



By Email (ssikka@newtonma.gov)
City of Newton Urban Design Commission
Planning & Development Department
1000 Commonwealth Ave.
Newton, MA 02459

May 4, 2020

Dear Members of the Urban Design Commission:

The Lower Falls Improvement Association Riverside Committee appreciates the opportunity to share our thoughts about the comprehensive signage plan required by the Riverside zoning ordinance, which are both procedural and substantive.

With respect to procedure, after much discussion with the Mark Development team, we understand and appreciate their desire to make detailed signage proposals in connection with final architectural designs, i.e., after a decision on the special permit. That said, the zoning ordinance requires that the developer submit and the City Council approve a comprehensive signage program as part of the special permit process. We intend to propose to the Land Use Committee that the special permit (i.e., the “Board Order”): (1) set limits on the number, size and basic types of signs that will be permitted for at least Buildings 1 and 2 and all signs that will be visible from Grove Street¹; and (2) require that the final signage plan, including both number and size as well as all final design details, within such limits, be approved by the UDC in accordance with its usual sign permit process, including an opportunity for public comment. This should satisfy the requirement of the zoning ordinance while allowing design details, including sign locations, to be determined later.

With respect to the substance of the limits to be adopted by the City Council, we consider it vital to ensure that the signage is appropriate for the context of the site. Specifically:

- (1) Riverside will be primarily a residential development, adjacent to two residential neighborhoods (Newton Lower Falls and Auburndale). The signage should be appropriate for this residential context, rather than giving the appearance that the primary site usages are office and retail;
- (2) Grove Street is a tree-lined, designated scenic road. All aspects of the site design, including signage should retain as much of that character as possible;

¹ The City Council may also wish to set limits on the signs within the project. We would have no objection to that approach, and of course hope that the signage within the project will be tasteful and appropriate for a predominantly residential project, but because the internal signage will affect the character of or have significant lighting impacts on the surrounding neighborhoods, we defer to others on this issue.

(3) The view of the project from Rt. 128/I-95 is the view of the project from Newton Lower Falls, particularly from DeForest Road, which is only 400 feet from the project site, but also elsewhere in Lower Falls, particularly with respect to Building 1. Thus, signage on the hotel and office buildings (Buildings 1 and 2) should be designed and positioned to minimize visual impact on Newton Lower Falls.

We do not support the inclusion of signage rules that would allow for maximum flexibility just in case it is needed once the buildings are fully designed. Instead, we intend to request provisions allowing for the UDC to grant waivers to the restrictions in certain cases and up to certain limits, but only on a finding by the UDC that the developer has shown good cause for the waiver. Setting limits at the largest extreme that *may* be warranted based on building architecture will, inevitably, suggest that a signage program including all such maximums are appropriate or anticipated.

With the above objective in mind, we intend to propose the following substantive limitations:

Building 1 (Office Tower)

For signs on the north, south and west facing walls:

- No sign on the west facing wall (i.e., facing Newton Lower Falls).
- One wall sign on each the north and south facing sides of the building, limited to 100 SF, with a waiver possible to a maximum of 150 SF.

We understand that we are in sharp disagreement with Mark Development both on the prohibition against a sign facing Lower Falls and the size of the north and south facing signs. However, we believe our proposal to be reasonable.

In support of its position that it should be permitted to have 350 SF signs on each of the north, south and west (Lower Falls) facing sides of the tower, Mark Development provided us with a permit for signs on the Crown Plaza building over the Mass. Pike, which allowed for 289 SF signs facing east and west (i.e., facing the direction of the highway traffic). We do not believe that sign on a building straddling the Mass. Pike in a highly commercialized area of Newton is comparable to the Riverside site.

As a counterpoint, we offer, as Attachment A, a photo of and sign permit for the Thermo Fischer building on Rt. 128. As you can see from the permit, the north and south facing signs are 116.55 SF². Our proposal of 100 SF with a potential waiver to 150 SF is in line with this nearby Rt. 128-facing building. Thus, we believe the limitation we propose will not put Mark Development at a commercial disadvantage.

² There is a west facing sign of this building as well. Although we could not find the permit for that sign, from the photos it is apparent that it is no larger than the north and south facing signs.

There are, of course, larger signs on Rt. 128 in Waltham,³ but the streets surrounding the commercial buildings on Rt. 128 in Waltham are commercial streets, i.e., Bear Hill Road/2nd Ave. to the west of Rt. 128 and 3rd, 4th and 5th Avenue to the east of Rt. 128. In contrast, the Riverside development parcel is directly across Rt. 128 from a residential neighborhood and it located on a predominately residential street (Grove). This warrants not only that the Riverside office building signs be at the smaller end of what exists in Waltham but also that there be no sign facing the residences of Lower Falls. The building will have more than sufficient visibility to the traffic on Rt. 128 with signs facing the direction of that traffic (north and south).

Building 2 (Hotel)

For signs on the north, south and west facing walls:

- One wall-mounted sign limited to 100 SF on each of the north and south facing sides.
- One wall-mounted sign limited to 75 SF on the west (Lower Falls) facing side.

Recognizing that the north and south facing sides of Building 2 may have limited highway visibility because of Buildings 1 and 3, we cannot reasonably oppose a sign facing Lower Falls on this building. However, we see no reason why this sign needs to be larger than the existing Hotel Indigo sign currently facing this direction, which appears to be 75 SF. Please see Attachment C--the Indigo's sign permit application. We would certainly look to the UDC to ensure that the colors and lighting for the final approved design is tasteful and as minimally obtrusive to the residences in Lower Falls as possible.

Buildings 3 (residential)

We understand that Mark Development would like to have a 65 SF wall sign on Building 3, bearing the project name or brand. So long as this sign is on the building wall facing the corner of Grove Street and the highway ramp (rather than directly facing Lower Falls), we do not intend to oppose a 65 SF maximum permissible size for a sign on Building 3, with the additional restriction that illumination be external only.⁴

Buildings 4 &5 (residential)

For signs that are visible from Grove Street, we intend propose:

- A limit of one sign per building, wall-mounted, exterior illuminated only, bearing building address/name only and limited to 15 SF with a possible waiver to 25 SF.
- External illumination only.

³ One such example is the Wolverine building. Please see the photo of and permit for this sign indicating that it is 179 SF (Attachment B). Even this larger sign is a far cry from the 350 SF signs proposed by Mark Development.

⁴ Please note that by external illumination, we mean a lighting source mounted on the building wall and directed toward the face of the sign. "Halo" illumination is not within what we refer to as external lighting nor is any other form of lighting which projects outward from the sign.

Buildings 6-7 (residential with ground floor retail)

For signs on these buildings that are visible from Grove Street, we intend to propose the following limitations:

- No more than a total of two signs (whether wall-mounted or flag-mounted/perpendicular/blade signs) per building visible from Grove Street, limited as follows:
 - Wall-mounted signs limited to 30 SF each, with a waiver to a maximum of 50 SF possible.
 - Flag-mounted/perpendicular/blade signs limited to 15 SF, with the horizontal dimension limited to 3 feet.
- Window signs would be permitted in addition to the above, but limited to window logo signs, as described and limited as per Mark Development's January 2020 Design Guidelines, p. 69.
- Awning signs would be permitted in addition to the above, but would need to conform to the Newton Sign Ordinance.
- Tenants should be prohibited from placing any illuminated displays or signs inside their premises that are visible from Grove Street.

Additional restrictions on Buildings 3-7

- No signs on these buildings that are visible from Grove Street may be internally illuminated. Only indirect lighting is permitted.
- All signs on these buildings that are visible from Grove Street shall be consistent (although not necessarily identical) in style and color palette with one another.

Other

Illumination generally

- The provisions of Section 5.2.10.A of the Ordinance prohibiting, among other things, blinking or flashing lights should apply, and neon colors should apply. In addition, the provisions of Section 5.2.10.D of the Ordinance prohibiting illumination between the hours of 11PM and 7AM, with limited exceptions, also should apply.

Based on discussions, we believe Mark Development has no objection to the application of either of these provisions.

Freestanding signs on Grove Street

- Only one freestanding sign bearing the project name or brand near the site entrance/exit.

Temporary Signs

- Temporary signs, including construction signs, real estate signs, and event signs should be permitted only as per the provisions concerning such signs in Newton Sign Ordinance.

We do not believe that the large size of this project warrants less restrictive rules for temporary signage. If anything, because of the size of the project, the potential negative impact of signs not compliant with the Ordinance is greater than if the project were small.

Thank you very much for your time and attention to these important issues. We look forward to the meeting on May 13, 2020.

Sincerely,



Liz Mirabile, Chair

On behalf of the Lower Falls Improvement Association Riverside Committee

cc: Mr. Robert Korff
Stephen J. Buchbinder, Esq.

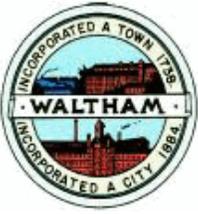
ATTACHMENT A

Thermo Fisher Waltham

Write a description for
this place

Legend
📍 Thermo Fisher Scientific





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Permit Information

Type / Category	Building Department	Building Permit
Application No./Date	S201700147	06/22/2016
Permit No./Date	S201700148	06/22/2016
Certificate No./Date		
Total Fee	\$98	
Purpose / Notes & Comment / Work Description		
THERMO FISHER SCIENTIFIC - BOA CASE #2016-09 - INSTALLATION OF TWO 116.5SF WALL SIGNS ON NORTH (1 SIGN) AND SOUTH (1 SIGN) SIDES OF BUILDING		

Linked Names

Sign Owner's Name	THERMO FISHER SCIENTIFIC INC 168 THIRD AVE WALTHAM MA 02451
Owner name	TFS LLC. C/O MARK WATKINS 81 WYMAN ST WALTHAM MA 02454-9046
Sign Erector's Name	READY 2 RUN GRAPHIC & SIGNS INC 240 BARTER AVE WORCESTER MA

Permit Activity Information

Type / Category	Started	Completed	Status
Application Accepted	06/22/2016	06/22/2016	Yes
Plan Review	06/22/2016	06/22/2016	Yes
Illumination/Electrical Permit Required	06/22/2016	06/22/2016	Yes
Issue Permit	06/22/2016	06/22/2016	Yes

[Back to Property Information](#)

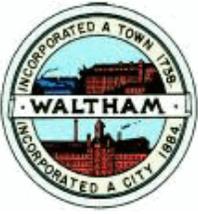
ATTACHMENT B

Wolverine - Waltham

Write a description for your map.

Legend
📍 Wolverine Worldwide





[Back to Property Information](#)

Permit Information

Type / Category	Building Department	Building Permit
Application No./Date	S201700144	06/20/2016
Permit No./Date	S201800001	07/07/2016
Certificate No./Date		
Total Fee	\$65	
Purpose / Notes & Comment / Work Description		
WOLVERINE WORLDWIDE - INSTALL 178.95SF WALL SIGN		

Linked Names

Owner name	ZEE EM TRUST 11 C/O BOSTON PROPERTIES TAX DEPARTMENT 800 BOYLSTON ST. #1900 BOSTON MA 02199-8103
Sign Erector's Name	ADVANCED SIGNING LLC 4 INDUSTRIAL PARKED RD MEDWAY MA
Sign Owner's Name	WOLVERINE WORLDWIDE ATTENTION: MICHEALA HUTCHINSON 504 TOTTEN POND RD WALTHAM MA 02451

Permit Activity Information

Type / Category	Started	Completed	Status
Application Accepted	06/20/2016	07/07/2016	Yes
Plan Review	07/07/2016	07/07/2016	Yes
Illumination/Electrical Permit Required	07/07/2016	07/07/2016	Yes
Issue Permit	07/07/2016	07/07/2016	Yes

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ATTACHMENT C



City of Newton, Massachusetts
 Department of Planning and Development
 1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
 (617) 796-1120
 Telefax
 (617) 796-1086
 www.newtonma.gov

Setti D. Warren
 Mayor

Candace Havens
 Director

SIGN PERMIT APPLICATION

PROJECT #: 14080044 DATE RECEIVED: 8/29/14 ZONING DISTRICT: B05
 PROPERTY ADDRESS: 399 Grove St.

SIGN INFORMATION

USE OF PROPERTY: Hotel
 (check all that apply) COMMERCIAL MULTI-FAMILY RESIDENCE
 ONE OR TWO-FAMILY RESIDENCE INSTITUTIONAL USE

PROPOSED SIGNAGE:

Description	Sign Type	Size (sq. ft.)	Mount Type	Illumination	Façade Frontage (ft.)
<i>i.e. Joe's Hardware</i>	<i>Principal</i>	<i>32</i>	<i>Wall Mounted</i>	<i>Non-illuminated</i>	<i>105</i>
<i>Hotel INDIGO</i>	<i>Principal</i>	<i>75</i>	<i>Wall</i>	<i>LED illuminated</i>	<i>52'</i>
<i>BOX 109</i>	<i>Secondary</i>	<i>33.06</i>	<i>Wall</i>	<i>Non-illuminated</i>	<i>30' east</i>
<i>Hotel INDIGO</i>	<i>Secondary</i>	<i>28.1</i>	<i>Wall</i>	<i>Non-illuminated</i>	<i>45' east</i>

IS THE PROPOSED SIGN(S) IN A HISTORIC DISTRICT? NO IF YES, WHICH: _____

EXISTING SIGNAGE:

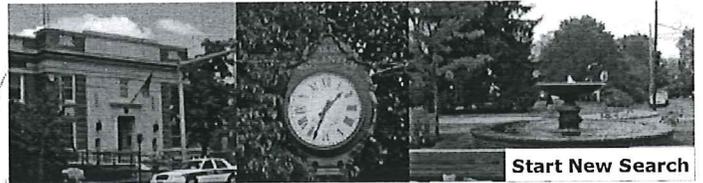
Description	Sign Type	Size (sq. ft.)	Mount Type	Illumination	Side of Building
<i>i.e. Joe's Hardware</i>	<i>Principal</i>	<i>32</i>	<i>Wall Mounted</i>	<i>Non-illuminated</i>	<i>North</i>
<i>N/A</i>					

APPLICATION AUTHORIZATIONS

PROPERTY OWNER: James Harvey (PRINT NAME) See attached (SIGNATURE) _____ (DATE)
 APPLICANT/AGENT: SANDRA Lupien (PRINT NAME) Sandra Lupien (SIGNATURE) 8/27/14 (DATE)
 PHONE #: 508-393-8200 EMAIL ADDRESS: Sanny@ViewpointSign.com
 ADDRESS: 35 Lyman St. Northboro, MA 01532

The applicant/agent is the primary contact and may be any individual representing the establishment
 By signing above, I certify: - The property owner has approved the proposed sign and authorized its installation.
 - This application is accompanied by a complete Building Permit application.
 - The application is complete and accurate.

NOTE: This Application **MUST** be accompanied by a Building Permit Application.



1.22 mi
 Scale 1" = 153.26 ft

[Print Property Record Card](#) | [View Sketch](#)

Property SBL 42011 0004
Address 399 GROVE ST
Owner BH NORMANDY OWNER LLC
 C/O NORMANDY R E PTNRS

Basic Information

Property SBL	42011 0004
Address	399 GROVE ST
Tax Bill Number	2502048
Land Use *	300
Land Use Description *	HOTELS
Lot Size	121,700 sq ft
Frontage	168 ft
Zoning **	BU5
Map ID	065SW
FY 2014	\$18,450,600

* The land use and description listed here are for Assessing Department purposes based on historical records in the Assessing Department. For an official ruling on the legal use of the property pursuant to the state building code and/or Newton Zoning Ordinances, contact the Inspectional Services Department.

** For reference purposes only. Please check with Engineering Department for official zoning designation.

Ownership

Current Owners BH NORMANDY OWNER LLC
 C/O NORMANDY R E PTNRS

Mailing Address 53 MAPLE AVE
 MORRISTOWN, NJ 07960

Latest Sale Date 5/24/2006
Latest Sale Price \$14,522,500
Latest Legal Reference 047503/0078

Prior Owners GROVEDALE ASSOC LTD PARTNERSHIP
Prior Sale Date 9/1/1997
Prior Sale Price \$11,800,000
Prior Legal Reference 027687/0017

Assessment History

FY 2014 \$18,450,600
 FY 2013 \$17,745,600
 FY 2012 \$17,016,400
 FY 2011 \$15,595,700
 FY 2010 \$15,595,700
 FY 2009 \$14,667,700
 FY 2008 \$11,858,600
 FY 2007 \$11,842,800



#3256.2

Job: Indigo Hotel	Account Manager: Scott Spaulding	Date: 04.18.12 R.O.D.25	Revisions: 04.24.12 R.O.D.25 02.03.14 R.O.D.25	Revisions:	THIS PROPOSAL DRAWING CONTAINS ORIGINAL ELEMENTS CREATED BY VIEWPOINT SIGN AND AWNING. ALL RIGHTS RESERVED. UNAUTHORIZED DUPLICATION OR REPRODUCTION IS PROHIBITED.	 ViewPoint SIGN AND AWNING	1.508.393.8200 FAX 1.508.393.4244	Customer Approval	Act. Manager Approval	Production Approval
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Job:
Indigo Hotel
Location:
Newton, MA

Account Manager:
Scott Spaulding
File:
IndigoHot_NewMA_BokxDinGraphics-Pg2_2d.ai

Date:
04.18.12 R.0 D.25
Designer:
Mathew Hoard

Revisions:
04.24.12 R.0 D.25

Revisions:

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ViewPoint
SIGN AND AWNING

1.508.393.8200
FAX 1.508.393.4244

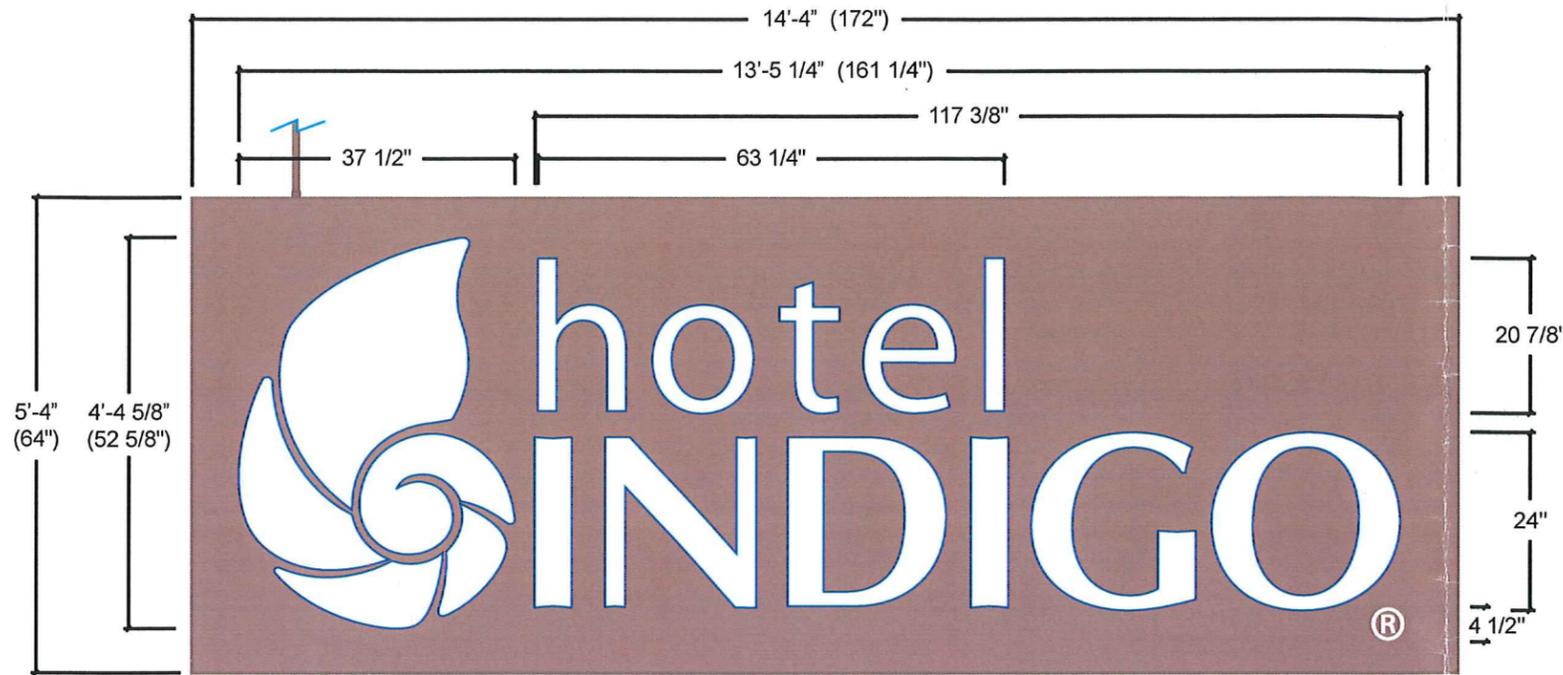
Customer Approval

Acct. Manager Approval

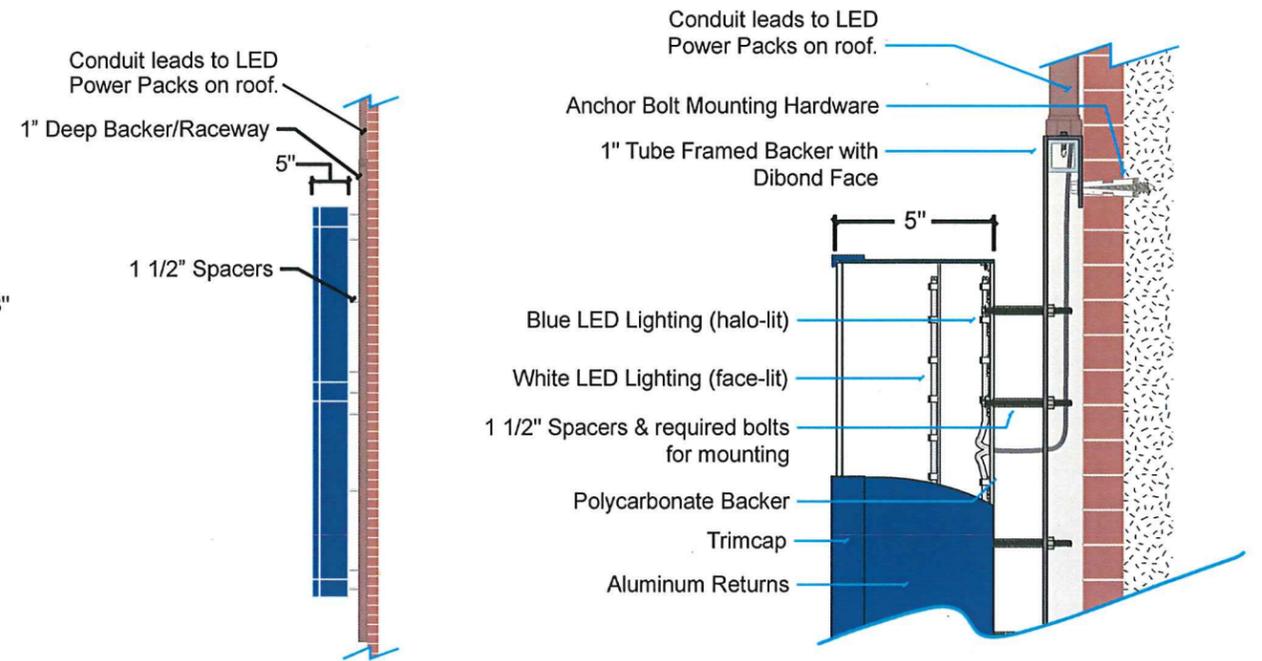
Production Approval

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Channel Letters & Icon



E1 Elevation: #3256.1 (Qty 1) Channel Letters and Icon
 Scale: 1/2" = 1' 52 5/8"x161 1/4"=59 sq. ft. (Pre Existing Sign was 6'-3" x 12' = 75 sq.ft.)



S Side View:
 Scale: 1/2" = 1'

SD Side View:
 Scale: 1/2" = 1'

Description:

- (Qty 1) Face & Halo-Lit Channel Letters & Icon
- Internally illuminated with LEDs (face & halo-lit)
- Fabricated aluminum returns with acrylic faces and trimcap.
- Clear polycarbonate backs.
- Mounted to backer/raceway (spaced off 1 1/2" for halo)
- "®" is surface applied vinyl.
- Backer/raceway has a aluminum frame covered with 3mm DiBond.
- Exterior 1" conduit and remote power supply on roof.

Colors:

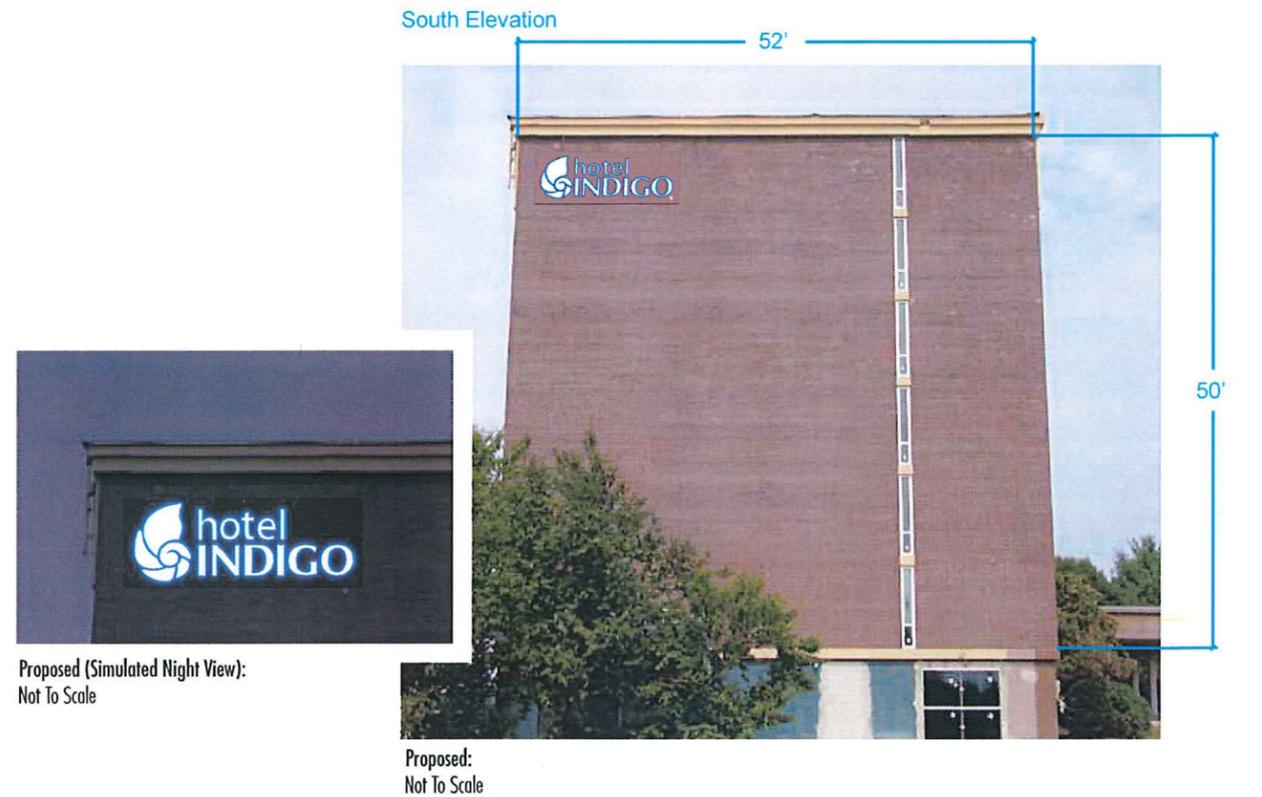
- Face Illumination - White LEDs
- Halo Illumination - Blue LEDs
- Faces - 3/16" White Acrylic
- Returns - painted to match PMS 2758c Blue
- Trimcap - painted to match PMS 2785c Blue
- Backs - Clear polycarbonate
- "®" - Arlon 2100-02 White vinyl
- Backer/Raceway - painted Akzo Nobel Colormap 406D1
- Conduit - painted Akzo Nobel Colormap 406D1

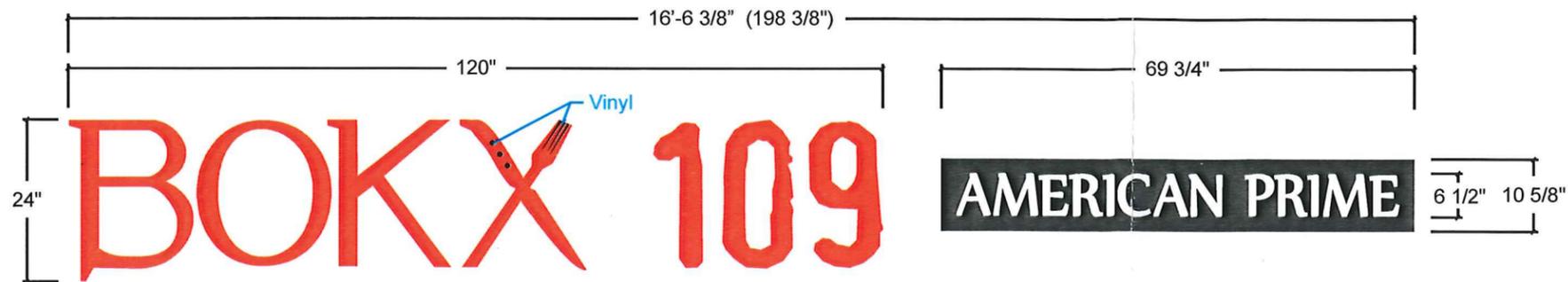
Logo:

Supplied by Customer
 Edited/Cleaned by ViewPoint

Installation:

By ViewPoint / Mounted to exterior brick wall.
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code (NEC) and/or other applicable Local Electrical Codes (LEC).
 This includes proper grounding and bonding of the sign.





E2 Elevation: #3256 (Qty 1) Dimensional Graphics
 Scale: 1/2" = 1' Total Square Footage: 24" x 198 3/8" = 33.06 sq.ft.

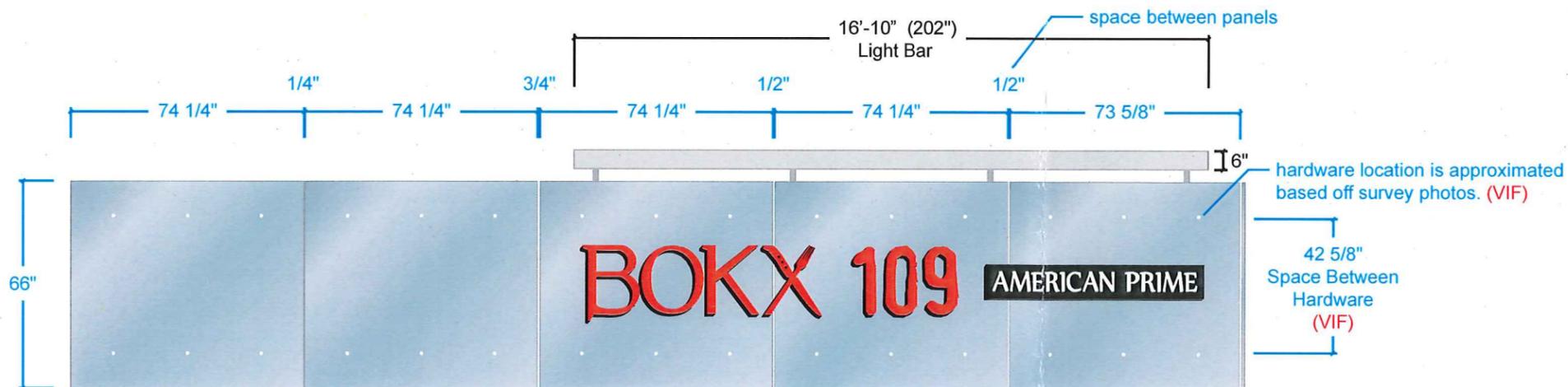
Description:
 (Qty 1) Dimensional Graphics
 - 1/2" PVC
 - "American Prime" is surface applied vinyl on PVC face.
 - Knife and fork have surface applied vinyl on PVC face.
 - Dimensional graphics are mounted to glass facade with VHB tape and silicone.
 - (1) Custom fabricated light bars. (TBD)

Logo:
 Bokx 109 - Supplied by Customer
 (arrangement adjusted to increase visibility)

Colors:
 "Bokx 109":
 Returns - painted Black (return)
 Face - 3M 220-293 Atomic Red vinyl
 3M 220-12 Black vinyl

"American Prime" Panel - painted Black (face/returns)
 "American Prime" Copy - 3M 220-10 White vinyl
 Light Bar - painted to match Brushed Aluminum

Installation:
 By Viewpoint. VHB tape and silicone.
 See photo elevation.



Left Elevation:
 Scale: 1/4" = 1'

Job:
 Indigo Hotel
 Location:
 Newton, MA

Account Manager:
 Scott Spaulding
 File:
 IndigoHot_NewMA_BokxDimGraphics-Pg1_2d.ai

Date:
 04.18.12 R.O.D.5
 Designer:
 Mathew Hoard

Revisions:
 04.24.12 R.O.D.25
 08.27.14 R.O.D.25

Revisions:

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ViewPoint 1.508.393.8200
 SIGN AND AWNING FAX 1.508.393.4244

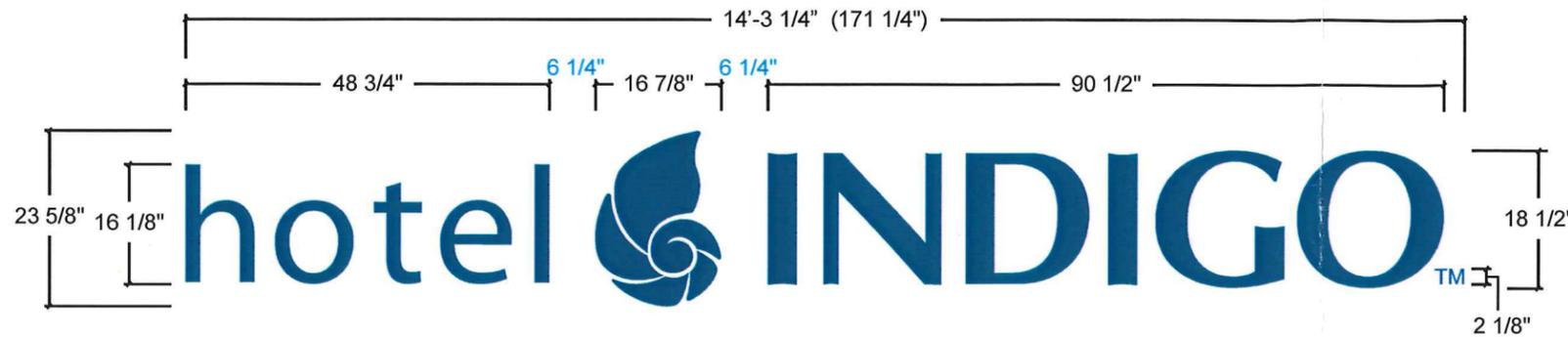
Customer Approval

Acct. Manager Approval

Production Approval

TBD/VIF

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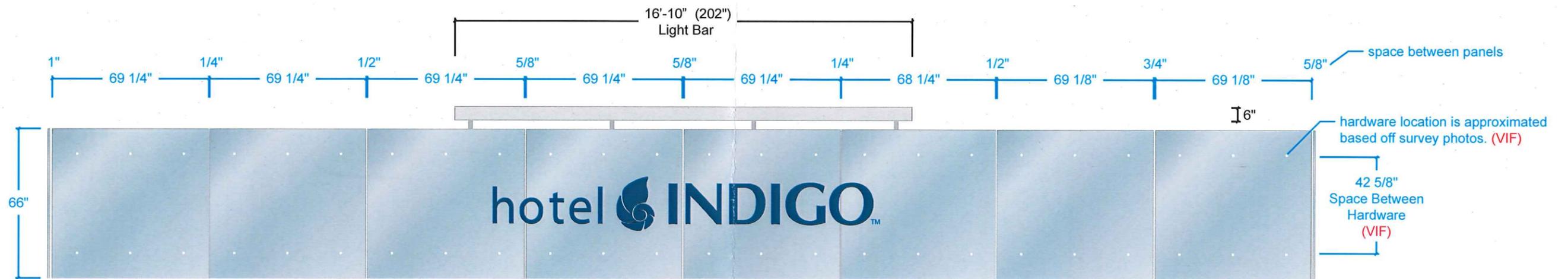
E1 Elevation: #3256.2 (Qty 1) Dimensional Graphics
 Scale: 1/2" = 1' Total Square Footage: 23 5/8" x 171 1/4" = 28.1 sq.ft.

Description:
 (Qty 1) Dimensional Graphics
 - 1/2" PVC
 - "TM" is surface applied vinyl on glass facade.
 - Dimensional graphics are mounted to glass facade with VHB tape and silicone.
 - (1) Custom fabricated light bars. (TBD)

Logo:
 Supplied by Customer
 Edited/Cleaned by ViewPoint

Colors:
 Indigo Hotel Graphics - painted to match PMS 2758c (face/returns)
 "TM" - 3M 220-37 Sapphire Blue vinyl
 Light Bar - painted to match Brushed Aluminum

Installation:
 By Viewpoint. VHB tape and silicone.
 See photo elevation.



Front Elevation:
 Scale: 1/4" = 1'

Job:
 Indigo Hotel
 Location:
 399 Grove Street - Newton, MA

Account Manager:
 Scott Spaulding
 File:
 IndigoHot_NewMA_IndigoDimGraphics-Pg1_2e.ai

Date:
 04.18.12 R.O D.5
 Designer:
 Mathew Hoard

Revisions:
 04.24.12 R.O D.5
 02.03.14 R.O D1.0
 08.27.14 R.O D.25

Revisions:

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ViewPoint 1.508.393.8200
 SIGN AND AWNING FAX 1.508.393.4244

Customer Approval

Acct. Manager Approval

Production Approval

TBD/VIF