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STAFF MEMORANDUM

Meeting Date: **Tuesday, August 13, 2024**
DATE: August 7, 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. 191 Sumner Street – Carvalho & Roth

PROJECT DESCRIPTION: The property located at 191 Sumner Street is within a Business 1 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, non-illuminated, with approximately 32 sq. ft. of sign area on the eastern façade facing Sumner Street (sign B).
2. One wall mounted secondary sign, non-illuminated, with approximately 15 sq. ft. of sign area on the northern façade facing Lyman Street (sign A).
3. One wall mounted secondary sign, non-illuminated, with approximately 32 sq. ft. of sign area on the southern façade facing the rear parking lot (sign C).

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 60 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is 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 30 and 60 feet, the maximum size of each sign allowed is 30 and 50 sq. ft., which the applicant is also not exceeding.

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

2. 303-321 Washington Street – Newton Corner Dental Care

PROJECT DESCRIPTION: The property located at 303-321 Washington Street is within Business 1 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted secondary sign, internally illuminated, with approximately 10 sq. ft. of sign area on the eastern façade facing Bacon Street and Washington Street.
2. Two window signs, non-illuminated, on the southern and eastern façade facing Washington Street and Bacon Street. Staff has requested applicant to provide dimensions of the window sign but hasn't received them yet.

TECHNICAL REVIEW:

- This business has the following two existing signs:
 - One wall mounted split principal sign, internally illuminated, with approximately 24 sq. ft. of sign area on the southern façade facing Washington Street.
 - One perpendicular split principal sign, internally illuminated, with approximately 6 sq. ft. of sign area on the southern façade perpendicular to Washington Street.
- 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 120 feet, the maximum size of the sign allowed is 50 sq. ft., which the applicant is also not exceeding.
- Staff has requested the applicant to provide dimensions of both window signs and the window area.

STAFF RECOMMENDATION: Staff recommends approval of the secondary sign as proposed. Staff is waiting to get dimensions of the window sign and the window to make a recommendation.

3. 650 Washington Street – Newtonville Gas & Auto

PROJECT DESCRIPTION: The property located at 650 Washington St is within a Business-2 district. The applicant is proposing the following signs:

1. Reface one free-standing principal sign, internally illuminated, with approximately 33 sq. ft. of sign area.
2. Reface one canopy mounted secondary sign, externally illuminated, with approximately 16 sq. ft. of sign area each facing Washington St.

TECHNICAL REVIEW: The free-standing sign for this property already exists and the proposed sign is a replacement panel. The sign appears to have been constructed in 1979 as a replacement of an existing sign. The freestanding sign will continue to be the principal sign on the property.

This business has two existing secondary wall mounted signs:

1. One wall-mounted secondary sign, non-illuminated, with approximately 36 sq. ft. of sign area facing Washington St. (Newtonville Gas & Auto)
2. One wall-mounted secondary sign, non-illuminated, with approximately 25 sq. ft. of sign area facing Washington St. (Foreign & Domestic – All Major Repairs). Applicant has indicated this sign will be removed.

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 60 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 reface of the free-standing sign and reface of the canopy sign on the condition that the secondary sign (Foreign & Domestic – All Major Repairs) is removed.

4. 430 Centre Street – Evans Park at Newton Center

PROJECT DESCRIPTION: The property located at 430 Centre Street is within Business 4 district. The applicant is proposing the following signs:

1. One wall mounted principal sign, externally illuminated, with approximately 32 sq. ft. of sign area on the western building façade facing Centre Street.
2. One free-standing sign, fence mounted, non-illuminated, with approximately 15 sq. ft. of sign area facing Vernon Street. Applicant has informed staff that they don't want to pursue the fence sign anymore. Hence this sign is no longer part of the application.

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

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

5. 1229 Washington Street - Buggy

PROJECT DESCRIPTION: The property located at 1229 Washington Street is within a Business 2 district. The applicant is proposing the following sign:

1. One wall-mounted principal sign, internally illuminated, with approximately 72 sq. ft. of sign area on the southern façade facing Washington 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 not exceeding, and on this façade of 36 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 principal sign as proposed on the condition that the applicant submits a property owner authorization letter signed by the property owner.

Design Review

1. 49 Dalby Street

The project is located at 49 Dalby Street on a 13,290 square foot parcel. The applicant is proposing to replace existing single-family home on an MR zoned lot with four units.

The applicant will be seeking relief for setback and FAR.

At the request of the Planning Department, the petitioner has been asked to present the project proposal to the UDC for consideration. The Planning Department encourages the UDC to review the project with regards to, but not limited to, the following: the proposed site plan; the building's design; bulk and massing; and relationship to context and the street

III. Old/New Business

1. Sign Ordinance and Policy Changes

Staff from the Long-Range Planning Division will attend the meeting to present on the possible process and policy language for administrative review of signs that are being replaced in kind, as well as minor corrections to the sign ordinance such as altering "building wall" to "business wall." Staff will also be attending to gain further understanding of the UDC's perspective on more significant updates to the sign ordinance.

2. Approval of Minutes

Staff has provided draft meeting minutes from the July meeting that require ratification (Attachment A).

Attachments

- Attachment A – Meeting Minutes 7/10/24 UDC meeting



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, July 10, 2024 at 7:00 p.m. via Zoom

<https://newtonma-gov.zoom.us/j/86816087109>

Ruthanne Fuller,
Mayor

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

Barney Heath,
Director
Planning & Development

I. Roll Call

Those present were Michael Kaufman (Chair), Jim Doolin, and John Downie. Bill Winkler joined at 7:04 p.m. 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. 74-78 Langley Road – Luxury Realty Partners

Proposed Signs:

- One wall mounted principal sign, externally illuminated, with approximately 30 sq. ft. of sign area on the western façade facing Union Street.
- One canopy mounted secondary sign, non-illuminated, with approximately 10 sq. ft. of sign area on the southern façade facing Langley Road.

2. 303 Walnut Street – Bank of America

Proposed Signs:

- One wall mounted principal sign, internally illuminated, with approximately 24 sq. ft. of sign area on the eastern building façade facing Walnut Street.
- One wall mounted secondary sign, internally illuminated, with approximately 24 sq. ft. of sign area on the northern façade facing Austin Street.
- One wall mounted directional sign, non-illuminated, with approximately 3 sq. ft. of sign area on the northern façade facing Austin Street.

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MOTION: Mr. Kaufman made a motion to approve the signs at 74-78 Langley Road – Luxury Realty Partners and 303 Walnut Street – Bank of America. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 3-0 vote, Michael Kaufman, John Downie, and Jim Doolin in favor and none opposed.

Mr. Winkler joined the meeting at 7:04 pm after the decision for the two sign applications were made.

At 7:09 pm, Mr. Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.

Fence Appeal

1. 36 Swallow Drive – Fence Appeal

Homeowner: Applicant was not present at the time UDC discussed this item and made a decision. Applicant joined the meeting at 7:30 p.m.

Fence Appeal:

The property located at 36 Swallow Drive is within a Single Residence 3 district. The applicant is proposing the following fence:

- a) **South Side Lot Line (South Fence)**— The applicant is proposing to add a fence, set at the south side property line, 6 feet tall solid with a 1-foot chestnut topper red cedar wooden fence for a total height of 7 feet, 182.40 feet in length.
- b) **East Rear Lot Line (East Fence A)**— The applicant is proposing to add a fence, set at the east rear property line, 6 feet tall solid with a 1-foot chestnut topper red cedar wooden fence for a total height of 7 feet, 84.55 feet in length.
- c) **North Side Lot Line (North Fence A)**— The applicant is proposing to add a fence, set at the south side property line, 6 feet tall solid with a 1-foot chestnut topper red cedar wooden fence for a total height of 7 feet, 60.5 feet in length.
- d) **East Rear Lot Line (East Fence B)**— The applicant is proposing to add a fence, set at the east rear property line, 6 feet tall solid with a 1-foot chestnut topper red cedar wooden fence for a total height of 7 feet, 95.85 feet in length.
- e) **North Side Lot Line (North Fence B)**— The applicant is proposing to add a fence, set at the south side property line, 6 feet tall solid with a 1-foot chestnut topper red cedar wooden fence for a total height of 7 feet, 22 feet in length.

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

The proposed fence (East Fence A) along the rear property line appears to be not consistent with the fence criteria outlined in §5-30(d)(3) of the Newton Code of Ordinances.

The proposed fence (East Fence B) along the rear property line appears to be consistent with the fence criteria outlined in §5-30(d)(3) of the Newton Code of Ordinances.

Presentation and Discussion:

The Commission discussed the fence appeal. The Commission asked staff about the waiver the applicant is looking for. Staff commented that they are allowed a 6-foot tall on side and rear lot lines and an 8-foot-tall fence on the rear lot line where it abuts another rear lot line. The UDC commented that there doesn't seem to be any mitigating circumstances except that the applicant

wants another foot for privacy. The Commission commented privacy is not one of the issues they deliberate on. There are no exceptions in the ordinance about pools.

MOTION: Mr. Doolin moved the motion to deny the appeal for the 7-foot-tall fence along side and rear lot lines. Mr. Winkler seconded the motion. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed. The motion was denied.

At 7:18 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. Approval of Minutes

The Commission reviewed the minutes of June meeting.

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

IV. ADJOURNMENT

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

The meeting was adjourned at 7:55 p.m.

Respectfully submitted by Shubee Sikka

Approved on