



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, April 14th, 2021 at 7:00 p.m. via Zoom
<https://us02web.zoom.us/j/87236551537>

Ruthanne Fuller,
Mayor

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

Barney Heath,
Director
Planning & Development

Shubee Sikka,
Urban Designer
Planning & Development

Members
Michael Kaufman, Chair
Jim Doolin
John Downie
Robert Linsky
Carol Todreas
William Winkler
Visda Saeyan

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I. Roll Call

Those present were Michael Kaufman (Chair), Jim Doolin, John Downie, Bill Winkler, and Robert Linsky. Visda Saeyan and Carol Todreas joined the meeting at 7:04 pm. Shubee Sikka, Urban Designer, was also present.

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:

Sign Permits

1. 420 Watertown Street – Newton Community Freedged

Proposed Signs:

- One vinyl decal wall principal sign, non-illuminated, with approximately 36 sq. ft. of sign area on the front of the shed facing Watertown Street.
- Two vinyl decal wall secondary signs, non-illuminated, with approximately 18 sq. ft. of sign area on each side of the shed perpendicular to Watertown Street.

2. 926 Boylston Street – Tire Choice

Proposed Signs:

- Reface of one free-standing principal sign, internally illuminated, with 23.2 sq. ft. of sign area perpendicular to Boylston Street.
- One wall mounted secondary sign, internally illuminated, with approximately 47 sq. ft. of sign area on the northern building façade facing Boylston Street.

3. 740 Beacon Street – The Green Lady Dispensary

Proposed Signs:

- One wall mounted principal sign, internally illuminated, with 50 sq. ft. of sign area on the northern façade facing Union Street.

4. 2 Wells Avenue – Bright Horizons Early Education & Preschool

Proposed Signs:

- One wall mounted principal sign, internally illuminated, with approximately 100 sq. ft. of sign area on the northern façade facing the rear parking lot.
- One wall mounted secondary sign, internally illuminated, with approximately 50 sq. ft. of sign area on the eastern façade facing the side parking lot.

MOTION: Mr. Linsky made a motion to approve the sign at 420 Watertown Street – Newton Community Freedge, 926 Boylston Street – Tire Choice, 740 Beacon Street – The Green Lady Dispensary, and 2 Wells Avenue – Bright Horizons Early Education and Preschool. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, John Downie, James Doolin, Robert Linsky, and William Winkler in favor and none opposed. The decision is hereby incorporated as part of these minutes. According to the Newton Zoning Ordinance, staff concurs with the recommendation to approve the signs as proposed.

5. 271-283 Auburn Street – Ward 4

- Business Owner: Walter Devine

- Proposed Signs:

- One wall mounted principal sign, externally illuminated, with approximately 35 sq. ft. of sign area on the eastern building façade facing Auburn Street

- Presentation and Discussion:

- The applicant commented that the additional materials requested by UDC was submitted for this meeting. The applicant also commented that the Commission of ISD has determined that the frontage for the restaurant is the full width of the new façade.
- The UDC asked about the different colors (yellows and greens) shown on some of the drawings. The applicant responded that those colors were to just highlight to show different materials and the only color will be gray with white insert and white border and the front of the building is all blue. The UDC asked if the border has been darkened since it was presented last time at the November 2020 meeting. The applicant responded that it hasn't been darkened.
- The UDC recommended to tone down the outer lights and have emphasis on the center.
- The UDC asked about the door with a window sign "275B and 277B", where do you go? The applicant responded the doors takes you downstairs to the offices in the basement and to the restaurant but the main door to the restaurant is directly from the sidewalk (to the left of this door).
- One of the members asked about the frontage discussion at the November 2020 meeting. The Commission at that meeting recommended to move the "Ward 4" sign to the left so it's above the space that is Ward 4 restaurant, leaving the space above the doors that go to the basement suites open for signage for them. The staff commented that the staff reached out to the Commissioner of Inspectional Services to determine the frontage for the restaurant. The Commissioner has determined that the frontage should

be the entire width of the restaurant because it is a small vestibule for the businesses in the basement. They do have another entrance from the rear of the building. The staff also commented that they talked to a few colleagues as well and in staff's opinion, the entire width of the restaurant should be the façade frontage since the restaurant is completely visible (both sides).

- One member commented that the applicant has not made any changes recommended by UDC at the November meeting. The applicant responded that they didn't make any changes because the applicant thought that the sign looks good as it is and don't want to make any changes.

MOTION: Mr. Kaufman made a motion to approve the sign at 271-283 Auburn Street – Ward 4. Ms. Saeyan seconded the motion, and three opposed. All the members present voted, with a 4-3 vote, Michael Kaufman, James Doolin, Carol Todreas, and Visda Saeyan in favor and John Downie, Robert Linsky, and William Winkler opposed. The Commission recommended the approval on the **condition** to lower the lighting in no sign area.

6. 1261-1269 Beacon Street – Stretchmed

Staff informed the Commission that the applicant did not have the additional materials requested by UDC hence the applicant will come back to UDC at a future meeting. There was no other discussion about this application.

7. 431 Washington Street - Sunrise

- Applicant/Representative:
 - Steve Buchbinder, Schlesinger and Buchbinder, LLP
 - Franklin Schwarzer, Schlesinger and Buchbinder, LLP
- Proposed Signs:
 - One free-standing principal sign, fence mounted, illuminated, with 29.6 sq. ft. of sign area facing Washington Street.
- Presentation and Discussion:
 - The applicant described the application for the free-standing sign and the reason to apply for fence appeal described below in the fence appeal application. The applicant described that there is a wall on each side of the driveway and the plans showing these walls were filed for the special permit and building permit and they were both approved and then they were built and the applicant also received a final certificate of occupancy. The Commissioner of ISD has now determined that each of these walls is not a wall but rather a fence. The applicant also mentioned that the fence is taller than allowed as per the Fence Ordinance. The applicant also mentioned that the Fence Ordinance allows the fence to be 8 feet tall and design elements are permitted to exceed by an additional 2 feet. Most of the existing fence meets these requirements however, a small portion of the fence does not meet those requirements. The two columns are 11'-9" in height and there is also a portion of the brick wall where the sign is located which measures 8'-10". The applicant is looking for a waiver which the UDC has the ability to grant under the Fence Ordinance for both these portions of the fence. The applicant mentioned that this was a good faith mistake and there's a hardship involved and there is a financial element as well.

- One of the members commented that the wall should be part of the free-standing sign and it should not be a fence. The applicant mentioned that the Commissioner of ISD has determined that this is a fence and not a wall and that the fence is too tall, so the applicant has two choices. First choice is to apply to UDC and seek a waiver or second choice is taking down the portion of the fence that is over 8 feet for the fence and over 10 feet for the design elements. If the UDC grants the waiver, the applicant will need to apply for a special permit for the free-standing sign.
- The staff also mentioned that free-standing sign can be up to 35 sq. ft. and this entire structure is much more than 35 square feet.
- There was discussion about the illumination of the sign. The applicant commented that the oval portion of the sign is HALO backlit and there is a rectangular portion of the sign which is not illuminated.
- One of the members commented that this proposal looks elegant and beautiful.

Mr. Kaufman made a recommendation to the Land Use Committee of the City Council to approve the free-standing sign at 431 Washington Street - Sunrise. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 7-0 vote, Michael Kaufman, James Doolin, Carol Todreas, Visda Saeyan, John Downie, Robert Linsky, and William Winkler in favor, and none opposed.

At 7:36 pm, Mr.Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.

Fence Appeal

1. 431 Washington Street – Sunrise Fence Appeal

- Applicant/Representative:
 - Steve Buchbinder, Schlesinger and Buchbinder, LLP
 - Franklin Schwarzer, Schlesinger and Buchbinder, LLP
- Fence Appeal:

The property located at 431 Washington Street is within a Business 2 district. The applicant has installed the following fence:

 - a) Front Lot Line – The applicant has added a fence, set at the front property line, at varying heights (6'-6", 8'-10", 11'-9"), 121.64 feet in length.

Portion of the existing fence along the front property line, for a length of 110.85 feet, appears to be consistent with the fence criteria outlined in §5-30(e) of the Newton Code of Ordinances. The following portion of the existing fence along the front property line, appears to be not consistent with the fence criteria outlined in §5-30(e) of the Newton Code of Ordinances:

- Two columns, 2'-10" in length with a height of 11'-9"
 - Brick wall, 7'-10" in length with a height of 8'-10"
- Presentation and Discussion:

At the meeting, the UDC reviewed materials submitted by the petitioner and heard petitioner's argument. The UDC commented that this fence/wall was already approved as part of the building permit and the submitted plans that nobody commented on and allowed the applicant to build it, and after the fence was built, ISD commented that a fence permit is required for this fence. This is clearly a financial hardship and the appeal should be granted. This fence was obvious on the approved plans and wasn't something that would have been difficult to determine. The UDC also commented this is an exemplary project, the way it steps down and transitions into the neighborhood, it is a good example for future reference.

Mr. Kaufman moved the motion to grant the appeal for the fence and posts along Washington Street as shown on the approved plans. Mr. Winkler seconded the motion. All the members present voted, with a 7-0 vote, Michael Kaufman, John Downie, Visda Saeyan, Carol Todreas, James Doolin, Robert Linsky, and William Winkler in favor and none opposed. The motion was granted.

At 7:39 the Commission adjourned the Fence Appeal Board portion of the meeting and reconvened as the Urban Design Commission.

Design Review

1. 1149, 1151, 1157, 1169, 1171-1173, 1179, and 1185 Washington Street, 32 and 34 Dunstan Street, 12, 18, 24, and 25 Kempton Place - Dunstan East Design Review

- Owner/Applicant: Robert Korff, Mark Development
- Representatives:
 - Steve Buchbinder, Schlesinger and Buchbinder, LLP
 - John Martin, Elkus Manfredi
- Documents Presented: Site plan, parking plan, building reconfiguration plan, floor plans, perspectives, and comparison chart.
- Project Summary:

The Petitioner is seeking an amendment to the comprehensive permit issued in July 2020 to develop a mixed-use project on Washington Street in West Newton.

The summary of changes is:

1. Safelite parcel is now part of the development site.
2. Overall building area, inclusive of parking, has been increased by 88,490 square feet.
3. Parking in the building has increased by 38 spaces.
4. Parking along Kempton Place has increased by 9 spaces.
5. Unit count has increased by 64 apartments.
6. Units have been added to Level P1 facing the Cheesecake Brook.
7. Building Lobby moved to Washington Street.
8. Residential Amenity moved to Washington Street.
9. Residential Courtyard expanded.

The revised project is comprised of three mixed-use buildings ranging from three to six stories on two blocks. The three buildings offer approximately 302 apartments ranging from studios to three bedrooms. The project provides a total of 5,821 sq. ft. of retail space. Parking

is provided in two subterranean garages that provide a total of 322 spaces, as well as 16 spaces on Kempton Place. The total area of the project, excluding parking, is 364,361 sq. ft.

- **Presentation & Discussion:** The applicant's representative provided a summary of the project (see above). The Urban Design Commission had the following comments and recommendations:

Building Massing, Height and Architecture

- The UDC is concerned about the project, it is very big and bulky.
- The Commission commented that they would like to see a section of Kempton Place with the two buildings. Buildings 2 and 3 are two long buildings facing each other all the way down the street. The UDC asked about the height of the buildings. The applicant responded that the buildings are six stories tall, about 65 feet tall. The UDC raised concerns about the relationship of street width and building height.
- The UDC commented that it is important to see the elevation and how it transitions down to the neighborhood, especially to the east. On the east side, there is Armory then Trader Joes building, then residential portion of the neighborhood. The UDC commented that Trader Joes site will probably not be developed as a 6-story building for a long time. It will be important to see how this transitions down towards the residential neighborhood.
- It will be important to see the relation of the proposed building to the Armory. According to the Armory studies, the building will likely stay in place or at least the front façade of the Armory will stay in place. It will be important to relate the new additional building to the scale of the Armory. It will help to bring the scale down of the additional building next to the Armory. Other parts of the project have some four-story portions, it will be helpful to have a 4-story portion next to the Armory. It will help if the top grey portion of the building steps back. The applicant responded that the Armory is not only smaller, but it is also setback from the street which makes it even more diminutive. The UDC recommended the new additional building to relate more to the historical Armory building which will most likely stay in place for the foreseeable future.
- The Commission observed that according to the Washington Street Vision Plan, this site is in the 3-6 story height range. The Commission commented that they would like to see more variety in building height.
- The UDC asked about the challenge of flipping the open space and turning the building the other way. The new open space is a private space and not shared by the public street. It will be helpful to get some breaks in this long building along the street. It will be helpful if the open space privileged the public street rather than face the Armory. The applicant responded that there are two reasons that they are not able to flip the courtyard, first, the courtyard is on top of the garage. If the courtyard is flipped, there will still be a full 1 story retaining wall by the time it got to the parking garage entry. The second and primary reason is if it is flipped then the wall would be 5 feet from the property line and could not have windows on that side.
- Treatment of Cheesecake Brook is terrific and will be a good addition.
- The UDC recommended to articulate building 3 like building 1 is articulated in the front along Washington Street and building 2 in the back, facing Cheesecake Brook. It will help

to reduce the scale of the building, buildings 1 and 2 have a break in massing vertically and they are also stepped back. It will help to break the massing, so it looks like series of smaller building rather than 1 big mass.

- The UDC commented that Kempton Place is getting like a canyon. There was concern if the units in the middle will receive any natural light. The applicant commented that it is a north-south road so the units will get sunlight.
- The UDC recommended the applicant work with an acoustical engineer because of proximity of buildings 2 and 3, Turnpike noise, and trains nearby to check the noise bouncing that could happen between both the buildings.
- The UDC commented that a 3D visualization walking down Kempton Place will be helpful. The applicant responded that a video model was done for buildings 1 and 2 and they could update the video for building 3 as well.
- The UDC asked if the applicant explored any strategy to make the extremely long corridor in building 3 not feel so long. The applicant responded that it has a turn in it and there are two elevators on either ends so the residents will probably need to walk a maximum of 100 feet to get to their units.
- The UDC asked if there was any strategy to get natural light in the corridors. The applicant responded that they will explore options to create an indentation or a setback in the Kempton Street wall, it can become a common area on each floor that could allow some natural light into the corridor.

Retail

- The UDC asked about retail along Washington Street. The applicant responded there is about 6,000 square feet of retail combined in buildings 1 and 2. There is potential for retail in building 3 but it is not proposed currently. The retail market is very difficult currently. There will be opportunity to convert some of the amenity space if there is demand for retail in the future.
- The UDC recommended to have some retail in building 3 so there is some activity in that area as well.
- The UDC recommended to have smaller retail spaces along front of Washington Street (instead of 1 large store that goes all the way back) so it makes it lively.

Additional materials requested

- Context figure ground plan
- Elevation for building 3 – especially Washington Street elevation extending down towards the residential neighborhood and Kempton Place elevation
- Street sections, especially between buildings 2 and 3

Public Comment

The UDC also heard from the following member of the public:

Schuyler Larrabee: Mr. Larrabee commented that this presentation is incomplete without the elevations. The 2 parallel walls, for full length of Dunstan are over-bearing. The height of the buildings is about 1.5 times the width of the street and that is intensely urban. Mr. Larrabee suggested that the applicant consider to either reverse the C-shaped building and put

courtyard on the street or straighten out the plan of the vertical lane and create a triangular space that opens up to Washington Street, it will help to make it more pleasant, some landscaping will also help. The acoustics of open windows can create a problem when it is only 50 feet to the building across, the echoes may be a problem. Mr. Larrabee also commented that a common area on each floor will help to build a community for the people who live on that floor.

2. 355 and 399 Grove Street - Riverside Design Review

- Owner/Applicant:
 - Robert Korff, Mark Development
 - Stephanie Moresco, Mark Development
- Representatives:
 - Steve Buchbinder, Schlesinger and Buchbinder, LLP
 - John Martin, Elkus Manfredi
 - Jeff Speck, Speck & Associates
- Documents Presented: Site plan, renderings, site and context photos, sections, precedent images, trail network improvement plan, and comparison chart.
- Project Summary:

The petitioners obtained Special Permit #27-20 to construct a ten-building mixed use development incorporating 582 residential units, 246,327 square feet of office space, 39,398 square feet of ground floor commercial space, and a hotel with up to 150 keys (i.e. sleeping rooms) with 2,013 on-site parking stalls within a garage and surface parking, as well as accommodations for bicycles. The petitioners seek to amend the special permit and to amend the text of the MU-3 zone to allow for laboratory, research and development, elderly housing, 550 residential units, and changes to the footprints and heights of several buildings. Additionally, they seek to amend the approved sign package (also on the agenda).

The petitioner is seeking an amendment to the Council Order #27-20 to allow changes to:

- The square footage of all the approved buildings
- The heights of Buildings 1, 2, 3, 4, 7, 8, 9 and 10
- The proposed footprints of buildings shown on the approved site plan
- Open space as shown on the approved site plan
- The comprehensive signage package as to Building 2

The revised plans for the development include changes to the heights, footprints and densities of the approved buildings. These buildings will consist of 362,235 square feet of laboratory and research space, a reduction in office space to 7,500 square feet, a reduction to 550 residential units and a reduction to 21,981 square feet of retail and commercial space.

The applicant presented two different height options for building 1 and 2:

- Option 1 (originally submitted by the applicant):
 - Building 1: 7 stories
 - Building 2: 6 stories
- Option 2 (presented at the UDC meeting):
 - Building 1: 8 stories
 - Building 2: 5 stories

- Presentation & Discussion: The applicant's representative provided a summary of the project (see above). The Urban Design Commission had the following comments and recommendations:

Building Massing, Height and Architecture

- The UDC commented that the changes shown at the meeting (5 and 8 stories) are reasonable and it makes a lot of sense. Shortening of building 2 makes a huge difference because it was crowding the residential buildings and was looking uncomfortable. With building 2 at 5 stories, it looks exceedingly comfortable in relationship with neighboring residential buildings.
- The UDC asked about the floor to floor height for the laboratory buildings. The applicant responded that it is about 16-20 feet on the ground floor and the typical lab. floors will be 14'-6". The UDC confirmed that these will be wet labs with the fume hoods, etc.
- The UDC asked about the façade if they will be mostly glass. The applicant responded they will be more brick than glass, it will be about 60% solid and 40% void. One of the façades will have manganese brick and the other will be red clay brick.
- The applicant commented that these two buildings are relatively small research plates, one building is a little above 25,000 sq. ft. and the other is 30,000 sq. ft. Alexandria, codeveloper with Mark Development for building 1 and 2 is looking for a possibility to provide a connection on levels 3 and 4 so they could act as 1 building if needed for companies who will be looking for a contiguous floor space of about 50,000 square feet. The connection could be a monumental arch or a sky bridge or something similar. The applicant is looking to provide a possible connection on two floors. The applicant asked for UDC's recommendation for the bridge. The UDC recommended rather than a formal arch, it will be good if it is more dynamic, maybe with a slope.
- There was also discussion about phasing. The applicant described the phasing and that phase 1 will include buildings 2, 3, 8, and the garage structure.
- There was discussion about a possible future hotel site. The applicant responded that building 7 could possibly be changed to a hotel in the future if market allows and if there is community support for a hotel. The UDC agreed with the applicant that building 7 as a possible future hotel site is a good idea. It might even be a better location than the current hotel site because of its proximity to the station.

Comprehensive Sign Package

- There was some discussion about signage. The applicant indicated that they will come back to UDC for further discussion.

Public Comment

The UDC also heard from the following members of the public:

Michael Wang, Form + Place, City's peer reviewer was also at the meeting. Mr. Wang commented that he was thrilled to see the changes for building 1 and 2. It answered three of his concerns since the first iteration of the lab. concept. Option 1 with similarity in height of buildings 1 and 2 was almost presenting a wall like impact to the highway frontage so the variation in height and materials as shown in option 2 is extremely helpful. In the first option, the distance between the core of building 2 and 3 was very disconcerting and was making the

roof terrace very tortured and the relationship between the roof terrace and Research Square was not good. Mr. Wang commented that he is pleased with this new option. There are still several details to be finessed, particularly with the ground plane along Main Street as well as around Research Square. There is a loading feature that opens on to the square and the design team is being very cognizant of that and how to treat it and maintain it as a pedestrian environment that is enjoyable. The pedestrian bridge is a very nice feature that helps to frame the gateway if done appropriately.

Tim Love, Utile, City's peer reviewer was also at the meeting. Mr. Love commented that he agrees with most of the comments made by Mr. Wang. He also commented that the bridge could be treated like a third architecture, so it doesn't look like building 1 or 2.

Councilor Pamela Wright was also present at the meeting. Councilor Wright asked about a possible location for a hotel in the future. The applicant responded that building 7 could possibly be changed to a hotel in the future if market allows and if there is community support for a hotel.

III. Old/New Business

1. Approval of meeting minutes

The Commission reviewed the minutes of January 13th, February 10th, and March 18th. The Commission acted on all three minutes.

MOTION: Mr. Kaufman made a motion recommending approval of the regular meeting minutes for January, February, and March as submitted. The motion was seconded by Mr. Downie. All the members present voted, with a 5-0 vote (Michael Kaufman, Jim Doolin, Bill Winkler, Carol Todreas, and John Downie) in favor, none opposed. The decision is hereby incorporated as part of these minutes.

2. Commission election

MOTION: Mr. Downie made a motion to retain Mr. Kaufman as the Chair and appoint Mr. Doolin as Vice Chair. The motion was seconded by Ms. Todreas. All the members present voted, with a 5-0 vote (Michael Kaufman, Jim Doolin, Bill Winkler, Carol Todreas, and John Downie) in favor, none opposed.

IV. ADJOURNMENT

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

The meeting was adjourned at 9:55 p.m.

Respectfully submitted by Shubee Sikka

Approved on May 12, 2021.