



Land Use Committee Report

City of Newton In City Council

Tuesday, January 8, 2019

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo, Brousal-Glaser

City Staff Present: Associate City Solicitor Jonah Temple, Senior Planner Michael Gleba, Chief Planner Jennifer Caira, Senior Planner Neil Cronin, Planning Associate Katie Whewell

All Special Permit Plans, Plan Memoranda and Application Materials can be found at http://www.newtonma.gov/gov/aldermen/special_permits/current_special_permits.asp. Presentations for each project can be found at the end of this report.

#483-18 **Petition to allow 20-unit multi-family dwelling at 182-184 & 166 California Street**
LA&CA, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the expansion of a nonconforming multi-family dwelling use by constructing a three-story multi-family development 32.6' in height in a manufacturing district with greater than 20,000 sq. ft. new gross floor area, allowing a nonconforming front setback, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to waive maneuvering space for restricted parking stalls, to allow tandem parking and to allow retaining walls greater than four feet in height in the setback in Ward 1, Newton, at 182-184 California Street (Section 11 Block 12 Lot 12) and 166 California Street (Section 11 Block 12 Lot 13), containing approximately 18,121 sq. ft. of land in a district zoned MANUFACTURING. Ref: 7.3, 7.4, 4.4.1, 7.8.2.2, 4.3.2.B.1, 4.3.3, 7.8.2.C.2, 4.3.2.B.3, 5.1.4, 5.1.8.B.6, 5.1.13, 5.1.8.E.1, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 7-0 (Schwartz not Voting); Public Hearing Continued**

Note: Attorney Laurance Lee, Freedman, Rosenberg and Lee presented the request to continue the public hearing to February 5, 2019 on behalf of the petitioner. It was noted that the petitioner is still working to revise plans to submit to the Planning Department. Councilor Greenberg motioned to hold the item which carried unanimously.

#482-18 **Special Permit to waive 17 parking stalls at 2330 Washington Street**
ARTISAN CHILD CARE/CURTIS HOUSE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in the number of teachers and children in the program by waiving 17 parking stalls at 2330 Washington Street, Ward 4, Newton Lower Falls, on land known as Section 42 Block 31 Lot 18, containing approximately 27,277 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3, 7.4, 5.1.4, 6.3.4.B.3.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Approved 7-0 (Schwartz not Voting); Public Hearing Closed 01/08/2019**

Note: Atty. Frank Stearns, Holland and Knight, represented the petitioner; Artisan Child Care to present the petition to waive 17 parking stalls at 2330 Washington Street to allow increased enrollment up to 106 students in the day care. In response to concerns raised at a prior public hearing, the petitioner has committed to an enhanced parking management plan. Atty. Stearns explained that the proposed parking management plan includes pickup and drop-off at the rear of the site to supplement the existing front pickup/drop-off as well as a dedicated employer shuttle to transport employees from the Woodland train station. The petitioner is committed to post occupancy monitoring and studies and has worked with the Planning Department regarding the scope of the use of the shuttle. The draft Council Order requires a phased growth in enrollment for the childcare center. The petitioner may increase enrollment to 85 students in 2/4 additional classrooms in Phase I, then may expand to include the additional two classrooms and a total enrollment of 106 students in Phase II. It was noted that the petitioner must receive approval from the Planning Department to expand to Phase II. As enrollment and staffing increases, the corresponding number of employees that must take the shuttle increases.

In response to the Planning Department's request that the petitioner address whether a second means of egress is necessary on the top floor; Atty. Stearns stated that the petitioner is evaluating whether the second means of egress can be added within the existing configuration or by the addition of a dormer to the non-historic portion of the house. He noted that neither solution has an impact on the parking waiver requested.

Senior Planner Michael Gleba reviewed the site plan, relief, criteria for consideration, land use and zoning at the site as shown on the attached presentation. Mr. Glebe noted that the Woodland station is approximately 1.1 miles from the day care. Seeing no member of the public who wished to speak, Councilor Markiewicz motioned to close the public hearing which carried unanimously. Councilor Auchincloss motioned to approve the petition. Committee members reviewed the draft findings and conditions.

Committee members expressed concerns relative to the ongoing oversight required to monitor the proposed parking management plan as well as the petitioner's reliance on public parking to meet the parking demand. Chief Planner Jennifer Caira noted that the Planning Department shares the same concerns relative to the draft conditions and ensuring that the shuttle is operating in perpetuity; but has worked with the Law Department and the petitioner to craft conditions that are enforceable and easily monitored. Ms. Caira noted that the City is working to develop systems that easily identify Special Permit properties with ongoing conditions. The draft order includes a condition requiring an annual inspectional by ISD and certification that the shuttle is still being operated. It was noted that the petitioner may require an amendment to the Special Permit if there are service changes at the Woodland train station. Committee members acknowledged that the draft Order includes ongoing monitoring and meetings with the Planning Department. After a review of the draft findings and conditions, Committee members voted unanimously in favor of Councilor Auchincloss' motion to approve.

#565-18 **Special Permit Petition to amend Council Order #217-16 at 50-52 Rowe Street**
NEW NEWTON, LLC./DANIEL SZETO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #217-16 to construct a detached carport for the existing single-family dwelling at 50-52 Rowe Street, Ward 4, Auburndale, on land known

as Section 44 Block 23 Lot 06, containing approximately 19,321 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Denied Subject to Second Call 5-0-3 (Schwartz, Lipof, Crossley abstaining)**

Note: Architect Ron Jarek, 487 Watertown Street represented the petitioner to present the request to amend Special Permit Council Order #217-16 to allow for a carport at 50-52 Rowe Street. Mr. Jarek explained that during the Special Permit process, the Planning Department requested that the petitioner modify the proposed plans to move a proposed dwelling unit further into the site and away from the lot line. By moving the proposed unit further into the site, space was eliminated where a two-car carport was proposed, between two structures. Space remained to park one car. After approval of the Special Permit, the petitioner determined that two cars would fit between the units, in tandem configuration. The petitioner sought a consistency ruling from the Commissioner of Inspectional Services and was told that an amendment to the Special Permit was necessary. Mr. Jarek stated that the petitioner now proposes to locate a carport for two cars in the location between the two units. Mr. Jarek demonstrated the approved, existing and proposed plans as shown on the attached presentation.

Planning Associate Katie Whewell presented the requested relief, criteria for consideration, zoning, land use and photos of the site as shown on the attached presentation.

The Public Hearing was Opened.

Philip and Kristin Kostka, 64 Rowe Street, stated that the petitioner has a history of bad behavior and has not been a conscientious neighbor. Ms. Kostka noted that a vehicle caused property damage at their home. Ms. Kostka stated that the petitioner has consistently violated hours of construction, delivering a modular home at 4:00 am, causing disruptions in the neighborhood. Ms. Kostka stated that she called the non-emergency police line to report the disturbance and urged Committee members to deny the petition.

Phil Wallace, 340 Wolcott Street, read a letter on behalf of residents at 62 Rowe Street, Mr. Wallace urged Committee members to deny the petition, noting that construction has been ongoing, noisy and intolerable. It was noted that an additional structure at the site will be a burden as will the added disturbance from the additional construction.

Michael Wordell, 334 Wolcott Street, stated that he spoke in favor of the original petition, but believes that the extension of the proposed carport is an overuse of the land. Mr. Wordell is opposed to the petition and noted that there is a reason that the carport was not approved as part of the original petition.

The Contractor, Doug George, Dedham, Mass., explained that he worked with the Kostkas to replace their fence when it was damaged.

Committee members questioned how many complaints have been reported/filed with Inspectional Services and/or the Police Department. Chief Planner Jennifer Caira confirmed that there is no record of violations or stop work orders issued by Inspectional Services or the Police Department. Committee members expressed concerns relative to the number and nature of complaints raised by the

neighborhood. A Councilor noted that Rowe Street is unsafe and explained that the ongoing delays have caused dangerous conditions for drivers and pedestrians. Committee members encouraged the contractor to communicate with neighbors and manage the site conscientiously. Committee members questioned whether the space above the carport can be used as habitable space. Mr. Jarek stated that the carport will have a roof but is not intended to be used as habitable or deck space. Ms. Caira confirmed that the carport would not be able to be habitable or safe to withstand people on top of it.

A Committee member noted that the location of the proposed carport is adjacent to the garage in one of the existing units, making it difficult to safely maneuver in the shared driveway. Additionally, it was noted that the proposed second space creates a ratio of 2.66 cars per unit at the site, in excess of what is consistently approved during the Special Permit process. Committee members expressed concerns relative to the intensity of use at the site as well as the unsafe location of the additional space. Seeing no member of the public who wished to speak, Councilor Markiewicz motioned to close the public hearing which carried 7-0-1 (Laredo abstaining). Councilor Auchincloss moved to deny the petition. Committee members reviewed the draft findings and noted that the proposed carport creates greater intensity than was previously approved as well as unsafe conditions at the site. Councilor Auchincloss motioned to deny the petition, subject to second call. It was noted that it is possible that the petitioner will submit a request to withdraw prior to the Council meeting. Committee members voted five in favor of denial, none opposed and abstentions from Councilors Schwartz, Lipof and Crossley.

#566-18 **Petition to allow multi-family dwellings at 424-432 Cherry Street**
DENNIS CAMERON/CRM MANAGEMENT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing single-family dwelling to construct a six-unit residential dwelling with, to construct a second three-story 34.5' residential dwelling with three units, to allow ground floor units, to allow a reduction in the parking requirements to 1.25 per dwelling unit, to waive minimum stall width requirements, to reduce the minimum aisle width requirements, to waive the minimum driveway width, to waive perimeter landscape screening requirements and to waive lighting requirements in Ward 3, West Newton, at 424-432 Cherry Street, Section 33 Block 11 Lot 2, containing approximately 14,204 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.4.A, 5.1.13, 5.1.8.C, 5.1.8.B.1, 5.1.8.D.1, 5.1.9.A, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 8-0; Public Hearing Continued**

Note: Attorney Terry Morris, office at 57 Elm Road, represented the petitioner, Dennis Cameron. Atty. Morris stated that the project has had many challenges due to the fact that it is a historic landmark in a Business 1 zone and all changes are governed by the Historic Commission. Atty. Morris explained that the petitioner worked to create a plan that reuses the existing building and is sensitive to the neighborhood and site. The proposed development includes 9 total units in two buildings, ranging from 830 – 1600 sq. ft., with one affordable (65% AMI) and one accessible unit. Atty. Morris noted that the height, size and setbacks of the proposed development are consistent with other buildings in the neighborhood and the development has 15 parking stalls. Atty. Morris stated that the petitioner has abandoned a shared right of way with the adjacent Police Department to allow sole use by the City's Police staff. He confirmed that the petitioner engaged the neighborhood about the proposed plans.

Architect Ron Jarek, 487 Watertown Street, explained the abandonment of the shared right of way, creates a single entrance to the proposed development on Webster Street and safer conditions. He noted that the petitioner is creating some lawn space. The Committee questioned what the percentage of impervious surface is at the site. Senior Planner Neil Cronin confirmed that approximately 30% of the site contains no parking or structure.

Senior Planner Neil Cronin presented the requested relief, criteria for consideration, land use, zoning and photos of the site as shown on the attached presentation. Mr. Cronin stated that the proposed development borrows details of the historic structure and is similar to other structures in the neighborhood. He noted that the Historic Commission has approved the proposed design. Additionally, he noted that the proposed 15 stalls create a ratio of 1.6 stalls per unit. The Planning Department believes that the proposed development aligns with the housing and transportation strategies as well as the comprehensive plan. Mr. Cronin stated that it is the recommendation of the Planning Department that the petitioner work to replace trees on site rather than pay into the tree fund. Mr. Cronin noted that the petitioner has committed to granting the City an easement to allow the City to sensor a new signal. He confirmed that the new signal is identified in the CIP. Additionally, the petitioner proposes to remove a hedge at the site to provide improved sight lines.

The Public Hearing was Opened.

Michael Pantina, 40 Webster Street, directly abuts the property. He noted that he is not opposed to development at the site. He has spoken with the petitioner but remain concerned about the size of the development on the parcel. The proposed plan overbuilds on the site. Mr. Pantina stated that residential zoning requirements should be applied and noted that the proposed structure in not in keeping with the neighborhood character.

Deborah Frankl, 38 Webster Street, is not opposed to development at the site but believes that the proposed project is too dense for the site and not consistent with the rest of the neighborhood. She noted that the property does not look like it has 30% green space. Ms. Frankl has concerns that all of the cars from the site will be using Webster Street where now Cherry Street is also used.

Julia Malakie, 50 Murray Road, does not believe it is in the public's interest to lose commercial space and believes that the proposed project is too dense for the neighborhood. Ms. Malakie is concerned about the environmental impact due to the loss of mature trees. Ms. Malakie noted that the parking waivers and dimensional waivers indicate that the proposed development has too many units on the land. Ms. Malakie noted that elimination of the winter parking ban will encourage residents to overflow park on the street. She stated that the development should be comparable to what it is adjacent to, not what is across the street.

Leslie, 10 Columbus Place, has concerns about density of the proposed project in the neighborhood and the impact of additional cars on the limited parking. She does not believe that the proposed development suits the neighborhood and has concerns about the continued loss of trees and green space in the neighborhood.

Jane, 30 Webster Street, density has skyrocketed in the last ten years. has concerns about the impact on traffic and safety and believes the house will be set too close to the street and inconsistent with the setbacks in the neighborhood.

The petitioner, Dennis Cameron, noted that the plan does not include the addition of more spaces. He stated that the spaces are existing and are used by police, neighbors and service providers. He noted that there is not a lot of green space at the existing site.

Committee members questioned how the setbacks are determined for residential uses in the business zone. Chief Planner Jennifer Caira explained that the setbacks are determined by the zone, not the use. She stated that the current planning is to encourage buildings that are closer to the street, particularly in village centers. She noted that this location is on the edge of the village center and the residential neighborhood. She confirmed that the consultants for the Washington Street plan have seen this project and were complimentary of the smaller buildings as opposed to one larger building.

A Councilor noted that Webster Street is very narrow and difficult to drive on, expressing concern relative to the increase in traffic at the site. Committee members questioned whether the petitioner might consider reducing the parking from 15 stalls to 12 stalls to create more open space. Atty. Morris confirmed that the petitioner will review the option to reduce parking from 15 to 12 stalls and noted that the reduction in parking would allow the structure to be pulled back into the site.

Committee members requested that for the next meeting, responses be provided for the following questions:

- Why it is beneficial to have this structure closer to the street?
- Is the proposal consistent with what was previously at the site?
- What is the plan is for City vehicle parking in the neighborhood?
- How might the bowl nature of the site impact the ability to manage site stormwater?
- What is the difference in revenue at the site between commercial and residential uses?

With that a motion from Councilor Kelley to hold the item carried unanimously.

#564-18 **Petition to allow nine-unit multi-family dwelling at 39 Herrick Road**
STUART ROTHMAN/HERRICK ROAD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 36' three-story nine-unit multi-family dwelling with accessory parking for nine cars, to allow multi-family residential use on the ground level in a BU1 district, to allow a reduction to one parking stall per unit, to waive 18 stalls on the parcel associated with the multi-family dwelling located on the adjacent parcel, to allow off-site parking facilities, ~~to waive~~ to allow parking in the side setback, to allow a reduced minimum aisle width, to waive maneuvering space required of restricted stalls, to allow a retaining wall greater than 4' in the setback, to waive perimeter screening requirements and to waive lighting and surfacing requirements at 39 Herrick Road, Ward 6, on land known as Section 61 Block 36 Lot 7, containing approximately 12,979 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, 5.1.8.A, 5.1.8.B.6, 5.1.8.C.2, 5.1.9.A, 5.1.10, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Held 8-0; Public Hearing Continued

Note: Attorney Morris, office at 57 Elm Street, stated that the architect for the project was ill and unable to attend the public hearing.

The Public Hearing was Opened.

Sherry Israel, 38 Ballard Street, noted that there are limited opportunities for downsizing in the City. She spoke in favor of the proposal and hopes that the project will help address senior housing.

Allison Sharma, 46 Kingswood Road, serves on Council on Aging, leads the housing group. Ms. Sharma noted that there are a lack of options for the aging population in the City and stated that the senior population will soon see a 30% increase. She hopes that the project will do something to help retain elderly population.

Seeing no other member of the public who wished to speak, Committee members voted unanimously to hold the item until February 26, 2019.

#620-18 **Amendment to Special Permit Orders #213-12(1) and (2) at 71 Needham Street**
BEAL NEVADA SERVICE CORPORATION/NEEDHAM STREET VILLAGE SHOPS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #213-12(1) and #213-12(2) to allow a bank use at 71 Needham Street, Ward 5, Newton Highlands, on land known as Section 51, Block 28, Lot 20, containing approximately 58,875 sq. ft. of land in a district zoned MU1. Ref: 7.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Action: Land Use Approved 8-0; Public Hearing Closed January 8, 2019

Note: Attorney Franklin Schwarzer of Schlesinger and Buchbinder, with offices at 1200 Walnut Street, presented the request to locate a bank use in the vacant space at 71 Needham Street. Atty. Schwarzer noted that the site was approved for mixed use and stated that a Special Permit is required to allow a bank use in a mixed-use zoning district. Atty. Schwarzer confirmed that there are no structural changes proposed. The Planning Department recommended that a condition of approval be the relocation of ADA parking stalls at the site prior to the issuance of any certificates of occupancy. Atty. Schwarzer noted that the Commissioner of Inspectional Services has stated that he is unaware of any ADA non-compliance at the site. Atty. Schwarzer noted that as ADA compliance is regulated by federal law, if there is an issue of non-compliance, the property owner would be required to rectify the situation.

Planning Associate Katie Whewell presented the requested relief, criteria for consideration, zoning, land use and photos of the site as shown on the attached presentation. Ms. Whewell noted that the Planning Department is supportive of the bank use. Ms. Whewell explained that the tenants at the site use the front of the buildings, which Planning is supportive of, as it helps to activate the site. Ms. Whewell explained that the ADA parking stalls are located to the rear of the Partners Healthcare portion of the site, which are not located the shortest distance from the entrance of the building. The City's ADA Coordinator received a complaint relative to the location of the ADA stalls. Ms. Caira stated that because

Partners is not using their rear egress for the public, the stalls are not in compliance. She confirmed that she will confirm that with Inspectional Services. The Planning Department is recommending that one stall be relocated to the front of the building.

The Public Hearing was Opened.

Shalima Montero, Branch Manager at Beal Bank, Wellesley, noted that the bank does not have a typical bank setup. She stated that there is no teller area and noted that bankers sit with each customer from start to finish of each transaction, creating a more personal environment.

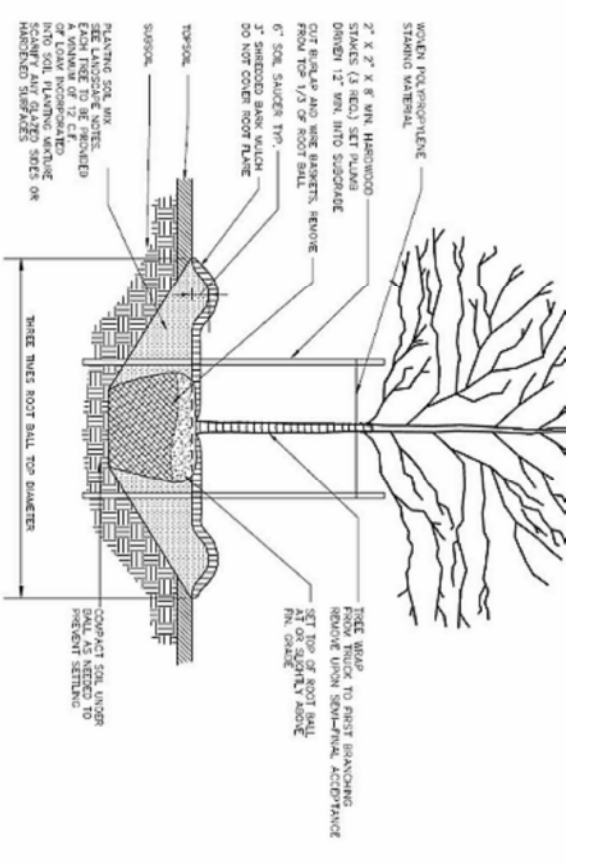
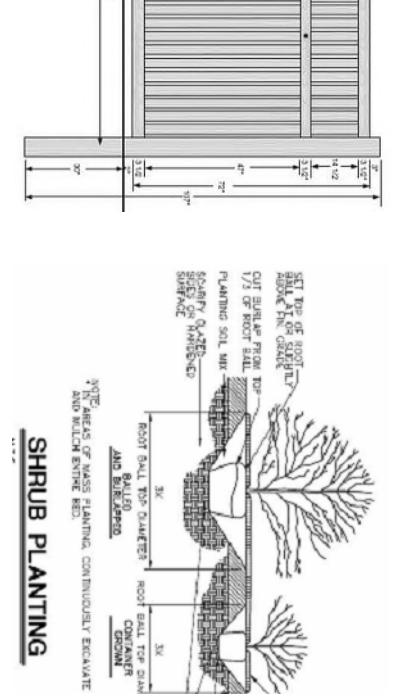
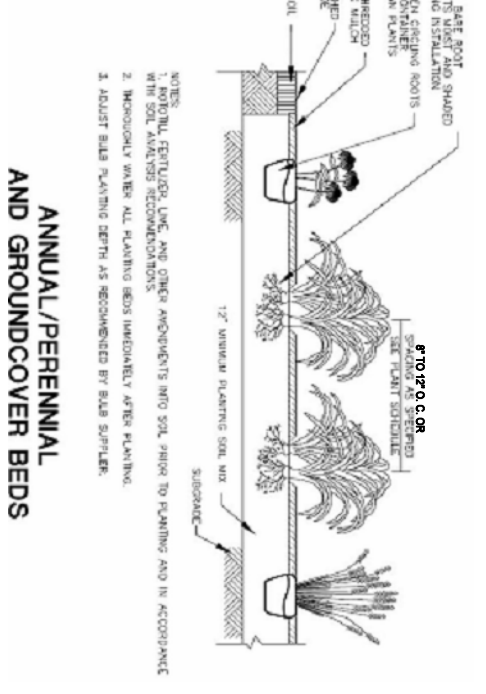
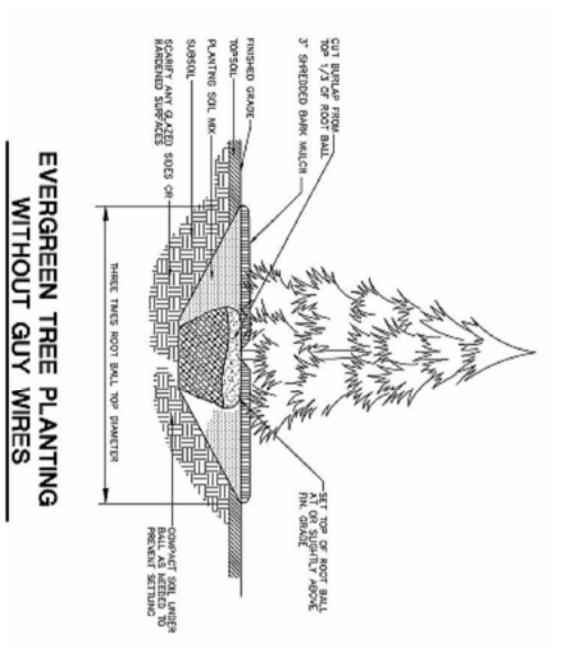
A Committee member questioned whether approval of the bank use at this location would allow the other spaces to be occupied with banks. Ms. Caira confirmed that the bank use would be limited to this approval.

A Committee member noted that the plan and parking was approved during the Special Permit process. It was suggested that if the ADA stalls are non-compliant, they can be rectified at any time; but relocating them unnecessarily might be a burden to the petitioner. It was noted that all of the tenants at the site have temporary certificates of occupancy. Associate City Solicitor confirmed that the ADA compliant parking stalls may be addressed through the final certificate of occupancy, if necessary. Committee members expressed no further concerns relative to the petition. Seeing no other member of the public who wished to speak, Councilor Crossley motioned to close the public hearing which carried unanimously. Councilor Crossley motioned to approve the petition. Committee members reviewed the draft findings and conditions as shown on the attached presentation. 7-0-1 (Schwartz abstaining)

The Committee adjourned at 9:45 pm.

Respectfully Submitted,

Greg Schwartz, Chair



LANDSCAPE KEY

- EXISTING TREE TO BE PROTECTED
- PROPOSED SHRUB
- PROPOSED ORNAMENTAL GRASS
- PROPOSED LAWN SEED MIX
- PROPOSED EVERGREEN TREE
- PROPOSED SMALL FLOWERING TREE
- PROPOSED PERENNIALS

LANDSCAPE NOTES

1. THE LANDSCAPE PLAN AND SITE PLAN SHALL BE FOR LANDSCAPE APPROVAL ONLY. REFER TO THE SITE LAYOUT PLAN, UTILITY PLAN, GARAGE PLAN AND OTHER PLAN FOR ALL OTHER INFORMATION.

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASS LANDSCAPE ACT AND REGULATIONS. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASS LANDSCAPE ACT AND REGULATIONS.

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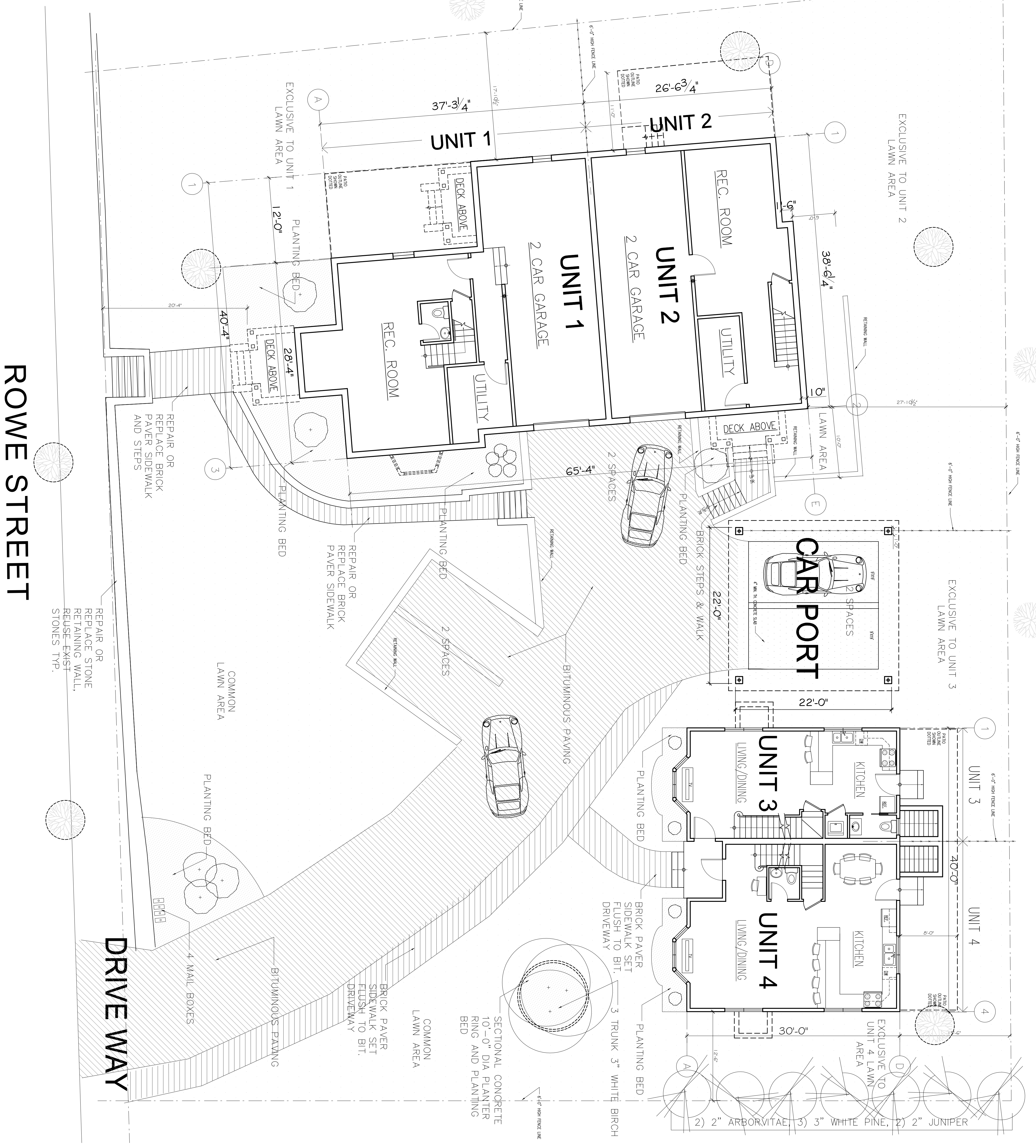
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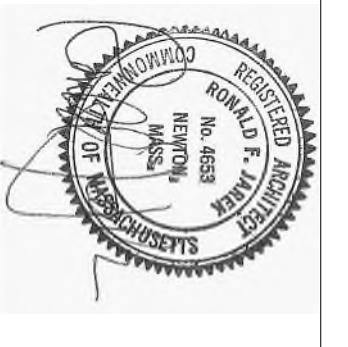
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ROWE STREET

DRIVE WAY



LANDSCAPE PLAN

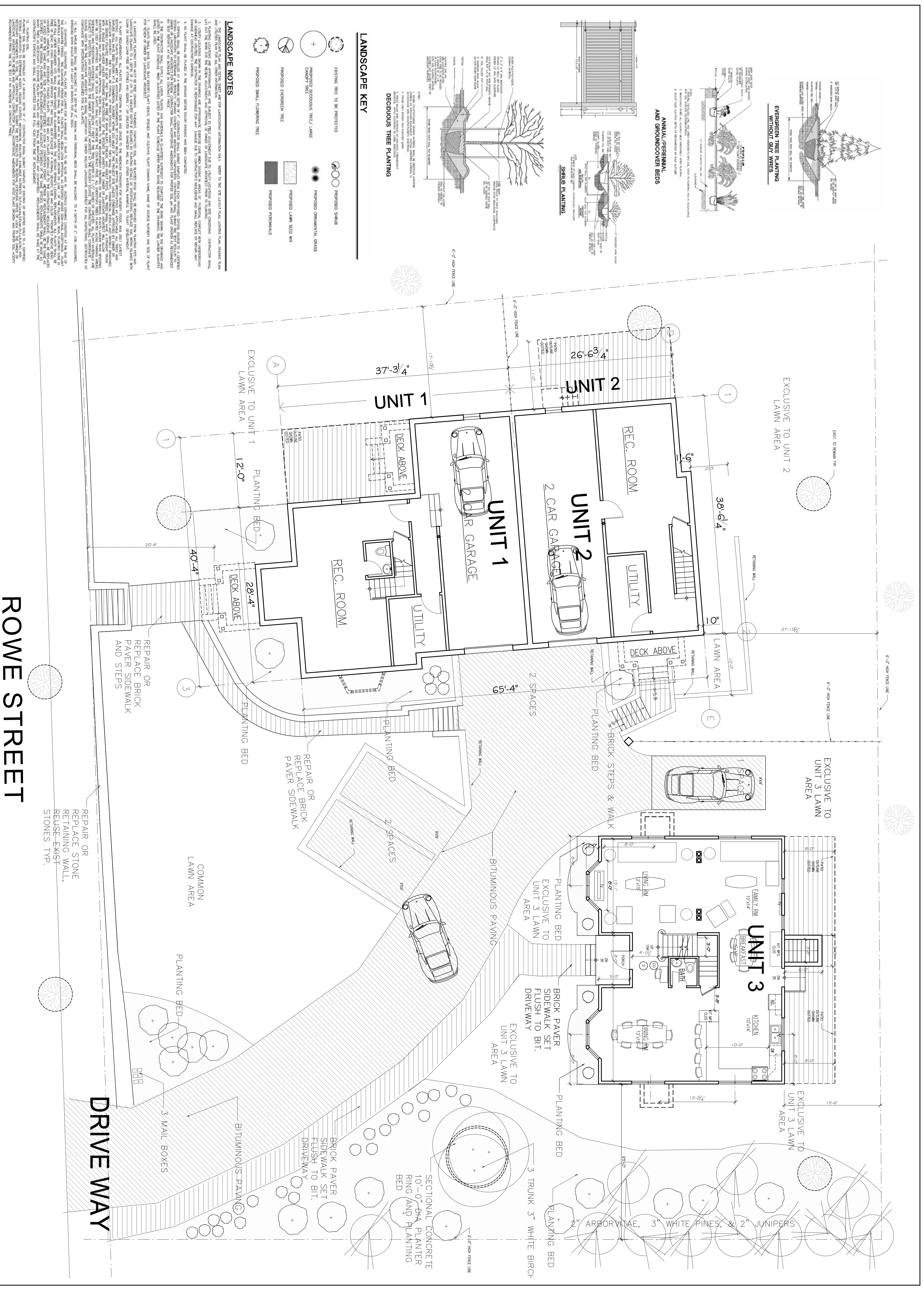
**NEW 2) TWO FAMILY RESIDENCES
50 - 52 ROWE STREET, NEWTON, MA 02466**

50 - 52 ROWE ST.
NEWTON, MA 02466

Ronald F. Jarek, Architect
487 Watertown Street
Newtonville, MA 02460

OWNER: NEW NEWTON, LLC
2193 COMMONWEALTH AVE,
BRIGHTON, MA 02135

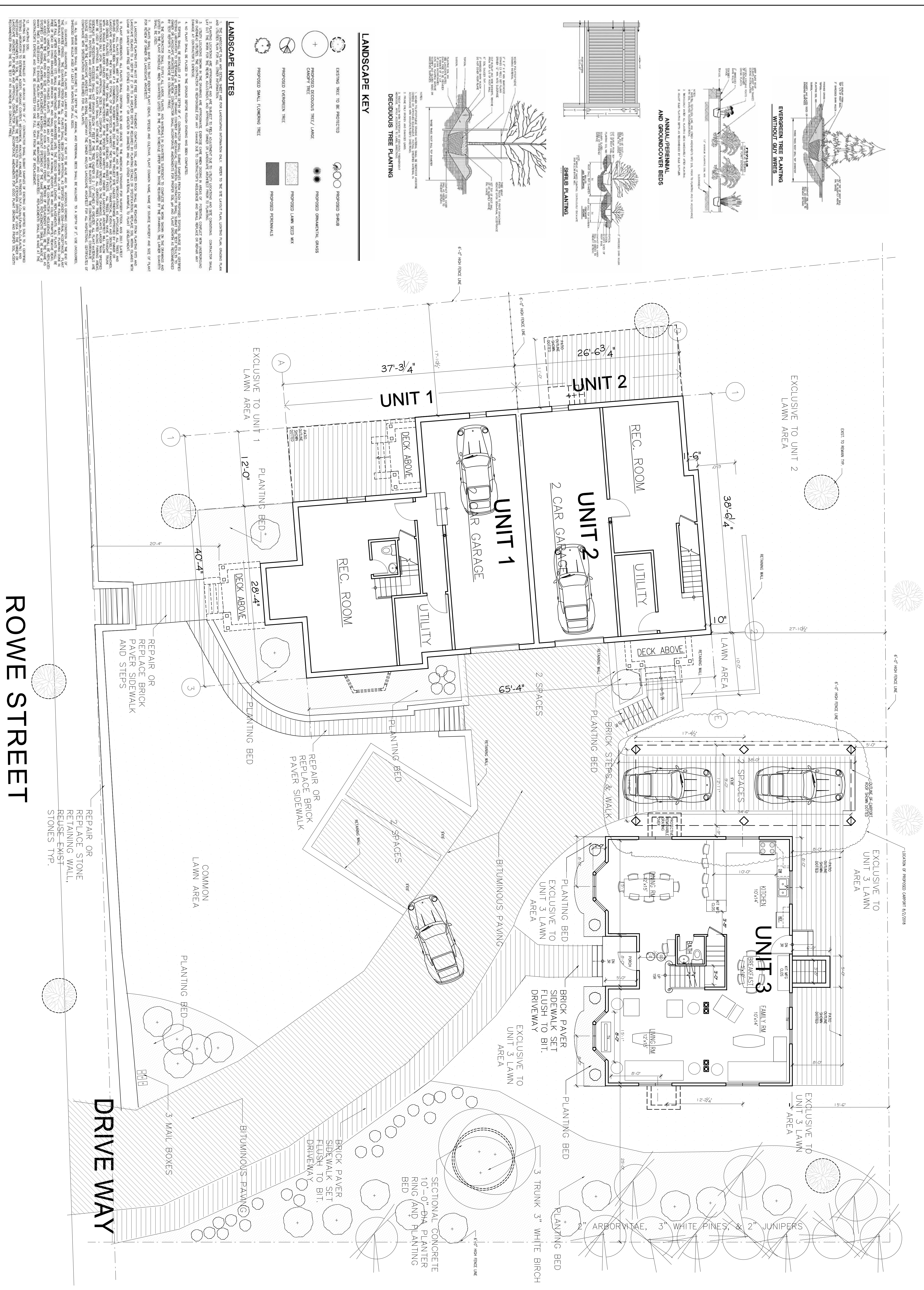
DATE: 4/23/2018
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CHECKED BY: R.F.J.
LA-1



ROWE STREET

DRIVE WAY

<p>LA-1</p>	<p>Ronald F. Jarek, Architect 487 Watertown Street Newtonville, MA 02460</p>	<p>NEW TWO FAMILY PLUS SINGLE RESIDENCE 50 - 52 ROWE STREET, NEWTON, MA 02466</p> <p>OWNER: NEW NEWTON, LLC 2193 COMMONWEALTH AVE, BRIGHTON, MA 02135</p>	<p>LANDSCAPE PLAN</p> <p>50 - 52 ROWE ST. NEWTON, MA 02466</p>
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ROWE STREET

DRIVE WAY

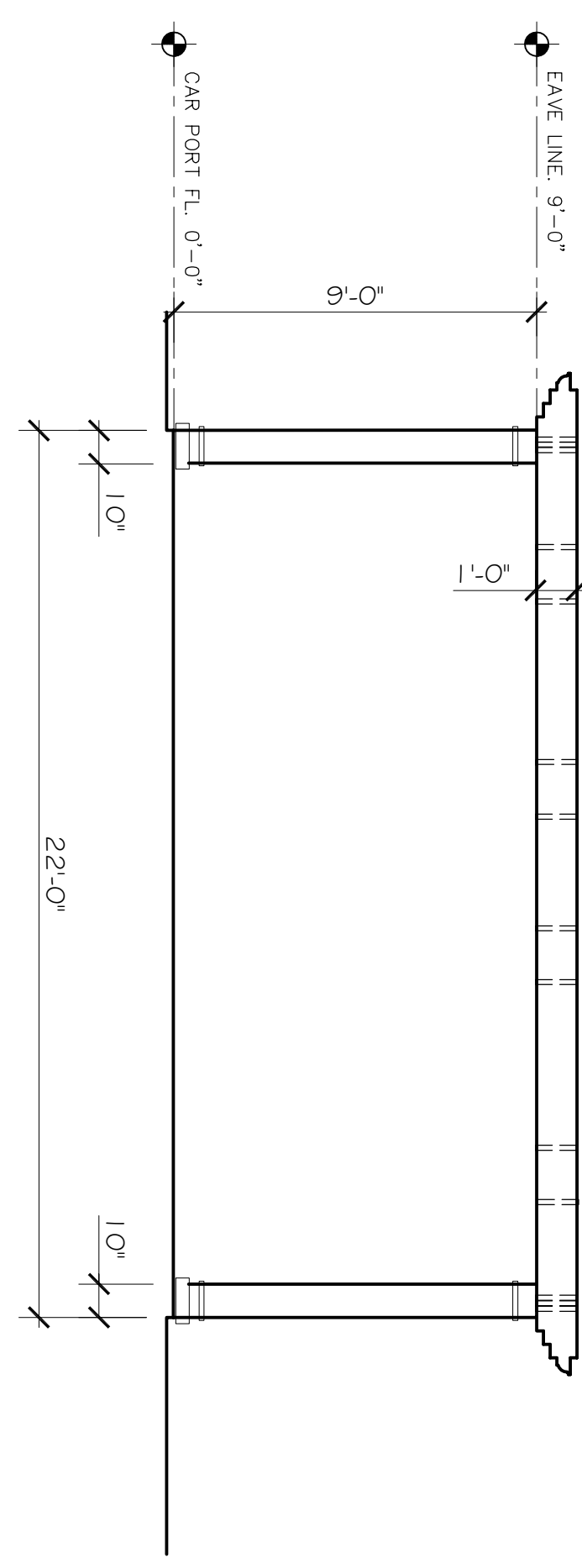
<p>LA-1</p>	<p>Ronald F. Jarek, Architect 487 Watertown Street Newtonville, MA 02460</p>	<p>NEW TWO FAMILY PLUS SINGLE RESIDENCE 50 - 52 ROWE STREET, NEWTON, MA 02466</p>	<p>LANDSCAPE PLAN</p>
	<p>DATE: 4/12/2018</p> <p>SCALE: AS SHOWN</p> <p>TOWN: N.H.</p> <p>CHECKED BY: R.F.J.</p> <p>DESIGNED BY: R.F.J.</p> <p>APPROVED BY: R.F.J.</p>	<p>OWNER: NEW NEWTON, LLC 2193 COMMONWEALTH AVE, BRIGHTON, MA 02135</p>	<p>50 - 52 ROWE ST. NEWTON, MA 02466</p>

LANDSCAPE KEY

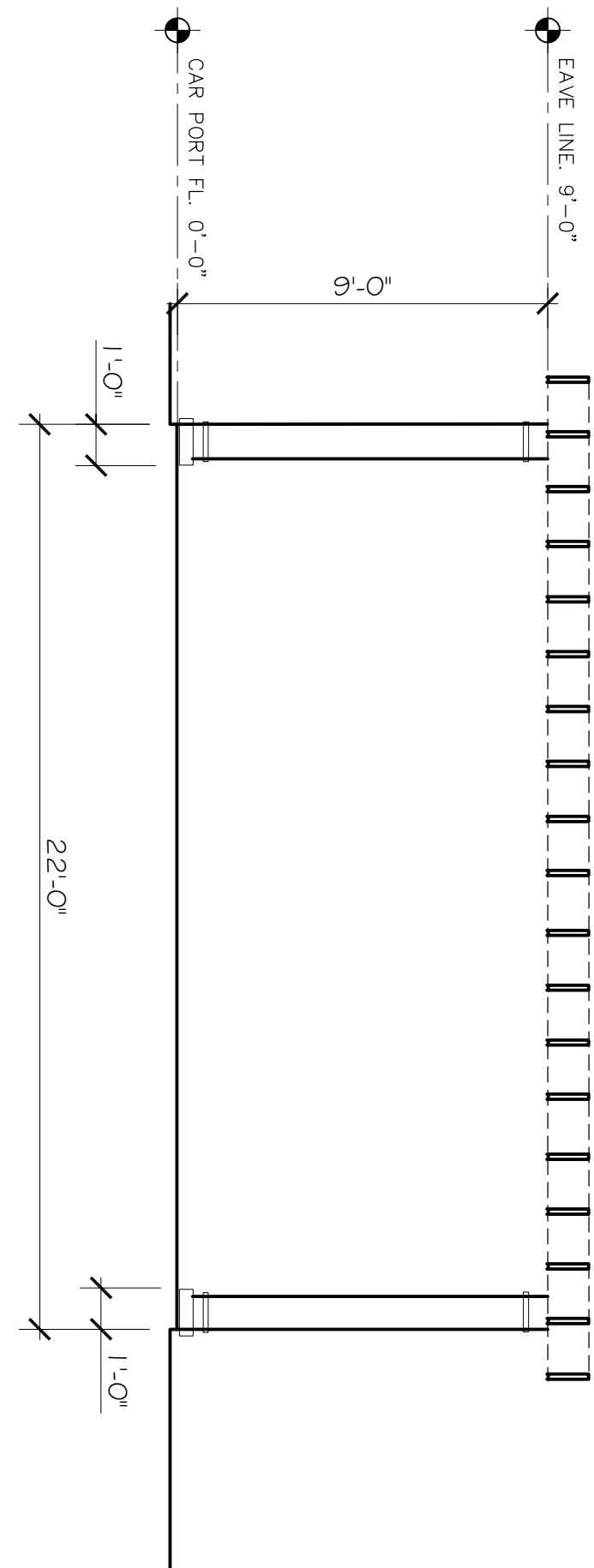
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LANDSCAPE NOTES

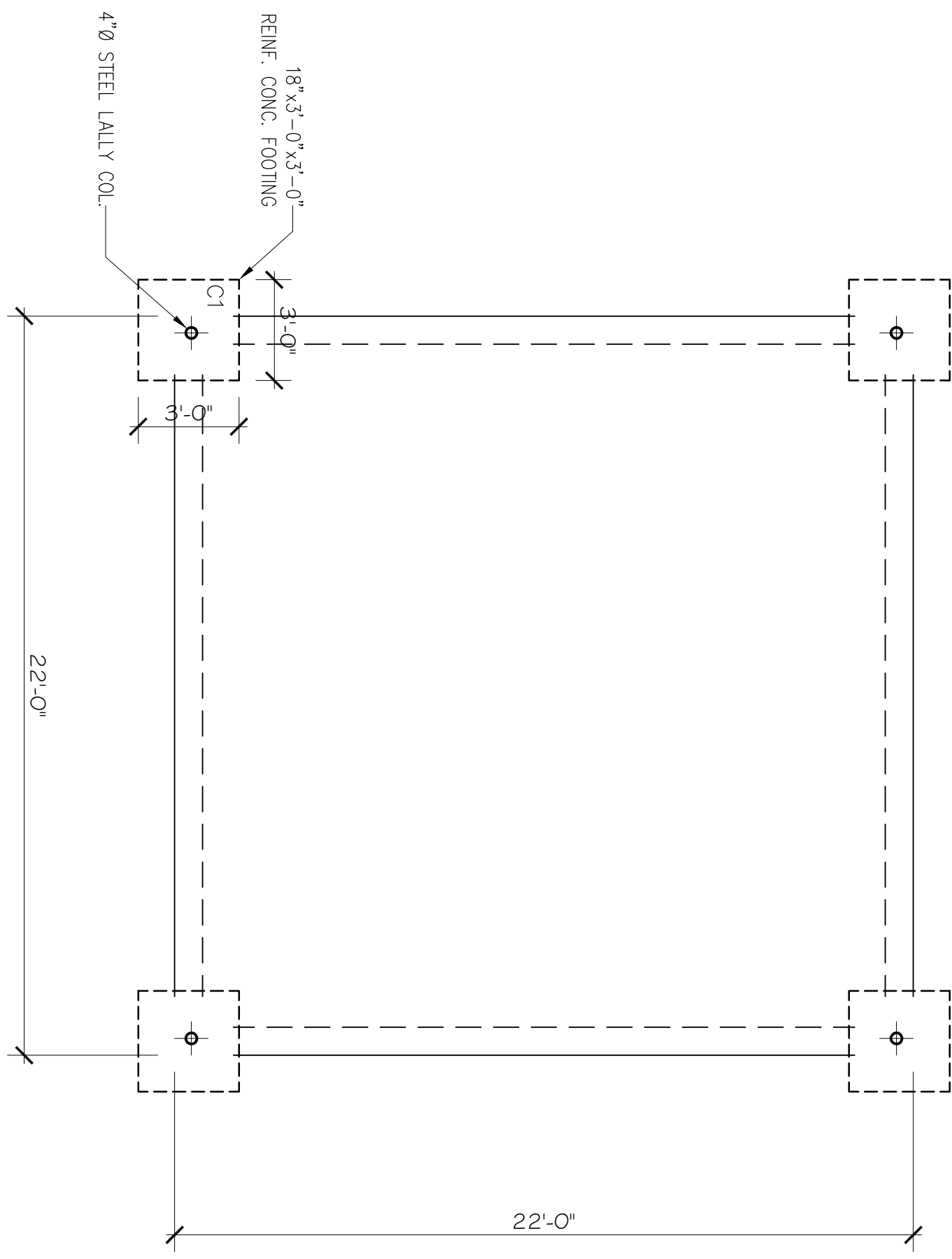
1. THE LANDSCAPE PLAN AND SITE PLAN ARE FOR LANDSCAPE APPROVAL ONLY. REFER TO THE SITE PLAN FOR ALL DIMENSIONS, PLANT SPECIES, AND PLANTING PLACES FOR ALL OTHER INFORMATION.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
4. NO PLANTING SHALL BE PLACED IN THE GROUND BEFORE ROUGH GRADING HAS BEEN COMPLETED.
5. PLANTING SHALL BE PLACED AT A MINIMUM DEPTH OF 6" COMPACTED SOIL. PLANTING SHALL BE PLACED IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
6. THE CONTRACTOR SHALL VERIFY ALL PLANTING SPECIFICATIONS TO CORRECT THE DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS LANDSCAPE ACT AND ALL APPLICABLE REGULATIONS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.



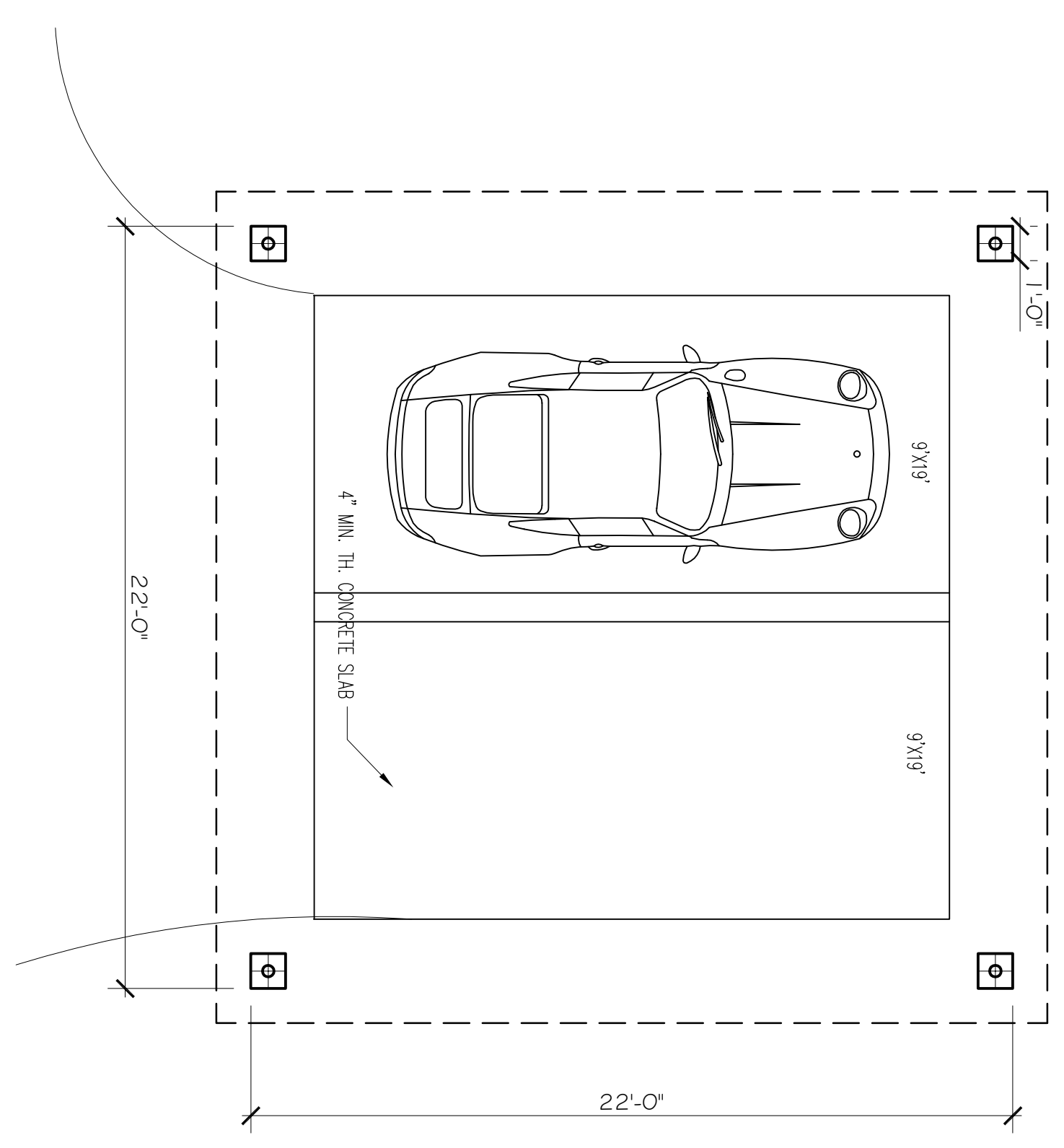
PROPOSED FRONT & REAR ELEVATION
SCALE: 1/4" = 1'-0"



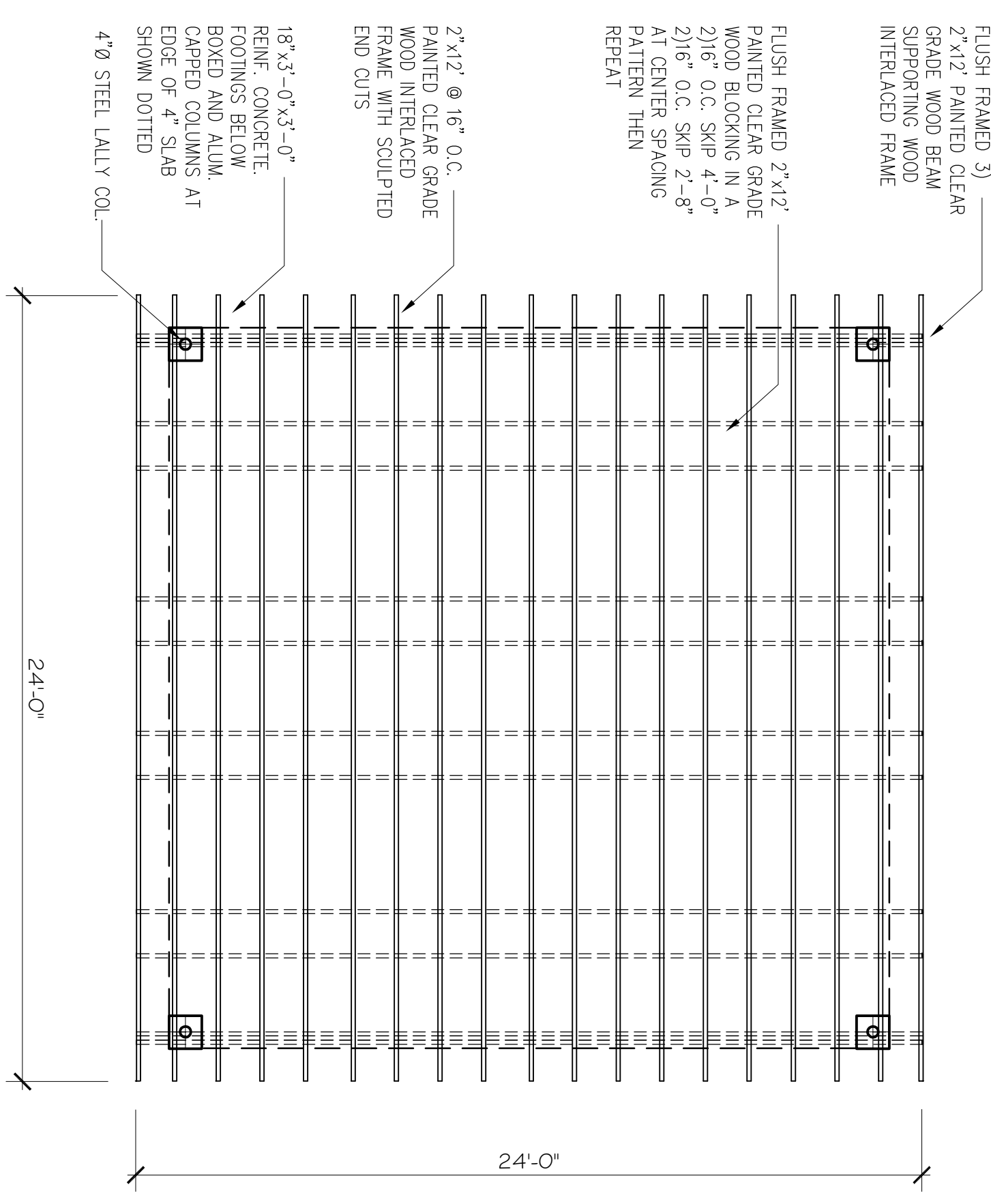
PROPOSED RIGHT & LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



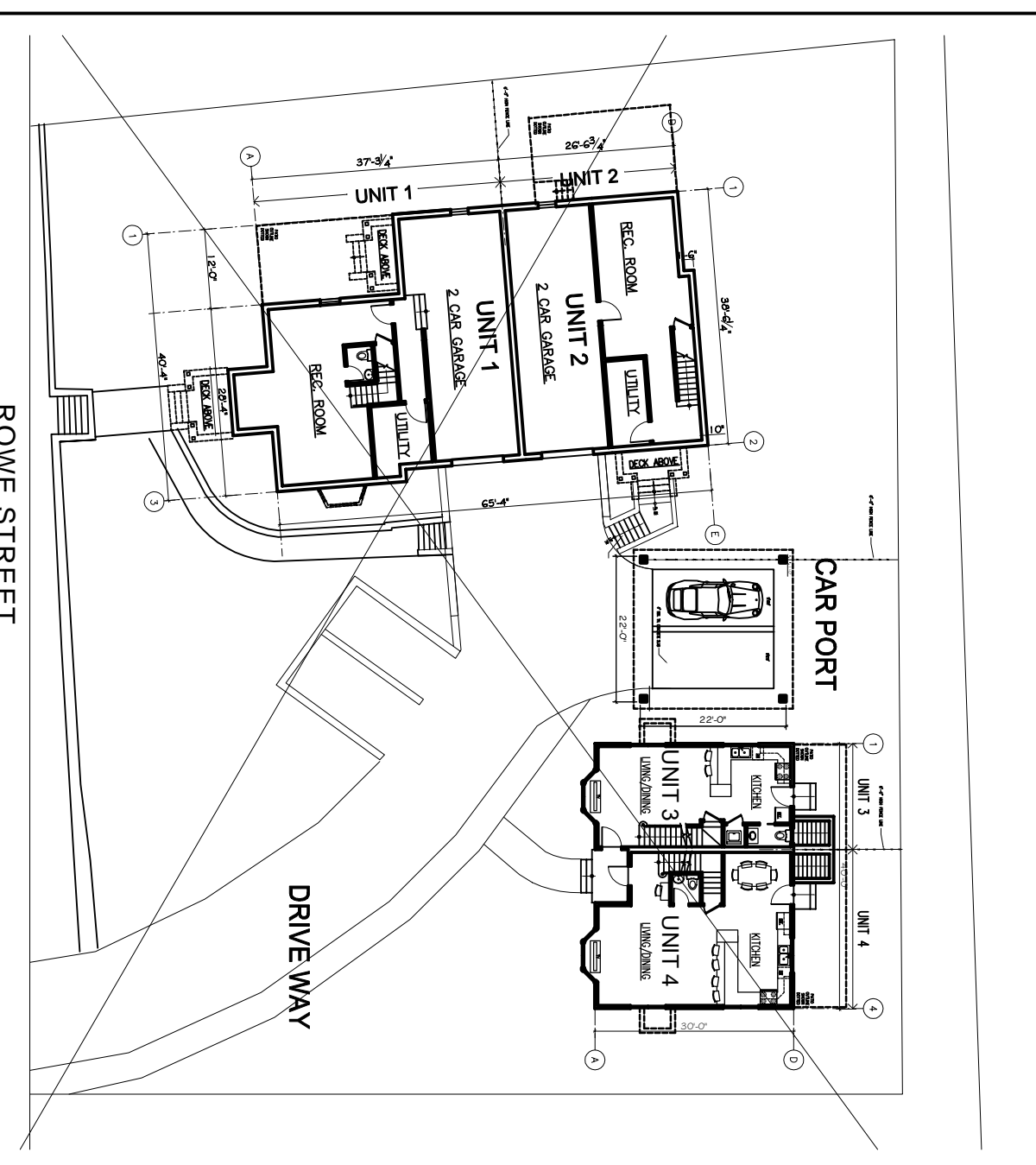
PROPOSED FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



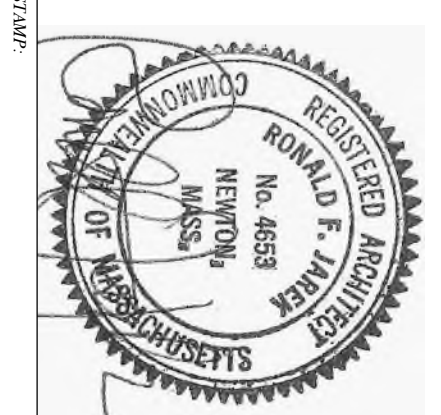
PROPOSED GROUND PLAN
SCALE: 1/4" = 1'-0"



PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"



SITE PLAN

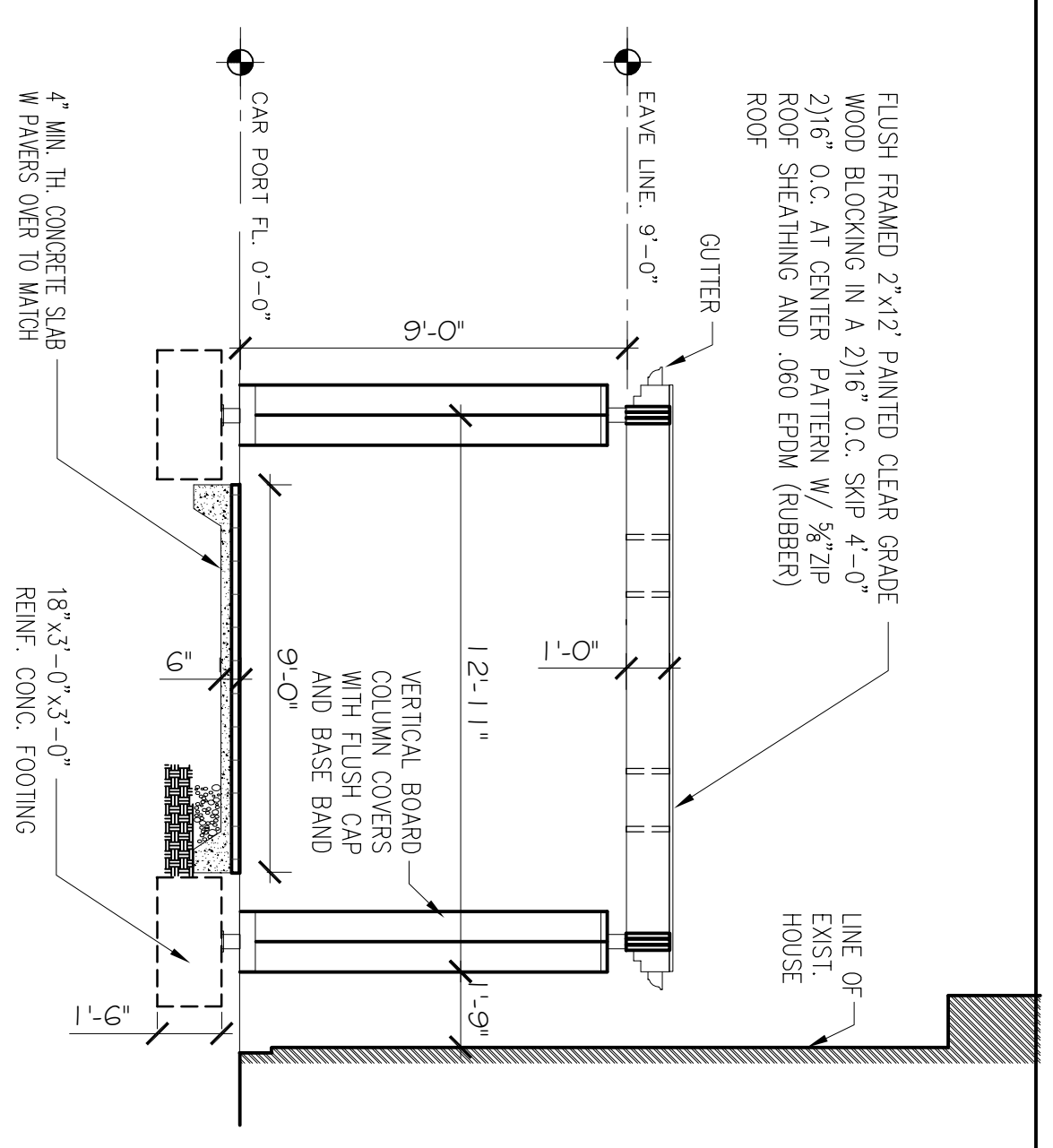


UNITS 3-4 PROPOSED CAR PORT
50 - 52 ROWE ST.
NEWTON, MA 02466

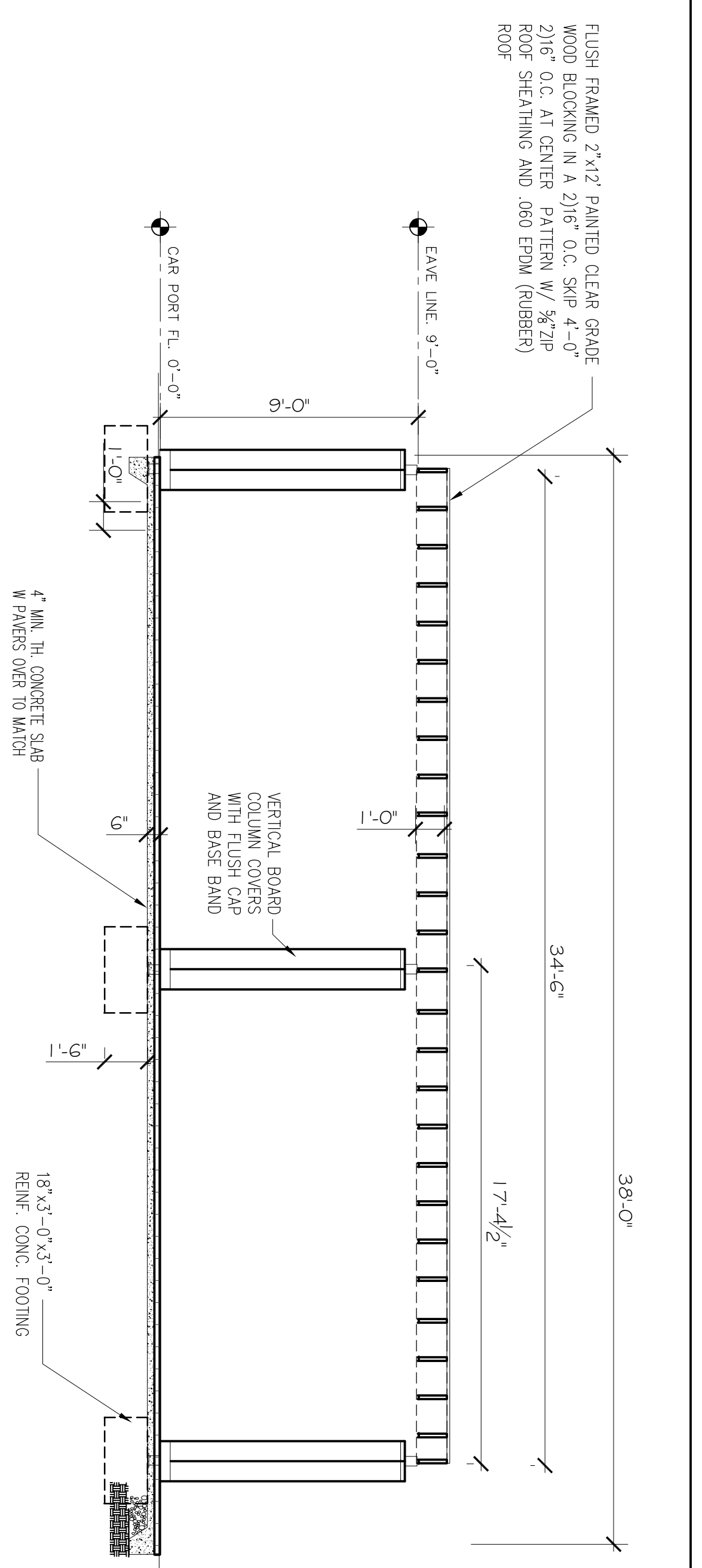
NEW 2) TWO FAMILY RESIDENCES
50 - 52 ROWE STREET, NEWTON, MA 02466
OWNER: NEW NEWTON, LLC
2193 COMMONWEALTH AVE,
BRIGHTON, MA 02135

Ronald F. Jarek, Architect
487 Watertown Street
Newtonville, MA 02460

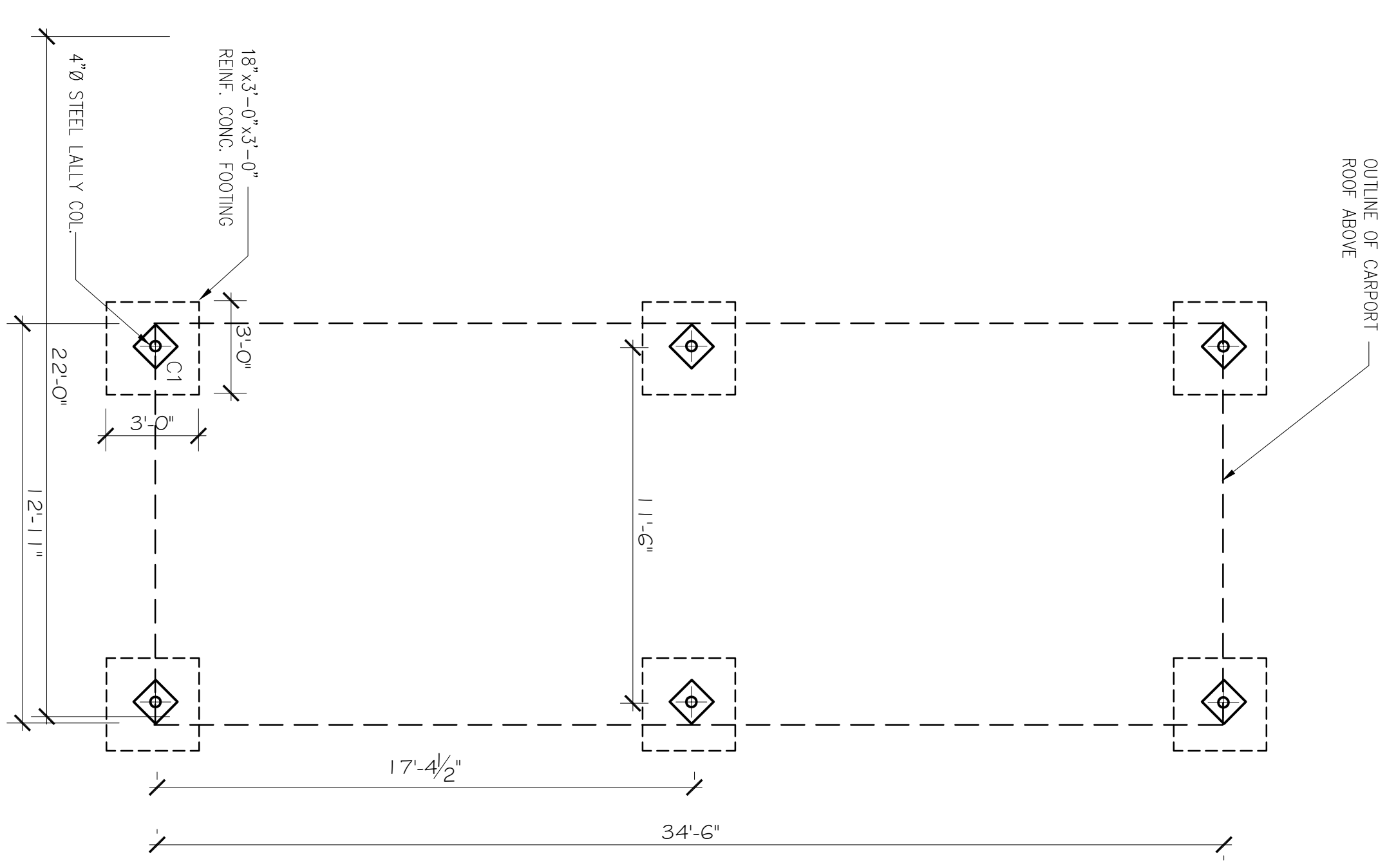
DATE:	April 28, 2015
SCALE:	AS NOTED
TOWNSHIP:	N.C.H.
CHECKED BY:	R.J.



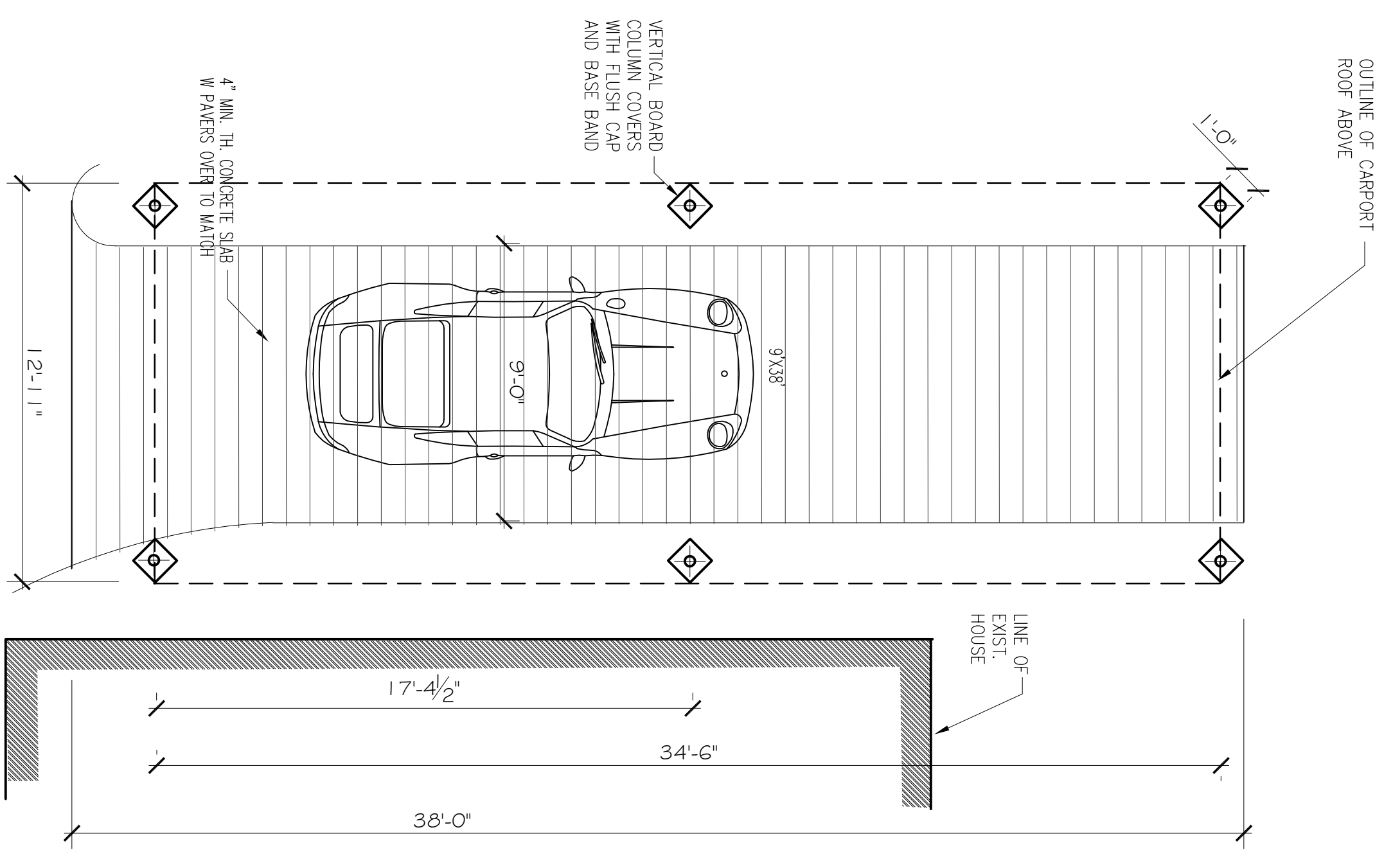
PROPOSED FRONT & REAR ELEVATION
SCALE: 1/4" = 1'-0"



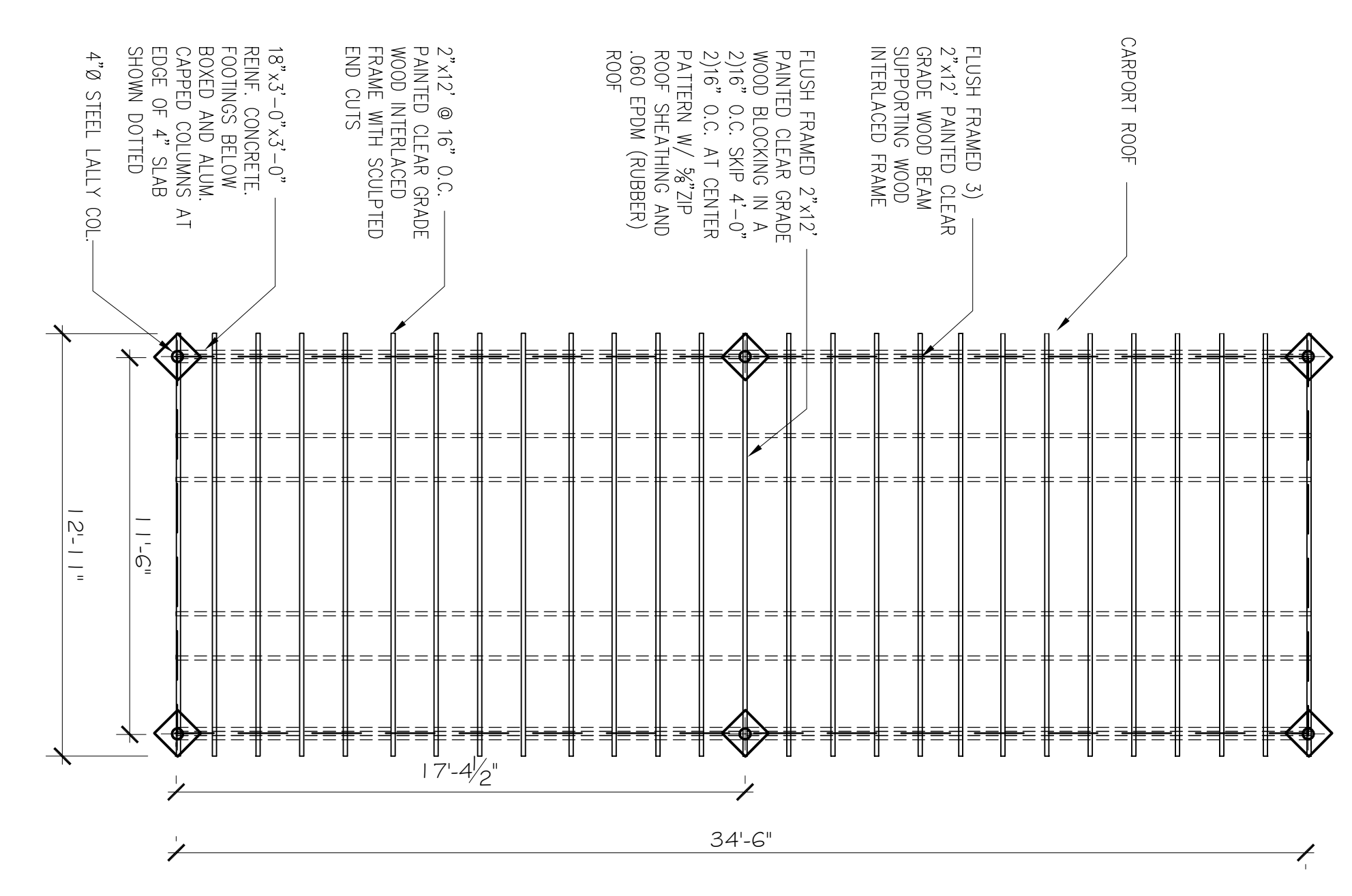
PROPOSED RIGHT & LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



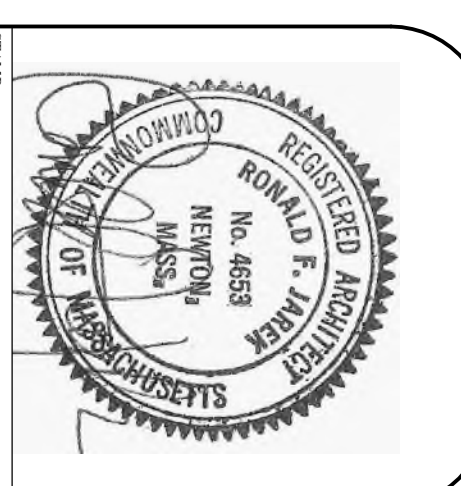
PROPOSED FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



PROPOSED GROUND PLAN
SCALE: 1/4" = 1'-0"



PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"



CAR PORT PLAN & ELEVATIONS

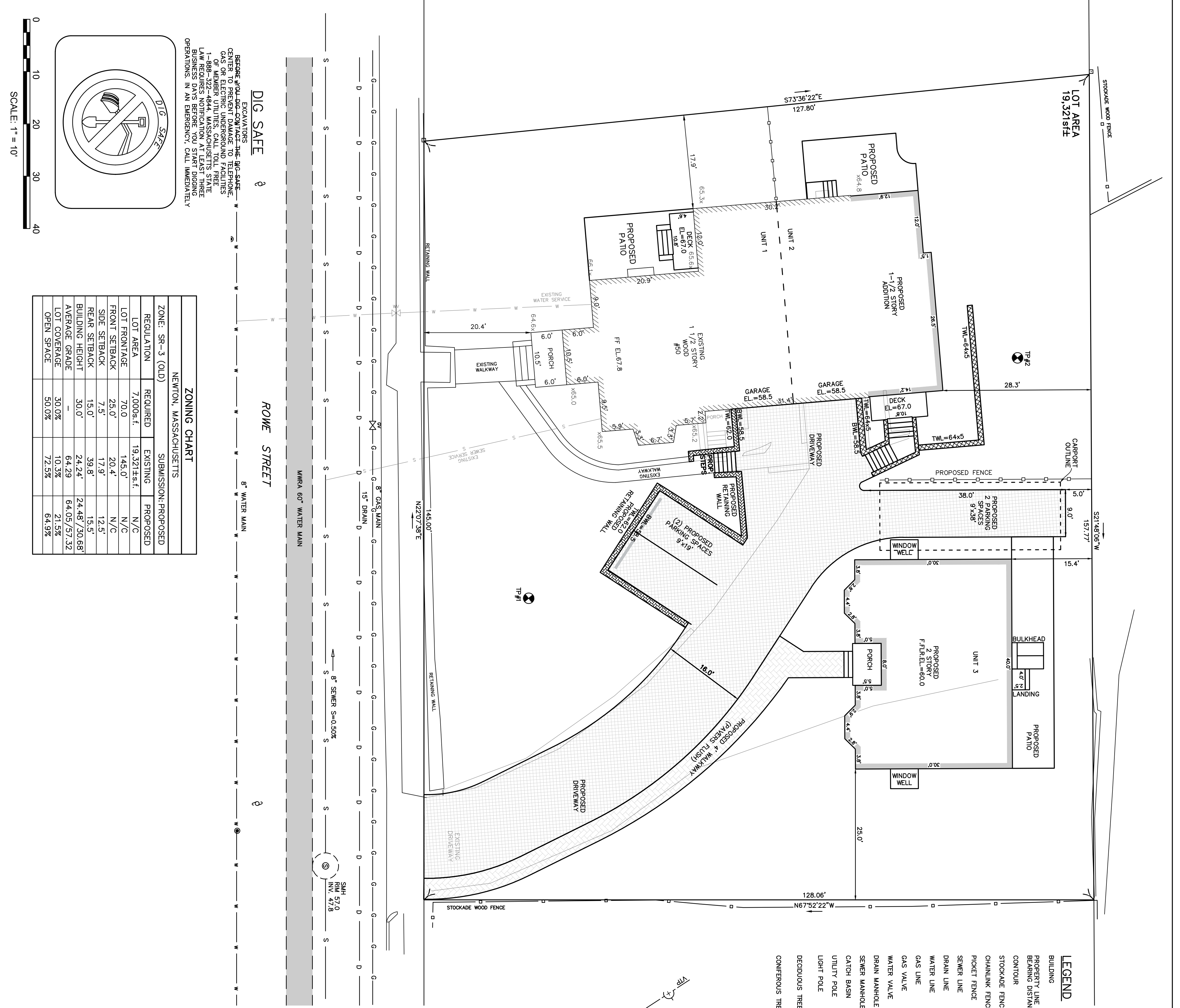
50 - 52 ROWE ST.
NEWTON, MA 02466

NEW 2) TWO FAMILY RESIDENCES
50 - 52 ROWE STREET, NEWTON, MA 02466

OWNER: NEW NEWTON, LLC
2193 COMMONWEALTH AVE,
BRIGHTON, MA 02135

Ronald F. Jarek, Architect
487 Watertown Street
Newtonville, MA 02460

DATE:	April 28, 2015
SCALE:	AS NOTED
TITLE:	ARCHITECT
DESIGNER:	RFJ
CHECKER:	RFJ
DATE:	APRIL 2, 2015



DIG SAFE

EXCAVATORS AND OTHER CONTRACTORS DIGGING FOR GAS OR ELECTRIC UNDERGROUND FACILITIES OF MEMBER UTILITIES, CALL TOLL FREE 1-888-332-4844, MASSACHUSETTS STATE DEPARTMENT OF PUBLIC SAFETY, 25 STATE STREET, BOSTON, MA 02109, 617-725-5000. BUSINESS DAYS BEFORE YOU START DIGGING OPERATIONS. IN AN EMERGENCY, CALL IMMEDIATELY.

ROWE STREET

8" WATER MAIN
8" SEWER S=0.50%

8" WATER MAIN

8" WATER MAIN

8" WATER MAIN

8" WATER MAIN

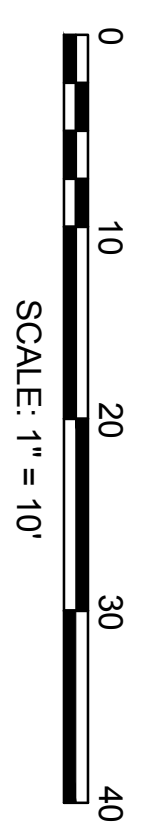
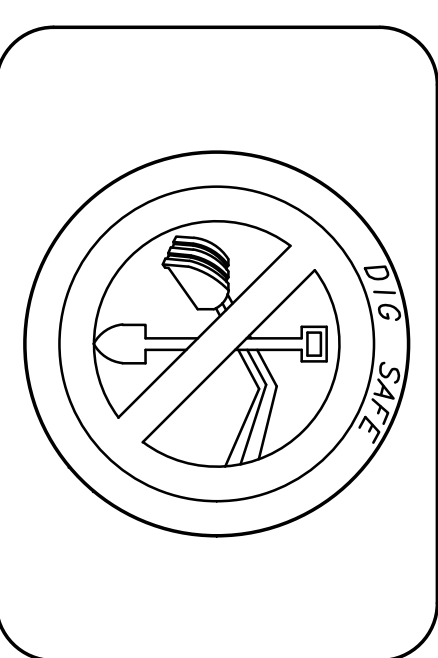
8" WATER MAIN

8" WATER MAIN

8" WATER MAIN

ZONING CHART

NEWTON, MASSACHUSETTS		
ZONE: SR-3 (OLD)	REQUIRED	SUBMISSION: PROPOSED
REGULATION	7,000sq.ft.	EXISTING
LOT AREA	19,321±sq.ft.	PROPOSED
LOT FRONTAGE	70.0'	N/C
FRONT SETBACK	23.0'	N/C
SIDE SETBACK	7.5'	17.9'
REAR SETBACK	15.0'	39.8'
BUILDING HEIGHT	30.0'	24.48' / 30.68'
AVERAGE GRADE	—	64.05' / 57.32'
LOT COVERAGE	50.0%	10.3%
OPEN SPACE	—	72.5%

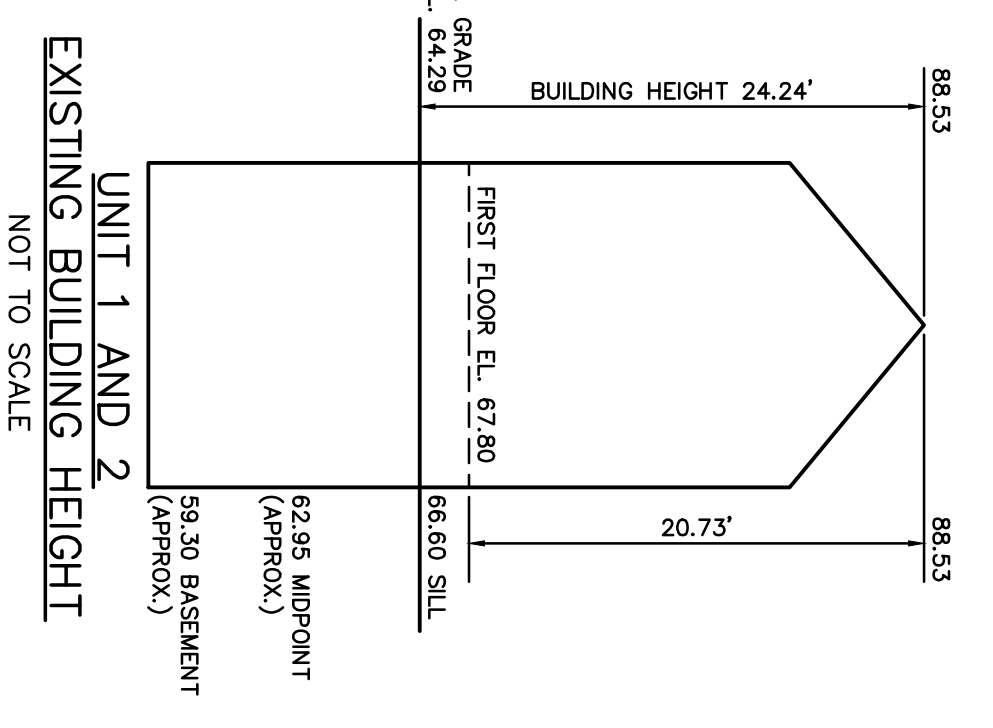


SCALE: 1" = 10'

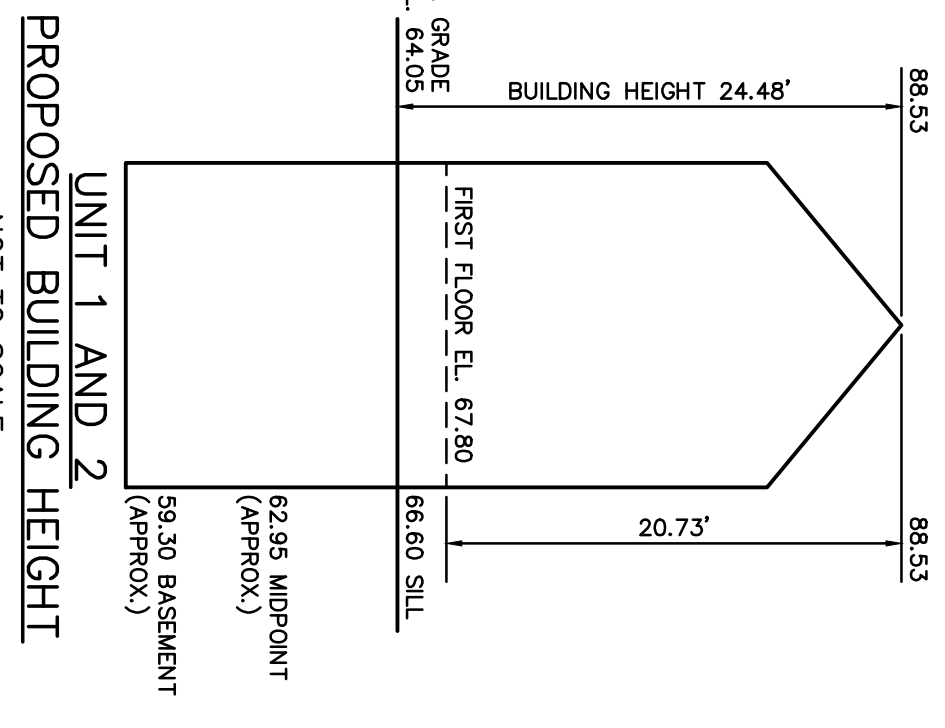
LEGEND

- BUILDING
- PROPERTY LINE W/ BEARING DISTANCE
- CONTOUR
- STOCKADE FENCE
- CHAINLINK FENCE
- PICKET FENCE
- SEWER LINE
- DRAIN LINE
- WATER LINE
- GAS LINE
- WATER VALVE
- DRAIN MANHOLE
- CATCH BASIN
- UTILITY POLE
- LIGHT POLE
- DECIDUOUS TREE
- CONIFEROUS TREE

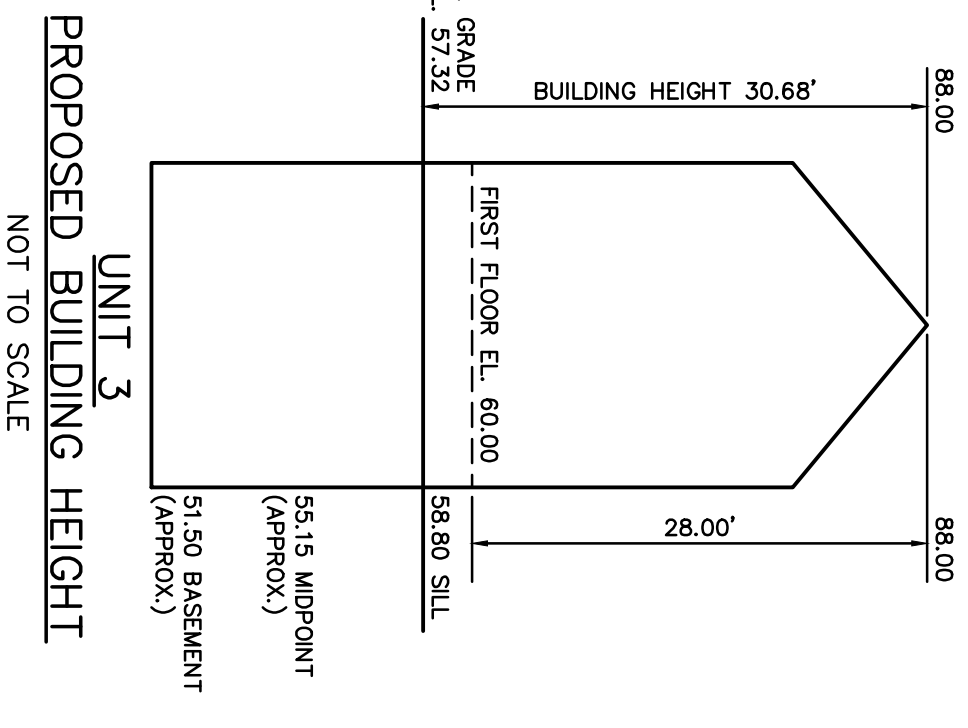
EXISTING BUILDING HEIGHT



PROPOSED BUILDING HEIGHT



UNIT 3



Address: #50 Rowe Street, Newton

Length Weighted Mean

Existing Conditions (Units 1&2) Average Grade Calculation

A	B	C	D	E	F
Segment	Length of Segment	Height of Segment	Low Point of Segment	Ei=C+D/2	F=BE
1	8.00	65.25	64.88	65.12	617.64 Sq. Ft.
2	8.00	65.25	64.88	65.12	390.80 Sq. Ft.
3	10.50	66.05	64.75	65.45	64.85
4	6.00	66.05	65.45	65.75	398.40 Sq. Ft.
5	9.00	66.01	65.45	65.73	591.57 Sq. Ft.
6	20.90	65.85	65.25	65.53	1375.74 Sq. Ft.
7	12.00	65.50	65.25	65.38	784.50 Sq. Ft.
8	30.20	65.30	64.80	65.05	1964.51 Sq. Ft.
9	38.80	64.80	63.75	64.28	2532.67 Sq. Ft.
10	1.58	62.50	60.45	61.51	95.51 Sq. Ft.
11	18.17	62.50	58.50	60.50	1062.98 Sq. Ft.
12	11.65	62.50	62.00	62.25	725.21 Sq. Ft.
13	6.70	63.01	62.75	62.88	421.30 Sq. Ft.
Total	181.00				11637.19 Sq. Ft.

Total Column F / Total Column B = Average Grade: **64.29'** (Approx.)

Address: #50 Rowe Street, Newton

Length Weighted Mean

Proposed Conditions (Units 1&2) Average Grade Calculation

A	B	C	D	E	F
Segment	Length of Segment	Height of Segment	Low Point of Segment	Ei=C+D/2	F=BE
1	10.50	64.70	64.47	64.59	673.50 Sq. Ft.
2	12.00	64.50	64.28	64.39	717.62 Sq. Ft.
3	6.70	63.05	62.68	62.87	421.20 Sq. Ft.
4	5.89	63.57	62.00	62.79	363.70 Sq. Ft.
5	24.50	58.50	58.50	58.50	1433.25 Sq. Ft.
6	16.69	64.50	64.00	64.25	1072.33 Sq. Ft.
7	26.51	65.06	64.00	64.53	1710.62 Sq. Ft.
8	12.01	64.55	64.00	64.28	772.48 Sq. Ft.
9	43.14	65.00	64.65	64.83	2766.53 Sq. Ft.
10	12.00	65.20	65.01	65.10	781.25 Sq. Ft.
11	20.90	65.83	65.47	65.65	1367.26 Sq. Ft.
12	9.00	66.00	65.47	65.73	591.58 Sq. Ft.
13	11.96	65.92	64.92	65.42	782.44 Sq. Ft.
14					14173.72 Sq. Ft.
Total	221.30				14173.72 Sq. Ft.

Total Column F / Total Column B = Average Grade: **64.05'** (Approx.)

Address: #50 Rowe Street, Newton

Length Weighted Mean

Proposed Conditions (Unit 3) Average Grade Calculation

A	B	C	D	E	F
Segment	Length of Segment	Height of Segment	Low Point of Segment	Ei=C+D/2	F=BE
1	8.00	57.50	56.70	57.10	458.28 Sq. Ft.
2	30.00	56.50	56.50	56.50	1689.00 Sq. Ft.
3	40.00	58.10	56.60	57.35	2290.00 Sq. Ft.
4	30.00	58.00	58.00	58.00	1740.00 Sq. Ft.
Total	108.00				6190.28 Sq. Ft.

Total Column F / Total Column B = Average Grade: **57.32'**

ZONING PLAN
NEWTON, MASSACHUSETTS
SHOWING PROPOSED CONDITIONS AT
PROJECT: 216132
SCALE: 1/4"=10ft.
DATE: SEPTEMBER 23, 2016
REVISED: NOVEMBER 21, 2017
AUGUST 3, 2018

VTP ASSOCIATES INC.
LAND SURVEYORS - CIVIL ENGINEERS, 132
ADAMS STREET, NEWTON, MA 02458
(617) 332-8271
SHEET 1 OF 3

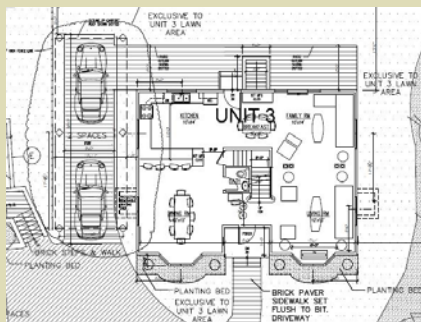
Department of Planning and Development



PETITION #565-18
50-52 ROWE STREET

SPECIAL PERMIT TO AMEND
SPECIAL PERMIT #217-16 TO
CONSTRUCT A DETACHED
CARPORT

JANUARY 8, 2018



1

Requested Relief



Special Permit per §7.3.3 of the NZO to:

- Amend Special Permit #217-16

2

Criteria to Consider

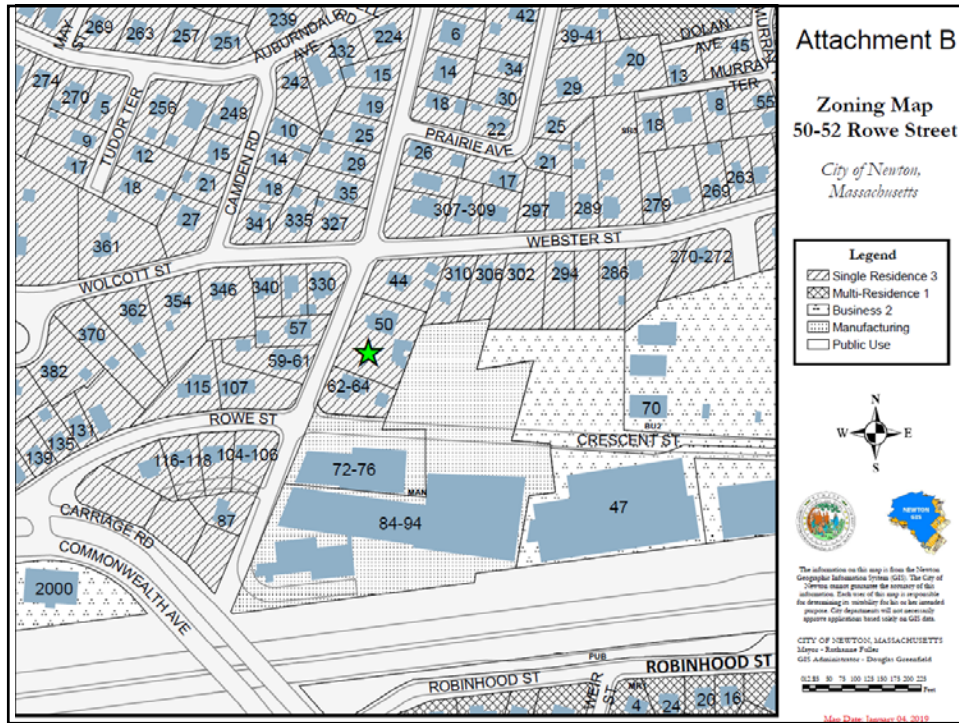
- The specific site is an appropriate location for a detached carport. (§7.3.3.C.1)
- The proposed carport will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

3

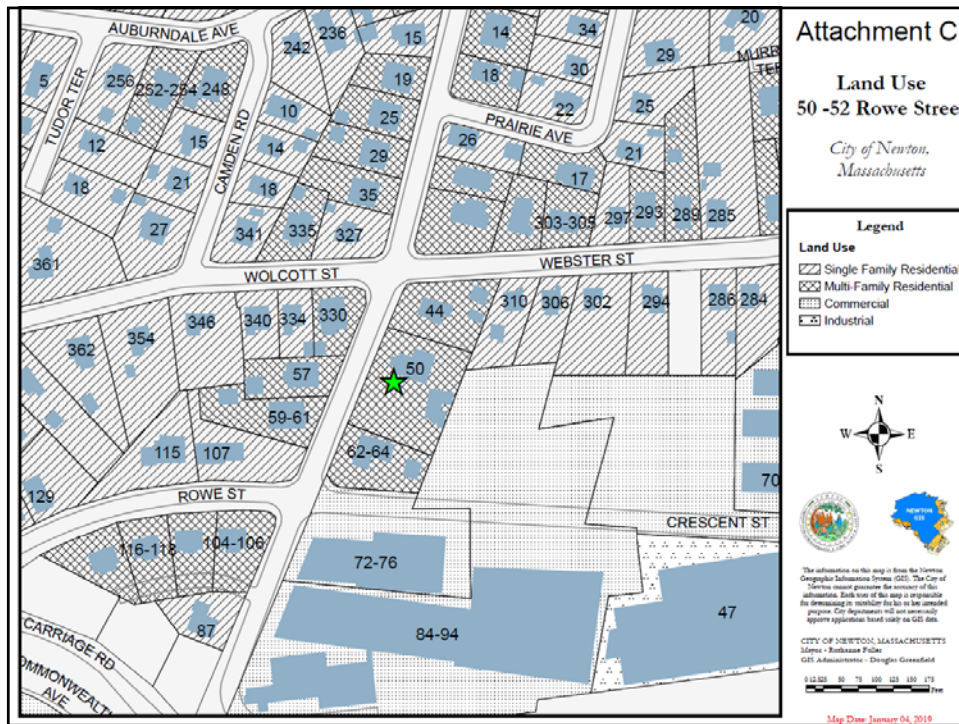
AERIAL/GIS MAP



4



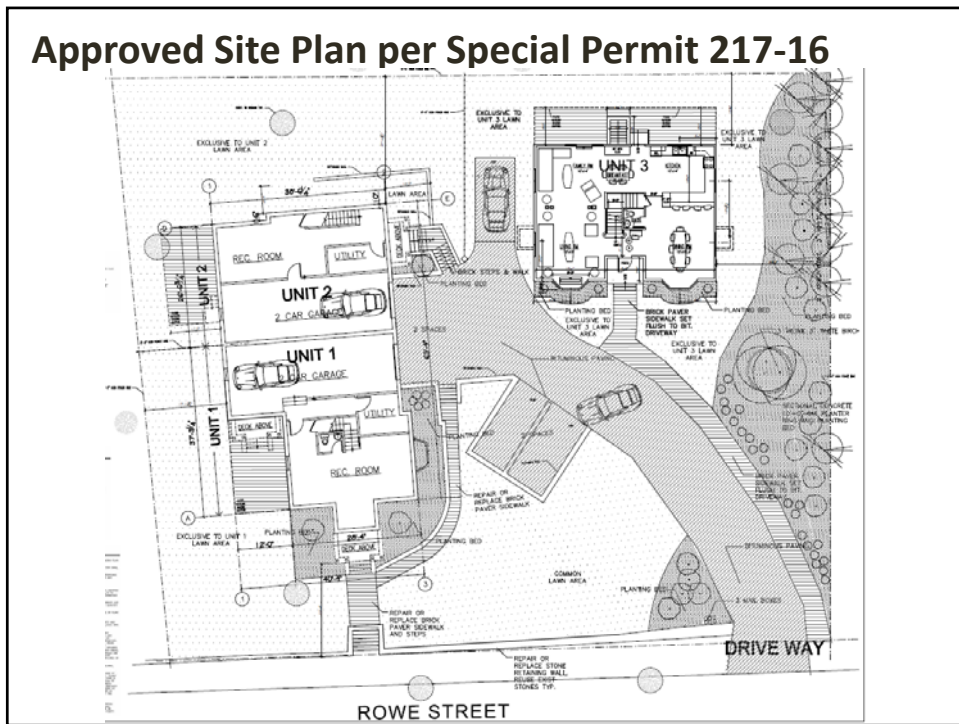
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6

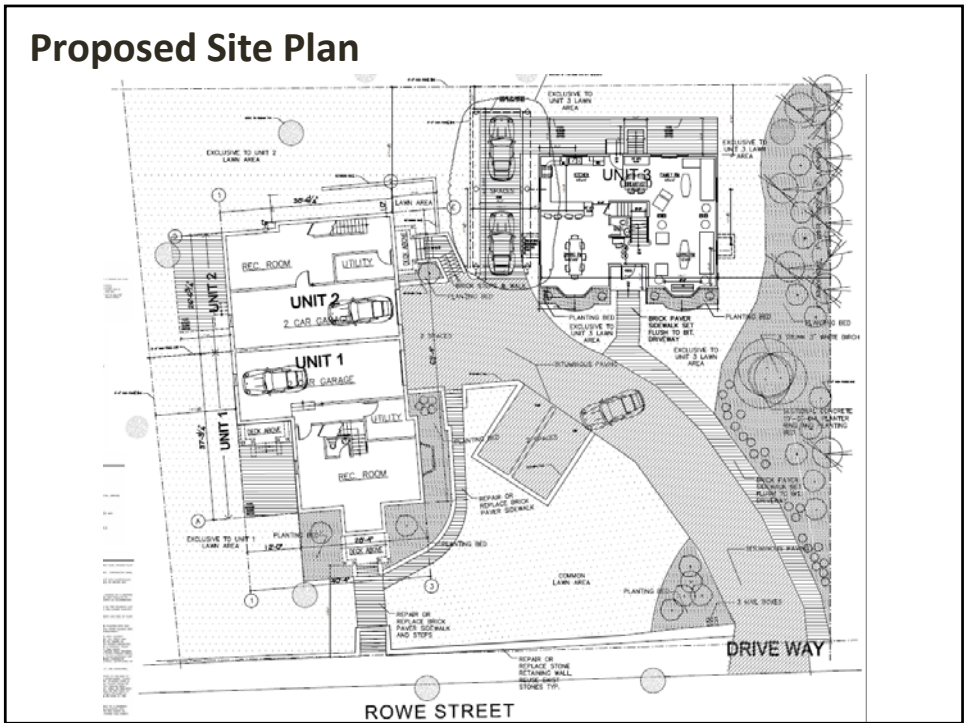


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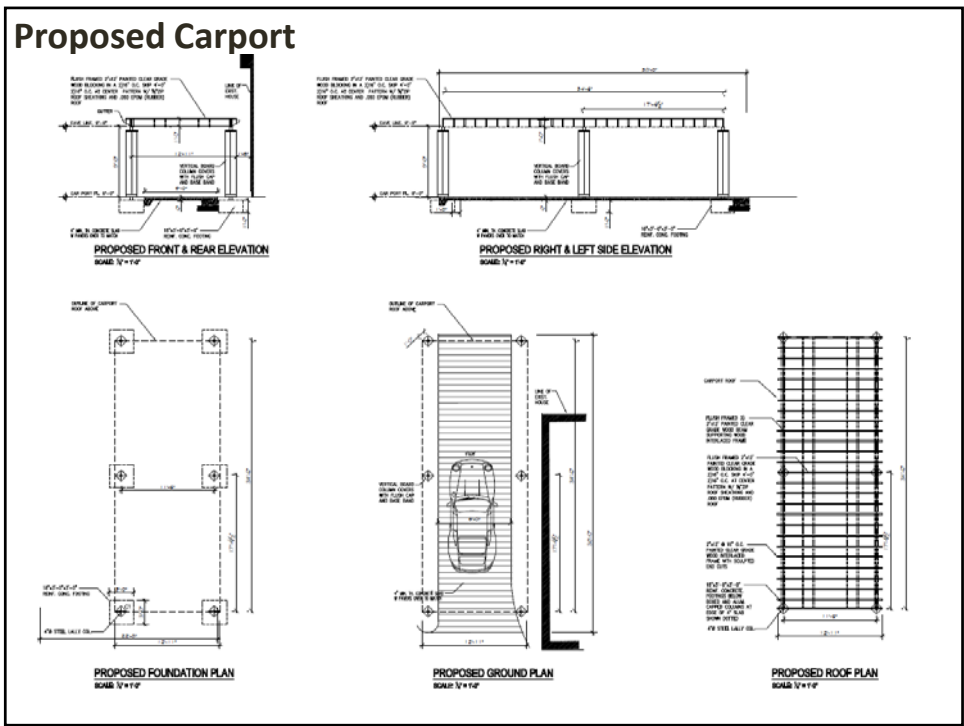
8

Proposed Site Plan



9

Proposed Carport



10

Proposed Findings

1. The specific site is an appropriate location for a detached carport because the proposed carport is to the rear of the site and maintains the 25' setback from the southern property line. (§7.3.3.C.1)
2. The proposed detached carport will not adversely affect the neighborhood given that it is set back into the site and semi shielded by a stockade fence to the rear. (§7.3.3.C.2)
3. The proposed detached carport will not create a nuisance or serious hazard to vehicles or pedestrians because the structure is to the rear 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. (§7.3.3.C.4)

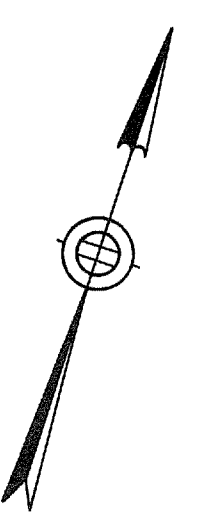
11

Proposed Conditions

1. Standard Plan Referencing Condition
2. Standard Building Permit Condition
3. Standard CO Condition

12

EMTB
EVERETT M. BROOKS CO.
 SURVEYORS & ENGINEERS
 49 LENOXTON STREET
 WEST NEWTON, MA 02465
 (617) 527-8750
 info@everettbrooks.com



LEGEND

- UTILITY POLE
- ⊕ TRAFFIC SIGNAL
- ⊖ WATER GATE
- ⊕ HYDRANT
- ⊕ GAS GATE
- ⊕ ELECTRIC HAND HOLE
- ⊕ SEWER MANHOLE
- ⊕ DRAIN MANHOLE
- ⊕ CATCH BASIN
- TREE
- ⊕ LIGHT POLE
- ⊕ SIGN
- TBR TO BE REMOVED
- TBA TO BE ABANDONED
- TWL TOP OF WALL
- BWL BOTTOM OF WALL
- ⊕ DEEP TEST HOLE
- ⊕ PERCOLATION TEST
- 71.4 X SPOT ELEVATION
- PROPOSED CONTOUR
- - - EXISTING CONTOUR
- - - DRAIN LINE
- - - ROOF DRAIN
- - - FOUNDATION DRAIN
- - - WATER LINE
- - - SEWER LINE
- - - GAS LINE
- - - OVERHEAD WIRES
- - - FENCE
- - - TREE LINE

SITE PLAN OF LAND IN NEWTON, MA
 424-432 CHERRY STREET
 EXISTING CONDITIONS

SCALE: 1 IN. = 10 FT.
 DATE: APRIL 3, 2018
 DRAWN: ES
 CHECK: MSK & BB

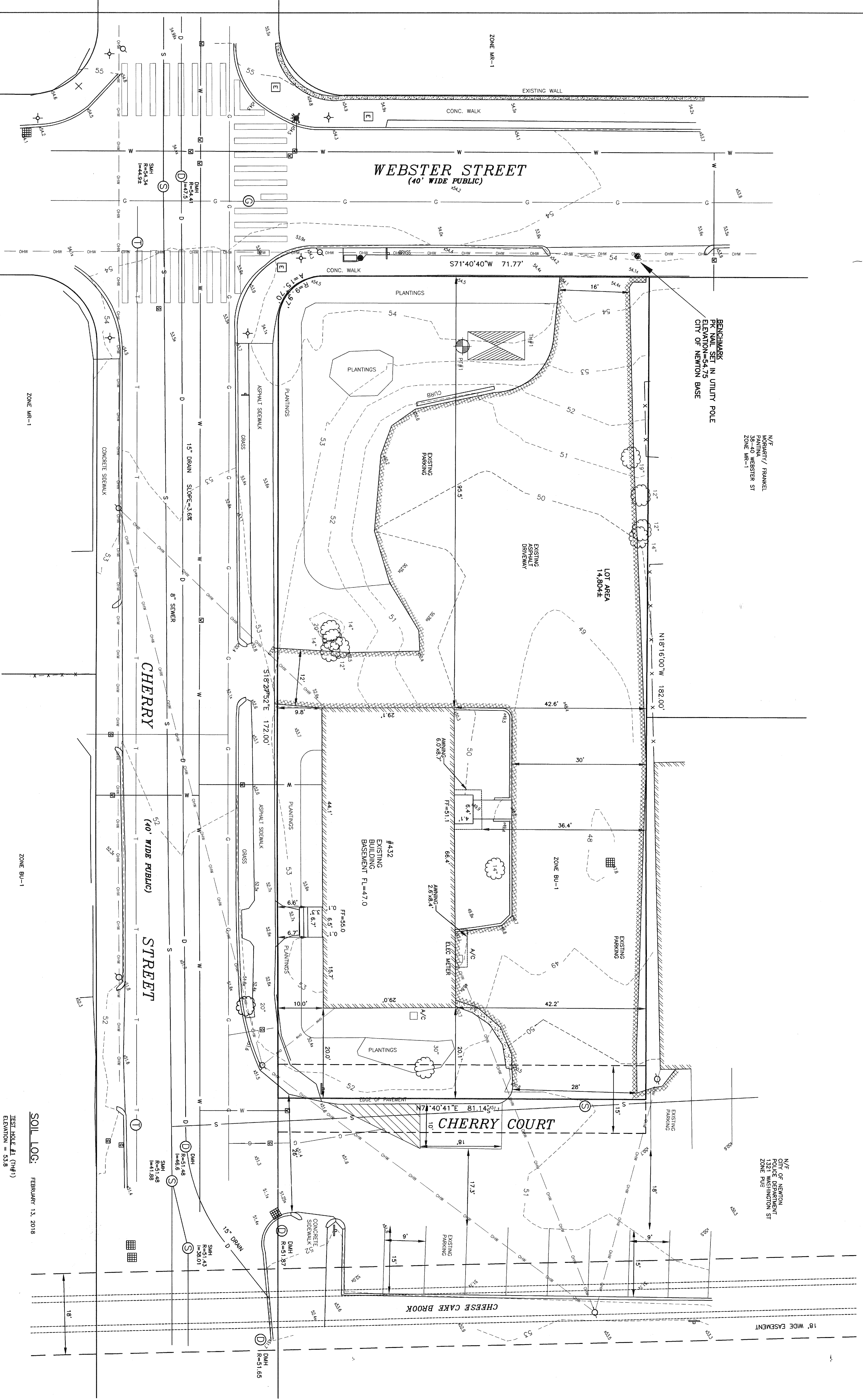
REVISIONS:

4/25/18	VARIOUS REVISIONS	ES
9/26/18	VARIOUS REVISIONS	ES
12/19/18	VARIOUS REVISIONS	ES

PROJECT NO. 25450 SHEET 1 OF 4

SOIL LOG: FEBRUARY 13, 2018

TEST HOLE #1 (T#1)
 ELEVATION = 53.8
 0'-12" A SANDY LOAM
 12'-108" C SAND & GRAVEL
 NO MOTTLES OBSERVED
 NO GROUNDWATER OBSERVED
 NO LEACH OBSERVED
 PERCOLATION TEST #1 (P#1)
 DEPTH: 36"-48"
 DESIGN RATE: 2 MPI



EXISTING CONDITIONS
 SCALE: 1 IN. = 10 FT.

ZONE MR-1

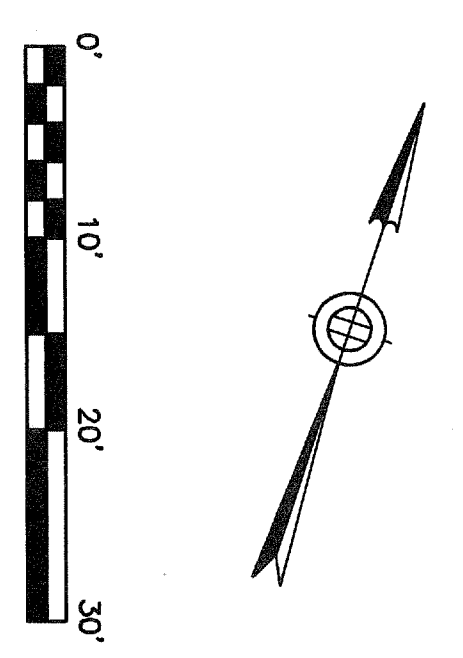
ZONE BU-1

BENCHMARK
 PK NAIL SET IN UTILITY POLE
 ELEVATION=54.75
 CITY OF NEWTON BASE

N/E
 MORRARTY/FRANKEL
 38-40 WEBSTER ST
 ZONE MR-1

N/E
 CITY OF NEWTON
 POLICE DEPARTMENT
 100 WESTON ST
 ZONE PU

EMTB
EVERETT M. BROOKS CO.
 SURVEYORS & ENGINEERS
 491 HARRINGTON STREET
 WEST NEWTON, MA 02465
 (617) 527-8750
 info@everettbrooks.com



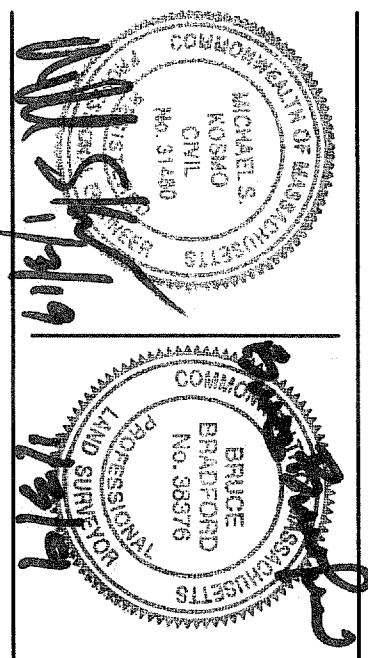
LEGEND

- UTILITY POLE
- TRAFFIC SIGNAL
- WATER GATE
- HYDRANT
- GAS GATE
- ELECTRIC HAND HOLE
- SEWER MANHOLE
- CATCH BASIN
- TREE
- LIGHT POLE
- SIGN
- TO BE REMOVED
- TO BE ABANDONED
- T.M. TOP OF WALL
- B.M. BOTTOM OF WALL
- DEEP TEST HOLE
- PERCOLATION TEST
- 7.1.4 X SPOT ELEVATION
- PROPOSED CONTOUR
- 7.1 - EXISTING CONTOUR
- DRAIN LINE
- FOUNDATION DRAIN
- WATER LINE
- SEWER LINE
- GAS LINE
- OVERHEAD WIRES
- FENCE
- TREE LINE

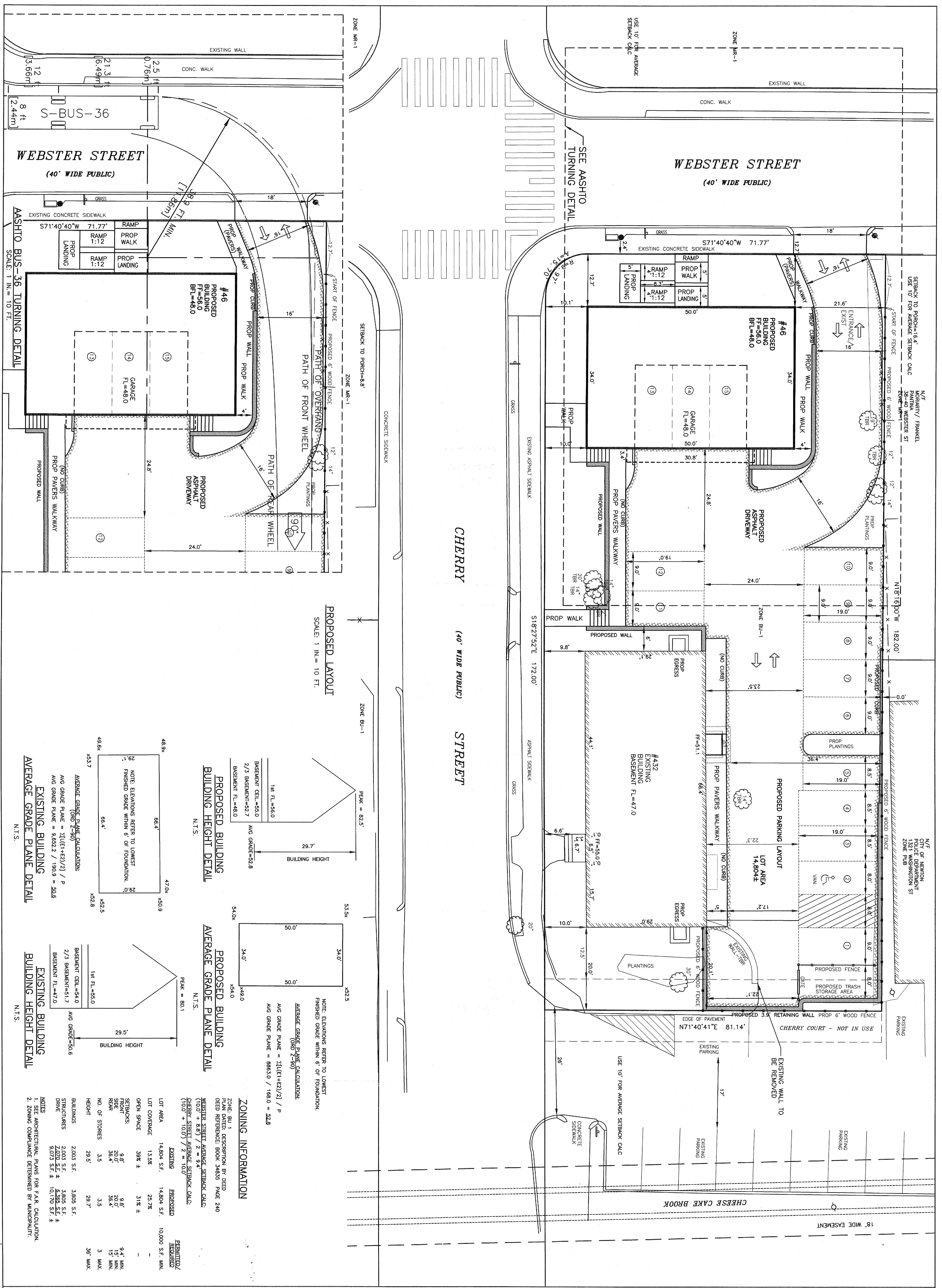
SITE PLAN OF LAND IN NEWTON, MA
424-432 CHERRY STREET
PROPOSED LAYOUT

SCALE: 1 IN. = 10 FT.
 DATE: APRIL 3, 2018
 DRAWN: ES
 CHECK: MSK & BB

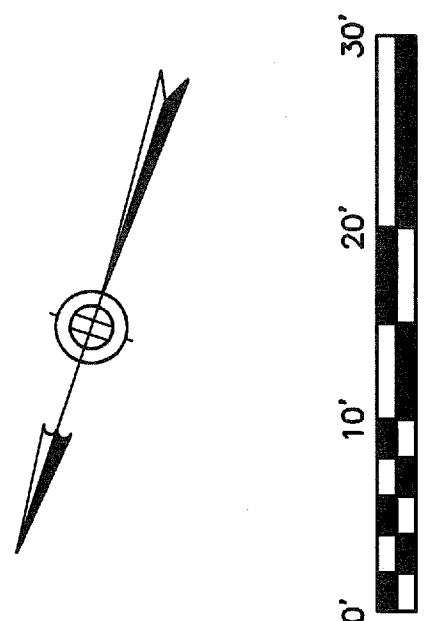
REVISIONS:
 4/25/18 VARIOUS REVISIONS ES
 9/26/18 VARIOUS REVISIONS ES
 12/19/18 VARIOUS REVISIONS ES
 1/3/19 VARIOUS REVISIONS ES



PROJECT NO. 25450 SHEET 2 OF 4



EMTB
EVERETT M. BROOKS CO.
 SURVEYORS & ENGINEERS
 49 LEXINGTON STREET
 WEST NEWTON, MA 02465
 (617) 527-8750
 info@everettbrooks.com



LEGEND

	UTILITY POLE
	TRAFFIC SIGNAL
	WATER GATE
	HYDRANT
	GAS GATE
	ELECTRIC HAND HOLE
	SEWER MANHOLE
	DRAIN MANHOLE
	CATCH BASIN
	TREE
	LIGHT POLE
	SIGN
	TBR
	TO BE ABANDONED
	TOP OF WALL
	BOTTOM OF WALL
	DEEP TEST HOLE
	PERCOLATION TEST
	SPOT ELEVATION
	PROPOSED CONTOUR
	EXISTING CONTOUR
	DRAIN LINE
	ROOF DRAIN
	FOUNDATION DRAIN
	WATER LINE
	SEWER LINE
	GAS LINE
	OVERHEAD WIRES
	FENCE
	TREE LINE

SITE PLAN OF LAND IN
NEWTON, MA
 424-432 CHERRY STREET
 PROPOSED UTILITIES

SCALE: 1 IN. = 10 FT.
 DATE: APRIL 3, 2018
 DRAWN: ES
 CHECK: MSK & BB

REVISIONS:
 4/25/18 VARIOUS REVISIONS ES
 9/26/18 VARIOUS REVISIONS ES
 12/19/18 VARIOUS REVISIONS ES
 1/3/19 VARIOUS REVISIONS ES

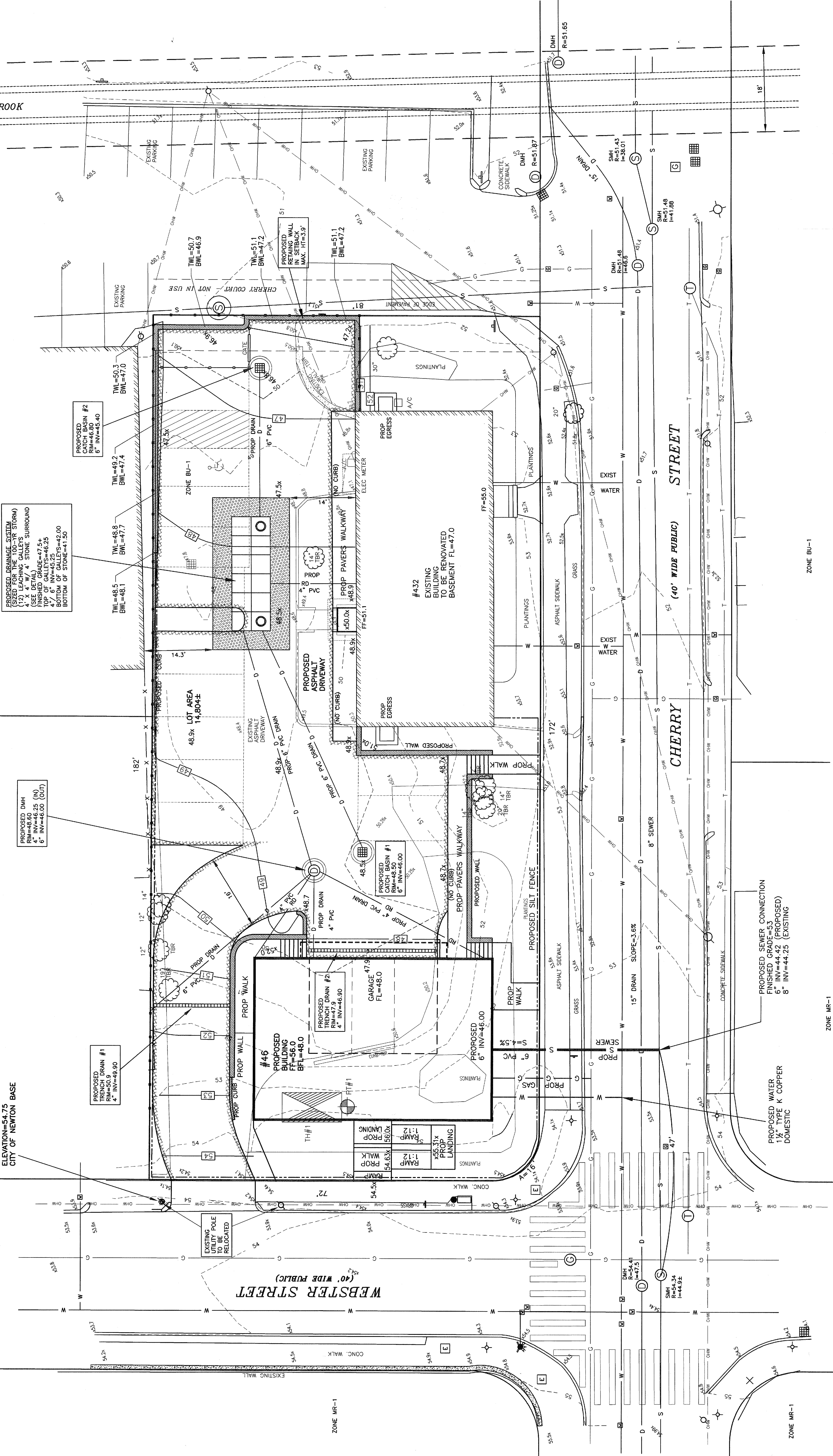
PROJECT NO. 25450 SHEET 3 OF 4

18' WIDE EASEMENT
 CHEESE CAKE BROOK

CITY OF NEWTON
 POLICE DEPARTMENT
 1321 WASHINGTON ST
 ZONE PUB

MORRISY/FRANKEL
 PANTINA
 38-40 WEBSTER ST
 ZONE MR-1

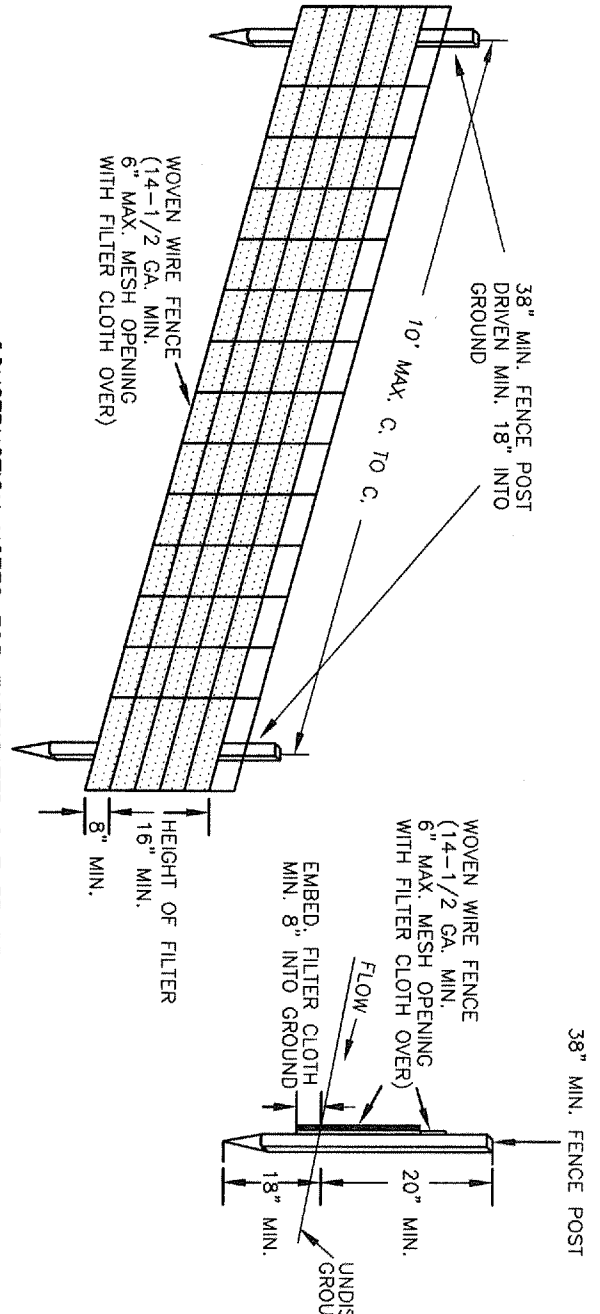
BENCHMARK
 PK NAIL SET IN UTILITY POLE
 ELEVATION=54.75
 CITY OF NEWTON BASE



PROPOSED UTILITIES & GRADING
 SCALE: 1 IN. = 10 FT.

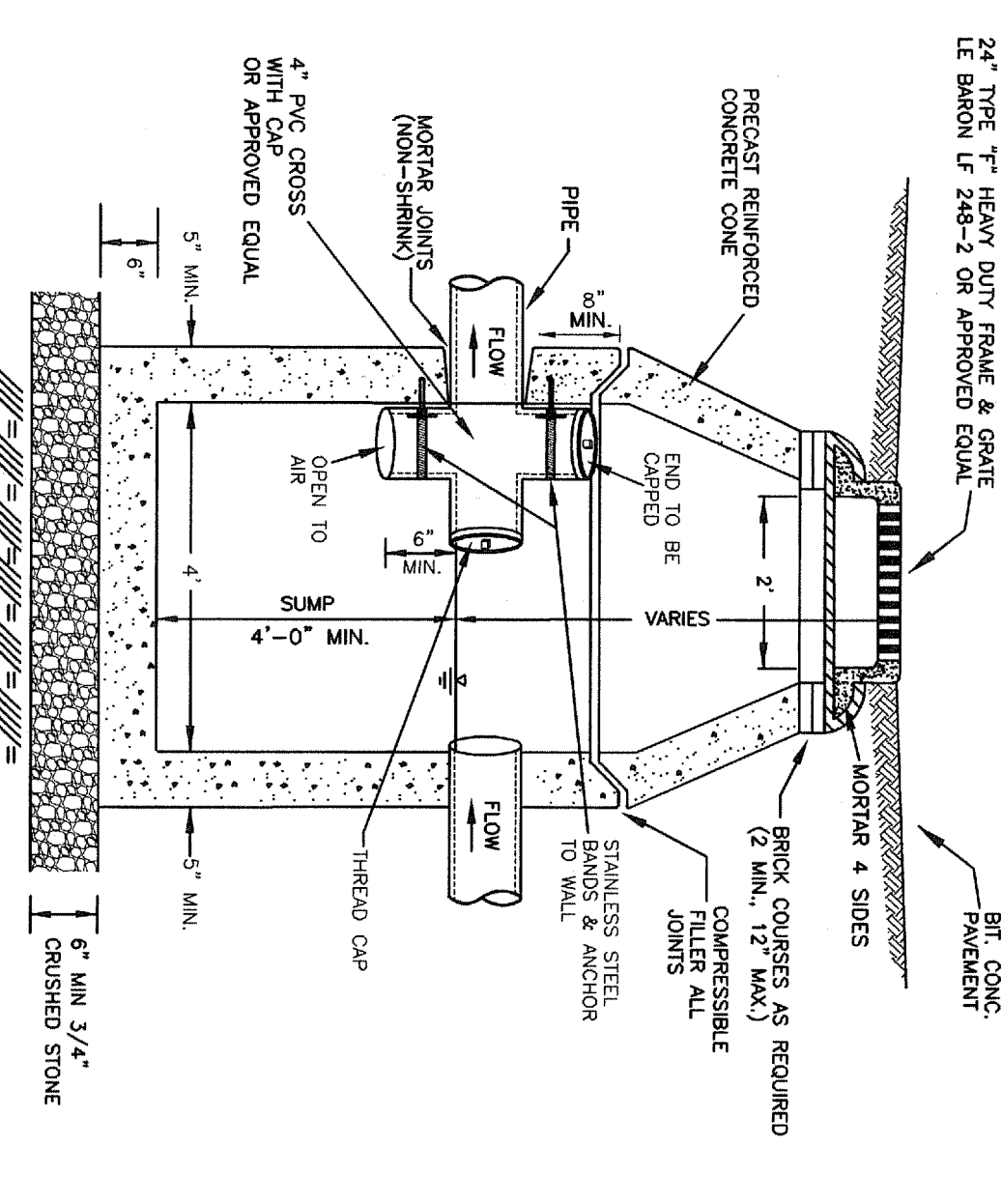
GENERAL NOTES

- ELEVATIONS REFER TO CITY OF NEWTON BASE BENCHMARK: PK. NAIL SET IN UTILITY POLE NEAR NORTH EAST PROPERTY CORNER. ELEVATION = 54.75.
- THE LOCATION AND ELEVATIONS OF ALL EXISTING UTILITIES SHALL BE CONSIDERED APPROXIMATE AND MUST BE VERIFIED BY THE CONTRACTOR. THE LOCATION OF ANY CROSSINGS OF PROPOSED AND EXISTING UTILITIES.
- MASSACHUSETTS STATE LAW REQUIRES UTILITY INSPECTION AT LEAST THREE BUSINESS DAYS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL ONE-SHIFT AT 1-888-344-2333 IN ORDER TO COMPLY WITH STATE LAW.
- ALL UTILITY CONSTRUCTION SHALL CONFORM TO THE CITY OF NEWTON GENERAL CONSTRUCTION DETAILS, LATEST EDITION, PREPARED AND ISSUED BY THE CITY OF NEWTON GENERAL CONSTRUCTION DETAILS DIVISION. THE CONTRACTOR SHALL OBTAIN A PERMIT FROM THE CITY ENGINEER, OR DESIGNEE FOR SUCH WORK.
- NO WORK WITHIN ANY CITY OF NEWTON RIGHT-OF-WAY IS ALLOWED BETWEEN NOVEMBER 15TH AND APRIL 15TH, IF AN EMERGENCY EXISTS OR THERE ARE EXTENUATING CIRCUMSTANCES. THE APPLICANT MUST REQUEST PERMISSION FROM THE CITY ENGINEER, OR DESIGNEE FOR SUCH WORK.
- ALL CONSTRUCTION ACTIVITIES WITHIN THE CITY OF NEWTON RIGHT-OF-WAY MUST FULLY COMPLY WITH ALL CITY OF NEWTON CONSTRUCTION SPECIFICATIONS AS WELL AS 521 CMR 21.00 AND 22.00.
- PROPOSED SEWER PIPE SHALL BE 6" PVC SDR 35.
- PROPOSED WATER SERVICE SHALL BE 1 1/2" TYPE K COPPER.
- THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND 1/16/18 & 2/26/18.
- ALL WORK SHALL BE SUBJECT TO THE INSPECTION BY AND APPROVAL OF THE CITY ENGINEER.
- NO EXCAVATION SHALL BE MADE BY THE CONTRACTOR IN ANY PUBLIC WAY OR UTILITY EASEMENT UNLESS AT LEAST FORTY-EIGHT (48) HOURS, EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS, BEFORE THE PROPOSED EXCAVATION TO THE FOLLOWING:
 - SUCH PUBLIC UTILITY COMPANIES AS SHERIFF, GAS, ELECTRICITY, AND TELEPHONE SERVICE IN THE CITY.
 - CITY OF NEWTON WATER & SEWER DEPARTMENT.
 - CITY OF NEWTON WATER & SEWER DEPARTMENT.
 SUCH NOTICE SHALL SET FORTH THE STREET NAME AND A REASONABLY ACCURATE DESCRIPTION OF THE LOCATION OF THE EXCAVATION.
- THE CONTRACTOR SHALL PROVIDE CITY OF NEWTON POLICE OFFICERS FOR THE DIRECTION AND CONTROL OF TRAFFIC, AS REQUIRED BY THE CITY ENGINEER.
- NO WORK SHALL BE PERFORMED UNTIL THE NECESSARY PERMITS ARE OBTAINED FROM THE CITY OF NEWTON PUBLIC WORKS DEPARTMENT.
- ALL TRENCHES IN PAVED STREETS SHALL BE TEMPORARILY PATCHED WITH 1.5 INCH DEPTH OF BITUMINOUS CONCRETE, LAND HOY AND MAINTAINED UNTIL THE PERMANENT PATCH IS INSTALLED.
- WARNING SIGNS SHALL CONFORM TO PAGE 12 OF THE CITY OF NEWTON GENERAL CONSTRUCTION DETAILS.
- ALL TOPSOIL, SUBSOIL OR IMPROVED SOIL MUST BE EXCAVATED AND REMOVED BELOW THE LEACHING BARRIERS AS REQUIRED WITH A CLEAR GRANULAR SAND FILL. THE SAND FILL SHALL BE PLACED IN 6 INCH LIFTS. IN CASES WHERE LEACH BARRIERS OR BOLLERS ARE ENCOUNTERED, EVERETT M. BROOKS CO. WILL NOT BE RESPONSIBLE FOR THE AMOUNT OF ROCK ENCOUNTERED.
- IF ANY PART OF THIS DESIGN IS TO BE ALTERED IN ANY WAY, THE DESIGN ENGINEER, AS WELL AS THE APPROVING AUTHORITIES, SHALL BE NOTIFIED IN WRITING BEFORE CONSTRUCTION.



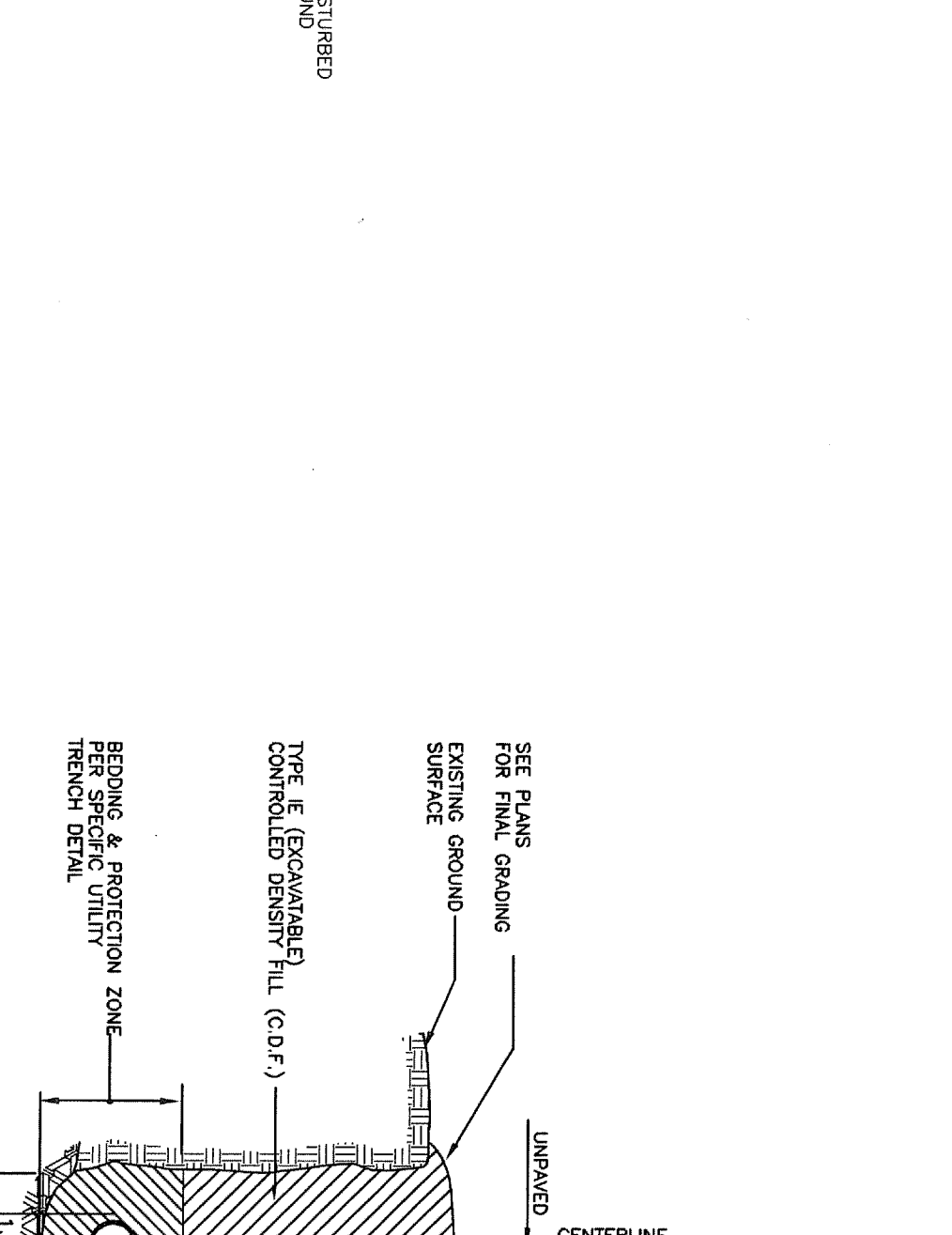
- CONSTRUCTION NOTES FOR FABRICATED SILT FENCE**
- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN AND MESH OPENING.
 - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 9 INCHES.
 - MAINTAINANCE SWATH WHEN STAPLES ARE NEAR IN THE SILT FENCE.

SILT FENCE DETAIL
N.T.S.

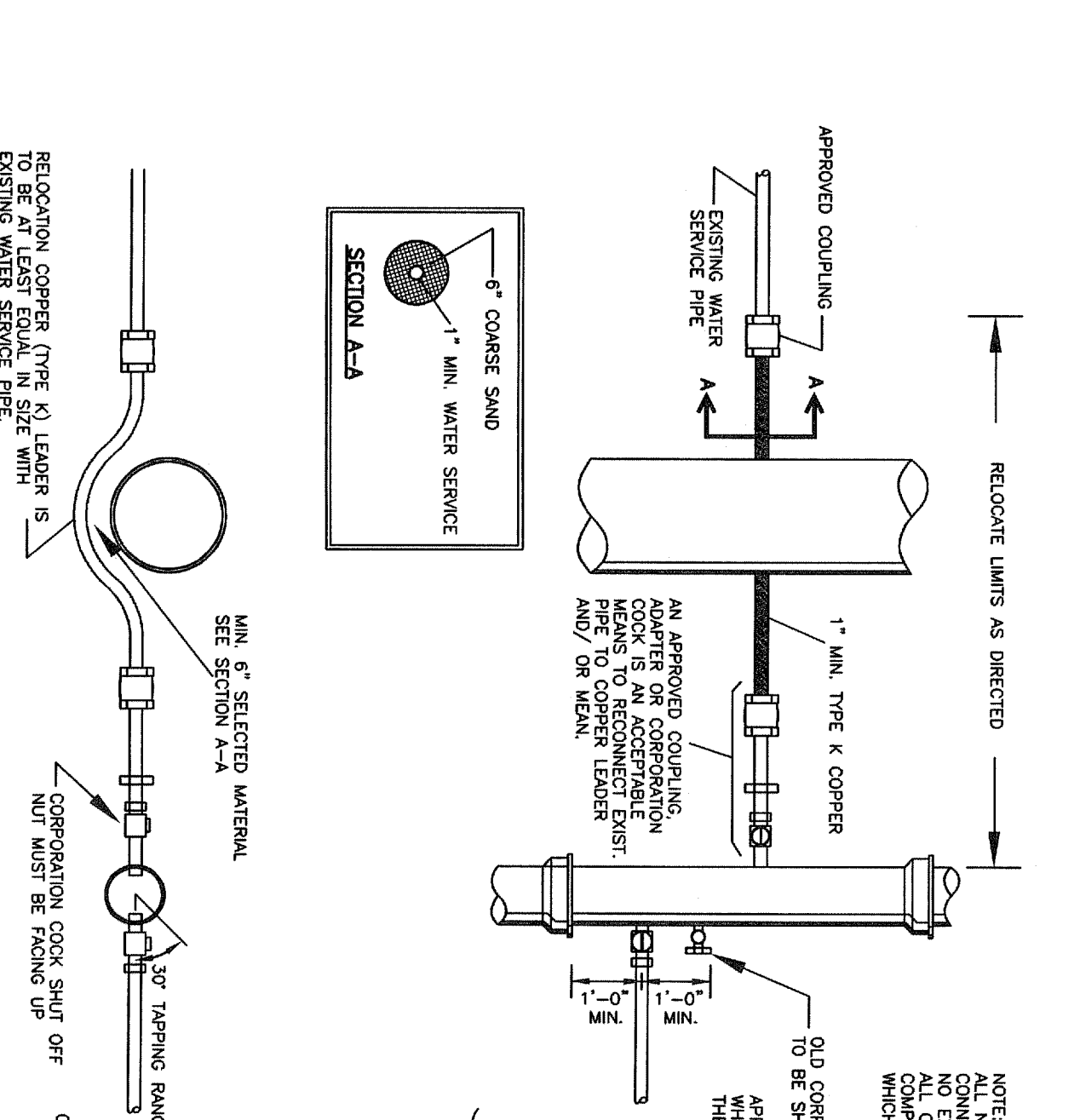


TYPICAL PRECAST CONCRETE CATCH BASIN WITH PVC GAS TRAP
N.T.S.

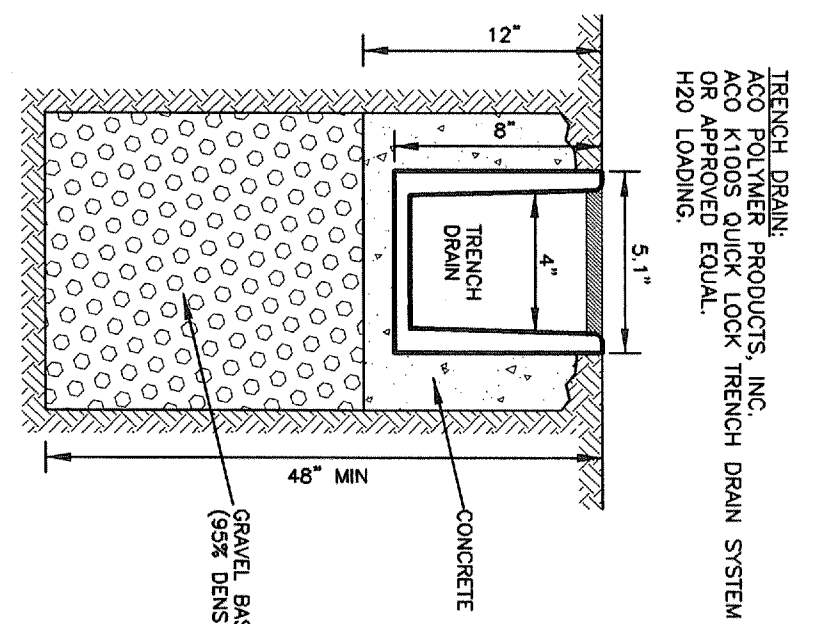
- ALL OF THE ROOF RUNOFF FROM THE AND PROPOSED ROOF SURFACES SHALL BE COLLECTED BY GUTTERS AND DIRECTED TO THE PROPOSED LEACHING GALLEY.
- PRIOR TO AN OCCUPANCY PERMIT BEING ISSUED, AN AS-BUILT PLAN SHOULD BE SUBMITTED TO THE ENGINEERING DIVISION IN BOTH DIGITAL FORMAT AND HARD COPY. THE PLAN SHOULD SHOW ALL UTILITIES, EXISTING AND PROPOSED (INCLUDING SWIMMING POOLS, FOUNTAINS AND FISH PONDS).
- THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE DESIGN ENGINEER FOR INSPECTIONS OR AS-BUILT VERIFICATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND BACKFILL UTILITIES. A MINIMUM OF 48 HOURS NOTICE IS REQUIRED PRIOR TO INSPECTIONS.
- WHEREVER THE PROPOSED SEWER PIPE DOES NOT HAVE A MINIMUM OF 10' HORIZONTAL SEPARATION OR IN CONCRETE.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEERING DIVISION 48 HOURS IN ADVANCE AND SECURE A PERMIT TO HAVE THE PROPOSED SYSTEM, WATER & SEWER SERVICES INSPECTED. THE SYSTEM & UTILITIES MUST BE FULLY EXPOSED FOR THE INSPECTOR. ONCE THE INSPECTOR IS SATISFIED, THE SYSTEM & UTILITIES MAY THEN BE BACKFILLED.
- THE EXISTING CONDITIONS OF THE LAND ARE NOT TO BE ALTERED BY MORE THAN THREE (3) FEET AS A RESULT OF THE PLACEMENT OR REMOVAL OF SOIL, LOAM, CLAY, GRAVEL OR STONE, OR OTHER SOLID MATERIAL.
- THE EXISTING WATER & SEWER SERVICES SHALL BE CUT AND CAPPED AT THE MAIN AND BE COMPLETELY REMOVED FROM THE PROJECT. THE CITY ENGINEER SHALL DETERMINE THE VALUE OF THE UNCOMPLETED WORK.
- IF A CERTIFICATE OF OCCUPANCY IS REQUESTED PRIOR TO ALL SITE WORK BEING COMPLETED, THE APPLICANT WILL BE REQUIRED TO POST A CERTIFIED BANK CHECK IN THE AMOUNT TO COVER THE REMAINING WORK. THE CITY ENGINEER SHALL DETERMINE THE VALUE OF THE UNCOMPLETED WORK.
- THE PROPOSED SEWER SERVICE LINE WILL NEED TO BE PRESSURE TESTED PRIOR TO USE.
- ALL TRENCH EXCAVATION CONTRACTORS SHALL COMPLY WITH MASSACHUSETTS GENERAL LAWS CHAPTER 92A, TRENCH EXCAVATION SAFETY REQUIREMENTS, TO PROTECT THE GENERAL PUBLIC FROM UNAUTHORIZED TRENCH EXCAVATION PERMIT REQUIRED. THIS APPLIES TO ALL TRENCHES ON PUBLIC AND PRIVATE PROPERTY.
- APPROVAL OF THIS PLAN BY THE CITY OF NEWTON ENGINEERING DIVISION MEANS THAT THE PLAN MEETS THE MINIMUM DESIGN STANDARDS OF THE CITY OF NEWTON. HOWEVER, THE ENGINEERING DIVISION MAKES NO REPRESENTATIONS AND ASSUMES NO RESPONSIBILITY FOR THE DESIGN OR PERFORMANCE OF ANY ITEMS CONSTRUCTED IN ACCORDANCE WITH THE DESIGN. THE CONTRACTOR SHALL ASSUME ALL LIABILITIES FOR DESIGN ASSUMPTIONS, ERRORS OR OMISSIONS BY THE ENGINEER OF RECORD.
- PROPOSED WALLS BY OTHERS.



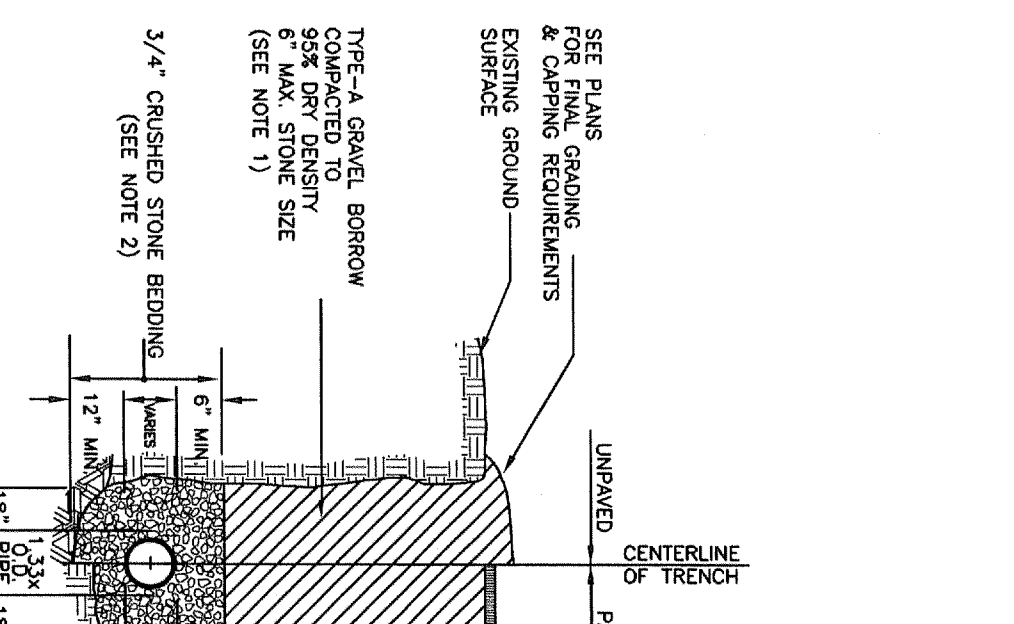
TYPICAL C.D.F. TRENCH DETAIL
N.T.S.



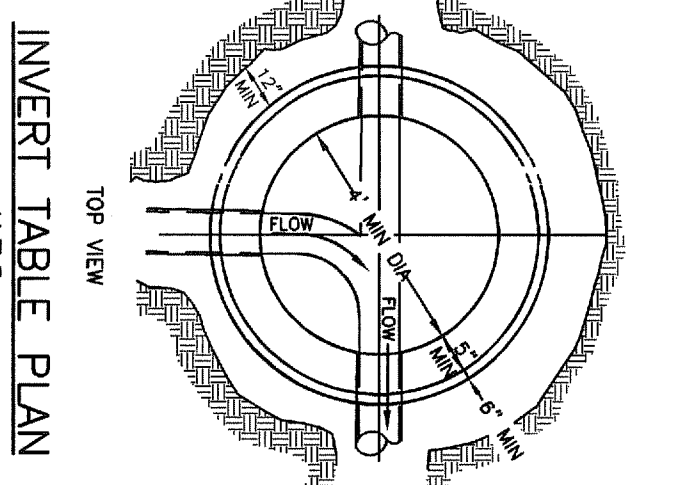
TYPICAL WATER SERVICE CONFIGURATION
N.T.S.



TRENCH DRAIN DETAIL
N.T.S.

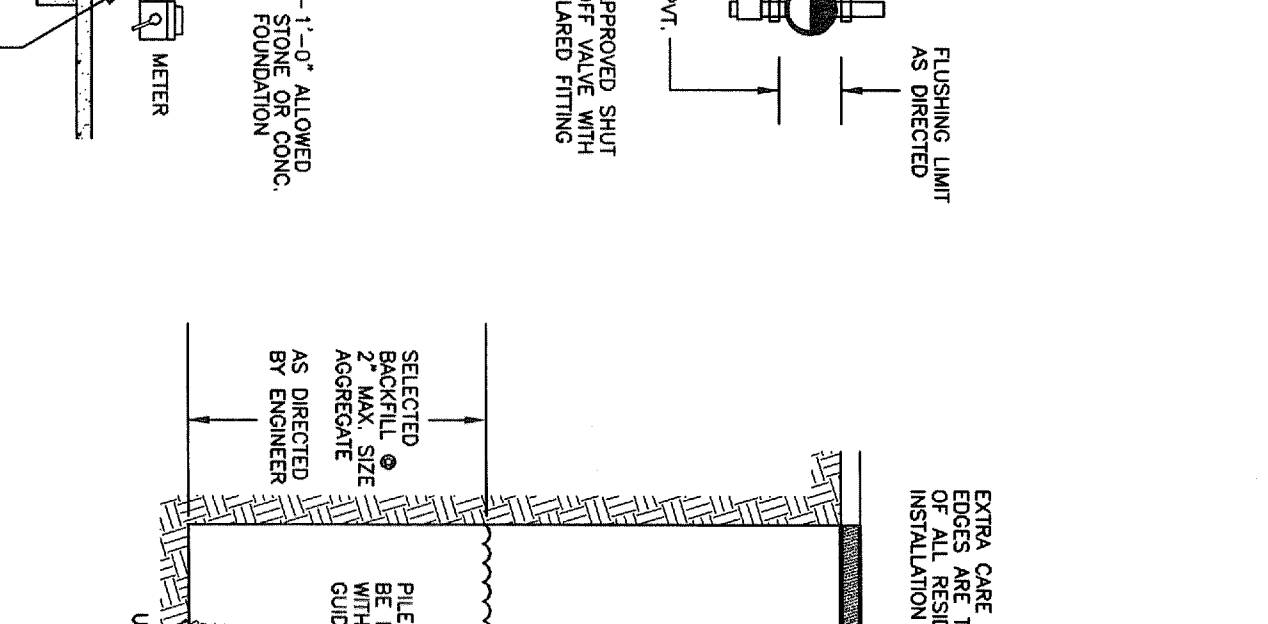


LOW PROFILE LEACHING GALLEY DETAIL
N.T.S.

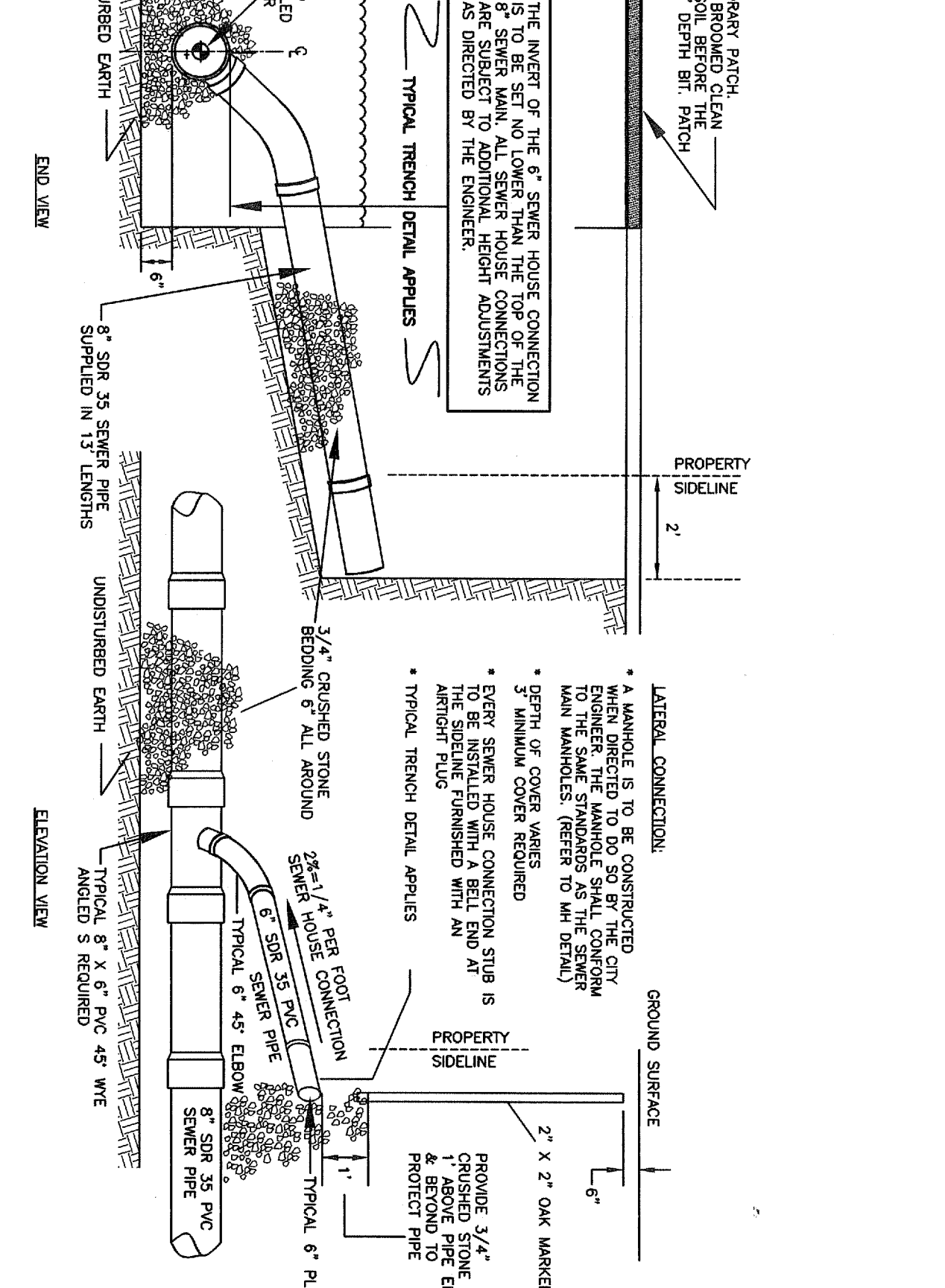


TYPICAL DOWNPOUT DETAIL
N.T.S.

GRAVITY SEWER TRENCH DETAIL
N.T.S.



TYPICAL PVC SEWER HOUSE CONNECTION
N.T.S.



EMTB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465
(617) 527-8750
info@everettbrooks.com

CONTRACT DOCUMENTS
SPECIAL CONDITIONS
GENERAL CONDITIONS
SCHEDULE OF VALUES
SPECIFICATIONS

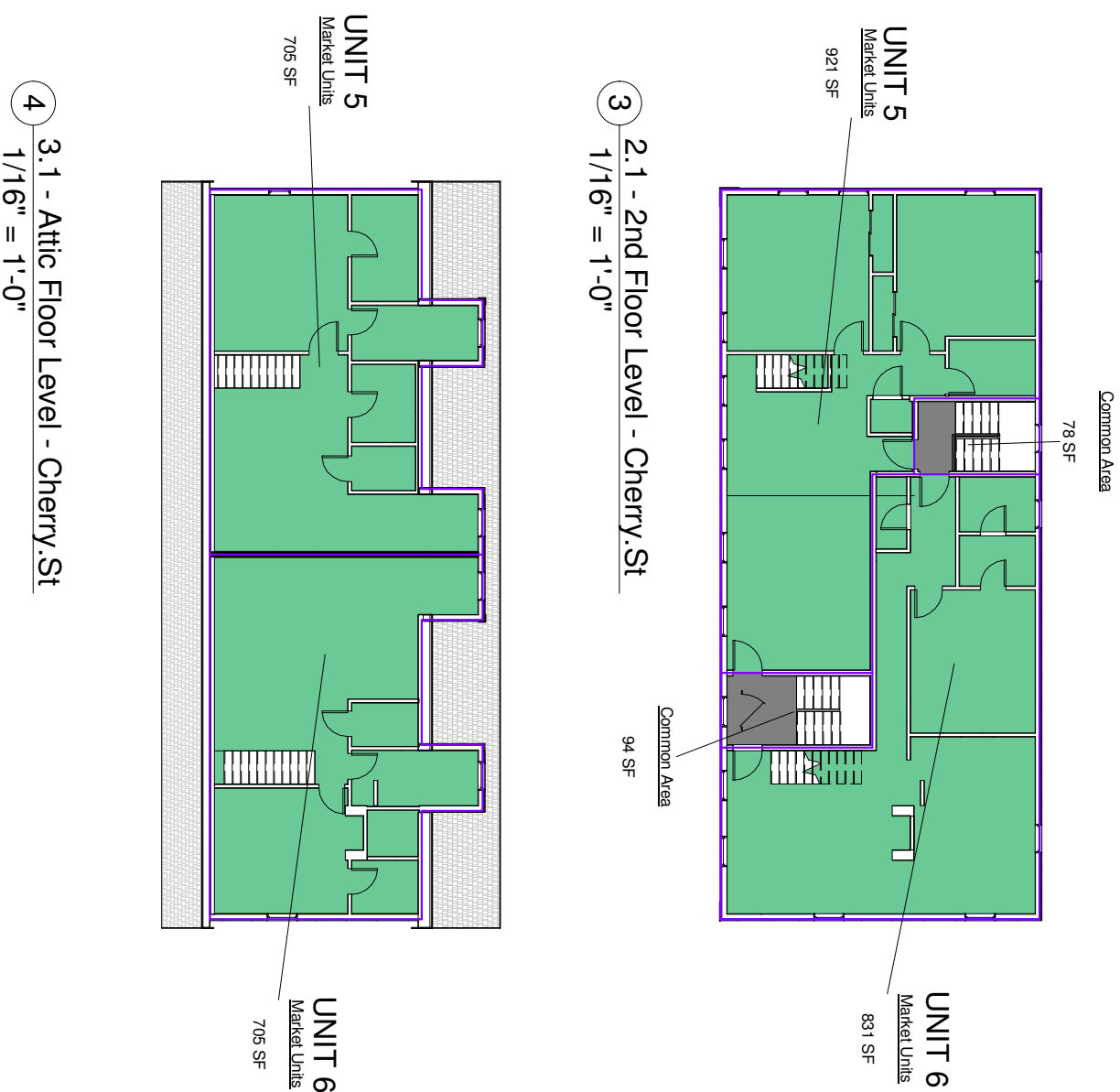
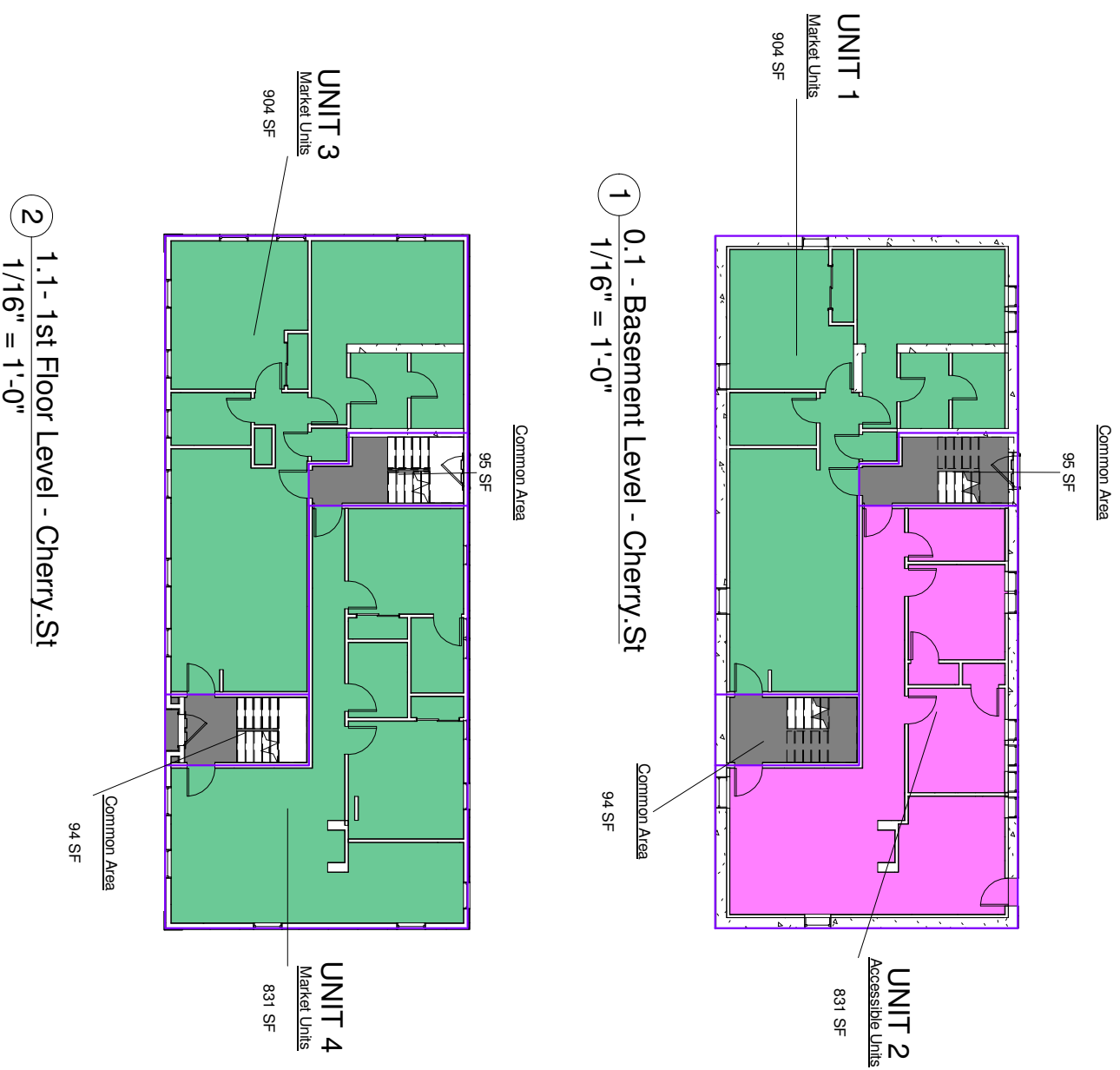
**424-432 CHERRY STREET
NEWTON, MA
DETAILS & PROFILES**

**SITE PLAN OF LAND IN
NEWTON, MA**

SCALE: 1 IN. = 10 FT.
DATE: APRIL 3, 2018
DRAWN: ES
CHECK: MSK & BB

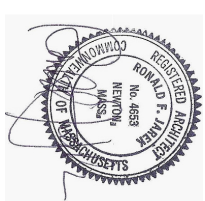
REVISIONS:
4/25/18 VARIOUS REVISIONS ES
9/26/18 VARIOUS REVISIONS ES
12/19/18 VARIOUS REVISIONS ES

PROJECT NO. 25450 SHEET 4 OF 4



Unit	Floor	SF per Floor	Total Unit SF	Unit Type
Unit 1	Ground	904	904	Market Units
Unit 2	Ground	831	831	Accessible Unit
Unit 3	First	904	904	Market Units
Unit 4	First	831	831	Market Units
Unit 5	Second	921	1626	Market Units
Unit 6	Attic	705	705	Market Units
Unit 6	Second	831	1536	Market Units
Unit 6	Attic	705	705	Market Units

UNIT AREA LEGEND	
	COMMON AREA
	AFFORDABLE
	ACCESSIBLE
	MARKET VALUE



STAMP

REVISION	DATE
SPECIAL PERMIT SET	
09-24-2018	

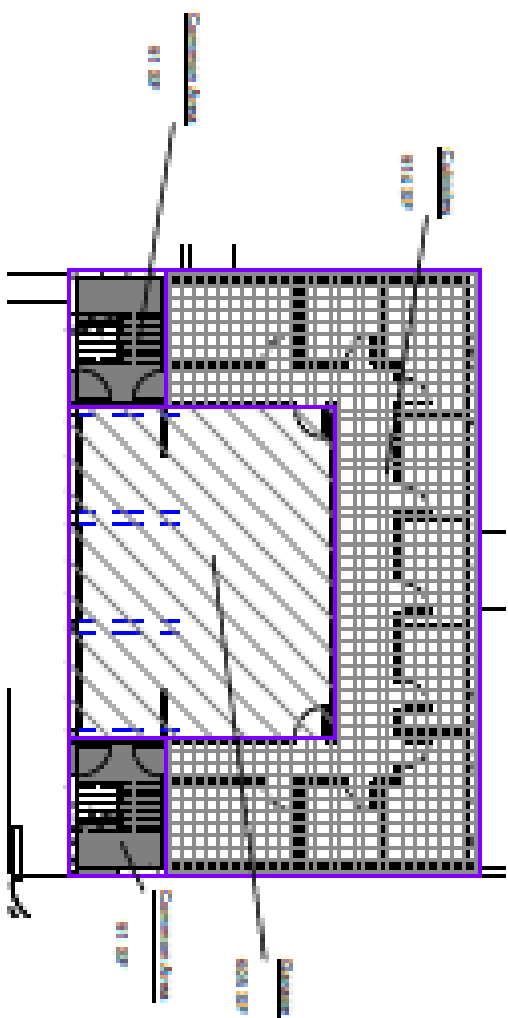
432 CHERRY ST & 46 WEBSTER ST

432 Cherry St - FAR Calculation

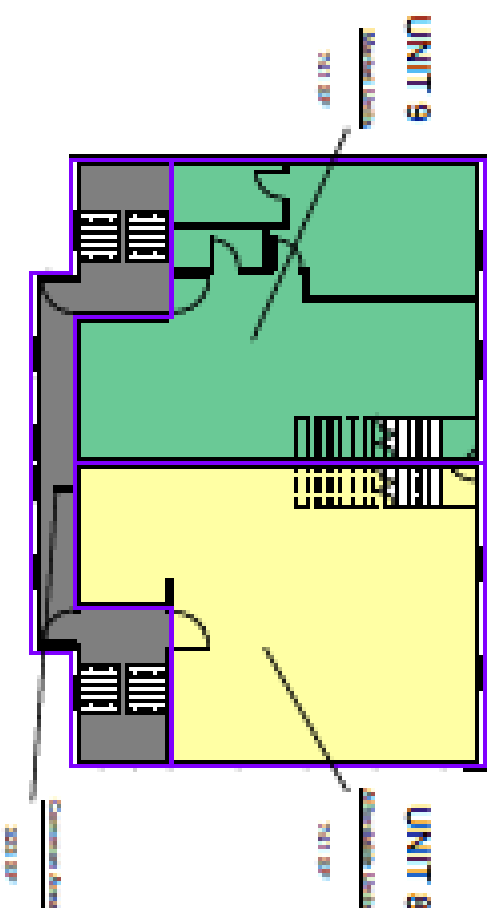
Project number	17-0404
Date	09/12/17
Drawn by	Author
Checked by	Checker

A - 0.1

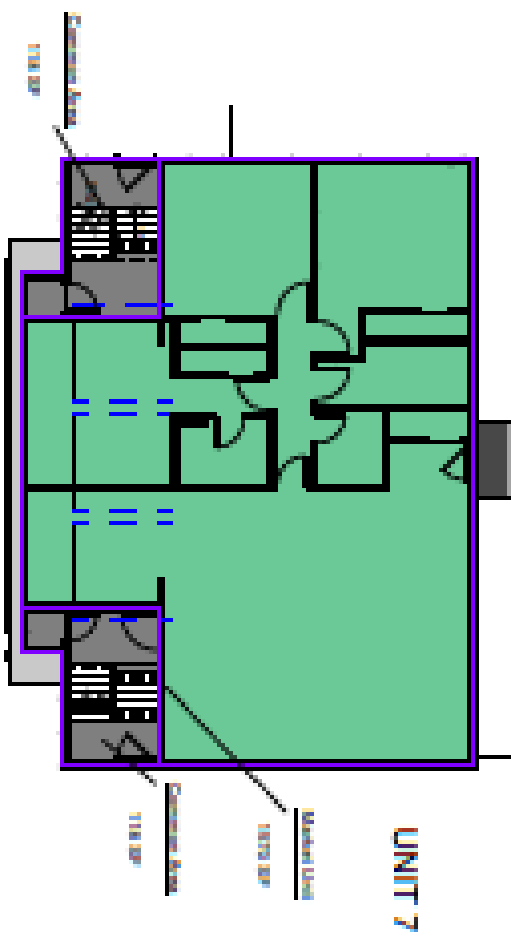
Scale As indicated



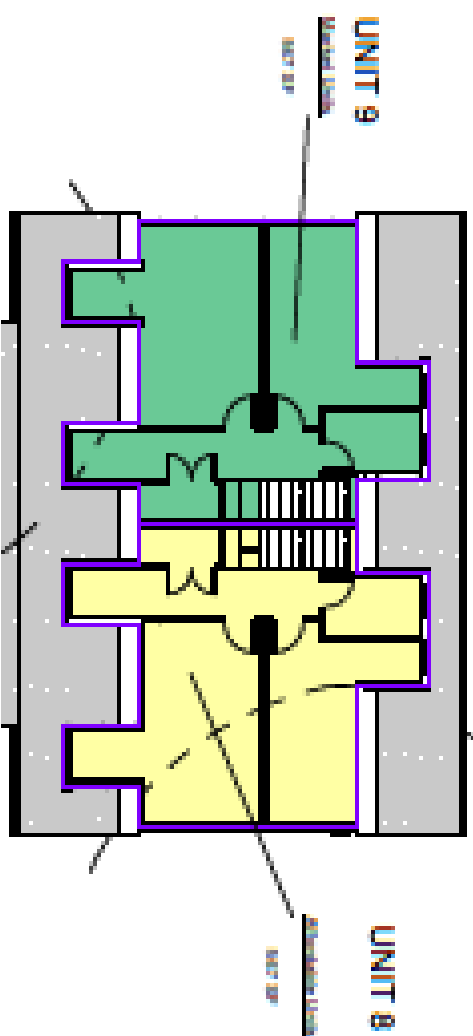
1 0.2 - Basement Level - Webster St
1/16" = 1'-0"



3 2.2 - 2nd Floor Level - Webster St
1/16" = 1'-0"



2 1.2 - 1st Floor Level - Webster St
1/16" = 1'-0"



4 3.2 - Attic Floor Level - Webster St
1/16" = 1'-0"

UNITS FLOOR AREA

46 Webster Street

Unit	Floor	SF per Floor	Total Unit SF	Unit Type
Unit 7	First	1570	1570	Market Units
Unit 8	Second	741	1308	Affordable Unit
	Attic	567		
Unit 9	Second	741	1308	Market Units
	Attic	567		

UNIT AREA LEGEND

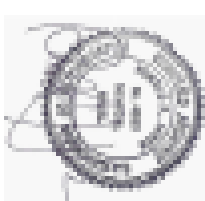
	COMMON AREA
	AFFORDABLE
	ACCESSIBLE
	MARKET VALUE

Ronald F. Jarek ARCHITECT

827 Webster Street - Southbridge, MA 01560 - (507) 818-8581 - F + (507) 855-8823

MGD+ LLC [DESIGN + CONSULTANTS]

834 COMMONWEALTH AVE. S.210 - NEWTON, MA 02459 - (617) 552-5200 - INFO@MGDPLUS.COM



STAMP

REVISION DATE

SPECIAL PERMIT SET
09-24-2018

432 CHERRY ST
&
46 WEBSTER ST

46 Webster St - FAR
Calculation

Project number 17-0004

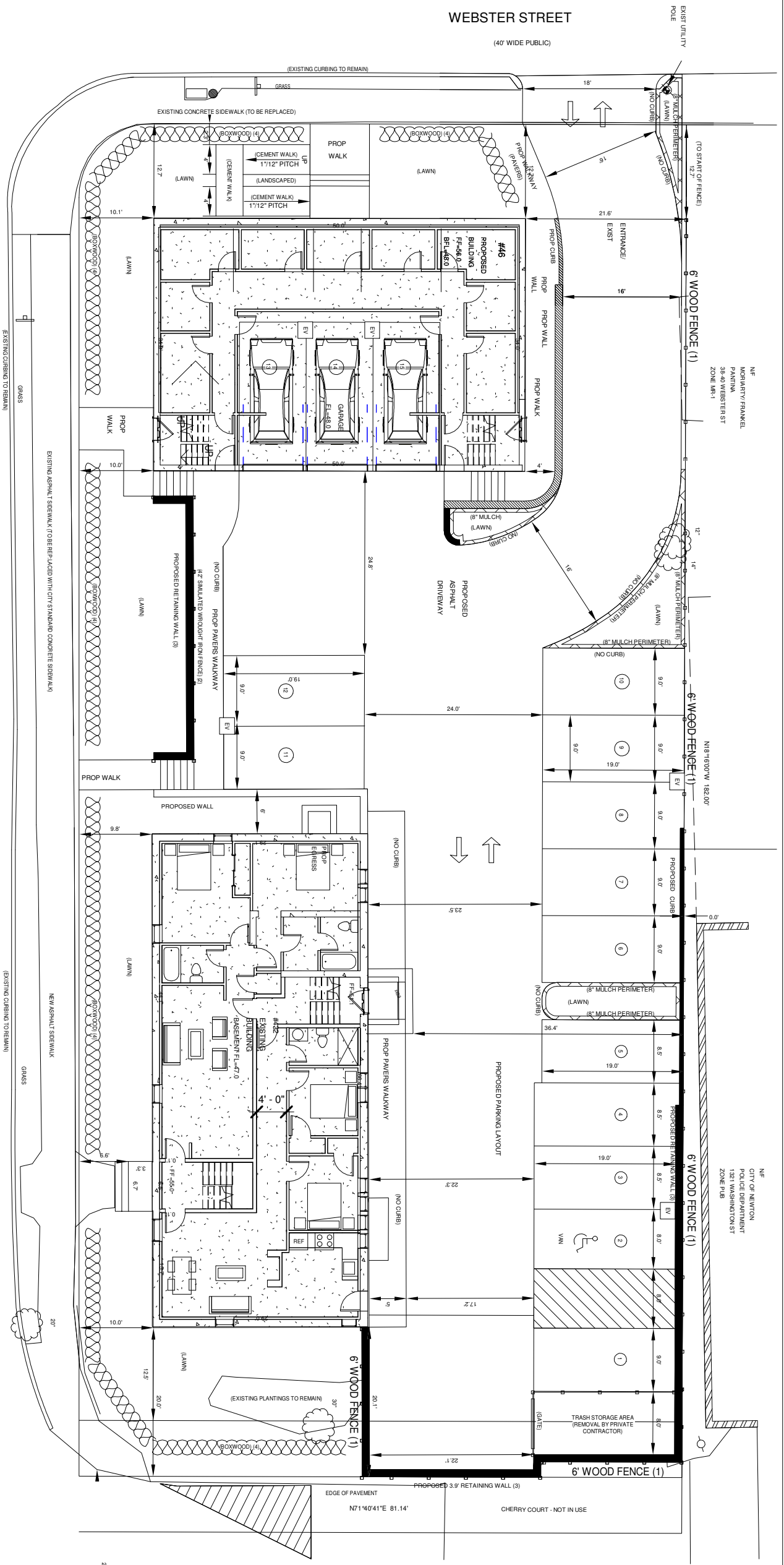
Date 08/27/17

Drawn by Author

Checked by Checker

A - 0.2

Scale As Indicated



2 Site & Landscape Plan

FENCING IN PROJECT:

- (1) - 6' WOOD FENCE:
- (2) - 42" SIMULATED WROUGHT IRON FENCE:



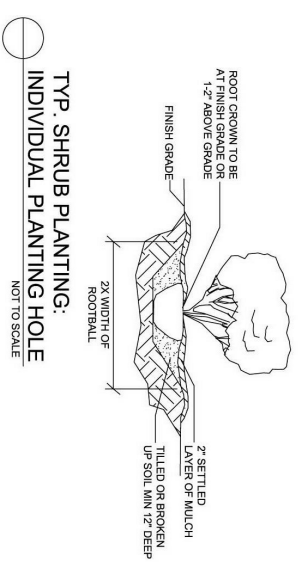
RETAINING WALL IN PROJECT:

- (3) - STONE VENEER FACED RETAINING WALL:

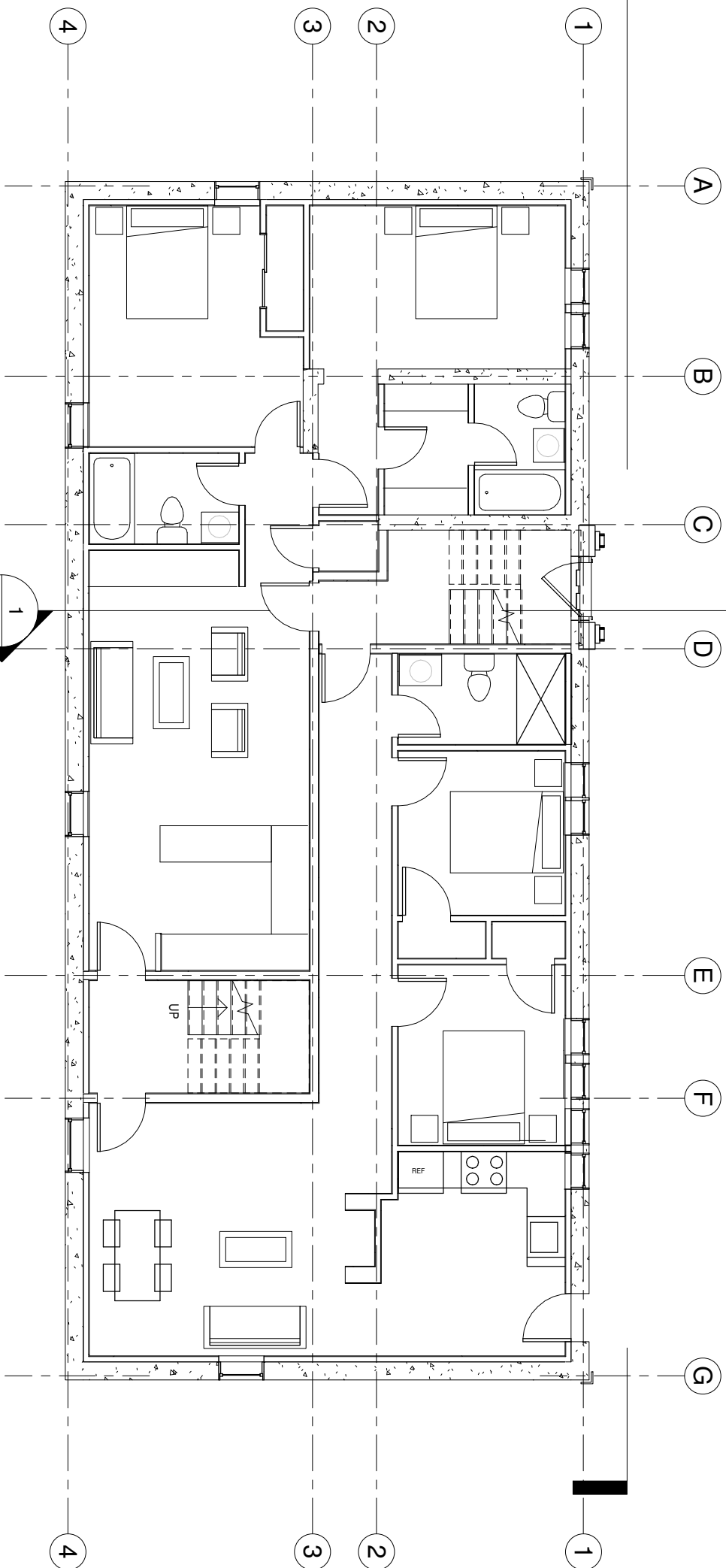
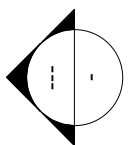


PLANTING IN PROJECT:

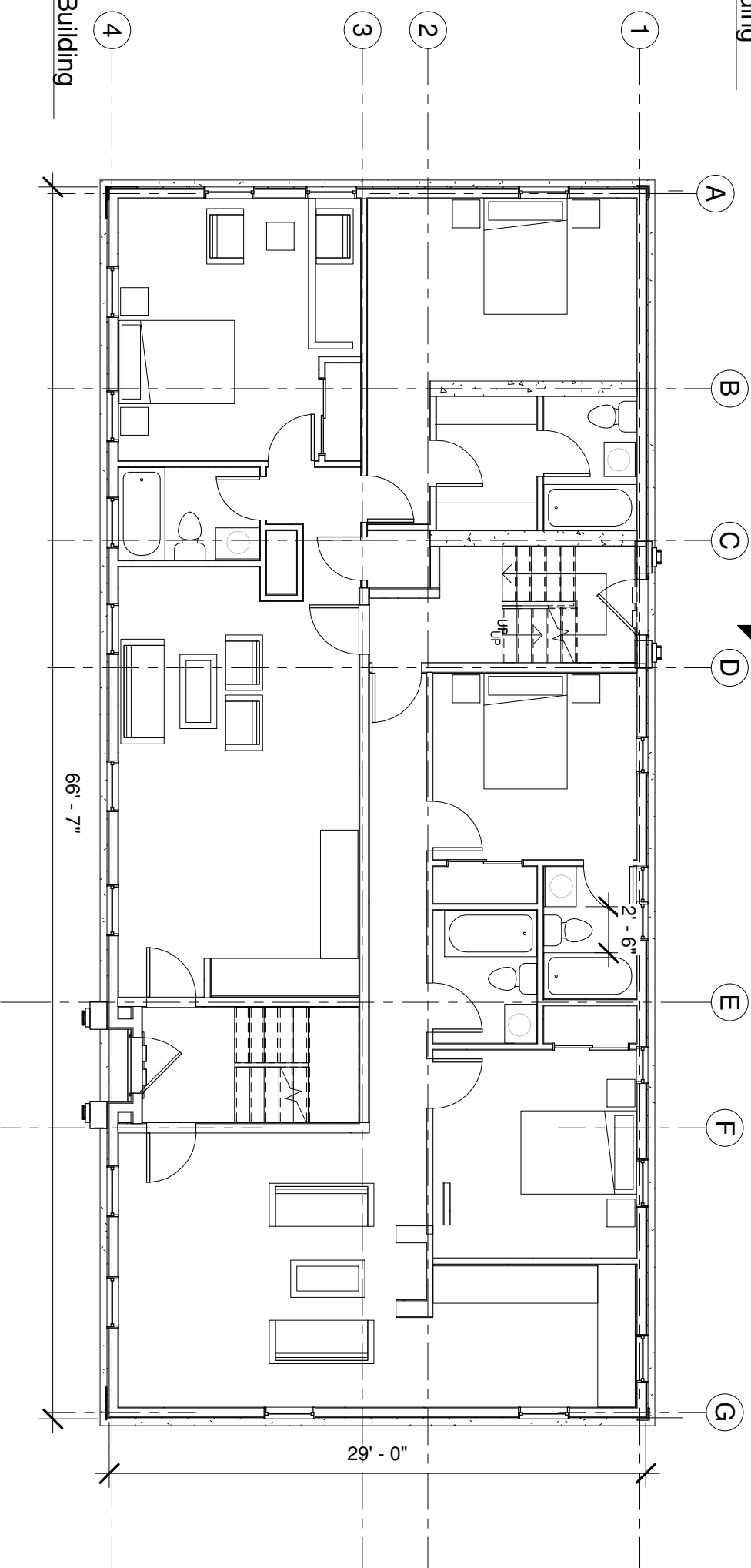
- (4) - 30" BOXWOOD PROPERTY LINE PERIMETER HEDGE INDIVIDUAL SHRUBS SPACED AT INTERVALS NECESSARY TO FORM AN UNINTERRUPTED PLANTING LINE:



		566-18 Ronald F. Jarek ARCHITECT 487 Watertown Street - Newtonville MA, 02460 - (617) 818-4540 - Fax (617) 965-0653 MGD+ LLC [DESIGN + CONSULTANTS] 634 COMMONWEALTH AVE-S 210 - NEWTON - MA 02459 - (857) 399-5320 - INFO@MGDPLUS.COM
REVISION DATE PRINTED DATE: 12-18-18	432 CHERRY ST & 46 WEBSTER ST SITE & LANDSCAPE PLAN	Scale A - 1 As indicated
Project number: 17-0404 Date: 09/12/17 Drawn by: Author Checked by: Checker	Project number: 17-0404 Date: 09/12/17 Drawn by: Author Checked by: Checker	Project number: 17-0404 Date: 09/12/17 Drawn by: Author Checked by: Checker



1 1-Basement Plan-Cherry St Building
1/8" = 1'-0"



2 2-First Floor Plan-Cherry St Building
1/8" = 1'-0"

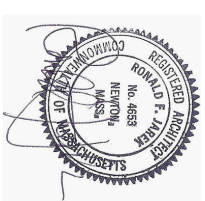
566-18

Ronald F. Jarek ARCHITECT

487 Watertown Street - Newtonville MA, 02460 - (617) 818-4540 - Fax (617) 965-0653

MGD+ LLC [DESIGN + CONSULTANTS]

634 COMMONWEALTH AVE-S 210 - NEWTON - MA 02459 - (857) 399-5320 - INFO@MGDPLUS.COM



STAMP

REVISION DATE

SPECIAL PERMIT SET
09-24-2018

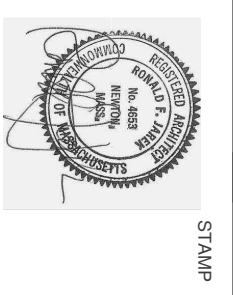
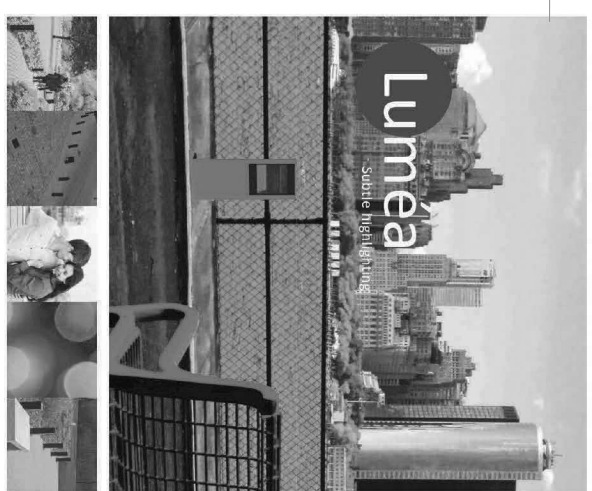
432 CHERRY ST
&
46 WEBSTER ST

Cherry St Proposed
Basement & First Floor
Plan

Project number 17-0404
Date 09/12/17
Drawn by Author
Checked by Checker

A - 4

Scale 1/8" = 1'-0"



REVISION DATE

SPECIAL PERMIT SET
09-24-2018

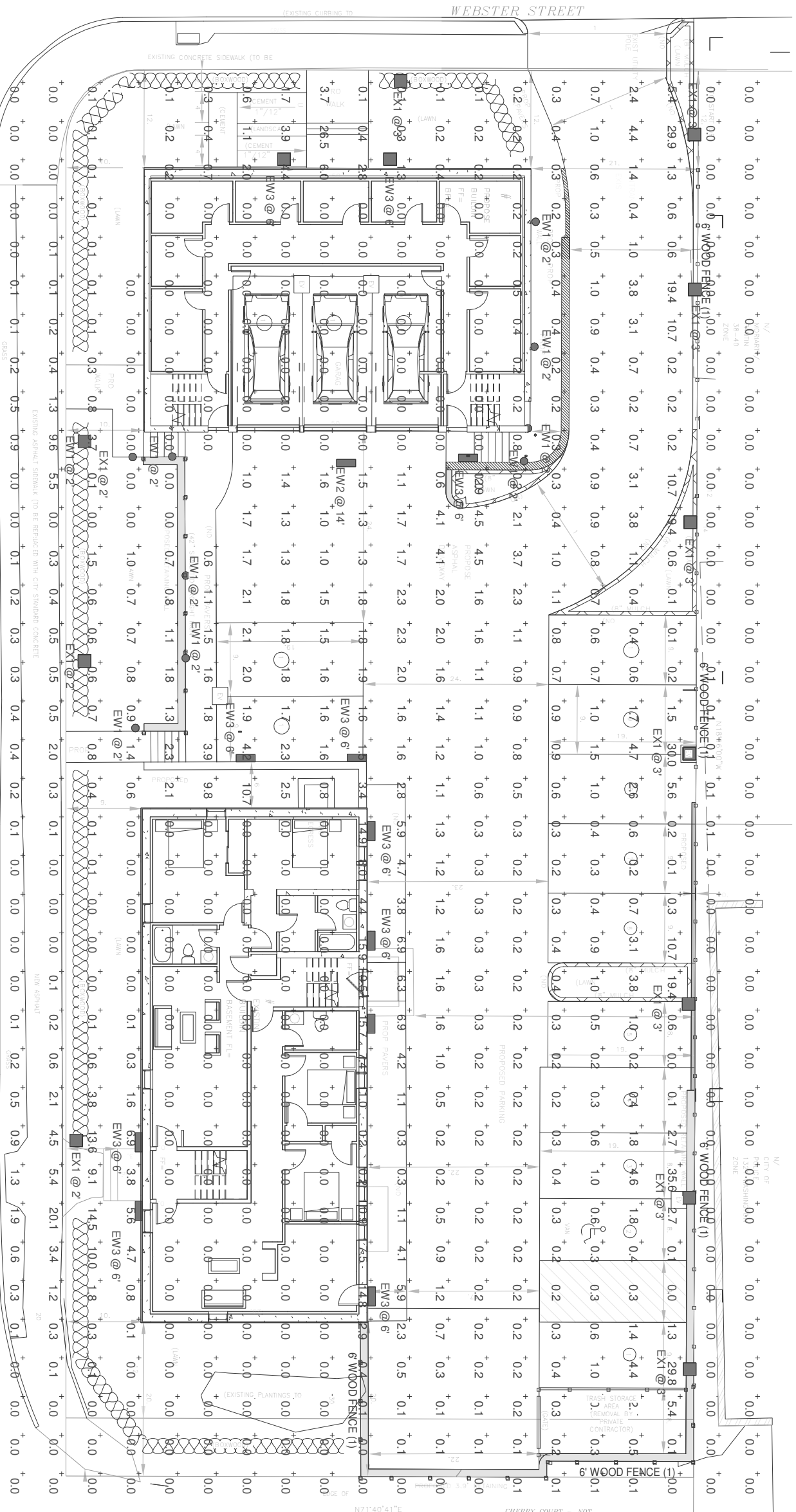
432 CHERRY ST
&
46 WEBSTER ST

Lighting Plan

Project number 17-0404
Date 09/12/17
Checked by Author
Checked by Checker

A - 16

Scale As indicated



2 Site Plan-Photometric Study
1/16" = 1'-0"

Schedule	Label	Quantity	Manufacturer	Category	Description	Lamp	Number	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	EX1	10	ROKON S.A.S	LUMEA-ASYM-FORNT-57W	LUMEA	FOGHT-17W-2100 W	1	LUMEA-ASYM-FORNT-57W	1479	0.9	21
	EW1	9	LITELINE		OSL3030-20K WITH 30° BROAD BEAM LENS	LED	1	OSL3030-20K WITH 30° BROAD BEAM LENS	24	1	3.3
	EW2	1	ISI INDUSTRIES, INC.	30MM-3-LED-09-30-089		30MM-3-LED-09-30-089	1	30MM-3-LED-09-30-089	3254	1	28
	EW3	10	ATLAS LIGHTING PRODUCTS	WSP512LED	WSP512LED	WSP512LED	1	WSP512LED	1286	1	12.35

LiteLine
OSL3030
30MM SQUARE LED BROAD LIGHT

Atlas WSP512LED
WSP512LED
WSP512LED

REDA WALL SCIENCE (RW)
RW-1000
RW-1000

Department of Planning and Development



PETITION #566-18
424-432 CHERRY STREET

SPECIAL PERMIT/SITE PLAN APPROVAL
TO ALLOW A MULTI-FAMILY
DEVELOPMENT CONTAINING NINE
UNITS, OF THREE STORIES AND 30 FEET
IN HEIGHT, AND WAIVER FROM THE
PARKING PROVISIONS



JANUARY 8, 2019

1

Requested Relief



- To allow multi-family dwellings, with ground floor units (§4.4.1).
- To allow two 3-story structures, 30 feet in height (§4.1.2.B.3 and §4.1.3).
- To allow a reduction in the residential parking requirement to 1.25 stalls per unit (§5.1.4.A and §5.1.13).
- To reduce the minimum aisle width requirements (§5.1.8.C and §5.1.13)
- To reduce the minimum driveway width (§5.1.8.D.1 and §5.1.13)

2

Requested Relief Continued

- To waive the lighting and the perimeter landscaping requirements pertaining to parking facilities containing more than five stalls (§5.1.9.A, §5.1.10.A, and §5.1.13)

3

Special Permit Criteria

- The specific site is an appropriate location for the proposed multi-family dwellings. (§7.3.3.C.1)
- The multi-family dwellings as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§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)
- Literal compliance with the parking requirements of the Newton Zoning Ordinance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.13)

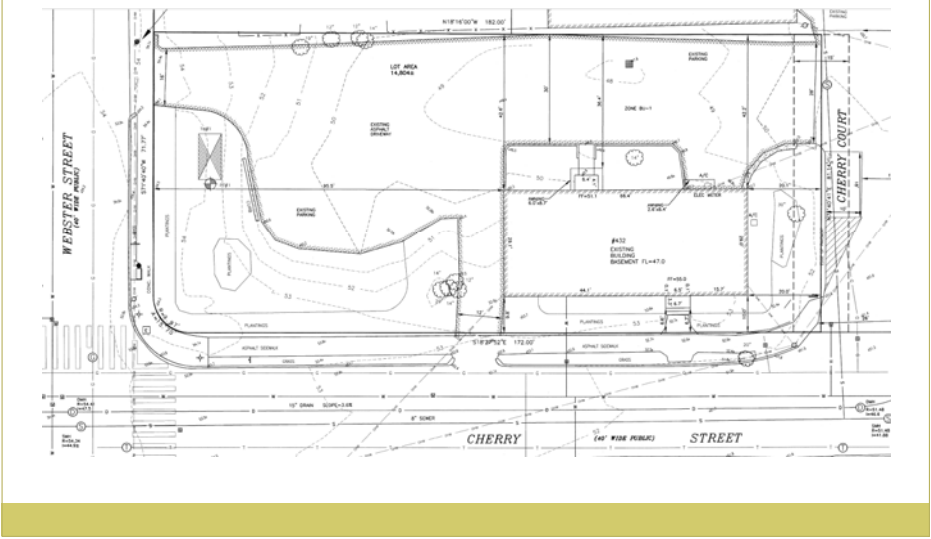
4

AERIAL



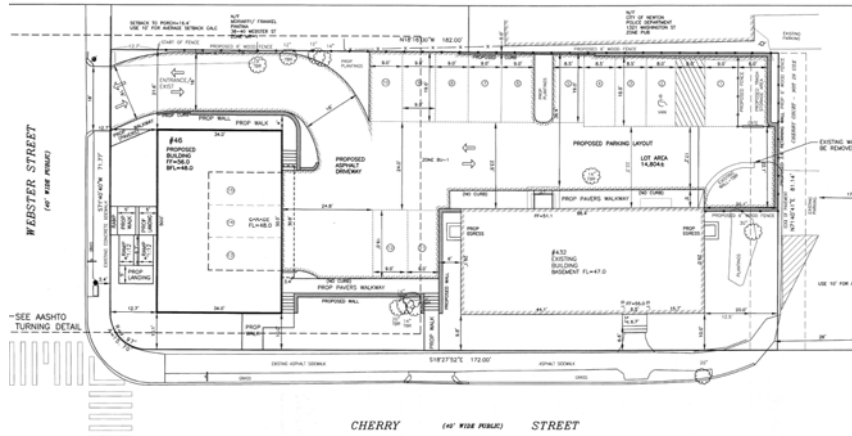
5

Existing Site Plan



6

Proposed Site Plan



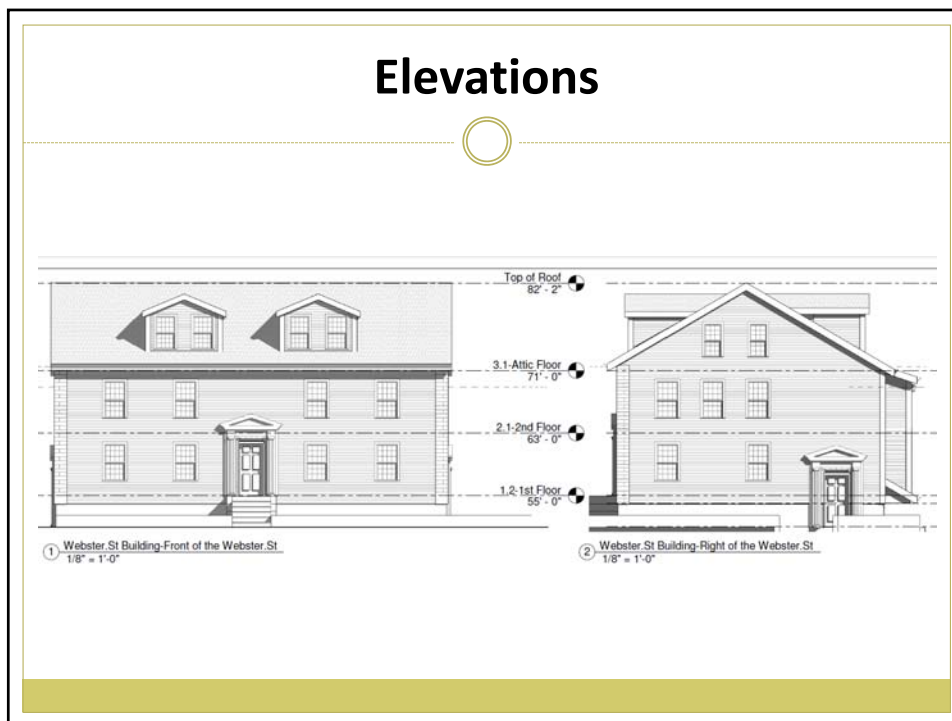
7

Elevations



8

Elevations



9

Consistency with *Comprehensive Plan* and Other Studies

- Project aligns with the *Comprehensive Plan*, Housing and Transportation Strategies by:
 - Locating development within a village center, near transit and in a walkable environment.
 - Offering a range of unit types and sizes
 - Providing an Inclusionary Unit
 - Encouraging alternative methods of transportation
 - Utilizing a historic resource and promoting context sensitive design

10

Outstanding Items

- NFD Review
- Revised Landscape Plan



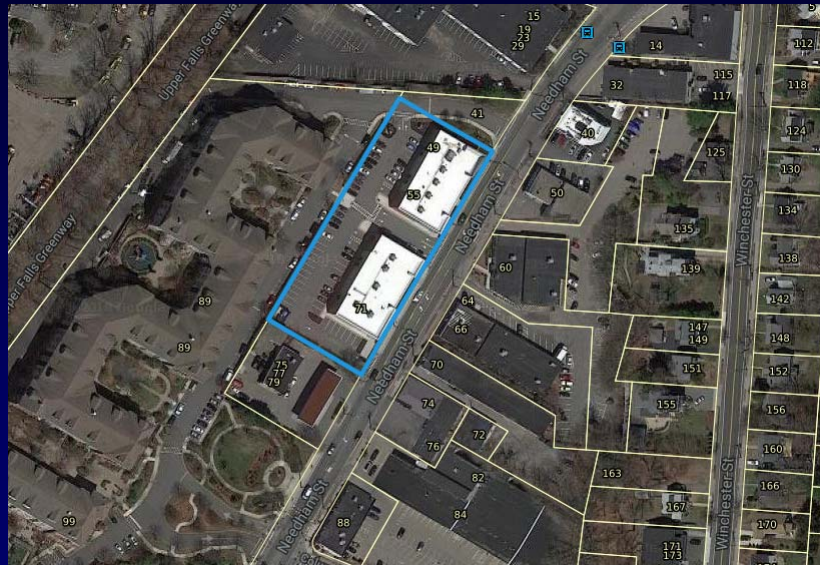
71 Needham Street

Special Permit Application to City of Newton Board of Aldermen



1

Aerial View



2

Relief Requested

Schlesinger and Buchbinder, LLP
Attorneys at Law



- special permit required for:
 - bank use (Section 4.4.1)

3



4

Department of Planning and Development



PETITION #620-18
71 NEEDHAM STREET

SPECIAL PERMIT/SITE PLAN
APPROVAL TO AMEND
SPECIAL PERMITS #213-12
(1) AND 213-12 (2) TO
ALLOW A BANK USE AT 71
NEEDHAM ST.



JANUARY 8, 2019

1

Requested Relief



- Amend Special Permit Permits 213-12 (1) and 213-12 (2)
- Allow a bank use in the Mixed Use 1 (MU-1) zoning district (§4.4.1 and §7.3.3)

2

Criteria to Consider

When reviewing this request, the Council should consider whether:

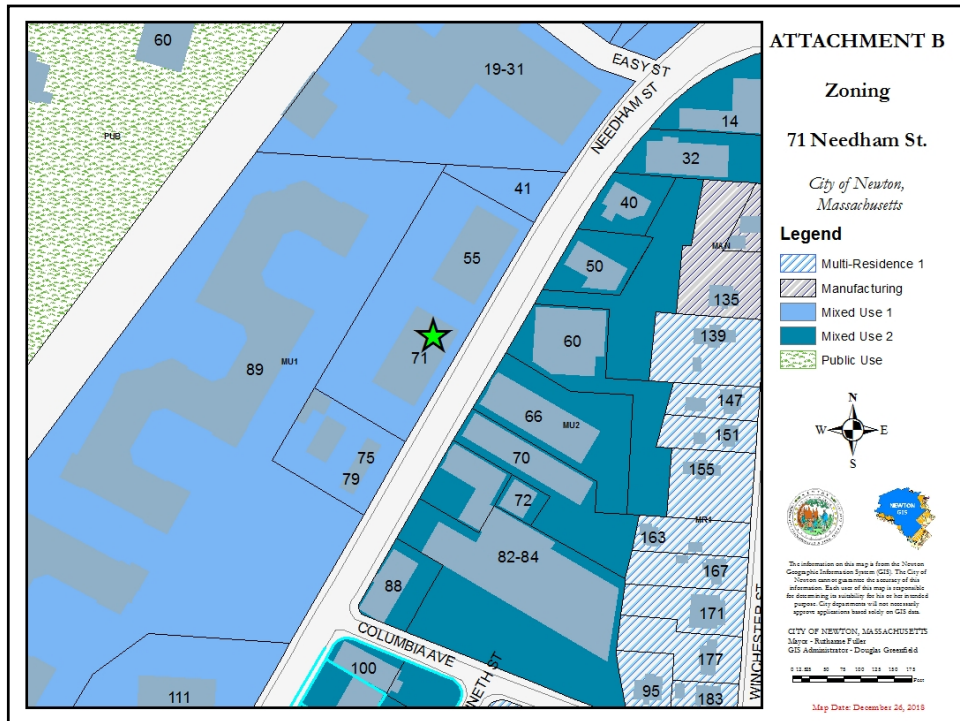
- The site is an appropriate location for the proposed bank use (§7.3.3.C.1);
- The proposed bank will adversely affect the neighborhood (§7.3.3.C.2);
- The proposed bank will create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3);
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4).

3

AERIAL/GIS MAP



4



5



6

Photos



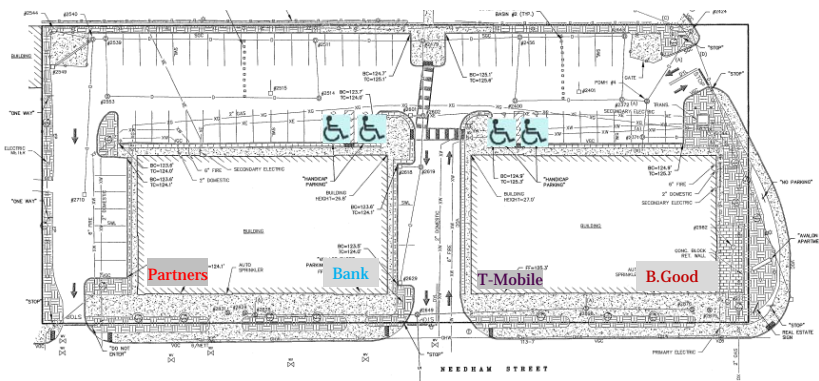
7

Photos



8

Site Plan



9

Proposed Findings

1. The specific site is an appropriate location for the proposed bank hospital because the site is located in an area containing a mix of uses and the proposed use is compatible with that mix. (§7.3.3.C.1.)
2. The proposed bank will not adversely affect the neighborhood given the mixed use nature of the area. (§7.3.3.C.2)
3. The proposed bank will not create a nuisance or serious hazard to vehicles or pedestrians because the use does not require any alterations to the site. (§7.3.3.C.3.)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

10

Proposed Conditions

- Standard plan referencing condition
- Standard building permit condition
- Standard Certificate of Occupancy condition