



Ruthanne Fuller  
Mayor

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

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
[www.newtonma.gov](http://www.newtonma.gov)

Barney Heath  
Director

## STAFF MEMORANDUM

Meeting Date: **Wednesday, June 12, 2024**  
DATE: June 6, 2024  
TO: Urban Design Commission  
FROM: Shubee Sikka, Urban Designer  
**SUBJECT: Additional Review Information**

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.

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. 2086-2098 Commonwealth Avenue – Keyes Drug***

**PROJECT DESCRIPTION:** The property located at 2086-2098 Comm. Ave. is within a Business 1 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 22 sq. ft. of sign area on the northern façade facing Commonwealth Avenue.
2. One wall mounted secondary sign, internally illuminated, with approximately 22 sq. ft. of sign area on the eastern façade facing Lexington Street.

**TECHNICAL REVIEW:**

- The proposed 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 exceeding, and on this façade of 72 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is not exceeding.
- The proposed 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 72 feet, the maximum size of the 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.

## ***2. 26 Suffolk Road – First Church in Chestnut Hill***

**PROJECT DESCRIPTION:** The property located at 26 Suffolk Road is within Single Residence 1 zoning district. The applicant is proposing to install the following sign:

1. One free-standing principal sign, externally illuminated, with approximately 21 sq. ft. (71 ½" x 41") of sign area facing Suffolk Road.

**TECHNICAL REVIEW:**

- The proposed free-standing principal sign appears to be not consistent with the dimensional controls specified in §5.2.7. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and the maximum size of the sign allowed is 20 sq. ft., which the applicant is exceeding. However, First Church probably qualifies as a "Dover" institution, the applicant will need to seek a "Dover waiver" to allow a free-standing sign area than would be allowed by §5.2.7.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed free-standing principal sign on the condition that the Commissioner grants a waiver.

## ***3. 2-12 Windsor Road – Waban Market***

**PROJECT DESCRIPTION:** The property located at 2-12 Windsor Road is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, internally illuminated, with approximately 42 sq. ft. of sign area on the eastern façade facing Windsor Road.

**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 75 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.

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

#### **4. 1199-1217 Centre Street – CVS Pharmacy**

PROJECT DESCRIPTION: The property located at 1199-1217 Centre Street is within Business 1 district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 75 sq. ft. of sign area on the eastern building façade facing Centre Street.
2. One wall mounted secondary sign, internally illuminated, with approximately 28 sq. ft. of sign area on the northern building façade facing Pleasant Street.
3. One awning mounted secondary sign, non-illuminated, with approximately 28 sq. ft. of sign area on the western building façade facing the parking lot.
4. One directional sign, non-illuminated, with approximately 3 sq. ft. of sign area on the western building façade facing the parking lot.

TECHNICAL REVIEW:

- The proposed 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 56 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.
- Both the proposed secondary signs appear 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 56 feet, the maximum size of each sign allowed is 50 sq. ft., which the applicant is also not exceeding.
- The proposed directional sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, directional signs of up to 3 sq. ft. are allowed, which the applicant is not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign, both secondary signs, and directional sign as proposed.

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

#### **1. Approval of Minutes**

Staff has provided draft meeting minutes from the March and May meeting that require ratification (Attachment A and B).

#### **2. Commission Election – To Elect Chair and Vice Chair**

Per Urban Design Commission Rules and Regulations, article IV, *“Each year the Commission shall hold the election of officers from the Commission membership at the regular meeting held on the third Wednesday in May. The officer positions shall be for terms of one (1) year and include a Chairman and Vice Chairman. The City Clerk shall be notified of the election results.”*

## **Attachments**

- Attachment A – Meeting Minutes 3/13/24 UDC meeting
- Attachment B – Meeting Minutes 5/8/24 UDC meeting



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# CITY OF NEWTON, MASSACHUSETTS

## Urban Design Commission

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### MEETING MINUTES

A meeting of the City of Newton Urban Design Commission (UDC) was held virtually on Wednesday, **March 13, 2024** at 7:00 p.m. via Zoom

<https://newtonma-gov.zoom.us/j/87139260812>

Ruthanne Fuller,  
Mayor

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

#### I. Roll Call

Barney Heath,  
Director  
Planning & Development

Those present were Michael Kaufman (Chair), Jim Doolin, John Downie, and Bill Winkler. Visda Saeyan joined at 7:25 p.m. Anthony Ciccariello, Commissioner of Inspectional Services and Shubee Sikka, Urban Designer, were also present.

Shubee Sikka,  
Urban Designer  
Planning & Development

#### II. Regular Agenda

##### Sign Permits

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

Applicant/Representative: Applicant not present at the meeting

Proposed Sign:

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

Presentation and Discussion:

- Staff informed the Commission that the sign company who applied for the sign review has shut down. The owner has informed staff that the business owner will look to hire a new sign company and apply again with a new application.

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:

##### Sign Permits

##### **2. 12 Austin Street – Comella's**

Proposed Sign:

- One wall mounted principal sign, internally illuminated, with approximately 14 sq. ft. of sign area on the northern façade facing Austin Street.

##### **5. 1239-1247 Washington Street – Blooms' Blind & Shade**

Proposed Sign:

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

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

- One wall mounted principal sign, internally illuminated, with approximately 15 sq. ft. of sign area on the southern building façade facing Washington Street.

**MOTION: Mr. Kaufman made a motion to approve the sign at 12 Austin Street – Comella’s and 1239-1247 Washington Street – Blooms’ Blind & Shade. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, John Downie, Bill Winkler, and Jim Doolin in favor and none opposed.**

UDC recommended the applicant consider changing the background color of the sign for Blooms’ Blind & Shade from black to a color that is more complimentary with the color of the brick, maybe a maroon or some other color. So, the sign would still be a dark background with all white letters.

### **3. 839-853 Washington Street – Cookie Monstah**

Applicant: Melissa Gale,

Building owner: Scott Lombardi

Proposed Sign:

- One wall mounted secondary sign, internally illuminated, with approximately 9 sq. ft. of sign area on the western building façade perpendicular to Washington Street.

Presentation and Discussion:

- Building owner summarized the proposal. This is at the trio development at Washington and Walnut Street. The Cookie Monstah space is the only retail space that doesn't have any Washington or Walnut facing storefront. So, it's called a satellite space in the back of the development facing the parking lot. As a result, they wanted to find a way to get some directional wayfinding signage to let people know that this business is back around the parking lot side of the building. Last month the applicant proposed a 48-inch round building mounted illuminated sign, replacing the P of the illuminated parking sign which is 48 inches round with the new directional signage to get people behind the building to Cookie Monstah. At the last meeting, UDC commented to put it within the sign band or lower below the sign band. Applicant did some research and found that probably the best option is to stay below the sign band, so they shrunk the size of the sign a little bit it's now 36 inches round.
- The Commission recommended to black out the white portion of the sign, so it doesn't shine at night.

**MOTION: Mr. Kaufman made a motion to approve secondary sign with a condition at 839-853 Washington Street – Cookie Monstah. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, John Downie, William Winkler, and Jim Doolin in favor and none opposed.** The UDC recommended the principal sign for approval on the **condition** that the white background is blacked out at night, so it doesn't shine at night and applicant submit a revised comprehensive sign package.

### **4. 1150-1152 Walnut Street – Free-standing sign**

Applicant: Robert Joyce

Proposed Sign:

- One free-standing principal sign, non-illuminated, with approximately 17 sq. ft. of sign area in the front yard perpendicular to Walnut Street.

Presentation and Discussion:

- UDC asked about the height of the sign from the ground since from the drawing, it doesn't appear to be 36 inches from the ground. If the sign was 36 inches from the ground, then it will probably look very different. UDC requested the applicant to show the dimensions on the drawing. It appears either 51 inches by 48 inches dimension of the sign is not correct, or 36 inches height is not correct. The correct dimensions on the drawing will clarify it. Applicant responded that he was out for medical reasons, but he believes the total height of the sign from the ground is 85 inches or maybe it is 86 or 87 inches, will need to check.
- The Commission asked if the sign is parallel to the street or perpendicular to the street? Applicant responded that the sign is perpendicular to Walnut Street so it could be visualized by traffic heading north or south on Walnut Street and on the front line as shown in the picture, roughly about halfway between the main entrance and the end (left side of the building).
- The Commission commented that the applicant should show the exact location of the sign since it's an intersection, so there's no visibility issue for the traffic. Staff commented that a few months ago, staff checked with the DPW Transportation division, and they said there are not many issues with the sight lines. Staff checked the email again and the email from Transportation department recommend a 3 FT minimum setback from back of sidewalk to accommodate for this conflict. In this case that leaves the majority of the lawn acceptable for the sign placement. Applicant commented that he envisions having the sign approximately 56 or 58 inches from the sidewalk. The Commission commented that it all sounds good but there are no accurate drawings showing any of this information. The Commission commented that they have the option of asking for the sign to be accurately located on either a drawing or a photograph, maybe the Commission could recommend the sign for approval with that condition. The Commission can provide a recommendation with the following conditions:
  - Submit drawings to city council showing height and location on the site
  - Recommend that the sign is not closer than five feet to the front property line and 25 feet from the corner.
- **Public Comment:** Schuyler Larrabee asked where the sign is along the wall, is it close to the parking or close to the corner? Mr. Larrabee commented that he would be concerned about obscuring the view of people coming out. Mr. Larrabee recommended that the sign be closer to the walkway going up the steps because it makes a better association of sign and walkway, so a little further away from obscuring any traffic coming from Lake Ave. Mr. Winkler and Ms. Saeyan agreed. Mr. Kaufman also agreed and suggested to include that as a recommendation to the City Council, the sign is closer to the stairs and the entrance.
- Mr. Kaufman commented that the applicant has indicated that the sign is halfway between the front door and Lake Avenue but there are no drawings to show that. Applicant commented that there are four shutters on the first floor, the sign would be around the third shutter from the left or near that corner on the left. Applicant commented that he can provide photos.

**MOTION: Mr. Kaufman made a motion to recommend the sign for approval the proposed sign with conditions at 1150-1152 Walnut Street – free-standing sign to the Land Use Committee of the City**

**Council. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Visda Saeyan, William Winkler, and Jim Doolin in favor and none opposed.** The UDC recommends approval for the proposed free-standing sign with the following conditions:

- Applicant submit scaled plans, drawings showing accurate sign location, sign height, clearance from the ground, and sign width.
- UDC recommends the sign be at least 25 feet away from the property line on Lake Street, 5 feet from the front sidewalk, and 5 feet from the entry sidewalk.

## **Old/New Business**

### **1. Meeting with Commissioner of Inspectional Services Department**

Commissioner Anthony Ciccariello was present at the meeting. Mr. Kaufman greeted the Commissioner and thanked him for coming to the UDC meeting. Mr. Kaufman commented that one of the reasons UDC invited the Commissioner was due to things that have happened in the past. Commissioner Ciccariello is the new commissioner, so we have a clean slate. Some examples are:

- In the past, UDC has made recommendations/voted and then found that the applicants had gone to ISD Commissioner and UDC's recommendations were overturned for one reason or another. So, UDC would like to keep a dialogue open between UDC and ISD. Particularly, if UDC has turned down an application and they appeal to ISD and ISD approves it, it will be helpful for UDC to know the reasoning behind the approval. It will be helpful to keep communication open, to understand the reasoning for these decisions. Commissioner responded that he understands that and has no problems with that.
- Another issue is that there are places in the ordinance that are clear to UDC about what the ordinance says but UDC has found that ISD has a different view than what appears clear to them. For example:
  - Differences in definition of an awning sign. The definition of awning says it needs to be something that's retractable so if the sign covers less than 20% of the awning area, then it is allowed by right and is considered an awning sign. UDC knows that there have been times when applicants have applied for signs on awnings that are permanent, and they have been allowed. UDC's interpretation is if it's a fixed awning then that sign should be treated as a regular building sign. UDC would like to know how the interpretation works and how the reading of the ordinance works. The Commissioner responded that he's new to this so he will look at the recommendations that UDC provides and review them and if he sees it differently, then he will let the UDC and the reasoning for the difference.
  - Another example of where there have been disagreements on are the signs on the Turnpike. The way that UDC have looked on that is that signs need to face a street or a parking area. UDC knows that ISD in the past has said that the turnpike counts as a street even though there are two train tracks between the street and the building that sign is on. According to UDC, it doesn't really fit with the ordinance about a street. The understanding was that people would be able to drive, see a sign on the building and be able to either pull up in front of that building or park in the in the parking lot that would be next to it with where the sign would be helpful. UDC's interpretation is that putting a sign on the building facing the Turnpike is essentially a billboard, which is not allowed in any ordinances. So that's a question of interpretation. UDC would like to see is probably that signs on the

Turnpike should probably have to go for a special permit, let the City Council figure out whether they think it's appropriate or not. In the past, we have denied signs that were not that, that were directly on basically on the train tracks, and that those had been overturned and been approved.

- Mr. Kaufman commented that it will be great to have a dialogue. It would be good to figure out why we're in disagreement and figure out if there's a way, we can sort of come to a mutual understanding on issues.
- Mr. Winkler asked the Commissioner if they see something's going the wrong way, can UDC just send an email to staff or Commissioner directly instead of filing a complaint on the website? For example – there are couple of places on Commonwealth Avenue, where there are some signs that don't look like have permits or if UDC members see a fence that doesn't look compliant with the fence ordinance. The Commissioner responded that in ISD, they follow and track all complaints and keep an eye on it. After a complaint is filed, ISD will have conversations with the person who filed the complaint and with the offender and its important to keep track of everything. Unfortunately, if the offender doesn't meet compliance, sometimes the city must go to court over certain things, so needs to have the documentation. Typically, complaint isn't revealed unless it has to go to court and the complainant has to testify. With NewGov, it is a very easy process that can be done at any time, 24 hours a day, 7 days a week.
- Mr. Doolin commented that he filed a complaint once and it worked out very well.
- Commissioner commented that the complaints are always looked at, of course, by severity. Depending upon how severe there are things that take precedence, probably over a sign. So sometimes it takes a little time, but ISD will get to it.
- Mr. Doolin asked if there was a way they could specify on request for zoning enforcement form, that the complaint is from a UDC member? It's probably hard to keep up with fence violations all over the city that are inconsistent with the fence ordinance.
- Mr. Doolin asked if ISD has any communication with current fence contractors. There are probably a few fence companies who do most of the work in Newton. Asked the Commissioner if he had any ideas on how to communicate with fence contractors? The Commissioner responded it's very difficult to keep with new fences that keep showing up throughout the city.
- Mr. Kaufman asked if ISD can issue a metal tag for the fence to be affixed to the fence when a fence permit is issued. So, if there's no tag, and if anyone drove by it, a fence without a tag is probably in violation. Commissioner responded that anyone could type an address on NewGov website and check if there is a permit issued or not, its very easy to check.
- Mr. Kaufman said it's a problem when the fence contractors don't apply for a permit and a lot of times, homeowners don't know that they are supposed to apply for a permit before they spend thousands of dollars for a fence. Also, so homeowners don't come back to UDC and ask for relief after the fact.
- Mr. Kaufman asked about fines? Commissioner commented that fines are ideally just for leverage to get the job to comply, seldom does the city ever recoup any fine. Unless it's egregious in such a way where it's been going on for a really long time. But the fines are mainly for leverage and compliance.
- Mr. Kaufman asked if the city could fine for a permit that is applied for after the fact. Commissioner responded that if it is after the fact permit, then it's doubled. Staff commented that planning department doesn't have an application fee for fence appeal

applications and staff will investigate it. Mr. Kaufman responded he doesn't have any issues with fence appeal applications but with fence appeal applications that come in after the fact.

- UDC would like to incorporate lighting into the sign ordinance.
- UDC thanked and appreciate the Commissioner for joining UDC meeting.

## **Design Review**

### **1. 329-331 River Street Design Review**

#### Applicant/Representative:

Ron Jarek  
Alex Kogan  
Lucas  
Alec Polnarev  
Trevor O'Leary

Documents Presented: Context plan, context photos, site plan, elevations, floor plans, 3D renderings, lighting plan, planting plan, landscaping plan.

#### Project Summary:

The applicants summarized the design. The project is located at 329-331 Street on a 31,464 square foot parcel. The applicant is proposing to replace existing nonconforming two-family dwelling and a single-family dwelling with 6 attached dwellings. The applicant is seeking a zone change from SR3 to MR1 and special permit for 6 single-family attached dwellings. The idea is to have a 25-foot perimeter setback for this project.

#### Presentation and Discussion:

The Commission had the following comments:

Mr. Downie commented that having six units in this sort of arrangement is fantastic and is a great addition to the city, it's the way these properties need to be dealt with. A couple of questions. First is, how is it that the attic spaces don't count in FAR? Applicant responded because it's considered half story, if we made the five-foot to seven-foot rule which is in the zoning code. Mr. Downie responded he doesn't believe it's true and recommended to check it again because it looks like it should count in the FAR. Mr. Jarek responded that because it's a special permit, they try to meet FAR requirements but are not required to meet FAR requirements. Secondly, that five feet to seven-foot height rule that Lucas described, has a formula where the area that's at five feet is greater than two times the area of seven, which then negates the requirement to count any attic space as habitable or in the FAR.

Mr. Doolin asked if these are for sale or rental? The applicant responded they will be for sale.

Mr. Downie commented he appreciates the look of the architecture, and it's appropriate to the area. Not sure about the color scheme though. The White House with the black trim, has become almost a caricature in the city. Like every development is a White House with black window trim. Mr. Downie asked the applicant to relook at that and look around the city and see how many of those kinds of projects there are.

Ms. Saeyan asked the applicant if they have looked at how the trash is going to be picked up? If there's heavy snow, there is no room for a cloud truck to make it turn around if there are cars parked. Applicant pointed to the locations that they will use for recollection. There will be cars parked there but the applicant believes that they will have enough room to turn around. Regarding trash, the applicant is still working on the trash, there will either be a dumpster or each of the units will have their own trash can. Ms. Saeyan said there is not enough room for a dumpster to turn around. Applicant responded that the trash will be picked up on River Street. All the residents will have to roll their trash cans to the curb. Mr. Kaufman commented it will be helpful to locate where the trash cans can be stored.

Mr. Winkler commented that he liked the elevations that show the porches and things for the front door. He asked about the dimensions for the depth of the porch. It would be nice if it were deep enough to have a chair or two on there. They look kind of not very deep and it adds a little more to the elevations to have that. It looks like the posts that are holding it look better in the elevations than they do in the plan. So that's a plus. On the site plan, there are fences that divide the property so that everybody has their own yard, that's good to see.

Mr. Winkler commented that there will probably be around 15-30 people living in this development, it will be nice to have a community space to get together, it's a little enclave of neighbors.

Mr. Winkler asked about the bedrooms in the basement if they need another way out and does it need to be treated? Applicant responded that they have egress window. Mr. Downie responded that there must be a way out of that area, like a ladder or a way to climb out. There can be a window with sill as high as 44 inches.

Ms. Saeyan asked where will the additional cars be parked, there's a winter ban in Newton? Either for visitors or if the units have five occupants with maybe two, three cars or four cars? Applicant responded they didn't plan for additional cars because they didn't want to add any more impervious area than needed. The key concept is to have less impervious surface. Mr. Downie commented that we only require two spaces per unit.

Mr. Doolin commented that like John commented this is a terrific project, great idea, and concept. Also, agree with John about white and black. Mr. Doolin commented that if every building is the exact same color, then it looks like a big complex than it might feel like individual units, encourage the applicant to think about that. Whatever the outcome on color is overall, but within variation.

Mr. Doolin also recommended canopy trees for the street trees, not shrubs. If there's a 25-foot setback from the back of the sidewalk, he encouraged the applicant to think about a landscape palette that will eventually lead to canopy trees to help cover some of the pavement. Applicant responded that there are some mature trees in the corners of the property and sidewalk setback area. The landscape plan will evolve as we get further into the development stage. Mr. Doolin recommended the applicant plant more canopy trees for their profit. There could be other kinds of landscaping underneath the trees. Mr. Doolin also recommended to look interior to the site, where the cars are parked between the buildings in the "T" area, no reason to not have canopy

trees, that could help shade the paved area. Mr. Kaufman clarified that Mr. Doolin is saying instead of having a permanent hedge or a permanent screen, it's probably a good place to have deciduous canopy trees, that will help to make it part of the streetscape.

Mr. Kaufman commented that the architecture is very good and appreciate what the applicant is doing and commend it. Also commend the applicant for providing garages in the middle rather than on the ends because this allows a lot more exterior space for the living area.

Mr. Kaufman also commented that he noticed some of the existing houses had some gable dormers rather than shed dormers. It may help to break up some of the shed dormers. And maybe one of those could be a gable dormer, here and there and maybe break it up to add a little interest to that.

Mr. Kaufman recommended to depress the garage or pull the front out a little bit further; applicant could probably find room between the two put trash cans right up against the garage there to give enough width and depth to put a couple of the city's recycling bins so it will be out of the way.

Mr. Kaufman commented that the two secondary spaces for the front two units are not placed well. There's an issue having parking spaces so close to the living space. Other than a couple of issues, all in all, this is a great project and commend the applicant on this one.

Mr. Kaufman commented that since the applicant is already applying for a special permit, there is an opportunity to make some changes even if they require a relief from the city council, particularly if it is explained to the city council. It will be worth it to have additional spaces for porches, worth it to have grass blocks for parking spaces or a different surface that is not asphalt. It will help to break up the drive visually as well. Applying for a special permit gives some flexibility to ask for relief.

Mr. Kaufman thanked the applicant for the presentation. This is a good-looking project and hopefully the applicant will take some of the Commission's comments into consideration. Biggest thing was to not do a combination of black windows and white house. Since there are three buildings, maybe have three complementary colors. A perfect location for this project, at the edge of the commercial area, it's a nice transition from commercial to single family homes. Well done!

**Public Comment:**

Schuyler Larrabee commented on the project. Mr. Larrabee commented about the black windows, it's a plague, seeing it everywhere. One of the reasons is that with those metal windows, you can put them right out of the face of the building and that's unfortunate because most homes have the windows recessed slightly and that helps to give more texture to the elevations. So, rethink about the color black and push them a little bit. Mr. Larrabee agreed that this is a good prototype for this kind of development and hope that other small developers are going to look back at this kind of project and say this is a good way to go.

Mr. Larrabee commented about the secondary parking spaces. Do all those parking spaces have to be paved with asphalt? Can they be grass? Applicant responded that they could do that but in Newton, even if they do pervious surface for parking spaces, they will still count as impervious.

Mr. Larrabee also recommended to increase the size of the porch so it's usable on a beautiful day. Applicant responded the reason why they didn't do it is because they are already maximizing lot coverage.

Mr. Larrabee commented to think about big stuff getting moved in.

Mr. Larrabee also recommended to preserve as many trees as possible. Applicant responded that one of their intentions is to have the area as green as possible so they will try to recreate it.

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

#### **2. Meeting minutes**

The Commission reviewed the minutes of February meeting.

**MOTION: Mr. Kaufman made a motion recommending approval of the regular meeting minutes for February as submitted. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Visda Saeyan, Jim Doolin, 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 8:36 p.m.**

**Respectfully submitted by Shubee Sikka**

**Approved on**



# CITY OF NEWTON, MASSACHUSETTS

## Urban Design Commission

### MEETING MINUTES

A meeting of the City of Newton Urban Design Commission (UDC) was held virtually on Wednesday, **May 8, 2024** at 7:00 p.m. via Zoom

<https://newtonma.gov.zoom.us/j/87290990710>

Ruthanne Fuller,  
Mayor

**The Chair, Michael Kaufman, called the meeting to order at 7:00 P.M.**

Barney Heath,  
Director  
Planning & Development

#### I. Roll Call

Those present were Michael Kaufman (Chair), Jim Doolin, 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  
Robert Linsky  
William Winkler  
Visda Saeyan

##### **1. 2086-2098 Commonwealth Avenue – Mayani Dental**

###### Proposed Sign:

- One wall mounted principal sign, internally illuminated, with approximately 22 sq. ft. of sign area on the northern façade facing Commonwealth Ave.

##### **2. 309-321 Walnut Street – George Howell Coffee**

###### Proposed Sign:

- One wall mounted principal sign, externally illuminated, with approximately 16 sq. ft. of sign area on the eastern building façade facing Walnut Street.

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

##### **3. 417-427 Lexington Street – Milano Jewelry**

###### Proposed Sign:

- One wall mounted principal sign, non-illuminated, with approximately 24 sq. ft. of sign area on the eastern façade facing Lexington Street.

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

##### **5. 761-771 Beacon Street – Gibson Sotheby's**

###### Proposed Signs:

- One wall-mounted principal sign, non-illuminated, with approximately 22 sq. ft. of sign area facing Beacon Street.
- One wall-mounted secondary sign, non-illuminated, with approximately 22 sq. ft. of sign area facing Sumner Street.

**MOTION: Mr. Kaufman made a motion to approve the sign at 2086-2098 Commonwealth Avenue – Mayani Dental, 309-321 Walnut Street – George Howell Coffee, 417-427 Lexington Street – Milano Jewelry, and 761-771 Beacon Street – Gibson Sotheby’s. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.**

**4. 188-192 Needham Street – Great Hill Dental**

Applicant/Representative: Andrew Clark

Proposed Signs:

- One wall mounted principal sign, internally illuminated, with approximately 36 sq. ft. of sign area on the western building façade facing Needham Street.
- One wall mounted secondary sign, internally illuminated, with approximately 36 sq. ft. of sign area on the southern building façade facing the side parking lot.

Presentation and Discussion:

Mr. Kaufman asked about the exact location of the proposed signs. Applicant responded the new signs are in the same location as the old signs and showed them on the screen.

**MOTION: Mr. Kaufman made a motion to approve the signs at 188-192 Needham Street – Great Hill Dental. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.**

**6. 899 Washington Street - Eigen Nails & Spa**

Applicant/Representative: Ricky, New CC Sign

Proposed Sign:

- Reface one free-standing principal sign, internally illuminated, with approximately 25 sq. ft. of sign area perpendicular to Washington Street.
- One wall mounted secondary sign, non-illuminated, with approximately 30 sq. ft. of sign area on the southern building façade facing Washington Street.

Presentation and Discussion:

The Commission commented that they don’t want the white background to be illuminated at night but with black letters and white background, it is not possible. The applicant responded that he could reverse black and white so the background will be black, and the letters will be white.

The Commission recommended approval for the free-standing sign on the condition that the staff check with Commissioner of Inspectional Services or the Law department if the sign can still be used since it has been abandoned for a few years, maybe more than a decade. Staff checked with Commissioner of ISD, and he has requested the applicant provide a drawing that the free-standing sign is structurally sound. Commissioner requires a drawing of the free-standing sign stamped by a structural engineer.

**MOTION: Mr. Kaufman made a motion to approve the signs at 899 Washington Street – Eigen Nails & Spa with conditions. Ms. Saeyan seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.**

The Commission requested the applicant to ensure that the white background is not illuminated at night. The applicant agreed to reverse black and white so the background will be black, and the letters will be white.

The Commission recommended approval of the free-standing sign on the **condition** that the staff check with Commissioner of Inspectional Services Department (ISD) or the Law department if the sign can still be used since it has been abandoned for a few years, since at least 2011. Staff checked with Commissioner of ISD, and he has requested the applicant provide a drawing that the free-standing sign is structurally sound. **Commissioner requires a drawing of the existing free-standing sign stamped by a structural engineer.**

#### **7. 1391-1397 Washington Street - Ninebark**

Applicant: Tabitha Leverone

Proposed Sign:

- One wall mounted split principal sign, non-illuminated, with approximately 77 sq. ft. of sign area on the southern building façade facing Washington Street.
- One perpendicular split principal sign, non-illuminated, with approximately 10 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.

Presentation and Discussion:

- The Commission asked staff if all the signs are included in the area calculation and staff confirmed.

**MOTION: Mr. Kaufman made a motion to approve the signs at 1391-1397 Washington Street - Ninebark. Mr. Doolin seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.**

#### **8. 1197-1203 Walnut Street – Walnut Dental**

Applicant: Joshua Lee

Proposed Sign:

- One wall mounted principal sign, externally illuminated, with approximately 4 sq. ft. of sign area on the eastern façade facing Walnut Street.
- One wall mounted secondary sign, non-illuminated, with approximately 3 sq. ft. of sign area on the southern façade facing the driveway.

Presentation and Discussion:

- The Commission recommended to remove the phone number and website from the sign and move it to a window.

**MOTION: Mr. Kaufman made a motion to approve the resubmitted signs with a condition at 1197-1203 Walnut Street – Walnut Dental. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.** The Commission approved the revised principal sign. The Commission recommended the secondary sign for approval on the **condition** that the applicant remove phone number and website with an option to move it to the window.

#### **9. 200-220 Boylston Street - Starbucks**

Applicant: Jess Caamano

Proposed Sign:

- One wall mounted principal sign, internally illuminated, with approximately 14 sq. ft. of sign area on the northern façade of building B facing the parking lot.

Presentation and Discussion:

- The Commission asked about the color of the sign and the raceway. Applicant responded that the raceway is white, and the sign is black.

**MOTION: Mr. Kaufman made a motion to approve the sign at 200-220 Boylston Street - Starbucks. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.**

#### **10. 1-27 Boylston Street – Pink Carrot**

Applicant: Amanda Chisholm

Proposed Signs:

- One wall mounted split principal sign, internally illuminated, with approximately 30 sq. ft. of sign area on the western building façade facing side parking lot.
- One perpendicular split principal sign, internally illuminated, with approximately 6 sq. ft. of sign area on the western building façade perpendicular to the side parking lot.

Presentation and Discussion:

The applicant explained that they noticed an unintentional discrepancy in The Street Comprehensive Sign Package between the sign band that was most recently submitted for the northern portion of the West elevation of 27 Boylston Street (2024) and the sign band in the same area that was previously approved by the Urban Design Commission and City Council in 2022. The Commission recommended approval to reinstitute the former sign band as original comprehensive sign package approved in 2022.

**MOTION: Mr. Kaufman made a motion to approve the perpendicular sign at 1-27 Boylston Street - Starbucks. Mr. Doolin seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.** The Commission recommended approval of the following sign:

- One perpendicular split principal sign, internally illuminated, with approximately 6 sq. ft. of sign area on the western building façade perpendicular to the side parking lot.

**Mr. Kaufman made a motion to approve the sign at 1-27 Boylston Street – Pink Carrot. Mr. Winkler seconded the motion, and one opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, Bill Winkler, Visda Saeyan, and Jim Doolin in favor and none opposed.** The Commission recommended approval of the following sign:

- One wall mounted split principal sign, internally illuminated, with approximately 30 sq. ft. of sign area on the western building façade facing side parking lot.

The proposed sign is not consistent with the 2024 approved comprehensive sign package, hence applicant is required to apply for a consistency ruling or an amendment.

## **Design Review**

### **1. 41 Washington Street Design Review**

**Applicant/Representative:**

Ian Gleeson, Owner  
Franklin Schwarzer, Attorney, Schlesinger & Buchbinder  
John Pears, Architectural Designer  
Blair Hines, Landscape Architect, Verdant Landscape Architecture

**Documents Presented:** Context plan figure ground, context photos, site plan, elevations, floor plans, 3D renderings, lighting plan, planting plan, landscaping plan.

**Project Summary:**

The project is located at 41 Washington Street on a 25,902 square foot parcel. The proposed development consists of 16 dwelling units. The applicant is seeking a Comprehensive Permit from the Zoning Board of Appeals.

**Note from the applicant:**

*Following the December 13, 2023 UDC meeting on this matter, the development team revisited the design of the project to see if it could address concerns expressed by members of the ZBA, the UDC, and the Planning Department. These concerns related to open space, lot coverage, surface parking, stormwater, and massing, among others. Incorporating the existing structure into the design prevented the development team from making effective strides in most of those areas.*

***By removing the existing structure, however, the revised design:***

- *moves the proposed building closer to Washington Street, thereby providing more separation with the neighbors to the rear;*
- *puts all the proposed parking inside the building;*
- *greatly increases the open space and landscaping options for the site;*
- *increases the side setbacks; and*
- *provides enhanced stormwater drainage.*

*The revised design more than doubles the amount of proposed open space from what was originally proposed and eliminates all of the surface parking at the site. The rear setback has*

*increased by over 27 feet from what was originally proposed. The revised design allows the retention of more of existing trees on site and provides a more meaningful vegetative buffer for the neighboring properties.*

*We feel that the revised design represents a marked improvement over the earlier iteration of the project, and that it addresses several of the concerns raised at our previous meetings with the ZBA and the UDC.*

Presentation and Discussion:

The applicants summarized the design. The Urban Design Commission had the following comments and recommendations:

Mr. Winkler recommended to have a railing all the way around on top of the 4-foot retaining wall. Applicant responded that they recognize the safety issue and will provide it.

Mr. Winkler also commented that when there are roof terraces with planting on them, the loads created by the Earth are quite heavy and the drainage going down through the building is kind of tricky. Not sure how much Earth can be put up there. It may be better to think of plants in big pots up there rather than a real roof or a green roof. Applicant responded that they are thinking exactly in the way. They will have a system of roof that has various dry tolerant perennials and populate it with some parts that will be over the rising walls. So again, the weight issue is then transferred directly to a vertical structure. And they would certainly do that once they moved into the construction drawings but point well taken and are in full agreement with the comment.

Ms. Saeyan asked if there's handicap access from side to the elevator? The applicant responded there is access on the right corner of the property, there will be less than 5% grade, it's a gentle slope. It's not a ramp grade, which is usually around 8%. If someone was in a wheelchair, or otherwise limited mobility, they could go to the right of the steps where there's an elevator that takes you up about seven feet. One other point is the play area at the back of the site, it is exactly at the same level as the lower level of the building, and there's an elevator that comes down there. Most people are likely not to walk around the building not, out the door and around the building. But just go down to the lowest level And then they just walk straight out the back door it's and grade and there's the there's the play area and the bench and the seating is right at grade, perfectly accessible.

Ms. Saeyan also commented that the pitched roof in the previous proposal related more to the surrounding buildings and also making the building look more residential than a flat roof. The applicant responded that the reason why we don't have a pitched roof is simple. If you have a pitched roof, you'll get only half the number of units. So, you'd have to do then another story to get back the number of units. We are not reducing the number of units in the building. It's been 16 since the beginning and it's been through three major redesigns and it's still 16 and that is the way it must be because we've done exercises that have proven financially it doesn't work at less than 16. So, you cannot do a pitched roof and get the same number of units in a building. Like any building because you'll lose essentially half the units up there. We would need to add one more story if we were to make a pitched roof, which would be a much taller project.

Mr. Kaufman asked the applicant why you can't put the top floor in some kind of attic configuration so that maybe those have sloped ceiling at certain places. Did you look at that? The applicant responded that you lose square footage if you start sloping back. The applicant asked if Mr. Kaufman is talking about like a mansard roof or something like that? Mr. Kaufman responded yes, something like that. There has to be something in between a total true pitched roof and a flat roof that will help to have some more residential look to it. The applicant responded that the rooms are not so oversized that you can lose, say three feet, and wouldn't project something out from the facade, projecting it out other than a foot or so. If it is sloped more than 2 feet, it would really eat into the usable space on the inside of the unit. That matters because you have bathrooms that are certain sizes and because we are meeting every single handicap size for every single unit, and you must have three-foot doors and there's just a lot of height issues that you deal with. And so, by sloping the walls back, for example - you sloped them back three or four feet, you in essence lose that area within the unit when it comes to the sizes of the critical spaces. Kitchens and bathrooms and cabinetry and closets. And so, it changes the plan sufficiently that the units don't work. So, then what you typically do is reduce the number of units and have a different configuration on the top floor. That's normally what they do. But it does reduce the number of units.

Mr. Downie commented the building has gone into a boxy shape, which looks like an apartment building. Comparing the old and new configuration, the advantage with the new one is that the site is much better off with this new configuration. Comparing the old and new roof, the roof on the old one didn't work and it was discussed at the last design review meeting. The other part of this is that the new building design is sort of routed to its site. It sits on a site like a building should sit on a site. The previous design is a house on stilts, essentially with a parking lot, taking up most of the backyard. So, if we start with the implication or the starting point that this developer has come to, which is that 16 units is what they need to be able to make it work financially. The reality is that the new design, is the more appropriate design. Because it the apartments can be efficient. The site is vastly improved and usable. And the cars are not visible. So, in that way, this project is much better now than it was. The only part that that is even slightly disturbing is the fact that it's very much an apartment building look in a single-family residential area. But those sorts of things have happened all over Newton, and they will continue to happen all over Newton. And so, it's something we're going to have to get used to. Being an architect that's worked on senior housing in the past. I know about trying to fit units into those sloped roofs. It's often a disaster, it's incredibly difficult. The new building design is much more realistic. But disagree with John about the white building with the black trimmed windows. There was some discussion of this in a previous design review, they have become far too trendy. Mr. Downie commented that he doesn't disagree with white stucco, that will look beautiful but disagree with black window frame.

Mr. Doolin commented he appreciates the improvement to the site by the current design overall. There's some very creative thinking going on but it's creative thinking for problem solving. And the program introduces several problems that challenge this site in terms of its capacity to have a building this size. While creative techniques can be used to try to ameliorate that, this is a very big, bulky box on an SR3 site, the context rendering shows that. Appreciate that the parking is tucked away. Parking issue is sufficiently solved but it drives the form of the building, which onset is an apartment building. There are a lot of creative things going on here, but the building is too big and supports too many units that then drives other issues that need to be solved.

Mr. Kaufman commented that he appreciates all the site improvements applicant has done. It's a big improvement. Applicant has solved putting the parking on the side and having more open space and more green space, being able to retain more of the existing trees. Applicant is able to solve that by moving the building forward and having a smaller front yard than was there before.

Mr. Kaufman commented he is taking exception to Mr. Downie in terms of everything, this is the way things go. I think Washington Street is a particularly special street and I think if you drive down, you will notice that most of the homes were built around the same time. There's a very strong sense of Victorian houses and this one is sort of a slap in the face of all this. He thinks there are methods that would make this feel more residential. And he thinks that the applicant should try harder to do that. There are some good examples shown by the applicant. It will be helpful to start breaking the façade. Another good example is 77 Court Street, which was another 40 B where they had 36 units, and they originally came in with a design that was closer to what the applicant is proposing now, and I think the neighbor's kind of sent them away and they came back with something that fits in a lot better with that. They basically took the facade and broke it into three, three smaller pieces with sloped roofs. It can be dealt with dormers, right behind the gable and things like that. So, recommend that the applicant should try harder to do something in terms of the front elevation to really make it feel like you at least acknowledge that you're on the same street with these other houses. This facade is out of context, and it would really be helpful to do something about that. This is a 40B and the applicant is exceeding all sorts of things so why you couldn't go a little bit higher in the height to get to get to fit in better with the residential.

Mr. Kaufman asked if the applicant is proposing electrical chargers in the parking spaces? The applicant confirmed that they will be providing electrical chargers.

Ms. Saeyan recommended to expand on what Mr. Kaufman mentioned about breaking up the façade. She recommended to look at the building on California Street, it's a new apartment building where they introduced wood looking panels to the white panels. Have also seen some of them in Cambridge to where they introduced different cladding material to flat white panels. And on the roof, if the applicant were to use a mansard roof, if the applicant didn't want the roof to be too high, maybe the sides of it is pitched but the middle is flat. In the front, she recommends breaking it vertically to introduce projections, break the façade. The roof lines don't all have to be continuous. Sometimes, it can be different roofing. So, the first level may have a different kind of roofing that projects out and as you go to the upper levels, it's a different level just to give it a bit more scale, especially in front facing Washington Street, to break it horizontally and vertically to get out of the boxy look.

Mr. Winkler commented that he was really surprised that this would be proposed because, as Michael said that single family houses sometimes, they have two units, but it's totally that way along the whole route there and as Jim said, it looks like an apartment building. So, it seems really out of context. He read the notes from the special permit request and the executive summary, and it seemed there were perhaps 26 items where the proponent is asking for a waiver, including FAR and building height. It is a single-family zone neighborhood. And it seemed like there were so many things there that disturbed and bothered him. And so that's quite a bit. He understands that this is a new trend to pop these things into neighborhoods, but it seemed like with so many exceptions, that it was going a little bit too far in that direction. Mr. Schwarzer

clarified that this is not special permit, it's a comprehensive permit under 40 B. So, it's a different regime. So just to clarify that if this were a special permit, yes, it would be a very different, different project indeed. Mr. Winkler commented that for this particular site and neighborhood it seems like there certainly were a lot of exceptions. And he understands that the applicant can do anything but it's a question of maybe the correct thing to do is the appropriate thing to do.

Mr. Winkler commented that maybe the applicant could consider too is that it might not be necessary to express everything, spandrels to make things read is a two-story glass spandrel etc. And maybe just using the one-color stucco, not white. Sort of to calm the whole thing down and not express everything. If you are going to really a disruptive mass, then calm it down. Its really a lot of bulk on this site in this neighborhood. We're now stretching the building out to within I guess 12-15 feet from each of the property lines. So, I feel a little bit of concern for the neighbors around it as well.

Mr. Kaufman asked if any members of the public would like to comment, to raise their hand. There was no one who raised their hand to speak.

Mr. Downie commented that Michael talked about the basic feeling of Washington Street in this area and he agrees that it's very much a Victorian residential area. Watertown street has a lot of that same feeling as well. And there's one or two decent sized apartment buildings along there, one of which is a flat roofed one. That has almost turrets at the corners that are and it's a shingle building, and it fits in fairly well. He thinks it's probably not nearly as bulky as what we're looking at here. But it has the same sort of break in the context if you want to put it that way. And so, it's a handsome building from this basically the same era maybe a little bit later. But it's on Watertown Street, probably near Crafts Street, built in probably 20s or 30s.

Mr. Kaufman commented that it will be helpful to look at some of these examples, on Court Street, California Street, on Watertown Street. Make this feel more residential. The fact that streets like Watertown street have different things going on and, so one could justify doing something like this on a street like that. But Washington Street seems very unique in terms of the fact that it looks like almost all of those houses were built around the same time. And it would really be nice to at least acknowledge that in this design and try to at least, tip your hat to the fact that this is a Victorian street built in that era. We are only really talking about the front facade. So, the rest of the building can work very well.

Mr. Schwarzer commented that this is very helpful, it's always it's always useful to come in and hear your comments and glad to bring this back and hear your thoughts live well. Mr. Kaufman asked if there is little extra wiggle room in terms of height and things like that because this is a comprehensive permit? In other words, because you are doing all these things that are beyond the zoning and seems to me this would be one other place. If you were to do this to improve the look of the building. Mr. Schwarzer responded it's something they can look into. Height is, of course, a sensitive issue in its own way. And applicant has dropped it a little bit, but they will look at it. Mr. Kaufman commented that it is height versus aesthetics, you know, height for height's sake isn't always a good thing.

Mr. Kaufman commented UDC appreciates the applicant coming and presenting to UDC. The site plan is a thousand times after.

**III. Old/New Business**

The Commission reviewed the minutes of April meeting.

**MOTION: Mr. Winkler made a motion recommending approval of the regular meeting minutes for April as submitted. Mr. Kaufman seconded the motion. All the members present voted, with a 5-0 vote, Michael Kaufman, Jim Doolin, John Downie, Visda Saeyan, 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 8:57 p.m.**

**Respectfully submitted by Shubee Sikka**

**Approved on**

DRAFT