vickers displayed a PowerPoint Presentation.

Mr. Stearns said that the sign mounting brackets are already in place on the building. He said that the Petitioner understands that they can only mount the signage after they receive the necessary permits from the Town. He said that when the building shell was being closed up there was a sense of urgency to install all of the electrical wires. He said that if the sign is not approved at the location of the brackets, the brackets will be moved and the hard surface will be repaired.

Mr. Stearns said that Newton-Wellesley Hospital is a non-profit organization that is planning an Outpatient Surgery Center at 25 Washington Street. He said that the surgery center will occupy 5,000 square feet on the first floor on the westerly side of the building and the entire 16,000 square feet on the second floor of the building. He said that the Surgery Center will be occupying approximately 63 percent of the building.

Mr. Stearns said that they approached the sign design from the standpoint that questioned if the proposed signage could meet the Zoning requirements. He said that, in addition, they were guided by Department

of Public Health (DPH) guidelines that require weather protected entrances that are well marked. He said that they are aware of the fact that it is a very long name for the facility.

Mr. Stearns said that they assessed the 50 square foot area limitation, the letter height requirements of the bylaw, internal illumination requirements and mounting height limitations in the context of the required street trees, the structural canopy on the building, and other unique aspects of this location.

Mr. Stearns said that there are two main entrances for the Surgery Center, one facing Washington Street and one facing the parking lot. He said that they determined that an entirely conforming sign set consisting of one sign in the front and one sign in the back was not practical to adequately identify the location of the building for visiting patients and the location of the entrances. He said that the primary design objective was to deviate as little as possible from the sign bylaw and at the same time foster safe, efficient access to the site and to the building for the patients. He said that the design was done in context with the shell of the building that had been reviewed and approved by various Town boards.

Mr. Stearns said that they believe that this building is unique in the Lower Falls area. He said that the building is a full block long. He said that there are no other buildings in the area that have that same mass. He said that the street trees are important to the character of the building but will grow over time and create some level of obstruction to the sight lines of the signage.

Mr. Stearns said that the building is sited at a curvature on Washington Street.

Mr. Stearns said that they had to work around the structural canopy on the east approach of the building.

Mr. Vickers displayed the location of the entrances on the PowerPoint slide. He displayed photosimulations of the proposed sign. He said that the letters on the sign at the back were sized so that they would be visible from the entire parking lot.

Mr. Vickers said that some of the reasons for the upper placement and size of the front sign concern cars driving from the west on Washington Street blocking the view. He said that those drivers tend to go at a higher speed down the hill. He said that there is a safety concern that the clientele see the sign ahead of time rather than hitting the brakes at the last moment.

Mr. Vickers said that from the east the upper location will be much more visible due to the canopy obstruction. He displayed photosimulations of the sign that would meet the height requirements.

Mr. Stearns said that other than exceeding the maximum area allowed, the signs are otherwise in compliance with Section XXIIA of the Zoning Bylaw.

Mr. Stearns said that one of the most important concerns is that this is a location where the patients typically will only be coming to once. He said that patients will be coming for outpatient surgery and will be driven there by someone else. He said that this particular stretch of Route 16 is very congested. He said that way finding is an important issue. He said that it is important that patients find the driveway on the first try rather than exacerbating the traffic issues by missing the entrance and having to turn around. He said that the Petitioner feels that the scale of the sign mounted at the higher location because of the obstructions, and the 82 square foot area of the sign, are the minimum viable dimensions, based upon a

number of factors. He said that the building has to be associated with Newton-Wellesley, and it needs to be identified as an outpatient surgery center.

Mr. Stearns said that they are trying to locate the signs near the entrances. He said that they thought that the advantage of locating the front sign higher up is that they can avoid obstructions with the structural canopy. He said that they believe that the bylaw is directing them toward avoiding those obstructions.

Mr. Stearns said that this is a brand new building. He said that Mr. Vickers did canvas the neighborhood to look at the architecture of the other buildings and the signage. He said that Mr. Vickers did not find a comparable building. He said that they tried to focus on what is most appropriate for this building as opposed to trying to mimic one-story buildings or buildings where the signage is presented in a canopy format.

Mr. Vickers displayed PowerPoint slides showing signs in the neighborhood. He said that this will be a professional office building from a design standpoint. He said that the village feel is more geared toward retail, restaurants and entertainment. He said that they are trying to convey function and information much differently than advertising that a retail operation would do.

Mr. Stearns said that they are aware that this is a new zoning district for the town and it is important to the Town to be promoting village character. He said that they will be using a classic type face for the letters. He said that they also want to use materials that their patients will recognize. He said that it will be a Newton-Wellesley facility. He said that the shield will accompany the wording. He said that to be in compliance with DPH requirements, it must be identified as an outpatient surgery center.

Mr. Vickers said that all of the letters will be indirectly illuminated with halo lighting. He said that if the shield was halo lit, it would appear to be black at night. He said that the request before the Board is for internal illumination of the shield so that the blue color will light up. He said that they will use LED lighting, which is dimmable. He said that they will try to keep the output of the shield lighting equal to the halo lighting of the letters.

The Board asked about the hours of operation. Mr. O'Dea said that the hours will be approximately 7 a.m. to 6 p.m.

Mr. Stearns said that they think that what they have designed will promote safety for pedestrians and vehicles. He said that the proposed size and location of the sign will promote vehicular safety because people who are under stress who are coming for a medical procedure and who may never have been to this building before but may have been to the main hospital will recognize the shield and the palatino lettering. Mr. Vickers said that the shield and lettering is used on the website and all of the corporate materials.

Mr. Stearns said that the relief that they are requesting is to exceed the area limitation of 50 square feet, the height of the sign on the Washington Street side, internal illumination of the shield, and for the sign on the parking lot side that is treated as a wall sign under the bylaw but is mounted to the structural canopy so that it is projecting out from the wall.

A Board member said that he visited the site a number of times. He said that his initial reaction was that the sign would be too high on the building. He said that the Washington Street sign would serve as a building locator, not an entrance sign. He said that more signage might be required to further identify the entrance.

A Board member said that he was concerned about the height of the canopy sign in relation to the CVS sign. He said that suspending the sign underneath the canopy may be less of a building identification sign and relate more to an entrance identification sign. The Board said that vehicles in the parking lot will drop the patient off at the door and then go find a place to park. The Board said that the sign will be visible from all of the windows in the apartments.

The Chairman read the Planning Board recommendation. He said that they determined that the signs would not meet at least four of the required six findings.

The Chairman said that he was a strong supporter of the new sign bylaw. He said that Lower Falls is a special district to the Town. He said that the size of the sign is much too large. He said that illumination of the shield is not necessary because the sign will not be on at night. He said that illumination of signs must be shut off when the business closes.

The Board said that removal of the logo would greatly reduce the area of the sign. The Board discussed reducing the size of the letters of "Newton-Wellesley".

The Board said that the sign on the Washington Street side says, "Outpatient Surgery Center" and the sign on the parking lot side says, "Surgery Center". Ms. Langford says that the word Outpatient is needed on the sign at the front of the building to meet DPH requirements. She said that the back side is just considered to be an entrance. Mr. Vickers said that sign is to direct patients to the door. The Board said that should be the purpose of the sign at the front of the building as well.

The Board said that when the developer came before the Board for Site Plan Approval (SPA), one of the things that the Board asked for was a sign package well before tenanting. Mr. Paris said that they did not have any tenants when they went through the SPA process.

The Board said that "25 Washington Street" is what should be located high up on the front of the building.

Mr. Vickers displayed a sign for the front of the building that will be 50 square feet. He said that without the additional sign at the back, this sign would be by-right. The Board said that the height would be nonconforming.

Mr. Vickers displayed the sign at the conforming height of 20 feet. Mr. Stearns said that they had vetted that proposal and were concerned that it would not meet the objective of a building locating sign for the patients.

Mr. O'Dea said that patients coming in for surgery are under a lot of stress which can cause cognitive impairment for the driver as well. He said that the familiar elements of the shield and the lettering for Newton-Wellesley will help get patients to the center safely.

The Board said that logos and fonts do not help in picking out a building. The Board said that most people will program their GPS for 25 Washington Street. The Board said that there is another tall building on Washington Street that has the street number near the top of the building and the business entrance identification signs lower down.

Mr. Stearns said that they expect that patients who regularly see their physician at the main hospital will associate the logo and Newton-Wellesley lettering with the Surgery Center. Mr. O'Dea said that people who are familiar with the hospital in Newton will probably not use GPS to get to a facility that is a mile down the road.

The Board discussed the benefit of having the sign at the same height as all of the other signs in the neighborhood. Mr. O'Dea said that the trees at the front will create some impairment when they leaf out. He said that the problem will increase as the trees grow.

Mr. Stearns said that they had looked at the planning that had gone into district. He said that he thought that the bylaw was written for retail signs for merchants. He said that he did not think that the bylaw contemplated a sign with so much wording being feasible at a maximum of 50 square feet without the sign at the back. He said that this will be a medical institution for one-time visitors.

Mr. Vickers said that the 80 square foot sign was determined to be the minimum size that will be reasonably legible for vehicular traffic and will perform the function of getting people to the location. He said that anything smaller than that would be too small.

Mr. Paris said that the whole building is number 25. He said that there were only three street addresses available within the property lines.

Mr. O'Dea said that the goal is not for advertising but to identify the location for the patients.

The Board said that this location is at a much slower traffic area on Route 16 than the main hospital. The Board said that this building is located right on the street. The Board said that there are no logos in town other than on gas stations and automobile dealers. The Board said that the logo for Harvard Pilgrim Health pre-dated the bylaw.

The Board said that the Petitioner is requesting relief from the bylaw because they think that their patients will recognize the Newton-Wellesley brand, which is what the bylaw was specifically written to prevent.

Mr. Vickers said that a conforming sign would be too small. Mr. O'Dea said that there are visual obstructions to the sign at the lower height. The Board said that every other sign on that street has the same issue. Mr. Vickers said that this institution has different clientele and different needs. He said that it is not a retail operation. The Board said that there is a whole street coming from the east or the west where people eyes are trained at a certain height.

Ms. Langford said that the Surgery Center will be located on the second floor of the building. The Board said that the purpose is to identify the location of the entrance to the building.

The Board said that the size of the name for the sign will cover a huge area. Ms. Langford said that DPH requires that they put the name of the Health Organization and the name of the facility. She said that they had to ask DPH to reduce the sign to that level. She said that the original sign included the wording for, "A satellite office of Newton-Wellesley Hospital." Mr. Vickers said that the sign has been shortened up as much as DPH will allow.

The Board asked if the patients will be directed to Newton-Wellesley Outpatient Surgery Center or to 25 Washington Street. Ms. Langford said that patients will be mailed information from their physicians that will be printed with the logo and lettering that is shown on the sign. Mr. O'Dea said that the patients will probably be looking for both the address and the familiar logo and lettering. The Board asked if the number 25 should be larger on the building.

The Board said that it was concerned that with the large sign, people might pull up and let people off at the Washington Street entrance, which could cause problems with queuing. The Board said that there is nothing to tell the people that the entrance to the Surgery Center is at the back side. Mr. O'Dea said that the driveway to the parking area is very clearly marked. Mr. Paris said that there is a monument sign with the street address. He said that it is only visible for vehicles coming from the east. He said that there are several directional signs in the parking lot.

The Board said that cars coming from the west may pull over to the curb on the east side to let patients out. The Board said that there is nothing to get the patients into the parking lot because the main sign is on the front. Mr. Paris said that coming from the west the sign will be visible at the 30 foot level. He said that the grade drops from the west to the building. Ms. Langford said that they will be notifying patients that parking will be behind the building.

Mr. Vickers said that they tried to keep the sign as simple and legible, given the number of letters required. He said that it will be made of top quality materials. He said that removing the blue shield will take away an element that helps to bring the eye to the sign.

Mr. Stearns said that they think that this is a unique building in the district and it is a unique hospital use. The Board said that offices at 54 Washington Street perform medical procedures.

Mr. O'Dea said that they did not have a problem with dropping the Surgery Center sign below the canopy at the back.

Mr. Vickers displayed the 50 square foot sign at the conforming height. He said that in the nonconforming sign the letter height will be 12 inches. He said that in the conforming sign the letters would be approximately eight inches.

Mr. Vickers said that functionality of the signage is important with respect to content, legibility and placement. He said that they are struggling similar issues at the main hospital.

Mr. Stearns asked if the Board's concerns would be addressed if the sign was mounted at the 20 foot height. The Board said that it would prefer to see the sign at the lower height. The Board said that the stonework provides a horizontal along the building that guides the eye to the signage.

The Board said that the number 25 should be increased in size. Mr. Paris said that the largest letter height allowed is eight inches.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The Petitioner is requesting a Special Permit for installation of two (2) wall signs, to exceed the maximum individual sign area allowed, to exceed the maximum total sign area allowed, to exceed the maximum mounting height allowed, to project further from the wall than allowed, and to use internal illumination, at 25 WASHINGTON STREET, in an Industrial A District, Lower Falls Village Commercial District, and Residential Incentive Overlay District.

Appendix to Newton Wellesley Hospital Sign Special Permit Application, Plan to Accompany Sign Permit Application (Newton-Wellesley Hospital) – Proposed Sign Locations, Shop Drawing 1 – Sign Type S.1, Shop Drawing 1a – Type S.1, Shop Drawing 1b – Type S.1, Shop Drawing 1c – Type S.1, Shop Drawing 1d – Type S.1, Shop Drawing 1e – Type S.1, Shop Drawing 1f – Type S.1, Shop Drawing 1 – Type N.1, Shop Drawing 1a – Type N.1, Shop Drawing 2 – North Elevation, dated 1/26/12, prepared by DCL, and photosimulations were submitted.

On March 28, 2012, the Design Review Board voted to recommend that the Zoning Board of Appeals approve the proposed project as presented.

On April 4, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be denied.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject signs will be two (2) wall signs to exceed the maximum individual sign area allowed, to exceed the maximum total sign area allowed, to exceed the maximum mounting height allowed, to project further from the wall than allowed, and to use internal illumination.

It is the opinion of this Authority that installation of two (2) wall signs to exceed the maximum individual sign area allowed, to exceed the maximum total sign area allowed, to exceed the maximum mounting height allowed, to project further from the wall than allowed, and to use internal illumination, will be in harmony with the general purpose and intent of Section XXIIA of the Zoning Bylaw, as the sign scale will be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures; sign size, shape, and placement will serve to define or enhance architectural elements of the building and will not unreasonably interrupt, obscure or hide them; sign design will be in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures; sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use; and sign size, location design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic.

Therefore, a Special Permit is granted for installation of two (2) wall signs, to exceed the maximum individual sign area allowed, to exceed the maximum total sign area allowed, to exceed the maximum mounting height allowed, to project further from the wall than allowed, and to use internal illumination, subject to the conditions:

1. Revised plans shall be submitted showing the sign at the height of 20 feet.
2. Illumination of the sign shall be shut off at the close of business.
3. The "Surgery Center" at the back of the building shall be located underneath the canopy.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon receipt and approval of a sign application and any other materials he may require. No sign shall be installed until said permit has been issued.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm