

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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DEREK B. REDGATE

ZBA 2021-37

Petition of FR Linden Square, Inc.
161-200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority opened a Public Hearing on Thursday, May 6, 2021 at 7:30 p.m., via remote technology, and streamed and televised live by Wellesley Public Media, on the petition of FR Linden Square, Inc. (the “Petitioner”) requesting a Special Permit pursuant to the provisions of Section 22A.H of the Zoning Bylaw for eight (8) standing signs at designated locations adjacent to access drives along the Linden Street corridor within the Linden Square shopping center (which standing signs are designated as ID1-A, ID1-B, ID2-A, ID2-B, ID3, ID4, ID5-A, and ID5-B in Petitioner’s application materials), and one (1) wall sign at 200 Linden Street (which wall sign is designated AW3 in Petitioner’s application materials), all as more particularly described in plans submitted with the Petitioner’s application materials (the “Petition”). The standing signage is not allowed by right due, variously (and as set forth in the signage information chart included with Petitioner’s application materials), to the following restrictions set forth in Table 22A.1: (i) no more than one standing sign per lot, (ii) sign area can be no more than 25 square feet, and (iii) sign height may not exceed six feet; and due to the 15-foot setback requirement set forth at Section 22A.K.1. The wall sign is not allowed by right due to the following restrictions set forth in Table 22A.1: (x) maximum wall sign area is 50 square feet or 10 percent of the area of the establishment’s façade, whichever is less, and (y) letter height may not exceed 14 inches; and due to the restriction on painting signage directly onto the exterior surface of a wall as set forth at Section 22A.K.6. The Authority continued the Public Hearing to Thursday, May 20, 2021 at 7:00 p.m., which Public Hearing was held via remote technology and streamed and televised live by Wellesley Public Media, and after receiving testimony during the course thereof, further continued the Public Hearing to Tuesday, June 1, 2021 at 7:30 p.m., which Public Hearing was held remotely and recorded for public viewing.

The Public Hearing before the Authority was held upon the request of the Petitioner, filed on February 24, 2021, for which due notice of the hearing was given by mailing and publication.

May 20, 2021

Present at the Public Hearing on May 20, 2021 were Michael Wallace, Esq. and Peter Tamm, Esq., representing the Petitioner, Mark Hebert, Vice President of Development for Federal Realty Investment Trust, and Brian Pearce, signage graphic designer with Omloop Design.

A Board member asked whether the standing sign designated ID1-A is two-sided. Mr. Pearce commented that they are two-sided, and that the Design Review Board provided helpful feedback to facilitate its design.

A Board member asked whether there is any chance of widening the access drive at the far northeast portion of the shopping center. Mr. Tamm stated that Mr. Hebert is evaluating this proposal based on

comments received from neighbors, but any widening is not part of the Petition. The Chairman stated that the new sign will likely result in increased use of this access drive.

A Board member stated that he would not want the standing sign designated as ID5-A double-faced so as to avoid encouraging vehicles from making a left turn from Linden Street into Linden Square as they travel eastbound.

A Board member stated that the Wellesley community knows that the anchor tenants with panels depicted on ID1-A are located in Linden Square, and raised concern with the height of the sign. Mr. Pearce stated that tenant visibility was an important consideration. Mr. Hebert stated that one principal goal of the new standing signage is to bring some attention to interior tenants in Building 200 which lack sufficient public visibility. The Board member stated that interior signs can bring attention to these lower visibility tenants. Mr. Tamm stated that the Design Review Board raised a similar concern, and that the design of the proposed ID1 signs reflect the Design Review Board's recommendations. Further, Mr. Tamm stated that the tenants on the proposed panels are on existing panels and the landlord needs to honor its existing tenant obligations. Mr. Hebert stated that tenant identification and visibility are critical concerns to these businesses and the ongoing success of Linden Square. The Board member suggested consideration of tenant signage within the property to identify these tenants. Mr. Tamm stated that the Petitioner will consider these suggestions and revisit the design of these ID1 signs with respect to height.

In the public comment portion of the Public Hearing, David Himmelberger spoke in opposition to the signage. Mr. Himmelberger stated that he believes the sign package is excessive, and that tenants are visible.

The Board voted to continue the hearing until June 1, 2021 at 7:30 p.m. so as to allow the Petitioner to offer refinements to the ID1 signs and to consider alternative internal wayfinding signs.

June 1, 2021

Mr. Tamm stated that in response to Board members' comments during the May 20th hearing, the Petitioner focused its efforts on reducing the size and scale of the standing signs designated as ID1-A and ID1-B. Mr. Hebert stated that the refinements made to signs ID1-A and ID1-B reduce their height as well as their size by approximately 30 percent. He also noted that the sign designated as ID5-A has been redesigned so as to be one-sided, with messaging now only facing vehicles and pedestrians traveling west on Linden Street. Mr. Hebert also stated that with respect to internal wayfinding, an interior landscape island has been identified for further study by Petitioner in conjunction with review of internal vehicular movements. Should internal wayfinding signage be found to be appropriate and beneficial for this location, the Petitioner may advance the design for future consideration by the Design Review Board and, subsequently, the Board. Mr. Pierce reviewed with the Board the details of the revised signs ID1-A and ID1-B.

The Chairman asked whether the graphic representation of the reduced-size ID1-A sign is in the same position as the mock-ups presented during the May 20th hearing. Mr. Pearce stated that the reduced-size sign, as shown, is in the same position as the mock-ups, but it will actually be installed approximately six feet further from the intersection, but the mock-ups could not be placed there due to an existing planter area.

A Board member stated he appreciated Petitioner's responsiveness to the Board's comments during the May 20th hearing.

In the public comment portion of the hearing, David Himmelberger spoke in opposition to the signage, stating that while the revised ID1 signage represents an improvement over Petitioner's original submission, he would have preferred they be located to the interior of the parcel. He also stated his opposition to the wall sign at Building 200.

Statement of Facts

The Petitioner is requesting a Special Permit pursuant to Section 22.A.H of the Zoning Bylaw for: (i) eight (8) standing signs at designated locations adjacent to access drives along the Linden Street corridor within the Linden Square shopping center (which standing signs are designated as ID1-A, ID1-B, ID2-A, ID2-B, ID3, ID4, ID5-A, and ID5-B in Petitioner's application materials), and (ii) one (1) wall sign at 200 Linden Street (AW3 in Petitioner's application materials), all as more particularly described in plans submitted with the Petitioner's application materials, which signage is not allowed by right pursuant to Section 22A, but which is not specifically prohibited under Section 22A.I.2.b through p.

Memorandum in Support of Petition regarding Signage and Accessory Outdoor Dining Special Permits Application for 161-200 Linden Street, Sign Types and Information, Sign Location Plan: Standing Signs, ID1-A Project Identity (Vertical), ID1-B Project Identity (Vertical), ID2-A Project Identity (Horizontal), ID2-B Project Identity (Horizontal), ID3 Parcel 162 & 168 Identity, ID4 Parcel 161 Identity, ID5-A Secondary Entry & Identity, ID5-B Secondary Entry & Identity, AW3 Building 200 Wall Sign, dated 2/19/21, prepared by Omloop; and ID1 Sign Size Reduction, ID1 Originally Proposed Sign, ID1 Alternative Sign (Reduced Size), dated 6/1/21, prepared by Omloop, were submitted.

On January 13, 2021, the Design Review Board voted unanimously to approve the application, subject to recommendations.

On May 6, 2021, the Planning Board reviewed the petition and recommended approval of a Special Permit, subject to the recommendation that standing signs ID1-A and ID1-B appear to interfere with vehicular sightlines and pedestrian sidewalk use, and do not meet the special permit criteria in their submitted form.

On May 20, 2021, the Zoning Board of Appeals continued the Public Hearing to June 1, 2021.

On June 1, 2021, the Zoning Board of Appeals closed the Public Hearing and on June 8, 2021 convened a public meeting to review the draft of the decision, and to vote any decision.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. Signage that consists of eight (8) standing signs at designated locations adjacent to access drives along the Linden Street corridor within the Linden Square shopping center (which standing signs are designated as ID1-A, ID1-B, ID2-A, ID2-B, ID3, ID4, ID5-A, and ID5-B in Petitioner's application materials), and one (1) wall sign at 200 Linden Street (AW3 in Petitioner's application materials), all as more particularly described in plans submitted with the Petitioner's application materials, is not allowed by right pursuant to Section 22A of the bylaw, but may be authorized after determination by the Special Permit Granting Authority that the proposed signage satisfies the required findings set forth in Section 22A.H of the bylaw.

It is the opinion of this Authority that signage that consists of eight (8) standing signs at designated locations adjacent to access drives along the Linden Street corridor within the Linden Square shopping

center (which standing signs are designated as ID1-A, ID1-B, ID2-A, ID2-B, ID3, ID4, ID5-A, and ID5-B in Petitioner's application materials), and one (1) wall sign at 200 Linden Street (AW3 in Petitioner's application materials, all as more particularly described in plans submitted with the Petitioner's application materials, satisfies the Special Permit Required Findings set forth in Section 22A.H.3 of the bylaw as follows: (i) the signs are otherwise in compliance with the requirements of Section 22A as they are of appropriate scale, quality and compatibility with their surroundings, use permitted illumination techniques, and are not expressly prohibited under Section 22A; (ii) the quantity and signage scale is reasonable in relation to the built environment of the shopping center, situated on an approximately 18 acre site with considerable frontage on both sides of Linden Street, where the signs are designed at an appropriate scale for vehicular and pedestrian wayfinding, the lettering is safely legible from automobiles, and sightlines and legibility have been confirmed through study and the use of mock-ups; (iii) the size, shape and placement of the signage enhance Linden Square's architectural elements because they were designed in concert with ongoing façade and landscaping upgrades, (iv) the signage offers reasonable continuity with other signage on the same and adjacent structures because the scale, detailing and materials are selected to relate to existing signage and plans for improved tenant signage; (v) the materials, colors, lettering and illumination are compatible with the surrounding uses, in presenting comprehensive tenant and shopping center identification and wayfinding; and (vi) the signage does not pose a safety hazard to vehicular and pedestrian traffic because sign positioning was confirmed through Petitioner's studies and the use of mock-ups, as further reviewed and recommended by the Design Review Board.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the public meeting, for eight (8) standing signs at designated locations adjacent to access drives along the Linden Street corridor within the Linden Square shopping center (which standing signs are designated as ID1-A, ID1-B, ID2-A, ID2-B, ID3, ID4, ID5-A, and ID5-B in Petitioner's application materials), and one (1) wall sign at 200 Linden Street (AW3 in Petitioner's application materials), all as more particularly described in plans submitted with the Petitioner's application materials, subject to the following conditions:

1. Standing signs designated as ID1-A and ID1-B shall consist of the reduced dimensions and design as set forth for the design proposal entitled "Alternative sign (reduced size)" on the submitted plan entitled "ID1 Sign Size Reduction", dated June 1, 2021.
2. The standing sign designated as ID5-A shall be one-sided and only contain lettering or other messaging on the easterly-facing panel side such that it is only visible by pedestrians and traffic moving westerly on Linden Street.
3. Upon installation of any sign approved by this Special Permit, the Petitioner shall remove any existing sign it is intended to replace, as reflected in Petitioner's application materials and as previously authorized pursuant to the special permit issued by the Board on July 19, 2006 (ZBA 2006-32).
4. The painted wall sign shall be maintained properly by the property owner and shall be refreshed and/or repainted, if needed.

The Inspector of Buildings is hereby authorized to issue a sign permit for those signs permitted by this Special Permit subject to approval of a sign permit application. No signs shall be installed until said permit(s) has issued.

ZBA 2021-37
Petition of FR Linden Square, Inc.
161-200 Linden Street

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.

J. Randolph Becker (lrm.)
J. Randolph Becker, Chairman

Richard L. Seegel (lrm.)
Richard L. Seegel

Derek B. Redgate (lrm.)
Derek B. Redgate

ZBA 2021-37
Applicant FR Linden Square, Inc.
Address 161-200 Linden Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2021 JUN - 8

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

LINDEN SQUARE

Signage Special Permit Application

February 19, 2021

SIGN TYPES AND INFORMATION

SIGN INFORMATION

Number of Signs: (9)

Type	Illumination Internal/External	Height	Width	Setback	Sq/Ft Panel	Height Above Ground	Total Area	New or Replacement	Special Permit Sought for:
Standing Sign: "ID1-A"	Reverse & external	12'-0"	5'-8"	9.8'	-	12'-0"	68 sf	REPLACEMENT	Setback, sign area, sign height
Standing Sign: "ID1-B"	Reverse & external	12'-0"	5'-8"	4'	-	12'-0"	68 sf	NEW	Setback, sign area, sign height
Standing Sign: "ID2-A"	Reverse & external	3'-10"	16'-5"	15.4'	-	6'-0"	63.3 s	REPLACEMENT	Sign area
Standing Sign: "ID2-B"	Reverse & external	3'-10"	16'-5"	15.4'	-	6'-0"	63.3 sf	REPLACEMENT	Sign area
Standing Sign: "ID3"	Reverse & external	3'-10"	14'-4"	3'	-	6'-0"	54.7 sf	REPLACEMENT	Setback, sign area
Standing Sign: "ID4"	External	3'-10"	11'-3"	8'	-	7'-5"	42.8 sf	REPLACEMENT	Setback, sign area, sign height
Standing Sign: "ID5-A"	(not illuminated)	2'-10"	10'-0"	8.6'	-	6'-2"	29.4 sf	NEW	Setback, sign area, sign height
Standing Sign: "ID5-B"	(not illuminated)	2'-10"	10'-0"	8'	-	6'-2"	29.4 sf	NEW	Setback, sign area, sign height

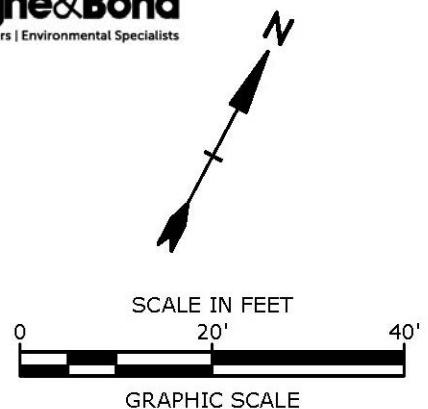
Type	Illumination Internal/External	Height	Width	Area	Height Above Ground	% of Facade	% of Window	
Wall Sign: "AW3"	External	8'-4"	12'-5"	104 sf	11'-0"	18%	-	NEW Special permit also sought for number of standing signs per lot.

Sign area, letter height, painting directly on wall

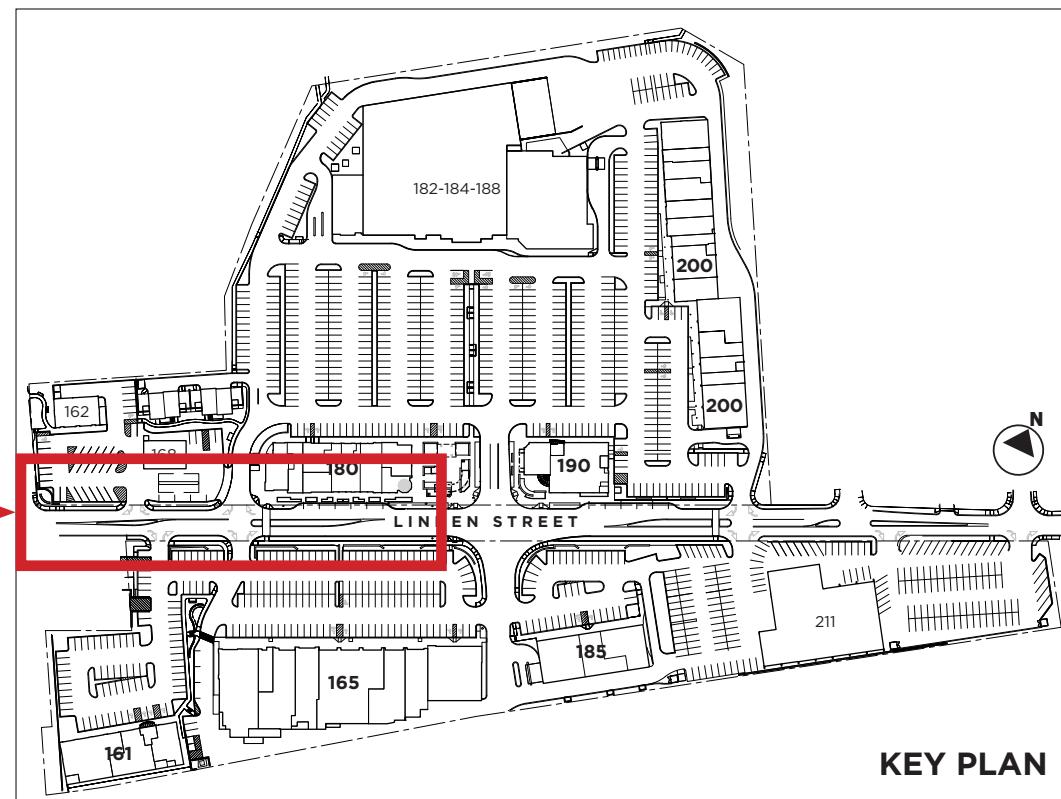
Standing Signs

**PERMIT DRAWINGS
NOT FOR CONSTRUCTION**

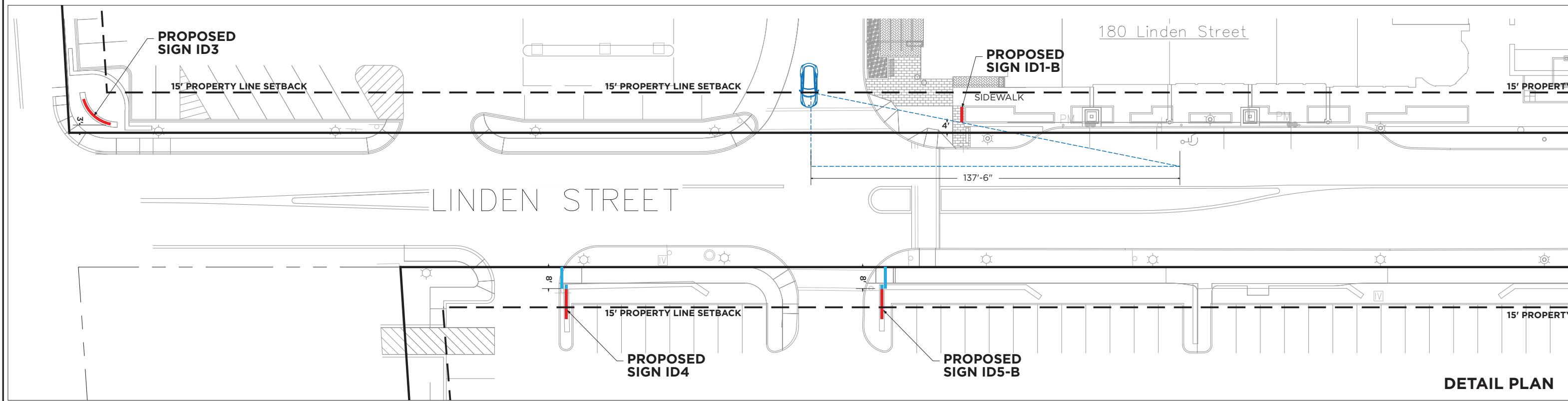
Tighe&Bond
Engineers | Environmental Specialists



SIGN LOCATION PLAN: STANDING SIGNS



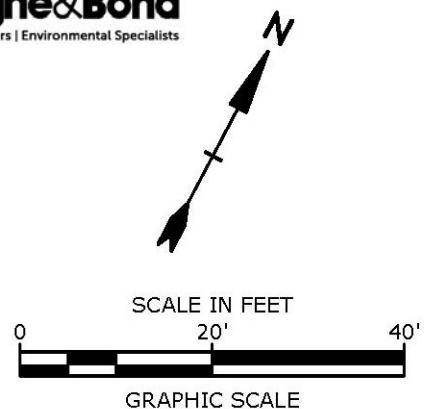
Area of Detail Plan



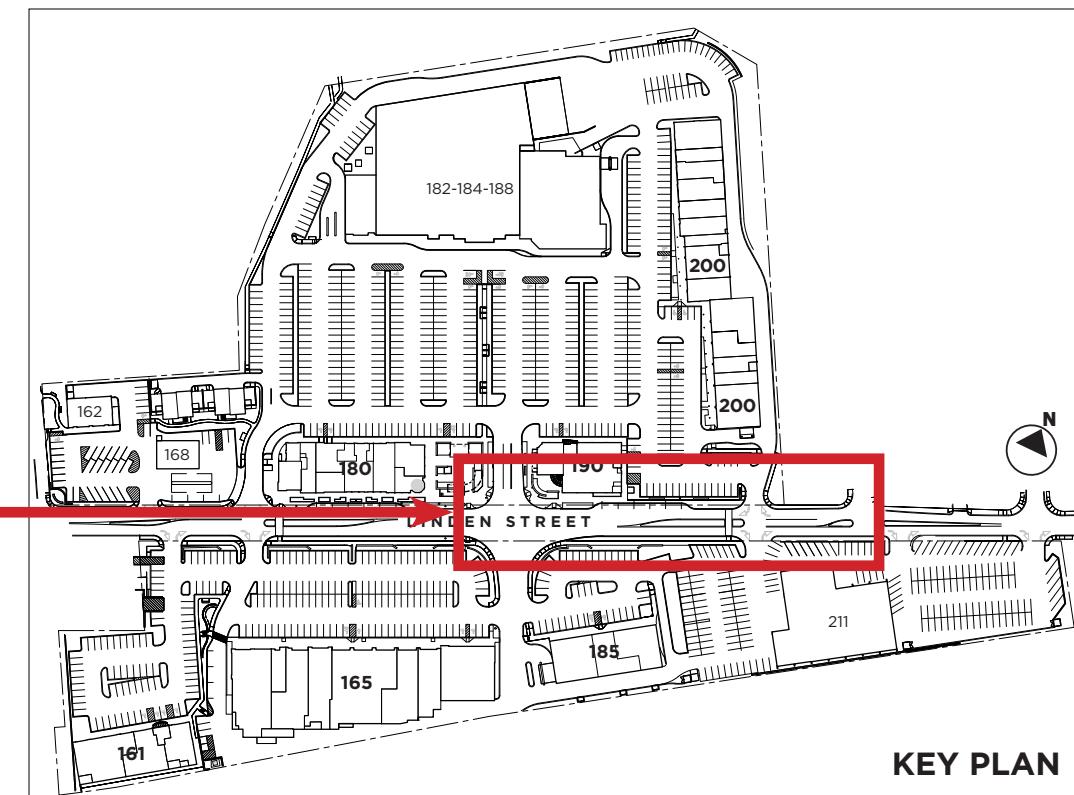
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**PERMIT DRAWINGS
NOT FOR CONSTRUCTION**

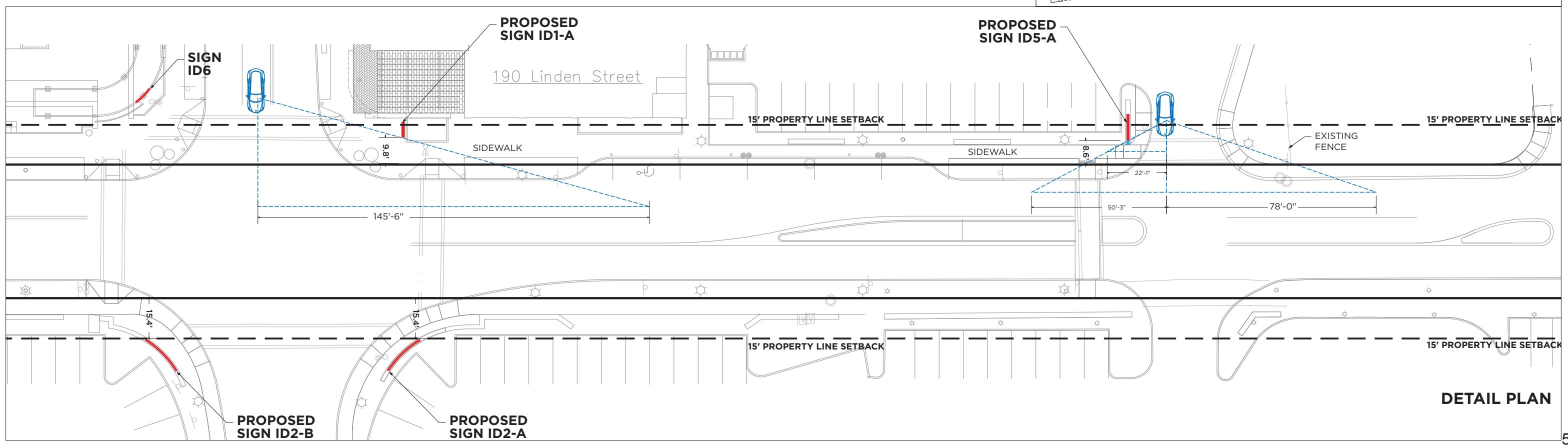
Tighe&Bond
Engineers | Environmental Specialists



SIGN LOCATION PLAN: STANDING SIGNS



Area of Detail Plan



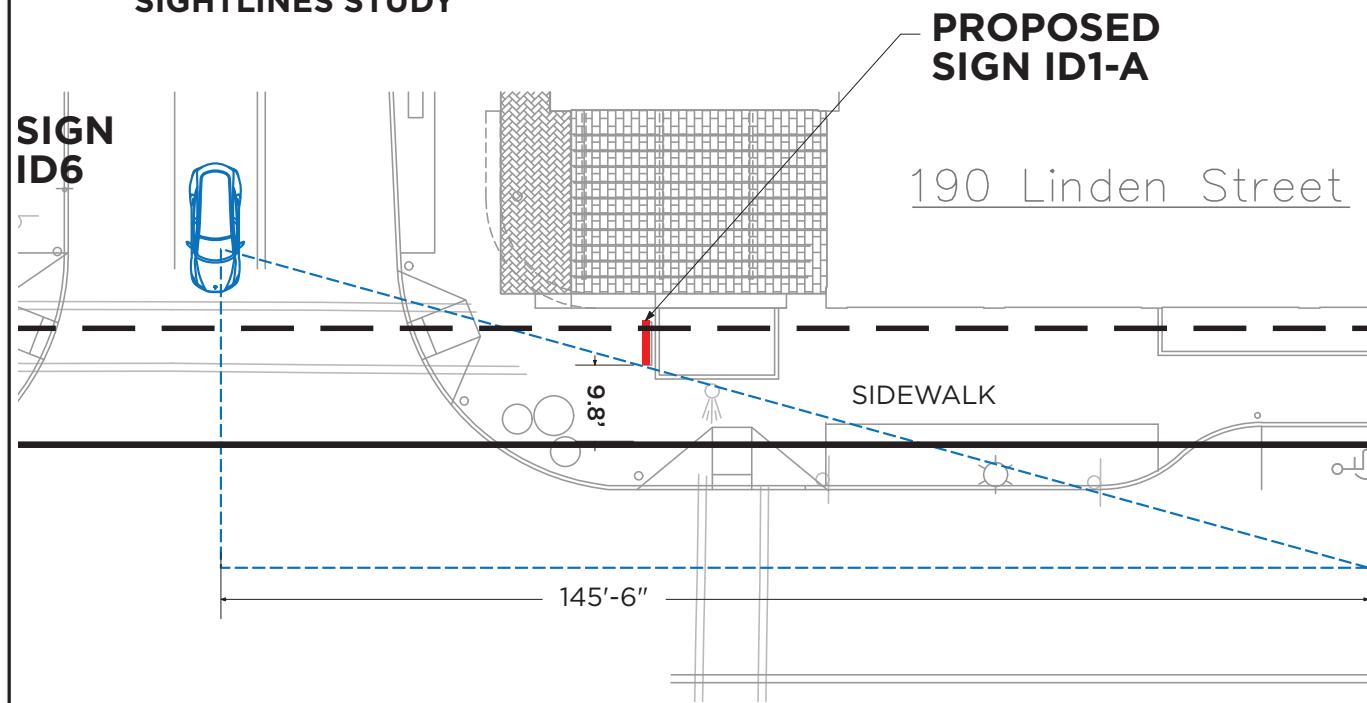
FULL-SIZE MOCKUP



ID1-A PROJECT IDENTITY (VERTICAL)

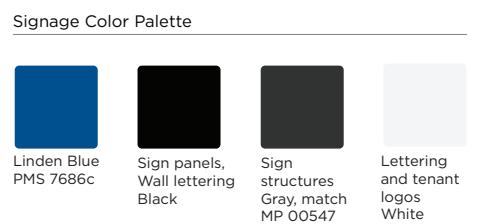
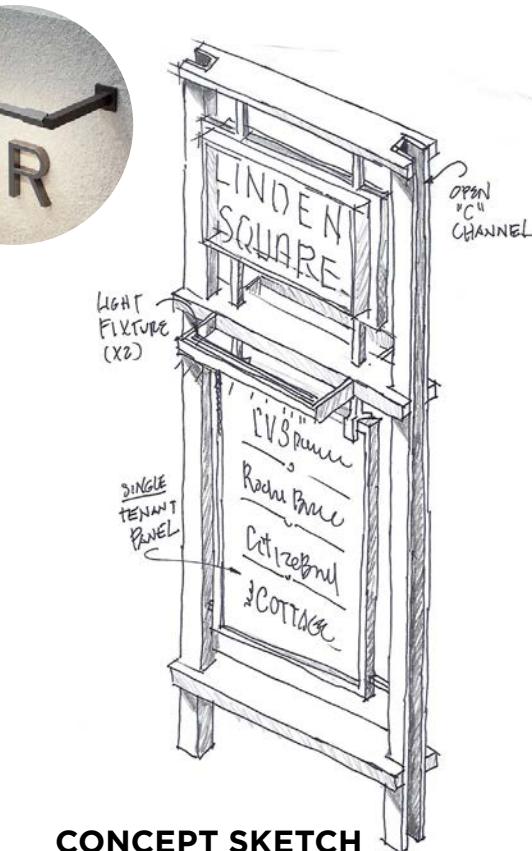
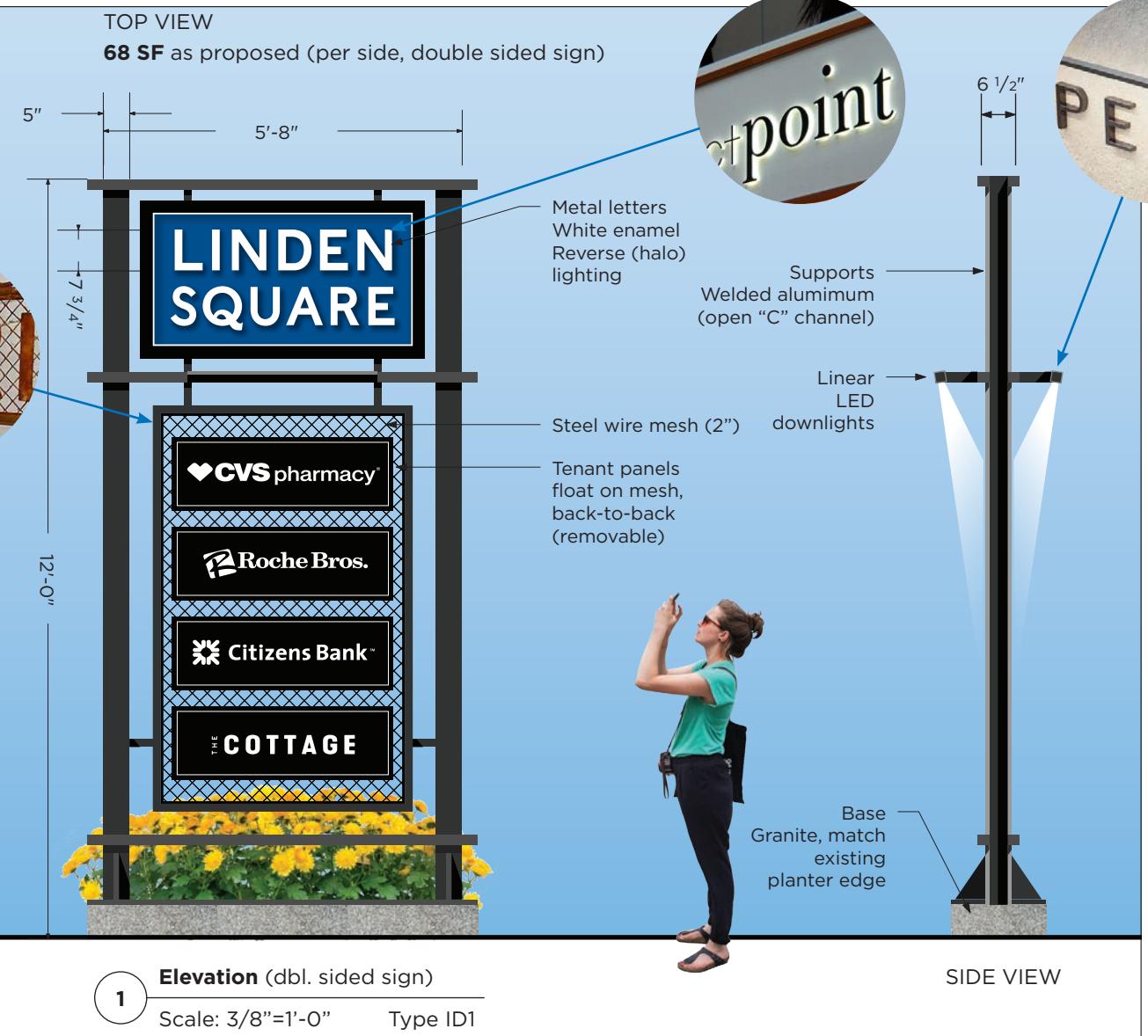


SIGHTLINES STUDY



7

ID1-B PROJECT IDENTITY (VERTICAL)

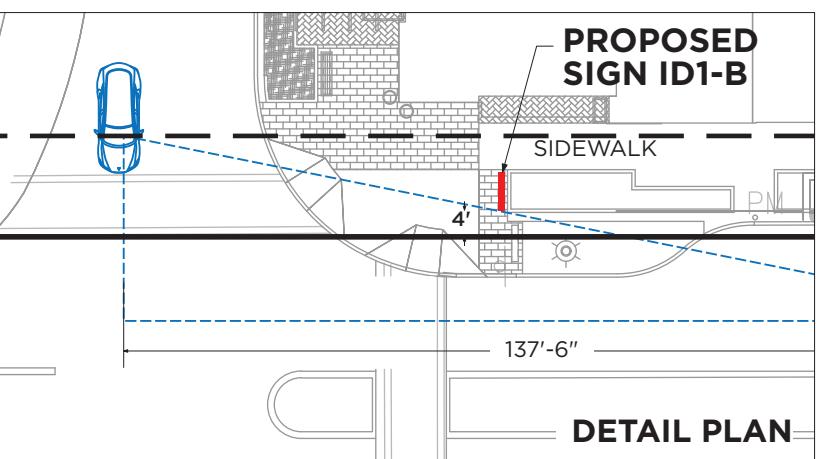
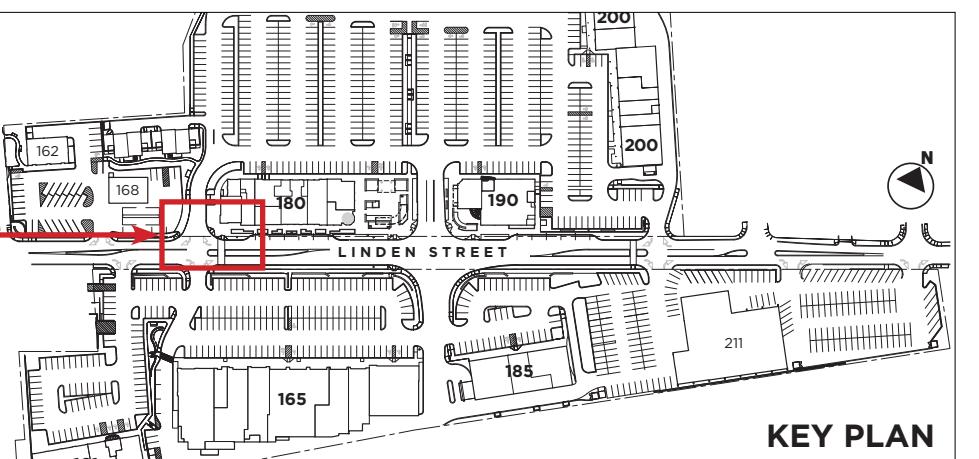


Special permit sought for:

1. Setback
2. Sign area
3. Sign height

This is a proposed new sign - no existing sign in this location

Area of Detail Plan



8

FULL-SIZE MOCKUP



LOOKING EAST

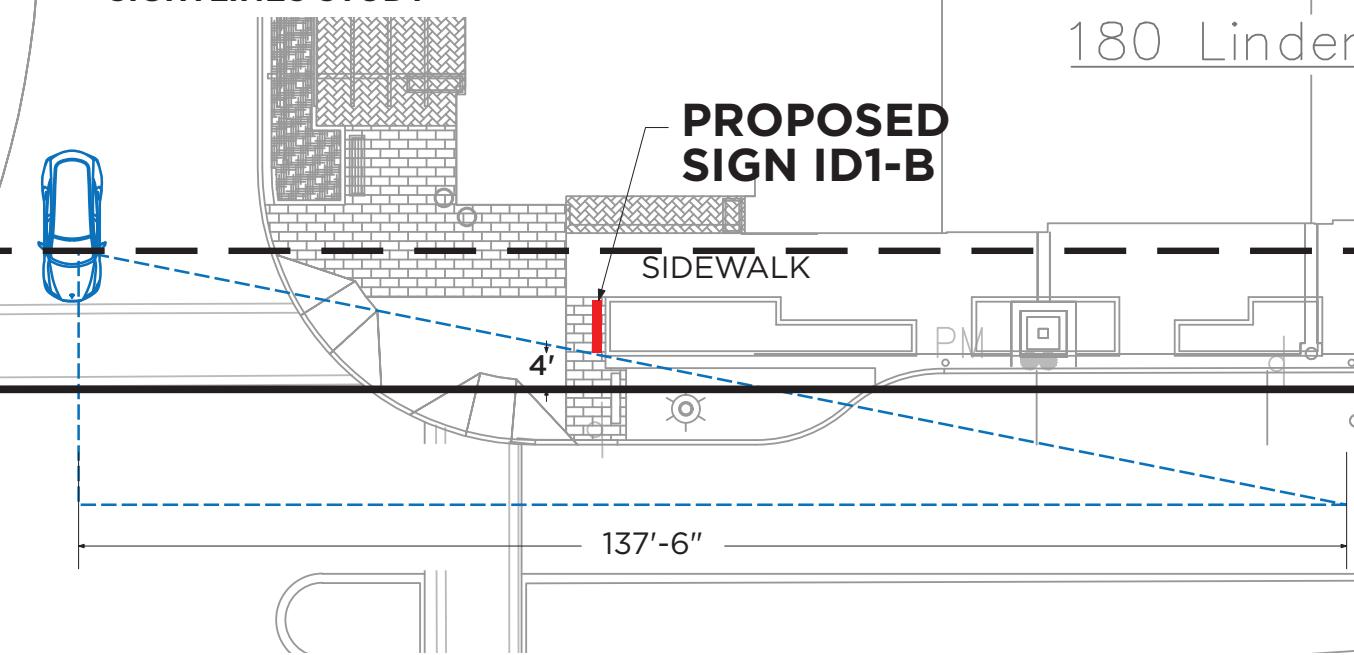


LOOKING EAST



LOOKING WEST

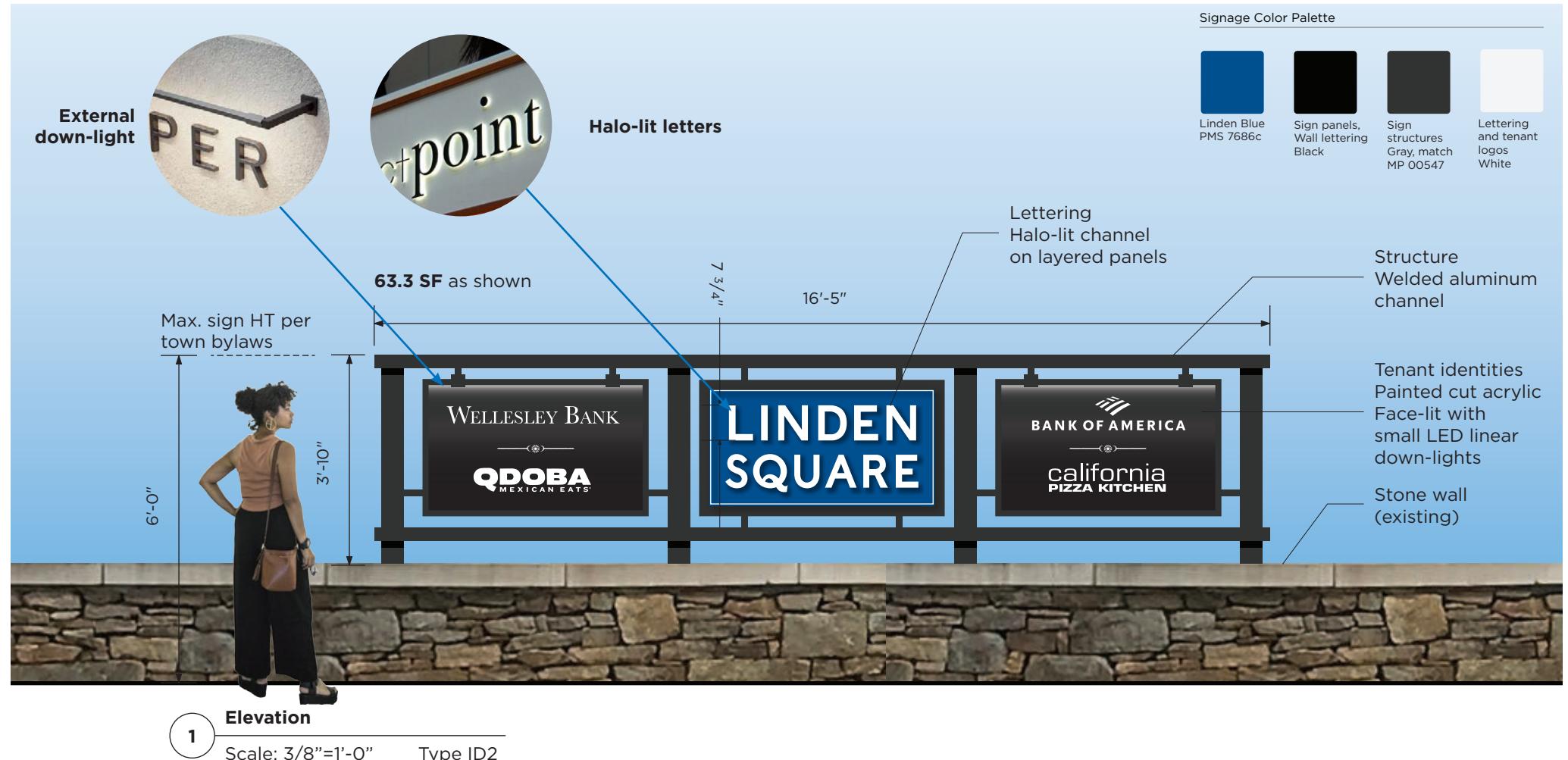
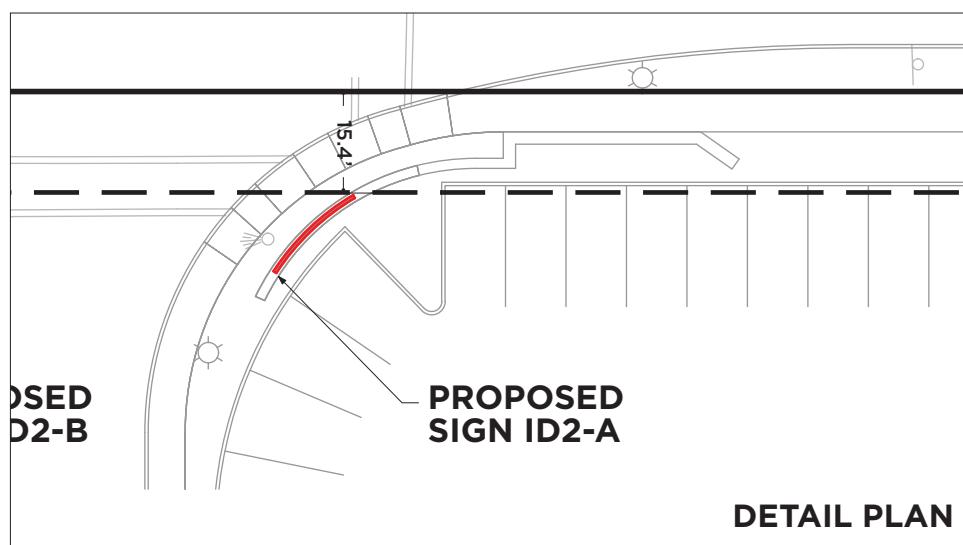
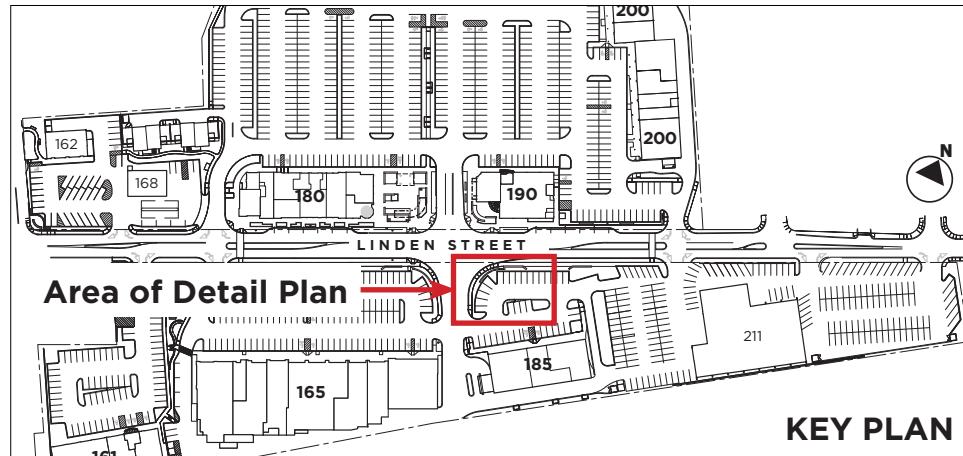
SIGHTLINES STUDY



LOOKING EAST

9

ID2-A PROJECT IDENTITY (HORIZONTAL)



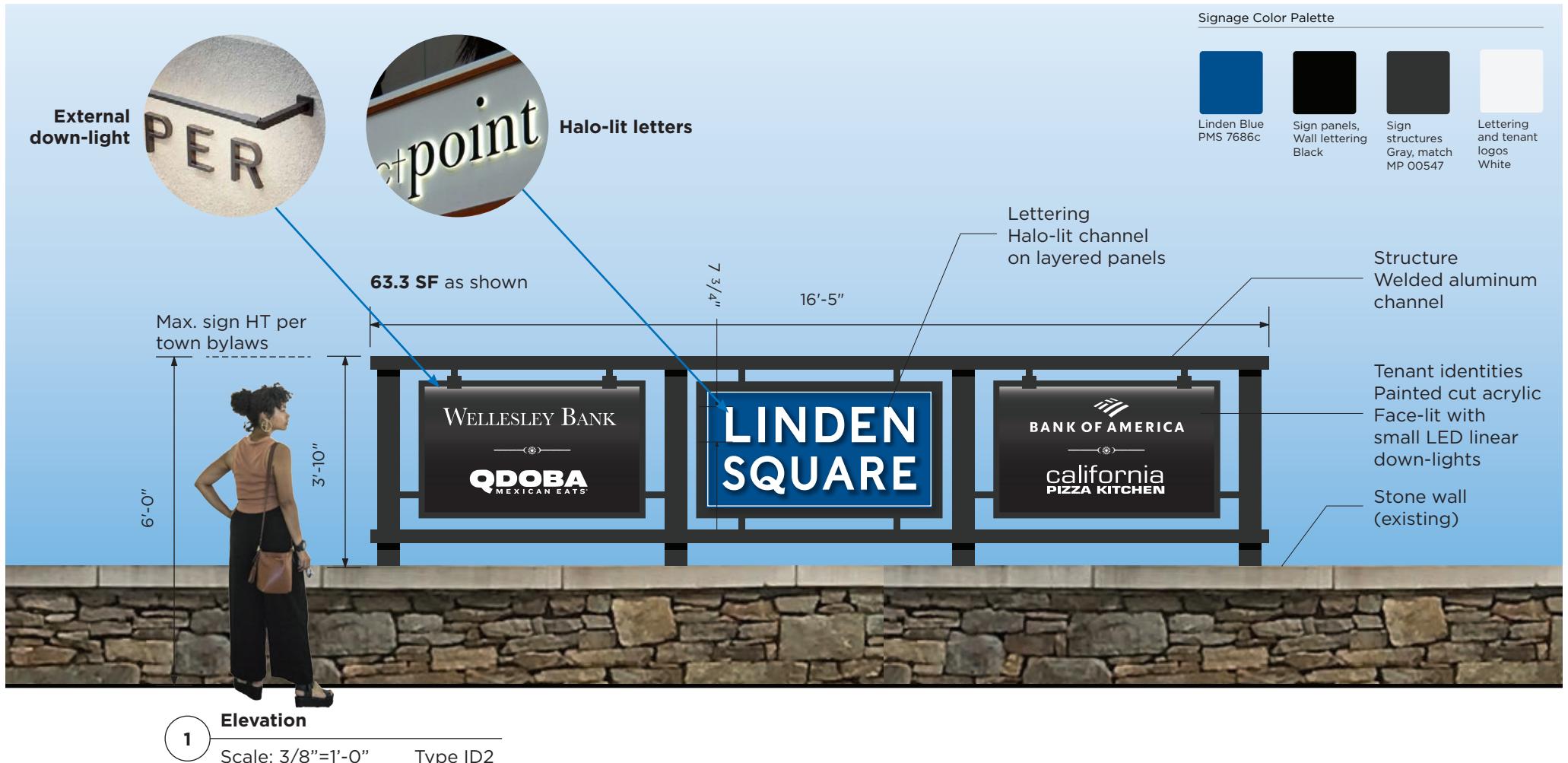
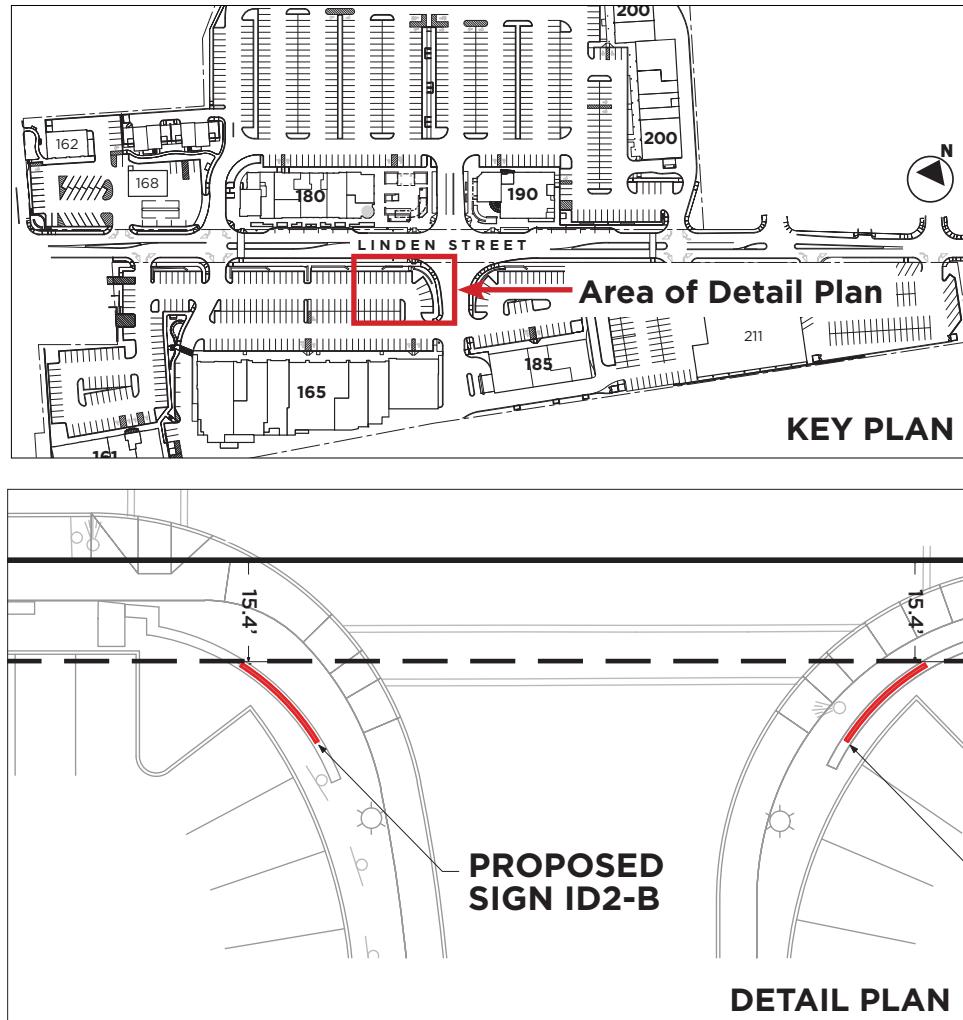
Special permit sought for:

1. Sign area

Replaces existing sign in this location
Existing sign size: 25'W x 5'H / 59 SF

10

ID2-B PROJECT IDENTITY (HORIZONTAL)

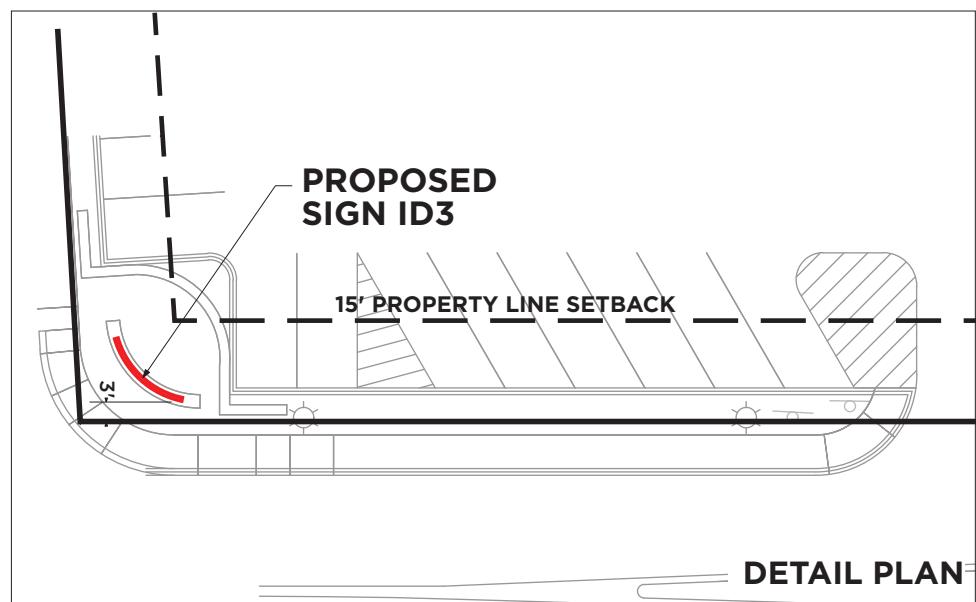
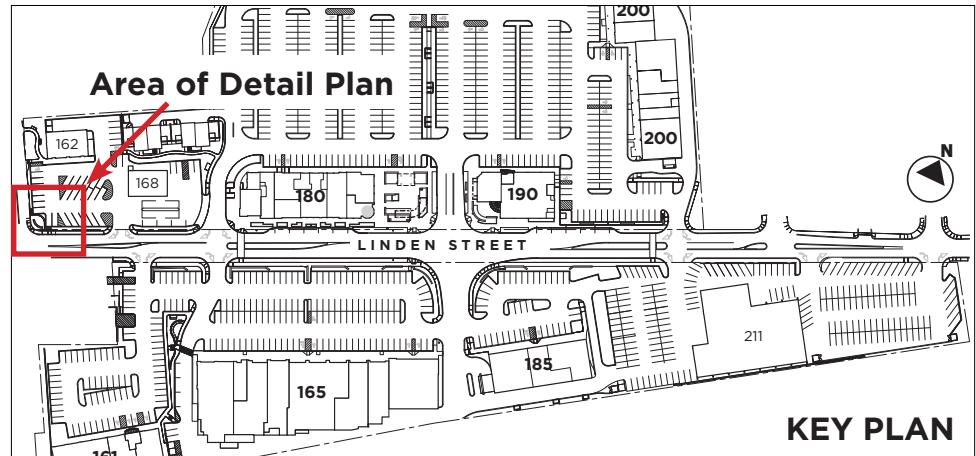


Special permit sought for:

1. Sign area

Replaces existing sign in this location
Existing sign size: 25'W x 5'H / 59 SF

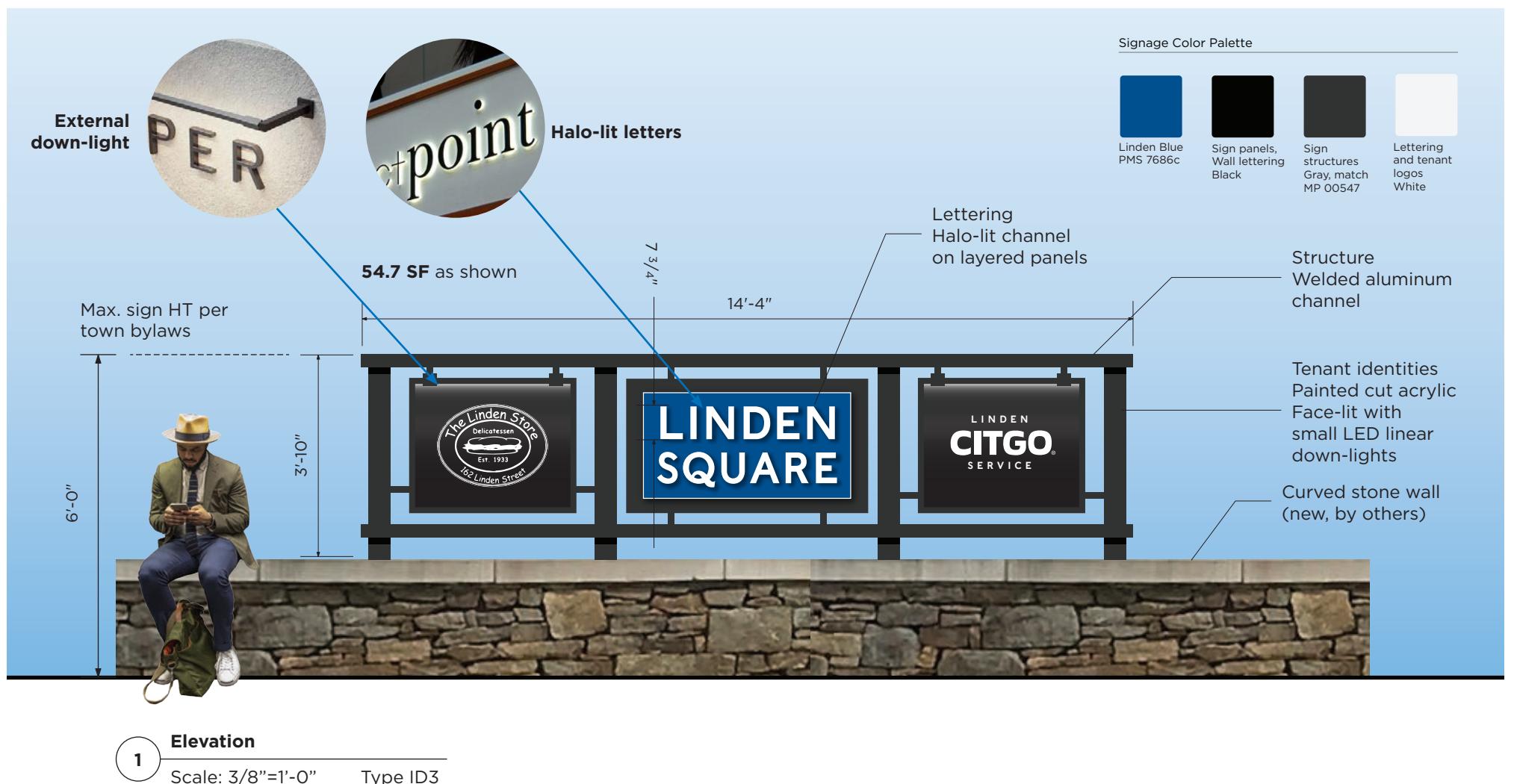
ID3 PARCEL 162 & 168 IDENTITY



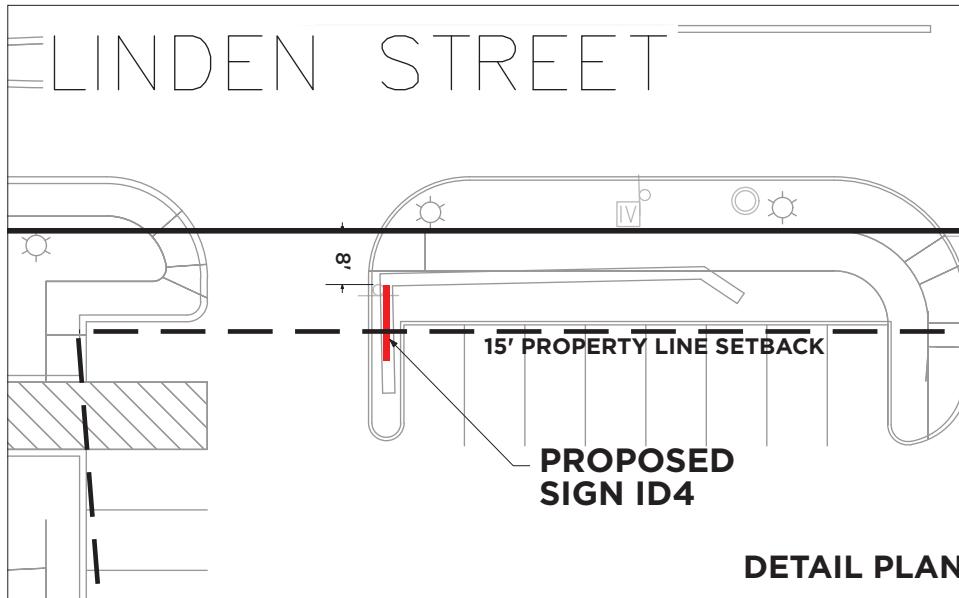
Special permit sought for:

1. Sign area
2. Setback

Replaces existing sign in this location
Existing sign size: 21'-3" W x 6'-3" H / 133 SF



ID4 PARCEL 161 IDENTITY

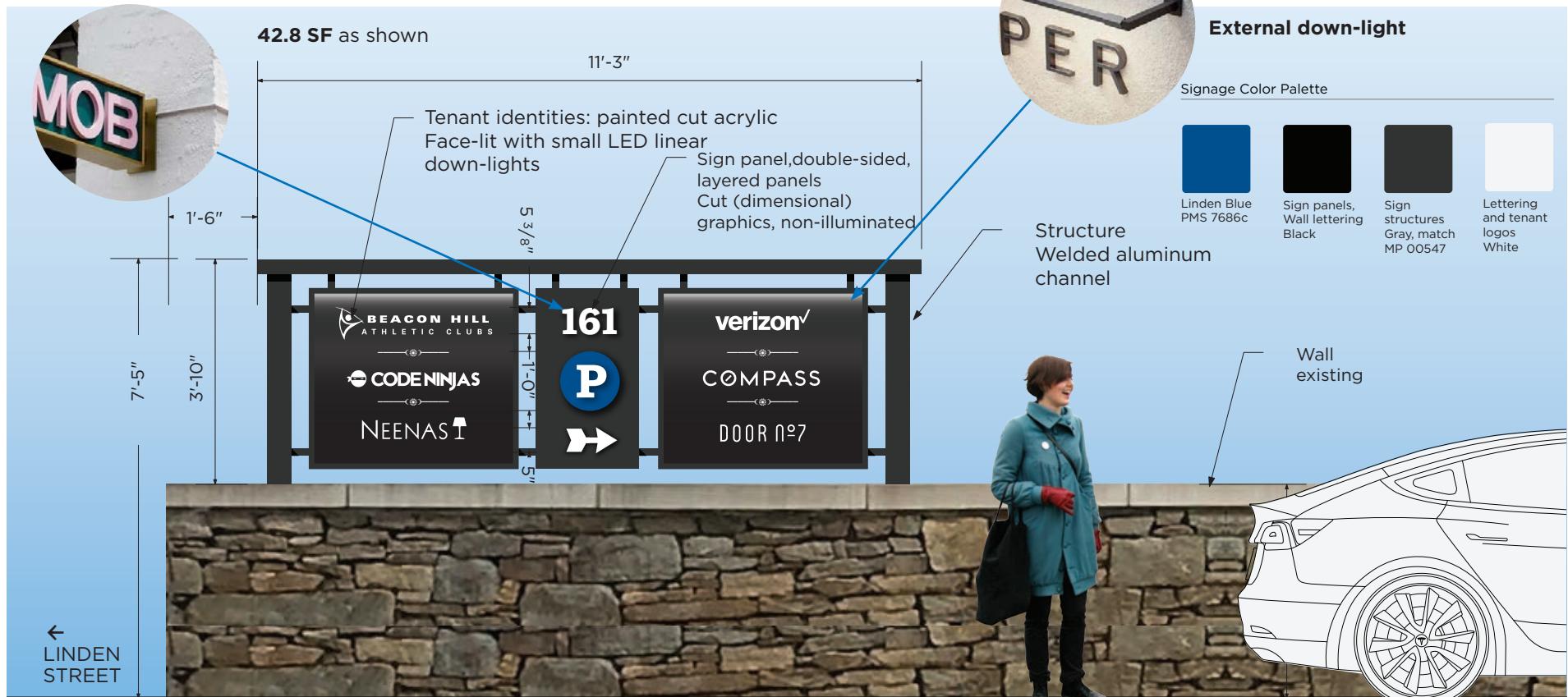


Special permit sought for:

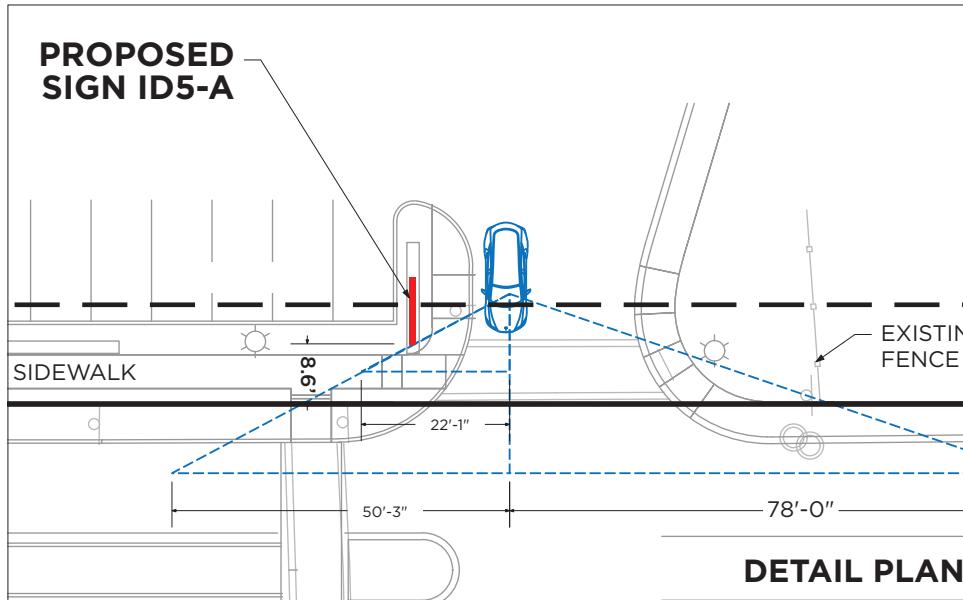
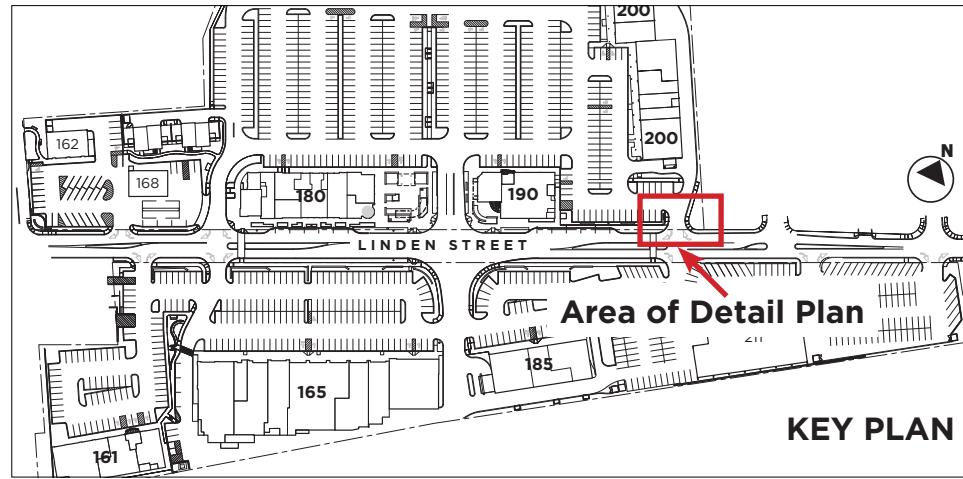
1. Sign area
2. Setback
3. Sign height

Replaces existing sign in this location
Existing sign size: 7'8"W x 5'-2.5"H / 40.7 SF

Dimensional numerals and symbols (non-illuminated)



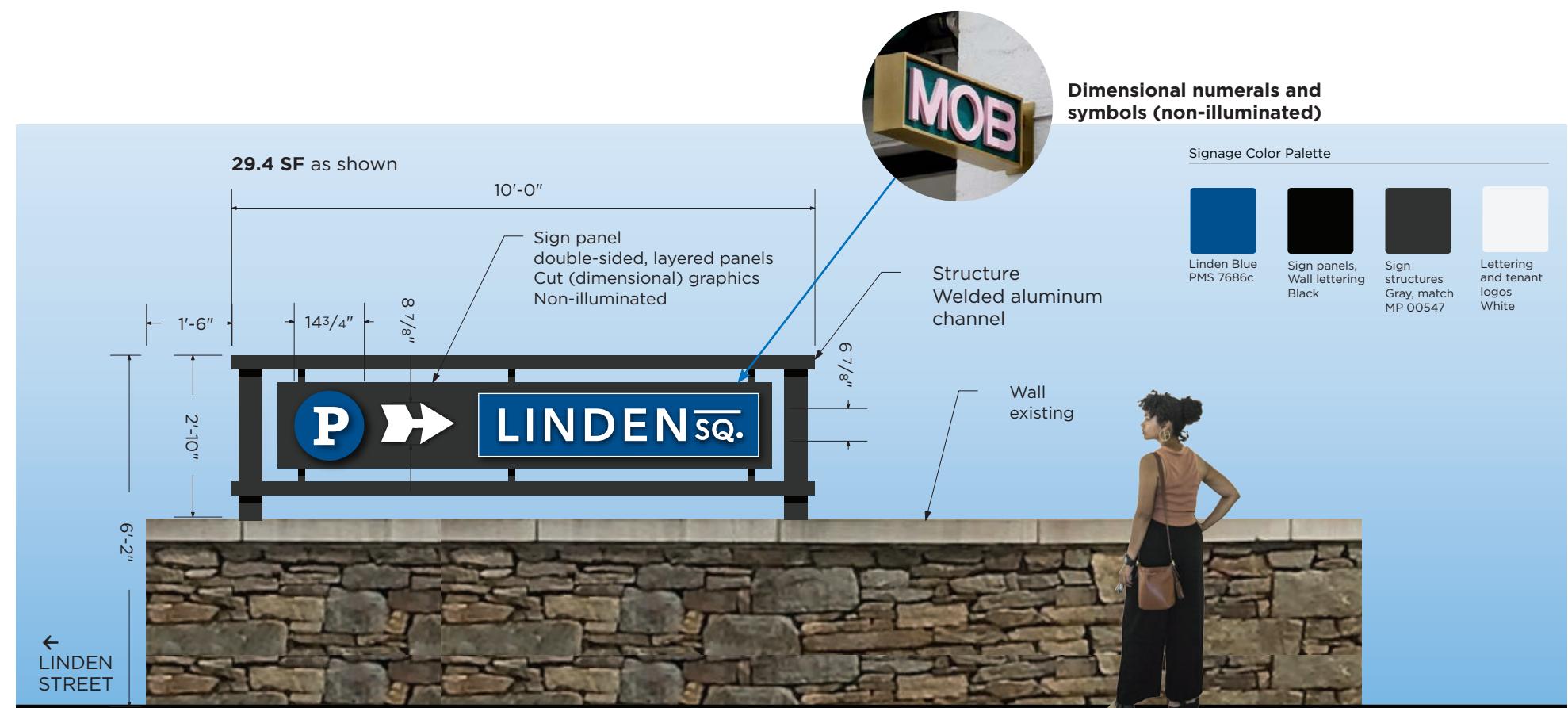
ID5-A SECONDARY ENTRY & IDENTITY



Special permit sought for:

1. Sign area
2. Setback
3. Sign height

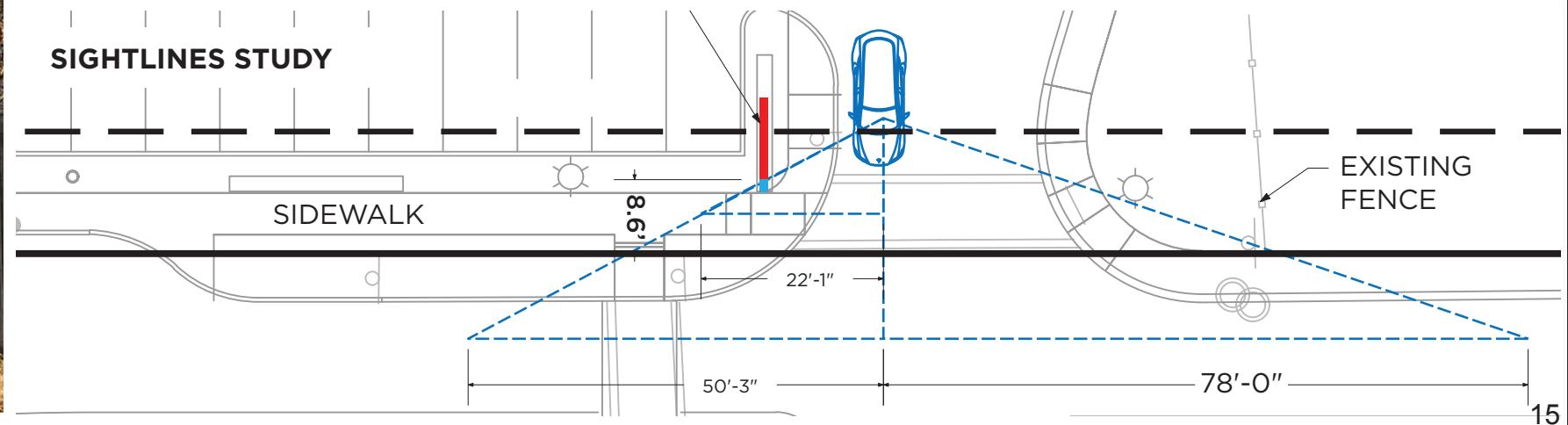
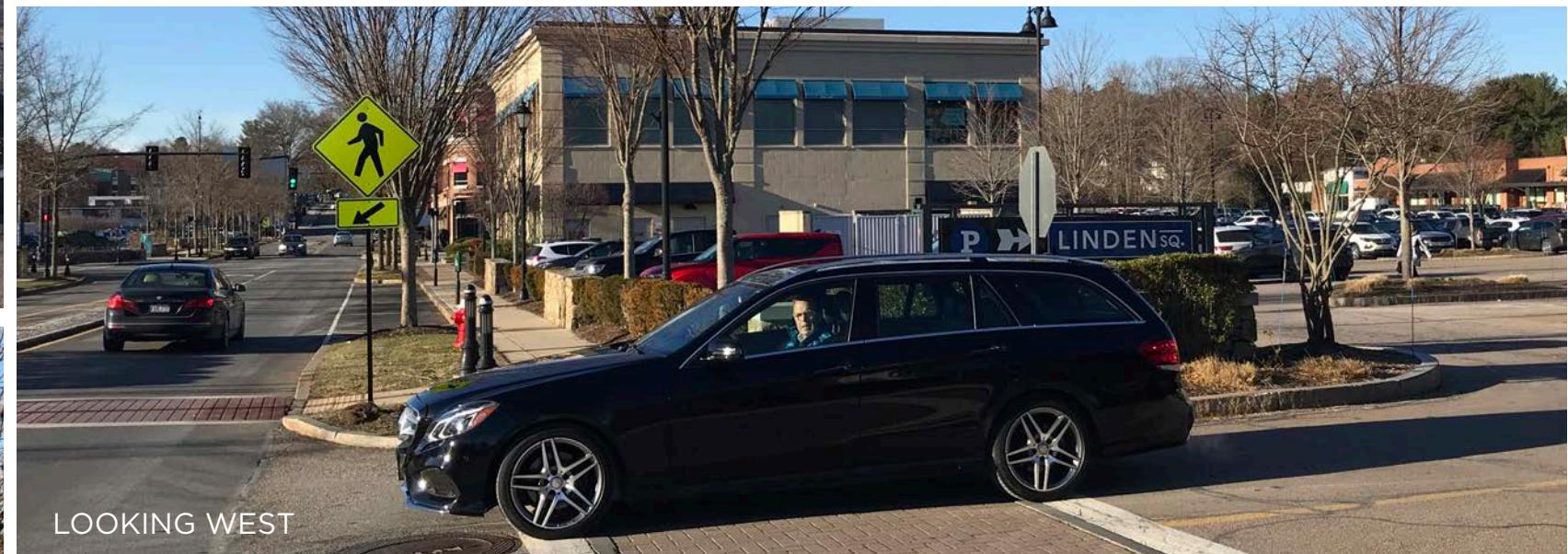
This is a proposed new sign - no existing sign in this location



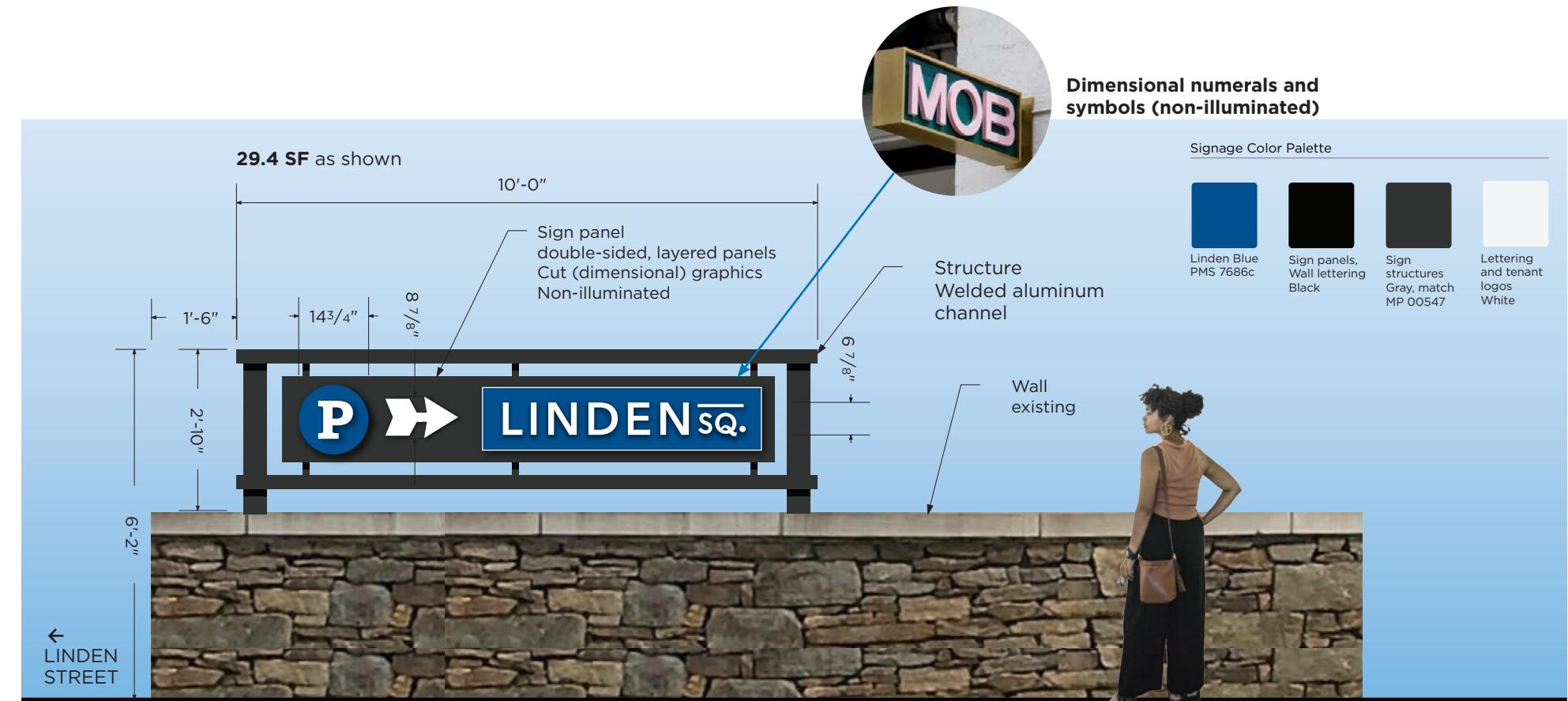
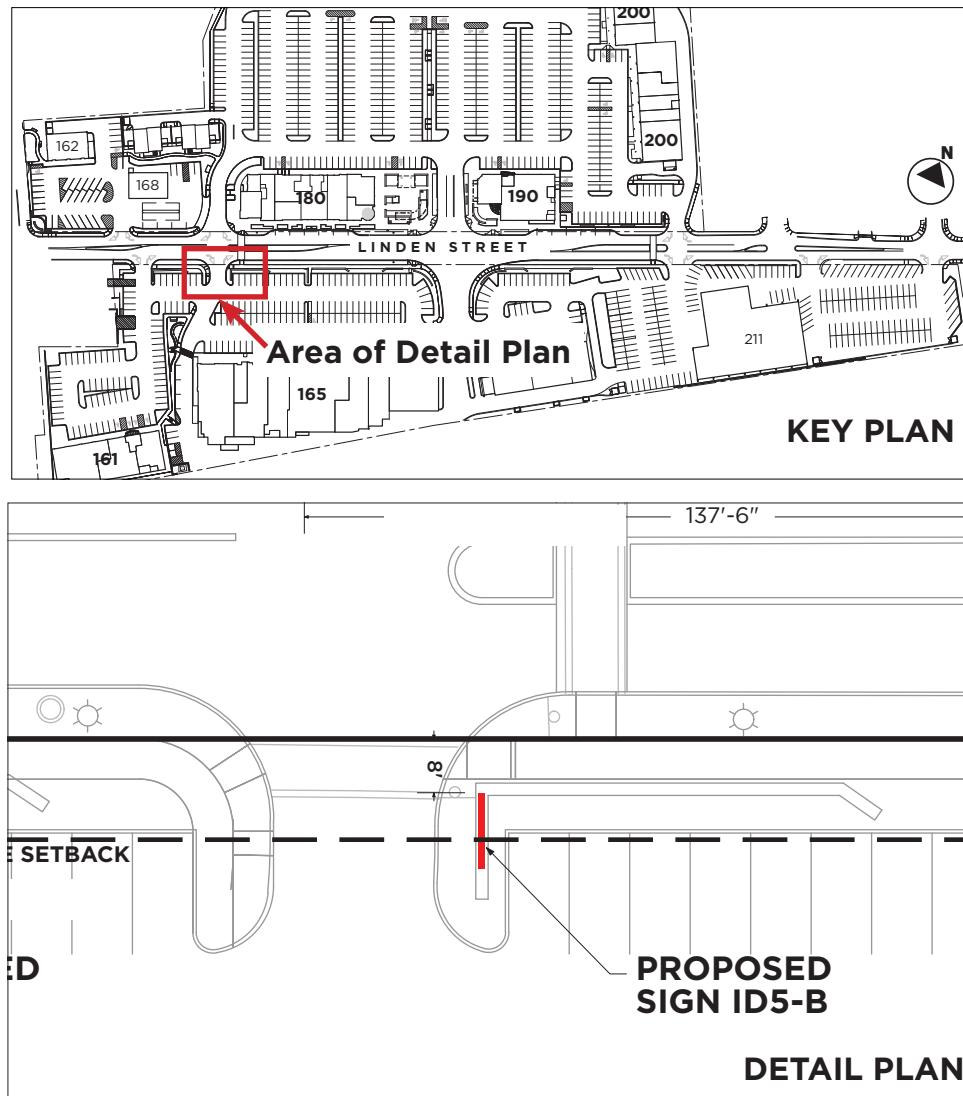
FULL-SIZE MOCKUP



ID5-A SECONDARY ENTRY & IDENTITY



ID5-B SECONDARY ENTRY & IDENTITY



Special permit sought for:

1. Sign area
2. Setback
3. Sign height

This is a proposed new sign - no existing sign in this location

Wall Sign

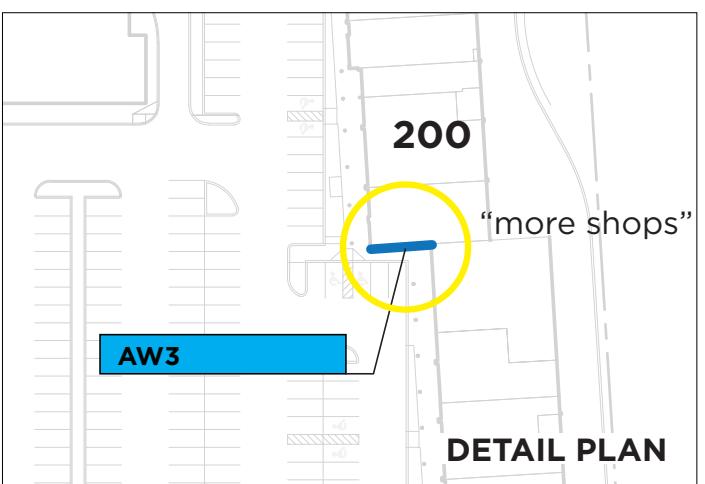
AW3 BUILDING 200 WALL SIGN



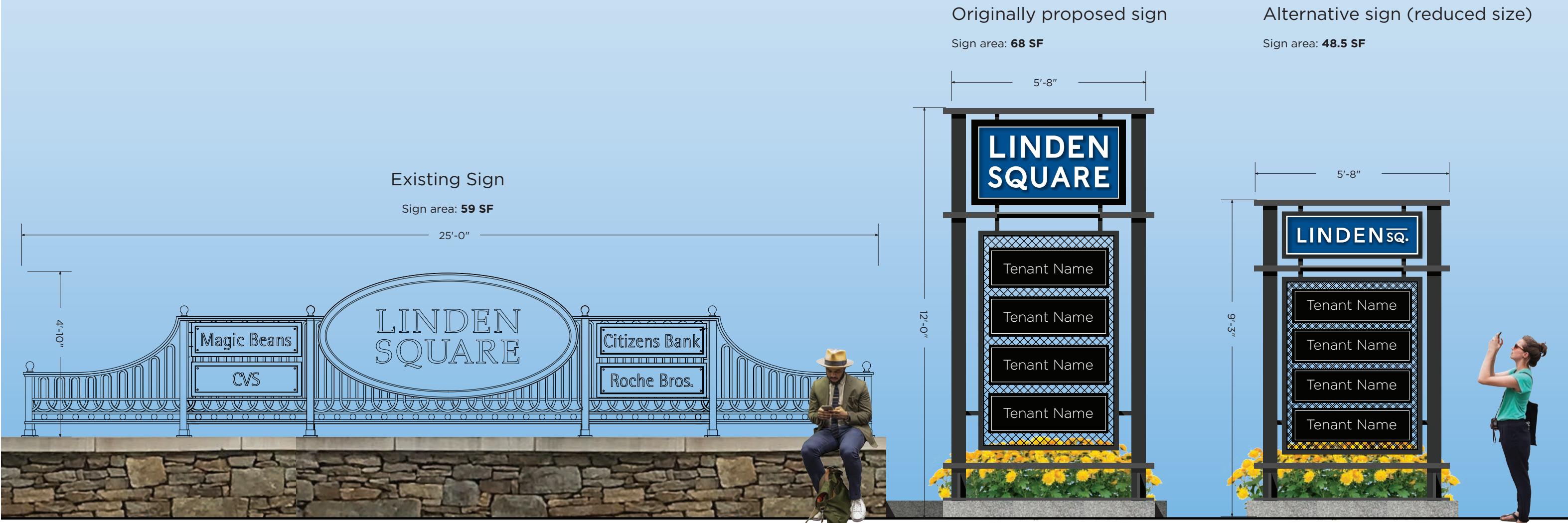
Special permit sought for:

1. Sign area
2. Letter height
3. Painting on brick

This is a proposed new sign - no existing sign in this location



ID1 SIGN SIZE REDUCTION



14

ID1 ORIGINALLY PROPOSED SIGN



15

ID1 ALTERNATIVE SIGN (REDUCED SIZE)



16