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Director

STAFF MEMORANDUM

Meeting Date: **Wednesday, February 12, 2020**
DATE: February 6, 2020
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 or Fence Appeal applications.

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. 320 Washington Street – Four Points by Sheraton

PROJECT DESCRIPTION: The property located at 320 Washington Street is within Business 1 zoning district and has a Board Order #270-67. The applicant is proposing to replace and install the following sign:

1. One wall mounted principal sign, internally illuminated, with approximately 73 sq. ft. of sign area on the northern façade facing the driveway (sign J on the site plan).

TECHNICAL REVIEW:

- All the signs are replacements of the existing signs. The Board Order states that *“All exterior signs, freestanding or affixed to the buildings or structures shall be erected subject to permission of the Board of Aldermen”* (attachment A). Staff spoke to the Commissioner of Inspectional Services and it was determined that the applicant does not need to apply for an amendment to the Special Permit.

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

2. 148 California Street – My Salon Suite

PROJECT DESCRIPTION: The property located at 148 California Street is within Manufacturing zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 28 sq. ft. of sign area on the northern façade facing California Street.
2. Four awning signs, non-illuminated, with approximately 7 sq. ft. of sign area on the northern façade facing California 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 65 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.
- The proposed awning signs appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, awning signs are allowed if they cover up to 20% of awning area, which the applicant is not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign and the four awning signs as proposed.

3. 1157 Washington Street – Safelite AutoGlass

PROJECT DESCRIPTION: The property located at 1157 Washington Street is within Business 2 zoning district. The applicant is proposing to replace and install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 58 sq. ft. of sign area on the southern façade facing Washington Street.
2. One wall mounted principal sign, internally illuminated, with approximately 58 sq. ft. of sign area on the western façade facing Kempton Place.

TECHNICAL REVIEW:

- As per §5.2.8, *“A business on a corner lot may be allowed 2 principal signs. Frontage on the second street must be at least 75 percent of frontage on first street.”* Both

the proposed principal signs appear to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two principal signs are allowed on a corner lot, which the applicant is not exceeding, and on this façade of 50 and 61 feet, the maximum size of the sign allowed is 100 square feet, which the applicant is also not exceeding.

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

4. 313 Washington Street – Newton Corner Dental Care

PROJECT DESCRIPTION: The property located at 313 Washington Street is within Business 1 zoning district. The applicant is proposing to replace and install the following signs:

1. One wall mounted split principal sign, internally illuminated, with approximately 24 sq. ft. of sign area on the southern façade facing Washington Street.
2. One perpendicular split principal sign, internally illuminated, with approximately 6 sq. ft. of sign area on the southern façade perpendicular to Washington Street.

TECHNICAL REVIEW:

- Per the Zoning Ordinance §5.2.8., *“In particular instances, due to the nature of the 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”* , Both the proposed split principal signs appear to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two split principal signs are allowed, which the applicant is not exceeding, and on this façade of 26 feet, the maximum size of the sign allowed is 78 sq. ft., which the applicant is also not exceeding.
- The window signs appear to be either around 25% or more of window area. Staff has requested the applicant to provide dimensions of the window signs and the windows.

STAFF RECOMMENDATION: Staff recommends approval of both the proposed split principal sign after receiving the measurements of the window signs.

5. 255 Washington Street – RMR Group

PROJECT DESCRIPTION: The property located at 255 Washington Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, externally illuminated, with approximately 100 sq. ft. of sign area on the southwestern 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 337 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 as submitted.

6. 131-181 Needham Street – *bfresh by Stop & Shop*

PROJECT DESCRIPTION: The property located at 131-181 Needham Street is within a Mixed Use 1 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 19-15. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 80 sq. ft. of sign area on the northwestern building façade facing the rear parking lot.
2. One wall mounted principal sign, internally illuminated, with approximately 80 sq. ft. of sign area on the northeastern building façade facing the middle parking lot.
3. One wall mounted secondary sign, internally illuminated, with approximately 47 sq. ft. of sign area on the southwestern building façade facing the side driveway.
4. One blade secondary sign, non-illuminated, with approximately 6 sq. ft. of sign area on the northeastern building façade facing the middle parking lot.
5. One entrance arbor, tenant sign, internally illuminated, with approximately 8.75 sq. ft. of sign area on the arbor facing Needham Street.

TECHNICAL REVIEW:

- The proposed principal sign on the northwestern façade 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 160 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding. The principal sign is also consistent with the comprehensive sign package (attachment A).
- The proposed principal sign on the northeastern façade appears to be consistent with the waiver in the comprehensive sign package authorized by a special permit via Board Order #19-15 (attachment A). As per the waiver, *“For a corner tenant where frontage is facing a parking lot and the second frontage is at least 75 percent of the first frontage facing either a parking or street, there may be an additional principal wall sign”*.
- The proposed secondary sign appears to be consistent with waiver in the comprehensive sign package authorized by a special permit via Board Order #19-15 (attachment A). As per the waiver, *“For each tenant of at least 10,000 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". The store is 21,000 square feet in size.

- The proposed blade secondary sign appears to be consistent with the waiver in the comprehensive sign package authorized by a special permit via Board Order #19-15 (attachment A). As per the waiver, *"There may be one blade sign per tenant entrance or occupancy up to 6 sq. ft. per side"*.
- The proposed entrance arbor, tenant sign appears to be consistent with the waiver in the comprehensive sign package authorized by a special permit via Board Order #19-15 (attachment A). As per the waiver, *"Entrance Sign: May include project identity, assist in way finding and advertise businesses"*.

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

Comprehensive Sign Package

1. 1-55 Boylston Street – The Street

PROJECT DESCRIPTION: The property located at 1-55 Boylston Street is within Business 4 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 417-12. The applicant is proposing to amend the special permit for the following signs:

1. One free-standing entrance sign, internally illuminated, with approximately 42 sq. ft. of sign area on the southern entrance along Boylston Street (sign A2).
2. One free-standing directory sign, internally illuminated, with approximately 42 sq. ft. of sign area behind 49 Boylston Street facing the rear parking lot (sign D1).
3. One free-standing directory sign, internally illuminated, with approximately 42 sq. ft. of sign area in front of 1 Boylston Street facing the front parking lot (sign D2).
4. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area in front of 55 Boylston Street facing Boylston Street (sign E1).
5. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area in the plaza between 49 and 55 Boylston Street facing Boylston Street (sign E2).
6. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area behind 33 Boylston Street facing the rear parking lot (sign E3).
7. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area in front of 33 Boylston Street facing the front parking lot (sign E4).

8. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area behind 3-23 Boylston Street facing the rear parking lot (sign E7).
9. One free-standing directory sign, internally illuminated, with approximately 14 sq. ft. of sign area in front of 3-23 Boylston Street facing the front parking lot (sign E9).
10. Two planter event signs, non-illuminated, with approximately 8 sq. ft. of sign area in front of 46 Boylston Street on the mini green space (sign EH1 and EH2).
11. Six vehicular directional signs, non-illuminated, with approximately 5 sq. ft. of sign area throughout the property (signs K1, K5, K6, K11, K12, and K13).
12. Four vehicular directional sign, non-illuminated, with approximately 8 sq. ft. of sign area throughout the property (signs KT2, KT8, KT9, and KT10).
13. One vehicular directional sign, non-illuminated, with approximately 11 sq. ft. of sign area on eastern side of 1 Boylston Street (sign KD7).
14. One vehicular directional sign, non-illuminated, with approximately 7 sq. ft. of sign area in the covered parking area behind 55 Boylston Street (sign L6).
15. Two vehicular directional signs, non-illuminated, with approximately 15 sq. ft. of sign area in the covered parking area behind 55 Boylston Street (signs LD2 and LD3).

The applicant is proposing to change the following signs that do not require an amendment to the special permit but will require a sign permit:

16. One free-standing entrance sign, internally illuminated, with approximately 42 sq. ft. of sign area on the western entrance along Hammond Pond Parkway (sign A1).
17. One free-standing entrance sign, internally illuminated, with approximately 25 sq. ft. of sign area on the eastern entrance along Hammond Street (sign A3).
18. Five vehicular directional signs, non-illuminated, with approximately 7 sq. ft. of sign area in the covered parking area behind 1-23 Boylston Street (signs L1, L2, L3, L4, and L5).

The applicant is proposing the following signs that do not require an amendment to the special permit:

19. Three wall mounted perpendicular pedestrian directional sign, internally illuminated, with approximately 2 sq. ft. of sign area behind of 55 Boylston Street (signs F1, F2, and F3).
20. One free-standing pedestrian directional sign, non-illuminated, with approximately 2 sq. ft. of sign area in front of 55 Boylston Street facing front parking lot (signs G1).

21. One free-standing pedestrian directional sign, non-illuminated, with approximately 2 sq. ft. of sign area in front of 3-23 Boylston Street facing front parking lot (signs G3).
22. Ten park bench tags directional signs, non-illuminated, with approximately 1 sq. ft. of sign area on Mini Green benches near Star Market (signs J4).
23. Ten planter directional signs, non-illuminated, with approximately 1 sq. ft. of sign area located in planters throughout the property (signs J8).
24. One pedestrian directional sign, non-illuminated, with approximately 1 sq. ft. of sign area in the plaza between 49 and 55 Boylston Street (sign M1).

The applicant has also submitted revised sign bands and tenant sign locations for building 49 Boylston Street and 55 Boylston Street.

TECHNICAL REVIEW:

- The signs numbered from 1 to 15 in the above list do not appear to be consistent with the dimensional controls specified in §5.2.8. The applicant will need to apply for a Special Permit to the City Council for these signs.
- The signs numbered from 16 to 18 in the above list appear to be consistent with the comprehensive sign package authorized by a special permit via Board Order # 417-12.
- The signs numbered 19 to 24 in the above list appear to be consistent with the dimensional controls specified in §5.2.8 and are allowed by right and do not require a sign permit or a special permit.
- Staff seeks recommendation from UDC regarding the revisions to the sign bands and tenant sign locations for 49 and 55 Boylston Street. All the signs appear to be consistent with the waivers specified in the comprehensive sign package from 2013.

STAFF RECOMMENDATION: Staff seeks recommendation regarding all the signs from UDC to the Land Use Committee of the City Council.

Fence Appeal

1. 40 Fernwood Road Fence Appeal

PROJECT DESCRIPTION: The property located at 40 Fernwood Road is within a Single Residence 3 district. The applicant has added the following fence:

- a) Front Lot Line along Cumberland Road – The applicant has added a fence along Cumberland Road front lot line, set at the front property line with a new solid fence, 6 feet in height.

TECHNICAL REVIEW:

The existing fence along the front property lines appear to be not consistent with the fence criteria outlined in §5-30(d)(1) of the Newton Code of Ordinances.

According to §5-30(d)(1), "Fences bordering a front lot line: No fence or portion of a fence bordering or parallel to a front lot line shall exceed four (4) feet in height unless such fence is set back from the front lot line one (1) foot for each foot or part thereof such fence exceeds four (4) feet in height, up to a maximum of six (6) feet in height, and further, that any section of a perimeter fences greater than four (4) ft. in height must be open if it is parallel to a 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."*

The applicant is seeking an exception to allow 6 feet tall solid fence at the front property line for a length of 57 feet 3 inches, where the ordinance would permit such a fence to be 4 feet tall. The applicant's stated reasons for seeking this exception are that "We believe that the fence provides protective measures for our family from our resident cayotes, that movement of the fence would create a monetary and a loss of use hardship, and also that the fence does not hinder public use or appear inconsistent with the neighboring properties and parts of which replace a previously existing fence. A further explanation of these conditions affecting the property are provided below with corresponding photographs in the attachments.

- *We request an appeal foremost because of the concern of danger for our small children and potentially future pets from local cayotes. See photographs on pages 15-17.*
 - *We installed a protective measure fence of this height to deter coyotes from entering our back yard to provide a safer place for our children and future pets to play without risk of injury.*
 - *We believe that we have a unique situation as there have been multiple sightings of cayotes entering the back yard and even more of them walking on the sidewalk and street.*
 - *We were able to capture a picture of one of these occasions where one cayote was walking down the road and stopped to stare at our two-year old in the front window for an extended and intimidating amount of time.*
 - *We have contacted animal control for advice and assistance, but they confirmed that they do not assist with deterrence measures and*

recommended at least a six-foot fence to keep them out amongst other measures which we have taken such as removal of bird feeders and garden items that attract coyote prey.

- *If the appeal cannot be granted solely because of the concern of danger explained above, we respectfully request an appeal due to the substantial financial hardship and loss of use if the fence were to be set back either two feet or five feet. See photographs on pages 25-27.*
 - *We understand that the setback requirements must be either two feet for the height to remain as is or set back five feet to no longer be subject to the regulations.*
 - *We believe that these options are substantially hindered by the location of the current vegetation and the irrigation system which would be impacted by either option.*
 - *The placement of the fence two feet in from the property line would be a financial burden as it would require the movement or removal of 16 six-foot trees, two large pine trees and the movement of an irrigation system which was installed for the health of the vegetation. This would also substantially change the look of the property and the shade to the public way.*
 - *In addition to the explanations above, we believe that moving the fence back five feet so that a permit is not required would also require the movement of an irrigation system to maintain the property as is and would also create a loss of use hardship. This option would result in a loss of 20% of the land on the side yard and limit the reasonable use of the side of the home.*
- *If the appeal cannot be granted because of the reasons above, we ask that you consider whether the fence may be conforming due to the fact that there was a pre-existing fence on the property. See photographs on pages 40-43 of the pre-existing fence.*
- *To assist with your consideration of our appeal, we also have provided photographic support to show that besides the concerns and issues explained above, we believe that there is no hinderance to the public safety due to the placement of the fence. See photographs on pages 18-24.*
 - *While the house is on a corner lot and therefore the side yard may be considered a front yard under the ordinance, we believe that the lot is unique because it is on the corner of a dead-end street with no neighboring properties. See the map of the property and adjacent streets on page 5 and supporting photograph on page 18.*
 - *Because the section of the fence that is in question is on a short piece of a dead-end street, we believe that there is no increased risk of blind spots, traffic incidents, pedestrian safety or similar issues. See photographs provided, including the one on page 24.*
 - *Based on the set back of the fence from Fernwood Road, we do not believe that the safety of the neighbor at 66 Cumberland Road, which is*

the only other property on or near the dead-end portion of the roadway, is not impeded by the fence because there is still a full view of traffic on each street from the property lot and specifically, the driveway. See photograph on page 23.

- *To further assist with your consideration of our appeal, we understand that consistency with the neighboring properties may factor into your decision. Therefore, we have also provided photographic support to show that the height, material and look of the fence is not inconsistent with the fences of our abutters, several of who have verbalized support for our fence and approve of its appearance. See photographs on pages 28-38.*
 - *Below is a list of the residents in neighborhood who have fences of a similar height and materials. We note that the neighbors that have similar property lines and/or have children and pets that play outside each have similar sized fences for reasons that include safety. We have provided photos of some examples, including:*
 - *The three most direct abutters all have similar fences in their yards*
 - *66 Stratford Road - Property abutting the left side of the home: The height of our fence is consistent with the wire and wood fences maintained by the neighbor bordering the side of the lot; this lot is similarly situated on a corner lot of Stratford Road and Fernwood Road. See photographs on pages 17 and 28-29.*
 - *39 Fernwood Road - Property directly across Fernwood Road: The height, material and location of our fence is consistent with neighbor's fence directly across Fernwood road; this lot is similarly situated on a corner lot of Cumberland Road and Fernwood Road. See photographs on pages 30-33.*
 - *66 Cumberland Road - Property directly across Cumberland Road: The height of the fence is consistent with the neighbor's wood fence. See photograph on page 34.*
 - *Other examples of close abutters in sight of the property, include:*
 - *33 Fernwood Road - The property across from the front of the house on Fernwood Road to the right, abutting 39 Fernwood Road: the height of the wooden fence is consistent with our fence. See photographs on pages 32-33.*
 - *72 Cumberland Road - Property across from the side of the home on Cumberland Road, abutting 66 Cumberland Road: the height of the wooden fence is consistent with our fence. See photograph on page 35- 36.*
 - *Other homes with a potential view of our property such as 78 Cumberland Road and 42 Murray Road also have fences of the same height and material in sections of their lots. See photographs on pages 37-38.”*

Attachment B shows all the letters received from the abutters of this property.

STAFF RECOMMENDATION: Based on the information submitted in the fence appeal application and staff's technical review, staff seeks advise from Urban Design Commission.

Design Review

1. 340 River Street

The Petitioner is seeking a special permit to develop a residential housing project on 27,283 sq. feet of land at the corner of Lexington Street, River Street and Rumford Avenue at the West Newton & Auburndale line. The Petitioner is seeking to raze the existing structures to construct a three-story 45 room hotel and an eight-unit three-story multi-family dwelling that will contain inclusionary zoning units. Hotel building will contain 62 below-grade parking stalls. There will be 7 two-bedroom units and one three-bedroom units (home ownership). The applicant has appeared before UDC in August 2019. Attachment includes the notes from the August 2019 meeting.

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.

ATTACHMENTS

- **Attachment A** – 131-181 Needham Street, comprehensive sign package
- **Attachment B** – Letters from abutters for the 40 Fernwood Road Fence Appeal
- **Attachment C** – Notes from 340 River Street Design Review from August 2019 UDC meeting

ATTACHMENT A

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 10,000 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 either be affixed to the building wall or 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 seasonal advertising panels.

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

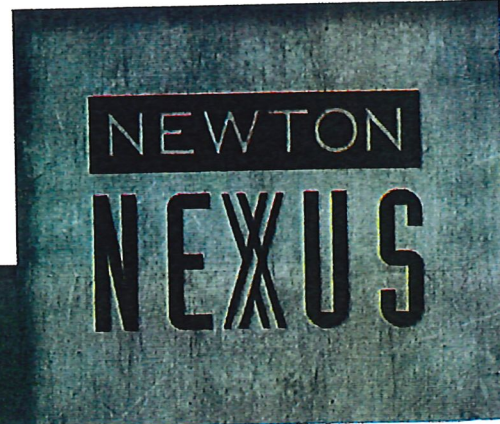
e. Light Pole Banner Signs: Will have property identification signs which may change seasonally and at the owner's discretion.

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)

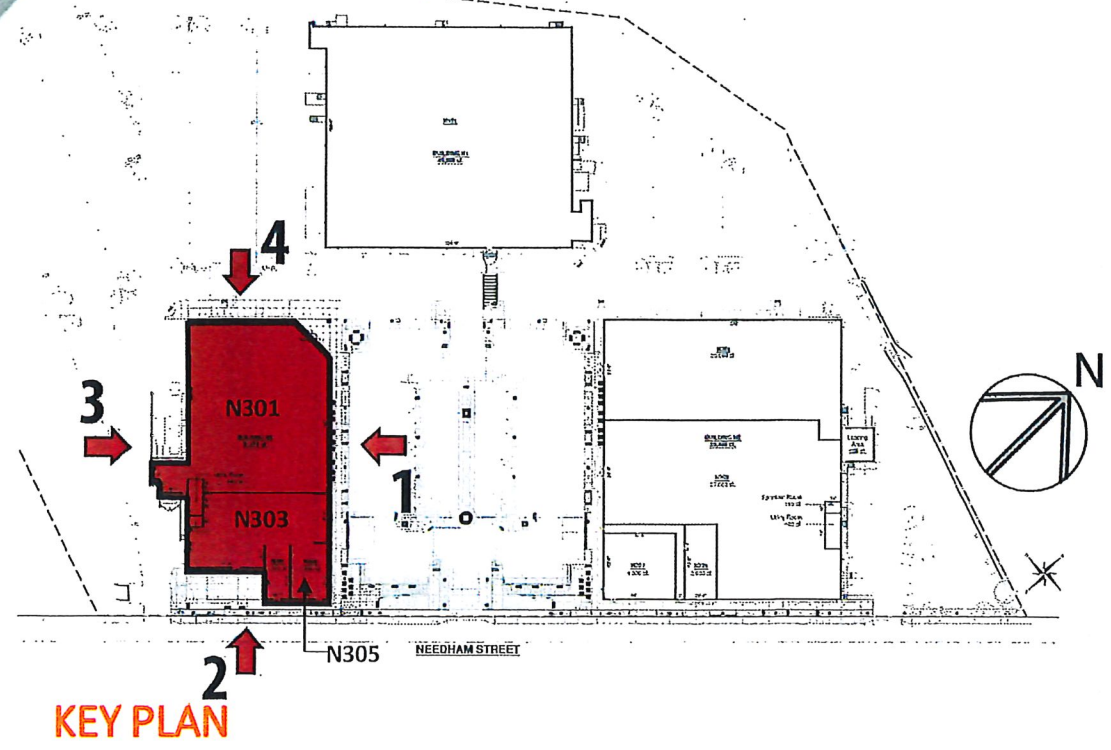


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS

Attachment A

LEGEND

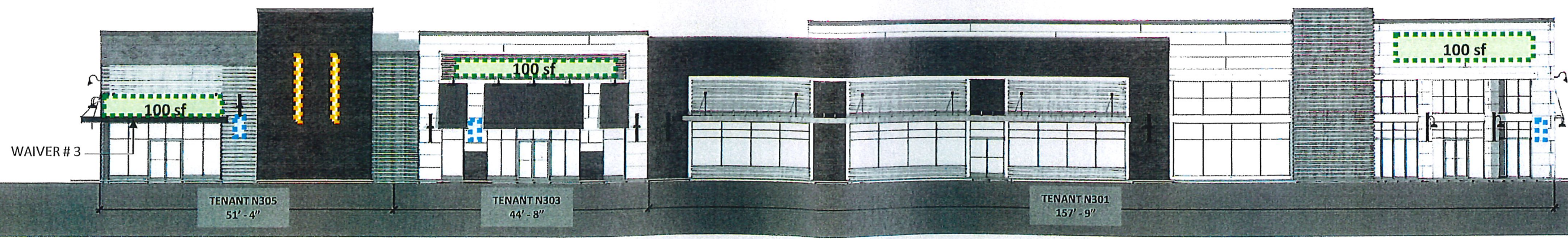
-  TENANT SIGN: CONFORMING (provisional Location)
-  TENANT SIGN: WAIVER 1 - 2 (provisional Location)
-  BLADE SIGN: WAIVER 5
-  BANNER SIGN: WAIVER 6



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

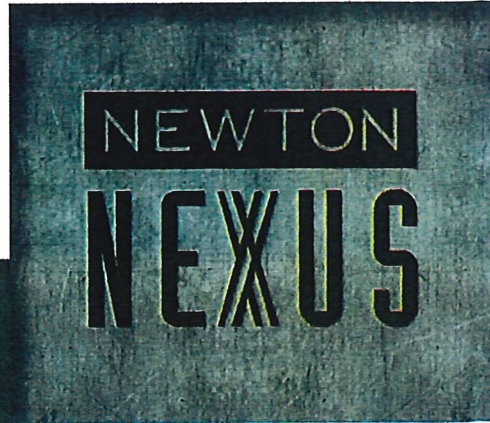
Calculations :
 $44.66 \text{ ft.} \times 3 \text{ ft.} = 133.98 \text{ sf}$
 Max allowed = 100 sf

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

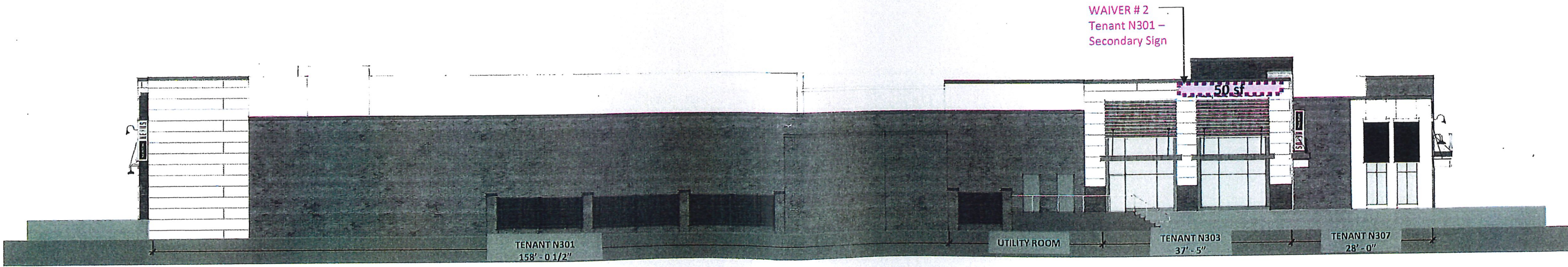
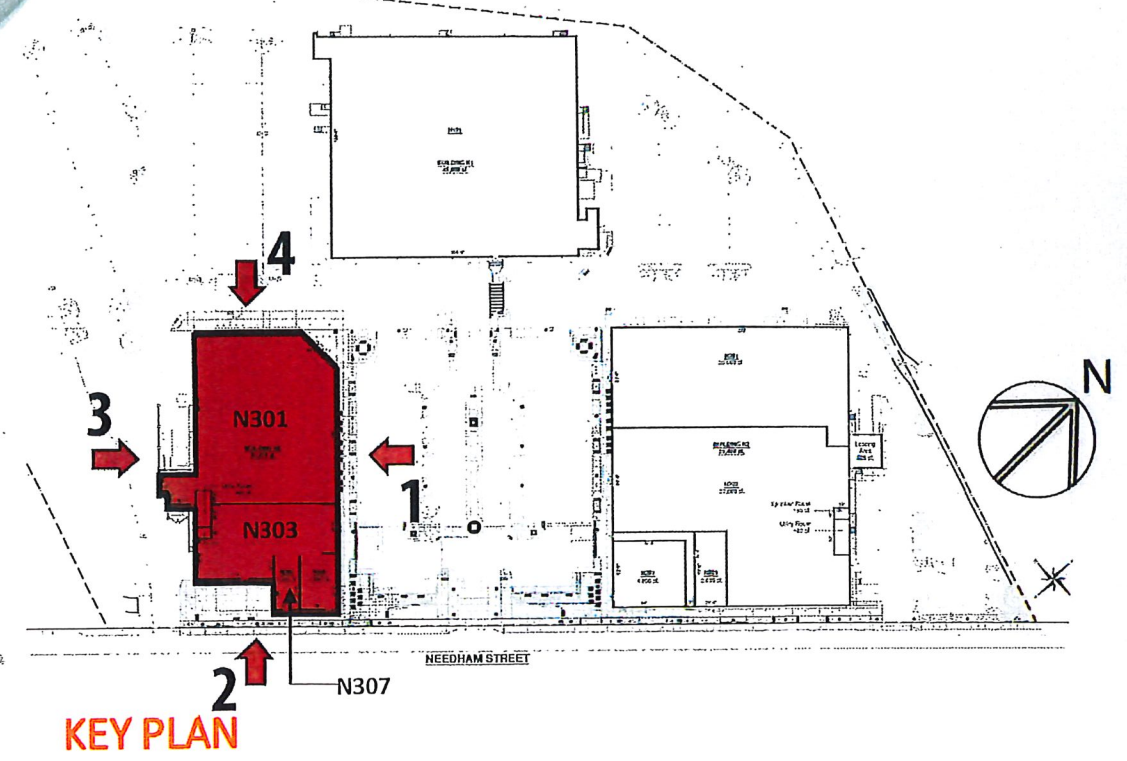


BUILDING SIGNS: ARCHITECTURAL ELEVATIONS

Attachment A

LEGEND

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



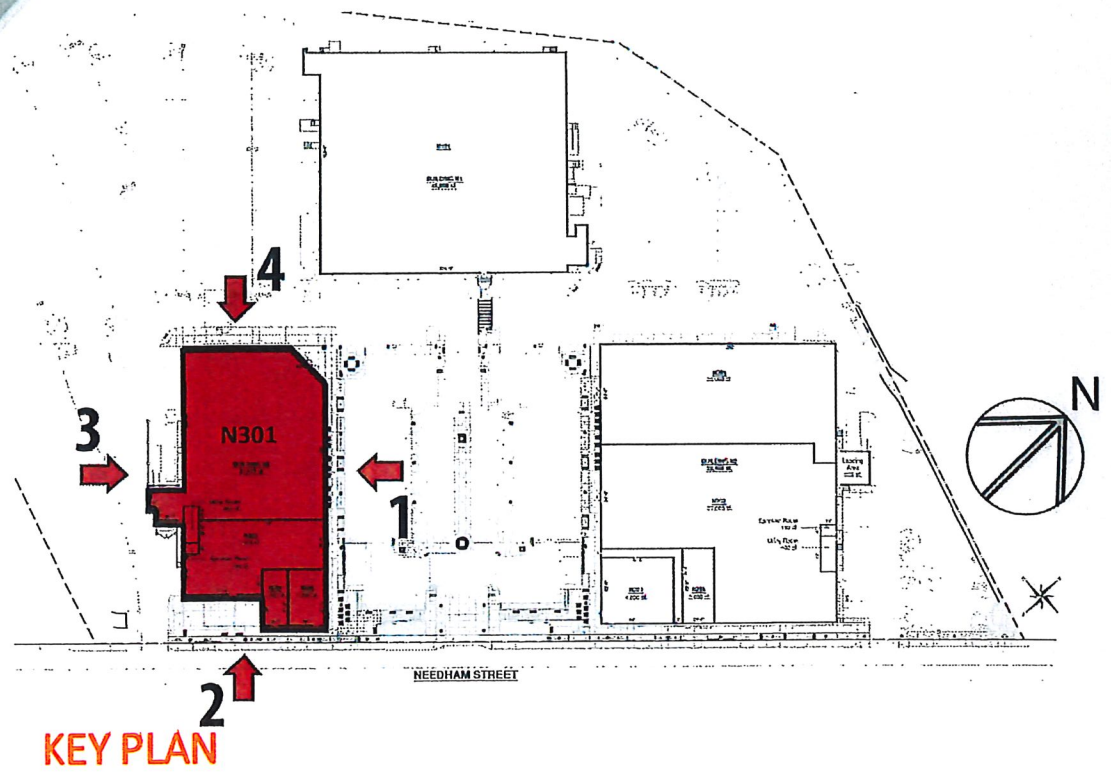
View 3 - South Façade

BUILDING N3



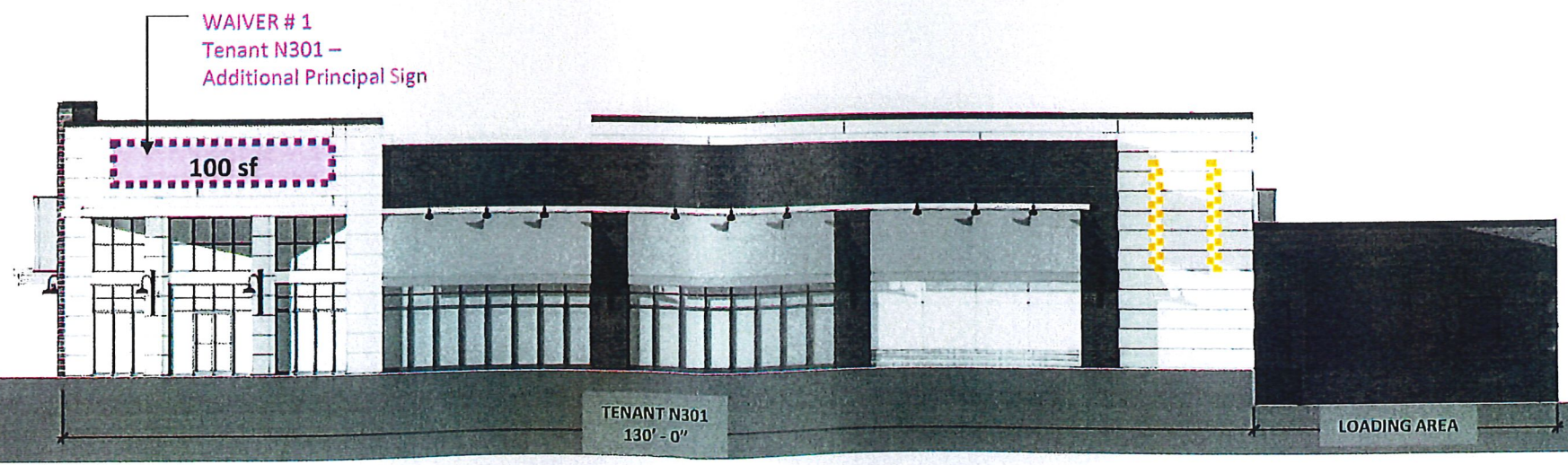
BUILDING SIGNS: ARCHITECTURAL ELEVATIONS

Attachment A



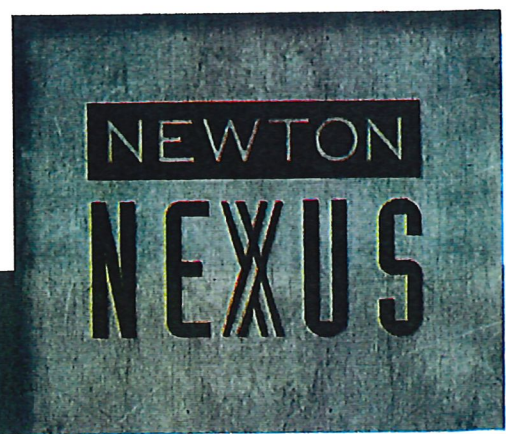
LEGEND

- 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



Shubee Sikka

From: joe guzzi <jguzzi6@hotmail.com>
Sent: Tuesday, January 14, 2020 5:15 PM
To: Kelly Riera; Shubee Sikka
Subject: Re: 40 Fernwood Road - Fence Appeal Neighbor Support

[DO NOT OPEN links/attachments unless you are sure the content is safe.]

Hi shubee....My name is Joe Guzzi..my wife Kathy and I own 60 Stratford rd which abuts 40 Fernwood rd...we have no objection to the fence...we have seen it and it is fine right where it is and it looks nice ..and it is functional....anyway we are now in Florida and cannot make the meeting in Feb....please pass this info on to any city official you see fit...thanks Joe if you need to contact me feel free to call me direct at 781 898 4274

From: Kelly Riera <kellyriera11@gmail.com>
Sent: Tuesday, January 14, 2020 1:11 PM
To: jguzzi6@hotmail.com <jguzzi6@hotmail.com>; Shubee Sikka <ssikka@newtonma.gov>
Subject: 40 Fernwood Road - Fence Appeal Neighbor Support

Hi Joe,

Thank you for expressing your support of our fence at 40 Fernwood Road. I have copied Shubee Sikka from the City of Newton. She is coordinating our request to the city and you can send her any thoughts you have about the fence.

Shubee,

Joe owns the home on 60 Stratford Road property which is one of the two properties that directly abuts our side yard. 60 and his family have owned the property for many many years.

Thank you both,

Kelly Riera

Francisco and Kelly Riera
40 Fernwood Road
Newton, MA 02465

January 9, 2020

Notice to Abutter
GEORGE A MILLIGAN
66 CUMBERLAND RD
NEWTON MA 02465

~~617-796-1128~~ 617-796-1128
MY FRIEND - T. MANN OUR
JOHN P. DETOMA; J.F.K. I WISH HE MAYOR
WAS HERE.

Subject: UPDATED DATE Fence Permit Appeal - 40 Fernwood Road NO

Dear Neighbor,

The letter is being provided to you to inform you that a Fence Appeal Application has been submitted to the City of Newton Department of Planning and Development to allow Francisco and Kelly Riera of 40 Fernwood Road to maintain the currently erected fence on their property. I HAVE LIVED HERE 50Y

THEY ARE NO CREDIT TO OUR NEIGHBORHOOD. I HAVE LIVED
There will be a public hearing regarding our fence permit appeal at 7 PM on Wednesday, HERE FOR 50Y
February 12th in the Room 205 in Newton City Hall. -NO I LIVE ACROSS THE STREET

FROM THE HOUSE. HOW CHEAP CAN YOU GET?
Sincerely, 2W-50 PLUS YEARS I HAVE NEVER SEEN ANYTHING LIKE

THIS BEFORE THEY PUT UP A 8 FOOT FENCE ON
The Riera Family CUMBERLAND ROAD. WHO GAVE THEM THE O.K.?

I WAS A FOOD SERVICE MGR, DIRECTOR, CHIEF IN NEWTON
AT THE FESSENDEN SCHOOL, RETIRED, - DISABLED,

ALSO FOOD DIRECTOR OF BRADY'S UNIVERSITY, PLUS.

THE SNOW STORM THAT CRIPPLED RI-R 8, I HAVE
THE BEST FOR THE NEWTON POLICE DEPT WHO
WORKED WITH ME BY GETTING FOOD, HOT DRINKS, TO THE

PEOPLE STRANDED. FOR DAYS, REST IN COLLEGES, UNIV
HOTELS, HOSPITALS, SCHOOLS, PLUS FOOD GIVEN BY MANY
SITY

WE WERE THANKED AROUND THE WORLD FOR WHAT WE
SINCE THEN, I AM A MEMBER OF F.E.M.A. AROUND
THE U.S.A. EX. THE WORLD TRADE CENTER, STORMS

EVERY WHERE - WARE
I AM DISABLED - NOTE

IF YOU WANT MORE. CALL ME 617-659-2368. AM

Shubee Sikka

From: epenso@massmed.org
Sent: Thursday, January 16, 2020 10:20 AM
To: Shubee Sikka
Cc: kellyriera11@gmail.com
Subject: Fence Permit Appeal 40 Fernwood Road

[DO NOT OPEN links/attachments unless you are sure the content is safe.]

Re: Fence Permit Appeal 40 Fernwood Road

Dear Ms. Sikka:

I am an abutter to the above property. I have lived in my condominium at 39 Murray Road for 35 years. I am writing in support of the petition to allow the fence which is presently on the property and any additional span of the fence which may be constructed in the future.

The fence is attractive and well constructed. The height is appropriate for the site and should not be considered an issue as it is along a dead end street. The material is far more appealing than chain link. It provides safety for the family's young children, especially since their yard abuts the Dolan Pond Conservation Area where there are many wild animals. I have personally seen a number of coyotes, a red fox, opossums, skunks and deer in and around the conservation area.

I hope that you will allow Kelly and Francisco Riera to maintain their fence.

Sincerely,

Ellen Penso

B

Shubee Sikka

From: David Russcol <david@russcol.net>
Sent: Wednesday, January 15, 2020 10:10 AM
To: Shubee Sikka
Cc: Ephat
Subject: 40 Fernwood Fence Appeal

[DO NOT OPEN links/attachments unless you are sure the content is safe.]

Dear Ms. Sikka--

We are writing with regard to the upcoming hearing on the fence permit appeal for 40 Fernwood Road. We are the owners of 72 Cumberland Road, which is across the street and looks directly on 40 Fernwood. The fence as built is basically consistent with the height of other fences in the neighborhood and fits in with the character of houses in the area. We have no objection to allowing the fence to remain as is.

The previous home on that parcel, before the current home was built, had a fence in the same place that was ugly and a bit of an eyesore. (It was a chain-link fence but with brown sheeting that mostly obscured the view of the yard.) This fence is clearly much nicer. The house is adjacent to conservation land and there are no more houses in that direction so the fence does not obstruct the views of any drivers on the road.

We have seen coyotes in the area, as recently as last night, and we support our neighbors in making their yard safe for their children. We have four children as young as 2, and are comfortable letting them play outside in part because our yard is securely fenced, as are most backyards in the immediate area.

Please do not hesitate to contact us if you have any questions.

Sincerely,
Ephat and David Russcol



Ruthanne Fuller
Mayor

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

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(617) 796-1120
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(617) 796-1142
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(617) 796-1089
www.newtonma.gov

Barney Heath
Director

DATE: September 4, 2019
TO: Jennifer Caira, Chief Planner
Neil Cronin, Senior Planner
FROM: Urban Design Commission
RE: 340 River Street
CC: Land Use Committee of the City Council
Petitioner

At the request of the Department of Planning and Development, the Urban Design Commission has reviewed and provides the following comments to the Department of Planning and Development and the Land Use Committee of the City Council regarding the proposed development at 340 River Street.

340 RIVER STREET

The Urban Design Commission (UDC) held a meeting on August 14, 2019 to review the proposed project at 340 River Street. The Urban Design Commission had the following comments:

- The package is poorly put together, it is not enough material/drawings to have a discussion. The Commission asked the applicant to come back with the following documents:
 - Context plan/figure ground plan
 - Site plan/Landscape plan with dimensions showing landscape, sidewalks, vehicular areas, streetlights, street trees, wall, fences, etc.
 - Floor plans
 - Building elevations
 - 3-D massing/perspectives
 - Materials
 - Photos of the context
 - Comprehensive sign package
- The street trees shown in the rendering are in the street, it looks like building is on the edge of the street. The applicant needs a site plan to show the building placement. It may also be that the building is too close to the street. Maybe, the building needs to be setback from the building.

- Both the buildings don't relate to each other in terms of window size, rooflines, materials. They should relate architecturally to each other.
- It is important to show floor plans to show the relation of buildings to the street.
- The Commission also had questions about how the hotel and the residence are separated. It appears that there is just a fence.
- Hotel:
 - The building will need retail entrances from the street. Only one corner entrance might not be enough for retail businesses. Retail shouldn't be left over space; they need to be easily accessible from the street.
 - Windows on the first floor are same as the windows on second floor. Both floors have different uses, retail and hotel on first floor and hotel rooms on second floor.
 - The Commission also commented that the balcony for the hotels will help the façade.
 - The Commission had questions about the signs for the hotel and retail businesses.
- Apartment building:
 - It appears that apartments on upper floors have access only from the garage. It is important to have an entrance to all the apartments from the street.

The Commission also asked the staff if there will be a peer review of this project like other proposed development projects.

The Commission requested the applicant to come back with the above list of drawings to review this project in more depth in the future.