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Barney Heath
Director

STAFF MEMORANDUM

Meeting Date: **Wednesday, July 14, 2021**
DATE: July 9, 2021
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. 2034-2060 Commonwealth Avenue – Star Market

PROJECT DESCRIPTION: The property located at 2040 Commonwealth Avenue is within Business 2 zoning district. The applicant is proposing to install the following sign:

- One wall mounted secondary sign, internally LED illuminated, with approximately 18 sq. ft. of sign area on the western façade facing the parking lot.

TECHNICAL REVIEW:

- There are currently 3 existing signs for this business, 1 principal free-standing sign and 2 secondary signs.
- The proposed secondary sign appears to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is exceeding. The applicant will need to apply for a special permit to allow this proposed third secondary sign.

STAFF RECOMMENDATION: Staff does not recommend approval of the secondary sign as proposed. Staff recommends the applicant consider a directional sign.

2. 940 Boylston Street – Dunkin’

PROJECT DESCRIPTION: The property located at 940 Boylston Street is within a Business 2 zoning district and has a free-standing sign authorized by a Variance #3-78. The applicant is proposing to install the following signs:

- Reface of free-standing principal sign, internally illuminated, with approximately 32 sq. ft. of sign area perpendicular to Boylston Street.
- One wall mounted secondary sign, internally illuminated, with approximately 14 sq. ft. of sign area on the northern building façade facing Boylston Street.
- One free-standing sign (Order Board sign), digital sign, with approximately 65 sq. ft. of sign area.
- Multiple directional signs, internally illuminated, with approximately 2.7 sq. ft. of sign area each.

TECHNICAL REVIEW:

- The free-standing sign is approved by a Variance #3-78 and the applicant is proposing to reface the sign.
- 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 106 feet, the maximum size of sign allowed is 50 sq. ft., which the applicant is also not exceeding.
- The proposed free-standing sign (Order Board sign) appears to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one free-standing principal sign is allowed, which the applicant is exceeding, the maximum size of the sign allowed is 35 sq. ft. and height of 16 feet, which the applicant is also exceeding. Per Zoning ordinance §5.2.13 “A. *In particular instances, the City Council may grant a special permit to allow free-standing signs and exceptions to the limitations imposed by this Sec. 5.2 on the number, size, location and height of signs where it is determined that the nature of the use of the premises, the architecture of the building or its location with reference to the street is such that free-standing signs or exceptions should be permitted in the public interest.*

B. In granting such a permit, the City Council shall specify the size, type and location and shall impose such other terms and restrictions as it may deem to be in the public interest and in accordance with the 780 CMR. All free-standing signs shall not exceed 35 square feet in area, or 10 feet in any linear dimension, or 16 feet in height from the ground, except as further described in Sec. 5.2.7.”

- All directional signs appear to be less than 3 sq. ft. and are allowed by right and do not require sign review.

STAFF RECOMMENDATION: Staff recommends approval of reface of the free-standing principal sign and the secondary sign. Staff seeks recommendation from UDC regarding the free-standing sign (Order Board sign).

3. 120 Seminary Avenue – Lasell Village

PROJECT DESCRIPTION: The property located at 120 Seminary Avenue is within Single Residence 1 zoning district. The applicant is proposing to replace and install the following signs:

- Two free-standing signs, externally illuminated, with approximately 23 sq. ft. of sign area. One sign at intersection of Seminary Ave. and Grove Street and the other sign at intersection of Seminary Ave. and Myrtle Ave.

TECHNICAL REVIEW:

- Both the proposed free-standing signs appear to be not consistent with the dimensional controls specified in §5.2.7. Per the Zoning Ordinance, 2 free-standing signs are allowed per street frontage, which the applicant is not exceeding. The maximum size of the sign allowed is 20 sq. ft., which the applicant is exceeding.

STAFF RECOMMENDATION: Staff recommends the applicant reduce the size of both the free-standing signs to 20 sq. ft. to be compliant with the Zoning Ordinance.

4. 180 Needham Street – Banfield Pet Hospital

PROJECT DESCRIPTION: The property located at 180 Needham Street is within a Mixed Use 1 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 54-21 (attachment A). The applicant is proposing to install the following signs:

- One wall mounted principal sign, internally illuminated, with approximately 21 sq. ft. of sign area on the western building façade facing Needham Street
- One wall mounted secondary sign, internally illuminated, with approximately 29 sq. ft. each of sign area on the southern building façade facing the driveway.

- One wall mounted secondary sign, internally illuminated, with approximately 9 sq. ft. each of sign area on the northern building façade facing the neighboring building.

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 51 feet 8 inches, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding. The sign also appears to be consistent with the comprehensive sign package.
- The proposed secondary sign (29 sq. ft.) 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 51 feet 8 inches, the maximum size of sign allowed is 50 sq. ft., which the applicant is also not exceeding. The sign also appears to be consistent with the comprehensive sign package.
- The proposed secondary sign (9 sq. ft.) 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 51 feet 8 inches, the maximum size of sign allowed is 50 sq. ft., which the applicant is also not exceeding. The sign does not appear to be consistent with the comprehensive sign package.
- The banner window signs (included in the packet but not listed on the sign permit application) appear to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, window signs can cover up to 25% of window area, which the applicant is exceeding.

STAFF RECOMMENDATION: Staff recommends approval for both principal and secondary signs (29 sq. ft.) as submitted. Staff seeks recommendation from UDC regarding the other secondary sign (9 sq. ft.). The applicant will need to submit a request for a consistency determination for the secondary sign (9 sq. ft.) from the Commissioner of Inspectional Services. If the application is not considered consistent with the existing Special Permit approvals, the applicant will need to submit a Special Permit application to the City Council. Staff does not recommend approval of the window banner signs as submitted; staff recommends the applicant reduce the size of window banner sign to less than 25% of window area.

5. 2370 Commonwealth Avenue - Speedway

PROJECT DESCRIPTION: The property located at 2370 Commonwealth Avenue is within a Multi-Residence 2 zoning district. The applicant is proposing to replace and install the following signs:

- Reface of one wall free-standing principal sign, LED illuminated, with approximately 15.5 sq. ft. of sign area perpendicular to Commonwealth Avenue.
- Reface of price topper, customary signs on gasoline pumps, LED illuminated. The applicant has not submitted the size and the number of these signs.

TECHNICAL REVIEW:

- This property is subject to multiple special permits. Signage Board Orders include: #609-59, #699-65, #590-76, #157-92, and #226-02, and #232-07.
- Reface of free-standing sign appears to be not consistent with the Board Order #232-07. The applicant will need to apply for an amendment to allow the reface of the free-standing sign with digital sign.
- Reface of price topper signs appears to be not consistent with the Board Order. The applicant will need to apply for an amendment to allow digital signs. Staff has requested the applicant by email to submit the size of the price toppers and the number of signs. Staff is waiting to hear back from the applicant.

STAFF RECOMMENDATION: Staff seeks recommendation from the UDC to Land Use Committee of the City Council regarding the reface of free-standing sign. Staff will provide an update after hearing back from the applicant regarding price toppers (number and size of signs) on Gasoline pumps.

Fence Appeal

1. 49 Osborne Path Fence Appeal

PROJECT DESCRIPTION: The property located at 49 Osborne Path is within a Single Residence 2 district. The applicant is proposing to replace and add the following fence:

- a) **Front Lot Line** – The applicant is proposing to replace and add a solid white vinyl fence, set at 6 inches from the front property line with a new solid fence, 6 feet in height, 150 feet in length.

Note from staff about distance from the property line: It appears that the fence is more than 6 inches away from the property line. There was a fence permit issued in 2010 for the existing fence (4-ft solid with 2-ft lattice). Staff has requested the applicant to determine the correct distance of the fence from the property line.

TECHNICAL REVIEW:

The proposed fence set at 6 inches from the front property line appears 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)(i), "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 white vinyl fence set at 6 inches from the front property line for a length of 150 feet. The applicant's stated reasons for seeking this exception are "We would like to increase privacy and security along a walking path (abutting elementary school and playground) to screen residential pool. Replacing existing fence which is 6' – 4' solid with 2' lattice".

STAFF RECOMMENDATION: Staff will provide a recommendation at the meeting after hearing back from the applicant about the distance of the fence from the property line.

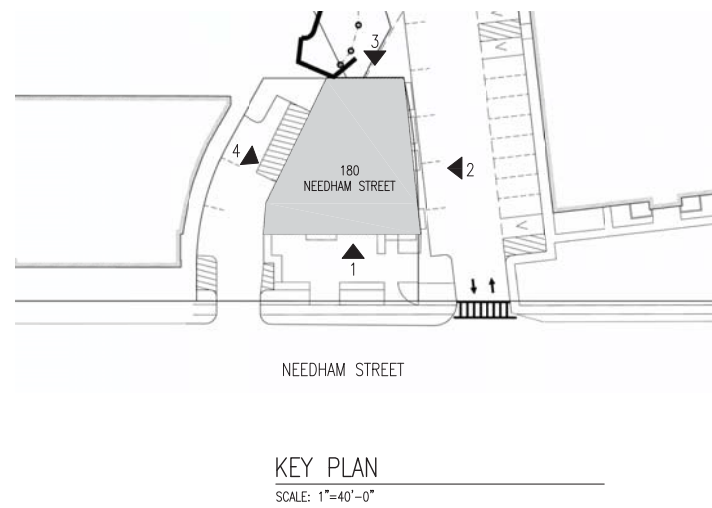
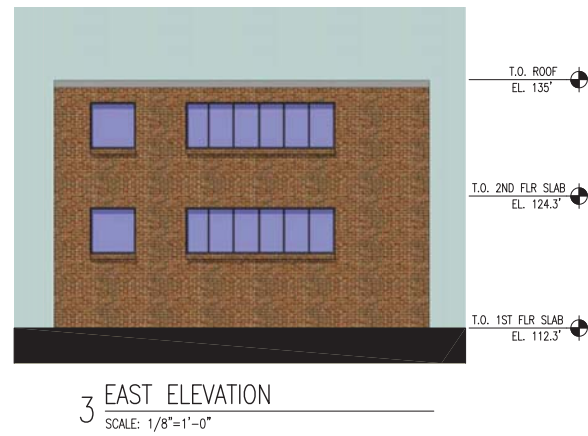
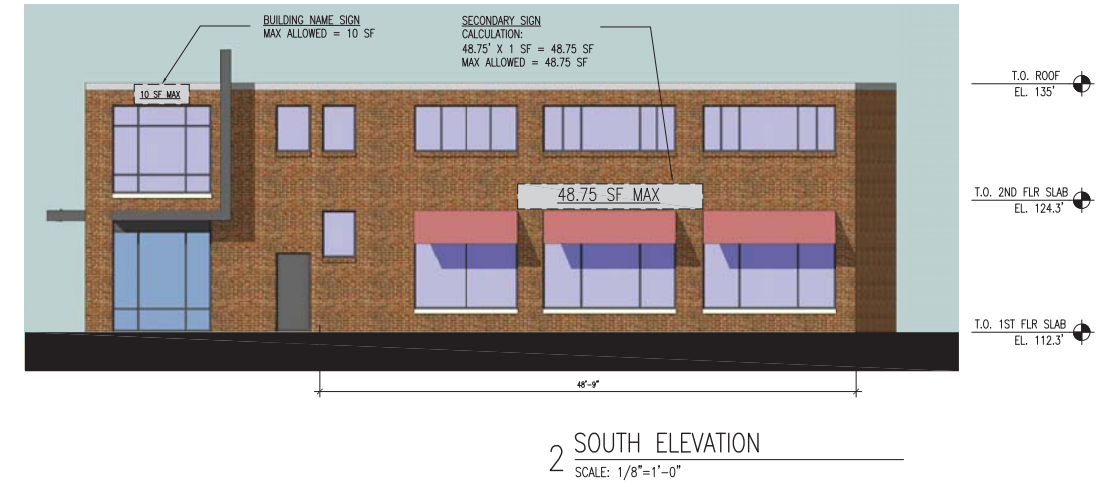
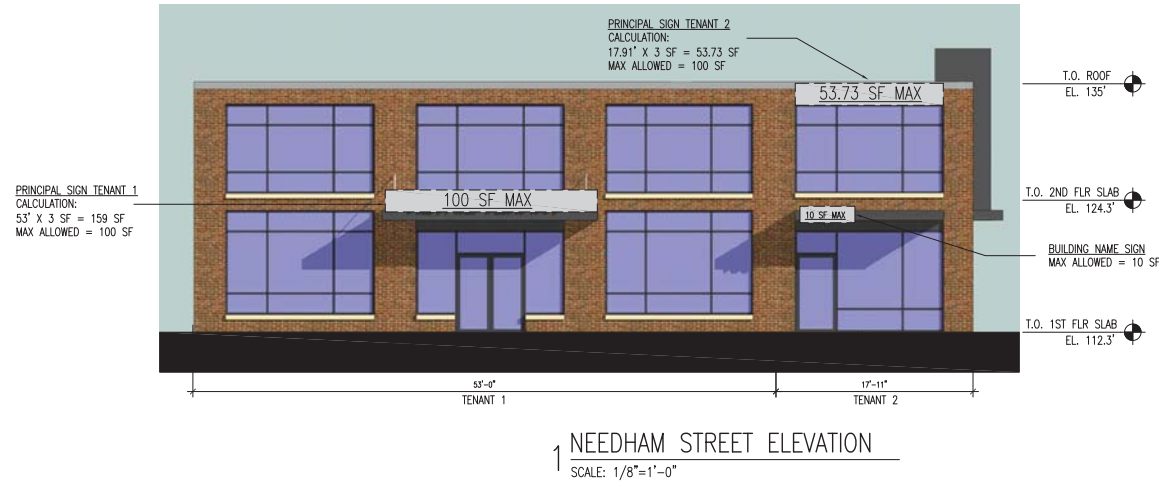
III. Old/New Business

1. Approval of Minutes

Staff has provided draft meeting minutes from the May 12th meeting that require ratification (Attachment B).

Attachments

- Attachment A: 180 Needham Street Sign Plan
- Attachment B: Minutes of the May 2021 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, **May 12th**, 2021 at 7:00 p.m. via Zoom

<https://us02web.zoom.us/j/85810847200>

Ruthanne Fuller,
Mayor

The Chair, Michael Kaufman, called the meeting to order at 7:03 P.M.

Barney Heath,
Director
Planning & Development

Shubee Sikka,
Urban Designer
Planning & Development

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

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I. Roll Call

Those present were Michael Kaufman (Chair), John Downie, Bill Winkler, Robert Linsky, Visda Saeyan, and Carol Todreas. Jim Doolin (Vice Chair) joined the meeting at 7:21 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

2. 55-65 Lincoln Street – No. 57 Lincoln Kitchen

Proposed Signs:

- One awning principal sign, non-illuminated, with approximately 31 sq. ft. of sign area on the southern façade facing Lincoln Street.

3. 1385-1389 Washington Street – Boston Body Pilates

Proposed Signs:

- One canopy principal sign, non-illuminated, with approximately 17.9 sq. ft. of sign area on the southern façade facing Washington Street.

4. 55-71 Needham Street – Mass General Brigham Urgent Care

Proposed Signs:

- One wall mounted secondary sign, internally illuminated, with approximately 34 sq. ft. of sign area on the eastern building façade facing Needham Street.
- One wall mounted secondary sign, internally illuminated, with approximately 37 sq. ft. of sign area on the southern building façade facing the side parking lot.



5. 200-220 Boylston Street - Athleta

Proposed Signs:

- Replacement of logo portion of the secondary wall mounted sign, internally illuminated (LED channel letters), with approximately 5.75 square feet of sign area on the north façade of Retail Building C

MOTION: Mr. Kaufman made a motion to approve the signs at 57 Lincoln Street – No. 57 Lincoln Kitchen, 1387 Washington Street – Boston Body Pilates, 71 Needham Street – Mass General Brigham Urgent Care, 200 Boylston Street – Athleta. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 6-0 vote, Michael Kaufman, John Downie, Robert Linsky, Carol Todreas, Visda Saeyan, 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.

1. 989-1003 Watertown Street – Starting Strength

- Applicant: Anna Haluch
- Proposed Signs:
 - One wall mounted principal sign, internally illuminated, with approximately 42 sq. ft. of sign area on the southern façade facing the parking lot.
 - One wall mounted secondary sign, non-illuminated, with approximately 18 sq. ft. of sign area on the western façade facing the parking lot.
- Presentation and Discussion:
 - UDC requested the applicant to black out the sign from behind so it doesn't shine at night. The applicant agreed.

MOTION: Mr. Downie made a motion to approve the signs at 989-1003 Watertown Street – Starting Strength. Mr. Kaufman seconded the motion, and none opposed. All the members present voted, with a 6-0 vote, Michael Kaufman, Carol Todreas, Visda Saeyan, John Downie, Robert Linsky, and William Winkler in favor. The Urban Design Commission (UDC) recommends approval of the principal sign on the condition that the white portion of the sign is blacked out from behind, so it doesn't shine at night.

6. 2014 Washington Street – Mass General Brigham Newton-Wellesley Hospital

Applicant/Representative:

John Looney, Mass General Brigham
Justin Ferbert
Frank Stearns, Holland & Knight
David Krongel, DCL

Proposed Signs:

- One wall mounted principal sign, internally illuminated, with approximately 95 sq. ft. of sign area on the western façade facing Washington Street.

Presentation and Discussion:

- The applicant provided a summary of the project.

- The UDC asked why this sign is necessary so high up on the garage, it seems redundant. There are two clear existing signs that show the entrance. This sign is almost a billboard, it will probably help to have another free-standing sign.
- The UDC asked how does this sign help to get a new person/patient to the hospital? The applicant responded that the reason for this sign is that it is an important rebranding sign.
- The UDC also commented that it is over signed. It will be helpful to see all the signs as a holistic approach.
- This sign doesn't help with wayfinding, this is a branding sign.
- Hospitals are challenging because they develop overtime and NWH is not unique.
- The sign can be lowered to be in line with the roof line of the garage.
- There were questions about what is visible from the street? Will it be valuable to be on the brick than on the metal (high).
- It will be helpful to move the proposed sign to the location of the banner sign. Sign should be lower on the brick façade.

MOTION: Mr. Doolin made a motion to approve the signs with a condition at 2014 Washington Street – Mass General Brigham Newton-Wellesley Hospital. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 6-0 vote, Michael Kaufman, James Doolin, Carol Todreas, Visda Saeyan, John Downie, Robert Linsky, and William Winkler in favor.

The Urban Design Commission (UDC) recommends approval of the principal sign on the **condition** that the sign be located no taller than the concrete of the parking bay, preferably within the brick area.

At 7:51 pm, Mr.Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.

Fence Appeal

1. 848 Watertown Street – Fence Appeal

- Applicant/Representative:
Maureen McMullan
Jason Schoder
- Fence Appeal:
The property located at 848 Watertown Street is within a Multi-Residence 1 district. The applicant is proposing to replace and add the following fence:
 - a) Side Lot Line – The applicant is proposing to replace and add 8 feet high fence, set at the side property line with a solid fence, 14 feet in length.

The proposed fence along the side property line appears to be not consistent with the fence criteria outlined in §5-30(d)(1) of the Newton Code of Ordinances.

- Presentation and Discussion:

At the meeting, the UDC reviewed materials submitted by the petitioner and heard petitioner's argument. The applicant commented that they have an attached single-family home. There is no HOA, all three single-family units are attached in a single building. The applicant mentioned that there is currently a fence around the perimeter of the property in

the backyard at 6 feet height. There is a fence that is between the applicant's and neighbor's property that encapsulates the backyard. There is a fence, next to the kitchen windows, next to this fence, there is an air-conditioning condenser built on a platform in the neighbor's yard, an inch away from the fence line and above the fence line. Anytime it kicks off in summer, there is a significant loud noise in the backyard. The applicant is proposing to replace two sections of the fence to increase the height from 6 feet to 8 feet, with same material and color to get a net effect of two additional feet to block the noise from coming in. In addition to this, the applicant mentioned that there are neighbors that smoke and the applicant mentioned that they recognize that a fence is not going to block all the smoke, but it will probably help to make the smoke go a little higher. The applicant also mentioned that the smoke also comes inside the home and the windows need to be closed if a neighbor is smoking. The applicant summarized that the reason to apply for a fence appeal is the noise from the air conditioning unit and the smoke coming from the neighbor's yard.

Mr. Winkler commented that he agrees that adding another 2 feet to the two sections of the fence will help to block the view, it will probably not make much difference with sound but visually and psychological, it will help to increase the height. Mr. Kaufman commented that it may make a difference in reducing the sound as well.

Mr. Kaufman asked the applicant about the lot line, if the fence was built at the lot line and if all the homes were townhomes. The applicant responded that they are not townhomes, they are classified as attached single-family homes. Mr. Kaufman also confirmed that it is zero lot line, there is a common wall between the applicant and the neighbor. The applicant mentioned that they just had a survey done and it appears that the lot line is 6 inches beyond the fence. Mr. Kaufman also confirmed that these are not condominiums, there are no common areas. The fence is on the lot line.

Ms. Caudill (neighbor) also spoke at the meeting. See her comments below in Public Comment section.

Mr. Kaufman asked Ms. Caudill if the air conditioning equipment will not be in the place permanently as shown. Ms. Caudill responded that it is only temporary, and it is her intention to move it and not keep it at that location permanently. The plan to move it has been delayed due to COVID.

Mr. Kaufman asked the applicant if he is applying for a fence in the front and the applicant responded that he's not applying for any other fence at this time. Mr. Schoder mentioned that they have explored the option to propose a fence in the front and has consulted with ISD and ISD has confirmed that the applicant is allowed to have a 6-foot tall fence on the side lot line as long as they are compliant with the restriction that when you approach the sidewalk, the fence height should reduce down to 4-foot height. The applicant confirmed that they have not applied for a fence permit for the front.

Mr. Kaufman commented that maybe 1 portion of the fence be allowed to be 8-foot tall. The equipment is temporary in that location and at that height. Mr. Schoder asked what is temporary, they have been in this house since November 2019 and the air conditioning unit

has been in that location and at that height since then. Ms. Caudill responded that the unit has been there since spring 2020 because it couldn't have been moved in the winter.

Mr. Linsky commented that if the neighbor is okay with it, then he is okay with it and the Commission should approve it.

Mr. Downie asked Ms. Caudill when will that piece of air conditioning equipment get moved? Ms. Caudill responded that they need to purchase and then replace it. Mr. Kaufman asked about the timeline, will it be a month or 6 months? Ms. Caudill responded it will probably be done within 6 months but because of COVID, they are not sure. They will probably use the unit this year and then change it, don't know the exact date.

Ms. Saeyan asked Ms. Caudill that once the unit is moved, how far will it be from the fence? Ms. Caudill responded that it will probably be about a foot from the fence, but it will move lower. Ms. Caudill mentioned that her house is the middle unit, so her lot is as wide as the house itself and half of two brick firewalls. Ms. Saeyan also asked if the yard is mostly leveled? Ms. Caudill responded that her yard is not, may be at the end adjacent to the other neighbor's property. She mentioned it's sloping, it's hard to explain, it was never leveled. Ms. Saeyan mentioned that moving it a foot will not help to reduce the sound level and having an eight-foot tall fence will probably not help much, having plants in the front will be a better buffer for sound.

Mr. Kaufman commented that he's sympathetic to the issues related to sound and since there's no definite date as to when the equipment will move, he suggested that the Commission approve the appeal to allow one of the sections (near the house) at 8-foot height.

Ms. McMullan, fellow homeowner, commented that there is a lot of noise from the air conditioning unit and there is also a lot of smoke. She commented that we have been here for a year and a half and have been troubled, bothered, had anxiety over the amount of smoke coming into the home from the neighbor's son smoking. She commented that she understands that smoking Pot in Massachusetts is legal, and she is not here to talk about that. She mentioned that they have spoken kindly and respectfully to the neighbors asking they smoke at the back of the garden and try to help them. The plea is not to increase privacy but instead to reduce the noise from the air conditioning unit and to try to mitigate some of the smoke that is coming and is accelerated by the unit. She mentioned about two months ago, the clothes in the dryer (located in the basement) smelled like Pot because smoking happens around the vent of the dryer. She mentioned that they talked to the neighbors after this incident and the neighbor's son has moved to the back of the garden and it has helped but she said that they still can't open their windows, kitchen windows and she would like to request that fence appeal be granted for both sections of the fence. She commented that please help us to do what we can to make us feel more comfortable, safer in our dream home here, this has really troubled us. She also commented that they are not able to use the patio space due to the secondhand pot smoke.

Mr. Doolin commented there is a unique zero lot line, not part of a condominium association with rules and regulations. This is a very unusual situation in the City of Newton.

Mr. Winkler commented that since both neighbors are amendable to two panels that the Commission grants the appeal. Mr. Linsky and Ms. Todreas also agreed.

Public Comment:

The UDC heard from the following member of the public:

Helen Caudill, 846 Watertown Street, Abutter

Ms. Caudill commented that the air conditioning unit is on a platform, but it is a temporary spot because of a water leak. The air conditioning unit had to be lifted, so it wasn't sitting in the water. Ms. Caudill mentioned that she has no problem if Mr. Schoder wants to put an eight-foot fence in that section however on her side of the fence, the fence height is already 8 feet tall. When the fence was built, the people who owned the house before Mr. Schoder, had leveled up some dirt to put a patio. Ms. Caudill mentioned that she understands that Mr. Schoder would like to have an eight-foot fence due to the noise from the air conditioning unit or privacy, but she doesn't understand the reason about smoking. She mentioned that she has a neighbor behind her yard who smoke, neighbors to the right and there is a fire pit so there is smoke everywhere. This is an old fashioned rowhouse, there is no condo fees or homeowner's association. Ms. Caudill mentioned that when she saw the denied fence permit application on city website, it also showed the applicant would like to add a 6-foot tall fence in the front on side lot lines. Ms. Caudill mentioned that she is not supportive of the 6-foot tall fence in the front yard. There is a gas line and water line in the front so Digsafe should come out and check for any underground utility lines. Ms. Caudill mentioned that she has raised three children in this house, and she understands what it feels to be a parent of a small child. Currently, out of the seven people that have lived in this house, only 1 person smokes who has a major disability and he has extreme anxiety disorder, he is seeing a doctor for it. She also mentioned that a lot of other neighbor's smoke around them.

Councilor Julia Malakie, 50 Marty Road, Ward Councilor for Ward 3

Councilor Malakie commented in this situation only the two neighbors are affected since the fence is in their backyard. It is a very rare situation to have zero lot line, it will not be setting a pattern or precedent for the neighborhood in general. This is the situation where the middle unit does not have a lot of flexibility where to put the air conditioning unit and given that both parties are okay with 8 feet so that's what should be done.

Mr. Kaufman commented that this is a relatively rare situation in Newton to have zero lot line homes and considering the fact that there is equipment that is very close to the fence, Mr. Michael Kaufman moved the motion to grant the appeal for the 8 ft solid fence along the side lot line. Mr. Robert Linsky 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 8:24 the Commission adjourned the Fence Appeal Board portion of the meeting and reconvened as the Urban Design Commission.

Design Review

1. 333 Nahanton Street and 677 Winchester Street – 2 Life Opus Design Review

- **Applicant:**
Lizbeth Heyer, 2 Life
Ellie Selinger, 2 Life
- **Representatives:**
Alan Schlesinger, Schlesinger and Buchbinder, LLP
Emily Pierson, Brown
Dylan Stevens
Perkin Eastman, Stantec
Scott Fitzgerald
- **Documents Presented:** Existing site/context, locus plan, site plan, perspective images, architectural material palette, architectural plans, elevations, site plan/zoning table, landscape plan, landscape palette, and aerial flyover.
- **Project Summary:** The applicant is proposing a community “Opus” which will be on the campus of the Leventhal Sidman Jewish Community Center (the JCC) and adjacent to 2Life’s subsidized Coleman House community. The applicant is proposing to integrate the proposed community into the existing campus, which will include 174 apartments for older adults, garage and surface parking, walking paths and green spaces. Opus will be joined to Coleman House via a connector building with a new main entrance and vibrant center of community life. The connector will include spaces for dining, classes, fitness, arts, and community events. The connector will also have offices for resident services staff and our care coordination team.

In order to develop Opus, 2Life will require a special permit from the City Council to allow the construction of a congregate living facility, as well as to allow relief from certain dimensional requirements for the parking facility. The approximately 6-acre development parcel will be acquired in part from Coleman House and in part from the JCC. The JCC was constructed by special permit in the 1980s, and its permit has been amended several times since then. An amendment of the JCC’s special permit will be required to allow for the subdivision of the property to create the 2Life lot. Similarly, Coleman House was constructed in the 1980s pursuant to a Comprehensive Permit, which will need to be amended to permit the conveyance of land to 2Life.

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

The UDC commented that this is a wonderful and a terrific project. This project will be a big asset to Newton. It’s a phenomenal program of affordable housing for seniors. The UDC is looking forward to work with the applicant as the design progresses.

Site Plan, Circulation and Connectivity

- The UDC requested for an East-West site section down towards Winchester Street. The UDC commented that a big impact of this building will be how it fits on Winchester Street and how it affects the look from the Newton Community Farm. The UDC also asked to provide the impact of the road construction on the slope and how many trees will need to be removed to

build the road and how they will be planted back and to also provide the planting program. The UDC also asked if a lot of slope will need to be removed to build at this site. The applicant responded that it's a hill site, the way the gravel lot and the building elevations play out, most of the road will be relatively on grade so they are able to respect an 80 feet setback and preserve all the existing trees. A lot of the trees around the gravel lot that will need to be removed are not of very high value, like invasive Norway Maple, etc. In summary, there are quite a few trees that will be removed but the applicant commented that they are putting back higher value trees that will be maintained and will grow over time with a better tree canopy.

- The UDC recommended to create a vision for the outdoor front entrance area and not just keep it as a drop-off area. This could be a space where residents and visitors could gather. The UDC recommended to soften this space with landscaping, provide benches, and create a people oriented, more friendly space for visitors and residents.

Building Massing, Height and Architecture

- The UDC recommended the applicant study variation in height, especially from Winchester Street. It appears there is plenty of space from Nahanton Street, but it is relatively close to Winchester Street. It will be helpful to understand what it looks like if a person is standing at the Newton Community Farm. The UDC recommended that it may help to have a taller element towards the middle of the site and shorter building towards the edges. It will help to have variation in height which will help the building, it's a big building on this site.
- The UDC was concerned about the stone base of the building. It appears to be much taller than human scale and it feels very heavy. The massing of this building is much larger than Coleman House and it does require something to break the mass and the different colors proposed help to break the massing. The UDC also commented that the expression of the parking level with a lot of heavy stone feels like a fortress. It may help to bring down the scale of the building by extending some of the color panels to the bottom.
- The UDC commented that the building is handsome although this building doesn't play very well with Coleman House which is very monolithic. There is a change in scale from Coleman to this building. The window patterns in the building are good, they are broken up a little bit instead of stacked, that seems to help to make the building feel friendlier.
- The UDC was concerned about some of the interior spaces. It's a very long U-shaped building with a lot of corridor and there is no natural light coming into the corridors. Natural light will help to add more life into these long corridors. The UDC is also concerned about just having 1 elevator lobby, it is not enough for senior housing or any other kind of housing, it will be difficult for the occupant, particularly with the natural light issue. The applicant responded that they did have more elevator lobbies at one point but with 2 levels of parking at the base of the building, the applicant wanted to minimize how the cars could navigate that space, so it was clear and not problematic with multiple cores. The reason to have 1 elevator lobby was to centralize the entry in terms of vertical circulation. The applicant responded they will investigate ways to bring in more natural light. The UDC was also concerned that the corridors are too long for an elderly person to walk, so it will help to provide another elevator lobby.

Landscape, Streetscape and Public Open Space

- The UDC commented that rendering shown of the connector building entrance was very stark and recommends softening that area as part of the landscape, stormwater, etc. around the edges. UDC recognizes that it needs to be an easy drop-off area but can be softened. Maybe softening the landscape will work better with the stone.
- The UDC commented that the landscape approach is great, a nice selection of shrubs and trees, of pollinators and native species.

2 Life Opus Model:

- There was discussion about Opus and how this model will work. The UDC asked if these will be condominiums or rentals. The applicant responded that they are rentals but with a unique twist on an entry fee model which is called a “community share”. It will be structured in a combination of very affordable monthly rent together with a modest upfront contribution that helps to drive down the monthly cost, but it comes with a financial safety net.
- The UDC asked about the relationship of residents between Coleman House and Opus. Where is the interaction and what is the intent of how the two population will interact? The applicant responded that residents from both Coleman House and Opus will interact in the connector building. The connector building is about 25,000 square feet and there is also existing 11,000 square feet of common space in Coleman House. All the programs and services will be distributed throughout these two common spaces. There will be a range of offerings that will be of interest to everyone and available to everyone living in both Coleman House and Opus.
- The UDC asked about the size of the units and distribution of units. The applicant responded that size of the units ranges from 650 square feet (1-bedroom, 1 bath) to 1350 square feet (2-bedroom, 2 baths, and a den). 40% of the units will be 1-bedroom units and 60% will be 2-bedroom units.
- The UDC asked about the relationship between JCC and Opus. The applicant responded that they are still working on what the nature of that collaboration will be, but both have been wonderful neighbors for 40 years on the campus. Currently, some of the Coleman residents take advantage of discounted membership fee.

Public Comments:

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

Schuyler Larrabee

Mr. Larrabee commented that the length of the corridor is a big issue. It will not be an issue when you are ambulatory but when you get old, people might use a cane or a wheelchair or crutches or something similar, then the corridor starts to look very long because it will be a lot of work to walk these corridors. It is also important to see outdoors when you are in these corridors, people of middle age (young older adults) can become disoriented in big buildings with long corridors and no windows. There is an opportunity at the ends of these corridors to create some sunlight and some gathering spaces. A little lounge will help to create a community, and the neighbors can be indoors but not necessarily in their units. Regarding the exterior and stone base, it appears that the applicant is using very small pieces of stone laid up flat just a couple of inches thick. Small stone is very visibly just a veneer which is unfortunate. Foundation of big buildings generally tend to be supported on big pieces of stone which can be fake that are about 4-6 inches thick and laid up against concrete.

Additional materials requested:

- Full Site Section from JCC or Coleman House down across the street to the Farm to see the slope difference

III. Old/New Business

1. Approval of meeting minutes

The Commission reviewed the minutes of April 14th meeting.

MOTION: Mr. Kaufman made a motion recommending approval of the regular meeting minutes for April as submitted. The motion was seconded by Mr. Downie. All the members present voted, with a 6-0 vote (Michael Kaufman, Jim Doolin, Bill Winkler, Carol Todreas, Robert Linsky, and John Downie) in favor, 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 9:42 p.m.

Respectfully submitted by Shubee Sikka

Approved on