



Land Use Committee Agenda

City of Newton In City Council

Tuesday, November 14, 2023

7:00 PM

Council Chambers, Room 207

The Land Use Committee will hold this meeting as a hybrid meeting on Tuesday, November 14, 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/81128714922> or call 1-646-558-8656 and use the following Meeting ID: 811 2871 4922

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

Note: Please see the attached request to withdraw the following petition without prejudice:

- #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.
Land Use Held 7-0; Public Hearing Opened on 11/14/23
1089 Washington Street- <https://newtonma.viewpointcloud.com/records/804543>
- #333-23** Request to extend a nonconforming two-family dwelling use at 27-29 Kilburn Road
LINDA FINGUERRA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to enclose two open porches, further extending the nonconforming use at 27-29 Kilburn Road, Ward 3, West Newton, on land known as Section 33 Block 32 Lot 24, containing approximately 8,551 sq.

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.

ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

27-29 Kilburn Road- <https://newtonma.viewpointcloud.com/records/804864>

#336-23 Request to further extend a nonconforming front setback and nonconforming lot coverage at 62 Maple Street (Newton Corner)

JOHN LEDOYT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a covered farmer's porch at the front entry, further extending the nonconforming front setback and lot coverage at 62 Maple Street, Ward 1, Newton, on land known as Section 71 Block 10 Lot 02, containing approximately 4,765 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

62 Maple Street- <https://newtonma.viewpointcloud.com/records/806900>

#337-23 Request to decrease nonconforming open space at 35-37 William Street

TRAOLACH CAHILLANE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legalize paving at the rear of the property, resulting in a reduction in the site's open space at 35-37 William Street, Ward 1, Newton, on land known as Section 71 Block 08 Lot 13, containing approximately 3,906 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.4.3.A.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

35-37 William Street- <https://newtonma.viewpointcloud.com/records/800940>

#335-23 Request to allow for-profit educational use, non-profit educational uses requiring a parking waiver, agricultural use and to waive 12 parking stalls at 297 Lowell Avenue

SAINT JOHN'S EPISCOPAL CHURCH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legitimize the current uses on site, to allow for proposed for-profit and non-profit educational tenants, to allow for farm-share distribution use, and to waive required parking stalls at 297 Lowell Avenue, Ward 2, Newtonville, on land known as Section 24 Block 14 Lot 01, containing approximately 44,854 sq. ft. of land in a district zoned SINGLE RESIDENCE 32. Ref: Sec. 7.3.3, 4.4.1, 6.3.14.B.1.b, 6.3.14.B.2, 3.4.1, 5.1.4, 5.1.13, 7.8.2.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

297 Lowell Avenue- <https://newtonma.viewpointcloud.com/records/806275>

#240-23 Request to allow ground floor residential use, to exceed by right height and stories, and a parking waiver at 290 Watertown Street

290 WATERTOWN ST LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and detached garage and construct five residential dwelling units in three buildings with dimensional waivers and allow for a waiver from the required number of parking stalls at 290 Watertown Street, Ward 1, Newton, on land known as Section 11 Block 14 Lot 03, containing approximately 11,473 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 5-0; Public Hearing Opened on 08/08/23

290 Watertown Street- <https://newtonma.viewpointcloud.com/records/794101>

#287-23(B) Request to amend Condition #3 of Special Permit #179-19 at 839-853 Washington Street
WASHINGTON PLACE OWNER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to modify the definition of “formula business” as it relates to Condition #3 at 839-853 Washington Street, Ward 2, Newtonville, on land known as Section 21 Block 29 Lot 10, containing approximately 123,628 sq. ft. of land in a district zoned MIXED USE 4. Ref: 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Opened 8-0 on 09/19/23

839-853 Washington Street- <https://newtonma.viewpointcloud.com/records/797959>

Respectfully Submitted,

Richard A. Lipof, Chair



October 25, 2023

Via Electronic Mail

Newton City Council
Land Use Committee
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Re: Special Permit Application (SP-23-72)
Property or Premises: 1089 Washington Street, Newton, MA 02465
Company: Ascend Mass LLC

Dear Honorable Chair and Members of the Land Use Committee:

This firm represents Ascend Mass LLC (the "Applicant") with its request to amend Special Permit #67-20 to include a Medical Marijuana Treatment Center (MTC) to its existing Marijuana Retailer operation at 1089 Washington Street. Following the Public Hearing held by the Land Use Committee on October 24, 2023, the Applicant hereby withdraws its Special Permit Application (SP-23-72) without prejudice to address the issues raised during the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Ross", followed by a thick horizontal line.

Michael P. Ross, Esq.
Direct: 617-456-8149
Email: mross@princelobel.com

Enclosures:

cc: Matthew McKenna
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