



Land Use Committee Agenda

City of Newton **In City Council**

Thursday, October 3, 2019

7:00 PM
Room 205

#311-19 Petition to exceed FAR at 25-27 Oak Street

NINA LEVIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 2.5 story, 1,298 sq. ft. side addition to #27 Oak Street, creating an FAR of .53 where .49 is allowed and .40 exists at 25-27 Oak Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 38 Lot 24, containing approximately 9,240 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#309-19 Petition to extend nonconforming side setback and lot coverage at 14 Church St

ETHAN SOLOMON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition, further extending the non-conforming side setback and non-conforming lot coverage at 14 Church Street, Ward 7, Newton, on land known as Section 72 Block 22 Lot 03, containing approximately 4,200 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

#310-19 Petition to extend nonconforming height at 67 Temple Street

JULIE HAYDU AND IRUN BHAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow construction of a rear addition, further extending the nonconforming height at 67 Temple Street, Ward 3, on land known as Section 32 Block 12 Lot 4, containing approximately 27,053 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#422-18(2) Petition to amend Special Permits to allow salon use at 148 California Street

UNITED PROPERTIES GROUP/KF REALTY ASSOCIATES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Orders #162-88, #199-99(2), #175-12 and #422-18 to change the existing non-conforming office use to allow a non-conforming salon use in Ward 1, Newton, at 148 California Street/171 Watertown Street, Section 11 Block 12 Lot 11, containing approximately 523,642 sq. ft. of land in a district zoned

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.

MANUFACTURING. Ref: Sec. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

- #312-19 Petition to allow 24-unit multi-family dwelling at 20 Kinmonth Road**
20 KINMONTH ROAD INVESTMENT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a three-story 24-unit multi family dwelling greater than 20,000 sq. ft. of new gross floor area, to allow ground floor residential units, to reconstruct and further extend nonconforming side setbacks, to allow an FAR of 1.4 in a three-story structure, to waive 24 parking stalls, to waive minimum stall depth requirements, to waive the maximum driveway width requirement and to allow a retaining wall greater than four feet in height within a setback at 20 Kinmonth Road, Ward 5, Waban, on land known as Section 53 Block 29 Lot 2, containing approximately 24,302 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.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4.A, 5.1.13, 5.1.8.B.2, 5.1.8.D.2, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.
- #620-18(2) Petition to amend Special Permits to allow additional uses at 55-71 Needham St**
NEEDHAM STREET VILLAGE SHOPS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #213-12(1), #213-12(2) and #620-18 to permit a for profit education use as well as other uses which could include animal services, dry cleaners and ground floor health clubs at 55-71 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 MIXED USE 1. Ref: Sec. 7.3, 7.4, 4.4.1, 6.3.14.B.2 of the City of Newton Rev Zoning Ord, 2017.
- #175-19(2) Amended Petition to allow attached dwelling units at 145 Warren Street**
145 WARREN STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in ~~two~~ one building, to allow reduced side setbacks, to allow three-stories, to increase the allowed lot coverage, to decrease the minimum open space, to allow a driveway within ten feet of the side lot line and to allow retaining walls greater than 4' within a setback at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 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, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- #268-19(2) Extension of Time to Open a Public Hearing at 58 Cross Street/1089 Washington St**
ASCEND MASS, LLC petition for an EXTENSION OF TIME to open the public hearing until October 31, 2019 for Special Permit #268-19 to allow retail marijuana sales and waivers to the extent necessary for minimum stall dimensions, perimeter screening requirements, interior landscaping requirements and lighting requirements at 58 Cross Street/1089 Washington Street, Ward 3, West Newton, on land known as Section 31 Block 09 Lot 07, containing approximately 25,122 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 5.1.8.B.2, 5.1.9.A, 5.1.9.B, 5.1.10, 3.1.13, 6.10.3.D of the City of Newton Rev Zoning Ord, 2017.

#179-19(2) Extension of Time for #179-19 - Washington Place

AGREEMENT TO AN EXTENSION OF TIME in which to ACT on petition #179-19 WASHINGTON PLACE OWNER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #96-17 to allow modification of Condition #34 to allow the petitioner to lease commercial space to not more than one commercial bank with a total square footage not to exceed 3,800 sq. ft. at 845 Washington Street and 245 Walnut Street, Ward 2, Newtonville, Section 21 Block 29 Lot 10, containing approximately 123,956 sq. ft. of land in a district zoned MIXED USE DEVELOPMENT. Ref.: Sections 7.3, 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2017, said extension will run from SEPTEMBER 16, 2019 to OCTOBER 7, 2019.

Respectfully Submitted,

Greg Schwartz, Chair

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER
ADAM M. SCHECTER

1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267
TELEPHONE (617) 965-3500
www.sab-law.com

Email: sjbuchbinder@sab-law.com

September 4, 2019

BY HAND

Ms. Nadia Khan
Committee Clerk
Land Use Committee
Newton City Council
1000 Commonwealth Avenue
Newton, MA 02459-1449

RECEIVED
Newton City Clerk
2019 SEP -4 AM 11:41
Stephen J. Buchbinder
Newton, MA 02459

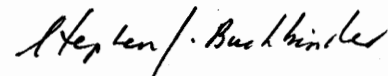
Re: Petition of Ascend Mass, LLC/58 Cross Street/1089 Washington Street

Dear Ms. Khan,

This letter will serve as my client's assent to an extension of time within which the City Council may hold an initial public hearing on the above matter to October 31, 2019.

If you require any further information, please let me know.

Very truly yours,



Stephen J. Buchbinder

SJB/mer

cc: (By Email)
Ms. Andrea Cabral