



Land Use Committee Agenda

City of Newton In City Council

December 12, 2023

7:00 PM

Council Chambers, Room 207

The Land Use Committee will hold this meeting as a hybrid meeting on December 12, 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/81015540153> or call 1-646-558-8656 and use the following Meeting ID: 810 1554 0153

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

- #393-23 Request to allow reduced setbacks for a detached accessory apartment at 599 Commonwealth Avenue**
PADMINI PILLAI AND PIOTR BIELECKI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legalize an accessory apartment in its current placement, and to allow reduced setbacks at 599 Commonwealth Avenue, Ward 7, Newton Centre, on land known as Section 73 Block 50 Lot 05, containing approximately 5,408 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec. 7.3.3, 6.7.1.E.5 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
[599 Commonwealth Avenue-Petition Documents](#)
- #392-23 Request to further extend a nonconforming side setback, and to allow a dormer greater than 50% of the wall next below, within three feet of the end wall and with an uninterrupted wall plane at 66 Allison Street**
Robert Davis petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct dormer additions to the attic level of the dwelling, vertically extending a nonconforming side setback and exceeding by-right dormer dimensions at 66 Allison Street, Ward 1, Newton, on land known as Section 11 Block 11 Lot 04, containing approximately 4,713 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec. 7.3.3, 3.2.3, §1.5.4.G.2, §1.5.4.G.2.a, §1.5.4.G.2.b, §1.5.4.G.2.c, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
[66 Allison Street-Petition Documents](#)

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.

- #391-23 Request to exceed FAR, to allow an oversized detached accessory apartment, reduced setbacks for the apartment and to allow oversized dormers at 16 Everett Street**
IFAT AND YANIV BEJERANO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the detached garage and construct a new larger detached garage with an accessory apartment with oversized dormers and reduced setbacks and to construct a one-story rear addition to the principal dwelling which exceeds the FAR at 16 Everett Street, Ward 6, Newton Centre, on land known as Section 61 Block 25 Lot 06, containing approximately 10,658 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec. 7.3.3, 3.1.3, 3.1.9, 6.7.1.E.5, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
[16 Everett Street-Petition Documents](#)
- #390-23 Request to allow for-profit educational use at 84-94 Rowe Street**
72-94 ROWE STREET LLC C/O CALARE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert 7,972 square feet of vacant office space into an adult day health center at 84-94 Rowe Street, Ward 4, Auburndale, on land known as Section 44 Block 23 Lot 01, containing approximately 163,426 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 4.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
[84-94 Rowe Street- Petition Documents](#)
- #339-23 (B) Request to amend the site plans associated with Special Permits #480-14(4) and #327-21 and associated relief relative to parking at 283 Melrose Street**
TURTLE LANE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plans associated with special permits #480-14(4) and #327-21 to reflect changes to the configurations of the buildings and paved areas and to waive certain associated parking and screening dimensional requirements at 283 Melrose Street, Ward 4, Auburndale, on land known as Section 41 Block 14 Lot 10, containing approximately 43,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.8.A.2, 5.1.13, 5.1.8.D.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 5-0 (Councilor Kelley Abstained and Councilor Downs Not Voting); Public Hearing Opened
[283 Melrose Street- Petition Documents](#)
- #34-22 Discussion with city staff regarding the new permitting software**
COUNCILORS MARKIEWICZ, LIPOF, KELLEY, LAREDO, NORTON, CROSSLEY, MARKIEWICZ, WRIGHT, AND BAKER requesting periodic updates and discussion with the Planning, Inspectional Services and Information Technology Departments regarding process improvements and the benefits of the implementation of the new permitting software.
Land Use Held on 04/26/22

- #496-22 Request for discussion regarding the OpenGov System**
COUNCILORS MARKIEWICZ, BOWMAN, GREENBERG, KELLEY, LAREDO, AND LUCAS requesting a discussion with the Planning Department, Inspectional Services Department, Information Technology Department and the Chief Operating Officer regarding the use of the OpenGov system to record and track actions required by conditions specified in the Council special permit. These conditions are ones requiring follow-up and/or enforcement by City Departments.
- #35-22 Discussion with city departments regarding internal processes for special permit council orders**
COUNCILORS LAREDO, LIPOF, DOWNS, RYAN, KALIS, NORTON, WRIGHT, LUCAS, DANBERG, MALAKIE, GROSSMAN, BOWMAN AND KELLEY requesting a discussion with the Planning and Inspectional Services Departments regarding the current internal processes for ensuring compliance with special permit council orders and the ways in which these processes can be improved.
Land Use Held on 04/26/22
- #36-22 Review and analysis with city departments regarding standard language and special permit council orders**
COUNCILORS LAREDO, DOWNS, MALAKIE, LIPOF, ALBRIGHT, BOWMAN, WRIGHT, OLIVER, GREENBERG, KELLEY, NORTON, BAKER, LEARY, LUCAS AND DANBERG requesting a review and analysis with Planning, Inspectional Services and Law Departments regarding standard language and special permit council orders for the purpose of improving the language used in such orders including provisions regarding undergrounding utilities, bicycle storage, construction hours and other construction rules, vibrations, rodent control, electrification, landscaping and other similar provisions.
Land Use Held on 04/26/22
- #81-22 Discussion with city departments regarding internal processes for special permit council orders**
COUNCILORS MARKIEWICZ, LAREDO, LIPOF, DOWNS, WRIGHT, LUCAS, DANBERG, ALBRIGHT AND requesting a discussion with the Law and Planning and Development Departments regarding how the City Council currently sets mitigation contributions and fees for special permit projects and the establishment of standards for such contributions and fees.
Land Use Held on 04/26/22
- Referred to Land Use and Zoning & Planning Committee**
- #7-23 Request for discussion with City Staff regarding the process for creating and enforcing landscape plans pertaining to Special Permits**
COUNCILORS LAREDO, ALBRIGHT, LEARY, MALAKIE, NORTON, OLIVER, GREENBERG, AND WRIGHT, requesting discussion with the Planning Department, the Inspectional Services Department, and the Tree Warden regarding the process

for creating and enforcing landscape plans (including, but not limited to, trees) in the special permit process and enforcing the zoning code and the tree ordinance in connection with by right projects.

Land Use Held on 02/28/23

Referred to Zoning & Planning and Land Use Committees

#124-22

Request for amendment to Section 7.3 Special Permit Review of the Zoning Code COUNCILORS LAREDO, LIPOF, DANBERG, GROSSMAN, LUCAS, MALAKIE, AND WRIGHT

requesting an amendment to Section 7.3 Special Permit Review of the Zoning Code to require the submission of designs for the placement of underground utility service lines for projects above a certain size.

Land Use Held on 05/24/22

Referred to Zoning & Planning and Land Use Committees

#321-22

Request for a discussion on complex excavation projects

COUNCILORS KALIS, LIPOF, AND RYAN requesting a discussion on how to weigh neighbors' rights vs. developers with regard to complex excavation projects.

Referred to Zoning & Planning and Land Use Committees

#372-22

Discussion with city staff regarding TRIO's survey results

COUNCILORS LAREDO, LIPOF, LUCAS, GREENBERG, MARKIEWICZ, DANBERG, LEARY, MALAKIE, BAKER, WRIGHT, OLIVER requesting a discussion with the Planning Department regarding the results of TRIO's survey of its residents about their transportation needs and habits. The discussion should include information on:

- The demographics of the TRIO residents, including information on the number of residents (a) who do not or cannot drive at all; (b) who work from home (part-time and full-time); per unit and, if there are children, what ages are the children
- How many residents own or lease cars and how many of those cars are parked at TRIO
- What forms of transit are residents using instead of cars?
- For residents who do not own or lease a car, why have they made that decision – the availability of amenities in Newtonville; the ability to use Lyft and Uber; the current cost of new and used cars; other factors
- Are residents getting subsidized transit passes from their employers
- How much are residents using the bike racks and storage on site?
- What is the utilization of electric charging stations on site?

Respectfully Submitted,

Richard A. Lipof, Chair