



Marc C. Laredo
Mayor

City of Newton
Department of Planning and Community Development
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Katie Whewell
Acting Director

PUBLIC HEARING MEMORANDUM

DATE: January 2, 2026

TO: City Council

FROM: Katie Whewell, Acting Director of Planning and Development
Cat Kemmett, Deputy Chief Planner for Current Planning
Sondria Berman, Senior Planner

SUBJECT: **Petition #13-26** for SPECIAL PERMIT/SITE PLAN APPROVAL **to AMEND Special Permit 216-88** to extend a nonconforming front setback by razing the existing canopy and construct a new canopy with updated signage and **to AMEND Special Permit #305-82** to replace the existing free standing sign and other waivers for sign regulations at 14 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 03, containing approximately 8,470 sq. ft. of land in a district zoned Business 2. Ref: Sec. 7.3.3, 5.2.13.A, 5.2.13.B, 5.2.8, and 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the City Council will want to consider in its discussion at a subsequent Working Session.



14 Elliot Street

I. Project Description

Use – Commercial- Gas Service Station

Zone – Business 2 (BU2)

Lot size – 8,470 square feet (nonconforming; 10,000 square foot minimum)

Proposal – *To Amend Special Permit #216-88*

- To (horizontally) extend an existing nonconforming front setback by razing the existing canopy and constructing a new, wider canopy
- To allow an oversized secondary sign for the west facing canopy façade (Elliot Street)
- To allow multiple (14) secondary signs
- to waive the maximum aggregate square footage (20 square foot limit) for gas station signage

To Amend Special Permit #305-82

- To replace the existing free-standing sign with a new, oversized free-standing sign of 58.3 square feet

II. Summary Analysis

Planning believes that the proposed amendments to the existing Special Permits #216-88 and #305-82 at 14 Elliot Street for the construction of the proposed canopy and signage are consistent with the intent and purpose of the City's Zoning Ordinance per Section §5.2.1. providing an improvement to the attractiveness, legibility, and safety of the site. Additionally, the petitioners received a unanimous design recommendation approval from the Urban Design Commission (see Attachment B).

While the proposed free-standing sign will be larger than the existing sign (proposed at 53.8 square feet where the existing is 42.75 square feet), it will not exceed the height of the existing 16-foot sign.

The addition of three internally-illuminated logo-based "Sunoco" signs along three sides of the proposed canopy are commensurate in size with size of the canopy facade, with the Elliot Street façade (west) slightly larger to improve visibility at night and reduce hazards for oncoming vehicular traffic moving eastward on Route 9 and northbound on Elliot Street. The proposed "Sunoco" logo signage on the north and south canopy facades is also smaller in size from the existing "Sunoco" logos. While the requested relief to replace the existing canopy would result in slightly larger canopy (53.8 square feet where the existing canopy is 42.75 square feet), the increase is only to the width of the canopy, and will not impede any further into the 7-foot setback.

Overall, the new signage will replace older signage with clearer, updated signage which will

improve visibility and safety for visitors. Additionally, the proposed signage will result in an overall reduction in signs on site, proposing 24 signs from the existing 27 signs. Furthermore, the location of the subject property at the intersection of Elliot Street and Boylston Street (Route 9) is such that the proposed internally illuminated signage will increase visibility to oncoming traffic.

III. Zoning Relief Requested:

BU2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	8,470 square feet	No change
Setbacks			
• Front	10 feet	7 feet	No change
• Side	9 feet**	22.7 feet	No change
• Rear	0 feet	7.8 feet	No change
Building Height	24 feet (36 feet by SP)	14 feet (building) 18 feet (canopy)	No change No change
Max Number of Stories	2 (3 by SP)	1	No change
FAR	1.00 (1.50 by SP)	.15	No change

*Requires relief

**1/2 the building height of 18 feet (canopy)

For more details around the zoning analysis please refer to **Attachment A**.

IV. Criteria for Consideration per §7.3.3., §5.2.13.A, and §7.8.2.C.2:

- The site in the Business 2 (BU2) zone is an appropriate location to allow for the proposed changes to the canopy and signage on site. (§7.3.3.C.1)
- The proposed changes to the canopy and signage do not adversely affect the neighborhood. (§7.3.3.C.2)
- The proposed canopy and signage will not be a nuisance or serious hazard to vehicles or pedestrians as designed. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- The nature of the use of the premises, the architecture of the building or its location with reference to the street is such that exceptions to the requirements for free-standing and secondary signage should be permitted if in the public interest. (§5.2.13)
- The proposed (horizontal) extension of the existing nonconforming front setback is not substantially more detrimental than the existing nonconforming front setback is to the neighborhood (§7.8.2.C.2)

Existing Conditions

Existing Conditions and Signage

14 Elliot Street is improved with an automotive service and gas station that has been in continuous operation since 1930. Existing nonconformities include the lot size at 8,470 square feet where 10,000 square feet is the minimum required, and a front setback of 7 feet where 10 feet is the minimum required. The subject property is located in a Business 2 (BU-2) zone, at the intersection of Boylston Street (Route 9) and Elliot Street. To the east and north are properties zoned BU-2 with a Multi-Residence Transit (MRT) district overlay improved with commercial uses including retail and automotive service and gas. Areas to the north and west also include residential uses within Multi-Residence 1 and 2 (MR-1, MR-2) districts with an MRT district overlay comprised of single, two family and multifamily residences. Further south are several abutting districts including Manufacturing, Public Open Space, and Multi-Residence 2 districts with both residential and commercial uses.

The existing one-story automotive service building height measures 14 feet, with the detached canopy slightly taller in height at 18 feet, in compliance with the two-story, 24-foot maximum height for structures on site. An existing free-standing sign is located along the western façade along Elliot Street, measuring 16 feet in height and 42.75 square feet in size.

Existing signage on site for the free-standing sign, secondary and aggregate signage is 27. Secondary signage in the form of a "Sunoco" logo is featured on three sides of the existing canopy. Additional aggregate signage, including fixed and temporary banner signage for inspections along the front (west) facing façade of the building and fixed 1 x 5 foot signs along the top of the northern fence advertising services including air infiltration, oil changes, vacuum, and inspections.

Proposal Analysis

Canopy

The petitioner is seeking to amend Special Permit #216-88 granted in 1988, which legalized the construction of the existing canopy over six of the seven gas pumps as an extension of the existing service station use. The petitioner proposes to raze the existing canopy and construct a larger canopy in the same location, requiring an amendment to Special Permit #216-88.

The proposed canopy will increase in width to 42 feet wide by 24 feet deep from the existing canopy measuring 36 feet wide by 24 feet deep. This increase in width further extends the nonconforming front setback of 7 feet (horizontally) with a total increase of 18 square feet within the 7 foot front setback, but does not encroach deeper (westward) into the 7-foot setback. This requires special permit relief per §7.8.2.C.2 to extend the existing nonconforming setback.

Free-Standing Signage

Special Permit #305-82 was granted in 1982 to allow for a 16-foot free-standing sign based on a specific rendering design and associated dimensions. The petitioner seeks to replace this existing sign with a new 16-foot free-standing sign, requiring an amendment to Special Permit #305-82. The proposed height of the new sign will keep to the existing height of 16 feet, and is in compliance with the maximum height limit for free-standing signage outlined in §5.2.13.B.

In addition, the proposed free-standing sign will increase the square footage from the existing 42.75 square feet to 53.8 square feet. Per §5.2.13.B, a free-standing sign may not exceed 35 square feet in size, however, Special Permit #305-82 did not specify any relief for the existing sign. The proposed sign, measuring 10.5 feet high by 5.1 feet wide, exceeds the allowable 35 square feet, requiring relief to waive the square footage size limit per §5.2.13.A.

Planning notes that the proposed height of the free-standing sign will remain consistent with the height of the existing free-standing sign and is in compliance with the maximum height allowed by right. The requested relief to waive the square footage limit allows for clear identification of services provided on site from a distance, including of pricing for gasoline, state inspections, snack shop amenity and the associated “Sunoco” logo. The new free-standing sign also improves the visual quality of site and neighborhood, avoiding the deterioration of signage on site. As the proposed free-standing sign will entirely replace the existing free-standing sign and the relief granted under Special Permit #305-82, Planning recommends a Superseding Order to for the proposed free-standing sign to replace the relief outlined in Special Permit #305-82.

Secondary Signage

The petitioner proposes to update 14 secondary signs on site, including three sides of the proposed canopy along the north, south, and west facades, four new sign advertisements on either side of two canopy columns, six new logo placements along the bottom of the individual pump stations and one new “diesel” sign on the bottom of a single pump station. The petitioner requires a special permit per §5.2.13.A to waive the number of secondary signs allowed. Planning notes that these logo placements provide recognition of services and legible information for orientation on site.

The proposed canopy includes three internally-illuminated secondary logo “Sunoco” signs on the north, west, and south facing facades. The proposed “Sunoco” logo facing Elliot Street (west) measures 44 square feet in size across the canopy width of 42 feet wide. Compliance with §5.2.8 allows for one secondary sign to be 50 square feet or 1 square foot per linear foot of the wall, *whichever is less*. As such, the proposed secondary logo along the western façade exceeds the linear measurement for the canopy of 42 linear feet where 44 square feet of logo is proposed, requiring relief for the square footage limit per §5.2.13.A. Alternatively, the two

other canopy “Sunoco” logos on the north and south facades are smaller measuring 9 square feet where the linear canopy measures 24 feet, and do not require relief. Planning notes that the proposed “Sunoco” logo signage along three sides of the canopy provides practical information about the service(s) on site to appropriate street-facing facades of Boylston Street and Elliot Street for vehicular and pedestrian traffic. The increase of 2 square feet over what is allowed by right for the western canopy façade improves legibility of the logo from a distance. Planning notes that the proposed three canopy logos will feature internal-illumination for each logo from the existing, non-illuminated “Sunoco” logos on the north and south facades, however, internally-illuminated signage is consistent with abutting commercial parcels to the south (CVS) and to the east (BP Service Station).

A set of directional blade signs are proposed to indicate the clearance height of the canopy measuring approximately 1 square foot in size and are within the maximum square foot size allowed by right per §5.2.8, and do not require relief. Planning notes that these proposed blade signs are non-illuminated, reflective, zoning-compliant signs that increase safety on-site.

Aggregate Signage

Aggregate signage proposed for product identification on-site includes two new band signs on the existing building to say “Snack Shop” and “State Inspection,” each measuring 17.5 square feet and 23.9 square feet, respectively, for a total of 41.4 square feet that replaces existing signage. Additional product signage on site includes retaining the 1-foot by 4-foot gas station signs along the north elevation of the existing fence that reads “Air Machine,” “Oil Changes,” “Vacuum,” and “Inspections” for a total aggregate signage of 61.4 square feet on site including the two band signs. Per §5.2.8, up to 20 square feet of aggregate signage for product identification is allowed by right, requiring relief per §5.2.13.A to waive the square footage limit. Planning notes that the non-illuminated band signage and fence signage will provide an improvement to the existing signage and visual appeal while providing necessary information about goods and services available on site.

Signage Reduction/Removal

Finally, the petitioner proposes to remove the existing signage above the existing building that faces the north and south elevation, including the two internally-illuminated “Sunoco” logos and non-illuminated “State Inspection” and “Diesel” signage. The removal of this signage coupled with the replacement of proposed service signage along the northern façade improves visibility and legibility for visitors to the site.

V. Interdepartmental Review

The Urban Design Commission issued a recommendation to the Planning Department dated August 19, 2025, and provided a unanimous vote in favor with conditions. The applicant has since adjusted plans to reflect these recommendations, including: reducing

the number of Sunoco signs on each dispenser from the original 6 per dispenser; removing the blade signs indicating pump numbers to just those located on the front face of dispensers; confirmed that the white background of the Sunoco free-standing sign would not be illuminated at night; and confirmed that no signage relief is required for the canopy logo signage that extends above the canopy line. See Attachment B for further details.

VI. Petitioner's Responsibilities

The petition is complete.

ATTACHMENTS:

- ATTACHMENT A:** Zoning Review Memorandum, dated December 19, 2025
ATTACHMENT B: Urban Design Committee Decision, dated August 19, 2025
ATTACHMENT C: DRAFT Council Order



Ruthanne Fuller
Mayor

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: December 19, 2025

To: Anthony Ciccariello, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: Edward H. Negoshian, Applicant
Mark G. Smith, CMG Environmental, Inc
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to amend Special Permit # 216-88 to extend a nonconforming front setback for an automotive service station canopy and to amend Special Permit #305-82 to replace the existing free-standing sign and other waivers from the sign regulations

Petitioner: Edward H. Negoshian	
Site: 14 Elliot Street	SBL: 51025 0003
Zoning: BU2	Lot Area: 8,470 square feet
Current use: Gas station	Proposed use: No change

BACKGROUND:

The property at 14 Elliot Street consists of an 8,470 square foot lot improved with an automotive service and gas station in continuous operation since 1930. The petitioner seeks to raze the existing canopy and construct a new canopy and updated signage, requiring an amendment to existing special permits and additional special permit relief.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Mark G. Smith, CMG Environmental Inc, dated 5/1/2025
- Sign plans, prepared by Total Imaging, dated 1/14/2025, revised 1/23/2025, 3/18/2025, 4/22/2025
- UST, Sign, and Canopy Replacement Special Permit Plan, prepared by CMG, dated 4/30/2025
- Sign Location Plan Sign Review Application, prepared by CMG, dated 4/30/2025, revised 7/10/2025, 10/1/2025

ADMINISTRATIVE DETERMINATIONS:

1. The subject property has been occupied by a gas and service station use since 1930. Several special permits have been granted since 1937 allowing for expansions of the filling and service station. Sometime before 1988, a canopy was constructed over the pumps without a building permit or special permit to extend the gas station use. Ultimately, Special Permit #216-88 was granted in 1988 to legalize the construction of a canopy over the gas pumps as an extension of the existing gas station use. The petitioner proposes to now raze the existing canopy and construct a new larger canopy in the same location, requiring an amendment to the existing special permit.
2. The canopy was built with a front setback of 7 feet where 10 feet is required per section 4.1.3. The 1988 special permit held a condition that the petitioner obtain a variance from the Zoning Board of Appeals to legalize the front setback. The ZBA denied the variance in 1988, however the structure remained as constructed to present day. Per section 7 of MGL Chapter 40A, noncompliant structures in existence for at least ten years with no notice of an alleged violation filed in the Registry of Deeds are deemed for zoning purposes to be lawfully nonconforming structures and are afforded the rights of, and are subject to local ordinances relative to protected nonconformities.

The proposed canopy is wider than the existing but maintains the existing nonconforming 7-foot front setback by enlarging the structure by three feet on each side, increasing the size from 24 feet deep by 36 feet wide to 24 feet deep by 42 feet wide. Per section 7.8.2.B, alterations to the front of a nonconforming structure of not more than 75 square feet are allowed by right so long as the alteration does not encroach any further into the front setback. The proposed canopy expansion adds 18 square feet of canopy within the front setback and does not encroach further into the setback, requiring no zoning relief per the de minimis provisions of section 7.8.2.B.2.i.

3. Special Permit #305-82 was granted in 1982 allowing for a 16-foot free-standing sign. The petitioner seeks to replace the existing sign with a new free-standing sign in a new design, requiring an amendment.
4. Condition #3 of Special Permit #305-82 limits the height of the free-standing sign to 16 feet, aligning with the limit imposed by section 5.2.13.B. The proposed free-standing is 16 feet in height, in accordance with the existing special permit.
5. Per section 5.2.13.B, a free-standing sign may not exceed 35 square feet. According to the 1982 building permit, the existing free-standing sign included only the "Sunoco" logo and measured 42.75 square feet, though no relief was included in the special permit for the size. The proposed sign is 10.5 feet high by 5.1 feet wide, for a total of 53.8 square feet. The proposed sign requires a special permit to waive the size limitation per section 5.2.13.A.
6. Section 5.2.8 allows for one secondary sign, with the free-standing sign considered the principal sign. The petitioner proposes to locate Sunoco logo imaging on three of the four sides of the proposed canopy.

Sunoco logo imaging is proposed on each side of the lower portion below the controls. The logo imaging is also proposed on two sides of canopy columns, for a total of 12 logo placements around the pumps. The petitioner requires a special permit per section 5.2.13.A to waive the number of secondary signs.

- Section 5.2.8 allows for one secondary sign of 50 square feet or 1 square foot per linear foot of wall, whichever is less. The Sunoco logo facing Elliot Street is proposed with 44 square feet, where the canopy is 42 feet wide, requiring special permit relief per section 5.2.13.A.

The logos on the two sides of the canopy are 9 square feet, where the canopy wall plane is 24 linear feet, not exceeding the size limits and requiring no relief.

- Per section 5.2.8, directional signs may be up to 3 square feet. The petitioner proposes a sign indicating the clearance height of the canopy. The proposed signage is approximately 1 square foot, requiring no relief.
- Section 5.2.8 allows for 20 square feet (aggregate) of gas station signage for product identification. The petitioner proposes a 17.5 square foot band sign on the existing building indicating “Snack Shop” and an additional 23.9 square feet indicating “State Inspection”, for a total of 41.4 square feet. Additionally, four 1 foot by 5 feet gas station signs are proposed along the north elevation of the existing fence advertising “Air Machine,” “Oil Changes,” “Vacuum,” and “Inspections” resulting in a total of 61.4 square feet of gas station signage. A special permit per section 5.2.13.A is required to waive the aggregate square footage of the proposed gas station signs.

BU2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	8,470 square feet	No change
Setbacks			
• Front	10 feet	7 feet	No change
• Side	9 feet**	22.7 feet	No change
• Rear	0 feet	7.8 feet	No change
Building Height	24 feet (36 feet by SP)	14 feet (building) 18 feet (canopy)	No change No change
Max Number of Stories	2 (3 by SP)	1	No change
FAR	1.00 (1.50 by SP)	.15	No change

*Requires relief

**1/2 the building height of 18 feet (canopy)

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
	Amend Special Permits #216-88 and #305-82	
§5.2.13.A §5.2.13.B	To allow an oversized free-standing sign	S.P. per §7.3.3
§5.2.8 §5.2.13A	To allow multiple secondary signs	S.P. per §7.3.3
§5.2.8 §5.2.13.A	To allow an oversized secondary sign	S.P. per §7.3.3
§5.2.8 §5.2.13.A	To waive the maximum aggregate square footage of gas station signs	S.P. per §7.3.3



Ruthanne Fuller
Mayor

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Barney Heath
Director

DATE: August 19, 2025
TO: Katie Whewell, Chief Planner
Jane Santosuosso, Chief Zoning Code Official
FROM: Urban Design Commission
RE: 14 Elliot Street - Sunoco
CC: Land Use Committee of the City Council
Petitioner

At the request of the Department of Planning and Development, the Urban Design Commission has reviewed and provides the following recommendation to the Department of Planning and Development, and the Land Use Committee of the City Council regarding the free-standing sign at 14 Elliot Street. The following members were present at the UDC meeting: Michael Kaufman, Jim Doolin, John Downie, Visda Saeyan, and William Winkler. The following information is intended to give advice on specific matters affecting free-standing sign and wall mounted signs.

14 ELLIOT STREET – SUNOCO

At its regularly scheduled meeting on August 13, the Urban Design Commission (UDC) reviewed the proposed Signage at 14 Elliot Street and recommended **approval with conditions** for:

1. One free-standing principal sign, internally illuminated, with approximately 54 sq. ft. of sign area, 16 feet high, perpendicular to Elliot Street.
2. One canopy mounted secondary sign, internally illuminated, with approximately 23.2 sq. ft. of sign area on the western canopy façade facing Elliot Street.
3. One canopy mounted secondary sign, internally illuminated, with approximately 19.5 sq. ft. of sign area on the northern canopy façade perpendicular to Elliot Street. This sign extends above the canopy.
4. One canopy mounted secondary sign, internally illuminated, with approximately 19.5 sq. ft. of sign area on the southern canopy façade perpendicular to Elliot Street. This sign extends above the canopy.
5. Multiple blade directional signs (clearance signs and pump #) signs, non-illuminated, with approximately 1 sq. ft. of sign area.
6. Multiple pump mounted secondary signs (three signs per pump), non-illuminated. Applicant has not included these signs in the sign application.
7. Multiple column mounted secondary signs (two signs per column), non-illuminated. Applicant has not included these signs in the sign application.

8. One wall mounted secondary sign, non-illuminated, with approximately 17.5 sq. ft. of sign area on the western building façade facing Elliot Street (“Snack Shop”).
9. One wall mounted secondary sign, non-illuminated, with approximately 24 sq. ft. of sign area on the western building façade facing Elliot Street (“State Inspection”).
10. Four fence mounted signs, non-illuminated, with approximately 5 sq. ft. of sign area (“Air Machine, Oil Changes, Vacuum, Inspections”).

MOTION: Mr. Kaufman made a motion to approve the above-mentioned proposed signs at 14 Elliot Street. Mr. Doolin seconded the motion, and none opposed. All the members present voted, with a 5-0 vote, Michael Kaufman, Jim Doolin, John Downie, Visda Saeyan, and Bill Winkler in favor and none opposed. The Commission recommended the above signs for approval with the following **conditions**:

- White background of Sunoco free-standing sign should be blacked out, so it doesn’t shine at night.
- Recommend reducing the number of Sunoco signs on the dispensers (proposal shows six Sunoco signs per dispenser).
- Relocate dispenser numbers so they are visible.
- Arrow on the Sunoco signs (#3 and #4) on the canopy extends above the canopy. As per the zoning ordinance, signs cannot extend above the roof plate line. UDC recommends the approval of the proposed sign if the sign is allowed. If the sign is not allowed, then UDC recommends the applicant change the sign, so it is within the roof plate line.

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND Special Permit 216-88 to extend a nonconforming front setback by razing the existing canopy and construct a new canopy with updated signage, to allow an oversized secondary sign (canopy), to allow multiple secondary signs, and to waive the maximum aggregate signage allowed and to SUPERCEDE Special Permit #305-82 to replace the existing free standing sign with an oversized free-standing sign for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The site in the Business 2 zone is an appropriate location for the canopy and signage as the increase in canopy size and changes to signage do not further encroach into the setback and serves to help identify the site from a distance to oncoming vehicular traffic from Boylston Street and Elliot Street. (§7.3.3.C.1)
2. The canopy and signage will not adversely affect the neighborhood as it will improve wayfinding and will aid visitors in both locating and navigating the site. (§7.3.3.C.2)
3. The canopy and signage will not be a nuisance or serious hazard to vehicles or pedestrians as the canopy and sign will be reconstructed in the same locations, will not exceed the height of existing structures, and will enhance the appearance, safety, and navigability of the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved as no changes to parking or circulation are necessary or planned with the installation of the sign. (§7.3.3.C.4)
5. The nature of the use of the premises, the architecture of the building or its location with reference to the street is such that exceptions to the signage requirements should be permitted in the public interest. The site's long-standing use as a service station, coupled with the surrounding mixed-use neighborhood, will benefit from updated signage that better identifies services on site and provides improved safety signage for vehicular and pedestrian traffic. (§5.2.13.A)
6. The proposed (horizontal) extension of the existing nonconforming front setback is not substantially more detrimental than the existing nonconforming front setback is to the

neighborhood, as the proposed extension of the canopy does not encroach deeper/further into the front setback than the existing canopy. (§7.8.2.C.2)

PETITION NUMBER: #13-26

PETITIONER: Ed Negoshian

LOCATION: 14 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 03, containing approximately 8,470 sq. ft. of land in a district zoned BUISNESS 2

OWNER: Ed Negoshian

ADDRESS OF OWNER: 12 Haven Road
Medfield, MA 02052

TO BE USED FOR: Service (Gas) Station Use

RELIEF GRANTED: **To Amend Special Permit #216-88**

- To raze the existing canopy and construct a new canopy with updated signage that further extends the existing nonconforming front setback (§4.1.3,, §7.8.2.C.2)
- To allow an oversized secondary sign (canopy) (§5.2.8, §5.2.13.A)
- To allow multiple (14) secondary signs (§5.2.8, §5.2.13.A)
- To waive the maximum square footage for aggregate gas station signage (§5.2.8, §5.2.13.A)

To Supersede Special Permit #305-82

- To replace the existing free-standing sign with a new, oversized free-standing sign (§5.2.13.A, §5.2.13.B)

ZONING: Business 2

This Special Permit #13-26 amends Special Permit #216-88 to the extent that those provisions are still in full force and effect. Any conditions in prior Special Permit #216-88 not set forth or amended in this Special Permit #13-26 remain in full effect.

This Special Permit #13-26 supersedes Special Permit #305-82. Any conditions in prior Special Permit #305-82 not set forth or amended in this Special Permit #13-26 are null and void.

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping, signage, and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. Site Plan and Architectural plan set titled, "Sign Location Plan Sign Review Application" prepared by CMG Engineering Services, dated 4/30/3035 as revised October 6, 2025 and December 29, 2025 signed and stamped by Mark G. Smith, Professional Engineer consisting of the following sheets:
 - i. Site Plan titled, "Permit Plan", pg. UST-1.0
 - ii. Canopy Elevations, South/North East, and West, p. S-1.0
 - iii. Building Elevations, North and West, pg. S-1.1
 - iv. Fence and Ground Sign Elevations, pg. S-1.2
 - b. Sign Rendering Plans, titled, "14 Elliot Street Newton Highlands, Ma 02461" prepared by Total Imaging, consisting of 17 sheets, dated January 14, 2025 revised through January 23, 2025, March 18, 2025, April 22, 2025, August 27, 2025, September 26, 2025.
2. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.
3. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with for the portion of the project for which occupancy is requested and the Petitioner has:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a licensed design professional that the signs have been installed to comply with applicable building codes.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by the sign installer.