



Land Use Committee Report

City of Newton In City Council

Tuesday, February 13, 2018

Present: Councilors Lipof (Acting Chair), Laredo, Scibelli-Greenberg, Kelley, Markiewicz, Crossley

Also Present: Councilor Downs

City Staff Present: Associate City Solicitor Bob Waddick, Chief Planner Jennifer Caira, Senior Planner Neil Cronin, Senior Planner Michael Gleba, Planning Associate Valerie Birmingham

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

The Committee will hear a Consistency Ruling relative to Special Permit Board Order #129-16. Requesting changes to the amount of third floor space and elevations at 23 Howe Road.

Note: Architect David O'Sullivan presented the request for consistency on behalf of Susan Santos. After the passing of the petitioner, Richard Severini, Ms. Susan Santos determined that there were aspects of the project that she wanted to modify. Mr. O'Sullivan reviewed the proposed changes including the reallocation of third floor space to the second floor, elimination of multiple dormers, changes to the ridge lines and construction of a sunroom where a patio was proposed. While there is a shift of the massing, the resulting project has no change in the setbacks and results in a lower FAR. Mr. O'Sullivan's presentation is attached.

Senior Planner Neil Cronin reviewed the request for consistency stating that the proposed FAR is .59 compared with the FAR of .62 that was approved during the special permit process. He noted that this difference equates to approximately 200 sq. ft. He confirmed that there are no other changes to the dimensional standards. Mr. Cronin stated that the Planning Department does not feel that the changes are consistent with the approved Special Permit and noted that Planning does not think that redistribution of floor area on all three levels of the structure is consistent.

Committee members were in agreement that the proposed changes to the plans are improvements over the plans that were approved. Committee members were pleased with the reduction in FAR, but noted that the plans are different than what was approved. A Committee member noted that the neighborhood is anxious to have this project completed to eliminate ongoing construction at the site. The Committee felt that while the proposed plans are improvements, they are not consistent with the approved Special Permit. The Committee member encouraged the petitioner to file with the intent that the Committee will hear the petition as soon as possible.

#70-18 **Petition to amend #535-91 to allow accessory apartment at 73 Perkins St**
LAUREL FARNSWORTH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an interior accessory apartment exceeding 1,000 sq. ft., on the third and fourth levels of the existing non-conforming 3.5 story house, further extending the non-conforming three-story structure, amending Special Permit #535-91 at 73 Perkins Street, Ward 3, West Newton, on land known as Section 32, Block 12, Lot 40, containing approximately 18,477 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2, 6.7.1.D.2 of the City of Newton Rev Zoning Ord, 2015.

Action: **Public Hearing Closed; Land Use Approved 7-0 (Crossley not Voting)**

Note: Petitioner Laurel Farnsworth, 73 Perkins Street, presented the request to locate an accessory apartment in the third and fourth floor of her home at 73 Perkins Street. Because the proposed accessory apartment is in excess of 1,000 sq. ft., it is not a matter of right. Ms. Farnsworth provided background of the Victorian home, noting that when she purchased the home in 1991, it was in poor condition. She stated that she has made improvements to the home over the last 15 years, maintaining the architectural details while minding the historic context of the neighborhood. Ms. Farnsworth noted that having the accessory apartment in her house will allow her to remain in her home. Locating the accessory apartment at the site requires the petitioner to construct two egress stairs. Ms. Farnsworth confirmed that it is her intent to construct the egress stairs in keeping with the architecture of the dwelling. Ms. Farnsworth noted that she has spoken to her neighbors and no concerns have been raised.

Planning Associate Valerie Birmingham reviewed the requested relief and criteria for consideration as follows:

Special Permit per §7.3.3 of the NZO to:

- Further extend the existing nonconforming three and a half story structure (§3.1.3 and §7.8.2.C.2)
- Allow an interior accessory apartment exceeding 1,000 square feet (§6.7.1.D.2)

As well as the Special Permit/Site Plan Approval to amend Board Order #535-91

When reviewing the requested special permits the Council should consider whether:

- The site is an appropriate location for an accessory apartment. (§7.3.3.C.1)
- The accessory apartment will not adversely affect the neighborhood. (7.3.3.C.2)
- The accessory apartment will not 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 number of vehicles involved. (§7.3.3.C.4)
- The proposed exterior alterations are in keeping with the architectural integrity of the structure and character of the neighborhood. (§6.7.1.D.3)
- The proposed extension of the non-conforming three and a half story structure will be substantially more detrimental than the existing nonconforming three and a half story structure is to the neighborhood. (§3.1.3 and §7.8.2.C.2)

Ms. Birmingham reviewed photos, zoning, land use and proposed plans as shown on the attached presentation. The Public Hearing was Opened.

Sarah Farnsworth, 63 Perkins Street, has no concerns about the proposed plans.

Committee members were in agreement that the proposed accessory apartment within an existing structure is the type of project that should be encouraged. Committee members were supportive of the use of space in the large structure. With no other member of the public wishing to speak, Councilor Kelley motioned to close the public hearing which carried unanimously. Councilor Kelley motioned to approve the item. Committee members reviewed the following draft findings and conditions:

Findings

1. The site is an appropriate location for an accessory apartment within a single-family dwelling. (§6.7.1.D.1 and §7.3.3.C.1)
2. The accessory apartment will not adversely affect the neighborhood as it will be located in existing space within a single-family dwelling. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
4. Access to the site is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed exterior alterations are in keeping with the architectural integrity of the structure and character of the neighborhood as they are designed to be complementary to the existing structure. (§6.7.1.D.3)
6. The proposed extension of the non-conforming three and one half story structure will not be substantially more detrimental than the existing structure is to the neighborhood as it will not be visible from a public way. (§3.1.3 and §7.8.2.C.2)
7. The creation of an accessory apartment will help to diversify Newton's housing stock consistent with Newton's *Comprehensive Plan*, by providing an additional unit of housing that allows for flexibility for a changing population (one that is aging, has increasing numbers of non-traditional families, and is characterized by smaller households) without the expense, environmental impact, and increased massing associated with new construction.

Conditions

1. Standard Plan Referencing Condition
2. The accessory apartment may not be held in separate ownership from the principal structure/dwelling unit.
3. The owner of the principal structure/dwelling unit shall occupy either said principal structure/dwelling unit or the accessory apartment and shall file an annual affidavit with the Commissioner of Inspectional Services attesting to this fact prior to July 1 of every year.
4. In the event ownership of the subject property changes, the new owner(s) shall notify the Commissioner of the Inspectional Services Department at which time the Commissioner shall conduct a determination of compliance with this decision and all applicable codes.
5. Standard Building Permit Condition.
6. Plus- "The petitioner shall submit the proposed exterior alterations' finish material to the Department of Planning and Development for review and approval prior to issuance of a building permit."

7. Standard Final Inspection/Certificate of Occupancy Condition.

A Committee member asked that the Planning Department ensure that the proposed Board Order is consolidated with the Board Order from the previous Special Permit Board Order. The Land Use Committee has been working to consolidate Special Permit Board Orders, wherever possible, for increased efficiency for homeowners and the City. Ms. Caira confirmed that the Planning Department would consolidate the Special Permit Board Order. Ms. Farnsworth confirmed that she is aware of the conditions relative to accessory apartment ownership (common ownership, reside on site). Committee members voted unanimously in favor of the petition.

#69-18 **Petition to grant parking waivers for daycare at The Parish of the Good Shepherd**
PARISH OF THE GOOD SHEPHERD/JAMES BOYD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to grant waivers to screening requirements for an outdoor play space for daycare use, waive the screening requirements for parking for daycare use and waive eight parking stalls at 1671 Beacon Street, Ward 5, Waban, on land known as Section 55, Block 10, Lot 57, containing approximately 26,530 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 7.4.5, 6.3.4.3, 6.3.4.B.3.a, 6.3.4.B.b, 5.1.4, 5.1.13, 6.3.4.B.3.d, Dover Waiver of the City of Newton Rev Zoning Ord, 2015.

Action: **Public Hearing Closed; Land Use Approved 7-0 (Crossley not Voting)**

Note: Petitioner Jim Boyd, 59 Woodland Road, represent the petitioner, the Parish of the Good Shepherd located at 1671 Beacon Street. The petitioner is seeking a parking waiver for eight parking stalls to allow a day care use in the Parish. Mr. Boyd noted that the Jams Preschool operated from 1994-2014. During the construction at Angier, operations became more difficult and the preschool was closed. Mr. Boyd stated that the proposed daycare is the same configuration as the previous preschool, noting that no exterior changes will be made at the site. It was noted that the Parish is busy primarily during the weekends and will not interfere with daycare operations (7:30 am – 6:00 pm). There are six parking spaces at the site. The petitioner proposes to maintain three spaces for caregivers and three spaces for pick up and drop-off. Mr. Boyd noted that pick-up and drop-off is staggered and confirmed that operations ran successfully for many years. He noted that there are a couple of spaces located on Beacon Street and that the daycare is located very closely to the Newton Centre MBTA station. Mr. Boyd stated that one caregiver uses the train, a husband and wife come in one car and the third will drive to the site. He confirmed that he is confident that there is sufficient parking as the preschool flourished for many years.

Senior Planner Michael Gleba reviewed the requested relief and criteria for consideration as follows. He stated that it was determined that the relief for screening requirements can be waived administratively under a Dover Waiver. He noted that the Council is only being asked to act on the request for parking relief.

Special permit per §7.3.3 to

- to waive eight parking stalls (§5.1.4, §5.1.13).

Dover Waivers from ISD (if applicable)

- to waive the screening requirements for an outdoor playspace for a day care use (§6.3.4.B.3.a);
- to waive the screening requirements for parking for a day care use (§6.3.4.B.b)

When reviewing the requested special permits the Council should consider whether:

1. Whether literal compliance with requirements for the number of parking stalls and the provision of a vegetative buffer around parking areas are impractical due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot such that these exceptions will be in the public interest, or the interest of safety, or protection of environmental features (§5.1.13).

Mr. Gleba reviewed photos, zoning and land use at the site as shown on the attached presentation and demonstrated the location of the parking stalls. Mr. Gleba confirmed that there will be no changes to the site plan. The Public Hearing was Opened. With no member of the public wishing to speak, Councilor Auchincloss motioned to close the public hearing which carried unanimously. Councilor Auchincloss motioned to approve the item. Committee members reviewed the draft finding and conditions as follows.

Findings

1. Granting the requested exceptions to literal compliance with the requirements to provide eight (8) parking stalls and parking facility landscaping is in the public interest as it would protect existing environmental features and maintain the existing character of the property and neighborhood (§5.1.13)
2. The existing fenced outdoor play space is bordered by an adjacent parking area and rail line which would not be negatively affected by the lack of screening.

Conditions

1. Plan Referencing Condition
 2. The day care use shall be limited to twenty (20) children and four (4) employees on-site at any one time. If the petitioner would like to increase the number of children to more than twenty (20), it must seek an amendment to this special permit.
 3. At twelve (12) months after receipt of a final certificate of occupancy, the petitioner shall attend a Land-Use Committee hearing to provide an update on:
 - a. Peak drop-off and pick-up conditions;
 - b. Status of employee parking demands;
 - c. Traffic circulation.
 4. Standard Building Permit Condition.
 5. Standard Final Inspection/Certificate of Occupancy Condition.
- plus:* "c. Submitted to the Director of Planning and Development evidence of current valid licensure by the Office for Child Care Services."

A Committee member questioned whether the parking available will be sufficient. Mr. Boyd noted that prior to closing of the preschool, many children were siblings of students at Angier. He stated that parents would often drop off children at the school and daycare at the same time. A Committee member noted that access to the site is through the Angier School lot. Mr. Boyd confirmed

that when the Angier school was under construction, the bus lane and entryway was altered. The City has granted the Parish an easement to enter and exit the property as well as park on the weekends. Committee members noted that drop-off begins at 7:30 am at the daycare and 8:25 am at Angier. Councilors acknowledge that it may be busier during the morning but reiterated that the preschool functioned successfully for years. Mr. Gleba noted that the petitioner has agreed to a lookback provision at the request of the Planning Department that will focus of the impact of the daycare (traffic circulation, employee parking, pickup/drop-off) With no changes to the draft Order, Committee members voted unanimously in favor of the petition.

#68-18 Petition to allow for profit educational use at 227 Washington Street

EUI CHOI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit learning center in the existing day care at 227 Washington Street, Ward 1, Newton, on land known as Section 71, Block 07, Lot 01, containing approximately 5,553 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

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

Note: Mr. Eui Choi presented the petition to locate an academy for children (Pre-K-high-school aged) at 227 Washington Street. The mixed-use building contains first floor commercial space. MR. Choi stated that there was a daycare in the space. The change to an academy will not require any structural changes and will only require reconfiguration of the interior space. During discussions with the Planning Department, concerns were raised relative to pickup, drop-off and traffic. Mr. Choi stated that there are seven on-site parking spaces in addition to seven metered spaces within 40 yards of the building. While the building was being used as a daycare center, Mr. Choi explained that there were no issues with pickup and drop-off. He noted that it is their intent to stagger the start times of the classes in order to minimize the amount of traffic at the site. Mr. Choi stated that components of their traffic demand management plan include; encouraging carpooling from nearby schools, transporting groups of children, having staff to facilitate pickup/drop-off. Mr. Choi confirmed that he has reached out to abutters and has not heard of any opposition.

Senior Planner Neil Cronin reviewed the requested relief and criteria for consideration as follows:

- Special Permit/Site Plan Approval to allow a for-profit educational use

When reviewing the requested special permits the Council should consider whether:

- The site is an appropriate location for the proposed for-profit educational use. (§7.3.3.C.1)
- The proposed for-profit educational use 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)

Mr. Cronin demonstrated the location of the site, situated in Newton Corner. He showed the location of five parking stalls on the right of the building and two tandem stalls. He stated that it is the petitioner's intention to encourage cars to enter from Nonantum Place through one curb cut, continue through the lot and exit through a second curb cut. It is expected that the petitioner will operate from

afterschool - 7:30 pm on weekdays and 12:00 pm – 5:00 pm on weekends. The petitioner corrected that in order to accommodate 15 minute breaks between classes, it would be the preference to operate until 8:40 pm on weekdays and from 9:00 am – 5:00 pm on weekends. Mr. Cronin stated that the Planning Department has received a Transportation Demand Management Plan, but has not yet reviewed it. He continued that the Planning remains concerned about the limited number of parking stalls and limited maneuverability at the site.

The Public Hearing was Opened. No member of the public wished to speak.

Committee members noted that there is limited parking at the site. Mr. Choi noted that it is expected that most employees will take public transportation or park off-site. He confirmed that resides in the building and has one car parked at the site. He noted that the day care functioned with similar operating numbers in the past (7 staff members/up to 30 children). It is expected that the academy will have up to 11 staff members in addition to a maximum of 30 students. A Committee member noted that some high school students will require parking spaces. Councilors expressed significant concerns relative to the volume of traffic and operation of the site. The Chair asked the petitioner if 30 students is required for the business to be profitable. Mr. Choi confirmed that he could consider reducing the number of students and will continue to work with the Planning Department. Councilor Laredo motioned to hold the item which carried unanimously.

Petition to amend Special Permit #515-61 at 82-128 JFK Circle

NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing 124,061 sq. ft. lot at 82-128 JFK Circle in order to develop 55 affordable elderly housing units, requiring a Comprehensive Permit and to extend non-conforming front setbacks at 82-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be continued on February 27, 2018 as advertised below:

#71-18 Petition to amend Special Permit #515-61 at JFK Circle

NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing lots at 83-127 and 106-128 JFK Circle to develop 55 affordable elderly housing units, requiring a Comprehensive Permit, to extend non-conforming front setbacks and for waivers relative to parking at 83-127 John F Kennedy Circle and 106-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.1 of the City of Newton Rev Zoning Ord, 2015.

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

Note: The Chair announced that the petition for JFK Circle required re-noticing due to additional relief requested. To allow adequate time for posting and distribution of the legal notice, the

public hearing was scheduled for February 27, 2018. The Chair explained that while more substantive discussion will occur on February 27, 2018, members of the public would be given an opportunity to speak.

Attorney Alan Schlesinger represented the petitioner, the Newton Housing Authority. Commissioner of the Housing Authority Vincent O'Donnell, Newton Housing Partners Eleanor White, Housing Authority Christine Long and Baker/Wohl's Diane Ozelias were present for the public hearing. Atty. Schlesinger stated that the request before the Council is a step toward construction of Haywood House; a 55-unit, mixed-income elderly living facility to be located adjacent to Jackson Gardens. Atty. Schlesinger's presentation is attached. He noted that the proposal for the development of Haywood House will be before the Zoning Board of Appeals under a Comprehensive Permit. In order to accommodate the building, the petitioner is seeking to remove 26,366 sq. ft. from the site at Jackson Gardens. Because Jackson Gardens is the site of a 1963 Special Permit as well as Site Plan approval, the subdivision of the lot requires amendment to the Site plan. Atty. Schlesinger noted that the request to develop Haywood House will be done via Comprehensive Permit because there is no zone that would be an appropriate match for the development.

Ms. Diane Ozelias presented an overview of the site, noting that it is the petitioner's intent to preserve landscaping and parking to protect the quality of life of the Jackson Gardens residents. The existing community center at Jackson Gardens will be demolished and a new one constructed on the Haywood House site. Parking will be located where the existing community center is. Ms. Ozelias stated that the utilities that service Jackson Gardens will not be impacted and the petitioner will be upgrading the drainage at the site.

The Public Hearing was Opened.

Terry Saro, 50 Cook Street, suggested that the Committee visit the site. She stated that the neighborhood is not opposed to senior housing but feels that 55 units is too dense for the site.

Sammy O'Riley, 249 Watertown Street, agrees that 55 units is too dense for the site. She requested that Committee members visit the site. She noted that the proposed building is located directly on the street. She noted that there may be issues with the land and the adjacent Landry Brook culvert. She believes that it should be questioned. Ms. O'Riley noted that the site is going to become a construction site because of construction at Lincoln Eliot. She noted that recent Housing Authority projects should be evaluated and requested that the Committee look at the suitability of the land on JFK Circle.

Donna Murphy, Council on Aging, the Council on Aging is in support of the project. The Council on Aging is aware that the population is aging and that the 65+ population is expected to grow by approximately 61% by 2030. The Council on Aging supports the proposed project and believes it will enhance options for Newton's seniors.

Jay Walter, 83 Pembroke Street, supports the project and project goals. He noted that the site is tight and believes that the applicant should provide better descriptions of how the structure will sit on the

site to demonstrate the context in the neighborhood. He suggested that the ZBA should scrutinize the scale of the building and the traffic circulation.

In preparation of the public hearing on February 27, 2018, Committee members provided the following requests for information/action:

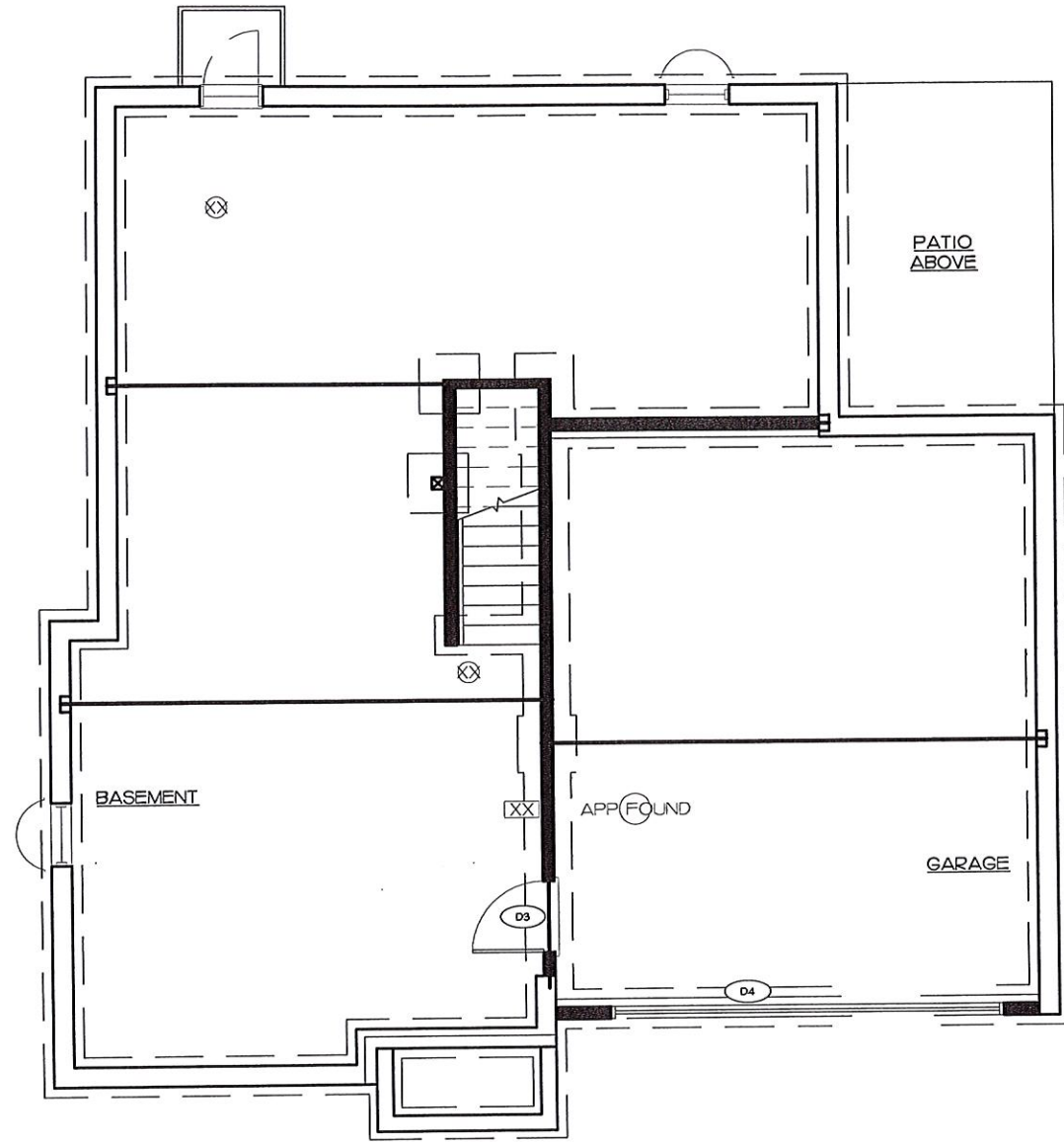
- A Site Visit/walkthrough should occur after the meeting on 02/27
- Analysis of impact on Laundry Brook
- Analysis of the quality of the land
- A review of the history of the land/site
- Demonstration of where shared community space and outdoor seating space will be located
- An overview of storm water mitigation
- An overview of landscaping improvements
- An explanation of whether/at what point the drainage becomes a factor in the Council's consideration

A Committee member emphasized that the Council is not charged with approving the proposed development and is only reviewing the subdivision of the land and parking waivers. Without further discussion, the Committee held the item and continued the Public Hearing to February 27, 2018.

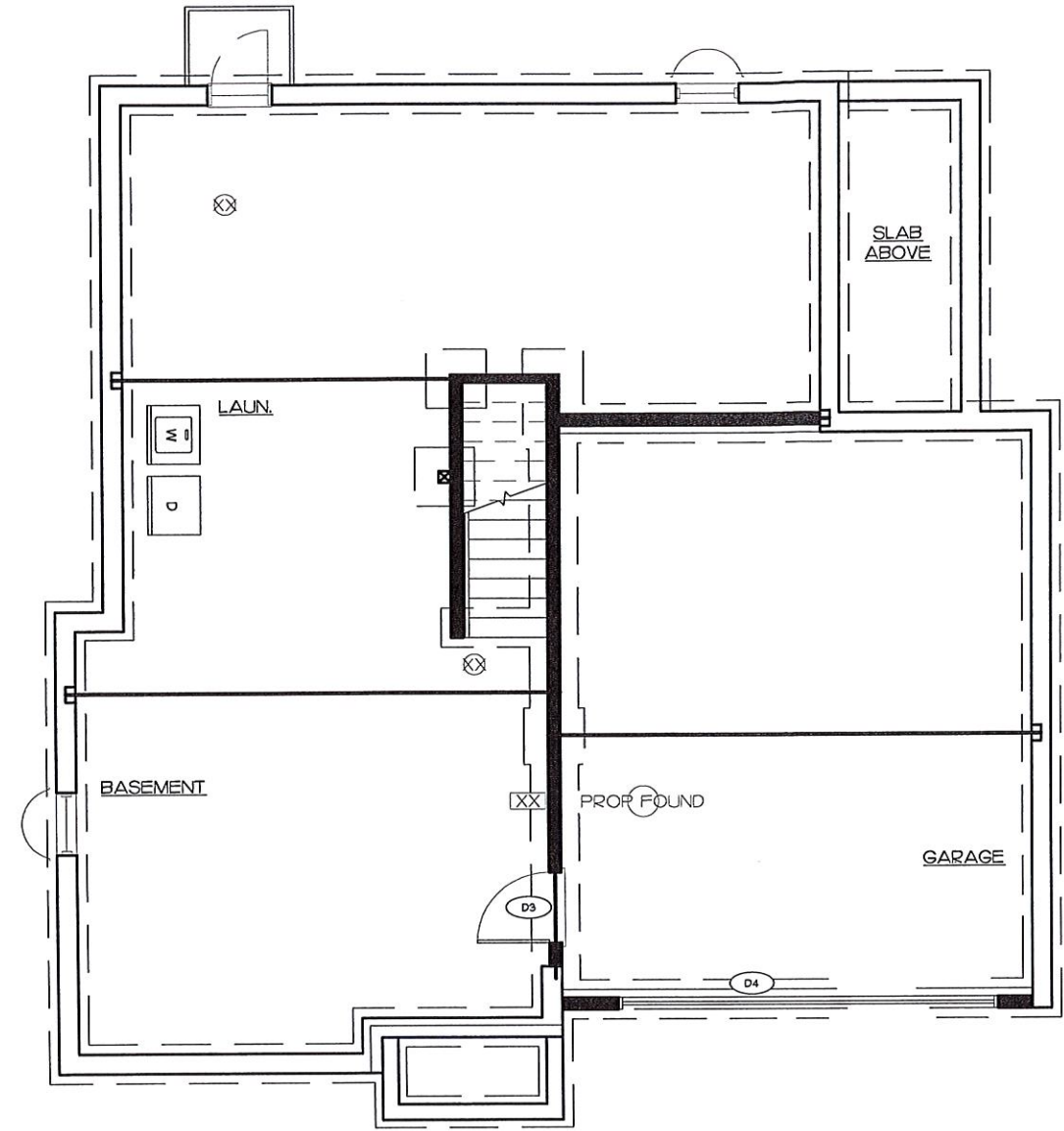
The Committee adjourned at 8:30 pm.

Respectfully Submitted,

Greg Schwartz, Chair



APPROVED FOUNDATION PLAN



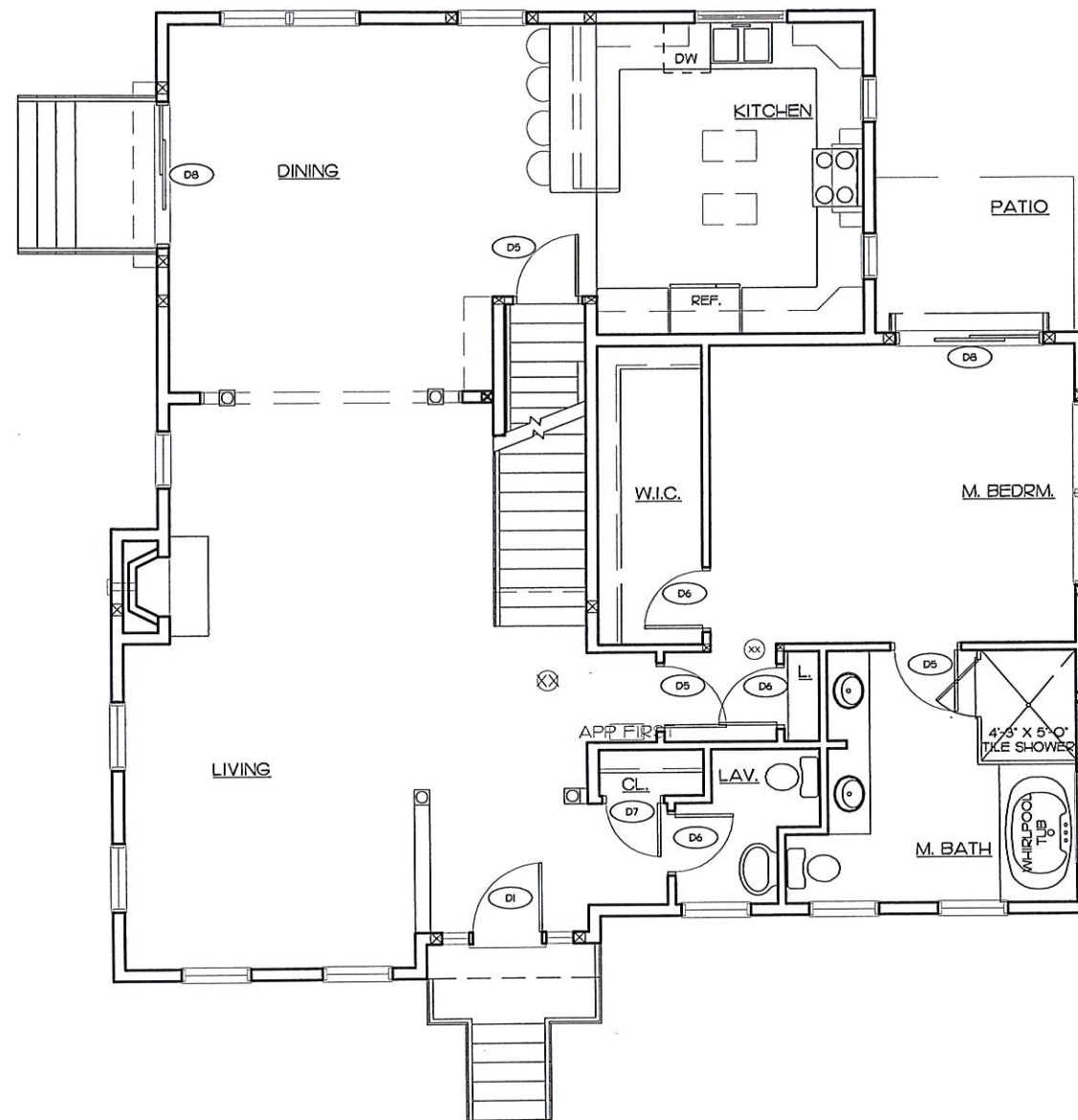
PROPOSED FOUNDATION PLAN

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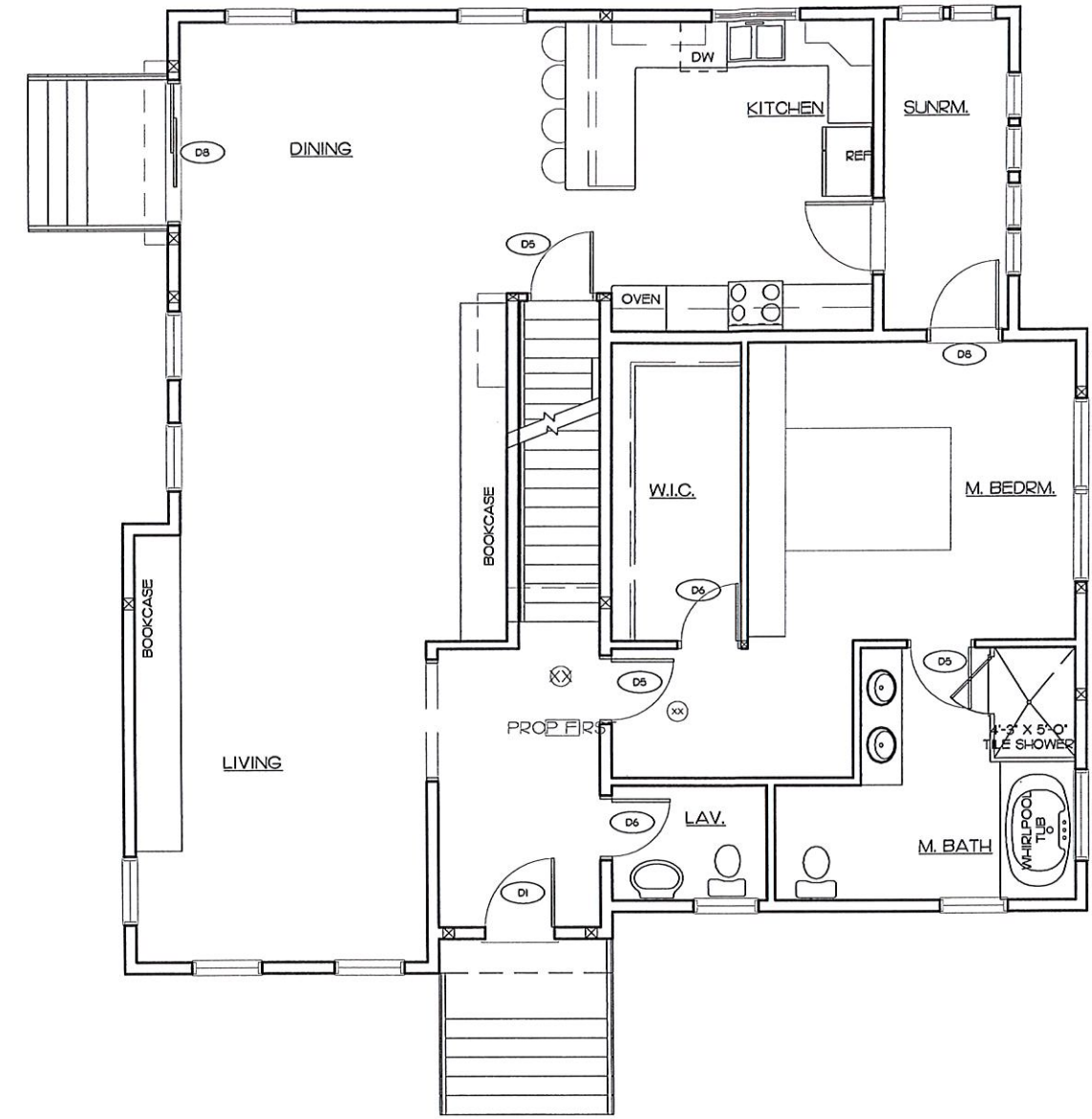
1 Foundation Plans
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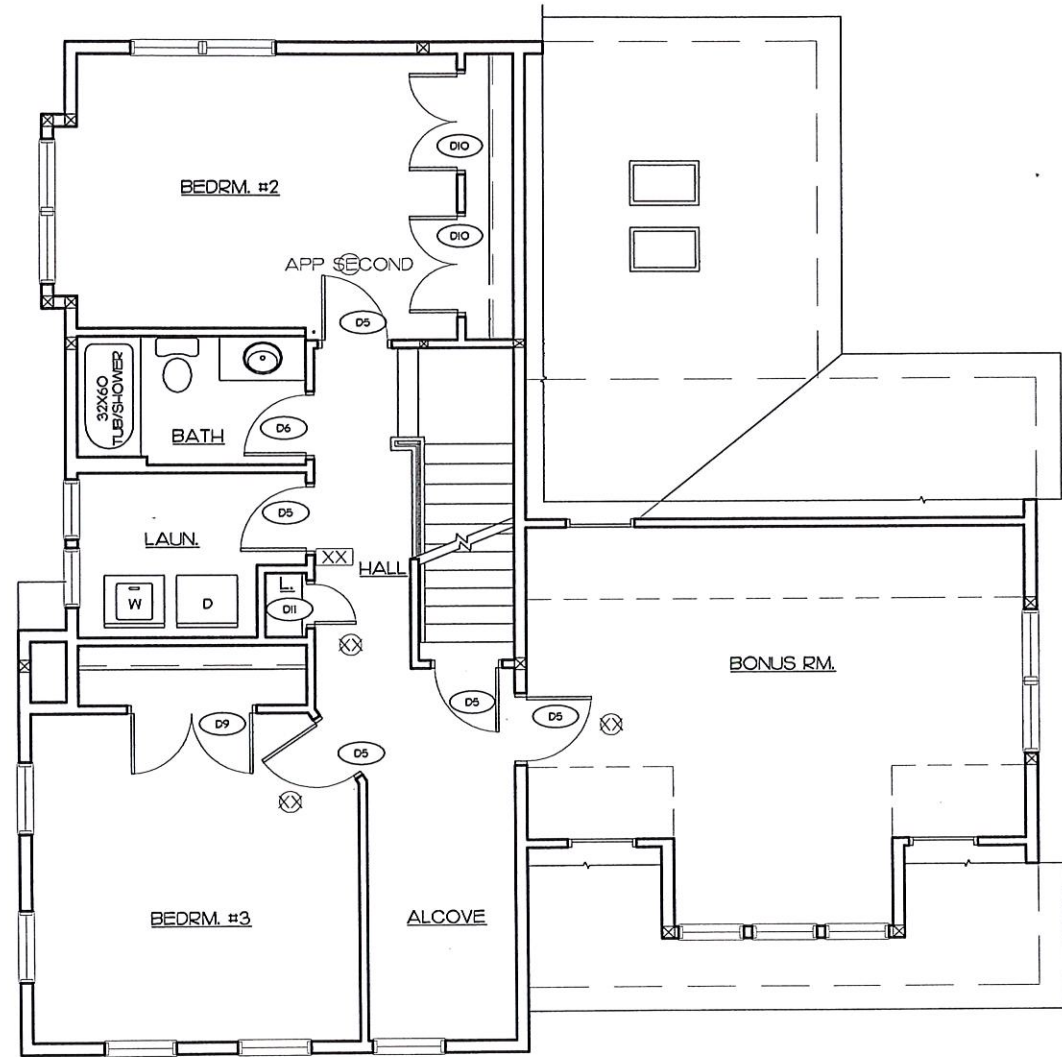
PROPOSED FIRST FLOOR PLAN

1 First Floor Plans
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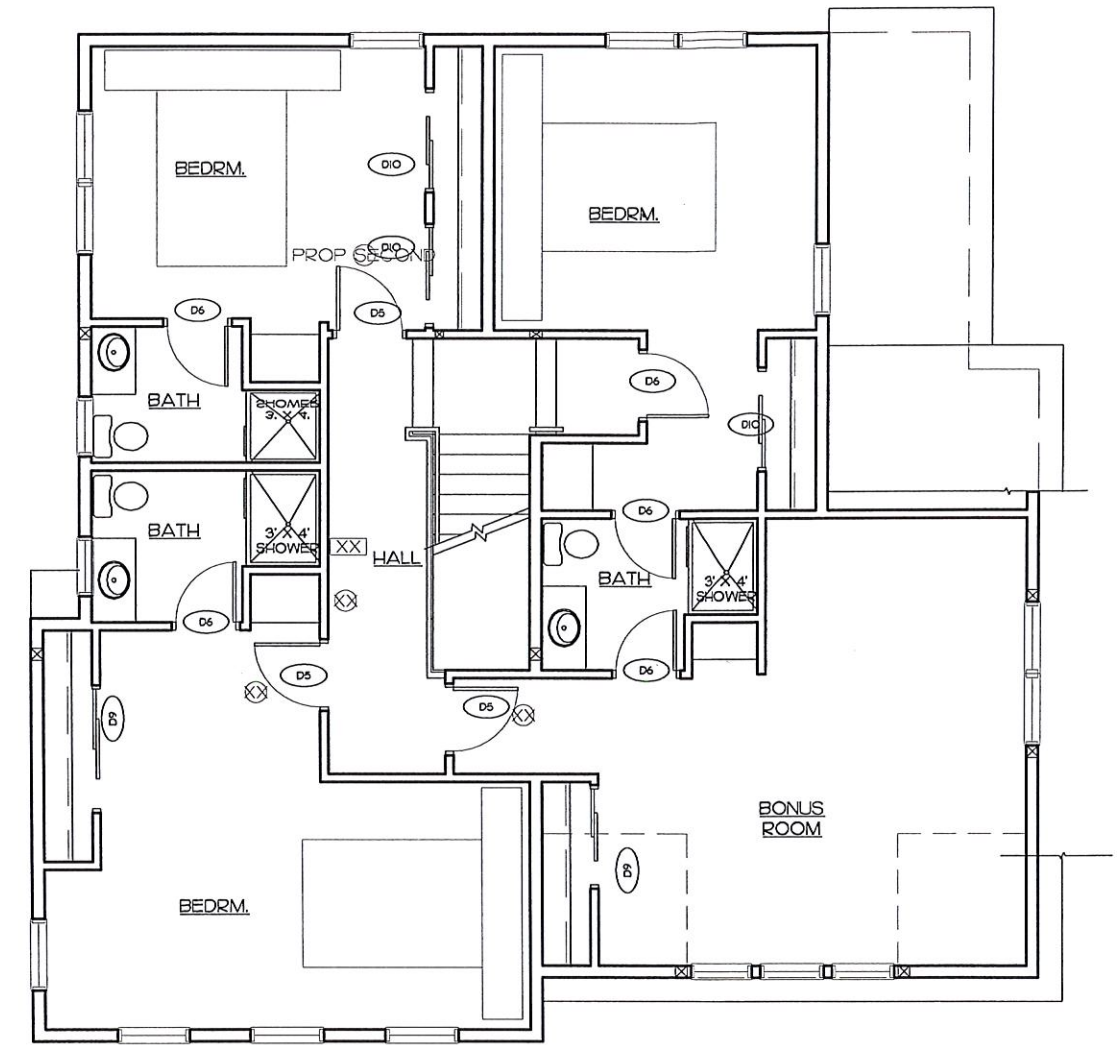
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APPROVED SECOND FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

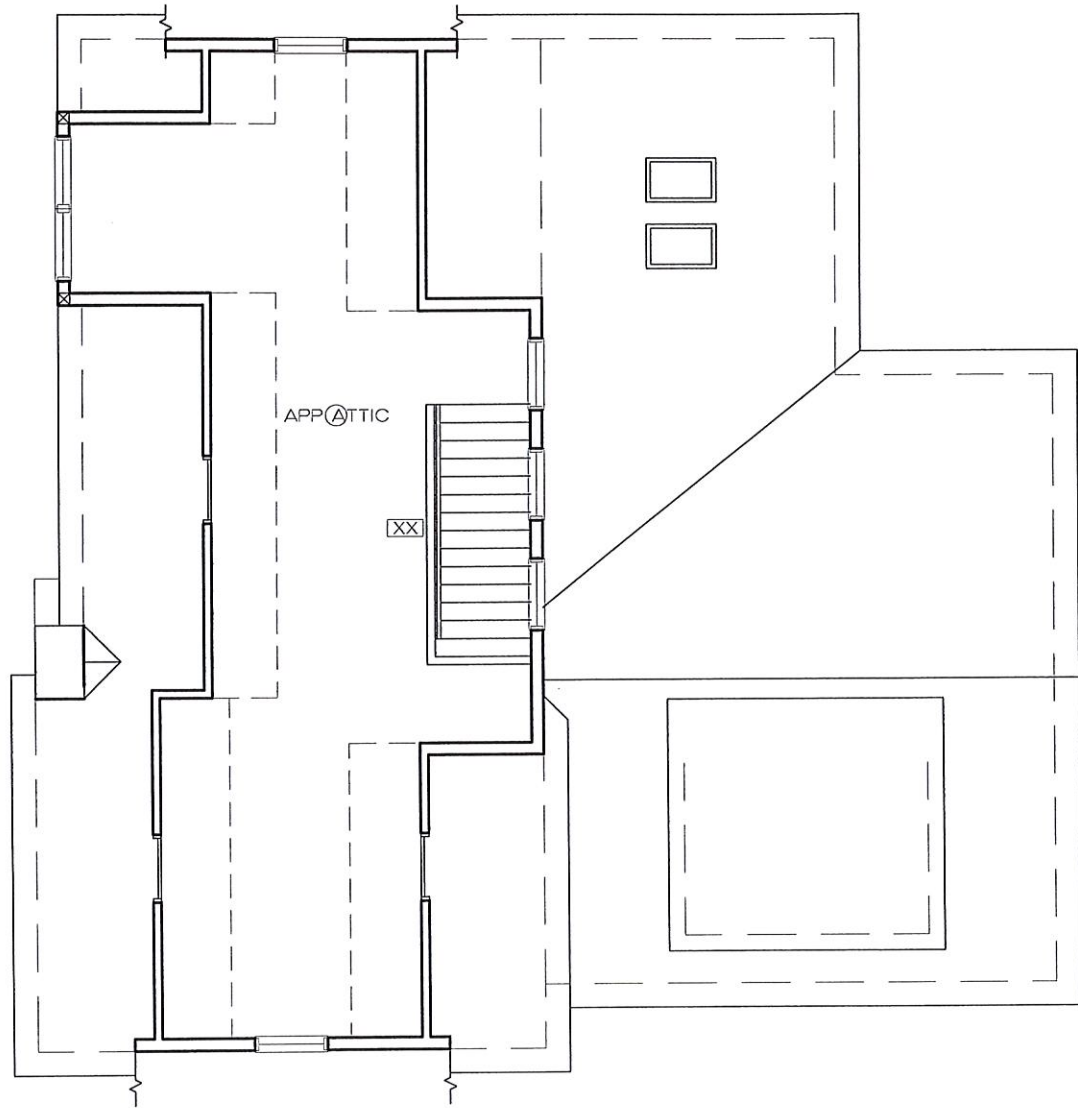
1 Second Floor Plans
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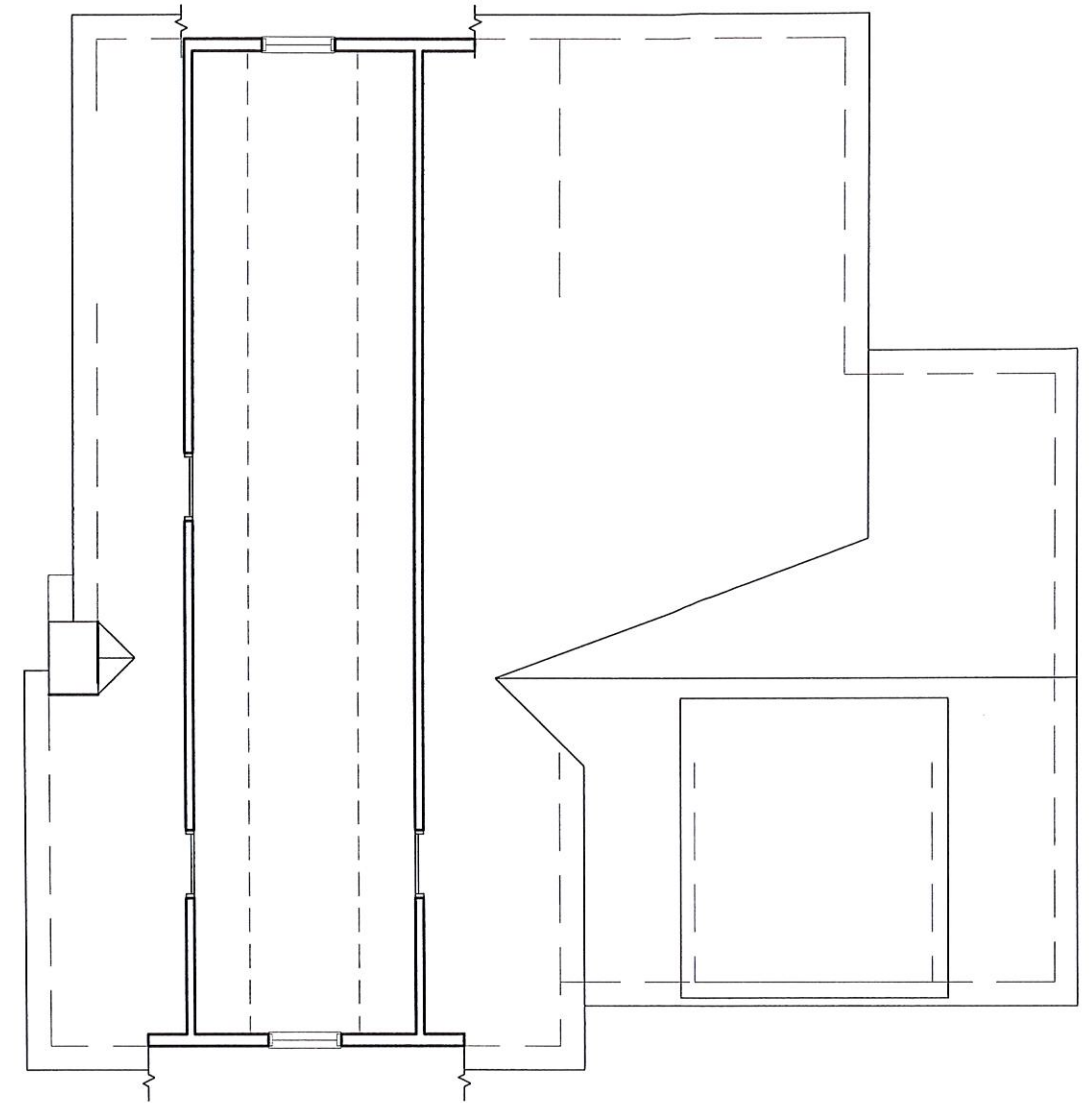
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APPROVED ATTIC PLAN



PROPOSED ATTIC PLAN

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Attic Plans

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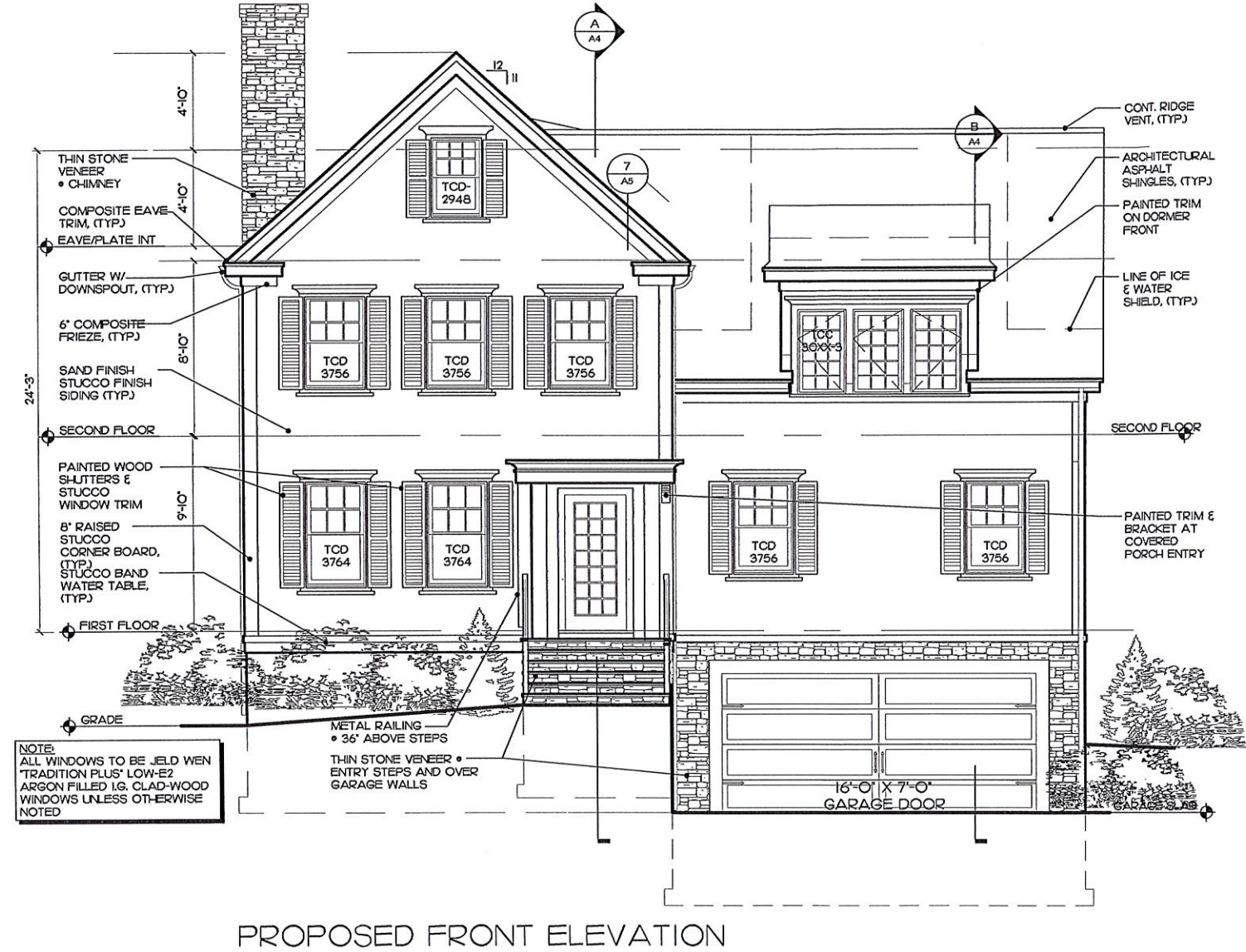
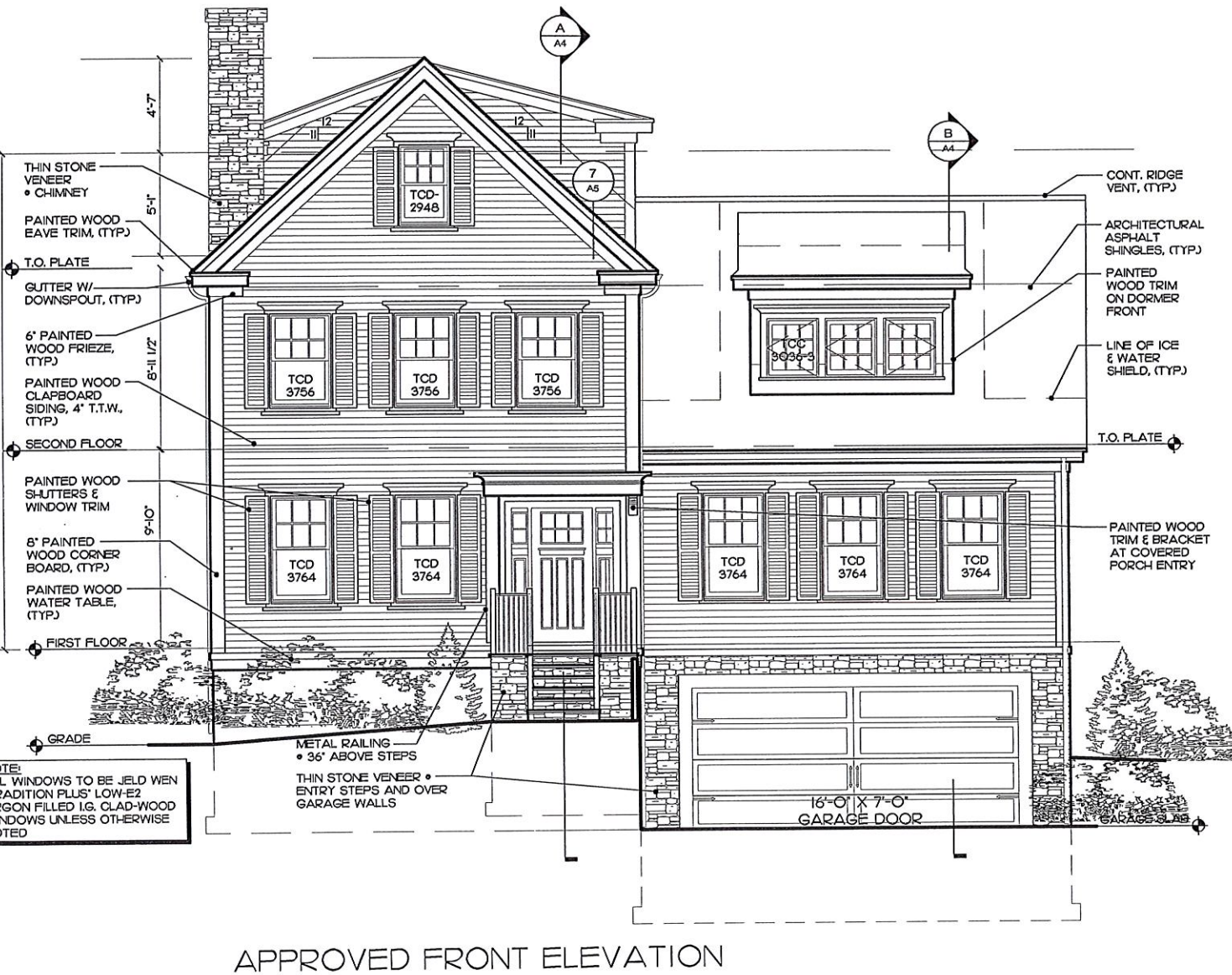
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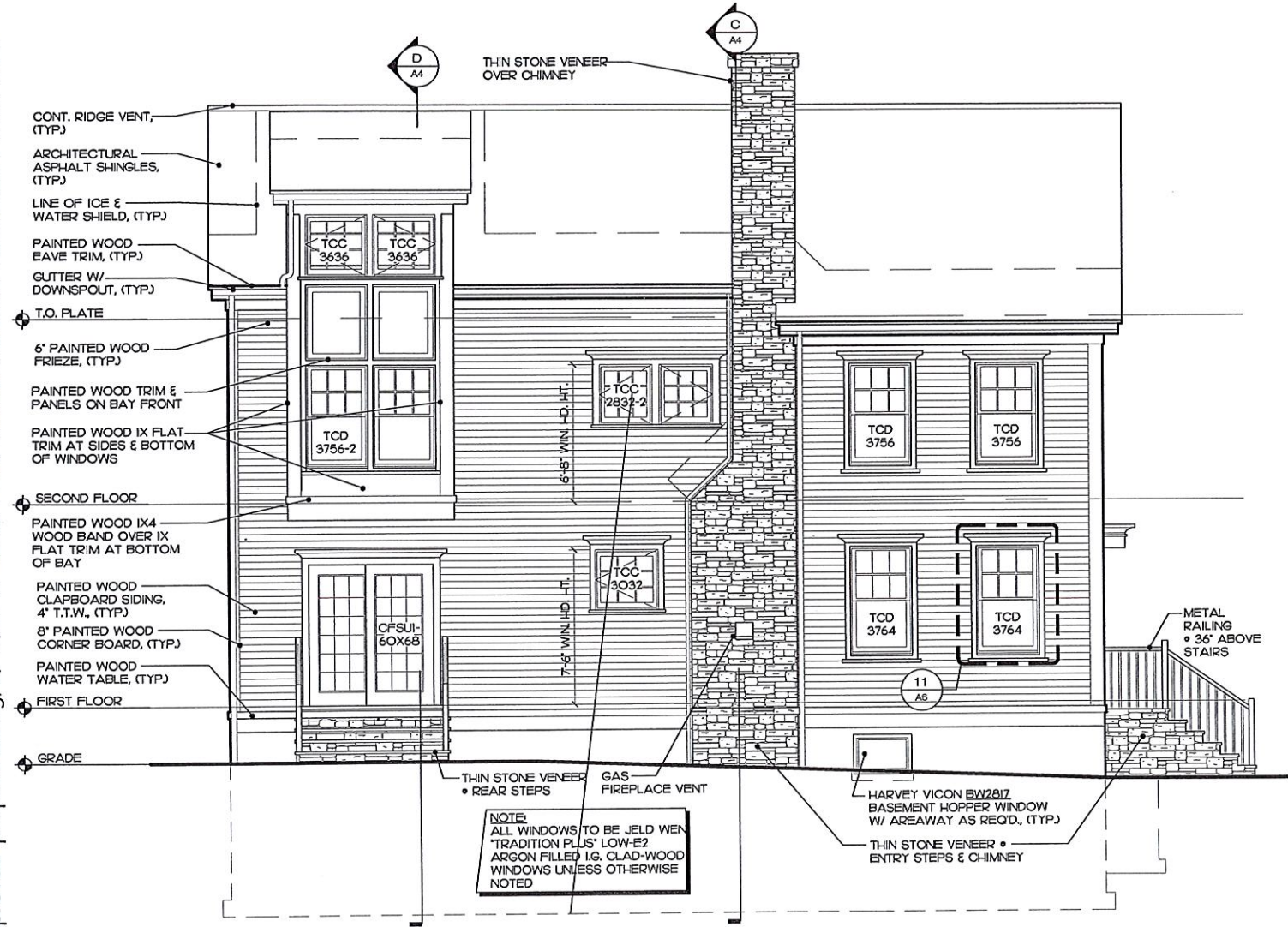


1 Elevations
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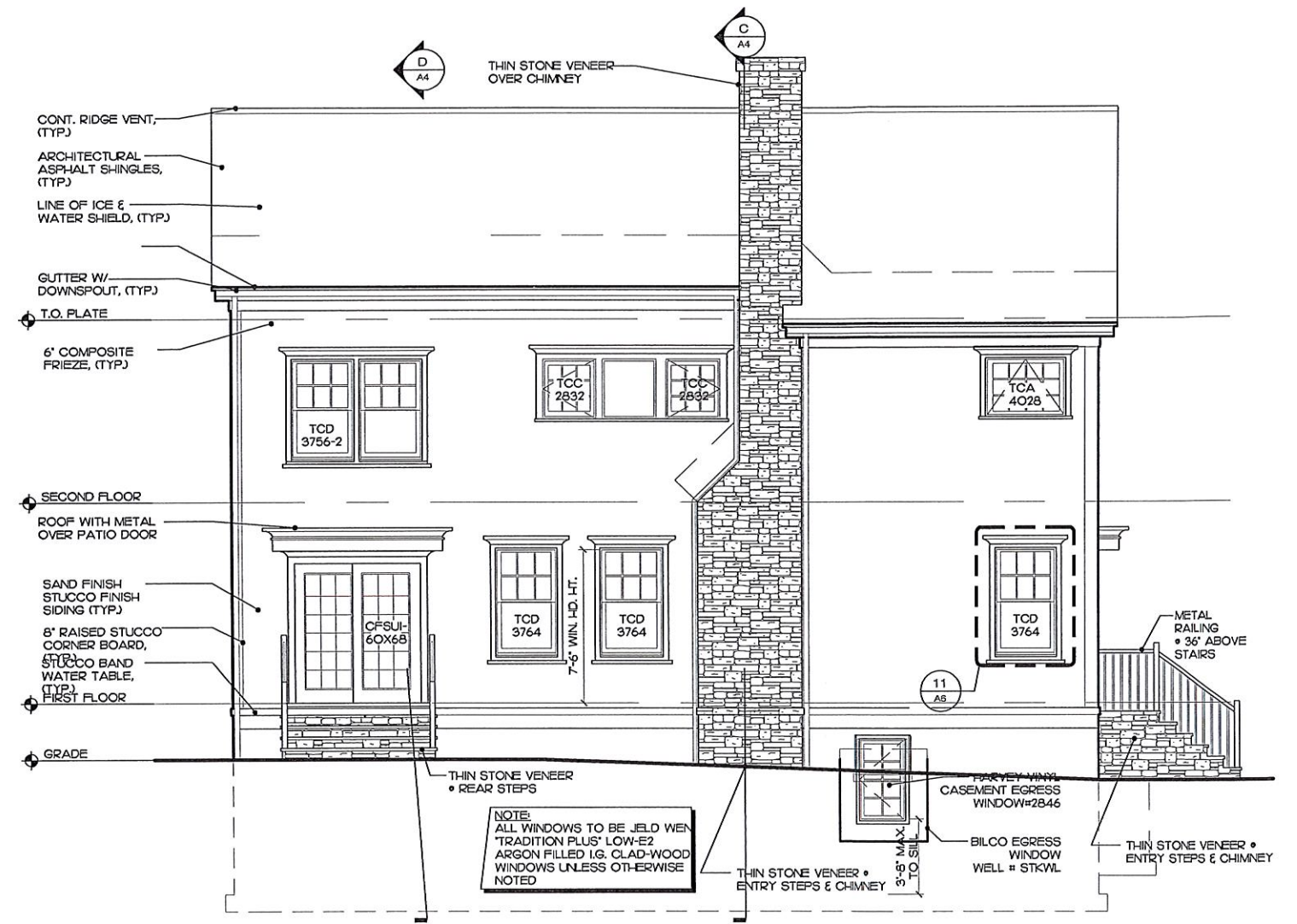
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APPROVED LEFT ELEVATION

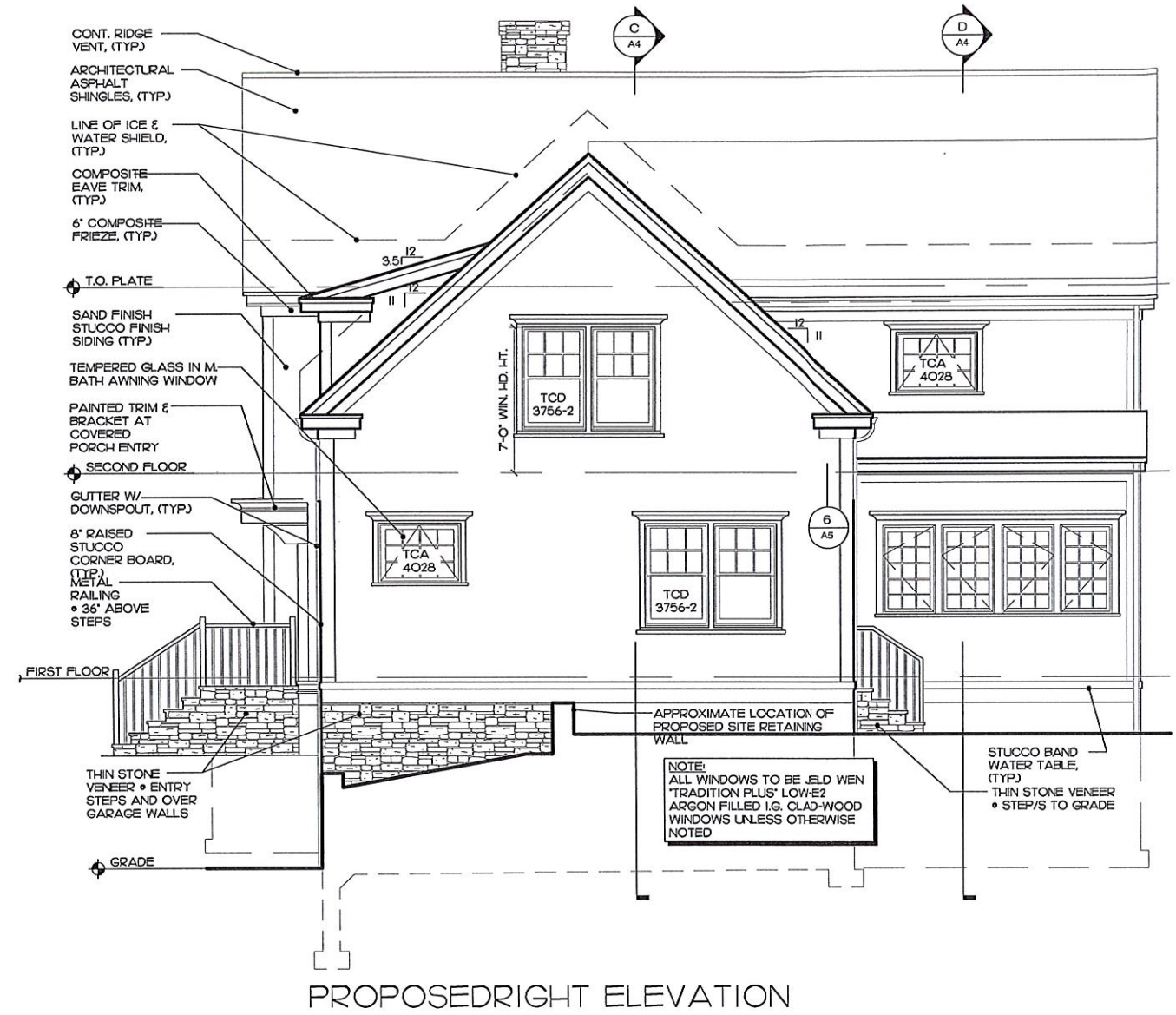
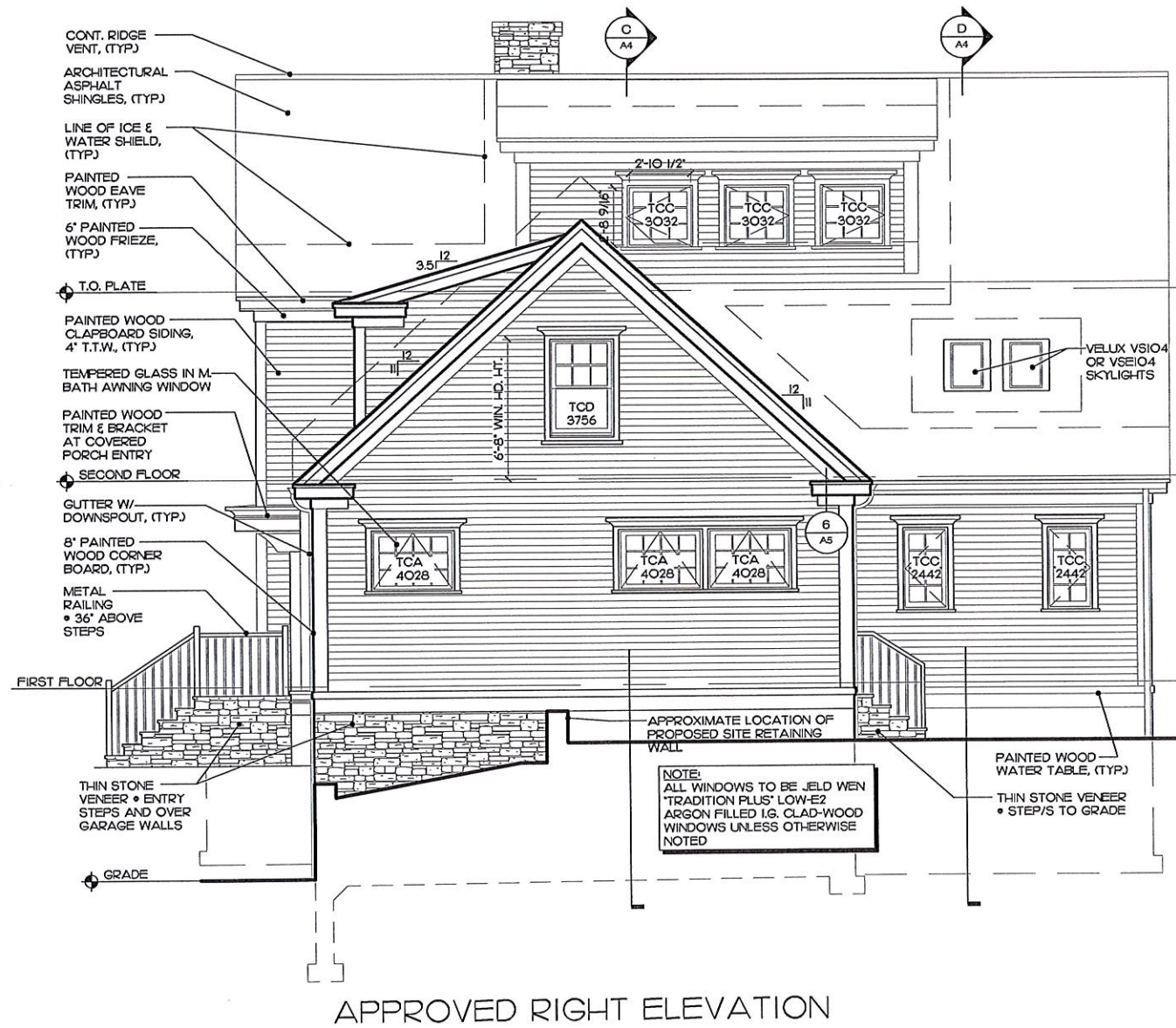


PROPOSED LEFT ELEVATION

1 Elevations
Scale: 1/8" = 1'-0"

Santos Residence
23 Howe Rd
Newton Ma

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	rev 3	
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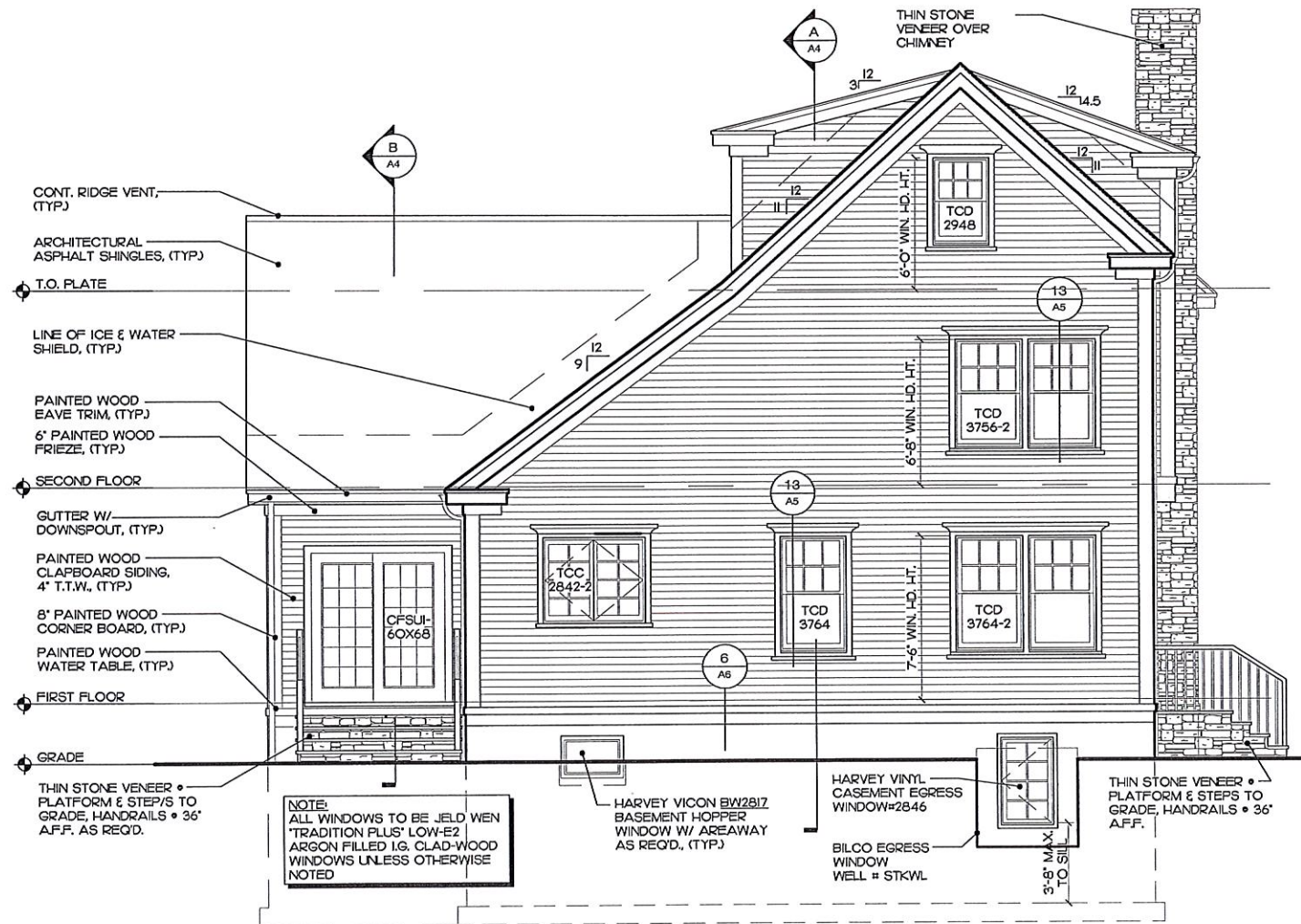


1 Elevations
Scale: 1/8" = 1'-0"

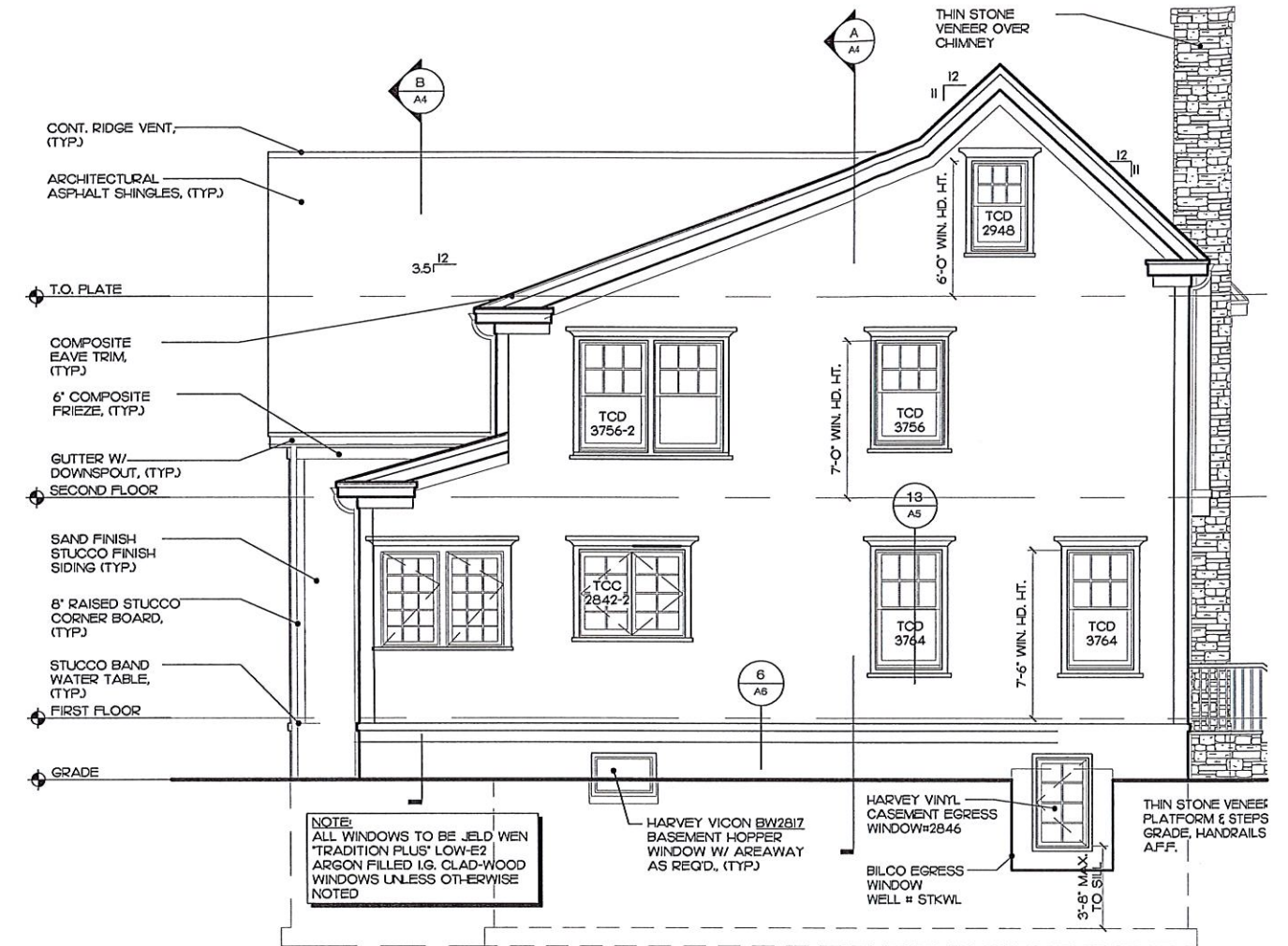
Santos Residence
23 Howe Rd
Newton Ma

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rev 4		

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APPROVED REAR ELEVATION



PROPOSED REAR ELEVATION

1 Elevations
Scale: 1/8" = 1'-0"

Santos Residence
23 Howe Rd
Newton Ma

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	REVISED / REVISED BY		JOB NO: 08004
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rev 3			
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Department of Planning and Development



PETITION #70-18
73 PERKINS STREET
SPECIAL PERMIT/SITE PLAN
APPROVAL TO ALLOW AN
INTERIOR ACCESSORY
APARTMENT EXCEEDING 1,000
SQ. FT., FURTHER EXTEND THE
NONCONFORMING 3.5 STORY
STRUCTURE, AND AMEND
SPECIAL PERMIT #535-91



FEBRUARY 13, 2018

Requested Relief



Special Permit per §7.3.3 of the NZO to:

- Further extend the existing nonconforming three and a half story structure (§3.1.3 and §7.8.2.C.2)
- Allow an interior accessory apartment exceeding 1,000 square feet (§6.7.1.D.2)

Special Permit/Site Plan Approval to amend Board Order #535-91

Criteria to Consider

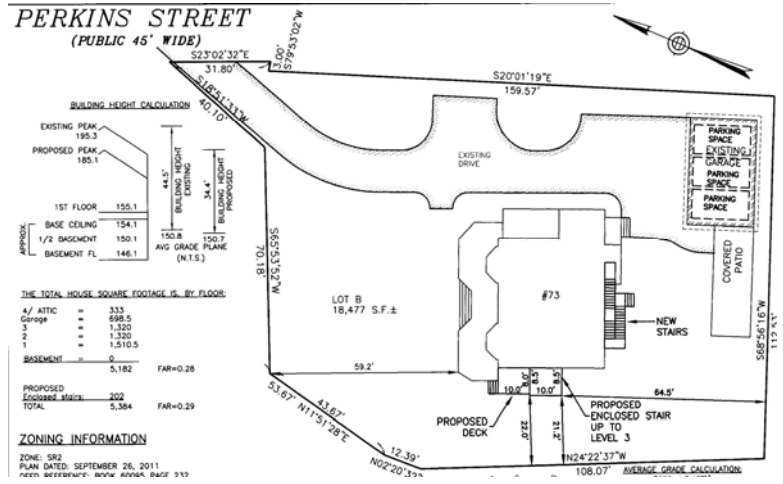
When reviewing the requested special permits the Council should consider whether:

- The site is an appropriate location for an accessory apartment. (§7.3.3.C.1)
- The accessory apartment will not adversely affect the neighborhood. (7.3.3.C.2)
- The accessory apartment will not 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 number of vehicles involved. (§7.3.3.C.4)
- The proposed exterior alterations are in keeping with the architectural integrity of the structure and character of the neighborhood. (§6.7.1.D.3)
- The proposed extension of the non-conforming three and a half story structure will be substantially more detrimental than the existing nonconforming three and a half story structure is to the neighborhood. (§3.1.3 and §7.8.2.C.2)

AERIAL/GIS MAP



Site Plan



Elevation – North and West (Proposed)



Photos – North and East



Photos – South and East



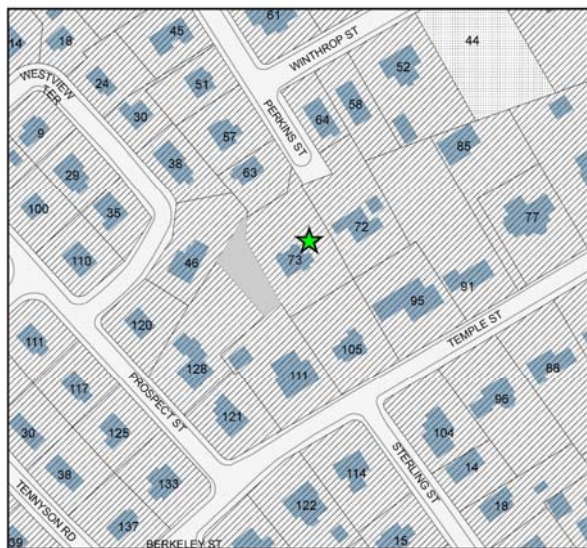
Photos - West



Photos - West



Land Use



ATTACHMENT A

Land Use

73 Perkins St.

City of Newton,
Massachusetts

Land Use

- Single Family Residential
- Mixed Use
- Vacant Land



This information is for informational purposes only. The City of Newton cannot guarantee the accuracy of this information. The use of this map is subject to the City of Newton's policies and procedures. The City of Newton is not responsible for any errors or omissions. The City of Newton is not responsible for any damages or losses resulting from the use of this map. The City of Newton is not responsible for any damages or losses resulting from the use of this map.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Tom Di Marco
City Administrator - Douglas Goodfield

Map Date: February 06, 2018

Zoning



ATTACHMENT B

Zoning

73 Perkins St.

City of Newton,
Massachusetts

Legend

- Single Residence 1
- Single Residence 2
- Multi-Residence 1



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CITY OF NEWTON, MASSACHUSETTS
Mayor - Tom Di Marco
City Administrator - Douglas Goodfield

Map Date: February 06, 2018

Proposed Findings

1. The site is an appropriate location for an accessory apartment within a single-family dwelling. (§6.7.1.D.1 and §7.3.3.C.1)
2. The accessory apartment will not adversely affect the neighborhood as it will be located in existing space within a single-family dwelling. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
4. Access to the site is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

Proposed Findings (con't)

5. The proposed exterior alterations are in keeping with the architectural integrity of the structure and character of the neighborhood as they are designed to be complementary to the existing structure. (§6.7.1.D.3)
6. The proposed extension of the non-conforming three and one half story structure will not be substantially more detrimental than the existing structure is to the neighborhood as it will not be visible from a public way. (§3.1.3 and §7.8.2.C.2)
7. The creation of an accessory apartment will help to diversify Newton's housing stock consistent with Newton's *Comprehensive Plan*, by providing an additional unit of housing that allows for flexibility for a changing population (one that is aging, has increasing numbers of non-traditional families, and is characterized by smaller households) without the expense, environmental impact, and increased massing associated with new construction.

Proposed Conditions

1. Standard Plan Referencing Condition
2. The accessory apartment may not be held in separate ownership from the principal structure/dwelling unit.
3. The owner of the principal structure/dwelling unit shall occupy either said principal structure/dwelling unit or the accessory apartment and shall file an annual affidavit with the Commissioner of Inspectional Services attesting to this fact prior to July 1 of every year.
4. In the event ownership of the subject property changes, the new owner(s) shall notify the Commissioner of the Inspectional Services Department at which time the Commissioner shall conduct a determination of compliance with this decision and all applicable codes.

Proposed Conditions (con't)

5. Standard Building Permit Condition.
 - Plus- "The petitioner shall submit the proposed exterior alterations' finish material to the Department of Planning and Development for review and approval prior to issuance of a building permit."
6. Standard Final Inspection/Certificate of Occupancy Condition.

Department of Planning and Development



PETITION #69-18
1671 BEACON STREET

SPECIAL PERMIT/SITE PLAN
APPROVAL TO GRANT WAIVERS
TO SCREENING REQUIREMENTS
FOR AN OUTDOOR PLAY SPACE
FOR DAYCARE USE, WAIVE THE
SCREENING REQUIREMENTS FOR
PARKING FOR DAYCARE USE AND
WAIVE EIGHT PARKING STALLS

FEBRUARY 13, 2018



Requested Relief



Special permit per §7.3.3 to

- to waive eight parking stalls (§5.1.4, §5.1.13).

Dover Waivers from ISD (if applicable)

- to waive the screening requirements for an outdoor playspace for a day care use (§6.3.4.B.3.a);
- to waive the screening requirements for parking for a day care use (§6.3.4.B.b)

Criteria to Consider



When reviewing the requested special permits the Council should consider whether:

1. Whether literal compliance with requirements for the number of parking stalls ~~and the provision of a vegetative buffer around parking areas are~~ is impractical due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot such that these exceptions will be in the public interest, or the interest of safety, or protection of environmental features (§5.1.13).

AERIAL/GIS MAP



Zoning



ATTACHMENT 1

Zoning

1671 Beacon St.

City of Newton,
Massachusetts

Legend

- Single Residence 1
- Single Residence 2
- Multi-Residence 2
- Multi-Residence 3
- Business 1
- Public Use



This information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Barbara Polite
GIS Administrator - Douglas Greenfield

Map Date: February 07, 2018

Land Use



ATTACHMENT 1

Land Use

1671 Beacon St.

City of Newton,
Massachusetts

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Mixed Use
- Golf Course
- Open Space
- Nonprofit Organizations
- Vacant Land

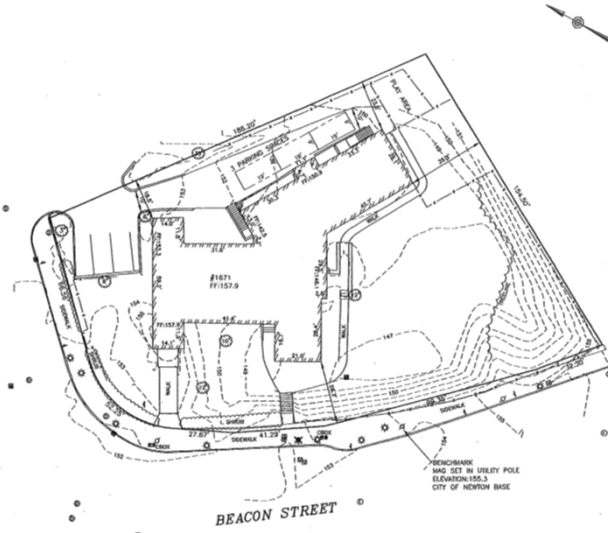


This information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Barbara Polite
GIS Administrator - Douglas Greenfield

Map Date: February 07, 2018

Site Plan- existing



Photos



Photos



Photos



Photos



Proposed Findings

1. Granting the requested exceptions to literal compliance with the requirements to provide eight (8) parking stalls ~~and parking facility landscaping~~ is in the public interest as it would protect existing environmental features and maintain the existing character of the property and neighborhood (§5.1.13)
2. ~~The existing fenced outdoor play space is bordered by an adjacent parking area and rail line which would not be negatively affected by the lack of screening.~~

Proposed Conditions

1. Plan Referencing Condition
2. The day care use shall be limited to twenty (20) children and four (4) employees on-site at any one time. If the petitioner would like to increase the number of children to more than twenty (20), it must seek an amendment to this special permit.
3. At twelve (12) months after receipt of a final certificate of occupancy, the petitioner shall attend a Land-Use Committee hearing to provide an update on:
 - a. Peak drop-off and pick-up conditions;
 - b. Status of employee parking demands;
 - c. Traffic circulation.

Proposed Conditions

4. Standard Building Permit Condition.
5. Standard Final Inspection/Certificate of Occupancy Condition.
plus: "c. Submitted to the Director of Planning and Development evidence of current valid licensure by the Office for Child Care Services."

Department of Planning and Development



PETITION #68-18
227 WASHINGTON STREET

SPECIAL PERMIT/SITE PLAN
APPROVAL TO ALLOW A
FOR-PROFIT EDUCATIONAL
USE



FEBRUARY 13, 2018

Requested Relief



- Special Permit/Site Plan Approval to allow a for-profit educational use

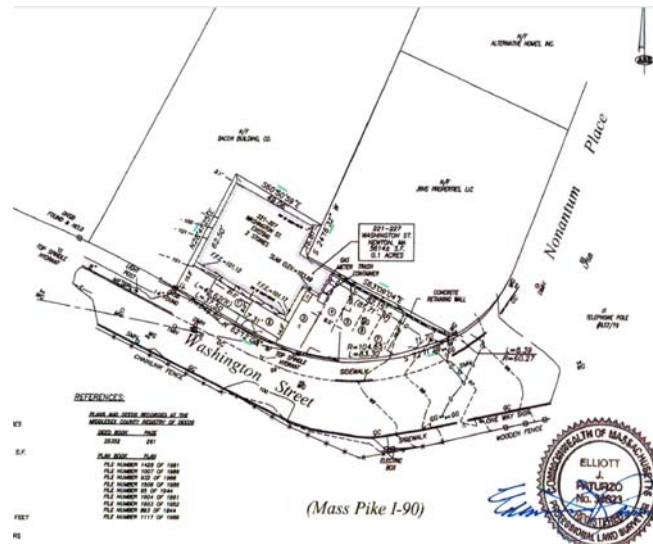
Criteria to Consider

- The site is an appropriate location for the proposed for-profit educational use. (§7.3.3.C.1)
- The proposed for-profit educational use 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)

AERIAL/GIS MAP



Site Plan



Operation of the For-Profit Educational Use

The petitioner is seeking to operate the educational use per the following:

- Hours of operation are from after school until 7:30 p.m. Monday through Friday and from noon to 5:00 p.m. on Saturday and Sunday.
- Eleven (11) staff members and thirty (30) students.
- Sessions will last 1 to 1.5 hours
- Employees will be directed to park off site, dedicating the stalls on site to pick-up and drop-off.
- One employee will be outside to assist with pick-up and drop-off.

Planning Department Analysis

- The Planning Department is concerned the site will not be able to accommodate the intensity of use. Specifically, the number of parking stalls available and the lack of maneuvering space within the site.
- The potential for high student turnover may affect residential streets which provide access to the site.
- The petitioner has provided an updated Transportation Demand Management Strategy that has not yet been reviewed by staff.

Haywood House Newton Housing Authority

Newton City Council – Land Use Committee
February 13, 2018



Haywood House Main Entry facing Kennedy Circle - Sidewalk Level



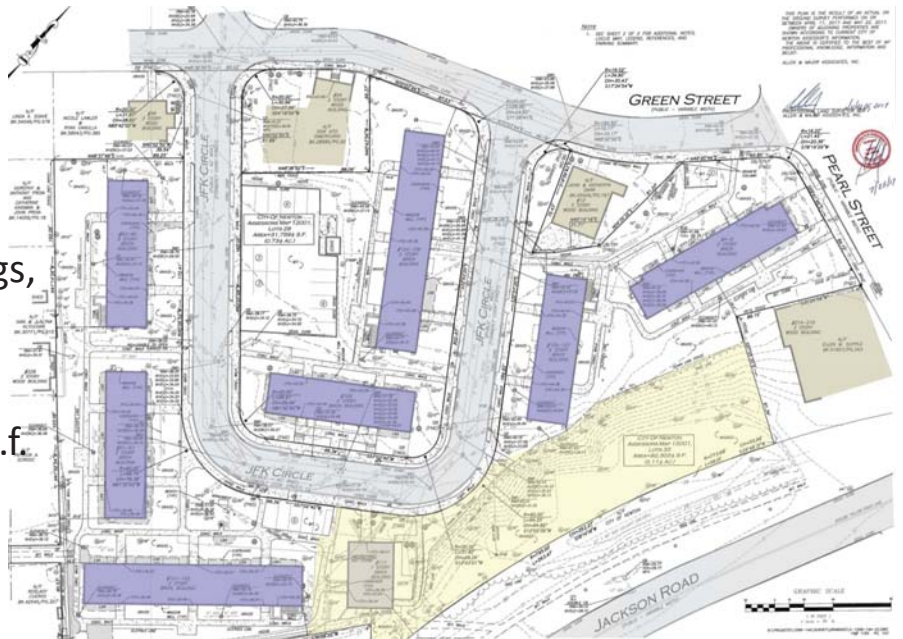
Jackson Gardens Locus Plan

- Located on John F. Kennedy Circle, a Public Way off of Green St



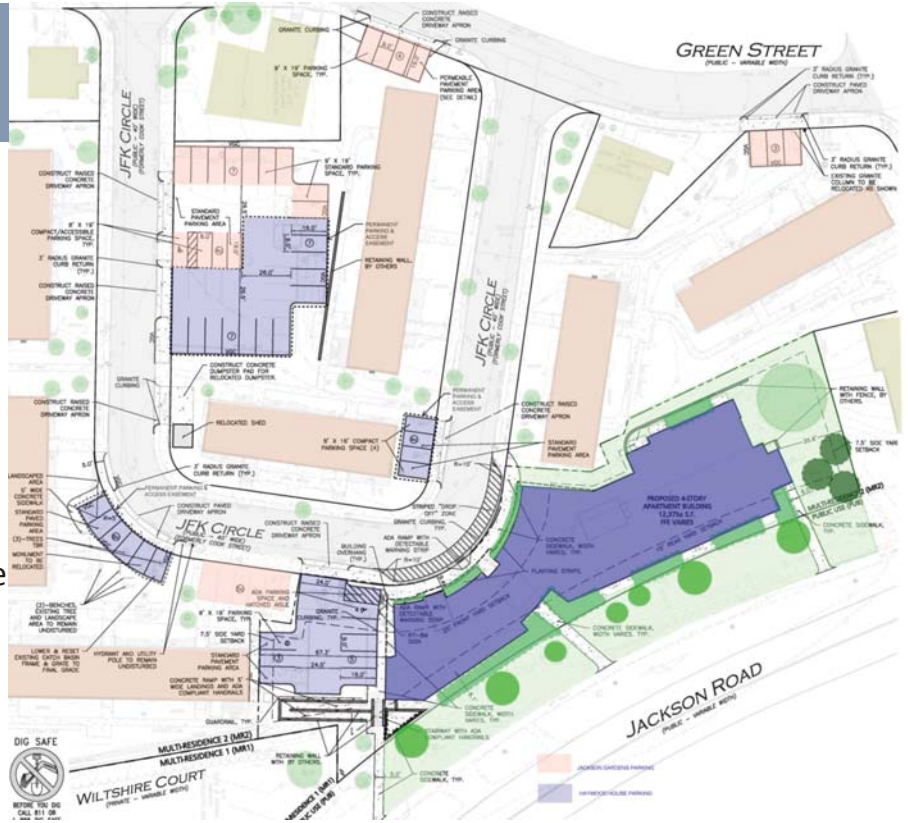
Jackson Gardens Existing Site Plan

- Located on John F. Kennedy Circle, a Public Way
- Two Existing Parcels at Kennedy Circle :
 - one inside 31,000 ± s.f.
 - one outside 89,000 ± s.f.
- 7 Existing Residential Buildings, 64 Units, and a Community Center
- 25 existing parking spaces
- Proposed parcel is 26,336 ± s.f.



Jackson Gardens Revised Site Plan

- Existing 25 parking spaces are maintained for Jackson Gardens
- Parking added to provide 30 added spaces for Haywood House
- Jackson Gardens front yards retained; new parking at ends of buildings
- Leaves existing utilities in place for Jackson Gardens
- Mitigation of stormwater systems and improvement of circulation on JFK Circle
- Landscape improvements will be included for Jackson Gardens
- Path to Jackson Road will be retained



Haywood House Jackson Road – Sidewalk Level

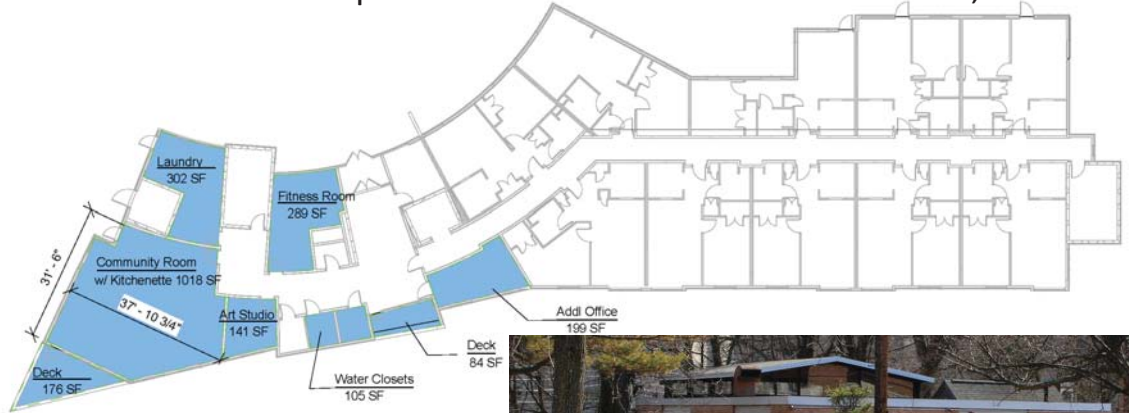


Jackson Gardens & Haywood House Community Spaces

- Haywood House contains a new Community Center which will be shared by both Developments, and will be available for other neighborhood activities.
- Existing Community Building = 1,466 s.f.
- Proposed Shared with Jackson Gardens = 2,314 s.f.



Existing Community Building



Proposed Shared Community Spaces



Newton Housing Authority Jackson Gardens

- Newton Housing Authority (NHA)
 - Established in 1959
 - Largest provider of affordable housing in Newton
 - Over 1300 residents
 - 500 public housing units
 - 441 Rental Assistance Vouchers
 - 57 management units
- Mission of the NHA
 - Provide a high standard of housing
 - Create a sense of community for residents
 - Increase affordable housing opportunities
 - Expand social services
- Jackson Gardens:
 - One of the four original public housing developments in Newton
 - Built in 1963, Federally-assisted
 - 64 one-bedroom units for elders and persons with disability



Haywood House Jackson Road – Birds Eye View



Haywood House Jackson Road – Elevation



Haywood House Project Summary

- 55 one-bedroom units for elders over the age of 62.
- 32 units designated for households with income below 60% AMI, including 11 limited to households with income below 30% AMI. 70% preference for Newton residents (subject to fair housing laws).
- 10 units set aside for households with income up to 99% AMI
- 13 units for households at market incomes and middle-market rents
- 3 units fully accessible for individuals with mobility impairments (under Community Based Housing -- CBH)
- All units adaptable and visitable
- 6 units designated for individuals currently or at risk of being homeless (including 3 under state Facilities Consolidation Fund -- FCF)
- Addresses needs identified by City of Newton and NHA



Haywood House Development Team

- Newton Housing Authority
 - Board of Commissioners (unpaid)
 - Rick Kronish, Chairman
 - Howard Haywood, Vice Chairman
 - Mary Panaggio, Treasurer
 - Tom Turner, Commissioner
 - Vincent O'Donnell, Commissioner
 - Amy Zarechian, Executive Director
- Development Consultant: Housing Partners, Inc.
- Owner's Project Manager: Pinck & Co.
- Designer: Baker | Wohl Architects
- Construction Manager at Risk: Colantonio Corp.
- Zoning & Permitting Counsel: Schlesinger and Buchbinder, LLP
- Tax Credit Counsel: Klein Hornig LLP
- Property Manager: Maloney Properties, Inc.

