



Land Use Committee Agenda

City of Newton In City Council

Tuesday, October 24, 2023

7:00 PM

Council Chambers, Room 207

The Land Use Committee will hold this meeting as a hybrid meeting on Tuesday, October 24, 2023 at 7:00 pm that the public may access in-person or virtually via Zoom. To attend this meeting via Zoom use this link <https://newtonma-gov.zoom.us/j/87619674932> or call 1-646-558-8656 and use the following Meeting ID: 876 1967 4932

Submitted documents for each petition can be viewed via the digital hyperlink following the item below

Note: *The Committee will review a request for a consistency ruling for 26 Magnolia Avenue. The petitioner is seeking a consistency ruling from the Commissioner of Inspectional Services to install an inground pool and a detached hot tub. The Commissioner is seeking the opinion of the Land Use Committee on the matter.*

#327-23 **Request for Extension of Time to Exercise Special Permit #414-22 at 35 Bracebridge Road**
ANDREA ROMAN petition for Extension of Time to September 18, 2025 to Exercise Special Permit Council Order #414-22 to raze and construct a new detached garage as well as replace the rear deck further extending nonconforming FAR, further reducing and extending a nonconforming a side setback for an accessory structure and further reducing nonconforming separation between the accessory and principal buildings at 35 Bracebridge Road, Ward 6, Newton, on land known as Section 64 Block 16 Lot 16, containing approximately 11,425 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2, 3.4.3.A.1, 3.4.3.A.2 of the City of Newton Rev Zoning Ord, 2017.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

- #328-23 Request to amend Special Permit #67-20 to allow a Medical Marijuana Treatment Center at 1089 Washington Street**
GREEN RE WEST NEWTON LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #67-20 to allow a medical marijuana treatment center (formerly known as Registered Marijuana Dispensary or “RMD”) at 1089 Washington Street, Ward 3, West Newton, on land known as Section 31 Block 09 Lot 07, containing approximately 25,122 sq. ft. of land in a district zoned BUSINESS2. Ref: Sec. 7.3.3, 6.10.3.D, 4.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
1089 Petition Documents- <https://newtonma.viewpointcloud.com/records/804543>
- #355-22 Request to Rezone 2 parcels to BU4**
SELTZERS GARDEN CITY, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone 2 parcels as follows: 11 Florence Street (Section 82 Block 04 Lot 49) from MULTI RESIDENCE 1 to BUSINESS USE 4; and 318 Boylston Street (Section 82 Block 04 Lot 47) from BUSINESS USE 2 to BUSINESS USE 4.
Land Use Held 5-0; Public Hearing Continued on 7/19/22
Land Use Held 8-0; Public Hearing Continued on 09/19/23
11 Florence Petition Documents- <https://newtonma.viewpointcloud.com/records/745876>
- #356-22 Request to construct elderly housing with services at 11 Florence and 318 Boylston St**
SELTZERS GARDEN CITY, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow Elder Housing with services, to allow a development in excess of 20,000 sq. ft., to allow a five-story building, to allow a retaining wall greater than 4’ in height within a setback, to allow free-standing signs, to allow parking within the front setback, and to waive lighting requirements at 11 Florence Street and 318 Boylston Street, Ward 8, Newton, on land known as Section 82 Block 04 Lots 47 and 49, containing approximately 82,946 sq. ft. of land in a district zoned BU2 (318 Boylston Street, to be rezoned to BU4) and MR1 (11 Florence Street, to be rezoned to BU4). Ref: Sec. 7.3.3, 4.4.1, 6.2.10, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.4.2.B, 5.1.8.A.1, 5.1.13, 5.1.10.A, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 5-0; Public Hearing Continued on 7/19/22
Land Use Held 6-0; Public Hearing Opened on 6/27/23
Land Use Held 8-0; Public Hearing Continued on 09/19/23
11 Florence Petition Documents- <https://newtonma.viewpointcloud.com/records/745876>

Respectfully Submitted,

Richard A. Lipof, Chair

Scott Matthews

From: Andrea Roman [REDACTED]
Sent: Wednesday, October 4, 2023 11:06 AM
To: Scott Matthews
Cc: Tom Gloria
Subject: Request for extension of Special permit #414-22

Follow Up Flag: Follow up
Flag Status: Flagged

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

Oct. 4, 2023

To: Scott Matthews
City Clerk's Office
Newton, MA 02459

Scott,

On Sept 19, 2022, the City Council approved our special permit application #414-22 for 35 Bracebridge Road, Newton Center.

Due to construction scheduling timeframes, we have not yet been able to exercise the permit, and request an extension to the Council.

We'd appreciate your including our request at the next available opportunity. Thanks very much, and please let us know if there is any other information we should provide.

Sincerely,

Andrea Roman & Thomas Gloria
35 Bracebridge Road
Newton Center, MA 02459

[REDACTED]

From Land Use Committee Agenda, Sept. 13, 2022:

#414-22 Request to further extend nonconforming FAR, side setback and accessory building separation at 35 Bracebridge Road

ANDREA ROMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze and construct a new detached garage as well as replace the rear deck further extending nonconforming FAR, further reducing and extending a nonconforming side setback for an accessory structure and further reducing nonconforming separation between the accessory and principal buildings at 35 Bracebridge Road, Ward 6, Newton, on land known as Section 64 Block 16 Lot 16, containing approximately 11,425 sq. ft. of land in a district zoned

SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2, 3.4.3.A.1, 3.4.3.A.2 of the City of Newton Rev Zoning Ord, 2017.