



Land Use Committee Agenda

City of Newton

In City Council

Thursday, January 26, 2017

7:00 PM

City Council Chamber

- #308-16** **Special Permit Petition to further increase nonconforming setback at 79 Kenwood Ave**
SURRENDRA DUDANI AND SHALINI SEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE THE NONCONFORMING SETBACK by razing the existing 12'x22' detached garage and construct a 22'x22' detached garage, reducing the setback from 16.2' to 6.2' where 25' is required at Kenwood Avenue, Ward 6, Newton Centre, on land known as SBL 64 20 01, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Please see the attached request to withdraw the petition without prejudice.
- #428-16** **Special Permit to allow parking within 5' of street and stall depth at 113 Edinboro St.**
NATALIA TEREKHOVA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow two parking stalls within five feet of the street and waive minimum stall depth at 113 Edinboro Street, Ward 2, Newtonville, on land known as SBL 21023 0004, containing approximately 3,250 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 5.1.7.A, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
- #429-16** **Special Permit to amend Special Permit #284-16 at 7-9 Arundel Terrace**
CARMEN FUGAZZOTTO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit #284-16 to change the language of the Council Order to allow continued nonconformity without obtaining variances for rear and side setbacks., open space and lot coverage at 7-9 Arundel Terrace, Ward 1, Newton, on land known as SBL 71001 0025, containing approximately 5,100 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
- #430-16** **Special Permit to change nonconforming use at 15 South Gate Park**
ANTHONY DEPASQUALE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to change NONCONFORMING clubhouse use to a 3-unit multi-family dwelling, locate parking within a front setback and allow a two way entrance/exit drive less than 20' at 15 South

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.

Gate Park, Ward 3, West Newton, on land known as SBL 33031 0009, containing approximately 14, 120 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 5.1.8.A.1, 5.1.13, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#431-16

Special Permit to allow three attached dwellings at 377 Langley Road

367-377 LANGLEY ROAD LLC., petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow three attached single-family dwellings, reduce frontage requirements for attached single family dwellings, reduce side setback requirements, allow parking within 20' of a side lot line and a driveway within 10' of a side lot line and to allow placement of a retaining wall of 4 feet or more within a setback at 377 Langley Road, Ward 6, Newton Centre, on land known as SBL 65019 0058, containing approximately 23,545 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 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, 2015.

Respectfully submitted,

Marc C. Laredo, Chair

Surrendra Dudani & Shalini Sen, 79 Kenwood Avenue, Newton, MA- 02459-1421,
Tel: (617) 901-8997, email: sadudani@gmail.com

City of Newton
City Council Land Use Committee
1000 Commonwealth Ave.
Newton, MA 02459

Date: January 18, 2017

Re: PETITION # 308-16 – SPECIAL PERMIT FOR NON CONFORMING LOT
Replace Existing Detached 1 Car Garage with Detached 2 Car Garage at 79 Kenwood Ave.

RECEIVED
NEWTON CITY CLERK
2017 JAN 18 PM 2:45
David A. Olson, CPA
Newton, MA 02459

Please Withdraw Without Prejudice, Special Permit - Petition # 308-16. The petition is being withdrawn for the following reasons.

Public Hearing, October 13, 2016: The LUC did not reach consensus on the initial proposal because one council member was concerned about visibility. The LUC proposed deed restrictions to remove existing vegetation to improve visibility to the driveway contrary to Planning Department recommendations to maintain existing mature vegetation. It must be noted, the existing driveway is the only point of vehicular entry to the property, there is no historic evidence of traffic related incidents to support a deed restriction, traffic volume is very low and the traffic pattern is very slow due to the curvature of the road.

Public Hearing, January 10, 2017: A revised plan was submitted addressing LUC concerns regarding driveway visibility, by moving the garage entry to the north side and removing 25 feet of existing mature vegetation. The LUC did not reach consensus on the revised proposal because a council member was opposed to the 20 foot curb cut for the garage entry and maintaining the existing driveway for emergency parking in winter.

No Zoning Exceptions for Unusual Lot Configuration: The property is currently on a non-conforming corner lot, abutting access roads on all three sides of the lot. Zoning regulations makes no provision for a lot with this configuration, making it difficult if not impossible to improve the current aging housing stock for this type of lot. Please take this into consideration when revising regulations.



Surrendra Dudani (Home Owner)