



Ruthanne Fuller
Mayor

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

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

Barney Heath
Director

STAFF MEMORANDUM

Meeting Date: **Wednesday, March 15, 2023**
DATE: March 10, 2023
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. 300 Needham Street – V/O Medspa

PROJECT DESCRIPTION: The property located at 300 Needham Street is within a Mixed Use 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, externally illuminated, with approximately 48 sq. ft. of sign area on the western building façade facing Needham 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 18 feet, the maximum size of the sign allowed is 54 sq. ft., which the applicant is also not exceeding.

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

2. 714 Beacon Street – Beth Israel Lahey Health Primary Care

PROJECT DESCRIPTION: The property located at 714 Beacon Street is within Business 2 zoning district and is the subject of a special permit under Board Order #1-15. The applicant is proposing to install the following signs:

1. One wall mounted secondary sign, internally illuminated, with approximately 93 sq. ft. of sign area on the northern façade facing Beacon Street.

TECHNICAL REVIEW:

- The special permit includes the following condition regarding signage, *“Signage shall conform to City standards. The Urban Design Commission and the Director of Planning and Development will review and approve all by-right signs.”*
- This business has the following existing signs:
 1. One wall mounted principal sign, internally illuminated, with approximately 93 sq. ft. of sign area on the eastern façade facing the parking lot.
 2. One perpendicular secondary sign, non-illuminated, with approximately 7 sq. ft. of sign area on the northern façade perpendicular to Beacon Street.
- The proposed wall mounted 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 not exceeding, and on this façade of 104 feet, the maximum size of the sign allowed is 50 sq. ft., which the applicant is exceeding. Also, per the Zoning Ordinance, there is one secondary sign allowed per building entrance or frontage on a street, which the applicant is exceeding. The applicant will need to apply for an amendment to the special permit to allow the proposed secondary sign.

STAFF RECOMMENDATION: Staff seeks recommendation from the Commission to the Land Use Committee of the City Council regarding the proposed secondary sign.

Comprehensive Sign Package

1. 1-55 Boylston Street – The Street (continued from February meeting)

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 #218-22.

The Street Comprehensive Sign Package was first developed and approved through special permit in February of 2013. The package was amended in April of 2020 and then in 2022 with a refreshed set of free-standing signs and re-organized set of wall sign elevations. The applicant is coming back for another amendment to add tenant, directory, capital, and wayfinding signage for 27 Boylston Street. The current proposal reflects the additional directory, tenant, wayfinding signs and extension of sign bands for 27 Boylston Street. At the recommendation of the planning department, the updated elevations and sign bands were developed for 27 Boylston Street.

The applicant is proposing to amend the special permit for the following signs:

1. Three new wall directory signs on the eastern façade of 27 Boylston Street (W5).
2. Three new column capital signs on the eastern façade of 27 Boylston Street (W6).
3. Three new directory signs on the southern façade of 27 Boylston Street (W5).
4. One free-standing vehicular directional sign, with 3 sq. ft. of sign area, in a landscaped island north of 27 Boylston Street (M3).
5. The applicant has also extended sign bands and tenant sign locations for 27 Boylston Street south and west elevation.

As per the Waivers in the previously approved Comprehensive Sign Package, Wall Directory Signs and Blade Panel and Column Signs are described as:

“Wall Directory Signs

Wall directory signs may include multiple tenant names of tenants within any building on the property. The selection of tenant names may change at the discretion of the owner. Each tenant sign may be up to 100 square feet.

Blade Panel and Column Capital Signs

Subject to conformity to the maximum area requirements established by special permit waiver, blade panel and column capital 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.”

TECHNICAL REVIEW:

- **Update:** UDC reviewed this application at the February meeting and requested the applicant to show the inspiration sign images on the renderings. The applicant has submitted revised renderings, shown on page 9 and 12 of the revised submission. The applicant has also submitted a revised sign band for 27 Boylston Street, shown on page 7 of the revised submission.
- The wall directory signs, and column capital signs do not appear to be consistent with the dimensional controls specified in §5.2.8. The applicant will need to apply for an amendment to the City Council for these signs.
- The applicant will also need to apply for an amendment for extensions of the sign bands and tenant sign locations.
- The directional sign appears to be consistent with the dimensional controls specified in §5.2.8.

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

Fence Appeal

1. 33 Staniford Street Fence Appeal (continued from February meeting)

PROJECT DESCRIPTION: The property located at 33 Staniford Street is within a Single Residence 3 district. The applicant is proposing the following fence:

- a) Side Lot Line – The applicant has revised the proposed fence since February submission and is now proposing to add a fence, set at varying distance, 10 inches to 35 inches, from the side property line with a new solid fence, 6 feet 8 $\frac{3}{4}$ inches and 7 feet 9 $\frac{1}{2}$ inches tall posts, approximately 17 feet in length.

TECHNICAL REVIEW:

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

According to §5-30(d)(2), "Fences bordering side lot lines: No fence or portion of a fence bordering or parallel to a side lot line shall exceed six (6) feet in height except as provided in subsection (6) below, and further, that any portion of a fence bordering a side lot line which is within two (2) feet of a front lot line shall be graded to match the height of any fence bordering the 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 8 ¾ inches and 7 feet 9 ½ inches tall posts, approximately 17 feet in length a few inches from the side property line, where the ordinance would permit such a fence to be 6 feet tall with 8 feet tall posts.

The applicant’s stated reasons for seeking this exception are *“The fence meets all applicable design criteria other than the top horizontal slat which was inadvertently manufactured exceeding the height requirements by 8.75”. There is an existing hedge behind the fence which is taller than the fence. This additional 8.75" height of fence for a minimal 17' length along the property line will not be visually intrusive or offensive to the abutting property or neighborhood in general.”*

Update: The UDC reviewed this application at the February meeting and requested the applicant to provide a letter from the neighbor for the March meeting. Staff has not yet received the letter. Staff encourages the applicant to send the letter before the March 15 meeting.

STAFF RECOMMENDATION: Based on the information submitted in the fence appeal application and staff’s technical review, staff seeks recommendation from the Commission.

III. Old/New Business

1. Approval of Minutes

Staff has provided draft meeting minutes from the January meeting that require ratification (Attachment A). Staff will email February meeting minutes before the meeting.

Attachments

- Attachment A – UDC January 2023 Meeting Minutes Draft

The Street (1-55 Boylston Street):
Comprehensive Signage
Special Permit Amendment

2/28/23

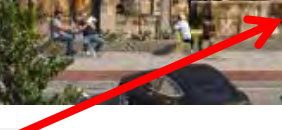


- Adjustment to 27 Boylston first floor demising plan creating internal facing storefronts
- Goal: To amend special permit to offer more outward visibility to new internal facing storefronts in first floor.

Route 9 Facade
Rendering



Paseo Entrance



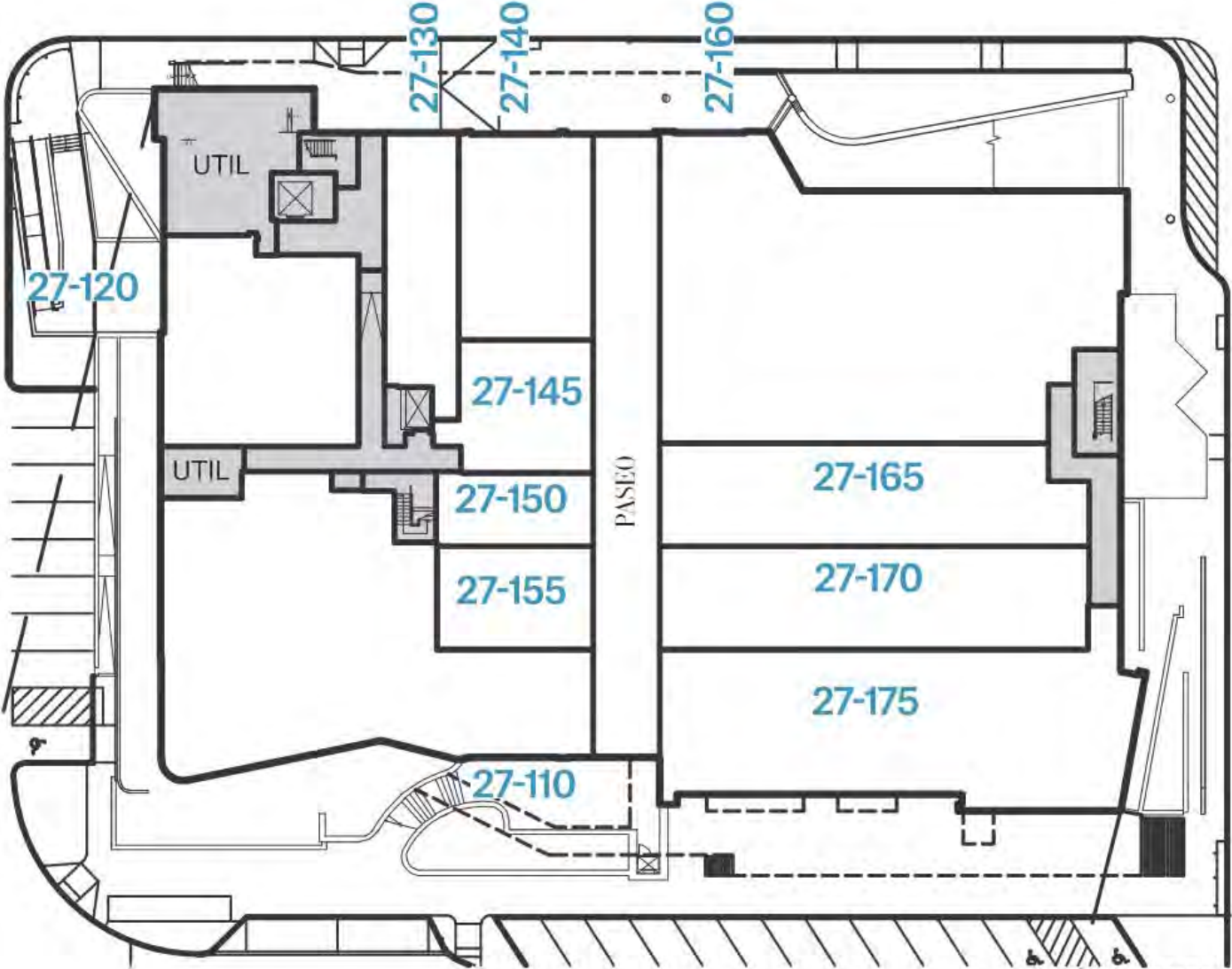
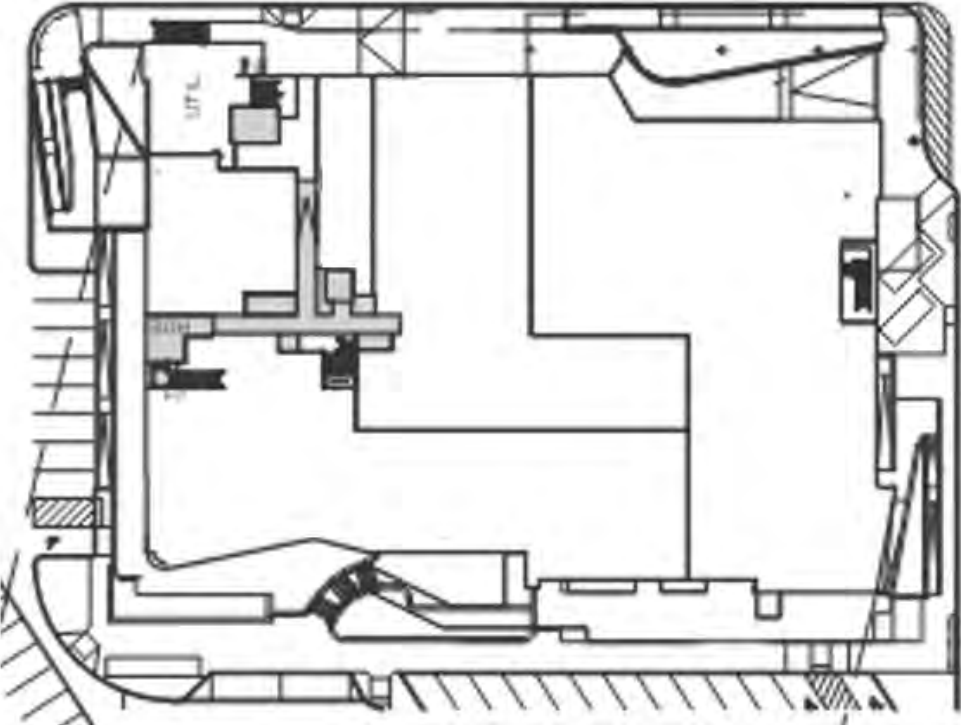
North Façade Rendering

CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE



Paseo Entrance

27 Boylston 1st Floor Layout



PASEO LEVEL

Existing Special Permit Sign Waivers



Waivers:

1. Theatre Signs

There may be two principal wall signs, one located on each of two building walls, each sign of up to 150 square feet.

There may be two secondary wall signs, expressive of the theatre's integral food service, to be located on the same building walls as the theatre's principal wall signs, of up to 75 square feet for each sign.

The theatre marquee sign may also include or feature the brand name of the theatre.

2. Additional Principal Wall Sign for a Business Establishment Not Facing Boylston Street

For each business establishment of at least 2,000 square feet in size, and for which its store frontage is not substantially facing Boylston Street, there may be a third principal wall sign of up to 100 square feet, in the form of a perpendicular blade wall sign, located on the side of the building facing Boylston Street.

3. Secondary Signs

For each business establishment which also serves food, there may be additional secondary signs of up to 100 square feet.

4. Canopy Signs

For each business establishment whose storefront building wall includes any architectural canopy, its principal wall sign may be affixed to the canopy at any position on, above or below the canopy, of up to 100 square feet.

There may be an additional secondary blade sign affixed to the underside of the canopy, as long as it is affixed perpendicular to the building wall, of up to 50 square feet.

5. Wall Directory Signs

Wall directory signs may include multiple tenant names of tenants within any building on the property. The selection of tenant names may change at the discretion of the owner. Each tenant sign may be up to 100 square feet.

6. Blade Panel and Column Capital Signs

Subject to conformity to the maximum area requirements established by special permit waiver, blade panel and column capital 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.

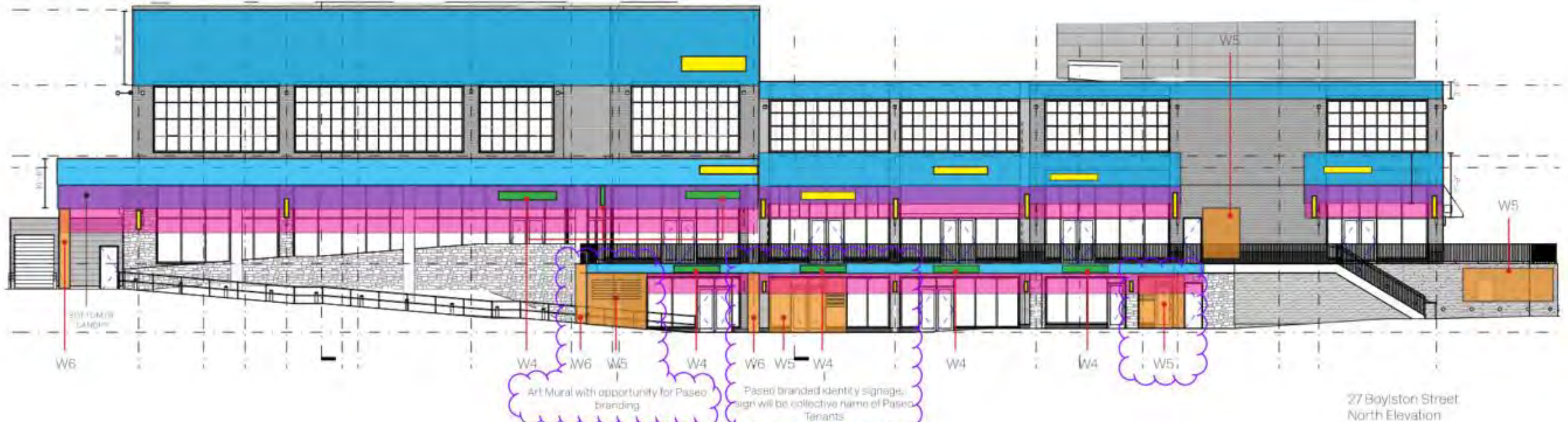
7. Wall Panels

Subject to conformity to the maximum area requirements established by special permit waiver, wall panel 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.

8. Upper Story Signs

For retail, restaurant or health club tenants of minimum 5,000 square feet occupancy, and located on or above the second floor of a building, such tenant may have two additional secondary signs of up to 100 square feet in aggregate. Such signs may be located on the same wall as any principal wall sign.

Signage Elevations 27 Boylston North



- Legend
- All Sign Band
 - Blade Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
 - Green: W1 - Theatre Sign
W2 - Additional Principal Wall Sign - Pondsides Tenant
W3 - Secondary Sign
W4 - Canopy Sign
W8 - Upper Story Sign
 - Wall areas for locating common signs
 - Brown: W5 - Wall Directory Sign
W6 - Blade Panel & Column Capital Signs
W7 - Wall Panels



Signage Elevations

27 Boylston North-Zoom In For Scale

CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE



Signage Elevations

27 Boylston North-Inspiration Images Shown on Rendering

CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE



At the request of the UDC, the applicant has taken our inspiration images and placed them in locations within the proposed sign bands for each new directory sign. We have not officially begun the design process and these signs do not represent the final signage that will be located within these sign bands. Sizes/colors/fonts/text will likely change subject to the allowed waiver. This exercise was done purely for the purposes of understanding total signage on both the North and South elevation.

Signage Elevations 27 Boylston East



- Legend
- All Sign Band
 - Blade Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
 - Green: W1 - Theatre Sign
W2 - Additional Principal Wall Sign - Pondsides Tenant
W3 - Secondary Sign
W4 - Canopy Sign
W6 - Upper Story Sign
 - Wall areas for locating common signs
 - Brown: W5 - Wall Directory Sign
W6 - Blade Panel & Column Capital Signs
W7 - Wall Panels

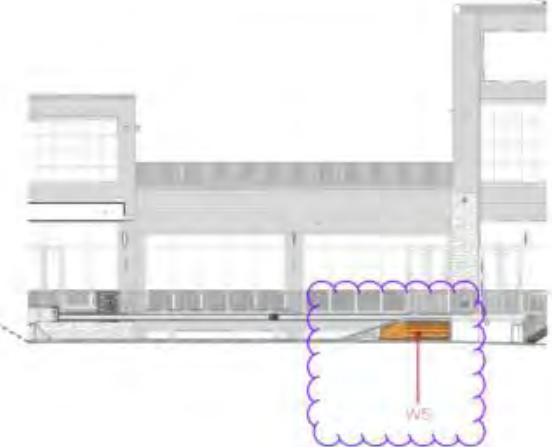


Signage Elevations 27 Boylston South

CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE



27 Boylston Street
South Elevation



- Legend
- All Sign Band
 - Blade Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
 - Green: W1 - Theatre Sign
W2 - Additional Principal Wall Sign - Pongside Tenant
W3 - Secondary Sign
W4 - Canopy Sign
W8 - Upper Story Sign
 - Wall areas for locating common signs:
Brown: W5 - Wall Directory Sign
W6 - Blade Panel & Column Capital Signs
W7 - Wall Panels

Signage Elevations 27 Boylston South-Inspiration Images Shown on Rendering

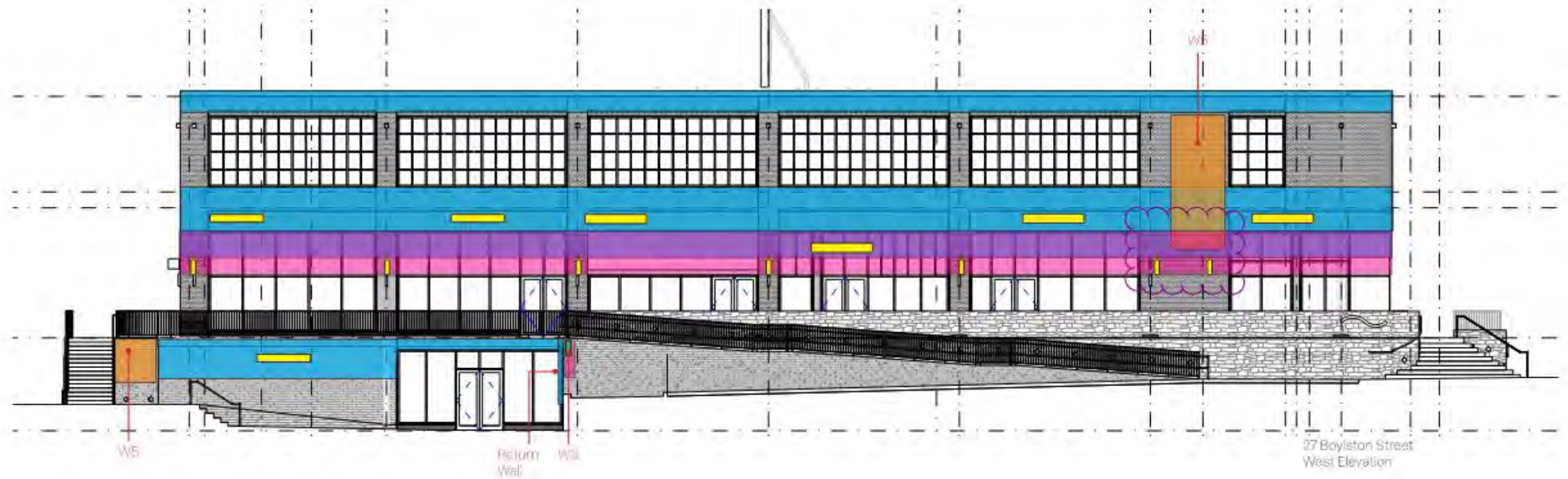
CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE



At the request of the UDC, the applicant has taken our inspiration images and placed them in locations within the proposed sign bands for each new directory sign. We have not officially begun the design process and these signs do not represent the final signage that will be located within these sign bands. Sizes/colors/fonts/text will likely change, subject to the allowed waiver. This exercise was done purely for the purposes of understanding total signage on both the North and South elevation.

Signage Elevations 27 Boylston West

CHESTNUT HILL, MA
COMPREHENSIVE SIGNAGE PACKAGE

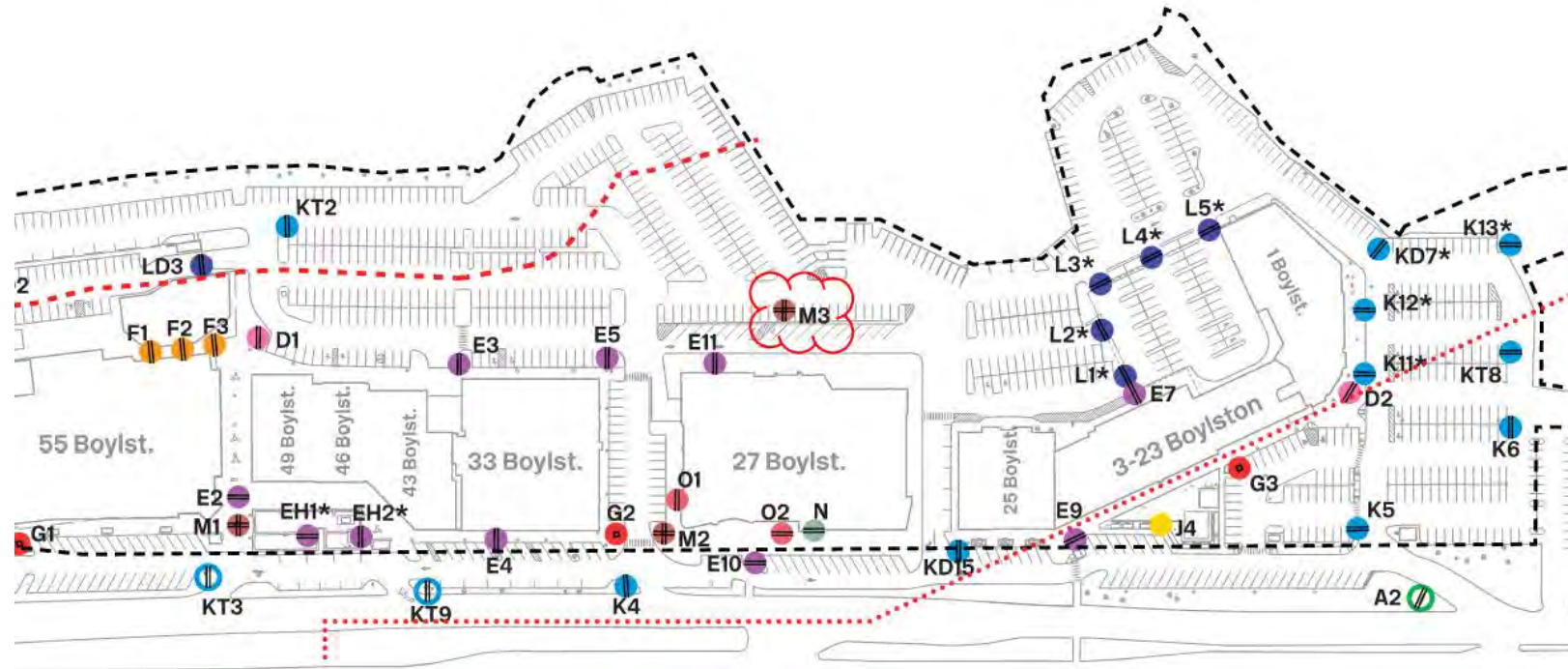
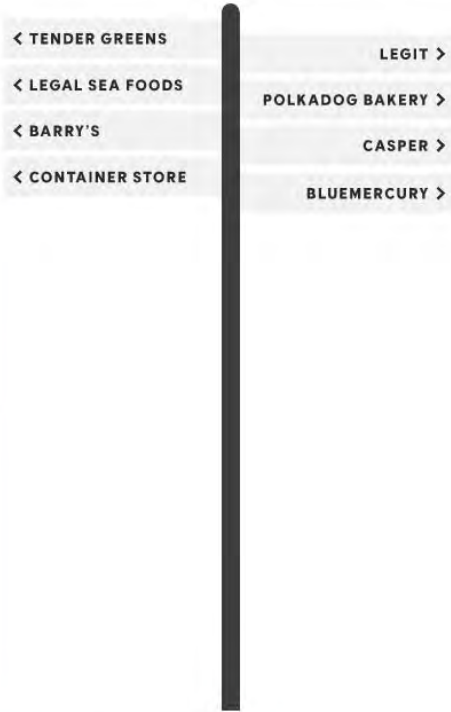
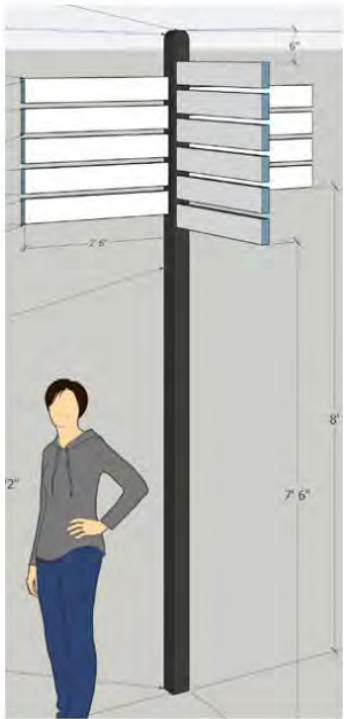


- Legend
- All Sign Band
 - Blade-Sign Band
 - Tenant Sign: Conforming (Example/Provisional Location)
 - Tenant Sign by waiver (Provisional location)
 - Green: W1 - Theatre Sign
W2 - Additional Principal Wall Sign - Pondsides Tenant
W3 - Secondary Sign
W4 - Canopy Sign
W8 - Upper Story Sign
 - Wall areas for locating common signs
 - Brown: W5 - Wall Directory Sign
W6 - Blade Panel & Column Capital Signs
W7 - Wall Panels



Signage Elevations

Wayfinding Sign



Type M ● Pedestrian Directional Arrows

THANK YOU!



CITY OF NEWTON, MASSACHUSETTS

Urban Design Commission

MEETING MINUTES

A meeting of the City of Newton Urban Design Commission (UDC) was held virtually on Thursday, **January 12, 2022** at 7:00 p.m. via Zoom

<https://us02web.zoom.us/j/88507603827>

Ruthanne Fuller,
Mayor

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

Barney Heath,
Director
Planning & Development

I. Roll Call

Those present were Michael Kaufman (Chair), Jim Doolin, John Downie, and Bill Winkler. Shubee Sikka, Urban Designer, was also present.

Shubee Sikka,
Urban Designer
Planning & Development

II. Regular Agenda

Sign Permits

Mr. Kaufman asked if the Commission felt there were any applications they could approve without discussion. The Commission agreed to approve the following signs without discussion:

Members
Michael Kaufman, Chair
Jim Doolin, Vice Chair
John Downie
William Winkler
Visda Saeyan

Sign Permits

1. 624 Washington Street – Santander Bank

Proposed Signs:

- Reface one wall mounted principal sign, internally illuminated, with approximately 48 sq. ft. of sign area on the northern building façade facing Washington Street (sign #1)
- Reface one wall mounted secondary sign, internally illuminated, with approximately 41 sq. ft. of sign area on the western building façade facing the driveway (sign #2)
- Reface one wall mounted secondary sign, internally illuminated, with approximately 38 sq. ft. of sign area on the eastern building façade facing the parking lot (sign # 5)
- Reface one wall mounted secondary sign, internally illuminated, with approximately 48 sq. ft. of sign area on the southern building façade facing Massachusetts Turnpike (sign # 7)
- Reface one wall mounted secondary sign (ATM sign), internally illuminated, with approximately 7 sq. ft. of sign area on the southern building façade facing the rear driveway (sign # 10)
- Reface one window mounted sign, internally illuminated, with approximately 21 sq. ft. of sign area on the eastern building façade of the tower facing the side parking lot (sign # 11)
- Reface one window mounted sign, internally illuminated, with approximately 21 sq. ft. of sign area on the northern façade of the tower facing Washington Street (sign #13)

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

www.newtonma.gov

- Reface one free-standing directional sign, non-illuminated, with approximately 3 sq. ft. of sign area (sign # 3)
- One free-standing directional (parking) sign, non-illuminated, with approximately 2 sq. ft. of sign area (sign # 4)
- Reface one window sign, non-illuminated, less than 25% of the window area (sign # 6)
- Reface two wall mounted directional signs, with approximately 3 sq. ft. of sign area (signs # 8 and 9)
- Reface one window sign, non-illuminated, less than 25% of the window area (sign # 12)
- Reface one window sign, non-illuminated, less than 25% of the window area (sign # 14)
- Reface three free-standing directional signs, with approximately 3 sq. ft. of sign area (signs # 15, 16 and 17)

5. 1255 Centre Street – Blondie Hair Salon

Proposed Signs:

- Two awning mounted split principal signs, non-illuminated, with approximately 13 sq. ft. of sign area each on the western building façade facing the parking lot.

6. 400 Centre Street – Sonesta Global Headquarters

Proposed Sign:

- One perpendicular secondary sign, internally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade facing the rear courtyard and parking lot.

8. 189 Wells Avenue - 189

Proposed Sign:

- Reface one free-standing principal sign, non-illuminated, with approximately 14 square feet of sign area located in the front yard perpendicular to Wells Avenue.

MOTION: Mr. Kaufman made a motion to approve the signs at 624 Washington Street – Santander Bank, 1255 Centre Street – Blondie Hair Salon, 400 Centre Street – Sonesta Global Headquarters, and 189 Wells Avenue - 189. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed.

2. 232 Boylston Street – Verilife Cannabis Dispensary

Applicant/Representative: Mike Ross, Prince Lobel

Proposed Signs:

- Reface one free-standing principal sign, externally illuminated, with approximately 35 sq. ft. of sign area perpendicular to Boylston Street (sign D).
- One wall mounted secondary sign, externally illuminated, with approximately 36 sq. ft. of sign area on the northern façade facing Boylston Street (sign C).
- One wall mounted secondary sign, externally illuminated, with approximately 36 sq. ft. of sign area on the southern façade facing the rear parking lot (sign B).

- Two free-standing directional signs, non-illuminated, with 3 sq. ft. of sign area (sign A).

Presentation and Discussion:

- The applicant emailed revised sign drawings for the two secondary signs a few minutes before the meeting.
- The applicant described all the proposed signs as listed above (signs A-D) and showed the revised wall mounted signs that has been corrected to less than 13 sq. ft. so it is consistent with the special permit. Mr. Kaufman asked if this is medical marijuana only? The applicant responded it is adult and medical and there will be patients coming in. The applicant also mentioned that the awnings will not have any sign/graphics.
- The UDC and staff reviewed the revised signs at the meeting, and it appeared to be consistent. The submitted drawings mentioned that both secondary signs are 13 sq. ft., but according to staff's calculation after the meeting, staff realized that the proposed secondary signs as shown in the revised drawings were 17 sq. ft. and that the height of the signs will also need to be either 24 inches or less. Staff has notified the applicant by email that the two proposed wall mounted signs need to be either within parameters of 6'-7"x 24" or less to be compliant with the special permit. The two proposed wall mounted signs do not appear to be consistent. Staff is still waiting to hear back from the applicant regarding the two proposed signs.

MOTION: Mr. Kaufman made a motion to approve the resubmitted signs at 232 Boylston Street – Verilife Cannabis Dispensary. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed.

The UDC and staff reviewed the revised signs at the meeting, and they appeared to be consistent with the special permit. The resubmitted drawings mentioned that both secondary signs are 13 sq. ft. each, but according to staff's calculation after the meeting, staff realized that the proposed secondary signs as shown in the revised drawings were 17 sq. ft. each and that the height of the signs will also need to be 24 inches or less. Staff notified the applicant by email that the two proposed wall mounted secondary signs need to be within parameters of 6'-7"x 24" to be compliant with the special permit. The applicant submitted revised sign drawings for the two proposed signs on February 14 that are consistent with the special permit. The two secondary signs of 10 sq. ft. shown in the drawings prepared by Lauretano Sign Group dated February 3, 2023 and then revised on February 14, 2023. All signs associated with this Decision letter approval shall be consistent with:

A sign age plan set consisting of ten sheets entitled "Verilife" prepared by Lauretano Sign Group, submitted on February 14, 2023.

3. 341-349 Washington Street – Law Office of Elliott M. Loew

Applicant/Representative: Michael Vacca, Elliott Loew

Proposed Sign:

- One wall mounted principal sign, internally illuminated, with approximately 25 sq. ft. of sign area on the southern building façade facing Washington Street.

Presentation and Discussion:

- Mr. Kaufman asked if the rug store was still there and if this business is taking that space? The applicant responded that the rug store is still there, and this business has been at this location for past 2 years, over Dunkin Donuts but just putting up a sign now.
- Mr. Kaufman asked if the sign is internally illuminated and if it is then UDC would like to make sure that the white doesn't glow at night. There may be a couple of ways to do it, one way is to do a screen and cut out the letters or possibly reverse the colors, so they have a dark background and light the letters. Is there a way of having the background so that it does not shine white at night? The applicant responded that they could make it an opaque background, just trying to match the Dunkin sign and make it consistent with it.

MOTION: Mr. Kaufman made a motion to approve the sign with a condition at 341-349 Washington Street – Law Office of Elliott M. Loew. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed. The Commission recommended the sign for approval on the **condition** that the white background is opaque, so it does not shine/glow at night.

4. 208-214 Sumner Street – Pondejoy Mochi Donut

Applicant/Representative: Dan, Fastsigns and Heather Kim, Business owner

Proposed Signs:

- One wall mounted split principal sign, non-illuminated, with approximately 4 sq. ft. of sign area on the western façade facing Sumner Street.
- One wall mounted perpendicular split principal sign, non-illuminated, with approximately 4 sq. ft. of sign area on the western façade perpendicular to Sumner Street.

Presentation and Discussion:

- Mr. Kaufman asked if it is an aluminum box with the letters mounted to it? The applicant responded that they are fabricating acrylic letters, half an inch thick, which are getting mounted to an eight-inch-thick aluminum composite panel. Mr. Kaufman asked if only the letters will shine at night? The applicant responded that is correct, the sign itself is non-illuminated.
- Staff had asked about the clearance height of the blade sign, the applicant responded by email (just before the meeting started) that the clearance height is 88 inches. DPW requires the height to be at least 89 inches which the applicant has agreed to provide. Staff recommended to put a condition on the sign approval to have a clearance of 89 inches.

MOTION: Mr. Kaufman made a motion to approve the signs with a condition at 208-214 Sumner Street – Pondejoy Mochi Donut. Mr. Winkler seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed. The Commission recommended the perpendicular split principal sign for approval on the **condition** that the blade sign has a clearance of 89 inches as required by Department of Public Works.

7. 1221-1227 Centre Street – Penguin Coding School

Applicant/Representative: Mehmet Sahin

Proposed Sign:

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

Presentation and Discussion:

- Mr. Kaufman asked about the neighboring signs, is this proposed sign lined up with the neighboring signs, William Raveis and Tatte? Mr. Kaufman also asked if it is a non-illuminated sign because it appears there is external illumination? The applicant had some issues with the audio and the Commission couldn't hear him. Applicant communicated via chat that the sign is not illuminated.
- Staff shared their screen showing the Google Streetview. Mr. Kaufman commented that assuming the new sign is going where the old sign used to be, it looks like it will be centered. It looks smaller than the previous sign.

MOTION: Mr. Kaufman made a motion to approve the sign at 1221-1227 Centre Street – Penguin Coding School. Mr. Downie seconded the motion, and none opposed. All the members present voted, with a 4-0 vote, Michael Kaufman, Jim Doolin, John Downie, and William Winkler in favor and none opposed.

At 7:30 pm, Mr. Kaufman suspended the Urban Design Commission, and enter the Commission in its role as Fence Appeal Board.

Fence Appeal

1. 466 Lowell Avenue – Fence Appeal

Homeowner: Dorothy Andersen

Applicant/Representative: Will Scheck (brother of the owner)

Fence Appeal: The property located at 466 Lowell Avenue is within a Multi-Residence 1 district. The applicant is proposing to add the following fence:

- a) Front Lot Line along Lowell Avenue – The applicant is proposing to add a fence, set 18 inches to 22 inches from the front property line with a new fence, total height varying from 66 inches to 77 ½ inches including 24 inches lattice on top, 51 feet in length.

The proposed fence along 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.

Presentation and Discussion:

- Mr. Kaufman asked the applicant why was the permit denied by ISD and what kind of appeal in the applicant looking for? Mr. Scheck commented the appeal was denied because they had started to build the fence without a permit, secondly, the fence was 7 feet tall, and the setback is two inches short of the regulation. He also commented that his sister also lost some of the trees in the front, there was a 20-foot hedge of evergreens there, 3-4 trees died last summer so all the trees had to be removed so all that is left are the massive roots. The applicant tried to provide 24-inch setback from the sidewalk but were short on one side by about two and a half inches. Mr. Kaufman commented there appears to be an 18-inch setback at the gate/entry and on the left side. Mr. Kaufman also asked if the height has decreased to

6 feet and the applicant confirmed that they have reduced the height to 6 feet but on the left side, there's a dip in the ground so it's five and a half inches taller than six feet because of uneven ground there.

- Mr. Winkler commented that he drove by the location and there are no other fences along the street anywhere near this location. After looking at the mockup that is built at the site, it looks too high and totally out of place, could not approve it. Mr. Scheck responded that the fence posts at the site have not been cut down yet, they were put in oversize and will be cut off at the top, what is at the site currently will not be the final height. Secondly, the 6-foot-tall fence will be replacing a wall of 20-foot tall evergreens, which probably looked even more out of place on the block. Ms. Dorothy commented that she notified the neighbors, and they didn't express any objections. There is a chain link fence across the street at the park which is probably about 5 feet tall. It's true that there no fences on this block but further down on Lowell Ave. towards Turnpike, there are some fences there.
- Mr. Kaufman commented that UDC is trying to understand the type of relief the applicant is asking for. It looks like the height of the fence has been reduced to 6 feet tall, so the applicant is seeking relief for how close the fence is to the street.
- Mr. Doolin commented that part of UDC's assessment is whether there's a hardship and it doesn't look like there is a hardship so the applicant should comply with the ordinance. The applicant has made no representation about hardship or the function of the fence unique to this property where landscaping or other solutions could be perfectly appropriate. What is wrong with a 5-foot-tall fence, which would perfectly comply with the ordinance. Mr. Winkler agreed with Mr. Doolin's comment, a 5-foot fence with some planting would be much more handsome, hate to see a precedent set along this street with fences. Mr. Doolin commented that in his opinion is granting relief for a 6-foot-tall fence in this location is a bad precedent.
- Mr. Kaufman commented it sounds like there is a hardship because of the roots of the bushes that were there, the stumps are visible in the photograph so UDC could grant relief that applicant is seeking or would UDC ask the applicant to decrease the height to what is allowed by the ordinance, which is 5 feet.
- The homeowner commented that she bought this house with big, tall hedge in front that provided a certain amount of privacy from the road which is a heavily traveled route and she could certainly try to replace those trees but to have anything close to the height, it would be extremely expensive. Mr. Kaufman responded that the homeowner could legally have a 6-foot-tall fence if it was 2 feet setback from the property line so there is a way to achieve what the homeowner is looking for.
- Mr. Downie commented that it's a beautiful fence, but he agrees with Mr. Winkler that the fence is too tall. If there was a photo showing fence in context, he might have a different opinion but looking at the one photograph submitted, it looks too tall. Mr. Downie asked the applicant why couldn't be rebuilt at 5 feet height? The applicant responded firstly, it would certainly change the proportions of the fence, it wouldn't look the same. Secondly, the 6 feet height gives the garden area some privacy, it blocks the cars, and 5 feet probably wouldn't do that. Mr. Downie commented that a lot of requests for a taller fence are for privacy, but City of Newton created the fence ordinance and relief can be granted for a specific reason to a specific site and just being on a busy street in Newton is not enough. Mr. Kaufman asked the Commission if they would consider that the bushes were there and ended up coming down and was difficult to get the fence any closer to the property line? There's a 6-inch difference so that could be one relief that could be granted. Homeowner commented that will be a

- huge benefit because digging up the post and taking them out of the concrete would be a big job. Mr. Downie commented that the fence can be 5 feet tall where the existing posts are.
- Mr. Doolin commented that all this conversation is about asking for relief for 1 foot and he's not in favor of granting the relief. Mr. Kaufman asked other Commission members to test the water if relief can be granted. Mr. Downie commented that he's sympathetic to the homeowners, you could make the argument that it's a little petty that its 6 inches too close to the street and that's a mistake that can be easily made. It's an unfortunate mistake but the homeowner has already put the post in so he will grant the relief in this case. Mr. Kaufman commented that he agrees with Mr. Downie, that the amount is minimal and it's an attractive fence and like the proportions of it. Mr. Downie also commented that there are quite a few steps to go up to the front door so its understandable why somebody would want a six-foot-tall fence in that context.
 - Mr. Kaufman commented that there are three options in front of the Commission and the homeowner:
 - The Commission could grant relief for the six inches on the plan, so the fence was closer to the street by six or fewer inches, some are off by 2 or 4 inches, or
 - If the Commission denied the appeal, the applicant could leave the posts in place and have a five-foot-tall fence which would comply with the fence ordinance, or
 - The applicant could move the post and move them back to two feet from the property line and get the six-foot-high fence
 - Mr. Kaufman commented that the Commission should vote but it looks like it will be a tie since there are four members so it appears it will be denied. Mr. Kaufman and Mr. Downie were in favor, and Mr. Doolin and Mr. Winkler were not in favor, hence the appeal was **denied**.

At 8:03 the Commission adjourned the Fence Appeal Board portion of the meeting and reconvened as the Urban Design Commission.

Design Review

1. 528 Boylston Street Design Review

Applicant/Representative:

Kathy Winters, Schlesinger and Buchbinder
Lou Tamposi, Toll Brothers
Evan Staples, Toll Brothers
Tom Schultz, Architect

Documents Presented: Original and revised design – massing comparison, site plan, floor plans, perspective views, elevations.

Project Summary:

The proposed design would contain 244 residential units and structured parking for 375 cars in a fully enclosed, partially below grade garage. There would be an additional 10 outdoor surface parking stalls, for a total of 385 stalls. 61 units would be designated as affordable to households with income at or below 80% AMI.

Presentation & Discussion: The proposed project was first presented to the Urban Design Commission at its October 19, 2022 meeting. At that time the team previewed potential changes to the design. Since then, the architectural team has completed refined plans which were submitted to MassHousing in early November. After the applicant receives the Mass Housing Eligibility letter, they will then prepare to file with the ZBA, probably in about a month. The revisions are summarized as follows:

- Reduced massing near closest neighbors along Hagen Road
 - Maintain a 4-story height at the closest point
 - Slid southeastern mass northward to reduce the width of the building that is closest to the direct abutters
 - Added more rhythm and smaller proportions to southern façade to relate better to the single-family homes
- Maintained consistent height along Route 9
- Added depth to the Route 9 façade, specifically the western portion
- Revised the surface parking layout
 - Coordinated with the Fire Department
- Refined building materiality near main entrance to reduce “commercial feel”
- Advanced the landscape design concepts

The Urban Design Commission had the following comments and recommendations:

- Mr. Kaufman commented it’s a big improvement along the south side and it will allow a lot more sun into the courtyard, so reorienting is good, breaking the massing up along Route 9 is a positive thing as well. Mr. Kaufman asked if the applicant has done any shadow studies? There will obviously be no shadow effects on the south side or they will be minimal but as you go up seven stories on Route 9, what kind of shadows might be crossing route 9. The applicant responded that they are working on them but are not ready yet, but they will be ready by the time they file so will share them in the future.
- Mr. Downie commented the project has improved but still questioning the seven stories, the bulk of the building seems like a lot for this area. He also commented that he understands that Route 9 is the place to put some bulk but as this project stretches to the south, it would be great if it were made to get a little smaller towards the single-family neighborhood that’s to the south of it. Its just a function of numbers, there are 244 units, not sure about the economics of it, but if there were fewer units that would be better.
- Mr. Doolin commented that along Route 9, it has improved significantly and agree with Mr. Downie that he is concerned about the seven stories. At the last meeting, there was some concern about the setback from Route 9 due to the height of the building so shadow study may help to understand that. In the choice of bulk, obviously route 9 is better than the southern part of the site. The way the courtyards have been rearranged is positive. It’s a good effort at breaking down the mass towards the south but it feels more of a nibble than a real move. There are a series of moves that add up to a nibble than something of more significance.
- Mr. Winkler commented that that he has most of the concerns that he voiced last time:
 - 20-foot setback from route 9, there’s not enough room for guardrail, sidewalk, some plants, etc.

- The units facing route 9 are not going to be very desirable
- With so many units, there will probably be some families with kids here and there is not enough usable open space, would like to see more space on the ground with a little bit of amenity.
- Concerned that it doesn't have a backway into it, when you leave here, you can only make a right turn, and then you must take a U-turn to go in the other direction.
- There's no way to get public transportation for the people who aren't driving. Not sure about 1.5 cars per unit
- Have same concerns as last time which are in the meeting notes
- Mr. Doolin asked if usable space will be maximized or is it limited with respect to conservation commission? The applicant responded that they are limited to a certain extent on the western side by what Conservation Commission will allow. The applicant also commented that they are working to make the eastern side of the site passive outdoor recreation area. Also working to provide indoor amenity space for families. The larger courtyard in the southern side and smaller north courtyard will also have outdoor amenity space. Still working on what the programming will look like but the intent is to maximize (given the constraints) both between the wetlands, the floodplain and ledge as much outdoor space.
- Mr. Kaufman asked what is the nature of the wetland, is it very wet or is it just wetland vegetation? The applicant responded that a brook goes through a portion of the site, it varies at different times of the year. Mr. Kaufman commented so spring will be a lot wetter.
- Mr. Kaufman commented it's a big improvement, there are still too many materials on this building, recommend reducing the number of materials in the palette, too much stuff going on.
- Mr. Doolin commented that recognizing this is a 40B, it seems like too much bulk on the site overall, in terms of building volume. If it was less building volume, it would be more comfortable.
- Mr. Kaufman opened the Commission for public comment to neighbors who would like to speak and limit this discussion to 15 minutes.

Public Comment

Wendy Landon, Old Field Road – Ms. Landon commented that she has the same concerns as UDC regarding shadows. There is significant community concern, to the tune of hundreds and hundreds of people that are concerned about this project. If you look at the surrounding neighborhoods, there are single family homes, traditional colonials, and Tudor, there's nothing that is modern. There's nothing in Newton as large as this, nothing with the volume of direct single family abutters. Neighbors are extremely concerned about the size and the scale, not supportive of this project as abutters. Neighbors are concerned about what's going to happen to all the home and views and the lighting. The applicant has submitted plans with trees going down, there will be significant changes in terms of birds and animals that come here. There are significant floodplain issues that all neighbors have on their properties. Neighbors are also concerned about the mixed materials and looming behemoth nature of this project. She commented that if you look at one of the views looking westward, it shows a lot of green space that looks like there is a lot of room between this project and the

neighbors, unfortunately one of the neighbors that lives at the corner of Oldfield and route 9, his house would be in the middle. The neighbors think there will be significant impact to all the abutters on Dudley, Hagen, Old Field, and the height of this will impact for blocks to come.

Jacob Silber – It seems like there was a major redesign and it appears to be partly informed by neighbor feedback. How many neighbors provided the feedback to dictate this redesign? The Chair responded that UDC doesn't know that comments didn't come to UDC. Mr. Silber commented that the applicant can change the design at any time. It looks like things have moved from southward to eastward, so now there are seven stories on the east side which affects other people differently. Chair asked if the applicant could respond to that. The applicant responded that there's no single person or group that's driving this. The applicant also said they have taken comments from the city, UDC, planning, so this has been a holistic change, it makes the project better. Happy to have more conversations.

Rob Sellers – Mr. Sellers commented that he's part of the neighborhood group and echo the size of this. All neighbors echo the size issue, it's a beautiful complex but it does not fit the neighborhood. Supportive of affordable housing, Newton deserves more affordable housing but a family unit of \$2,700 a month so a family with \$110,000 of household income can afford this, so teachers or firefighters can afford this. The property is flooded now and there's a lot of concern about the permeable layer. He commented that they had an assessment done and there were a lot of concerns that the assessor had with losing permeable land. By changing it to impermeable surface, even if there was some sort of redirection of the water, there were two concerns – first, concern if brook can handle that versus going into the ground and secondly, there may be leaves and other debris that might stop the water flow. There's a lot of flooding in people's yards and on the street. Mr. Sellers also commented that he's on of those people who would be facing the seven stories on the west side and its close to his house so its not going away from the neighbors.

The applicant responded that they will be working with Conservation Commission, they are going to oversee everything to do with stormwater on this site. The applicant also commented that they will have to regulate stormwater and infiltrate appropriately. Any impervious surface that is being made from impervious surface will have to be treated as such, discharge cannot be increased. The applicant believes that the conditions will be improving as its hasn't been addressed by the current site conditions, applicant will be reconstituting areas of the wetlands, and of the floodplain for compensatory storage, as well as handling and managing the stormwater on site in a more effective way. So, the applicant is hopeful that they will be improving the conditions and any kind of downstream issues that might exist today.

Daniel Herring – Mr. Herring commented that he is not opposed to a development at this location. This looks like the biggest building on Route 9 outside of Boston and it's close to the road. If it was in the Old Piano Mill neighborhood, it might fit in that neighborhood. Was surprised by the scale of this and how close it is to Route 9, it will probably not offer the residents "Newton Life". It will probably not have the same kind of community that smaller units tend to foster. Boylston Street is already quite sketchy and the way the sidewalk and the entrance and exit are proposed, it's going to be more dangerous than it already is. If the

applicant were to greatly reduce the density, then it will be a great spot to put some houses in. Also disappointed that we will be losing trees.

Public Comment ended.

Mr. Downie asked the applicant about the unit mix. The applicant responded there are one beds, two beds and three beds. 50% are two beds and 13% are three beds and the balance are one beds.

Mr. Kaufman commented that UDC looks forward to seeing what's next. Its an improvement, there are some more improvements that could happen. UDC appreciates the progress and showing it to UDC.

2. 290 Watertown Street Design Review

Applicant/Representative:

Leo Coelho
Ron Jarek
Laurance Lee, Attorney

Documents Presented: Location map, context view, site plan, floor plans, elevations, perspective views.

Project Summary: The project site is located on 290 Watertown Street, right at the connection of Watertown St and Faxon St. The existing conditions consist of a one family dwelling and a detached garage. This site is a BU1 zone, sitting on the border that separates the MR2 and BU1 zones. The proposed design consists of 5 units, broken up into three buildings ((1) single family dwelling and (2) two-family dwellings) matching the neighborhood's scale.

Project narrative from the applicant:

"We are looking for the continuation of the non-conforming use of the BU1 zone providing only residential units with no businesses and parking relief. Four of the units have 2 parking spots each while the front unit that faces Watertown St would have 1 parking space, totaling 9 parking spaces. Each unit receives at least 1 garage space that provides enclosed parking and has EV-ready hookups for future installment. The main driveway area and curb cut will remain to reduce the impact on the existing landscaping and to maintain the existing neighborhood's flow. This helps with keeping the garage and cars essentially towards the side of commercial buildings, minimizing sound to neighboring residences. Each unit has access to quality open spaces that have vegetative barriers between the neighbors and the yards with a line of arborvitaes that allow for a scenic buffer.

For the design of the building, the exterior materials and forms play to the context of the neighborhood with a sprinkle of modern elements. From the street perspective, it will have a similar elevation to the existing residence to maintain with the existing street context, while incorporating the remaining 4 units along the rear to fade away from the street view. The front unit is to keep the same roof line as the existing, as it matches the neighboring roof lines on the street and keep the envelope as primarily white clapboard siding. Once on the driveway

side of the site, the building then transitions to some modern elements with larger window openings, metal roofing and flat roofs, carports, wood paneling finishes etc.

These buildings highlight some of the architectural elements that have historically defined the houses of Nonantum, while balancing the introduction of modern elements. With the proximity and access to Stearns park, public transportation, commercial/residential zones, this site can help bring in new families to experience and contribute to this thriving community center."

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

- Mr. Kaufman asked if these are for sale or rental units? The architect responded they believe it will be for sale but not sure.
- Mr. Kaufman asked why are there three-to-six-foot separations between the homes? Why aren't they just townhouses that are all attached to each other? The applicant responded that they looked at that originally but not having that separation, it will be one massive building on site so wanted to create the small separation between the units and provide access to the rear yard areas. Also want to be able to have three separate buildings, where each one, as you go back into site drops about a foot and there's always a 30-foot roofline, and as it keeps going down with the buildings on site. Mr. Kaufman responded that its possible to do that whether they are attached or not, these little spaces seem funny and not sure what is accomplished by that. Would like to hear from other Commissioners about that.
- Mr. Downie asked why is there no window for the last unit, next to the unit entry on the gable portion on the right-side elevation? It's like other unit's floor plan and other units have a window so why not this last unit? The applicant responded that they could potentially add a window since the layouts are similar.
- Mr. Downie also commented what is supposed to look like dormers, especially on building 2 don't look like dormers because there's no setback, on either side of them. If its not a true dormer with some setback on both sides, it doesn't work architecturally. Fake dormer look doesn't work. The roofs are very low sloped roof. The applicant responded that the third story is just a look they are creating with that kind of roof line coming down where they could potentially be a different material, such as metal or something else. Mr. Downie commented that as an architect he doesn't think it's successful. Mr. Downie commented that it's a little bulky and it looks bulky because the applicant is trying to make it look less bulky, the biggest issue is the non-dormer dormers.
- Mr. Doolin commented that building one is a positive approach, it's the most positive aspect of the project. The project meets the street in a good way and that's very important. Appreciate the approach meeting the street and keeping the scale in a more traditional look there.
- Mr. Winkler commented that he likes the project. Agree with John about the dormers but you'd never get far enough away from the building to know whether it's a real dormer or not so that's doesn't bother him. Disagree with Michael about the slits in between the buildings, they look okay. Can imagine kids playing in the backyard and

wanting to get around to the front so they can go through the slits to go in the front. Mr. Kaufman commented that they can go through the carport, they are going to be funny little spaces that are going to be dark and probably moldy, no sun will not get in there. Mr. Winkler commented that those slits don't bother him.

- Mr. Winkler commented that he commends the applicant for not overdoing with materials, it's nice to see just a couple of materials and no strange colors that will be out of fashion within a couple of years, like the dark brown and white. Like the project and in favor of it.
- Mr. Downie pointed out that those slots between the building can't have any windows. The applicant responded that they don't have any windows along it. All the windows and living spaces are on the two main elevations where they will be most sunlight.
- Mr. Kaufman asked about the material in those slits on the ground surface? The applicant responded it will be pavers.
- Mr. Downie asked about the width of the driveway? The applicant responded that its about 16 feet including the sidewalk. Staff commented that they believe the fire department requires driveway to be at least 18 feet wide and recommended to check with the fire department about the driveway width.
- Mr. Kaufman asked the applicant about where they are in the process for the special permit? The applicant responded that they are at the very preliminary stages and wanted to come before UDC to get some feedback on design to ensure the design is moving in the right direction. Regarding the driveway comment, they will be going for the review with the fire department. There have been instances before to determine if 16- or 18-foot driveway width is required, like if there's a hydrant installed on site and whether the buildings are sprinkled, will certainly get fire department's approval as part of the process. They will also be seeking neighborhood feedback soon and ward 1 councilors feedback and then go to Land Use Committee and then file in spring and then probably have a public hearing before the summer.
- Mr. Kaufman asked if anybody from the public would like to speak about the project.

Public Comment

Terry Sauro, Nonantum Neighborhood Association, commented that she understands that the design is in its preliminary stages but is concerned with this project, about how large it is, it doesn't fit the neighborhood. Have great concerns about the driveway, there was a three-alarm fire on Cook Street and three hydrants were broken so that's a big issue with the size of this development to try get a fire engine down there. There will also be another development at 296 with five units with retail underneath so this is a big scale and neighbors are quite concerned (who are on this call/meeting, but they don't want to speak yet). The neighbors understand that there will be neighborhood meetings that the applicant is planning for. Ms. Sauro also commented that the buildings fit in the front but if you look down, there will be three separate units, there is not enough parking. Watertown street is already congested, there is not enough parking on the street. Quite concerned about the whole scale of the project and looking forward to meeting with the applicant. There will be five units at 296 and five more at this location so that's ten new units that's going to be added to the neighborhood.

Mr. Kaufman asked if this project is much bigger than the project on Stearns Place? It seems like they are both comparable. Ms. Sauro commented that they are both very different because there is a lot more room there in terms of square feet. This lot is only 12,000 sq. ft. and there

will be 5 units in 12,000 sq. ft. The applicant responded that they looked at four 3,000 sq. ft. units. FAR allowed is 1.5 and this development is at 1.06 as currently proposed, the applicant mentioned that they are trying to work with the neighborhood scale and will work with the neighbors. Ms. Sauro also commented that the neighbors who live two houses down from this address (also on this call) are concerned about the shadows, and not getting sun.

Mr. Kaufman asked the applicant if this will be a condominium or a rental. The applicant responded that it will probably be for sale.

Mr. Doolin commented that Ms. Sauro mentioned that there will be another project next door (296 Watertown Street). If there is information about this project, it will be good for UDC to learn about it with respect to context. Ms. Sauro mentioned that the Historic Commission reviewed it last year and it was deemed historical.

III. Old/New Business

1. Zoning Redesign - Village Centers

Mr. Kaufman commented that the UDC has been requested to weigh in on proposed village center zoning at Zoning and Planning Committee (ZAP) on January 23rd so he would like to have a brief discussion to present UDC's opinion at the ZAP meeting. He asked if the Commission would like to send something official or if Commissioners have some other thoughts. Mr. Doolin commented that UDC had a presentation at the last meeting by Mr. Heath. Does UDC want to speak as a commission or speak in favor or not? Mr. Kaufman commented that there was a group of professionals called Building Professionals Zoning Redesign Working Group who did a PowerPoint presentation and made some suggestions. The UDC doesn't need to do that, UDC doesn't have to comment if the Commission decides not to comment but would like to hear from rest of the Commissioners, UDC could also send something in writing.

Mr. Doolin had a couple of thoughts; this is about as of right zoning which most people aren't familiar with so that's a big leap. One of the guardrails on this is site size, so where would this actually apply? Because it would not apply to Trio. It's a rational approach, and it limits the site size, doesn't allow large projects to be as of right. So, in general terms that gives comfort, on the other hand, people are concerned about height. It's been a good effort but don't consider to be an expert.

Mr. Kaufman commented that there's also a bigger picture, more philosophical question on whether we think there should be more density in the village centers and whether that type of density should be reinforced by more housing and whether having more housing in the denser village centers is a good thing for Newton or not. Many people who will think this is just not what Newton is, it's not the Garden City. He also commented that Newton is not a Garden City because of the gardens but because there were three nurseries on top of the Hill in 1800s and that's where people went to get their garden stuff. The main question is do we think more density in the village centers is a good thing or not? Is this positive for the city or not?

Mr. Doolin commented there is one more thing about having a plan and a set of zoning that can be executed as opposed to everything's a one off or what the abutting property might be. If

everything's a special permit, then it makes it difficult to know the context which is very influential in decision making.

Mr. Winkler gave an example of the project on route 9 that is currently under review. Everything they are asking for is twice as much as of right, the setback, building height, and open space. We are negotiating with them to try to make it better with a special permit. What if they came with a 10-story building? Mr. Kaufman clarified that they don't need a special permit because it is a 40B, they can do what they want, we are there to help and guide them to do a better project, the city has nothing to say, the Zoning Board of Appeals is the only board that approves or denies, the applicant came to UDC as a friendly gesture to get UDC's comments. Because it's a 40B project, they can build anything, we may ask them to reduce the density but they don't have to. Even ZBA can't do a lot either, it's a state law to encourage more affordable housing. Mr. Kaufman also commented that Boylston Street project has improved a lot since UDC first reviewed the project, the project has improved, and they will probably come back with a better project than what UDC reviewed at this meeting. Staff commented that Newton may be reaching the threshold for 40B projects soon, it will depend on the number of 40B applications. Mr. Kaufman commented although we can't control 40B projects but it's good that UDC is able to influence the project in a good way.

Pam Wright, City Councilor, also spoke at the meeting. Councilor Wright commented that we were getting close to reaching 40B threshold but Dunstan East (about 300 units) is stopped right now because of the building climate so those 300 units are going to come off the list and they can only go back on when they start vertical construction so they have to first do the basement and then they are going to do building one and two and then three. Originally, planning department thought that we were going to reach 10% in the fall but because of the building climate, it might be a few years. She also commented that the Chair is correct that the City Council doesn't have any control over what 40B projects can build. Councilor Wright also commented about village center zoning. The UDC is correct that the Trio building on Washington Street would be a special permit, anything over 30,000 sq. ft. lot would be a special permit. Santander building would also be a special permit because it's about 30,050 sq. ft. but if it was just a bit smaller then it would be by right. This is phase one, there's also going to be phase two. She also commented that what UDC reviewed tonight at Watertown Street would be approved by right, it will probably be two buildings, a little denser and little more lot coverage. By right, all you would have is your setbacks and height and that's about it controlling what's on the line. She commented that she's looking at the project on Watertown Street, long, straight and narrow with garages on the side is what would be allowed by right. She commented that she's currently working on some proposals to try to keep the houses there and maybe add something sensitive to the original design but what's in the zoning right now allows that.

Mr. Winkler commented that he's disappointed that the project on Washington Street, Dunstan East doesn't have any screening and it's going to look like that for a long time. There should have been a requirement for construction screening when the permit was issued. Santander Bank site will be the same issue. Mr. Kaufman commented that City Council can probably impose construction screening for the Santander Bank site since it's a special permit but not for Dunstan East since it's a 40B.

Councilor Wright commented that Dunstan East was delayed at first due to a lawsuit which took about a year and then due to higher cost, it's get delayed again.

Mr. Kaufman commented that maybe UDC doesn't want to make any comments at this time. UDC can also comment to the City Council later.

Mr. Doolin commented that if UDC comments then it is about outcomes, distinct from the specifics of regulatory dimensional controls, etc., meaning are we in support of outcomes? He also asked Councilor Wright if she had an alternative proposal and if her basic concern was about village center edges? Councilor Wright responded that she has a lot of alternative proposals, and she has two concerns, one of them is the edges, VC1, they were not treated equally. For example, Newtonville had over 100 properties up zoned and Newton Center had only 14, so there needs to be more equity there. What they say is great, we want to keep the old because when you are near village centers, its usually the old houses, the Victorians, things like that. We want to keep those, want to be able to put three, four or five condos in and maybe add a little bit, that's what we want. What they are proposing is different, if you look at zoning, the zoning allows you to put two to three times more massing on the lot than the current zoning. So, for a developer it's cheaper to tear down and build new than to take an old 150-year-old house, gut it and then add on, a developer who is looking to make money, it's easier to just tear down. The Historic Commission can only give you a delay, either a year or 18 months and then building something like the project reviewed today at Watertown Street. Councilor Wright commented that she is suggesting keeping the house and add onto the back and adding another building in the back complement what's in the front. She also commented that the other part is that it's called an infill, but 75,000 sq. ft. building does not appear to be infill. There will be a lot of incentive to tear down all our Village Centers and then Newton will look like any other city or town. One thing that people like about Newton is all the villages and the unique characteristics of them otherwise it will look just like Moody Street in Waltham. An applicant will need to do a special permit for properties over 30,000 sq. ft. but there are very few lots that are that big in village centers, most of them are a lot smaller. Mr. Kaufman responded then there will be smaller buildings, they won't be massive like buildings on Moody Street because they will have to be smaller buildings.

Mr. Kaufman asked Councilor Wright if she is concerned about VC one or all of it? Councilor Wright responded that she is concerned about all of it. She commented that she would like to see by right development in the village centers but would like to bring it down more.

Mr. Kaufman asked if philosophically do we think there should be more density in the village centers, more activity in the village centers, and more people living in the village centers above retail?

Councilor Wright commented that most people would like to see 3 or 4 stories. She also commented that she has requested some studies to see infrastructure, sewer, water, traffic, school, how is it going to support it. Mr. Kaufman commented that we don't even do that with our special permit projects. Chair and Vice Chair thanked Councilor Wright for her comments.

Mr. Doolin mentioned a few points that might be towards outcomes. For example, with village center zoning, UDC would like to see maintaining the basic character, have mixed use active

street and more housing and more density but avoid tear downs. Newtonville as an example, incorporate pieces of the one story versus destroying it all. Councilor Wright commented that there are a lot of churches in village centers and maybe they will also be rezoned instead or tearing down because that brings a lot of character to the village centers.

Mr. Kaufman commented interestingly when you go to places like Coolidge Corner in Brookline, there are some single-family homes, and then there's a six story building and then there are two more single family homes, its interesting and it doesn't feel like it's a terrible place, there are all sorts of different heights, uses, building types, etc. Councilor Wright responded that if there were a lot of different owners then you would get more of that but the buildings in the village centers are owned by two or three people.

Mr. Kaufman commented that maybe UDC can send something written to the Council since it doesn't appear there is unified philosophy, other groups have things like affordable housing. UDC would like to talk about outcomes and the question is what the best way is to get there.

Councilor Wright commented that she sees a lot of special permits coming through and they do take a long time so it will be good to streamline the special permit process and put more by right controls over it but this proposal is a pretty drastic change. Mr. Kaufman responded that maybe there is something between the two, it will be good to have a master plan overall and there are better controls over it, so for example a three-story building is allowed by right and then the applicant needs a special permit to add two more stories so there will be more control over special permit.

The Chair commented that he will let ZAP know that UDC will not be speaking at the upcoming public hearing meeting on 23rd. The Commission members decided that they will send notes to staff who will compile them in a memo which can be sent to the City Council later.

Staff informed the Commission that the meeting minutes are not ready yet and will send them before the next meeting.

IV. ADJOURNMENT

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

The meeting was adjourned at 9:44 p.m.

Respectfully submitted by Shubee Sikka

Approved on