



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board
From: Claire Ricker, Secretary Ex-Officio
Subject: Environmental Design Review, 37 Broadway, Arlington, MA
Docket #3724
Date: November 17, 2022

I. Docket Summary

This is an application by Batten Bros. Sign, 893 Main Street, Wakefield, MA 01880 for Arlington Center Garage and Service Corp, 438 Massachusetts Avenue, Suite 127, Arlington, to open Special Permit Docket #3724 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2 Signs. The applicant proposes to replace the existing wall signs and a directory sign at Beth Israel Lahey Health, 37 Broadway, Arlington, MA in the Major Business Zoning District (B2A) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Impact statement;
- Site plan with sign locations;
- Photographs of existing signs;
- Dimensional information of the proposed signage; and
- Renderings of signage.

The property at 37 Broadway has been used for many years as a medical office; Beth Israel Lahey Health has been a tenant since 2005. Beth Israel Lahey Health wishes to replace the existing wall signs and existing directory with signage reflecting the organization's new logomark. The signage exceeds the allowable signage in the Business Sign District.

In 1984, the Zoning Board of Appeals approved Docket Number 2558 allowing one 36 square foot wall sign to be installed at a height of 25 feet and above the sills of the second floor windows, noting that the location of the sign was in the public interest because the sign band was a more appropriate location for such a sign. In 2014, the Department of Planning and Community Development issued administrative approval of the wall sign above the entry door. There is no record of sign approvals for the second wall sign or the directory sign. The Department has recommended that the applicant seek a special permit to consolidate approved signs and signage without permits under a single permit.

Section 6.2, Signs, directs the Redevelopment Board to review any requests for sign special permits via Environmental Design Review.

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

A medical office of 3,000 square feet or more has been established at this site for many years; it is a pre-existing, conforming use at this location in the B2A Major Business Zoning District. The signage is the subject of the special permit as required by Section 6.2, Signs. The Board can find that this condition is met.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

A medical office has operated from this location for many years, and this business provides a service for the community. The Board can find that this condition is met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Only the signage is subject to review. The Board can find that this condition is met.

4. Section 3.3.3.D.

The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The medical office use does not overload any municipal systems. The Board can find that this condition is met.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

No special regulations are applicable to the proposal. The Board can find that this condition is met.

6. Section 3.3.3.F.

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The use does not impair the integrity or character of the neighborhood. The Board can find that this condition is met.

7. Section 3.3.3.G.

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

There are no changes to the landscape as there are no proposed exterior alterations other than the proposed new signage. The Board can find that this condition is met.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

There are no changes to the exterior of the building other than the proposed new signage. The Board can find that this condition is met.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or

overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

There are no changes to open space as a result of the sign proposal. The Board can find that this condition is met.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

There are no changes to any circulation patterns. The Board can find that this condition is met.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

There will be no changes to the exterior of the building or surface water run-off because of this proposal. The Board can find that this condition is met.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

There will be no changes to the utility service as a result of this proposal. The Board can find that this condition is met.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The applicant seeks to replace four existing nonconforming signs with new signage exceeding what is allowable in the Business Sign District. A Special Permit has been requested to allow the business to install signage in excess of what is permitted:

1. Sign A: Replacing the existing wall sign on Silk Street façade with a new, internally illuminated sign of approximately 28 square feet at a sign height of 28 feet. The sign would be mounted with toggle bolts into the sign band.
2. Sign B: Replacing the existing wall sign on the building façade facing driveway with a new, internally illuminated sign of approximately 28 square feet at a sign height of 28 feet. The sign would be mounted with toggle bolts into the sign band.
3. Sign C: Replacing the existing wall sign above entry with a non-illuminated acrylic wall sign of approximately 30 square feet, mounted at a sign height of 13 feet 6 inches.
4. Sign D: Replacing the existing freestanding directory sign with a smaller fabricated aluminum cabinet freestanding directory sign of 21.5 square feet. The directory sign would be 6 feet 10 inches in height and set back from Broadway by 19 feet 6 inches.

Per Section 6.2.5(D)(10), the Business Sign District allows a maximum of 40 square feet of wall signs in total, installed at a maximum sign height of 25 feet above grade. Under Section 6.2.1(E)(8), the wall sign above the entry is exempt from this sign area as it is not visible from the public right of way. Excluding the wall sign above the entry, the proposed signs exceed the allowable sign area by 16 square feet, and would be installed at a sign height three feet higher than the maximum in the Zoning Bylaw.

Under Section 6.2.5(C) of the Zoning Bylaw, freestanding directory signs are not allowed in the Business Sign District. In sign districts where freestanding directory signs are allowed, the maximum sign is 12 square feet and sign height is 6 feet.

The application exceeds the maximum wall sign area and the sign height allowed in the Business Sign District, and proposes a sign type that is not allowed in the Business Sign

District. All proposed signage is to replace existing signs, some of which have not been approved administratively or through a Special Permit. Per Section 6.2.2(C), the ARB may grant a Special Permit to allow signs in a location other than what is allowed, “provided the architecture of the building, the location of the building relative to the street, or the nature of the use being made of the building is such that an additional sign or signs of a larger size should be allowed in the public interest.”

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

No changes are proposed. The Board can find that this condition is met.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

No changes are proposed. The Board can find that this condition is met.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The building at 37 Broadway is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. The Board can find that this condition is met.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

No changes are proposed. The Board can find that this condition is met.

12. EDR-12 Sustainable Building and Site Design w

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

No changes are proposed. The Board can find that this condition is met.

IV. Findings

1. The ARB finds that the nature of the use being made of the building is such that allowing signs of a larger size, at a taller height, and a sign type not otherwise allowed in the Business Sign District is in the public interest consistent with Section 6.2 of the Zoning Bylaw.
2. The ARB finds that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.

V. Conditions

1. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.