



# CITY OF NEWTON, MASSACHUSETTS

## Urban Design Commission

### MEETING MINUTES

A meeting of the City of Newton Urban Design Commission (UDC) was held virtually on Wednesday, **February 8, 2022** at 7:00 p.m. via Zoom

<https://us02web.zoom.us/j/84184823048>

Ruthanne Fuller,  
Mayor

**The Chair, Michael Kaufman, called the meeting to order at 7:02 P.M.**

Barney Heath,  
Director  
Planning & Development

Shubee Sikka,  
Urban Designer  
Planning & Development

Members  
Michael Kaufman, Chair  
Jim Doolin, Vice Chair  
John Downie  
William Winkler  
Visda Saeyan

1000 Commonwealth Ave.  
Newton, MA 02459  
T 617/796-1120  
F 617/796-1142

[www.newtonma.gov](http://www.newtonma.gov)

#### I. Roll Call

Those present were Michael Kaufman (Chair), Jim Doolin, and Bill Winkler. John Downie joined at 7:04 pm and Visda Saeyan joined at 7:22 pm. Visda Saeyan was not able to vote since she hadn't signed the official City of Newton Oath Book since being reappointed to UDC. Shubee Sikka, Urban Designer, was also present.

#### II. Regular Agenda

##### Sign Permits

Mr. Kaufman asked if the Commission felt there were any applications they could approve without discussion. The Commission agreed to approve the following signs without discussion:

##### **2. 201 Needham Street – Michael's**

###### Proposed Signs:

- One wall mounted principal sign, internally illuminated, with approximately 95 sq. ft. of sign area on the eastern building façade facing Needham Street.
- One wall mounted principal sign, internally illuminated, with approximately 95 sq. ft. of sign area on the southern building façade facing Tower Road.

**MOTION: Mr. Kaufman made a motion to approve the proposed signs at 201 Needham Street – Michael's. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 3-0 vote, Michael Kaufman, Jim Doolin, and William Winkler in favor and none opposed.**

##### **1. 55-71 Needham Street – Jersey Mike's Subs**

Applicant/Representative: Michael Privitera

###### Proposed Signs:

- One wall mounted secondary sign, internally illuminated, with approximately 49 sq. ft. of sign area on the eastern building façade facing Needham Street.

- One wall mounted secondary sign, internally illuminated, with approximately 49 sq. ft. of sign area on the southern building façade facing the side parking lot.
- One wall mounted secondary sign, internally illuminated, with approximately 9 sq. ft. of sign area on the western building façade facing the rear parking lot.

Presentation and Discussion:

- Staff informed UDC before the meeting by email that the applicant has submitted revised sign drawings that appear to be compliant with the comprehensive sign package. The above dimensions reflect the revised sign area for all three signs. As per the comprehensive sign package, 2 secondary signs of 50 sq. ft. each and one secondary sign of up to 12 sq. ft. are allowed.
- Mr. Kaufman commented that it looks like from the photoshop images that the primary sign on the side is not centered on the panel, is that intentional? The applicant responded that its probably a graphic error, the sign will be centered on the rectangular panel, just like the front. Mr. Winkler agreed with Mr. Kaufman.

**MOTION: Mr. Kaufman made a motion to approve the signs with a clarification at 55-71 Needham Street – Jersey Mike’s Subs. Mr. Doolin seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed.** The Commission recommended the secondary sign for approval with the clarification that the sign facing the side parking lot will be centered on the panel.

**3. 1121 Washington Street – Fleet Homes**

Applicant/Representative:

Melanie Fleet

Tom, Fastsigns of Needham

Proposed Sign:

- One wall mounted principal sign, non-illuminated, with approximately 12 sq. ft. of sign area on the eastern façade on the second floor.

Presentation and Discussion:

- Mr. Kaufman commented at the last meeting, UDC looked at various places to put this sign on the Trader Joe’s building and it looks like it’s been proposed for a small sign on the eastern façade, non-illuminated sign. There was a discussion last time about a comprehensive sign permit. Now, there is a letter sent by the building owner that they don’t plan to request permission to install any additional signage on the building facades nor will they promise signs to any prospective tenants. Mr. Kaufman asked if that means that the building owner is not planning to put up any more signs? Ms. Fleet responded that’s correct. The applicant commented that the building owner has also mentioned that most of the current tenants have been there for over a decade and none of them want signs and he won’t promise signs for future tenants.
- The applicant commented that one of the comments at the last meeting was that one of the concerns was the location of the sign wasn’t where Fleet Homes office is and this new proposal is right above their window.

- Mr. Doolin commented that he appreciates the letter, its less than ironclad guarantee but its pretty good and UDC will have the high ground to any other future discussions. Mr. Kaufman agreed.
- Mr. Doolin commented that it's a difficult situation for the applicant and UDC appreciates their revisions in response to the discussion last time.

**MOTION: Mr. Doolin made a motion to approve the proposed sign at 1121 Washington Street – Fleet Homes. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed.**

### **Comprehensive Sign Package**

#### **1. 1-55 Boylston Street – The Street**

Applicant/Representative: Amanda Chisholm, WS Development

Proposed Signs:

- Three new wall directory signs on the eastern façade of 27 Boylston Street (W5).
- Three new column capital signs on the eastern façade of 27 Boylston Street (W6).
- Three new directory signs on the southern façade of 27 Boylston Street (W5).
- One free-standing vehicular directional sign, with 3 sq. ft. of sign area, in a landscaped island north of 27 Boylston Street (M3).
- The applicant has also extended sign bands and tenant sign locations for 27 Boylston Street south and west elevation.

Presentation and Discussion:

- The applicant's representative provided a summary of the project. This current proposal is related to signs at 27 Boylston Street which is actively under reconstruction. At the last discussion about a year ago, there was a demising plan for the first floor but that is changing now and because of that there are some changes to the building signage that was previously approved for 27 Boylston Street. The applicant walked through the changes that are proposed at this time and summarized the revisions to the building. The change that was made was made to the first floor interior layout and the grading of the building is a little unusual. So, there's three story's third floor, second floor, and the first floor is below grade on the south side. To access the retail spaces that are down there, the only way indirectly is through the outdoor area where you would walk down a staircase, and then enter the storefronts. There's no direct access into the rest of the space from the side. Last year, there were going to be larger tenants on the first floor, but now there will be smaller tenants which is creating an internal corridor that runs from north to south in the building, which is being called a Paseo. There'll be several interior facing storefronts that won't have an exterior storefront or exterior sign. So that's really driving the request that the applicant is making to give those tenants some more visibility by allowing them to have some signage on the exterior of the building. The applicant showed the drawings of the north side of the building facing the pond and the north parking lot, some of the storefronts that are on grade can be entered on the side of the building but there is also some sunken space that is not visible because it's behind the wall. As you walk across the site, the storefronts are still obscured because they are below the exterior platform. There's a staircase and also a grade change and a series of ramps going

down, it's a little more accessible but still not most visible so just trying to figure out how to make it happen. The applicant commented that to create the Paseo and then to put some smaller storefronts that don't have exterior presence, they are looking to make changes to the sign plan.

- Mr. Kaufman asked about the old movie theater. The applicant responded that it used to be old AMC theater and they are trying to preserve the canopy, it is a unique feature so would like to keep it and highlight it as part of the new development.
- The applicant showed the list of waivers that are in the current special permit and they are not proposing to change that but to add new zones. Below is the list of the zones and signs that the applicant is proposing to add:
  - Three new wall directory signs on the eastern façade of 27 Boylston Street (W5).
  - Three new blade and column capital signs on the eastern façade of 27 Boylston Street (W6).
  - Three new directory signs on the southern façade of 27 Boylston Street (W5).
  - CHECK FOR W4 signs (above the Paseo entrance)
  - One free-standing vehicular directional sign, with 3 sq. ft. of sign area, in a landscaped island north of 27 Boylston Street (M3).
  - The applicant has also extended sign bands and tenant sign locations for 27 Boylston Street south and west elevation.
- The applicant showed some precedent images to give an idea of what it might look like. The applicant commented that the sign will be artistic with tenant names listed. They are also working to brand this Paseo area with a particular name so for the sign area that is for tenant name, the applicant is proposing to put the collective name of the Paseo as opposed to an individual tenant (don't have the name yet).
- Mr. Doolin asked if the Paseo tenant names would be set on the glazing, so you would see the tenant list on the actual glass as you enter? The applicant responded that it will be on the glass and most likely exceed the 25% of window sign allowance.
- Mr. Winkler asked if the entrance to the Paseo is open air or are there doors there? The applicant responded that there will be doors but on nice weather days, the doors will remain open so they would not like to do something directly on the door with the tenant names but maybe on the glazing next door. Mr. Winkler asked if this will be branded as The Paseo. The applicant responded they don't know yet but they are hoping to find a collective theme amongst the tenants and come up with a collective name for those tenants and use that as the branding.
- Mr. Doolin commented that it would have been nice to put some placeholders in all the locations in the renderings to see the complete picture. Mr. Kaufman agreed that it will be helpful to show some signs that are where they intend to be located, even though the lettering may not be exactly what it will be. Mr. Kaufman asked the applicant if they will be able to locate the signs on the renderings? The applicant responded that they could do what they did on the elevations and put sort of blades in the areas, it won't be the final version. Mr. Kaufman commented that this project is at a point where UDC knows where the sign bands are so it would be helpful to know where the actual signs will go. Mr. Kaufman

requested the applicant to resubmit this, the drawings without the band colors and showing where the signs will be installed? The applicant responded that they could show the sign locations but without the tenants, it won't be the final placement.

- Mr. Doolin commented that the applicant can make their best shot to represent what the intention is, of the actual sign locations. For example, don't put a blank wall, instead photoshop a sign there so UDC can see a whole picture of columns with something on the wall, something on the glazing, and show it on the sign band above. The applicant commented that the colors and style will change but the location will be consistent.
- Mr. Doolin commented that the Paseo is a very interesting, creative idea and asked about the width. The applicant responded it will be 16 feet wide.
- The applicant commented that they will do some mockups with some precedent images. Mr. Kaufman commented that the applicant could also take the two renderings shown and Photoshop where the signs will go. It will be good to see the applicant's intent, there will be flexibility to move them because they will be within the sign bands.
- Mr. Winkler suggested for the directory wall sign, maybe two-thirds of that sign could be a real live art piece, something bright and nice and then on the last third, there could be a list of the shops with a method for adding and subtracting from them. The applicant responded that their intent is to incorporate art wherever possible, so it is creative and beautiful, thanks for the good suggestion.
- There was discussion about an art piece facing Boylston Street – "Put a little Love in your heart". The applicant commented that they got permission from the Cultural department since it is an art piece. UDC asked if it should have been reviewed by them. Staff responded that they would check about it.

**At 7:57 pm, Mr. Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.**

## **Fence Appeal**

### **1. 33 Staniford Street – Fence Appeal**

Homeowner: Zaid Ashai

Applicant/Representative: Regan Andreola, Beals and Thomas

Fence Appeal: The property located at 33 Staniford Street is within a Single Residence 3 district. The applicant is proposing the following fence:

- a) Side Lot Line – The applicant has revised the proposed fence since February submission and is now proposing to add a fence, set at varying distance, 10 inches to 35 inches, from the side property line with a new solid fence, 6 feet 8 ¼ inches and 7 feet 9 ½ inches tall posts, approximately 17 feet in length.

The proposed fence along the side property line appears to be not consistent with the fence criteria outlined in §5-30(d)(2) of the Newton Code of Ordinances.

Presentation and Discussion:

- Mr. Kaufman asked the applicant why ISD denied the fence permit application? The homeowner responded that it's a partial fence and it's a couple of feet from the property line. It will be used as a privacy screen, so this is not a fence that is through the whole property line. There are eight-foot posts that meet the city's regulations but there are slats which are more than six feet, so they are approximately 7 feet tall.
- The applicant (Regan Andreola) commented that the homeowners are very good residents of Newton and have gone through other permitting processes in the city, so they are here for about a bit of a ask for forgiveness for a fence, small section that was installed on their property inadvertently, just slightly higher than the allowable height for a fence. And Buddy was at the property to talk with the homeowners about another small project that they're pursuing, and he happened to notice it and measured it and said it's a little bit over. He said to submit the building permit which will be rejected, then you'll go in front of UDC with a fence appeal and, he didn't seem to have an issue with the fence really. But we wanted to go through the correct steps and explain why the fence itself although we are eight- and three-quarter inches above the six-foot height maximum. It is a small stretch of fence that is also set behind an existing hedge. It's just to help screen the existing uses on the patio and is barely visible from any right of way and doesn't provide any other impacts to the neighbors. The applicant shared her screen and provided a summary of the fence appeal application.
- Mr. Kaufman asked if the homeowner or the applicant has talked with the neighbors about this? The homeowner responded that they have talked to them, and they are fine with it because it provides screening but there wasn't anything in writing from them and said they have no objections to this. Mr. Kaufman commented that if there was a letter from the neighbor that they had no objection to the fence being eight inches taller than allowed, then he would be happy to grant the appeal and asked other commissioners about their thoughts.
- Staff asked if the bottom portion of the fence is open, the photos submitted showed the bottom is open and the photos shown now at the meeting, the bottom is not open. The applicant commented that they have changed the design since the submission and the bottom portion of the fence has been filled in and is not open now. Staff requested the applicant to submit updated drawings showing the change.
- Mr. Doolin asked about the fence material. The applicant responded it is AZEK from Walpole Outdoors.
- Mr. Doolin commented that it shows in the application that there was notification sent to all the abutters and there was nothing filed about any responses so in his opinion, there are no objections to the appeal. Mr. Kaufman responded he would feel more comfortable if the immediate abutters said that they have no issues with this instead of silence. Mr. Kaufman commented that UDC could do one of the two things, either vote on this tonight or table this and wait for a letter from the abutter and vote on it next time.
- Ms. Saeyan commented that there is also evergreens next to the fence so the neighbors will probably not see this fence.
- Mr. Winkler commented that the heavy landscaping saves the day, and he is in favor of this appeal application.
- Mr. Downie asked if a slat could be taken out of the fence, so the fence height is less than 6 feet? The applicant responded that if it was needed then they would, it will have to be taken apart and moved down so it's not completely infeasible. Mr. Downie commented that his question revolves around they put up a fence without a permit, its too tall according to the fence ordinance and now they are just asking for permission to keep it as is without exploring what it would take to make it comply. It seems like that the effort on the part of the applicant

is not exceptional. The homeowner responded that he respectfully pushes back on that the effort wasn't exceptional. He commented that they have worked with Beals and Thomas to make sure that they go through this permitting process. They just didn't sit on this with Buddy. There were no complaints from a neighbor, that's not the reason we're here. It's not visible to the neighbor. And as Reagan has mentioned, they've done past projects where wetlands have been remediated in the back on Staniford Street, there was a former landfill, which there's a lot of mess that's been left in Staniford. So, the homeowner would take to exception that it's not a strong effort, think they've made a strong effort. The posts are within regulation. This is about slats that are eight inches. And obviously both homeowners want to do the right thing. The homeowner's view is that this fence has been up for a couple of months. The neighbors have not objected to it, notifications have been sent through this permitting process and obviously the neighbors aren't here, or they've not sent a letter objecting to it.

- The applicant commented that regarding the structural content, the internal slats are made in complete panels so they can't just take the top off, the entire piece would have to come down and reconfigured. It could be physically done but it would be an incredible effort to have to do that.
- Mr. Kaufman asked Commissioners if they would like to see a letter from the neighbor or vote now? Mr. Downie and Mr. Winkler responded that he would like to see a letter from the neighbor. Mr. Kaufman commented that the UDC will table this item until next month to wait for the letter from the neighbor.

**At 8:28 the Commission adjourned the Fence Appeal Board portion of the meeting and reconvened as the Urban Design Commission.**

### **III. Old/New Business**

#### **1. Meeting minutes**

The Commission reviewed the minutes of November and December meeting.

**MOTION: Mr. Kaufman made a motion recommending approval of the regular meeting minutes for November and December as submitted. Mr. Downie seconded the motion. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed. The decision is hereby incorporated as part of these minutes.**

### **IV. ADJOURNMENT**

Mr. Kaufman made a motion to adjourn the meeting and there was general agreement among the members.

**The meeting was adjourned at 8:48 p.m.**

**Respectfully submitted by Shubee Sikka.**

**Approved on April 19, 2023.**