



ZONING BOARD OF APPEALS

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ZBA 2016-75
 Petition of Wellesley Place, LLC
 978 Worcester Street

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 2016 SEP 22 10:55

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 8, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Wellesley Place, LLC requesting a Special Permit pursuant to the provisions of Section XXIIIA and Section XXV of the Zoning Bylaw for installation of a temporary sign that will exceed the area, height and letter height allowed by right in a Business A District, at 978 Worcester Street.

On August 22, 2016, 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 were Frank Stearns, Holland & Knight, and Brian O'Day, Director of Public Affairs, Newton-Wellesley Hospital.

Mr. Stearns said that Newton-Wellesley Hospital will be moving into the second floor of 978 Worcester Street and a portion of the first floor over this winter. He said that it will be a primary care facility and medical offices. He said that the need for the hospital is to alert the community that primary care practice is coming to this location at a time when patients are finding it extremely difficult to identify primary care providers who will take on new patients.

Mr. Stearns said that while the building is under tenant fit out construction, they would like to put up a temporary banner sign that is visible. He said that they looked at the Zoning Bylaw and met with the Building Inspector and were told that they could do a by right banner at 25 square feet but beyond that they would have to come before the Zoning Board. He said that Newton-Wellesley will be coming back in the fall with a permanent signage package.

Mr. Stearns said that there is a bay on the building where there are four windows. He said that they got feedback that a banner to cover those windows might be too large. He said that a by right sign would be too small and not legible, given the size of the building, the mass of the façade, the setback of the building and the nature of Route 9 in that corridor. He said that they provided what they were looking for with the sign that covers the four windows, as well as a scaled back version that covers three windows.

Mr. Stearns said that this will be a temporary sign. He said that under the bylaw it can only be up for 30 days, extendable twice or for 90 days total. He said that they expect to occupy the property in January and have their permanent signage package ready to be put onto the building.

Mr. Stearns said that they measured the signs out by the number of windows that they cover. The Chairman said that the Board received an email from the hospital on August 29, 2016 stating that they would be comfortable with a smaller size. Mr. Stearns said that sign would be 40.5 by 10 feet. The Chairman said that would be too big. He asked about the 35 by 6 foot sign. Mr. Stearns said that the 35 by 6 foot sign, given the way that it would be oriented over the windows and partly over the brick, is not something that they think would be suited to the building. A Board member said that the proposed sign is almost 20 times the size allowed by right. Mr. O'Day said that they would like to have a visible marker for people traveling the road. He said that he had concerns about how a 6 foot sign would attach to the building.

Catherine Johnson, Planning Board, said that the Planning Board recommended this be denied, except for the smallest version. She said that if you have a very large sign on this building, people driving by at a relatively high speed could be distracted. She said that the Town ran into this problem with CVS and in Lower Falls when Newton-Wellesley put their center on Washington Street. She questioned whether putting up a large temporary sign would set a precedent when Newton-Wellesley comes back for permanent signage.

Mr. Stearns said that they were told by the Planning Staff and the Building Department that they would not have to file with the DRB for a temporary sign. He said that the permanent signage package has been recommended for approval by the DRB.

A Board member said that there is a lot of information on the sign, including the logo. He asked if they could just use the basic information for Newton Wellesley Primary Care Physicians Coming Soon. The Chairman asked why they needed the bottom half of the sign. He said that no one will read telephone number. He said that they do not need the logo. Mr. O'Day said that the logo is quicker and more recognizable so that people would not need to read the sign. The Chairman said that people will not be reading the sign when they are driving by at 40 miles per hour. He said that it would be preferable to go with, "Coming Soon – Primary Care Physicians from Newton Wellesley Hospital." He said that the size can then be reduced to a height of 8 feet.

Mr. Stearns said that the proposed sign height goes with the building. He said that reducing it would only cover half of the window. Mr. O'Day said that they could narrow the sign a bit but they will need to anchor it to the brick. A Board member said that the sign should pick up on the geometry of the building where the strength is the windows. He said that it should match the windows vertically and horizontally. The Chairman said that the sign should just cover two windows and say, "Coming Soon – Newton Wellesley Primary Care Physicians from Newton-Wellesley Hospital." He said that would reduce it sufficiently to make it palatable to the Board. He said that they do not need the bottom half because no one driving by is going to read the telephone number. He said that they can make the letters bigger.

Mr. Stearns asked if the Board would be comfortable with constraining the size and location and allow Newton-Wellesley to put what they want on the sign. The Chairman said that he did not want to have a phone number on the sign. He said that could cause an accident.

Mr. O'Day asked about removing the phone number but keeping the logo. He said that the logo consists of the shield and the words, "Newton-Wellesley Hospital." The Chairman said that the words, "Newton-

Wellesley" will already be on the sign. He said that the logo should be modified. Mr. O'Day said that they will re-submit something that the Board can approve.

The Board said that the sign can be the height of the windows starting from the sill up to the top edge of the window opening with sufficient ability to anchor it properly but not up to the roof detail. The Board said that it shall not extend more than an inch or two beyond the side frame on the corner window and far side frame on the second window to the left. The Board said that the sign shall contain only the logo and language that is currently on the top of the proposed sign and there shall be no telephone number.

The Board voted unanimously to close the public hearing and to hold a business meeting on September 14, 2016 at 9 am to vote approval of a revised plan.

September 14, 2016

The Board voted unanimously to approved the revised plan that was submitted with dimensions of 30 feet wide by 8 feet high, covering two windows at the right front second floor corner of the building at 978 Worcester Street, that reads, "Coming Soon – Primary Care Physicians from Newton-Wellesley Hospital."

Statement of Facts

The Petitioner is requesting a Special Permit pursuant to the provisions of Section XXIII and Section XXV of the Zoning Bylaw for installation of a temporary sign that will exceed the area, height and letter height allowed by right in a Business A District, at 978 Worcester Street.

Addendum to Temporary Banner Sign Special Permit Application, Letter of Authorization, dated 8/10/16, Sign Information, Photosimulation of 58' x 10', Rendering of Letter & Logo Height, Photosimulations of 35' x 6' & 12' x 2.5' & alternative Photosimulations were submitted. On 9/9/16, Frank Stearns, Holland & Knight, submitted Wellesley_mockup.pdf, showing sign dimensions of 30 feet wide by 8 feet high, covering two windows at the right front second floor corner of the building at 978 Worcester Street, that reads, "Coming Soon – Primary Care Physicians from Newton-Wellesley Hospital."

On August 18, 2016, the Design Review Board reviewed the application and voted unanimously to recommend approval of the wall sign, as presented.

On September 7, 2016, 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 sign is a 30 foot by 8 foot temporary banner that will exceed the area, height and letter height allowed by right in a Business A District.

It is the opinion of this Authority that installation of a 30 foot by 8 foot temporary banner that will exceed the area, height and letter height allowed by right in a Business A District will be in harmony with the

general purpose and intent of Section XXIIA of the Zoning Bylaw, as the sign scale will be will 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 a 30 foot by 8 foot temporary banner that will exceed the area, height and letter height allowed by right in a Business A District, subject to the following conditions:

1. The sign shall cover only two windows on the right hand side of the building and shall extend no more than two inches wider than two windows or two inches higher than the height of the two windows.
2. The sign shall read, Coming Soon - Primary Care Physicians from Newton-Wellesley Hospital.

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.

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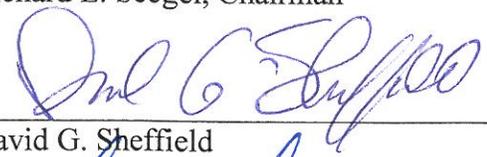
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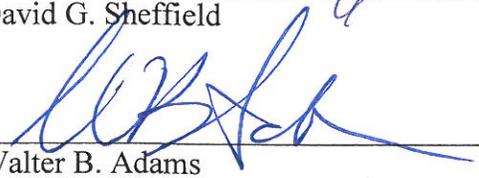
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



David G. Sheffield



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

