



# Land Use Committee Agenda

## City of Newton In City Council

Tuesday, March 26, 2019

7:00 PM  
Chamber

- #564-18(2) Petition to allow nine-unit multi-family dwelling at 19-31 and 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 (Lot 7), to allow off-site parking facilities (Lot 6), 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 a 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 Lots 6 and 7, 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, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.
- #87-19 Special Permit Petition to allow increased FAR at 370 Linwood Avenue**  
MATTHEW HAAG AND LAUREN NICHOLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached two-car garage and second floor master suite, creating an FAR of .63 where .53 is allowed and .43 exists at 370 Linwood Avenue, Ward 2, Newtonville, on land known as Section 21 Block 24 Lot 05, containing approximately 7,219 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. 7.3.3, 7.4, 3.2.3, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
*Please see the attached request to Withdraw without Prejudice*
- #86-19 Temporary license to hold Nonantum Village Day**  
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 6(k) of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 2, 2019.
- #497-18 Petition to allow single-family attached dwellings at 10 Pillion Court**  
MICHAEL MOSKOWITZ/TEN PILLION, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached dwelling unit to the existing single-family structure, reduce lot area, frontage and lot coverage requirements, to reduce front and side setback requirements and

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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](mailto: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.

to allow a driveway along the side lot line, requiring an amendment to Variance #99442 at 10 Pillion Court, Ward 2, on land known as Section 22 Block 7 Lot 46, containing approximately 10,559 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, of the City of Newton Rev Zoning Ord, 2017.

***Chairs Note:*** *There will be no presentation or discussion relative to this item at this meeting. It is the Chair's intent to continue the public hearing for the following item to April 30, 2019.*

**#41-19**      **Petition to amend Council Order #288-18 to allow adult use-sales at 24-26 Elliot St**  
CYPRESS TREE MANAGEMENT, INC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #288-18 to allow retail marijuana sales in conjunction with as the approved RMD (Registered Medical Dispensary), to waive the 25% façade transparency requirement, to waive minimum stall dimensions, to waive minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements and to waive lighting requirements at 24-26 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 01, containing approximately 25,320 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec 7.3.3, 7.4, 6.10.3.D, 4.4.1, 6.10.3.E.15, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

**Respectfully Submitted,**

**Greg Schwartz, Chair**

## Nadia Khan

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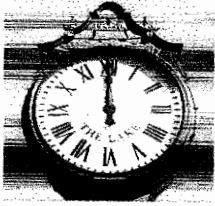
**From:** Lauren Nichols <laurenwnichols@gmail.com>  
**Sent:** Friday, March 22, 2019 10:04 AM  
**To:** Nadia Khan; Neil Cronin  
**Cc:** jose guzman; Matthew Haag; M. Prufer  
**Subject:** 370 Linwood Ave Newton

To Whom This May Concern,

Myself, Lauren Nichols and my partner Matthew Haag, would like to withdraw the petition for special permit (FAR relief) without prejudice, for the property located at 370 Linwood Ave. Newton. We will shorten the garage/master bedroom addition width the sufficient amount to comply with FAR requirements and prepare permit drawings for submission to the building department.

Thank you for your attention to this matter.

Sincerely,  
Lauren Nichols



Nonantum Neighborhood Association



50 Cook Street

Newton, MA 02458

February 10, 2019

Mr. David Olson, City Clerk

City of Newton

1000 Commonwealth Ave.

Newton, MA 02459

RE: Nonantum's 8<sup>th</sup> Annual Village Day, June 2, 2019

Dear Mr. Olson:

Once again, we are planning our 8<sup>th</sup> Annual Village Day. To reiterate the last six years; I am the Event Coordinator for the Nonantum Neighborhood Association. Pursuant to Chapter 30 Section 6(k), the following is an outline of activities and attached is a copy of two drawings (not to scale) of the area we are requesting for this event.

9:00 am – Nonantum Neighborhood Association arrives in Coletti-Magni Park to tidy up and look for hazards (trash, dog's poop, etc.). Vendors start to arrive and set up in designated areas, (most have only tables and chairs, 3-4 (10x10 pop-up) tents will be set up.

10:00 – 6-8 Auxiliary Police (arranged through Traffic Officer) will close off streets (see attached letter to Traffic Officer)

RECEIVED  
Newton City Clerk  
2019 FEB 27 PM 1:10  
David A. Olson, Clerk  
Newton, MA 02459

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11:30 – Speeches, and opening ceremonies (a mike and speakers will be utilized). This year we are honoring the Nonantum Volunteers, and presenting two \$1,000.00 scholarships to two Nonantum Seniors.

12:00 - Free lawn games, face painting, bounce house, formal dance routines performed, a band, touch an ambulance/truck/police motorcycle, balloon artist, rock climbing, mechanical bull ride, miniature train ride (that operates in the street) all of which are FREE but, we do ask for donations to the Nonantum Neighborhood Association to pay for the above entertainment that is not free to us.

Food and a vendor trucks will have a nominal charge for their items, and the money has nothing to do with us, but they obtain health certificates from City of Newton. Vendors (Tupperware, Avon, Pampered Chef, jewelry artists, (approx. 30 vendors total) etc.), also charge for their wares and have donated \$25.00 for coming to Village Day. All Nonantum based businesses and children's tables are free, as well as non-profit organizations.

We have Insurance (R.L. Tennant Insurance), and vendors and entertainers have their own insurance. All parties requiring insurance will name Newton and the Nonantum Neighborhood Association as secondary insured. All state inspections will be completed in late May and the company (New England Party Rentals) will have the certificates at set up.

We have given a donation to the Boys and Girls Club in the past, and will continue that tradition.

All the necessary permits have been applied for (Traffic Officer) (police and fire), Parks and Recreation Department, and Board of Health, etc.)

3:15 – Closing ceremonies. Including the reminder to use sidewalks, due to street opening.

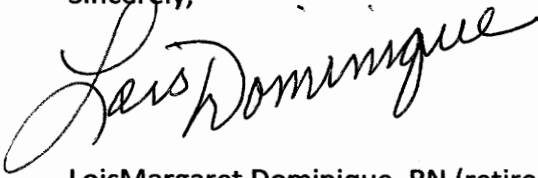
3:30 – Streets opening.

This year Councilor Maria Greenberg will represent us at your meeting.

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I hope that this gives you a clear vision of our Village Day activities. If there are any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "LoisMargaret Dominique". The signature is written in black ink and is positioned above the typed name.

LoisMargaret Dominique, RN (retired)

Event Coordinator

Nonantum Neighborhood Association

(Terry Sauro cell: 617-230-4658)

(Lois email: loismargaret@gmail.com)

cc: Councilor Gregory R. Schwartz, Chairman, Land Use Committee;

Alison Leary, Ward One Councilor-at-Large

Maria Greenberg, Councilor Ward One

Terry Sauro, President, Nonantum Neighborhood Association