



# Land Use Committee Report

## City of Newton In City Council

**Tuesday, January 23, 2024**

**Present:** Councilors Kelley (Chair), Block, Downs, Farrell, Laredo, Leary, Lobovits and Lucas

**Also Present:** Councilors Albright, Malakie, and Wright

**City Staff Present:** Deputy Chief Planner Alyssa Sandoval, Senior Planner Joseph Iadonisi, Senior Planner Cat Kemmett, Chief Planner Katie Whewell, Economic Development Director John Sisson and Assistant City Solicitor Jonah Temple

All Special Permit Plans, Designs, Plan Memoranda and Application Materials, both past and present, can be found at the following link: [NewGov - City of Newton Land Use Committee Special Permit Search](#).

The full video of the January 23, 2024, Land Use Meeting can be found at the following link: [January 23, 2024 Land Use Meeting](#)

**#67-24      Request for Extension of Time to Exercise Special Permit #448-22 at 1 Jackson Street**

345 BOYLSTON, LLC petition for Extension of Time to January 17, 2025 to allow a three-story structure with 36 feet in height; to allow an FAR of 1.48; to vertically extend a nonconforming front setback; to waive 4 parking stalls and to allow assigned parking at 1 Jackson Street, Ward 6, Newton, on land known as Section 65 Block 10 Lot 19, containing approximately 12,512 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.3.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Action:**      Land Use Approved 7-0 (Councilor Leary Not Voting)

**Note:**      Councilor Kelley introduced the above extension of time.

Franklin Schwarzer, Schlesinger and Buchbinder, LLP, on behalf of the petitioner noted that it took longer than expected for his client to get financing which delayed getting the building permit. Expects to starting construction soon and that is why they asked for a one-year extension.

Councilor Lucas motioned to approve the one year extension which passed unanimously.

**#68-24      Request to amend Special Permit #40-97(2) and allow a free-standing sign at 269-287 Grove Street**

GREATLAND REALTY PARTNERS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow both a free-standing sign and advertisement of the on-site cafe at 269-287 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 29 Lot 24, containing

approximately 489,460 sq. ft. of land in a district zoned BUSINESS4. Ref: Sec. 7.3.3, 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 4-3 (Councilors Downs, Kelley, and Lucas Opposed and Councilor Leary**

**Action:** **Not Voting); Public Hearing Opened**

**Note:** Joe Iadonisi, Senior Planner presented the request to amend Special Permit #40-97(2) and allow a free-standing sign at 269-287 Grove Street. The presentation is attached, and additional back-up can be found at the following link: <https://newtonma.viewpointcloud.com/locations/99942>. Mr. Iadonisi notes that the current special permit allows for accessory uses at the Riverside Center, but they are not allowed free standing signs. He noted that the Urban Design Commission has recommended denial due to the location of the free-standing sign next to the main sign of the building. Planning recommends approval as it is an impediment to the small business and noted the petitioners have expressed willingness to move the free-standing sign.

Tori Sabatino, the petitioner, noted that this would be Kendal Kitchen's third location, and having a sign would alert the public that there is a café in the Riverside Center. Stated they are willing to work with the Urban Design Commission and Planning to relocate the sign.

The public hearing was opened. No member of the public was present to speak on the item.

Councilors expressed support for allowing a sign but would like to see the Urban Design Commission weigh in on the new proposed location before the committee votes.

Katie Whewell, Chief Planner, noted that if the amendment pass, businesses would still have to go in front of the Urban Design Commission to get their free-standing sign approved.

Councilors expressed a desire for the committee to retain control over the size and location of potential free-standing signs at this location.

Jonah Temple, Assistant City Solicitor, noted if approved all signs would still need to comply with City Ordinances.

A councilor stated support for allowing this business to have the free-standing sign, and for amending the special permit so business don't have to come in front of the committee to have a free-standing sign knowing they have to still go in front of the Urban Design Commission.

A councilor expressed concerns with allowing commercial signage on this site and along the property as it is designated a scenic roadway.

Mr. Iadonisi confirmed it is a scenic roadway, and Mr. Temple noted that changes along the scenic roadway in the right of way goes in front of the planning board, but there are no protections in terms of signs.

A councilor noted that she is abstaining due to joining the meeting in the middle of the discussion.

The committee discussed the draft council order, and Councilor Block made a motion to hold which passed 4-3 (Councilors Downs, Kelley, and Lucas Opposed and Councilor Leary Not Voting).

#69-24      **Request to allow a parking stall within five feet of the street and to waive parking stall depth at 113 Edinboro Street**

WILLIAM SWARTZ petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for the creation of a parking stall in front of the dwelling, within five feet of the street and lacking the required depth at 113 Edinboro Street, Ward 2, Newtonville, on land known as Section 21 Block 23 Lot 04, containing approximately 3,250 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.7.A, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Action:**      **Land Use Held 8-0; Public Hearing Opened**

**Note:**          Councilor Kelley introduced the request to allow a parking stall within five feet of the street and to waive parking stall depth at 113 Edinboro Street, and noted the petitioner requested a continuance. Additional back-up can be found at the following link:

<https://newtonma.viewpointcloud.com/records/813630> .

Terry Morris, on behalf of the petitioner, highlighted that a discrepancy with the survey of the property came up and that there would be a resurvey, which is why they are requesting a continuance.

The public hearing was opened. No member of the public was present to speak on the item.

Councilor Kelley motioned to hold, which passed unanimously.

#70-24      **Request to amend an approved Comprehensive Sign Package and Special Permit #218-22 at 1-55 Boylston Street**

CHESTNUT HILL SHOPPING CENTER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #218-22 to allow an updated Comprehensive Sign package to include additional directory and wayfinding signs to provide more visibility for interior tenants, as well as an expansion of the existing sign band at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 63 Block 37 Lots 25 and 26, containing approximately 859,444 sq. ft. of land in a district zoned BUSINESS4. Ref: Sec. 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 8-0; Public Hearing Closed 8-0**

**Action:**

**Note:**          Cat Kemmett, Senior Planner presented the request to amend an approved Comprehensive Sign Package and Special Permit #218-22 at 1-55 Boylston Street. The presentation is attached, and additional back-up can be found at the following link:

<https://newtonma.viewpointcloud.com/records/813006> . There are 11 new signs that are proposed and an expansion of 3 existing sign bands. Noted that it is mostly a commercial site. There will be signs highlighting the shops that are on the lower level that are less visible from the ground level.

Amanda Chisholm, on behalf of the petitioner, noted that there was trouble leasing the space on the lower level, so it was redesigned, leading to several interior spaces. The signs being requested will help navigate and alert customers to these interior businesses. The extension of the sign bands will allow blade signs to be located on the building in an easier manner process talking with the Urban Design Commission.

The public hearing was opened. There was no member of the public present to speak on this item.

Councilors noted supports for this, and noted that they have a history of being thoughtful in taking neighborhood concerns into consideration during design, and believes it will be beneficial for the vitality of the project.

The public hearing was closed.

The committee discussed the draft council order, and Councilor Laredo motioned to approved, which passed unanimously.

The committee adjourned at 8:15PM.

**Respectfully Submitted,**

**Andrea Kelley, Chair**

# City of Newton Planning and Development

Petition: #68-24  
**Special Permit/Site Plan Approval**  
January 23, 2023



269-285 Grove St.

## Zoning Relief

Zoning Relief Required		
Ordinance		Action Required
	To amend Special Permit #40-97(2)	S.P. per §7.3.3
§5.2.13.A	To allow a free-standing sign	S.P. per §7.3.3

# Criteria to Consider

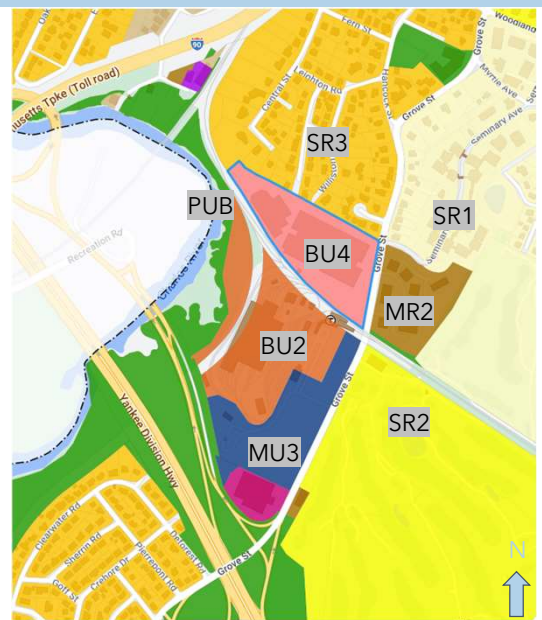
When reviewing this request, the Council should consider:

- The site in the BU4 zone is an appropriate location for the proposed free-standing sign (§7.3.3.C.1).
- The proposed sign will not adversely affect the neighborhood (§7.3.3.C.2).
- The proposed sign will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3).
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- The proposed exceptions to the sign ordinance should be permitted and are appropriate due to the nature of the use of the premises, the architecture of the buildings or their location with reference to the street is such that such exceptions are in the public interest. (§5.2.13)

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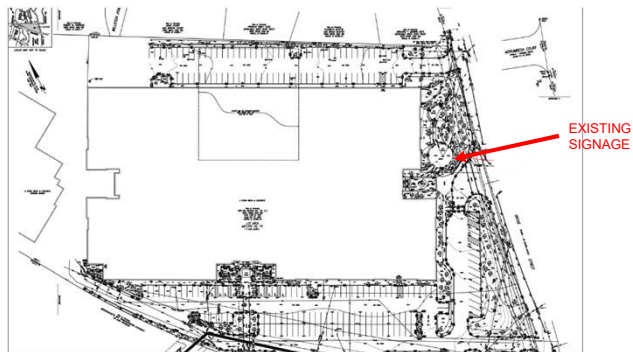
## Aerial Map



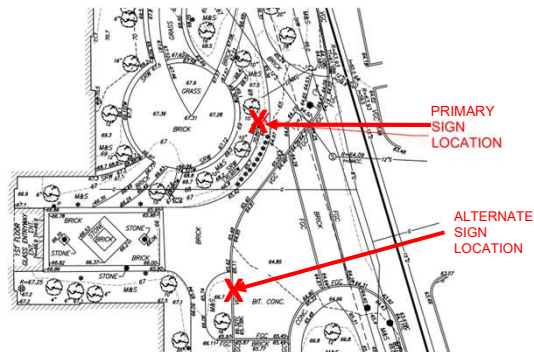
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# Site Plan

Existing Site Plan



Proposed Site Plan



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# Proposed Signage

Existing Signage



Proposed Signage



Proposed Sign



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## Urban Design Commission Recommendation

Excerpt from UDC Memo Dated Jan. 17, 2024:

“Based on the signage submitted and the presentations by the applicant, the Urban Design Commission recommends denial for the proposed free-standing sign. The Commission recommended denial due to the following reasons:

- This property already has a free-standing sign.
- The UDC understands that the Café has a visibility problem, but the proposed location for the sign is not appropriate.
- It is not appropriate for one business to have a free-standing sign, next to the main sign for the office park. Not appropriate for one tenant to have a sign in a multi-tenant building.

The Commission made a recommendation to the applicant to propose a sign in the blank space on the existing free-standing sign under words “Riverside Center”.”

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## Findings

1. The site in the Business 4 zone is an appropriate location for the proposed free-standing sign due to the large size of the site, is within a business zone which will improve visibility of accessory uses on site. (§7.3.3.C.1)
2. The site in the Business 4 zone is an appropriate location for the amendment to Special Permit #40-97(2) because allowing businesses to advertise is consistent with the intent of the Business 4 zone and will remove a barrier to local businesses. (§7.3.3.C.1)
3. The proposed sign as designed will not adversely affect the neighborhood because the proposed sign is 24 square feet and will aid in wayfinding for visitors to the site. (§7.3.3.C.2)
4. The proposed free-standing sign will not create a nuisance or serious hazard to vehicles or pedestrians because it will aid in wayfinding for visitors to the site and eliminate potential confusion for visitors to the site due to lack of signage. (§7.3.3.C.3)
5. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
6. The proposed exceptions to the sign ordinance should be permitted and are appropriate due to the nature of the use of the premises and are in the public interest because the site is located within a BU4 zone and will aid in wayfinding for visitors to the site. (§5.2.13)

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# Conditions

1. Plan referencing
2. Standard sign permit conditions
3. Final sign off condition
4. The final location of the free-standing sign permitted by this special permit shall be subject to review and approval by the Director of Planning and Development. The petitioner shall explore alternate sign locations that locate the free-standing sign away from the existing stone monument sign.

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# City of Newton Planning and Development

Petition: #70-24

**Special Permit/Site Plan Approval**  
to amend an approved Comprehensive Sign  
Package and Special Permit #218-22 at 1-55  
Boylston Street

January 23, 2024



**1-55 Boylston Street**

# Zoning Relief

Zoning Relief Required		
Ordinance		Action Required
	Amend Special Permit #218-22	S.P. per §7.3.3

- 11 new signs proposed
- 3 expansions of existing sign bands proposed

# Criteria to Consider

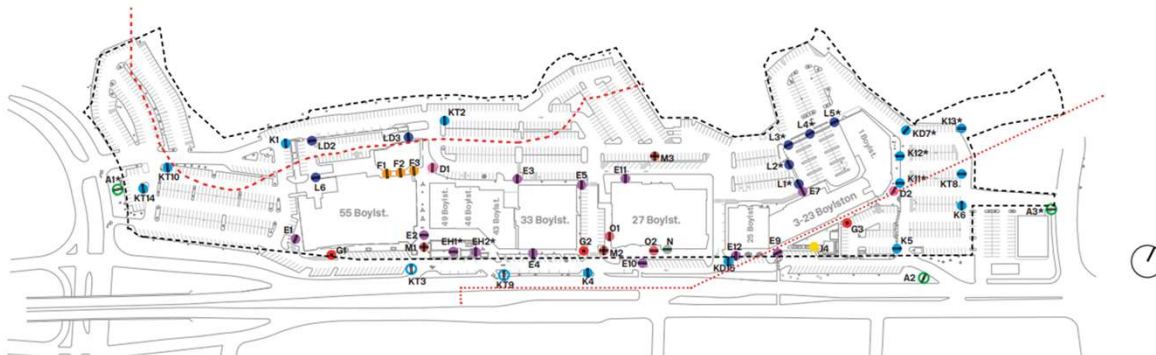
When reviewing this request, the Council should consider:

- The proposed exceptions to the sign ordinance are appropriate due to the nature of the use of the premises, the architecture of the buildings or their location with reference to the street is such that such exceptions are in the public interest. (§5.2.13)
- The specific site is an appropriate location for the proposed amendments to previously approved comprehensive sign package. (§7.3.3.C.1)
- The proposed sign package will adversely affect the neighborhood. (§7.3.3.C.2)
- There will be a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

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## Site Plan



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# East Elevation

1 Column capital sign (Sign 1)

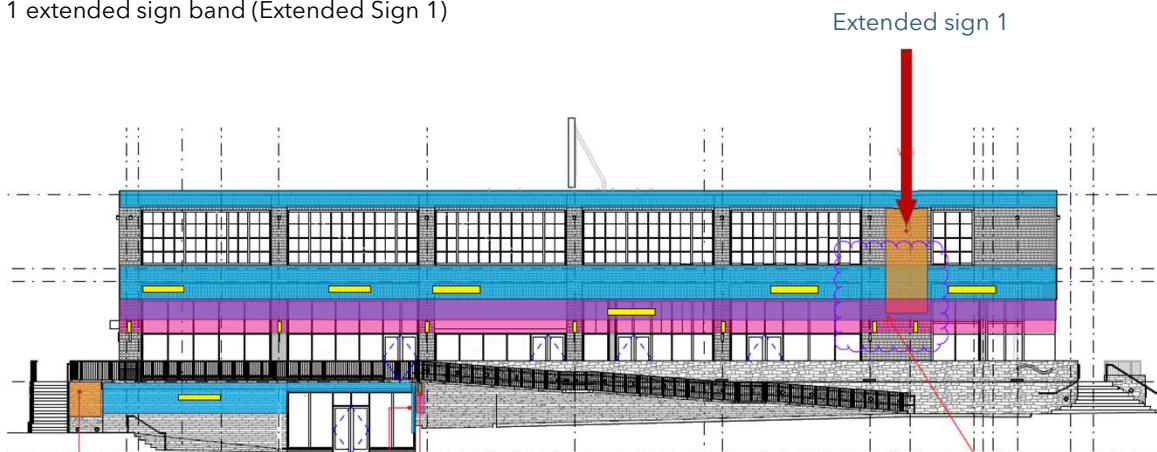


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# West Elevation

1 extended sign band (Extended Sign 1)

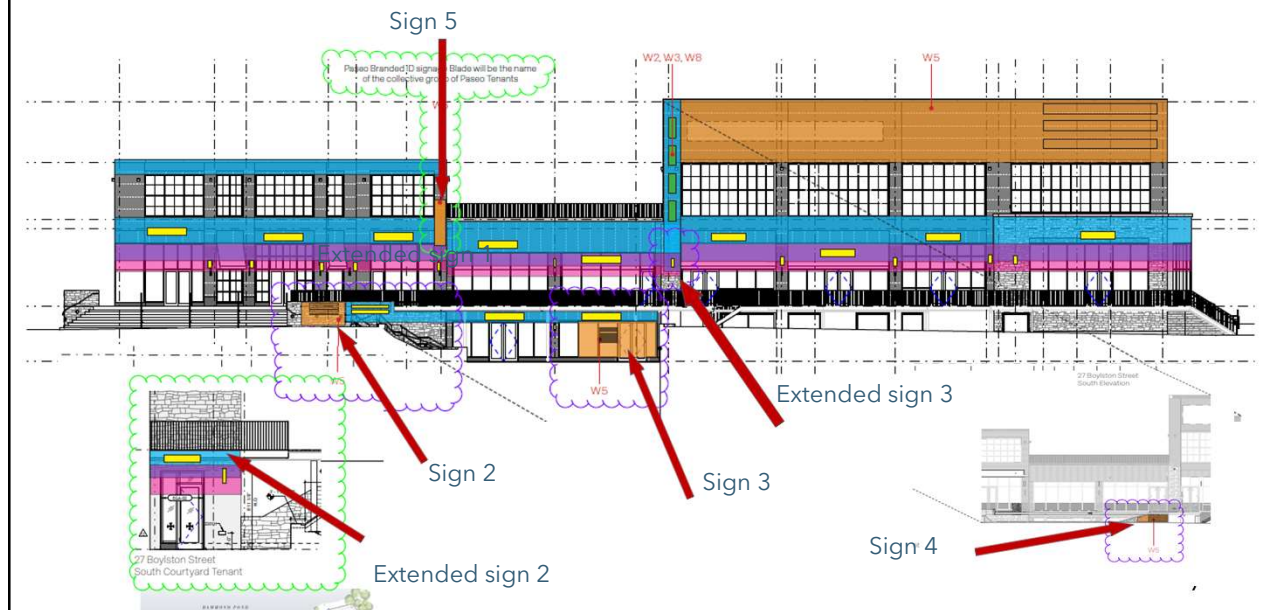


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# South Elevation

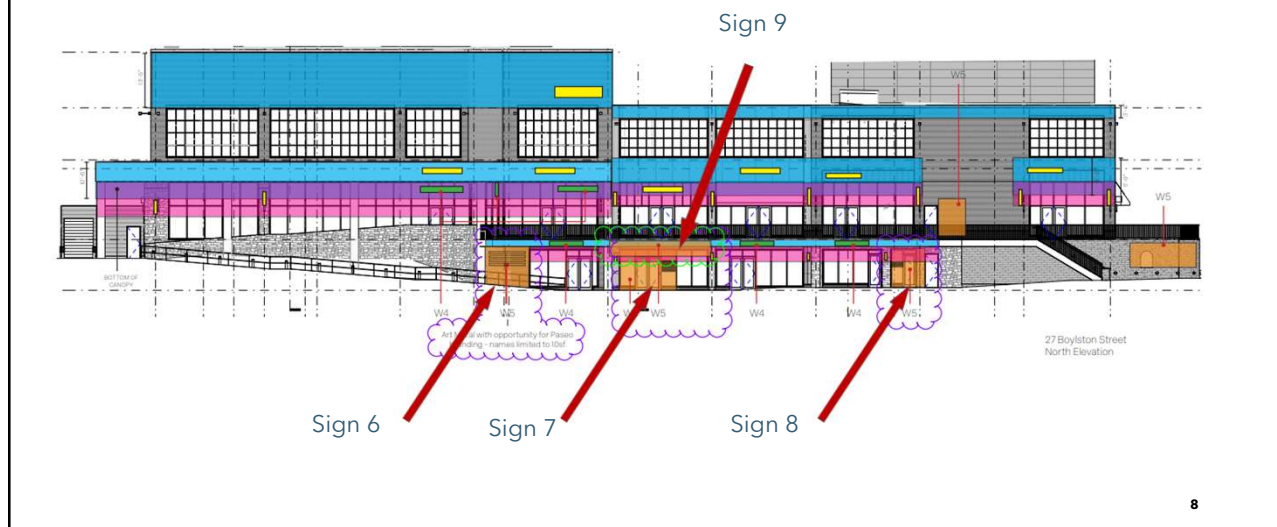
- 3 Wall Directory signs (Signs 2, 3, and 4)
- 1 Collective blade sign passage (Sign 5)
- 2 Extended signs (Extended sign 2 & extended sign 3)



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# North Elevation

- 3 wall directory signs (Signs 6, 7, 8)
- 1 tenant directory sign (Sign 9)



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## New Freestanding signs

- 1 pedestrian directional arrow sign in landscaped area in front of north elevation (Sign 10)
- 1 pedestrian directory sign in front of south elevation (Sign 11)



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## Findings

1. The exceptions to the number, size, location, and type of signs proposed are in the public interest because the directional signs will facilitate more efficient and safe navigation of the site for visitors. The signs are appropriate because they are related directly to the use of the premises as a mixed-use shopping center and create a way to identify the location of tenants that are otherwise not visible from the outside of the buildings. (§5.2.3, §5.2.8, and §5.2.13)
2. The site is an appropriate location for the proposed sign package due to the site's mix of uses and layout with multiple buildings with several tenants, and the location of the complex is in an area with other commercial uses with similar signage. (§7.3.3.C.1)
3. The proposed sign package will not adversely affect the neighborhood because the signs are similar in size and location to what exists on the site now, and few signs will be visible from surrounding residential properties. (§7.3.3.C.2)
4. There will be no nuisance or serious hazard to vehicles or pedestrians because the signs will improve wayfinding on a large and complex site with several entry and exit points. (§7.3.3.C.3)
5. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

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# Conditions

- Plan referencing
- No cut-outs, projections or extensions beyond the dimensions specified in the approved plans.
- No moving parts or flashing/blinking lights
- Petitioner and/or Tenant shall keep all signs reasonably clean and neat and in proper condition
- Standard building permit conditions
- Standard occupancy conditions

The Street (1-55 Boylston Street):  
Comprehensive Signage  
Special Permit Amendment

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1/23/24



## Special Permit Plan Updates



- Adjustment to 27 Boylston first floor demising plan creating internal facing storefronts
- Goal: To amend special permit to offer more outward visibility to new internal facing storefronts in first floor and to add additional free-standing wayfinding signage proximate to the building.

**East Elevation**

- One Column Capital sign

**West Elevation**

- Extension of the existing sign band to accommodate future tenant changes

**South Elevation**

- Three Wall Directory signs allowing individual tenant blade signs
- Blade sign indicating the collective name of tenants within the interior passage
- Extension of the existing sign band to accommodate future tenant changes
- Extension of the existing sign band to accommodate an additional 27 Boylston courtyard tenant
- One free-standing Pedestrian Directory sign

**North Elevation**

- Three Wall Directory signs allowing individual tenant blade signs
- One tenant Directory sign including the individual name of each tenant within the interior passage over the entrance
- One Pedestrian Directional Arrow sign in a landscaped island in front of the north elevation

Route 9 Facade  
Rendering

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



The Passage Entrance

# North Façade Rendering

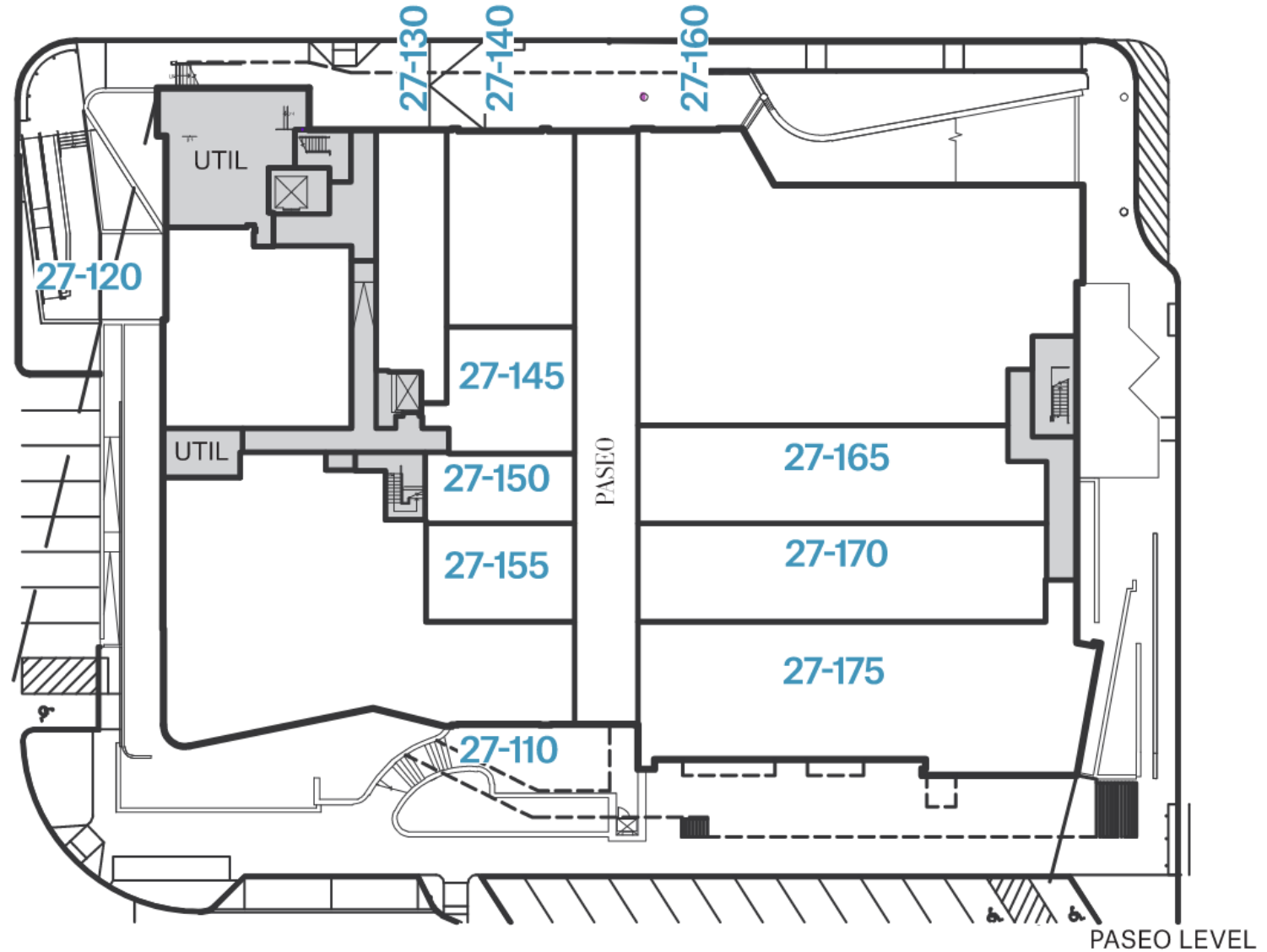
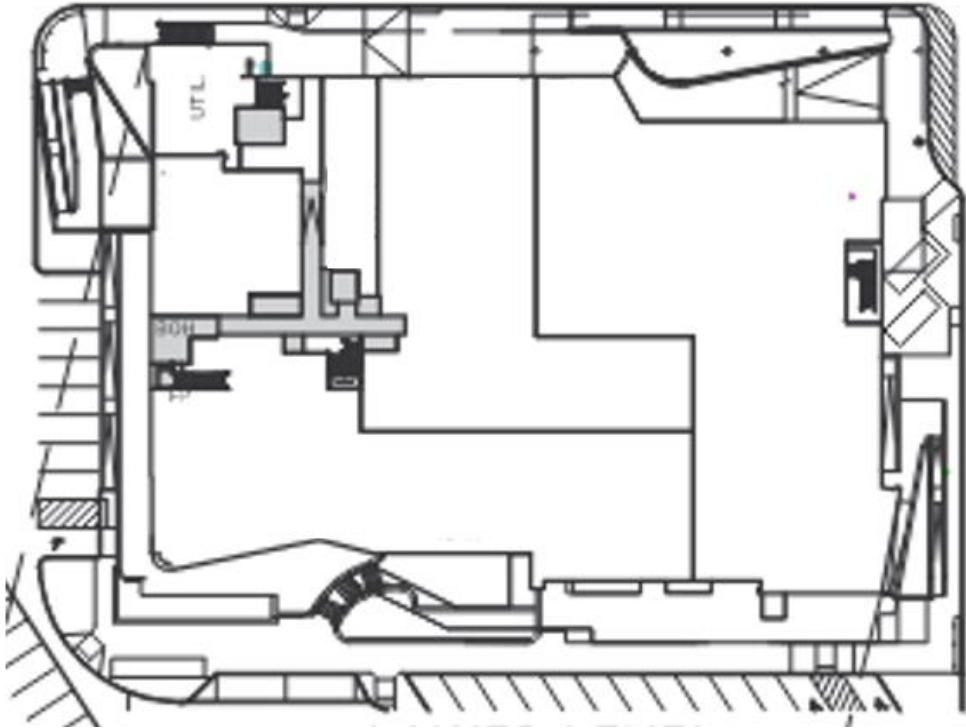
CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



The Passage Entrance

# 27 Boylston 1<sup>st</sup> Floor Layout

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



# Signage Elevations 27 Boylston North

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



27 Boylston Street  
North Elevation

Legend ● All Sign Band

● Blade Sign Band

● Tenant Sign: Conforming (Example/Provisional Location)

● Tenant Sign by waiver (Provisional location)

Green: W1 - Theatre Sign

W2 - Additional Principal Wall Sign - Pondsides Tenant

W3 - Secondary Sign

W4 - Canopy Sign

W8 - Upper Story Sign

● Wall areas for locating common signs

Brown: W5 - Wall Directory Sign

W6 - Blade Panel & Column Capital Signs

W7 - Wall Panels



# Signage Elevations 27 Boylston North- New Proposed Sign

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



# Signage Elevations 27 Boylston East

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



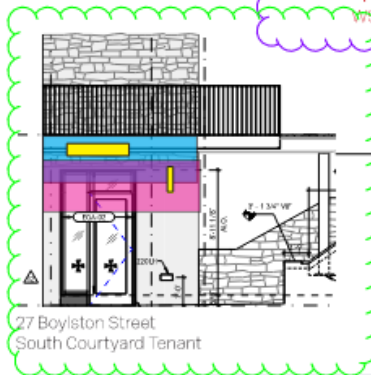
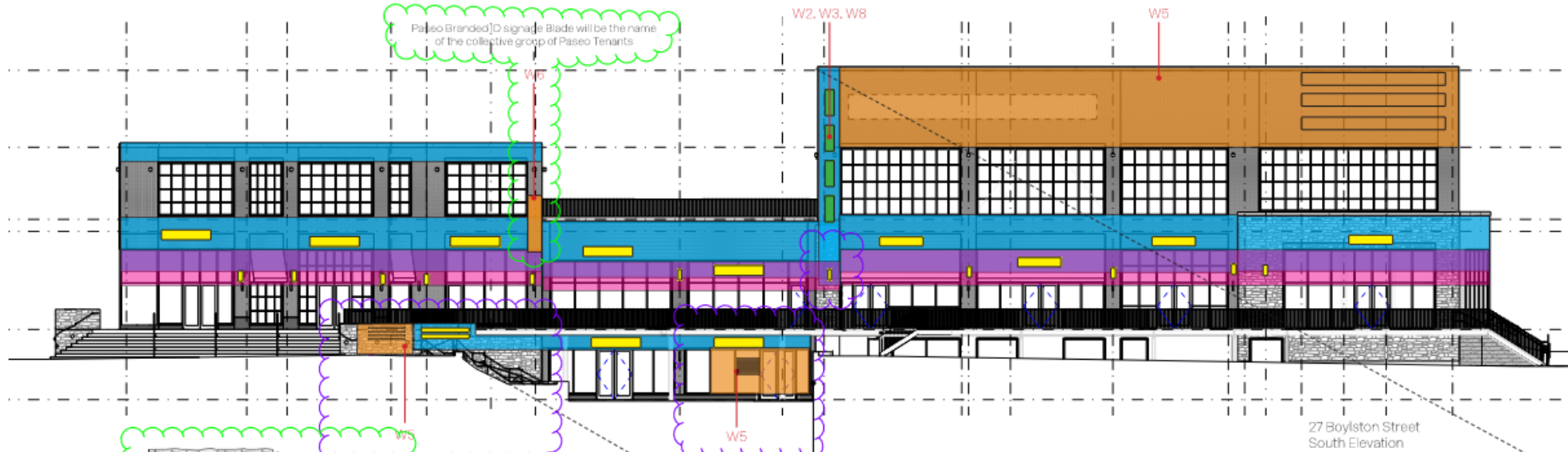
- Legend
- All Sign Band
  - Blade Sign Band
  - Tenant Sign: Conforming (Example/Provisional Location)
  - Tenant Sign by waiver (Provisional location)
  - Green: W1 - Theatre Sign  
W2 - Additional Principal Wall Sign - Pondsides Tenant  
W3 - Secondary Sign  
W4 - Canopy Sign  
W8 - Upper Story Sign
  - Wall areas for locating common signs
  - Brown: W5 - Wall Directory Sign  
W6 - Blade Panel & Column Capital Signs  
W7 - Wall Panels



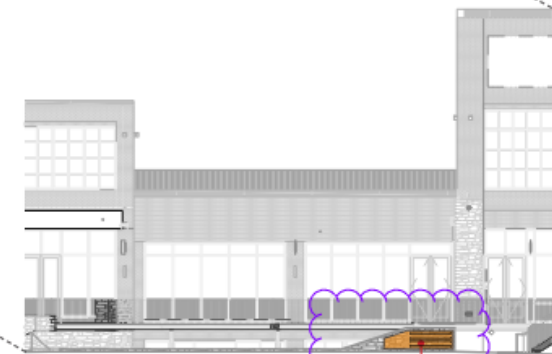


# Signage Elevations 27 Boylston South

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



- Legend
- All Sign Band
  - Blade Sign Band
  - Tenant Sign: Conforming (Example/Provisional Location)
  - Tenant Sign by waiver (Provisional location)
  - Green: W1 - Theatre Sign  
W2 - Additional Principal Wall Sign - Pondsides Tenant  
W3 - Secondary Sign  
W4 - Canopy Sign  
W8 - Upper Story Sign
  - Wall areas for locating common signs
  - Brown: W5 - Wall Directory Sign  
W6 - Blade Panel & Column Capital Signs  
W7 - Wall Panels



# Signage Elevations 27 Boylston South

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



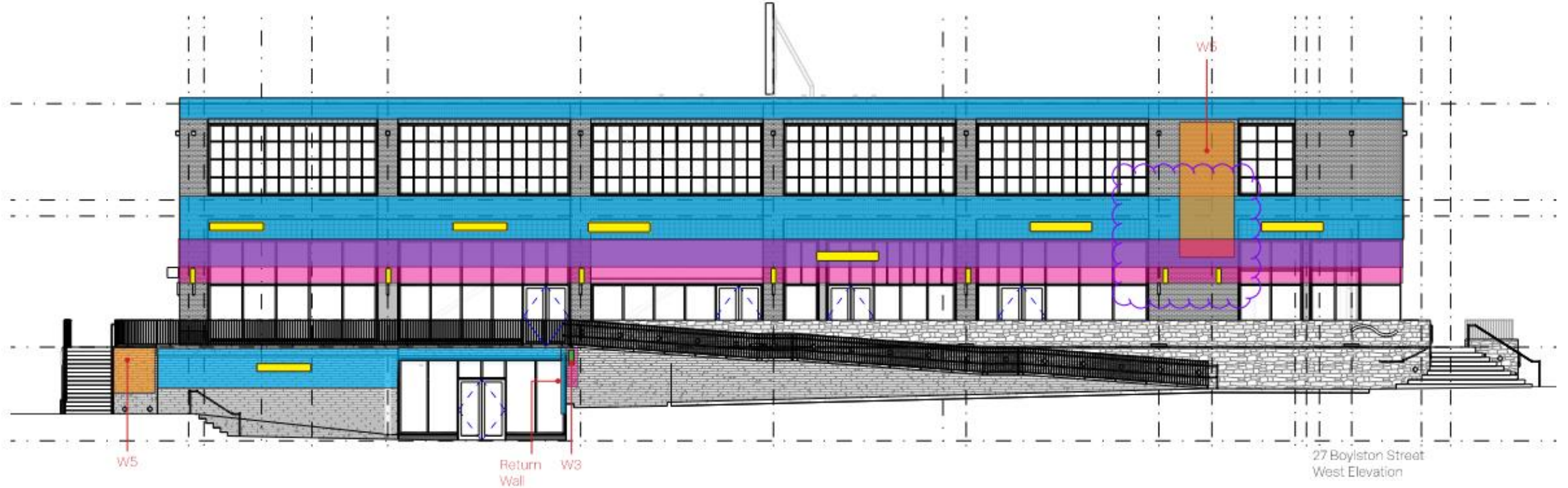
Signage Elevations  
27 Boylston South

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



# Signage Elevations 27 Boylston West

CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE

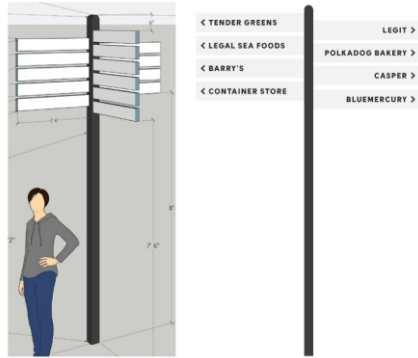


- Legend
- All Sign Band
  - Blade Sign Band
  - Tenant Sign: Conforming (Example/Provisional Location)
  - Tenant Sign by waiver (Provisional location)
  - Green: W1 - Theatre Sign  
W2 - Additional Principal Wall Sign - Pondsides Tenant  
W3 - Secondary Sign  
W4 - Canopy Sign  
W8 - Upper Story Sign
  - Wall areas for locating common signs
  - Brown: W5 - Wall Directory Sign  
W6 - Blade Panel & Column Capital Signs  
W7 - Wall Panels

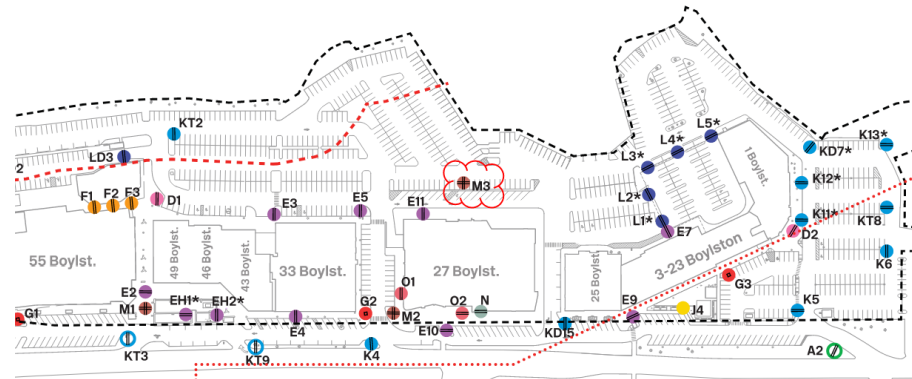


# Signage Elevations Wayfinding Sign

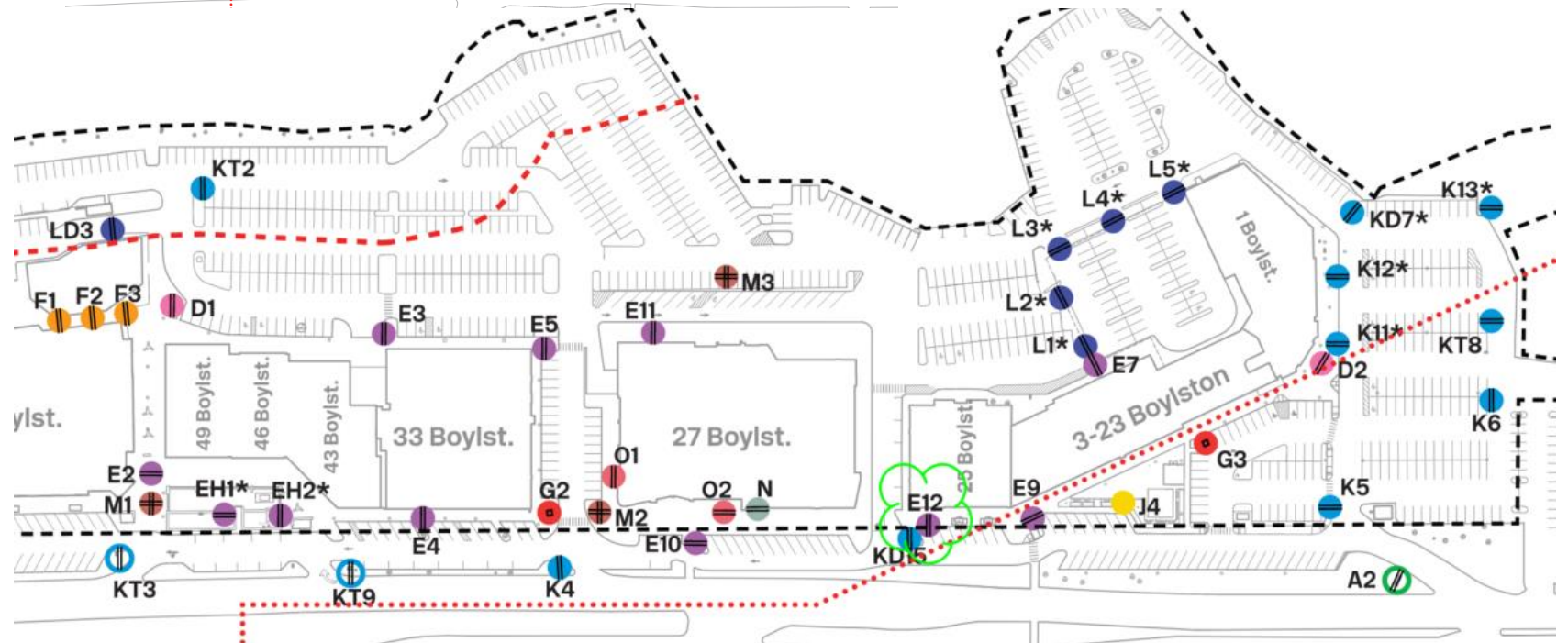
CHESTNUT HILL, MA  
COMPREHENSIVE SIGNAGE PACKAGE



Type M ● Pedestrian Directional Arrows



Type E ● Small Directory



THANK YOU!