



Land Use Committee Agenda

City of Newton In City Council

December 5, 2023

7:00 PM

Council Chambers, Room 207

The Land Use Committee will hold this meeting as a hybrid meeting on December 5, 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/83233094727> or call 1-646-558-8656 and use the following Meeting ID: 832 3309 4727

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

- #379-23** **Class 2 Auto Dealers License**
REGANS INC.
2066 Commonwealth Avenue
Auburndale, MA 02466
Petition Documents- <https://newtonma.viewpointcloud.com/records/806831>
- #380-23** **Class 2 Auto Dealers License**
NEWTON AUTO GROUP, INC.
182 Brookline Street
Newton, MA 02459
Petition Documents- <https://newtonma.viewpointcloud.com/records/807021>
- #381-23** **Class 2 Auto Dealers License**
ROBERT'S TOWING, INC.
926r Boylston Street
Newton, MA 02461
Petition Documents- <https://newtonma.viewpointcloud.com/records/807185>

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.

- #382-23** **Class 2 Auto Dealer License**
NEWTON TRADE CENTER ASSOCIATES INC
103 Adams Street
Newton, MA. 02458
Petition Documents- <https://newtonma.viewpointcloud.com/records/807317>
- #383-23** **Class 2 Auto Dealers License**
OLD TIME GARAGE
1960 Washington Street
Newton, MA 02462
Petition Documents- <https://newtonma.viewpointcloud.com/records/806942>
- #384-23** **Class 2 Auto Dealer License**
AUCTION DIRECT PREOWNED, INC
1545 Washington Street
West Newton, MA 02465
Petition Documents- <https://newtonma.viewpointcloud.com/records/806939>
- #385-23** **Class 2 Auto Dealers License**
YES AUTO SALES GROUP INC
D/B/A YES AUTO CENTER
454 Watertown Street
Newton, MA 02460
Petition Documents- <https://newtonma.viewpointcloud.com/records/808845>
- #386-23** **Class 2 Auto Dealers License**
MAP DEVELOPMENT & INVESTMENTS INC
d/b/a CHRISTIAN TAPIA/MASTER USED CARS
175 North Street
Newton, MA 02460
Petition Documents- <https://newtonma.viewpointcloud.com/records/807262>
- #387-23** **Class 1 Auto Dealer License**
MAG RETAIL HOLDINGS – CJ LLC.
D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM
777 Washington Street
Newton, MA 02460
Petition Documents- <https://newtonma.viewpointcloud.com/records/809975>
- #388-23** **Class 1 Auto Dealers License**
VILLAGE MOTORS GROUP INC D/B/A HONDA VILLAGE
371 Washington Street
Newton, MA 02458
Petition Documents- <https://newtonma.viewpointcloud.com/records/810957>

- #389-23** **Class 1 Auto Dealer License**
NEWTON CENTRE SHELL INC
1365 Centre Street
Newton, MA 02459
Petition Documents- <https://newtonma.viewpointcloud.com/records/811013>
- #364-23** **Request for Extension of Time to Exercise Special Permit #358-22 at 1314
Washington Street, and 31, 33 Davis Street**
MADISON QUEENS-GUY BREWER LLC petition for Extension of Time to January 3, 2026 to allow a building in excess of 20,000 sq. ft., to allow a mixed-use residential building with five stories and 60 feet in height, to allow reduced lot area per unit, to exceed the maximum front setback, to allow a FAR of 2.45 in a five-story building, to waive the setback requirement for the portions of the building exceeding 40 ft. in height, to waive entrance and façade transparency requirements, to allow a restaurant with more than 50 seats with extended hours of operation, to allow ground floor residential use, to waive the requirement of using the A+B+C parking formula, to waive 115 parking stalls, to allow assigned parking, to allow reduced parking stall width and depth, to allow reduced accessible stall depth, to waive end stall maneuvering space requirements, to allow reduced aisle width at 1314 Washington Street and 31, 33 Davis Street, Ward 3, Newton, on land known as Section 33 Block 10 Lots 01, 11, 12 containing approximately 30,031 sq. ft. of land in a district zoned BUSINESS USE 1 (rezone to MIXED USE 4 proposed). Ref: Sec. 7.3.3, 7.4, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.1, 4.2.3, 4.2.5.A.4, 4.2.2.B.3, 4.2.5.A.2, 4.2.5.A.4.c, 4.2.5.A.6.a, 4.2.5.A.6.b, 4.4.1, 6.4.29.B.1, 6.4.29.C.6, 6.2.4, 5.1.3.B, 5.1.13, 5.1.4, 5.1.3.E, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2 of the City of Newton Rev Zoning Ord, 2017.
- #367-23** **Request to further extend a nonconforming 3-story single-family dwelling at
146 Oliver Road**
Susan Harvey petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition over existing second-story living space within the footprint, extending the nonconforming third story at 146 Oliver Road, Ward 5, Waban, on land known as Section 54 Block 01 Lot 16, containing approximately 8,878 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
146 Oliver Documents - <https://newtonma.viewpointcloud.com/records/809214>
- #366-23** **Request to further extend a nonconforming 3.5 story single-family dwelling at
255 Jackson Street**
Mary Beth Johnson petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition consisting of an attached garage with two stories of living space above, further extending the nonconforming 3.5-story structure at 255 Jackson Street, Ward 6, Newton Centre, on land known as Section 62 Block

24 Lot 24, containing approximately 14,368 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

255 Jackson Documents- <https://newtonma.viewpointcloud.com/records/806471>

Chairs Note: *It is the Chair's intent to entertain a motion to substitute "front" in place of "rear" in front of the words "property line"*

#285-23 Request to extend a nonconforming side setback for a detached garage at 75 Royce Road

DAN HAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand a detached garage toward the rear property line, further extending a nonconforming side setback at 75 Royce Road, Ward 2, Newton Centre, on land known as Section 24 Block 41 Lot 19, containing approximately 22,995 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 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.

Land Use Held 7-0 (Councilor Laredo Recused); Public Hearing was Opened on 09/19/23

75 Royce Documents- <https://newtonma.viewpointcloud.com/records/799803>

#365-23 Request to further extend nonconforming FAR at 286 Highland Avenue

SETH AND JULIA BURR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct two shed dormers on the second story which will further extend the nonconforming FAR at 286 Highland Avenue, Ward 2, West Newton, on land known as Section 32 Block 02 Lot 08, containing approximately 15,890 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

286 Highland Documents

<https://newtonma.viewpointcloud.com/records/808686>

#311-23 Request to allow four single-family attached dwellings, to waive lot area and lot area per unit requirements and to allow a driveway and parking within setback distances at 2202 Commonwealth Avenue

2202 COMMONWEALTH AVENUE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and construct four single-family attached dwellings with dimensional waivers, and to allow a driveway and parking within setback distances at 2202 Commonwealth Avenue, Ward 4, Auburndale, on land known as Section 41 Block 13 Lot 06, containing approximately 13,696 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 3.4.1, 3.2.4, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 5-0 (Councilors Bowman and Markiewicz Not Voting); Public Hearing Opened on 10/03/23

2202 Commonwealth Documents-

<https://newtonma.viewpointcloud.com/records/800354>

Respectfully Submitted,

Richard A. Lipof, Chair

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
KATHRYN K. WINTERS
KATHERINE BRAUCHER ADAMS
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E-Mail: sjbuchbinder@sab-law.com

November 7, 2023

BY HAND and EMAIL

Mr. Scott Matthews
Committee Clerk
Newton City Council
1000 Commonwealth Avenue
Newton, MA 02459-1449

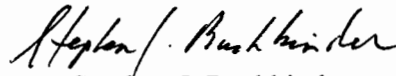
Re: Council Orders #357-22 (Zone Change) and #358-22 (Special Permit)
1314 Washington Street, 31 Davis Street, 33 Davis Street, Newton

Dear Mr. Matthews,

On January 3, 2023 the City Council granted a zone change and a special permit for a mixed use development at 1314 Washington Street, 31 Davis Street, and 33 Davis Street. Pursuant to Section 7.3.2.E of the Zoning Ordinances, the petitioner, Madison Queens-Guy Brewer LLC, respectfully requests an extension of the time within which to exercise the special permit for two additional years to January 3, 2026.

The petitioner has been faced with market dynamics which are making the project financially challenging to start at the present time. The extension of time has been requested for this reason. The hope is that market dynamics will improve over time and that the project will be able to proceed at a future date.

Sincerely,


Stephen J. Buchbinder

SJB/mer

cc: (By Email)
Councilor Andrea Kelley
Councilor Pamela Wright
Councilor Julia Malakie
Mr. Robert Korff
Mr. Damien Chaviano
Mr. Scott Lombardi
Leslie Kivitz, Esquire