



Ruthanne Fuller  
Mayor

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Barney Heath  
Director

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## STAFF MEMORANDUM

Meeting Date: **Wednesday, February 14, 2024**  
DATE: February 9, 2024  
TO: Urban Design Commission  
FROM: Shubee Sikka, Urban Designer  
**SUBJECT: Additional Review Information**

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The purpose of this memorandum is to provide the members of the Urban Design Commission (UDC) and the public with technical information and planning analysis which may be useful in the review and decision-making process of the UDC. The Department of Planning and Development’s intention is to provide a balanced view of the issues with the information it has at the time of the application’s review. Additional information may be presented at the meeting that the UDC can take into consideration when discussing Sign Permit, Fence Appeal applications or Design Reviews.

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Dear UDC Members,

The following is a brief discussion of the sign permit applications that you should have received in your meeting packet and staff’s recommendations for these items.

### I. Roll Call

### II. Regular Agenda

#### **Sign Permits**

##### ***1. 131-181 Needham Street – Newton Nexus; Veterinary Specialists***

**PROJECT DESCRIPTION:** The property located at 131-181 Needham St is within a Mixed Use-1 district. This property is also known as “Newton Nexus” and is subject to a comprehensive sign package, approved in February 2015 (Board Order #19-15) and a consistency ruling, approved in

May 2015 for arbor and tenant signage (attachment A, B, and C). The applicant is proposing to install the following sign:

1. One arbor mounted sign, internally illuminated, with approximately 8.95 sq. ft. of sign area facing Needham Street.

**TECHNICAL REVIEW:**

- The proposed arbor mounted sign appears to be consistent with the revised comprehensive sign package. The consistency ruling by Land Use Committee approved arbor signs that were 5'-4 ½" x 1'-8" = 8.95 sq. ft. and the proposed sign appears to be consistent with that.
- UDC had questions at the last meeting, but a representative was not present at the meeting. Staff has tried to contact the applicant, by email, NewGov, and phone call but there was no response.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed arbor sign.

***2. 19 Pelham Street – House of Noodles***

**PROJECT DESCRIPTION:** The property located at 19 Pelham Street is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One awning mounted principal sign, non-illuminated, with approximately 37 sq. ft. of sign area on the southern façade facing Pelham Street.

**TECHNICAL REVIEW:**

- The proposed awning mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 14.25 feet, the maximum size of the sign allowed is 42.75 sq. ft., which the applicant is also not exceeding.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed awning mounted principal sign.

***3. 66 Needham Street – The Creative Kids Studio***

**PROJECT DESCRIPTION:** The property located at 66 Needham Street is within Mixed Use 2 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 61 sq. ft. of sign area on the western façade facing Needham Street.
2. One wall mounted secondary sign, internally illuminated, with approximately 49 sq. ft. of sign area on the northern façade facing the side parking lot.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 55 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.
- The proposed wall mounted secondary sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is not exceeding, and on this façade of 175 feet, the maximum size of each sign allowed is 50 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign and secondary sign as proposed.

**4. 839-853 Washington Street – Cookie Monstah**

PROJECT DESCRIPTION: The property located at 839-853 Washington Street is within Mixed Use 4 zoning district and has a comprehensive sign package approved by UDC on February 10, 2021 (attachment D). The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 8.5 sq. ft. of sign area on the northern building façade facing the parking lot.
2. One wall mounted secondary sign, internally illuminated, with approximately 16 sq. ft. of sign area on the western building façade perpendicular to Washington Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 10 feet, the maximum size of the sign allowed is 30 sq. ft., which the applicant is also not exceeding. The proposed principal sign is not consistent with the comprehensive sign package.
- The UDC approved the comprehensive sign package on the **condition** that all signs facing the parking lot shall be dimmable.
- The proposed wall mounted secondary sign appears to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is not exceeding, and on this façade of 10 feet, the maximum size of each sign allowed is 10 sq. ft., which the applicant is exceeding. The proposed secondary sign is not consistent with the comprehensive sign package also. This sign will be replacing an existing wayfinding P sign, not a business sign.

STAFF RECOMMENDATION: Staff seeks recommendation from the Commission regarding both signs. The UDC approved the comprehensive sign package on the **condition** that all signs facing the parking lot shall be dimmable.

**5. 23-33 Lincoln Street – SoleAmour**

PROJECT DESCRIPTION: The property located at 23-33 Lincoln Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, non-illuminated, with approximately 23 sq. ft. of sign area on the southern façade facing Lincoln Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 15 feet, the maximum size of the sign allowed is 45 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign as proposed.

**6. 839-853 Washington Street – New York Bagel Factory**

PROJECT DESCRIPTION: The property located at 839-853 Washington Street is within Mixed Use 4 zoning district and has a comprehensive sign package approved by UDC on February 10, 2021 (attachment D). The applicant is proposing to install the following signs:

- One marquee split principal sign, internally illuminated, with approximately 30 sq. ft. of sign area on the southern building façade facing Washington Street.
- One perpendicular split principal sign, externally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.

TECHNICAL REVIEW:

- Both the proposed split principal signs appear to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is exceeding, and on this façade of 10 feet, the maximum size of the sign allowed is 30 sq. ft., which the applicant is also exceeding. Per Zoning Ordinance §5.2.8, *“In particular instances, due to the nature of the use of the premises, the architecture of the building, or its location with reference to the street, the total allowable sign area may be divided between two wall signs which together constitute the principal wall sign.”* The signs are consistent with the comprehensive sign package.

STAFF RECOMMENDATION: Staff recommends approval of both the split principal signs as proposed.

**Attachments**

- Attachment A – 131-181 Needham Street Recorded Board Order
- Attachment B – 131-181 Needham Street Sign Package
- Attachment C – 131-181 Needham Street Consistency Determination



- Attachment D – 839-853 Washington Street – Comprehensive Sign Package
- Attachment E – January UDC Meeting Minutes Draft



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CITY OF NEWTON  
IN BOARD OF ALDERMEN

April 21, 2015

RECEIVED  
NEWTON CITY CLERK  
2015 APR 27 PM 5:05  
David A. Olson, City Clerk  
Newton, MA 02459

ORDERED:

131-181 Needham Street, Newton, MA

That the Board, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to partially demolish two buildings and to construct additions to the front of each building, which will bring them closer to the street, to reconfigure the existing parking areas and reduce the parking requirement to 441 parking stalls in order to redevelop the site for a mix of office, restaurant, retail, and service uses, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The existing site is nonconforming with regards to both the building setbacks and the parking stalls located in the front and side setback and within five feet of the building. The proposed alterations to the existing buildings and the parking layout will not be substantially more detrimental than the existing nonconforming layout is to the neighborhood because there will be a reduction in size of the buildings and improvements to the parking lot. (§30-21(b))
2. The specific site is an appropriate location for a mixed use development with office, service, retail, and restaurant uses, as it is located in an active commercial corridor with similar uses. The proposed site plan and elevations will enliven and improve the pedestrian environment along Needham Street. (§30-24(d)(1))
3. The proposed use, as developed and operated, will not adversely affect the neighborhood. The site is located in a mixed-use area with active commercial uses, and has adequate on-site parking to meet the projected parking demand for the proposed uses. The proposed site plan includes a new publicly accessible pathway along South Meadow Brook that will allow for a future connection to the Newton Upper Falls Greenway. (§30-24(d)(2))
4. The proposed parking layout and directional signage within the site will allow for safe and efficient vehicle circulation and the curbed and/or painted walkways and traffic calming measures will create a safe environment for pedestrians. For these reasons the project will not result in serious hazards to pedestrians or vehicles. (§30-24(d)(3))
5. Access to the site is appropriate for the types and numbers of vehicles involved, as the site is located on a major commercial corridor with access to highways and public transportation, including the MBTA Green Line and Bus, and the proposed project will not significantly affect the levels of service at surrounding intersections. (§30-24(d)(4))

Return:  
Crosspoint Associates, Inc.  
300 Third Ave., Suite 2  
Waltham, MA 02451

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A True Copy  
Attest  
  
City Clerk of Newton, Mass.

- 6. The proposed construction will meet or exceed the building code as it relates to energy efficiency, will utilize efficient lighting, and will utilize recycled building materials to the extent practical. The proposed site plan will improve stormwater quality and groundwater recharge as required by the Department of Environmental Protection and the Department of Public Works and will be in conformance with the City's Stormwater policy. The removal of invasive species and planting of native vegetation will improve the riverfront area. For these reasons, the proposed project will contribute significantly to the efficient use and conservation of resources and energy. (§30-24(d)(5))
- 7. The reduction in the number of proposed parking stalls below the amount required by the Newton Zoning Ordinance is appropriate, as the peak operating hours for the proposed mix of uses will complement each other and the site has access to public transportation, such that the use of a shared parking model better reflects the project's parking demand. Limiting the number of parking stalls to meet the actual parking demand is in the public interest, as it preserves a greater amount of open space. (§30-19(m))
- 8. The Board finds that the petitioner's voluntary contribution of funding for improvements within the Newton Upper Falls Greenway rail trail are a public benefit to the City of Newton that will enhance the safety of pedestrian and vehicular movements for residents of the project and the surrounding neighborhood.

PETITION NUMBER: #19-15

PETITIONER: Newton Technology Park, LLC

LOCATION: 131-181 Needham Street, on land known as SBL 51, 28, 9A-15, containing approximately 11.06 acres of land  
*Deed Reference: Book 13229, Page 645*

OWNER: Newton Technology Park, LLC

ADDRESS OF OWNER: 300 3<sup>rd</sup> Avenue  
Waltham, MA 02451

TO BE USED FOR: Redevelopment of site for a mixed-use center including office, retail, service and restaurant uses.

EXPLANATORY NOTES: §30-13(b)(1), to allow retail use in the Mixed Use 1 District; §30-13(b)(4), to allow service use in the Mixed Use 1 District; §30-13(b)(5), to allow restaurant use in the Mixed Use 1 District; §30-13(b)(12), to allow bank, excluding drive-in use in the Mixed Use 1 District; §30-13(b)(16), to allow uses similar or accessory to those authorized by §30-13(b) in the Mixed Use 1 District; §30-19(d)(18) and §30-19(m), to allow for a one-third reduction in the required number of parking stalls; §30-19(h)(1), §30-19(m) and §30-21(b), to allow parking within required front and side setbacks

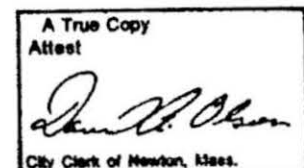
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*[Signature]*  
City Clerk of Newton, Mass.

and to allow parking within 5 feet of a building; §30-19(h)(3)(a), §30-19(m) and §30-21(b), to allow reduced aisle widths to be maintained; §30-19(h)(4)(b), §30-19(m) and §30-21(b), to allow a nonconforming driveway width exceeding allowed maximum; §30-19(i), §30-19(m) and §30-21(b), to allow nonconforming perimeter landscape screening; §30-19(j)(l), (m), to waive requirements for lighting; §30-20(1) comprehensive signage package exception; §30-23 site plan approval; §30-24 special permit.

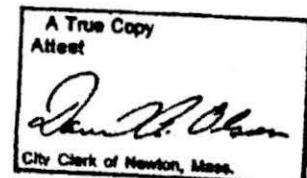
ZONING: Mixed Use 1 district

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
  - a. Civil Engineering Plans, prepared by Kelly Engineering, stamped and signed by Steven M. Horsfall or David Kelly, Professional Engineer, dated January 9, 2015 , consisting of the following ten (10) sheets.
    - i. Sheet 1 - Title Sheet, revised April 16, 2015;
    - ii. Sheet 2 - Vicinity Plans, revised March 30, 2015;
    - iii. Sheet 3 - Existing Conditions Plan, revised March 30, 2015;
    - iv. Sheet 4 - Layout and Zoning Plan, revised April 16, 2014;
    - v. Sheet 5 - Grading Plan, revised April 16, 2015;
    - vi. Sheet 6 - Sewage and Drainage Plan, revised April 16, 2015;
    - vii. Sheet 7 - Utility and Abandonment Plan, revised April 16, 2015;
    - viii. Sheet 8 - Detail Sheet, revised March 30, 2015;
    - ix. Sheet 9 - Detail Sheet, revised March 30, 2015;
    - x. Sheet 10 - Detail Sheet, revised April 16, 2015.
  - b. Floor Plans and Elevations, prepared, stamped and signed by Louis Allevato, Registered Architect, Allevato Architects, Inc., dated January 9, 2015, consisting of the following nine (9) sheets:
    - i. Sheet A1 - Floor Plans;
    - ii. Sheet A2 - Building N3 Exterior Elevations;
    - iii. Sheet A3 - Building N3 Exterior Elevations (signs);
    - iv. Sheet A4 - Building N2 Exterior Elevations;
    - v. Sheet A5 - Building N2 Exterior Elevations (signs);
    - vi. Sheet A6 - Building N1 Exterior Elevations;




- vii. Sheet A7 - Building N1 Exterior Elevations (signs);
  - viii. Sheet A8 - Site Signage; and
  - ix. Sheet A9 - Model Perspective Views.
- c. Comprehensive Signage Package, prepared by Allevato Architects, Inc., dated February 4, 2015 and revised on February 18, 2015 and February 24, 2015.
  - d. Lighting Plan, prepared by Boston Light Source, dated January 12, 2015
  - e. Snow Storage Plan, prepared by Kelly Engineering Group, Inc., dated March 30, 2015
  - f. Crosswalk Plan, plotted January 21, 2015, consisting of two sheets, preparer not identified on plan.
  - g. Landscape Plan, prepared by Shadley Associates, signed and stamped by James P. Shadley, dated January 9, 2015, consisting of three (3) sheets:
    - i. Sheet L1 - Site
    - ii. Sheet L2 - Courtyard
    - iii. Sheet L3 - Landscape details
  - h. Electrical Site Plan prepared by AVID Engineers, E-001, dated April 08, 2015.
2. Prior to the issuance of any building permit the petitioner shall submit a Construction Management Plan for review and approval by the Commissioner of Inspectional Services, the Director of Planning and Development, and the City Engineer. The Construction Management Plan shall be consistent and not in conflict with relevant conditions of this Board Order and shall include, but not be limited to, the following provisions:
- a. 24-hour contact information for the general contractor of the project.
  - b. Hours of construction: construction shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays except in emergencies, and only with prior approval from the Commissioner of Inspectional Services.
  - c. The proposed schedule of the project, including the general phasing of the construction activities.
  - d. Site plan(s) showing the proposed location of contractor and subcontractor parking, on-site material storage area(s), on-site staging areas(s) for delivery vehicles, and location of any security fencing.
  - e. Proposed truck route(s) that minimize travel on local streets.
  - f. Proposed methods for dust control including, but not limited to: covering trucks for transportation of excavated material; minimizing storage of debris on-site by using dumpsters and regularly emptying them; using tarps to cover piles of bulk building materials and soil; locating a truck washing station to clean muddy wheels on all truck and construction vehicles before exiting the site.
  - g. Proposed methods of noise control, in accordance with the City of Newton's Ordinances. Staging activities should be conducted in a manner that will minimize off-site impacts of noise. Noise producing staging activities should be located as far as practical from noise sensitive locations.



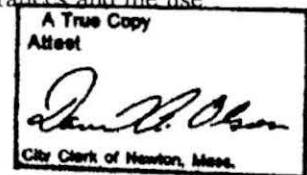
- h. Tree preservation plan to define the proposed method for protection of any existing trees to remain on the site.
  - i. A plan for rodent control during construction.
- 3. The petitioner shall maintain all landscaping associated with this Special Permit/Site Plan Approval in good condition. Any plant material that becomes diseased or dies shall be replaced on an annual basis with similar material.
- 4. The petitioner may operate a retail use consisting of a grocery store on the site, but such grocery store shall not exceed 25,000 square feet in size unless allowed through an amendment to this Special Permit/Site Plan Approval.
- 5. The Comprehensive Signage Package submitted by the petitioner is hereby approved. The petitioner or its tenants shall submit sign permit applications to the Director of Planning and Development for a determination of consistency with the approved Comprehensive Sign Package. For modifications determined to be inconsistent with the Comprehensive Sign Package, petitioner shall seek an amendment to this Special Permit/Site Plan Approval.
- 6. The petitioner shall apply for and use good faith efforts to obtain necessary federal, state and local permits and/or approvals, including but not limited to MassDOT's Access Permit, to construct the two crosswalks across Needham Street and the alterations to the site's access points, as shown in the site plans approved in Condition #1, prior to the issuance of a Certificate of Occupancy for the renovated buildings covered by this Special Permit/Site Plan Approval. The petitioner shall bear the sole cost of such improvements. The Petitioner shall use good faith efforts to consult with the Planning Department prior to any request for modification to the site plan as it relates to these improvements
- 7. When new off-site sidewalks are provided at the two crosswalks across Needham Street with pedestrian features as approved by MassDOT, said pedestrian safety improvements related to the sidewalk connection to these crosswalks shall be constructed at the petitioner's sole expense to include pedestrian push buttons, wheelchair accessible ramps, and associated sign and pavement markings and subject to receipt of all necessary approvals.
- 8. At its sole expense, the petitioner shall complete a post occupancy traffic study to document the actual traffic characteristics of the Project and to assess traffic volumes and operating conditions at the three access points to the site and at the intersection of Needham Street and Jaconnet Street. The traffic study, with a scope of work to be defined by the Planning and Development Department, shall be conducted by a qualified professional firm selected by the petitioner and approved by the Director of Planning and Development. The petitioner shall coordinate with the Planning and Development Department within three months after the site has reached full occupancy to determine the exact dates for conducting the traffic study. The results of the traffic study shall be provided to the Director of Planning and Development, the Director of the Transportation Division of Public Works and the MassDOT for review.

If the traffic study indicates that the project has created an unsafe environment or hazardous conditions for vehicles or pedestrians within the segment of Needham Street


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- adjacent to the project site, as determined by the City or the MassDOT, and including but not limited to the intersection of Jaconnet Street at Needham Street, the petitioner shall participate in discussions with the City and MassDOT to assess how the petitioner shall modify their site plan or mitigate such conditions within the segment of Needham Street adjacent to the project site, through modifications such as lane striping, the addition of medians, restrictions on turning movements through signage, or such other measures as the petitioner may agree to which can be made within the street layout. The petitioner shall bear sole responsibility for the cost of such mitigation.
9. At its sole expense, the petitioner shall conduct a Parking Utilization "After Study" during the first fall/winter peak shopping season after the site has reached full occupancy. The exact dates for the "After Study" shall be subject to approval by the Director of Planning and Development. The Parking Utilization "After Study" shall be conducted by a qualified professional firm selected by the petitioner and approved by the Director of Planning and Development. If the results of any Parking Utilization "After Study" indicate that the peak parking occupancy is less than 75%, the petitioner agrees to participate in discussions with the Director of Planning and Development to assess if the petitioner should modify its site plan with regards to the parking.
  10. The petitioner shall store snow at the site only within the locations identified in the snow storage plan, except to the extent snow removal is deemed by the petitioner to be operationally necessary during the peak parking periods.
  11. No changes to the Project shall be permitted, except as otherwise set forth in this Special Permit/Site Plan Approval, unless they are consistent with the approved plans listed in Condition #1. Consistency determinations shall be subject to review and approval by the Commissioner of Inspectional Services. When making a request for a consistency determination, the Petitioner shall submit a memorandum to the Commissioner of Inspectional Services demonstrating that such change(s) do not: (a) require further review by the Conservation Commission; (b) constitute a reallocation or reconfiguration of square footage among uses in the Project or otherwise allowed in the Mixed Use 1 District such that no increase in the parking waiver special permit approved hereunder is required; (c) require a new type of zoning relief (other than the categories of relief granted and/or modified pursuant to this Special Permit/Site Plan Approval); (d) reduce the useable open space as shown in the Special Permit Plan Set; and (e) modify any façade on the buildings covered by this Special Permit/Site Plan Approval in a way that deviates from the vibrancy of the mixed use development as specified in condition 15 below. If the Commissioner of Inspectional Services grants any consistency ruling pursuant to this Condition, he shall provide a copy to the Land Use Committee of the Board of Aldermen.
  12. The trash enclosures shall be maintained in a sanitary condition with the gate remaining closed at all times when not in use. The collection/emptying of such receptacles shall only occur on weekdays between 8:00 a.m. and 5:00 p.m.
  13. The petitioner shall use reasonable efforts to promote an enlivened streetscape along Needham Street, including but not limited to the installation of store entrances and the use



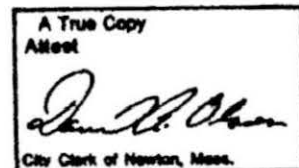
- of glazing, and to use glazing and attractive materials on all facades of the buildings covered by this Special Permit/Site Plan Approval to the extent practicable, and in harmony with the approved elevations and plans listed in Condition #1.
14. The petitioner shall construct and maintain an eight foot wide pathway along the South Meadow Brook over the former railroad bed, as shown on the approved plans listed in Condition #1, and as approved by the Conservation Commission. The pathway shall be constructed prior to the issuance of a Certificate of Occupancy for any of the buildings on the Project's site covered by this special permit.
  15. The petitioner shall enter into a license agreement with the City for the public use of the proposed pathway along the South Meadow Brook. Such license agreement shall be in a form acceptable to the City's Law Department.
  16. At the written request of the Director of Planning and Development, the petitioner shall submit funds in the amount of \$87,545.00 to be paid towards undergrounding of utilities along Needham Street at such time as either the City of Newton or the Commonwealth commences a project of undergrounding the utility lines with sufficient funding in place or committed from governmental or private sources to undertake the project for at least a distance of a quarter mile, inclusive of the section of Needham Street fronting the subject property at 131-181 Needham Street. This obligation shall run with the land for a period of 25 years from the date of this special permit. These funds shall be used by the City or the Commonwealth for the purpose of undergrounding utilities on Needham Street within the 25 year time period identified above. Any funds collected under this condition and not spent in accordance with this condition at the end of this time period shall be returned to the petitioner or its successors or assigns.
  17. The Petitioner shall underground utilities on the site in accordance with the approved plans listed in Condition #1 and shall use good faith efforts to underground any remaining above-ground utilities.
  18. The petitioner shall maintain public access for vehicles through the driveway entrance located along the side property line to the north.
  19. In furtherance of the City's proposed Newton Upper Falls Greenway (NUFG) rail trail behind the Property and as a public benefit to the City, the Petitioner agrees: (a) to participate in conjunction with the City of Newton, abutters and other stakeholders in reasonable efforts to promote development of the NUGF, which may include planning and design initiatives and (b) to provide a voluntary contribution of funding to the City in the amount of \$10,000.00 to be used by the City for the development of the NUGF, and (c) to remove invasive species along the boundary of its site with the NUGF, pursuant to a plan to be reviewed with the Engineering Department. These undertakings shall run with the land for a period of 25 years from the date of this special permit. Any funds collected under this condition and not spent in accordance with this condition at the end of this time period shall be returned to the petitioner or its successors and assigns.
  20. The petitioner shall, at its expense, install wayfinding signage at the beginning (southeast corner of the site) and end (southwest corner of the site) of the foot path indicated on the approved "Layout & Zoning Plan" listed in Condition #1. The petitioner shall work with

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the City's Planning & Development Department, Public Works Department, and Parks and Recreation Department to review and approve the proposed wayfinding signage.

21. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
  - a. Recorded a certified copy of this Board Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded Board Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. Filed final site plans for review and approval by the City Engineer. A copy of such written approval shall be filed with the Clerk of the Board, Director of the Department of Planning and Development, and the Commissioner of Inspectional Services.
  - d. Filed an approval from the Tree Warden
  - e. File a copy of the perimeter plan filed with the City Engineer with the Clerk of the Board and the Director of Planning and Development.
  - f. Obtained a written statement from the Department of Planning and Development that confirms plans submitted with any building permit are consistent with plans approved in Condition #1.
  - g. Filed a copy of the Construction Management Plan required by Condition #2 with the Commissioner of Inspectional Services and the Director of Planning and Development.
22. No Certificate of Occupancy for the buildings and uses covered by this Special Permit/Site Plan Approval shall be issued until the petitioner has:
  - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or surveyor certifying substantial compliance with Condition #1.
  - b. Submitted to the Department of Inspectional Services and the Department of Planning and Development a final as-built survey plan in digital format by a licensed surveyor.
  - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division certifying that the final site construction details have been constructed to the standards of the City of Newton Engineering Division.
  - d. Incorporated the approved Operations and Maintenance Plan for Stormwater Management on file with the City Clerk's Office into the Master Deed, which shall be recorded with the Registry of Deeds for the Southern District of Middlesex County in conjunction with the completion of the construction of such special permit, proof of which shall be submitted to the Engineering Division.
  - e. Filed with the Department of Planning and Development, a statement from the City's Conservation Agent stating that the petitioner has complied with all requirements of the Order of Conditions from the Conservation Commission.
  - f. Filed with the Department of Planning and Development, a statement from the City's Tree Warden stating that the petitioner has complied with all requirements of the City's Tree Preservation Ordinance.




- g. Filed with the City Clerk and the Department of Inspectional Services a statement by the Director of Planning and Development approving final location, number and type of plant materials, final landscape features, fencing, signage and parking areas.
  - h. Filed a copy of the license agreement allowing public use of the proposed pathway with the Clerk of the Board and the Director of Planning and Development.
  - i. Constructed a pathway in accordance with Condition #14.
23. Notwithstanding the provisions of Condition #22g above, the Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy for all or portions of the site prior to installation of final landscaping, fencing, signage and parking areas provided that the Petitioner shall first have filed with the Director of Planning and Development a bond, letter of credit, cash or other security in the form satisfactory to the Director of Planning and Development in an amount not less than 135% of the value of the aforementioned remaining site work to secure installation of such landscaping, fencing, signage and parking areas.

Under Suspension of Rules  
 Readings Waived and Approved  
 20 yeas 0 nays 4 absent (Aldermen Baker, Gentile, Hess-Mahan, and Laredo)


The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on April 27, 2015. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.


ATTEST:

  
 (SGD) DAVID A. OLSON, City Clerk  
 Clerk of the Board of Aldermen

I, David A. Olson, as the Clerk of the Board of Aldermen and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the Office of the City Clerk on 4/27 and that NO APPEAL to said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

  
 (SGD) DAVID A. OLSON, City Clerk  
 Clerk of the Board of Aldermen

A True Copy  
 Attest  
  
 City Clerk of Newton, Mass.



**NEWTON**

**NEXUS**

DEVELOPMENT OF:

**CROSSPOINT**  
Crosspoint Associates, Inc.

PREPARED BY:

**ALLEVATO**



PROJECT LOCATION:

131-181 Needham Street  
Newton, Massachusetts

OWNER/LANDLORD:

CROSSPOINT ASSOCIATES, INC.  
300 Third Avenue, Suite 2  
Waltham, Massachusetts  
508-655-0505  
Contact: Kerry McCormack





I. OVERVIEW 4

II. WAIVERS 5

III. BUILDING SIGNS 6-14

ARCHITECTURAL ELEVATIONS 6-14

DETAILS OF WALL SIGNS 15-17

SIGN TYPES:  
 Tenant Sign  
 Awning Sign  
 Blade Panel  
 Wall Banner Sign



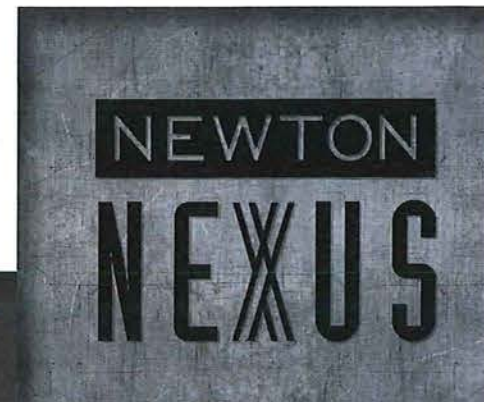
I. SITE SIGNS 18

EXISTING LOCATIONS 18

PROPOSED LOCATIONS 19

DETAILS OF SITE SIGNS 20-22

SIGN TYPES:  
 Entrance Sign  
 Ground Signs  
 Vehicular Way-finding  
 Pedestrian Directory  
 Light Pole Banners





## SIGN PROGRAM: REQUEST FOR LIMITED RELIEF

The proposed shopping center will reimagine and renovate the existing property into a modern, multi-retailer shopping destination. Beginning at the street, the building architecture, landscaped sidewalks, and carefully planned signage will create an urban edge along Needham Street as well as a lively retail environment throughout the site. Pedestrian and vehicular areas will be upgraded with new sidewalks, landscaping, pavement, and lighting. In addition, a complete signage and way-finding design will promote connectivity as shoppers and visitors navigate the site. The result of this significant reinvestment is a mix of fresh and exciting retailers, restaurants and office space populating a high-quality, open-air pedestrian friendly environment.

An important component of the renewed property is a high quality signage program which can be categorized as two kinds. 1) Tenant signage is necessary to identify and support tenant branding; 2) Common area signage is useful towards establishing 'sense of place', information content, and way-finding. Working with multiple design teams on both of these categories of signage, the goal is to have the most creative and high quality signage possible. The result of this coordinated signage program is robust messaging combined with aesthetics consistent with the new architecture and site improvements.

Most signage in this program conforms to the City's zoning ordinance by-law governing signs. Some signs in this program require zoning relief. This document is to provide an overview of the entire program so as to provide context, and to highlight signs which require relief.

## SIGN PROGRAM: MANAGEMENT TEAM

The Shopping Center's landlord (i.e., its management team) includes professionals responsible for all on-property signage, for two different categories of sign:

1] Tenant-installed signage – Each tenant designs & installs its own signage consisting of one or more sign pieces. The number, location, size and details of design & fabrication are subject to the City's Zoning ordinance. Tenant signs are also guided by the landlord's Tenant Design Criteria, which provides much detail to guide individually prepared tenant signs. Before any tenant may apply to Inspectional Services for its sign permit, and for Urban Design Commission review, landlord's Tenant Coordinator works closely with the tenant to ensure zoning conformance and to ensure overall compatibility. Prior to permit submittal, each tenant must obtain final written approval of its signage by the Landlord Tenant Coordinator, which is attached to the application which Inspectional Services then receives.

2] Common area signage – The shopping center management team installs ground and wall mounted signs which present various types of messaging, including: select tenant names & branding; placenames; way-finding; advertising; marketing & events information; public service information; holiday décor; and similar. These signs are designed, fabricated and installed by the landlord (though in some instances a tenant's sign piece is a distinct and integral part of a common area sign). The Landlord submits sign permit applications for common area signs to the city. The management of these common area signs are maintained by landlord's team on a continuing basis with content revised and updated as appropriate.



NEWTON  
NEXUS



**Proposed signage for the shopping center property requiring Special Permit waivers:**

Proposed signage is supplemental to conforming signage as provided in the City’s ordinance: Section 30-20. Signs and other advertising devices  
(f) Regulation of signs in commercial districts

**WAIVERS:**

1. Additional Principal Wall Sign

For a corner Tenant where the frontage is facing a parking lot and the second frontage is at least 75 percent of the first frontage facing either a parking lot or street, there may be an additional principal wall sign.

2. Secondary Signs

For each tenant of at least 5,000 square feet in size, with store frontage not facing Needham Street, to be allowed an additional secondary wall sign of up to 50 square feet, located on another façade of the building visible from Needham Street.

3. Canopy Signs

For each tenant whose storefront façade includes an architectural canopy, its principal and secondary wall sign may be affixed to the canopy at any position on, above or below the canopy. There may also be a blade sign affixed to the underside of the canopy, as long as it is affixed perpendicular to the building wall, up to 6 square feet per side.

4. Site Signs

a. Entrance Sign: May include project identity, assist in way finding and advertise businesses. The selection of signs may change at the discretion of the owner following review and approval by the Owner and the Planning Department, following consultation with the Urban Design Commission.

4. Site Signs (continued)

b. Vehicular Way finding Signs: May include building, tenant and site directory signage. The selection of signs may change at the discretion of the landlord.

c. Pedestrian Directory Sign: May include property identification, tenant and building location plan and advertising panels.

d. Ground Sign: Will include property identification sign panel.

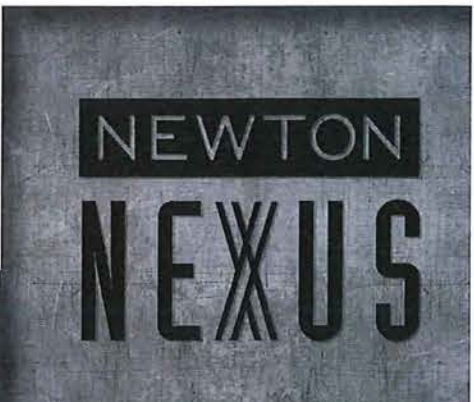
e. Light Pole Banner Signs: Will have property identification signs which may change seasonally and at the owner’s discretion.

5. Blade Signs

There may be one blade sign per tenant entrance or occupancy up to 6 sf per side. Blade signs may change at the discretion of the owner following review and approval by the Owner and the Planning Department, following consultation with the Urban Design Commission.

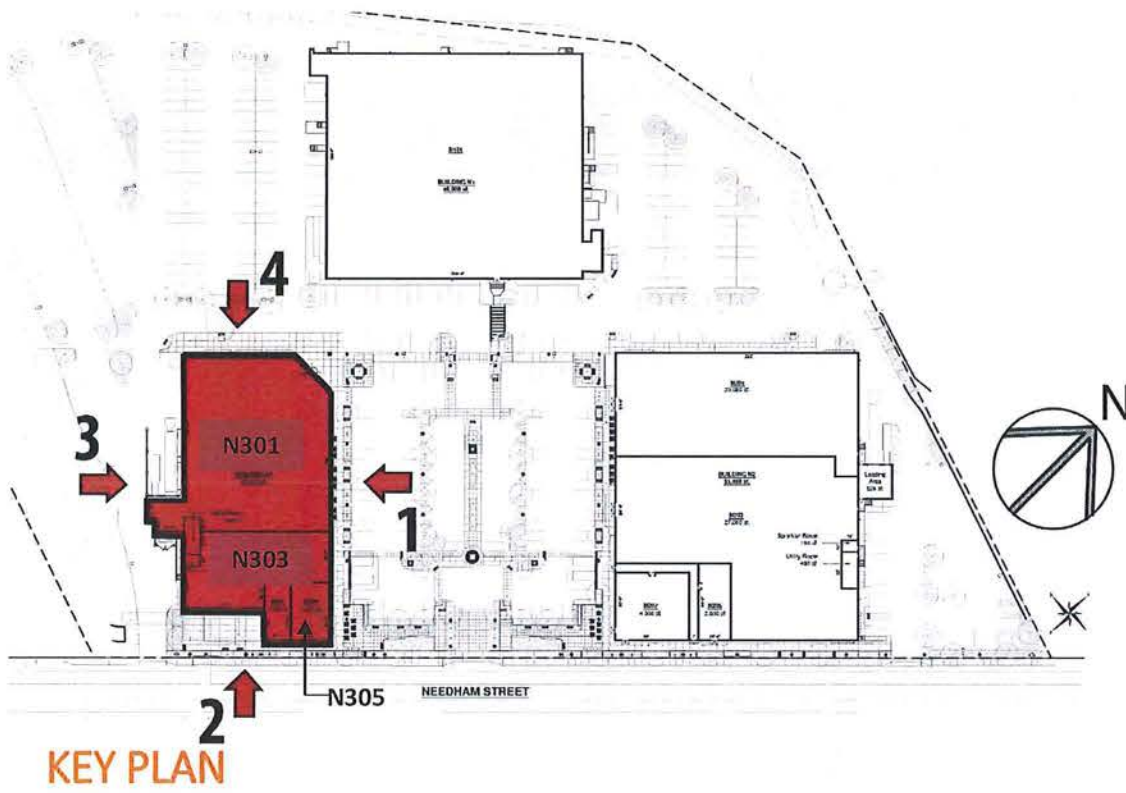
6. Banner Signs

Banner signs affixed to the face of a building may have property identification signs which may change seasonally and at the owner’s discretion. (max. 25 square feet)





# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



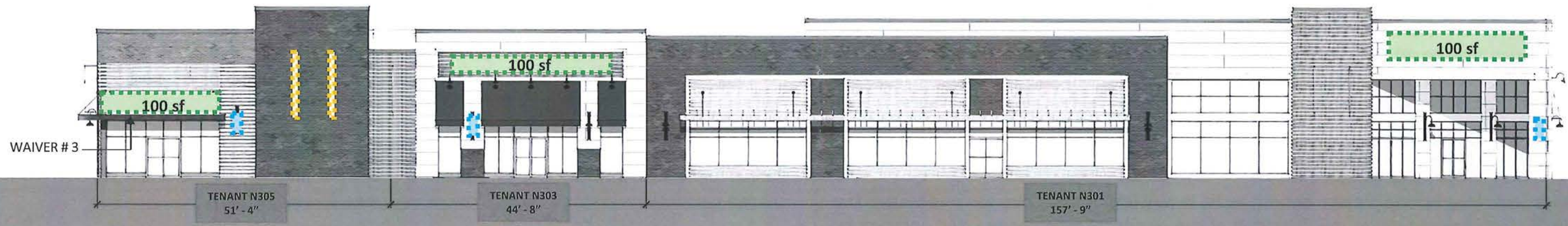
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

Calculations :  
 $51.33 \text{ ft.} \times 3 \text{ ft.} = 153.99 \text{ sf}$   
 Max allowed = 100 sf

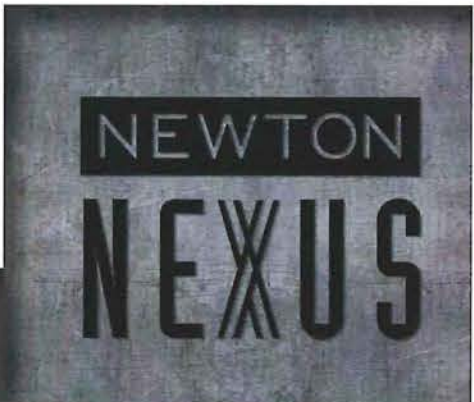
Calculations :  
 $44.66 \text{ ft.} \times 3 \text{ ft.} = 133.98 \text{ sf}$   
 Max allowed = 100 sf

Calculations :  
 $157.75 \text{ ft.} \times 3 \text{ ft.} = 473.25 \text{ sf}$   
 Max allowed = 100 sf



**View 1 – North Façade (Facing Parking Lot)**

**BUILDING N3**









# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



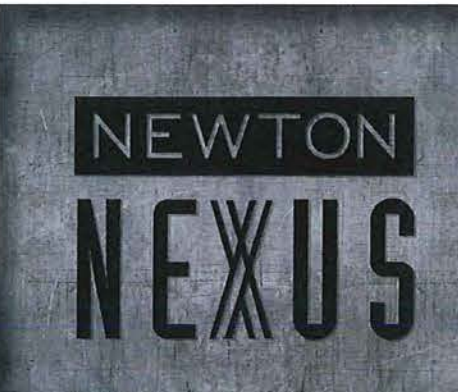
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



**View 2 – East Façade (Facing Needham Street)**

**BUILDING N3**





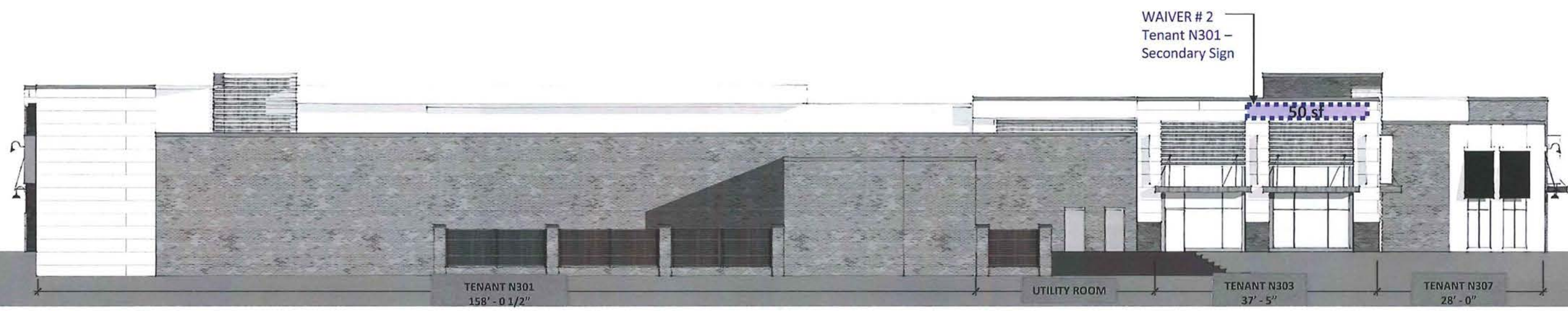


# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



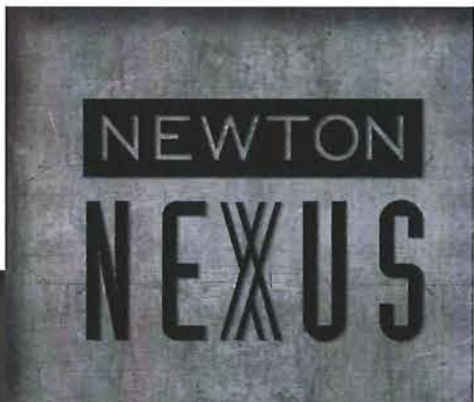
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



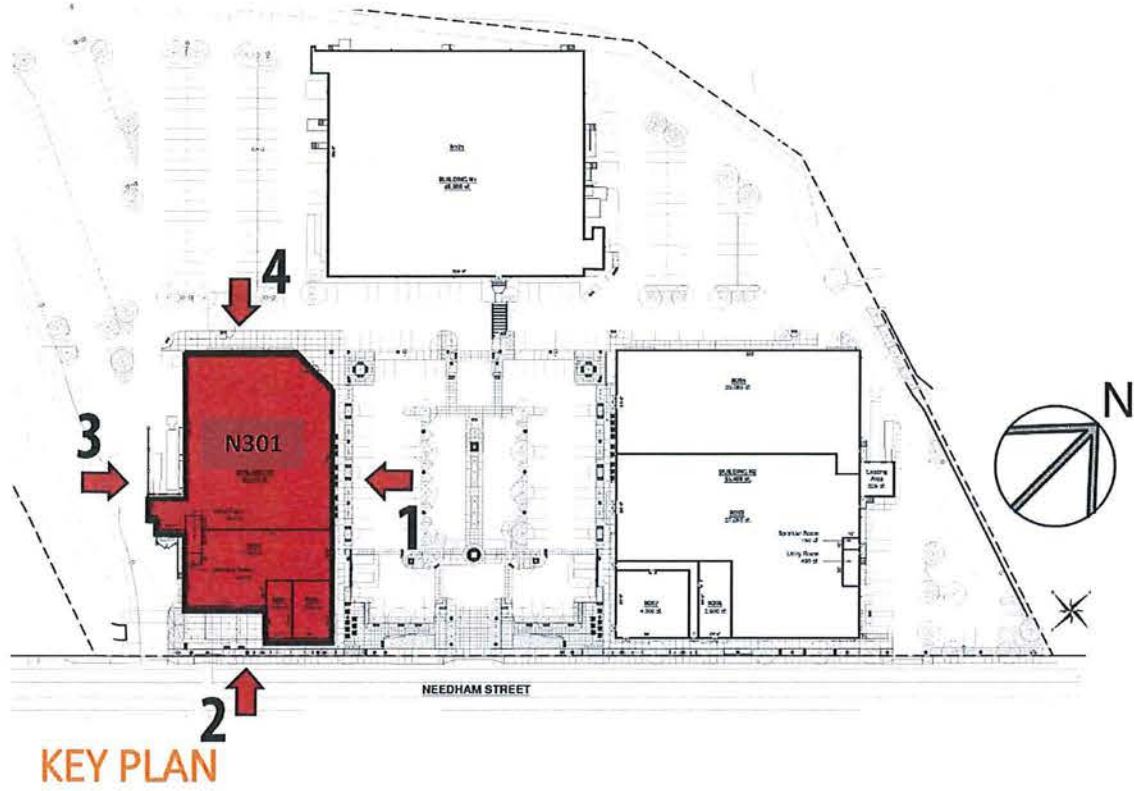
**View 3 – South Façade**

**BUILDING N3**







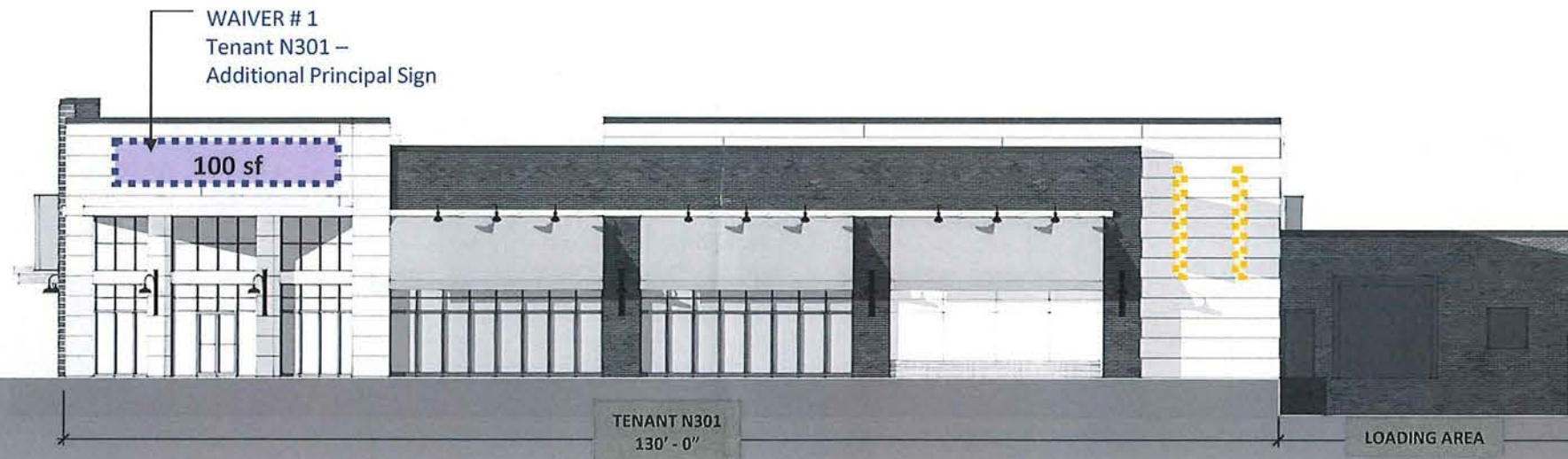


# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



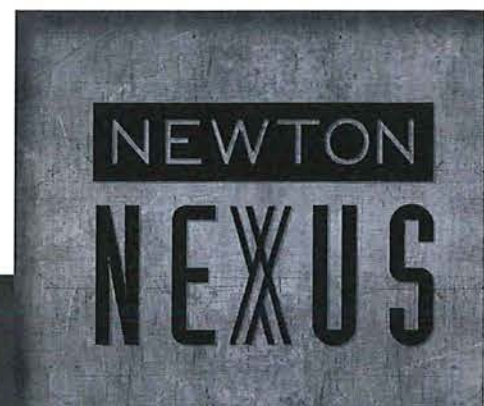
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



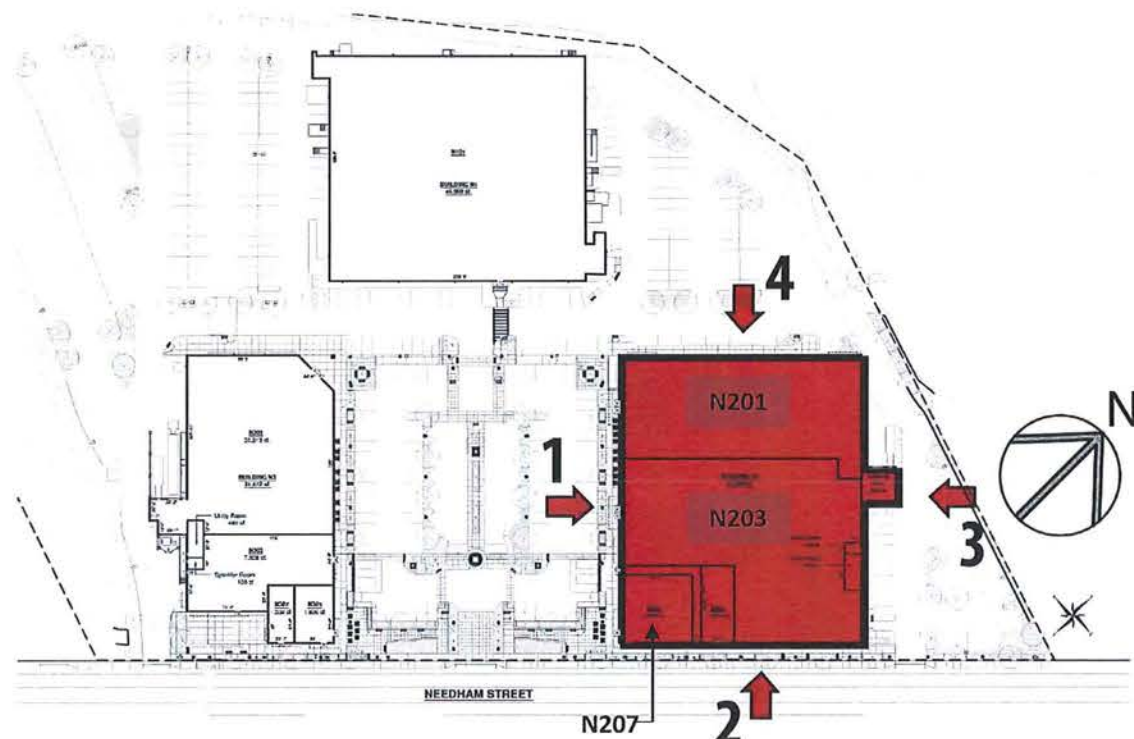
View 4 – West Façade (Facing Parking Lot)

BUILDING N3









# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



KEY PLAN

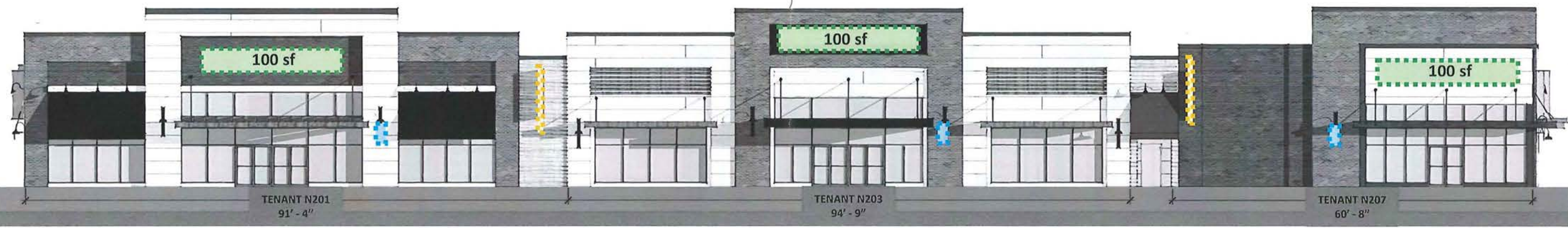
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

Calculations :  
 $91.33 \text{ ft.} \times 3 \text{ ft.} = 273.99 \text{ sf}$   
 Max allowed = 100 sf

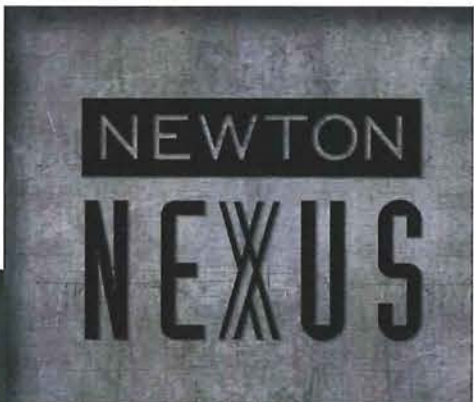
Calculations :  
 $94.75 \text{ ft.} \times 3 \text{ ft.} = 284.25 \text{ sf}$   
 Max allowed = 100 sf

Calculations :  
 $60.66 \text{ ft.} \times 3 \text{ ft.} = 181.98 \text{ sf}$   
 Max allowed = 100 sf



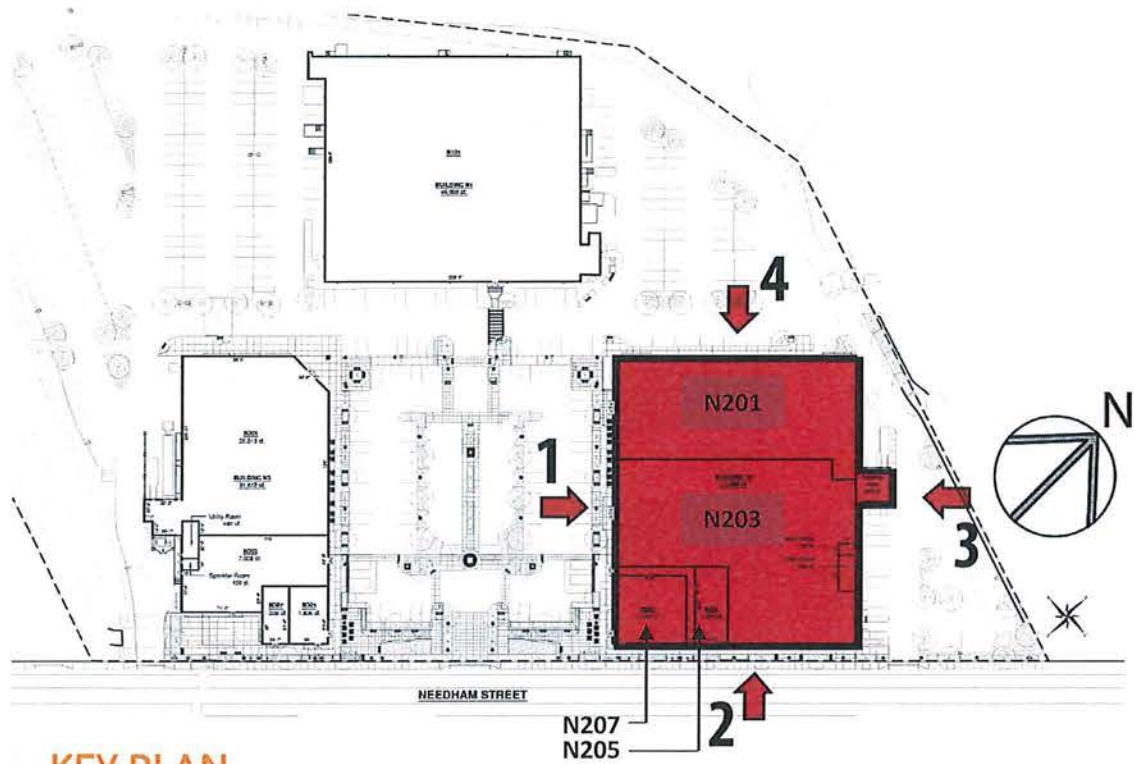
View 1 – South Façade (Facing Parking Lot)

BUILDING N2







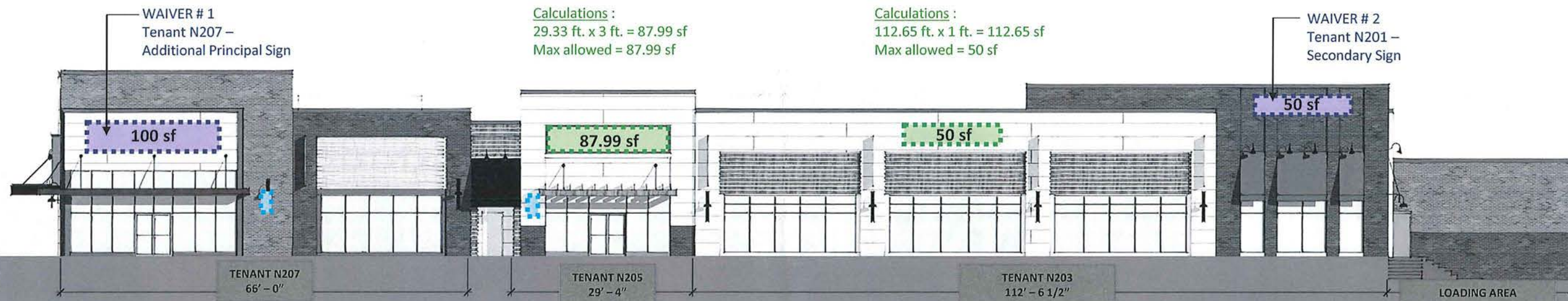
# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



KEY PLAN

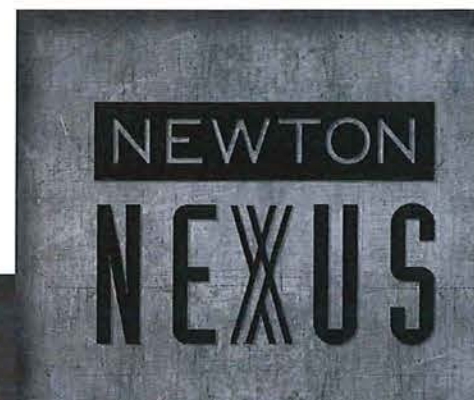
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



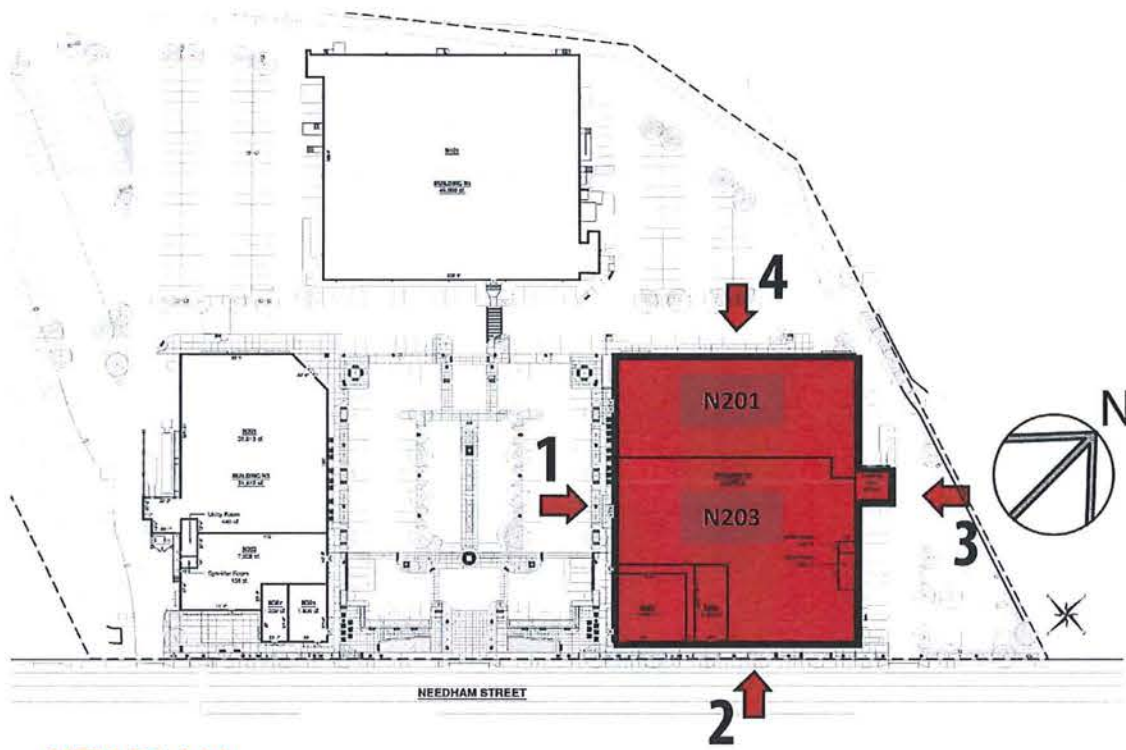
View 2 – East Façade (Facing Needham Street)

BUILDING N2



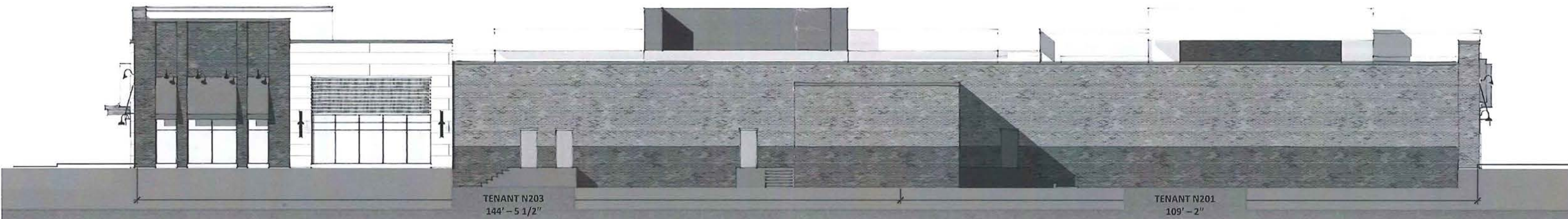


# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



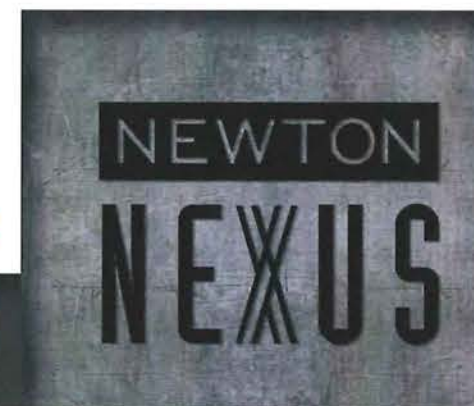
## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



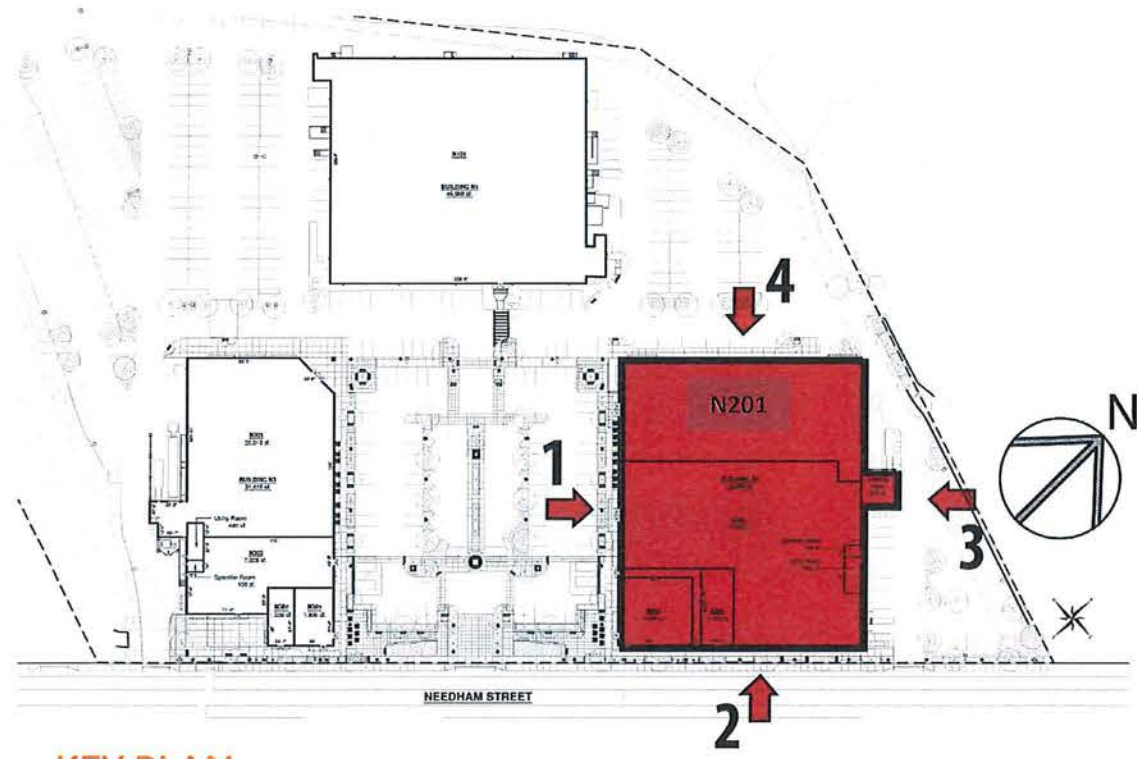
View 3 – North Façade

BUILDING N2









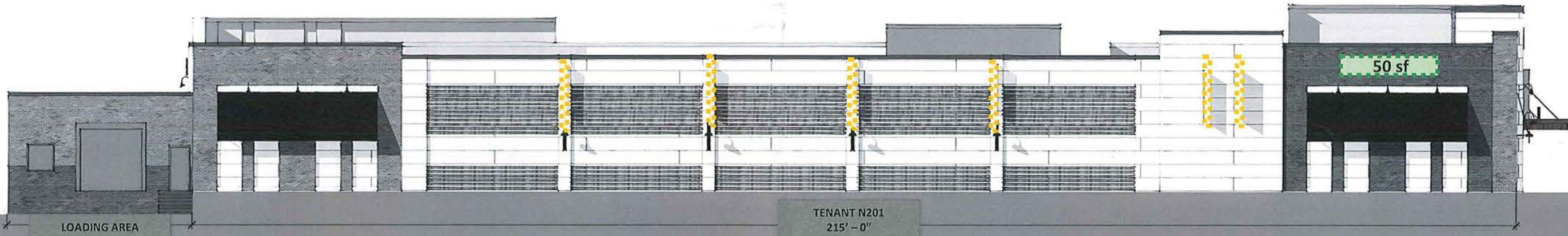
# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



## LEGEND

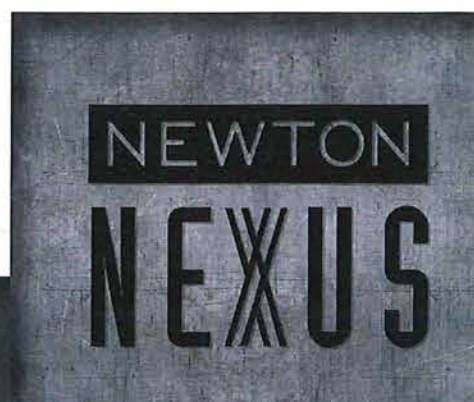
-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

Calculations :  
 215 ft. x 1 ft. = 215 sf  
 Max allowed = 50 sf



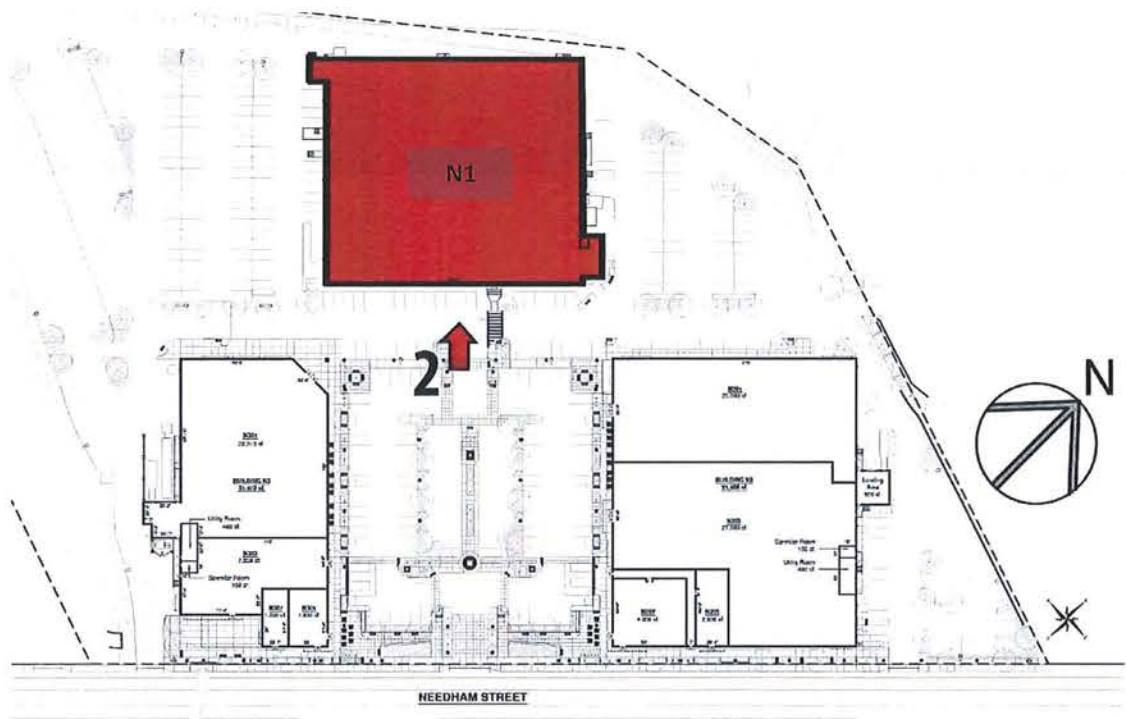
View 4 – West Façade (Facing Parking Lot)

BUILDING N2






# BUILDING SIGNS: ARCHITECTURAL ELEVATIONS



KEY PLAN

## LEGEND

-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6

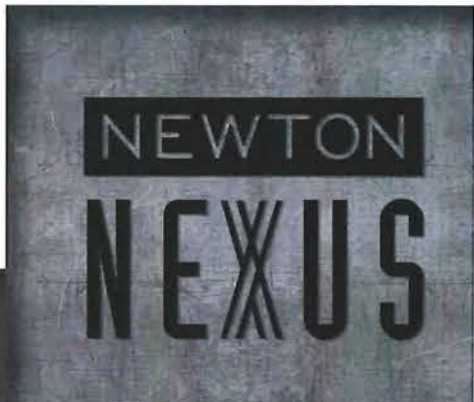
Calculations :  
 Upper Level Tenant  
 245 ft. x 3 ft. = 735 sf  
 Max allowed = 100 sf

Calculations :  
 Lower Level Tenant  
 245 ft. x 3 ft. = 735 sf  
 Max allowed = 100 sf



View 2 – East Façade (Facing Needham Street)

BUILDING N1





TENANT SIGNS:

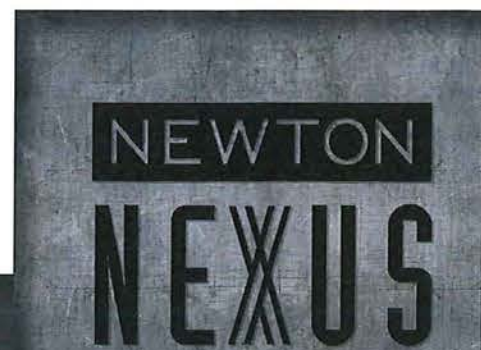
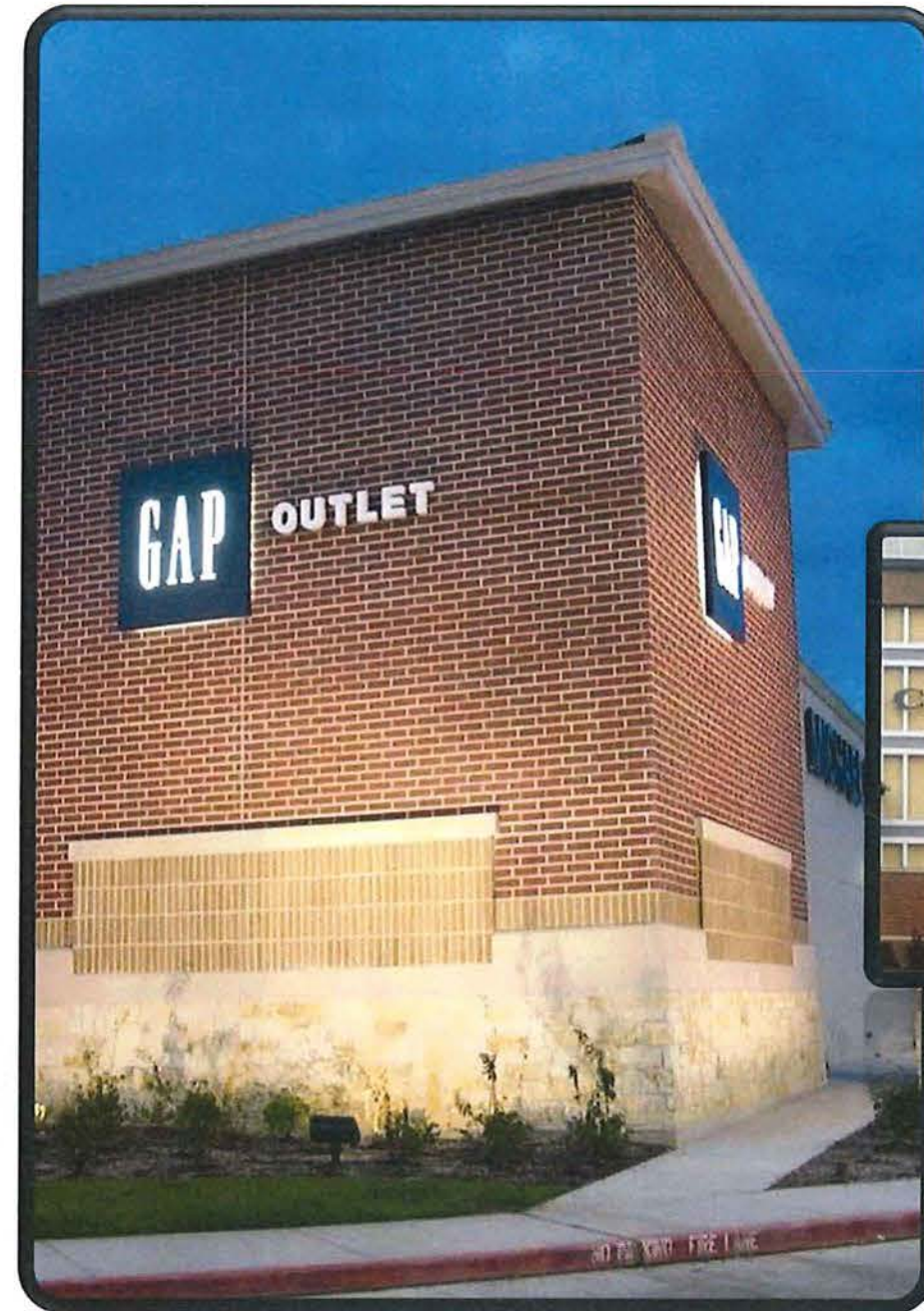
Fabricated aluminum reversed channel letters with halo illumination or internal illumination.



Alternative types of signage may be considered to accommodate tenant prototype signs

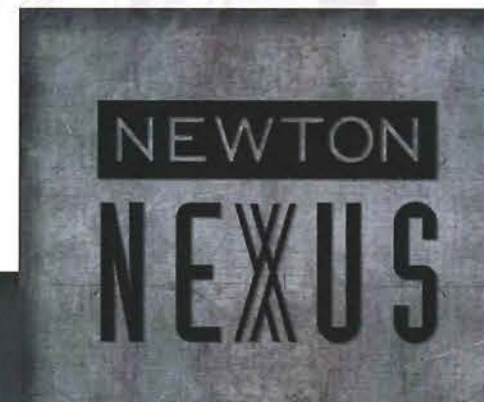
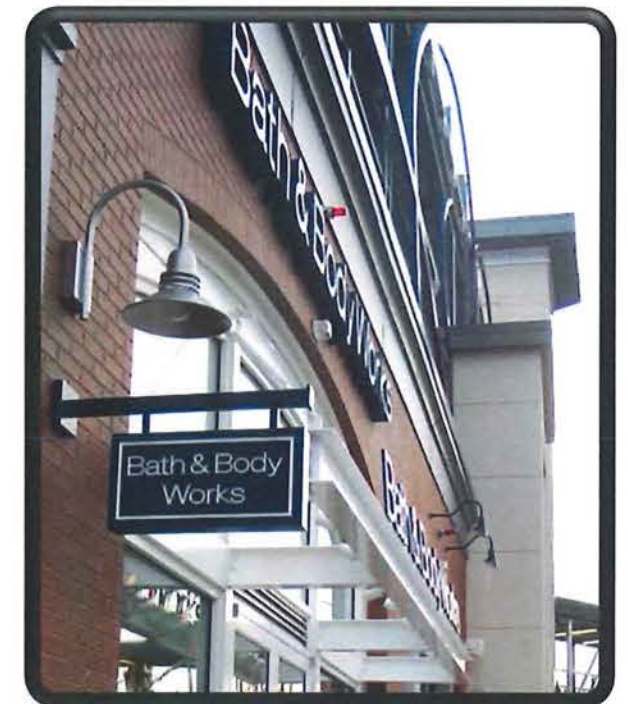
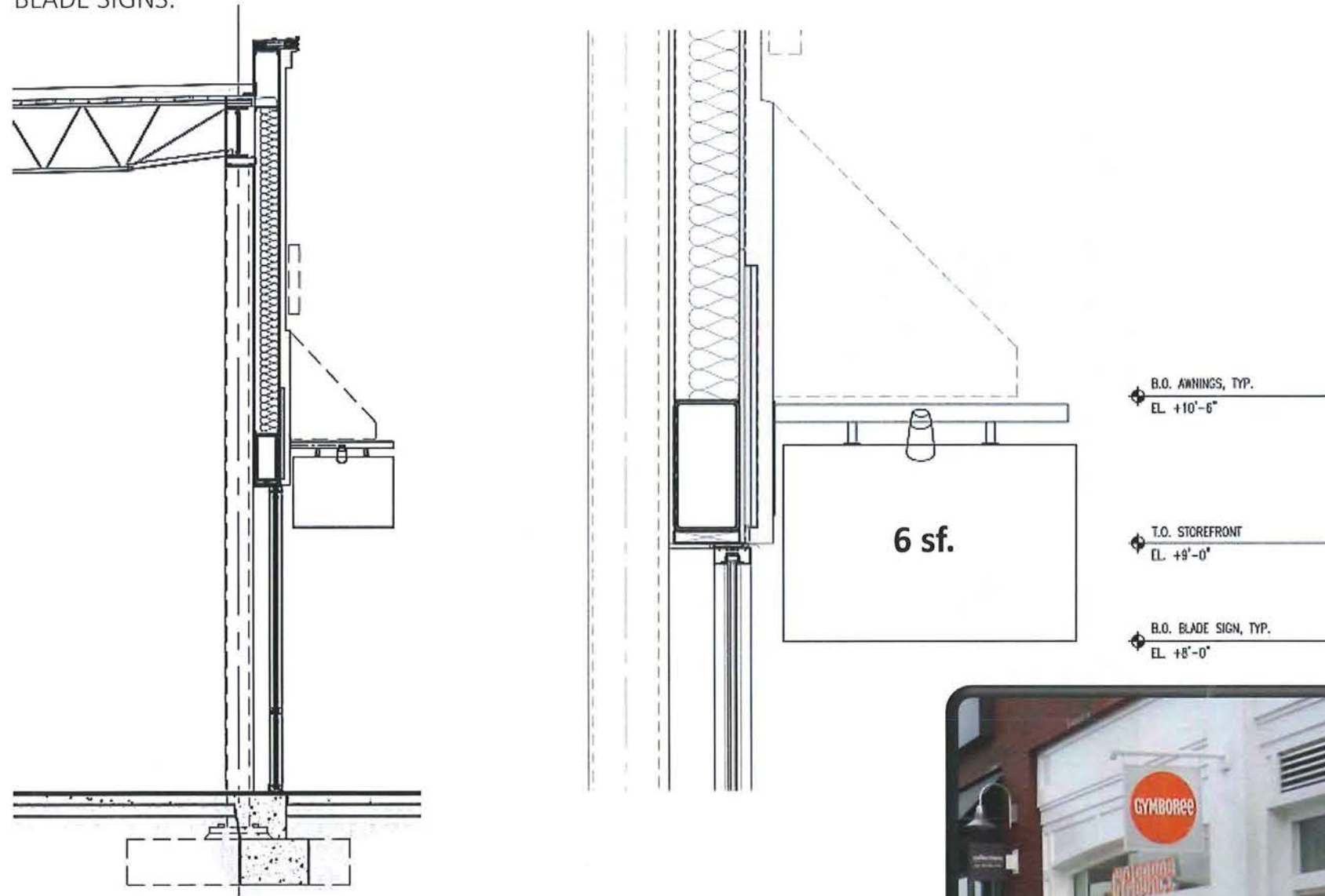


Additional Secondary wall sign for a Tenant not facing Needham Street:



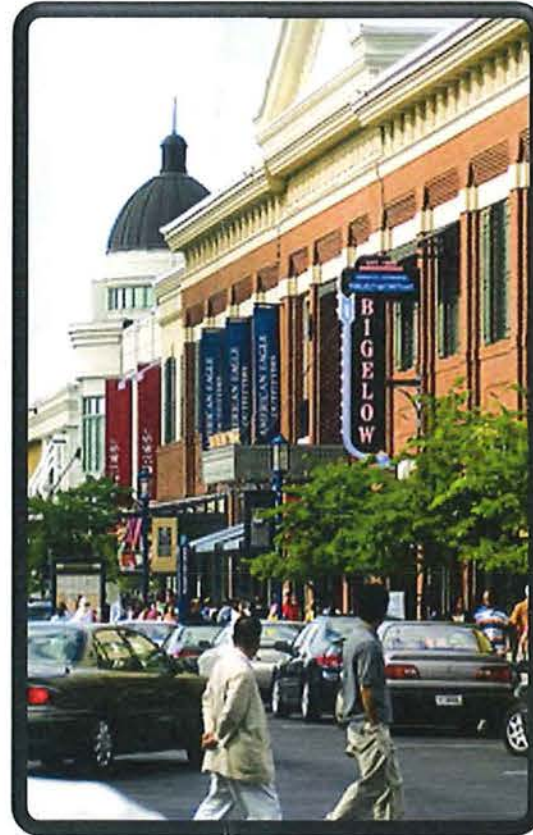
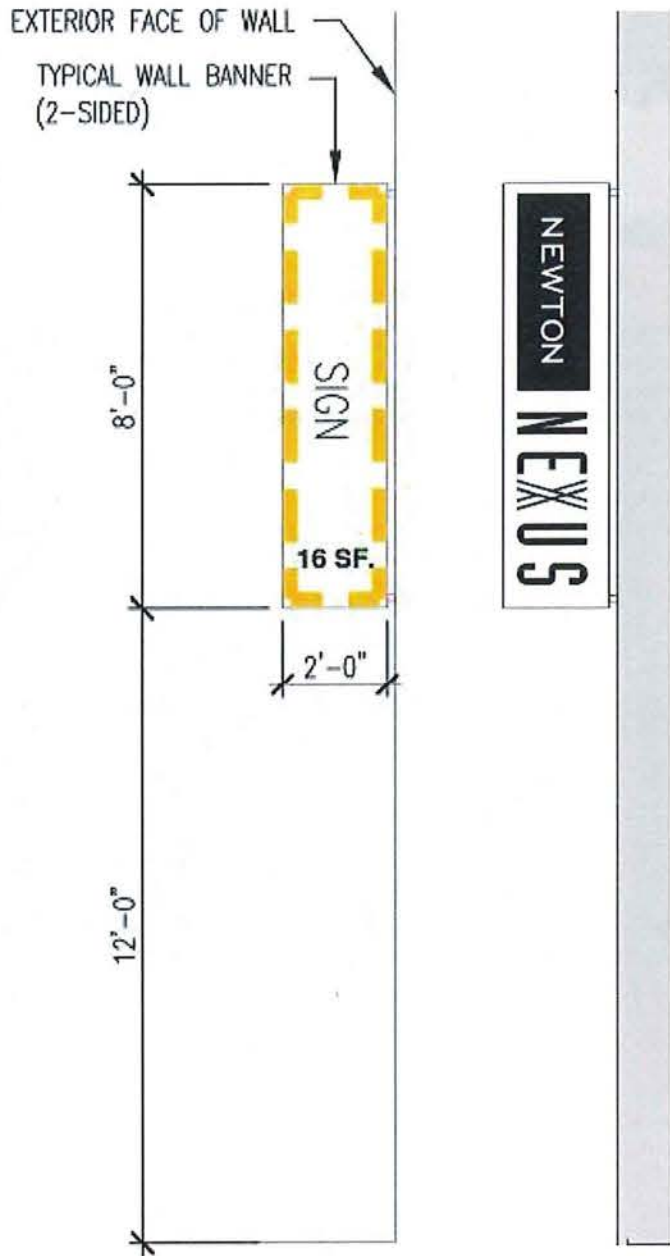


BLADE SIGNS:

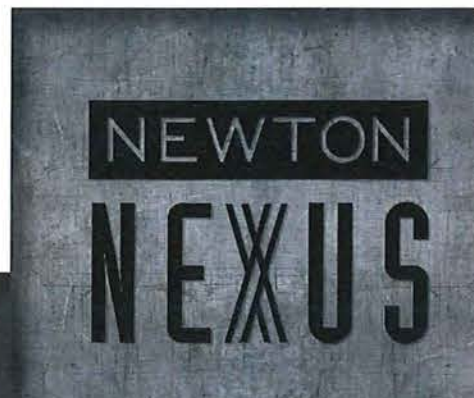




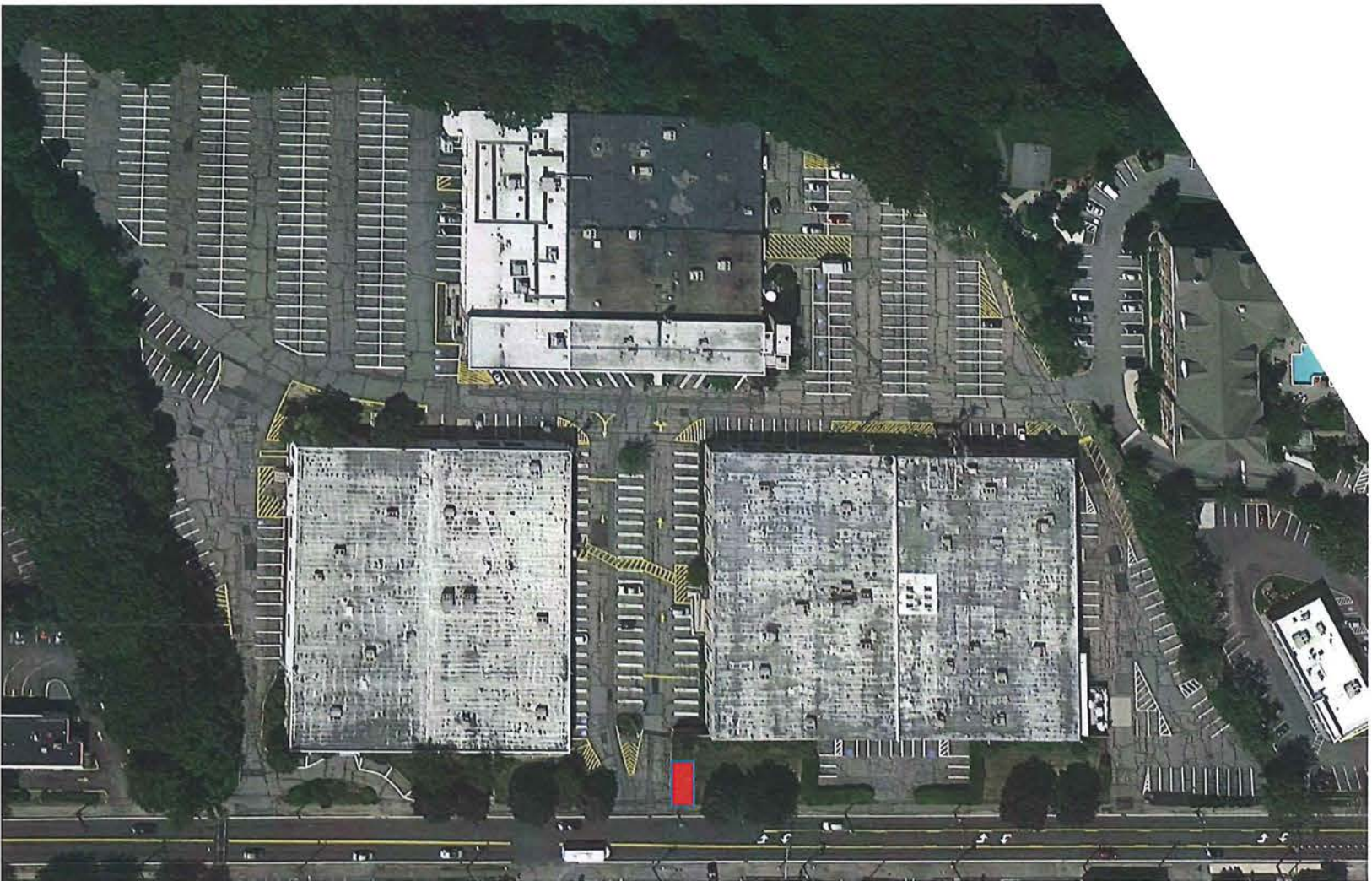
BANNER SIGNS:



AWING SIGNS: Conforming 20% of awning area.







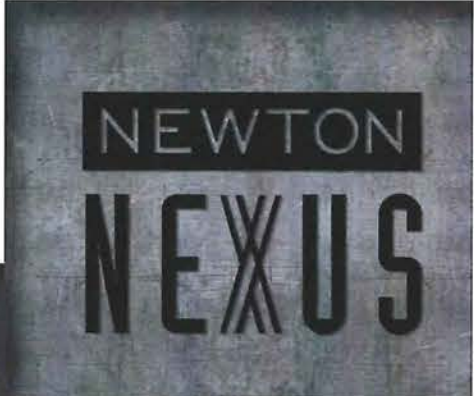
KEY PLAN

LEGEND

Existing Entrance Sign

EXISTING SITE SIGN SUMMARY:

The existing site features one ground sign at the main (central) entrance from Needham Street.

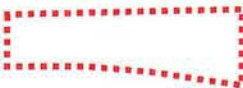






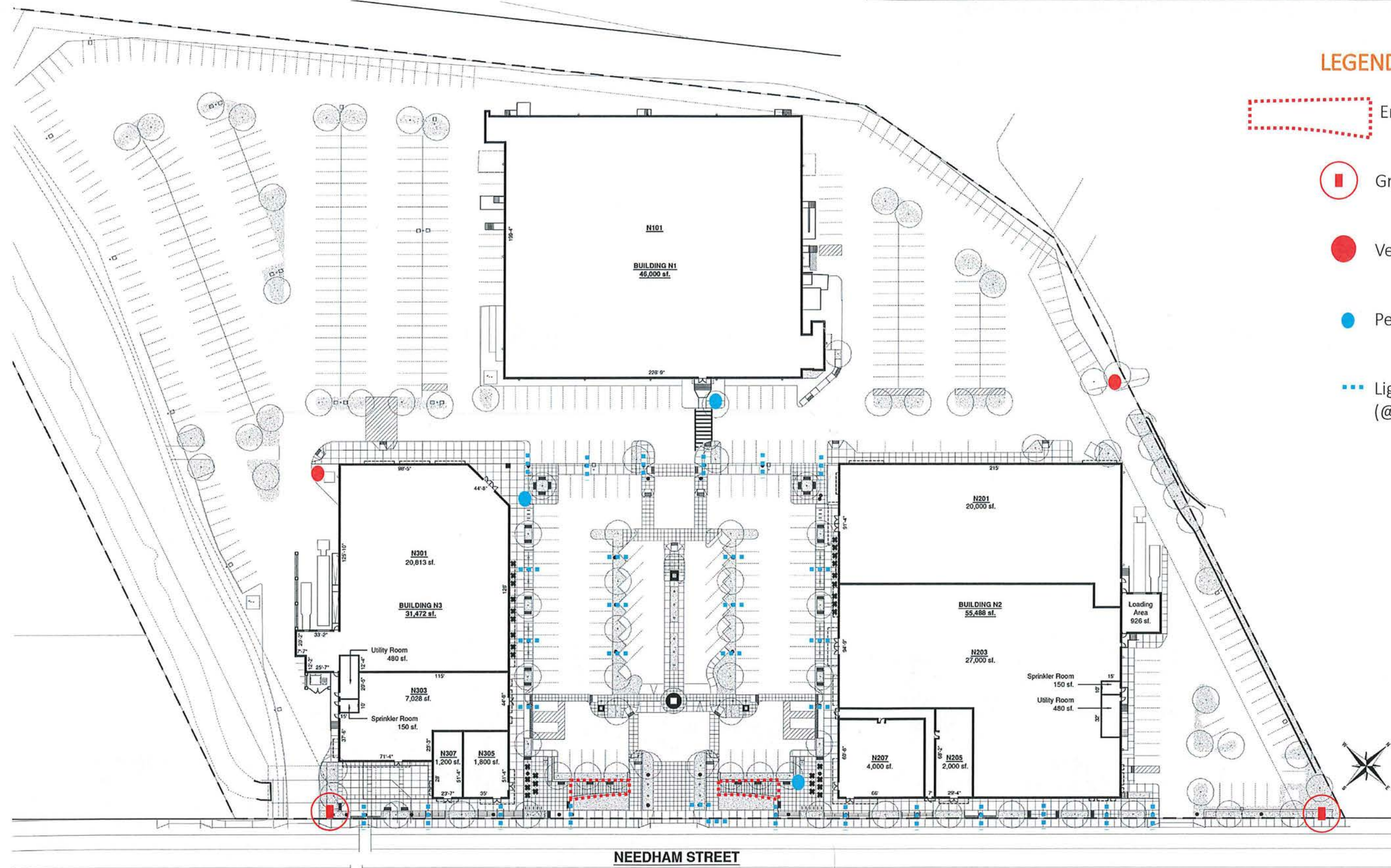


# SITE SIGNS: PROPOSED LOCATIONS

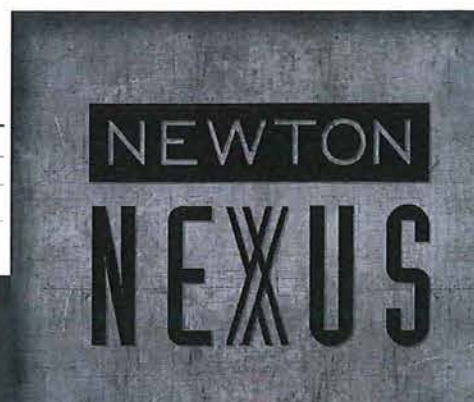
WAIVER # 4

## LEGEND

-  Entrance Sign (1)
-  Ground Sign (2)
-  Vehicular Way-finding Sign (2)
-  Pedestrian Directory Sign (3)
-  Light Pole Banner Sign (@ each light pole)



NEEDHAM STREET



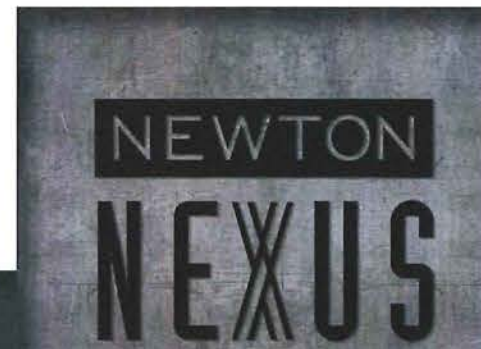
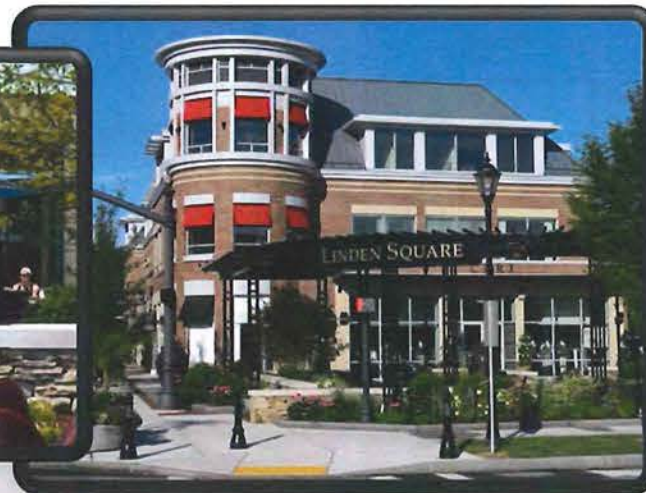
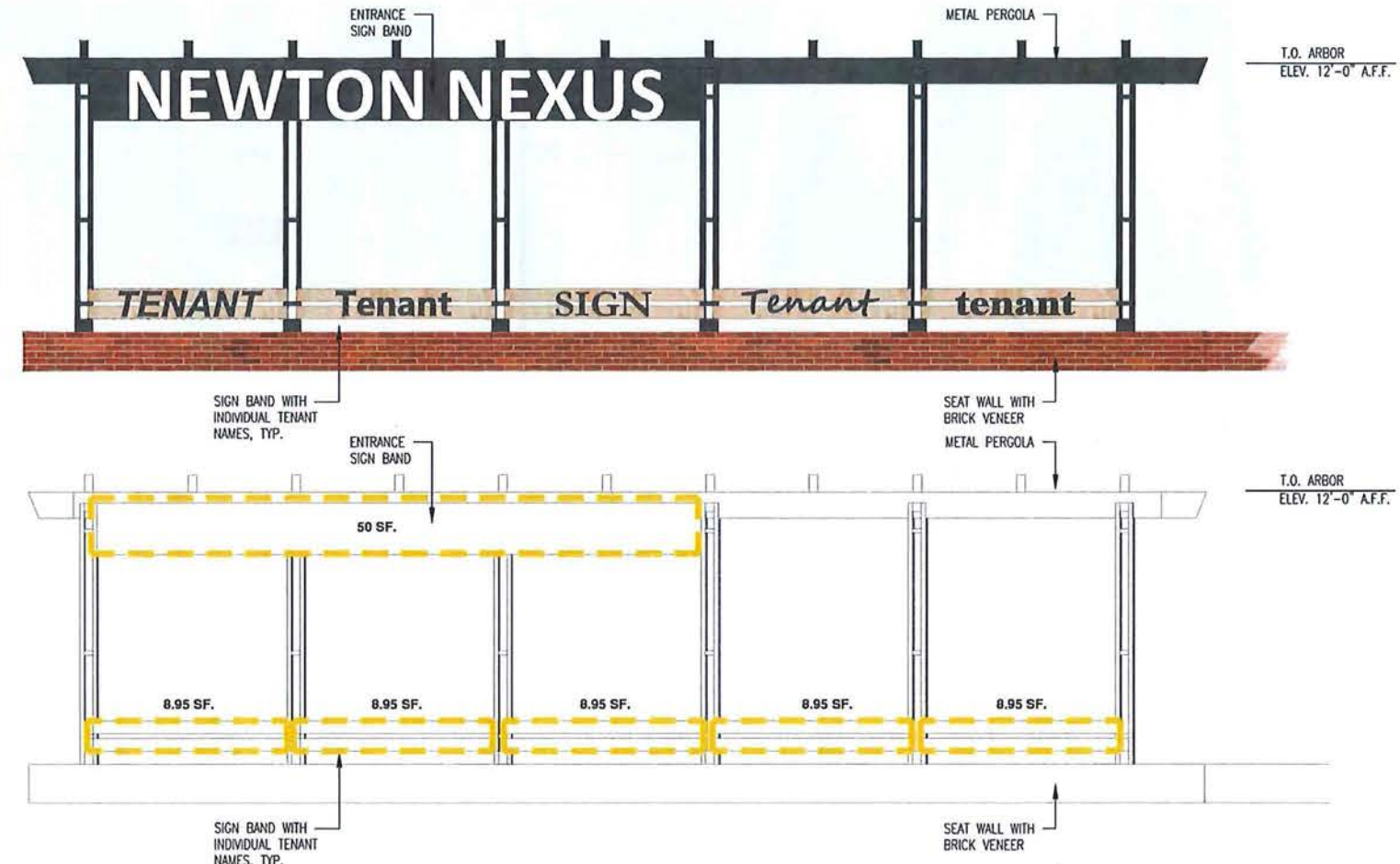
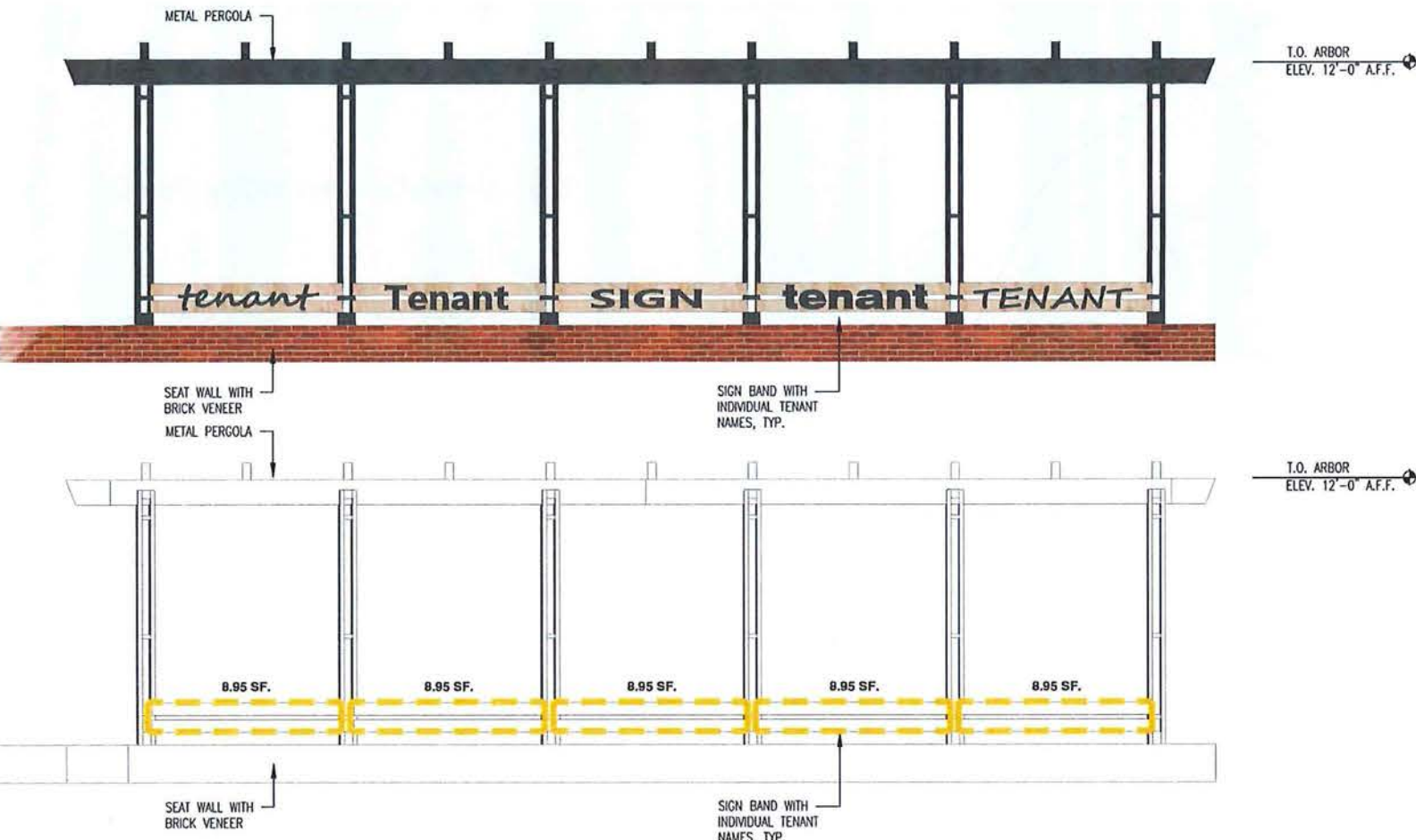




ENTRANCE SIGN:

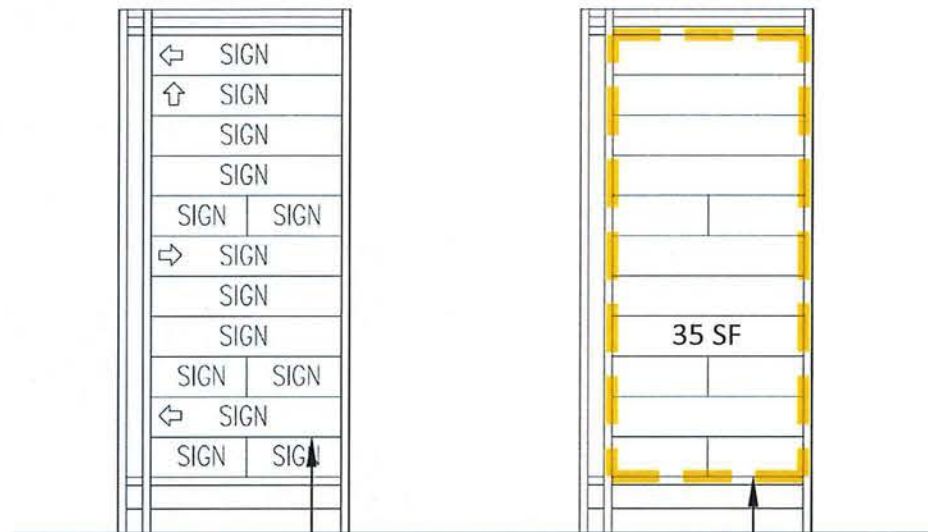
SITE SIGNS : DETAILS

WAIVER # 4





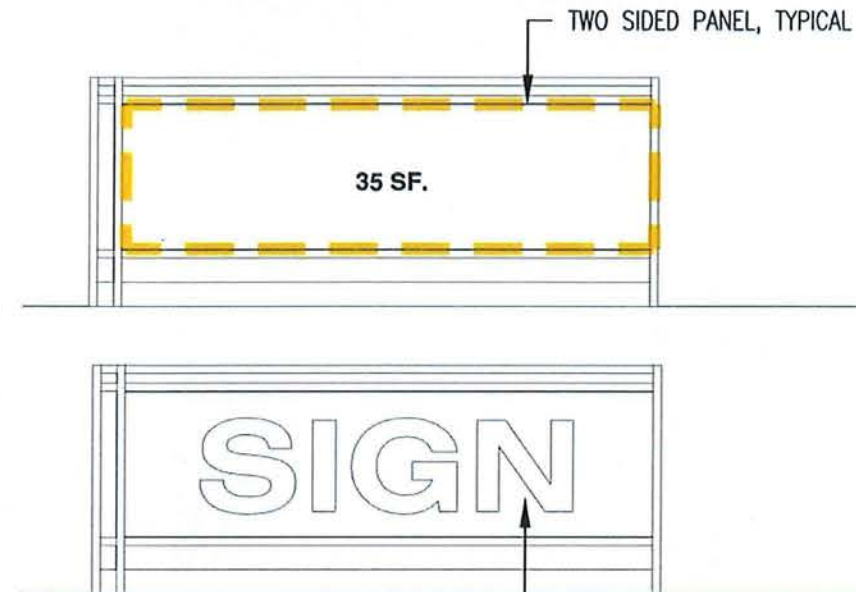
VEHICULAR WAY-FINDING SIGN:



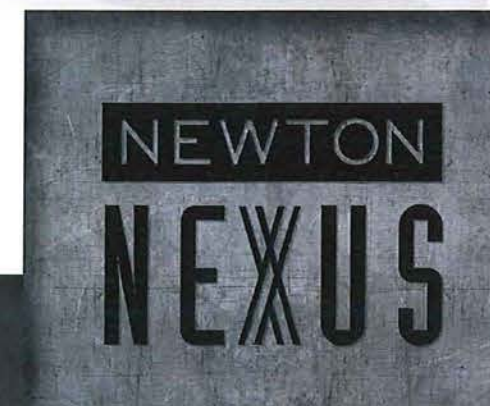
TYPICAL VEHICULAR DIRECTIONAL SIGN, SUPPORTING STRUCTURE AND DESIGN (TBD)

TWO SIDED PANEL, TYPICAL

GROUND SIGN:

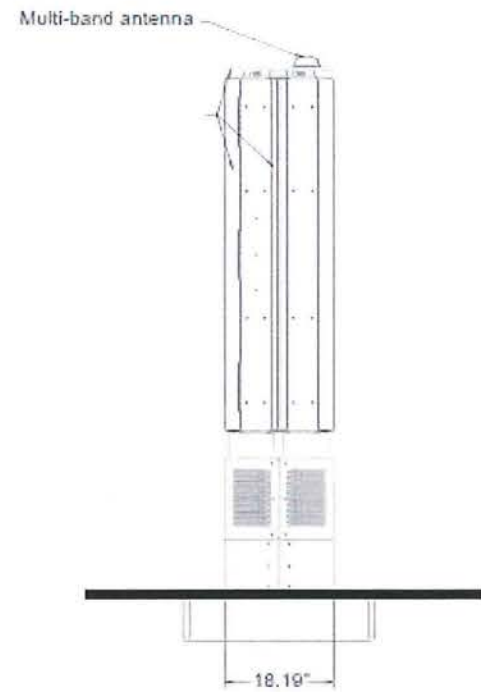
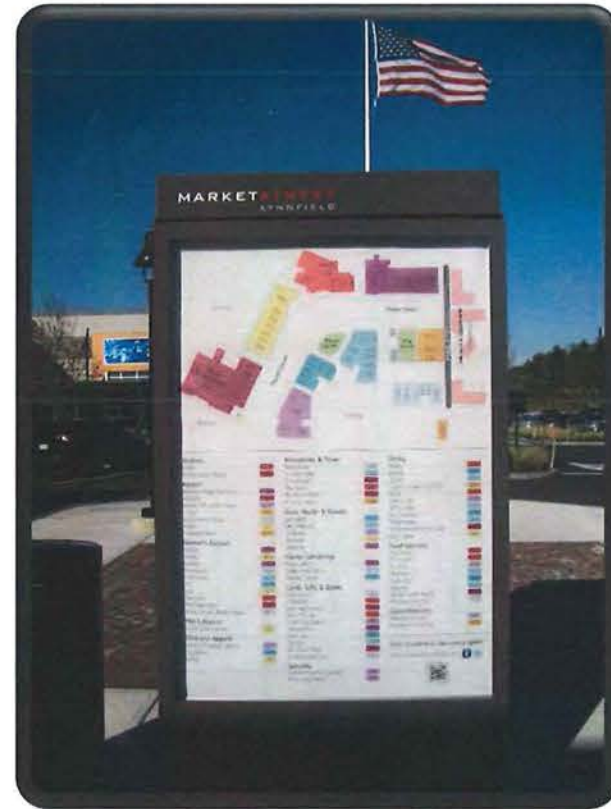
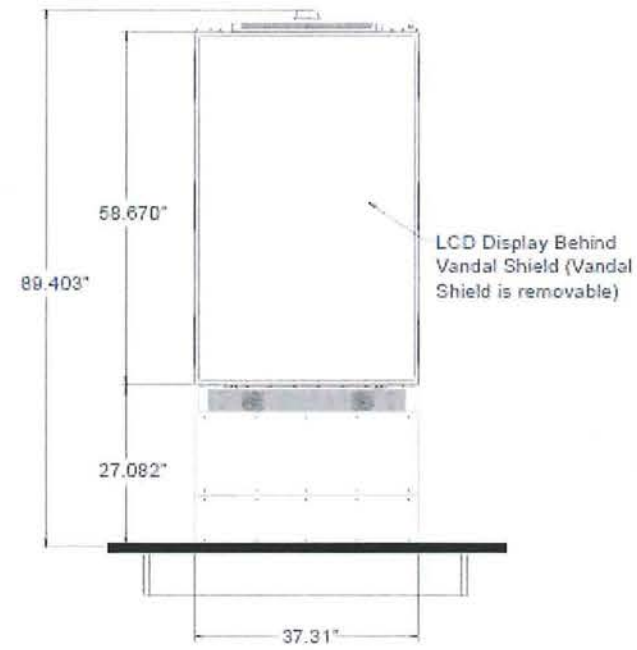


TYPICAL "NEXUS" GROUND SIGN PANEL, SUPPORTING STRUCTURE DESIGN AND DIMENSIONS (TBD). SEE LANDSCAPE PLAN L1 (2) SIGN LOCATIONS

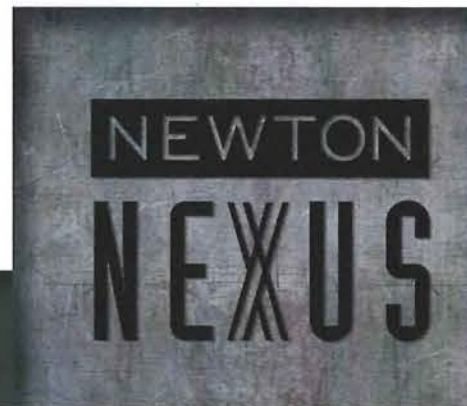
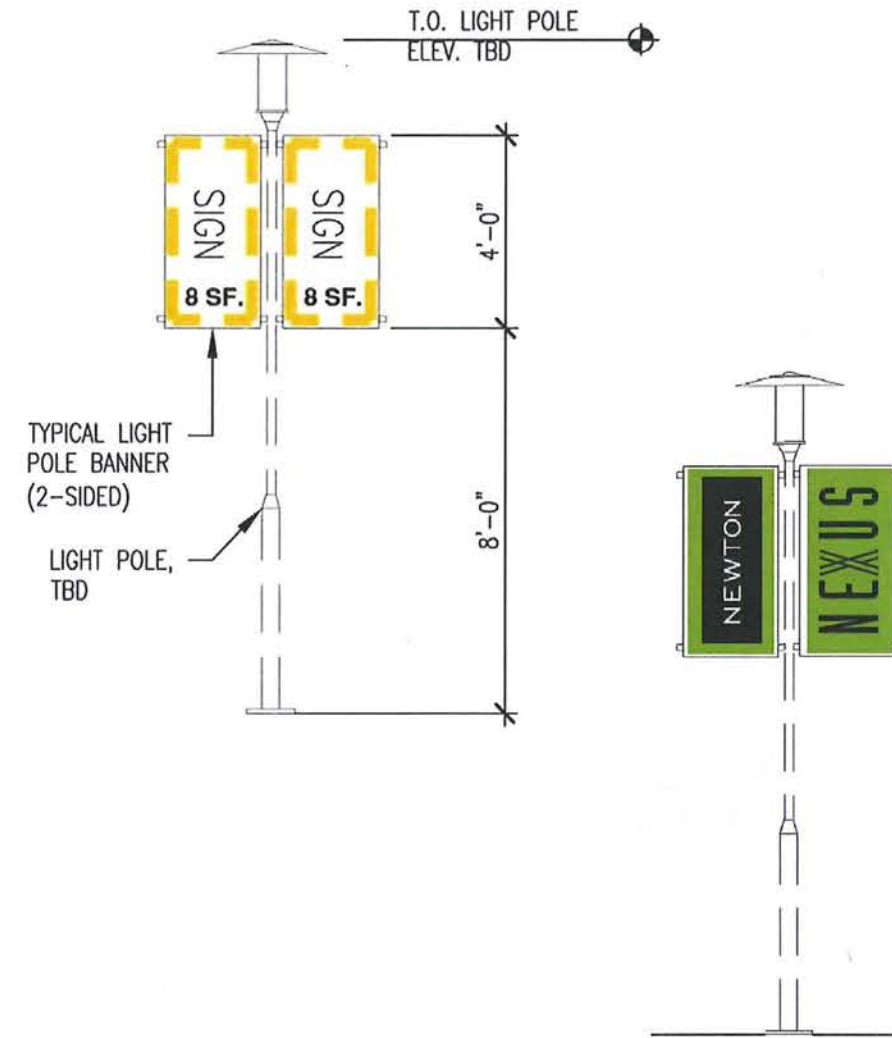




PEDESTRIAN DIRECTORY SIGN:



LIGHT POLE BANNER SIGN:





**DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF NEWTON  
Massachusetts**

**INTER-OFFICE CORRESPONDENCE**

**DATE:** July 6, 2017  
**TO:** John Lojek, Commissioner of Inspectional Services  
**FROM:** Neil Cronin, Senior Planner  
**SUBJECT:** SP #19-15, 131-181 Needham Street  
Request for Consistency

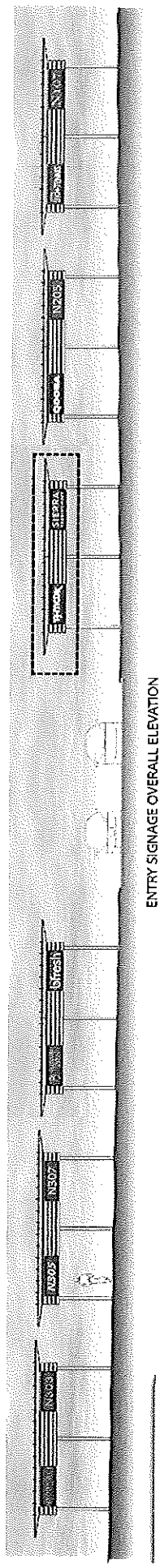
---

At the May 30, 2017 meeting of the Land Use Committee, the Committee found the rendering entitled, "Proposed Arbor and Tenant Signage (1'8" x 5'4.5"=8.95 SF)", prepared by Crosspoint, dated May 17, 2017 consistent with the comprehensive sign package allowed per Board Order #19-15 dated April 21, 2015. I have attached the rendering for your records. Please call me if you have any further questions regarding this subject.

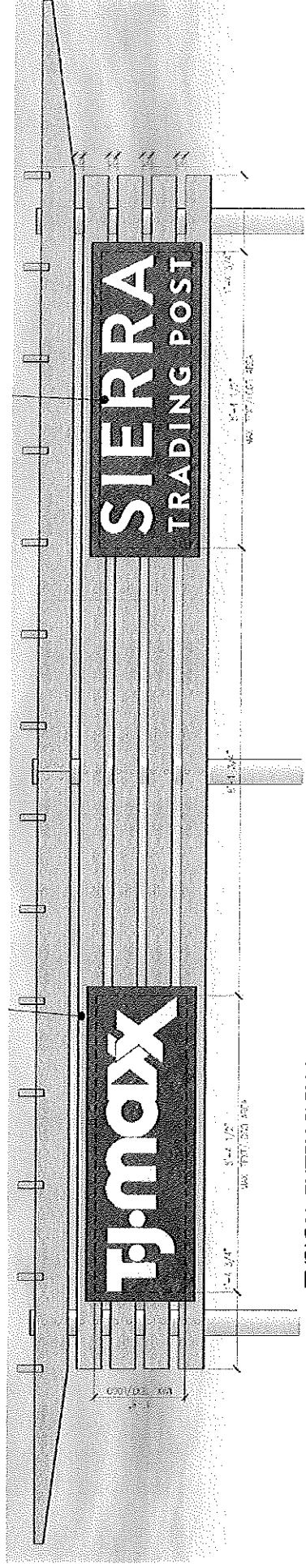
Thank you.

cc: Planning Department Files  
City Clerk Files

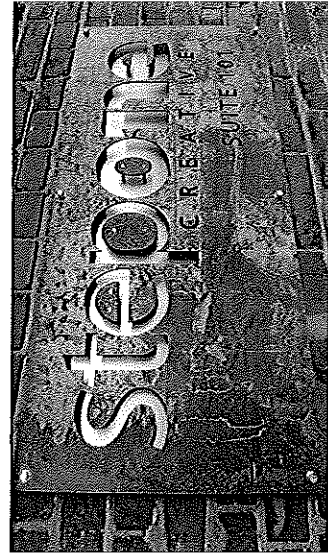
**Proposed Arbor and Tenant Signage (1'-8" x 5'-4 1/2" = 8.95 SF)**



ENTRY SIGNAGE OVERALL ELEVATION

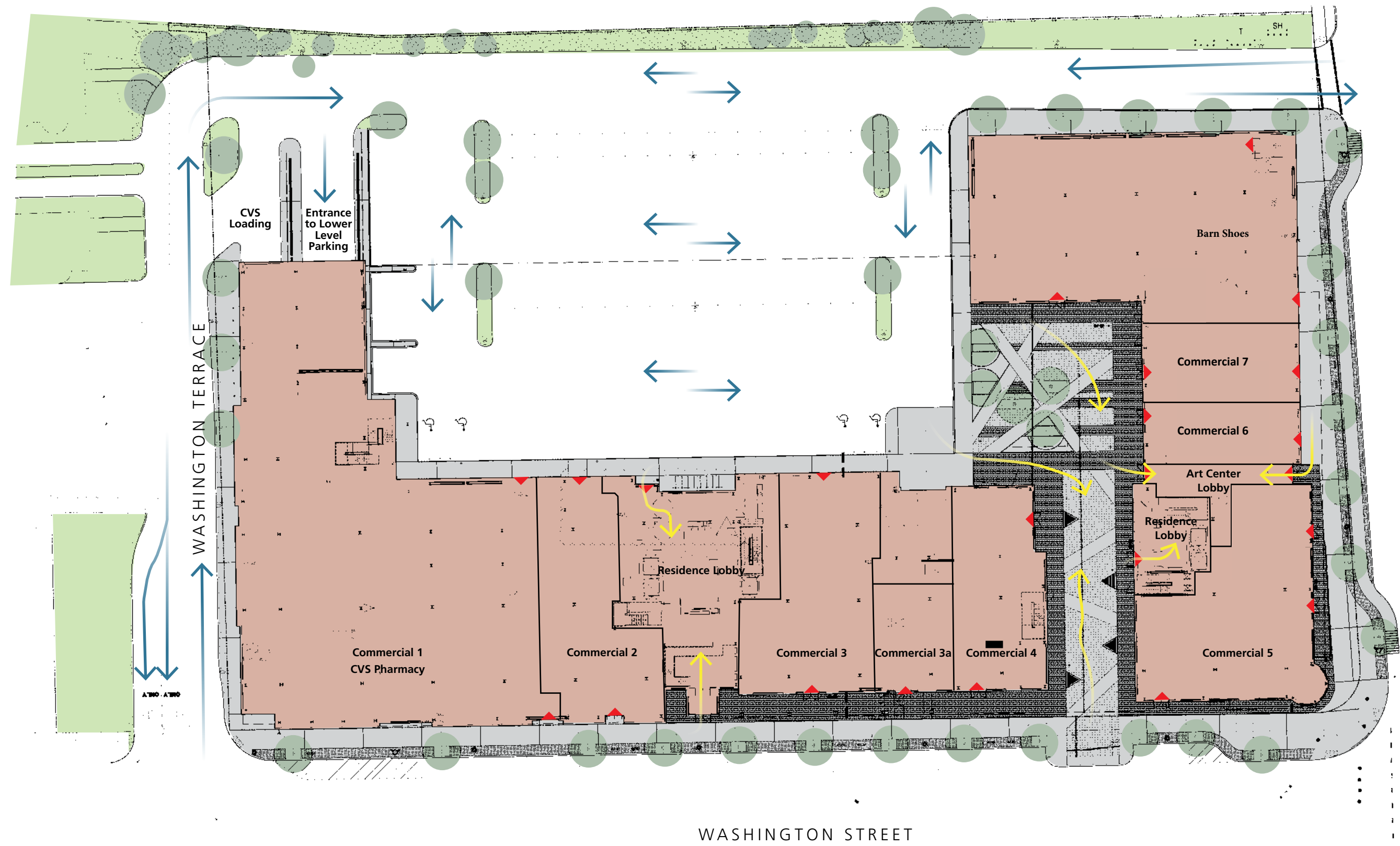



TYPICAL ENTRY SIGN PANEL ON ARBOR



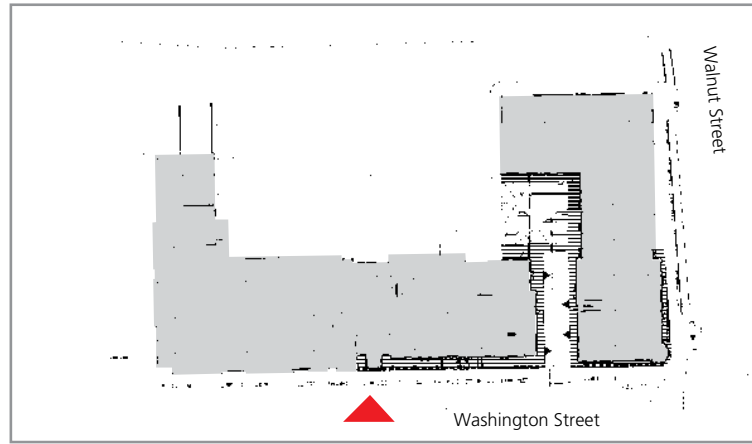
LEGEND

- ← Vehicular Circulation
- Pedestrian Circulation
- ▲ Building Entrances



1" = 40 ft. 





Key Plan

**Commercial Tenant 1: 120'-0"**

Principal Sign: Sign Standards  
Allowable Sign Area = 60 sf.  
Secondary Sign: Storefront Blade Sign

**Commercial Tenant 2: 38'-0"**

Principal Sign: Sign Standards  
Allowable Sign Area = 60 sf.  
Secondary Sign: Storefront Blade Sign

**Commercial Tenant 3: 50'-0"**

Principal Sign: Sign Standards  
Allowable Sign Area = 50 sf.  
Secondary Sign: Storefront Blade Sign

**Commercial Tenant 3a: 30'-0"**

Principal Sign: Sign Standards  
Allowable Sign Area = 50 sf.  
Secondary Sign: Storefront Blade Sign

**Commercial Tenant 4: 35'-0"**

Principal Sign: Sign Standards  
Allowable Sign Area = 60 sf.  
Secondary Sign: Storefront Blade Sign



**West/Middle Building South Elevation**

1/16" = 1'-0"

**SIGN BAND AREA**

52 sf. (22'-1 13/16" X 2'-4 1/4" shown)

**SIGN BAND AREA**

60 sf. max. (15'-5" X 3'-10" shown)

**SIGN BAND AREA**

60sf. max. (15'x 3'-4" shown)

**SIGN BAND AREA**

60sf. max. (15'x 3'-4" shown)

**SIGN BAND AREA**

44sf. (13'-4" x 3'-4")

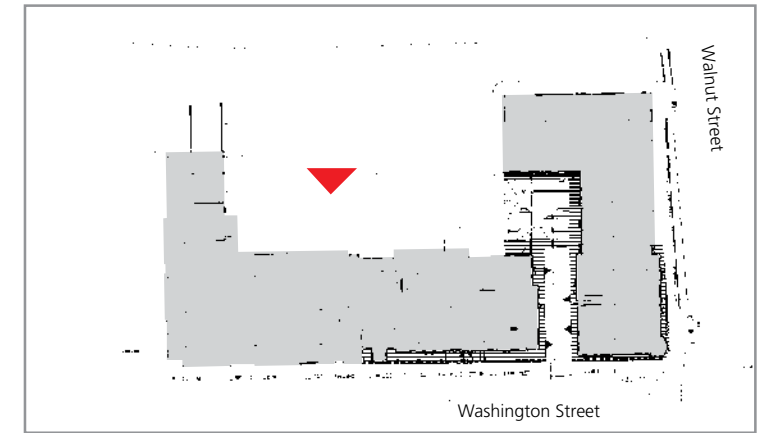




Elevation  
1/4" = 1'-0"

SIGN BAND AREA  
Allowable Area 60 sf. max.  
(15'-5" x 3'-10" shown)





Key Plan





# CITY OF NEWTON, MASSACHUSETTS

## Urban Design Commission

### MEETING MINUTES

A meeting of the City of Newton Urban Design Commission (UDC) was held virtually on Thursday, **January 10, 2024** at 7:00 p.m. via Zoom

<https://newtonma-gov.zoom.us/j/89487501867>

Ruthanne Fuller,  
Mayor

**The Chair, Michael Kaufman, called the meeting to order at 7:01 P.M.**

Barney Heath,  
Director  
Planning & Development

#### I. Roll Call

Those present were Michael Kaufman (Chair), John Downie, Visda Saeyan, and Bill Winkler. Shubee Sikka, Urban Designer, was also present.

Shubee Sikka,  
Urban Designer  
Planning & Development

#### 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:

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

##### Sign Permits

#### **4. 1253 Washington Street – Brezniak Funeral Directors**

##### Proposed Signs:

- One wall mounted principal sign, non-illuminated, with approximately 16 sq. ft. of sign area on the southern building façade facing Washington Street.

**MOTION: Mr. Kaufman made a motion to approve the sign at 1253 Washington Street – Brezniak Funeral Directors. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Visda Saeyan, John Downie, and William Winkler in favor and none opposed.**

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

#### **1. 131-181 Needham Street – Newton Nexus; Veterinary Specialists**

Applicant/Representative: Applicant not present at the meeting

##### Proposed Signs:

- One arbor mounted sign, internally illuminated, with approximately 8.95 sq. ft. of sign area facing Needham Street.

##### Presentation and Discussion:

- The UDC had questions about the different existing signs, but the applicant was not present to answer any questions. Hence, the Commission continued this hearing to the next meeting.

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



## 2. 269-287 Grove Street – Kendall Kitchen

Applicant/Representative: Tori Sabatino, Greatland Partners, Representative of the owner

### Proposed Signs:

- One free-standing principal sign, non-illuminated, with approximately 24 sq. ft. of sign area facing Grove Street. The applicant initially submitted two options for the sign at two different locations and has decided to move forward with location 1 (next to the existing free-standing sign).

### Presentation and Discussion:

- Applicant mentioned that the café opened this summer, and they are proposing the monument sign to make the public aware of Kendall Kitchen.
- Mr. Winkler commented that the proposed sign should be the same height as the existing stone sign and not be higher.
- Mr. Kaufman commented that this property already has a free-standing sign. He asked the staff if the applicant will need to go to city council to allow this proposed sign. Staff responded that they would need to amend the special permit to allow the proposed sign.
- Mr. Kaufman asked the applicant if most people using the café will be people who are in the building. The applicant responded that is correct at this time, majority of the tenants use it now, but the owner of the café is trying to bring in more customers.
- Mr. Kaufman commented that this is not an appropriate permanent sign for this location, but he understands that the café has a visibility problem, and they probably would like to tell people that they are here. Maybe the Commission suggests to the City Council that they allow this sign for up to 6 months or something like that. Not appropriate for 1 business to have a free-standing sign, next to the main sign for the office park.
- Mr. Winkler asked about the white part of the sign, is it solid as shown or is it standing on two posts. The applicant responded that it is standing on two posts, that was a mistake as shown. He recommended to lower the sign, so the top of the sign aligns with the stone. He also recommended to move the sign to the other end of the big stone sign so that the stone sign is the lead sign.
- Mr. Downie commented that the sign is not appropriate at all, understand the dilemma because the café is in an office building. Is it the only business that serves food, only business that has retail sales? The applicant responded affirmatively to both questions. Mr. Downie commented that it is a tough situation to be in. He asked how many tenants are in the building? The applicant responded there are about 10-12 tenants. His concern is that no other tenants have signage here at the Riverside Center. Agree with Bill's comments if the sign is approved. It doesn't make any sense for a single business to have a sign in multi-tenant building. It might make sense for the café to have a sign on the wall of the building near the entrance, first pillar on the right of the entrance.
- Mr. Kaufman commented that if the landlord really wants the sign, they should figure out a way to put it on the stonewall under the name of Riverside Center. A second free-standing sign is not appropriate. The applicant should look to revise their existing free-standing sign, then they can come back to UDC with a design to provide a recommendation to the City Council. The sign as proposed is not appropriate and probably doesn't fit with the zoning ordinance of the sign ordinance. And it takes away from the relative pretty handsome existing sign that's there. Mr. Winkler and Mr. Downie agreed.

- Mr. Winkler commented this is one of the best properties along Grove Street and it should be the prototypical one for what's going on down the street. The sidewalk that winds into the property to get you away from the street is very well done, has a high end look to it. Wouldn't want to see it degraded with many little signs.
- The applicant responded that she understands this, but the business sales aren't doing great, and the landlord is trying to get the public. Mr. Kaufman recommended that maybe applicant should ask the City Council to approve a limited time sign. This is not appropriate for a permanent sign.
- Mr. Downie commented that this sign will probably be visible after you have entered the property. The applicant responded that it will probably be visible to see the signs at the traffic lights.
- Ms. Saeyan commented that she agrees with everyone, the sign doesn't go with the building. Would it they be allowed to have a vertical banner, maybe flag? Staff responded that the ordinance doesn't allow flag signs.
- Mr. Kaufman commented that a banner or a permanent sign attached to the area under the Riverside Center might help too.
- Mr. Kaufman recapped the recommendations by UDC:
  - If the applicant would like a permanent sign, then UDC recommends a sign on the stonewall in the blank space under the sign Riverside Center.
  - If the applicant wanted a temporary sign while the application is in process, then they could either do the same location or check with Commissioner of ISD to see what he would allow on a temporary basis.
  - Or the applicant to go to the City Council for the sign as proposed.
- Ms. Saeyan commented that the building sign is not a retail type of sign that would attract attention, so the applicant will need to come up with a clever design to make the Café sign read as commercial.
- Mr. Winkler commented that the sign could maybe on the stonewall lower right-hand corner, thin black letters Café. Don't want to call too much attention, but black against the stone might look classic. Mr. Kaufman commented that they are probably also trying to tell people when its open, which is not regular business hours.

**MOTION: Mr. Kaufman made a motion to recommend proposed sign for denial at 269-287 Grove Street. Mr. Downie 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 of the denial and none opposed.** The sign was recommended for denial. 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.

### **3. 30-34 Langley Road – Tango Mango**

#### Proposed Signs:

1. One wall mounted split principal sign, internally illuminated, with approximately 62 sq. ft. of sign area on the southern façade facing Langley Road.
2. One awning split principal sign, non-illuminated, with approximately 10 sq. ft. of sign area on the southern façade facing Langley Road.

#### Presentation and Discussion:



Mr. Kaufman requested the applicant to provide the dimensions of the awning sign, which was not included on the application and asked if the awning sign would comply with the ordinance. Staff responded that this business is allowed a principal sign of up to 100 sq. ft. and the wall mounted sign is 62 sq. ft. and the awning sign doesn't appear to be larger than a 30 sq. ft. so both signs would comply with the ordinance as split principal signs.

**MOTION: Mr. Kaufman made a motion to approve both split signs as submitted shown in drawings at 30-34 Langley Road – Tango Mango with a condition. Ms. Saeyan seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Visda Saeyan, John Downie, and William Winkler in favor and none opposed.** The Commission approved both signs on the condition that the applicant send the dimensions of the awning sign. The applicant uploaded the dimensions of the awning sign on NewGov on January 15.

**At 7:32 p.m., Mr. Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.**

## **Fence Appeal**

### **1. 47 Windsor Road – Fence Appeal**

Homeowner/Applicant: James Houghtlin

Fence Appeal: The property located at 47 Windsor Road is within a Single Residence 2 district. The applicant has added the following fence:

- a) Side Lot Line– The applicant has added a new fence, set at the southern side property line, approximately 6 to 7 feet tall solid, 100 feet in length. The Commission requested the applicant to provide the length of the fence that is more than 6 feet. The applicant submitted a drawing showing approximately 20 feet length of the fence is over 6 feet tall.

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.

According to §5-30(d)(2), "Fences bordering side lot lines: No fence or portion of a fence bordering or parallel to a side lot line shall exceed six (6) feet in height except as provided in subsection (6) below, and further, that any portion of a fence bordering a side lot line which is within two (2) feet of a front lot line shall be graded to match the height of any fence bordering the front lot line." As specified under §5-30(c) and (h), the UDC may grant an exception to the provisions of the City's Fence Ordinance. The proposed fence, however, must be found to comply with the *"requirements of this ordinance, or if owing to conditions especially affecting a particular lot, but not affecting the area generally, compliance with the provisions of this ordinance would involve substantial hardship, financial or otherwise."* The UDC must also determine whether the *"desired relief may be granted without substantially nullifying or substantially derogating from the intent and purposes of this ordinance or the public good."*

### **Presentation and Discussion:**

Staff commented that it is a 100 feet long fence and height initially given by the applicant was that the fence is six to seven feet tall. But at a previous meeting, UDC asked for very specifically, which portion of the fence was more than six feet tall. And the applicant has

provided a drawing, which shows that it's about 20 feet at towards the middle of the property, which is more than six feet tall.

Mr. Kaufman commented it's relatively minimal and there's some grade issues that made it difficult to keep it to six feet height. His thought was that UDC should except that 20-foot portion that exceeds the six feet but asked for any other discussion from the Commission?

Mr. Winkler asked to see the photograph of the fence from the street and the side and questioned if it was 2 feet from the property line. The Commission looked at the photo and the survey plan and concluded that it appears to be 2 feet or more than feet from the front property line.

**Mr. Kaufman moved the motion to grant exception to accept 20 feet of the 100 feet fence that exceeds 6 feet for that 20-foot length. Ms. Saeyan seconded the motion. All the members present voted, with a 4-0 vote, Michael Kaufman, John Downie, Visda Saeyan, and William Winkler in favor and none opposed. The motion was granted.**

**At 7:40 p.m. 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 December meeting.

**MOTION: Mr. Winkler made a motion recommending approval of the regular meeting minutes for December as submitted. Ms. Saeyan seconded the motion. All the members present voted, with a 4-0 vote, Michael Kaufman, Visda Saeyan, 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 8:02 p.m.**

**Respectfully submitted by Shubee Sikka**

**Approved on**