



# Land Use Committee Agenda

## City of Newton In City Council

Tuesday, April 4, 2017

7:00 PM

Council Chamber

**Consistency Ruling:** *The Committee will hear a request relative to Special Permit #424-13 at 33 Needham Street to allow parking reconfiguration and site plan changes to meet building code regulations and allow an accessible ramp.*

**#60-17 Request to Rezone Hovey Street parcels**

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for a change of zone to Business Use 2 for land located at 29 Hovey Street, also identified as Section 12, Block 006, Lot 004, and an unnumbered lot on Hovey Street, also identified as Section 12, Block 006, Lot 003, containing approximately 34,361 sq. ft. of land in a district zoned MULTI RESIDENCE 2, further described as follows:

Beginning at a point on the Westerly side of Hovey Street, said point being N 21°00'54" W and a distance of one hundred twenty-six and no hundredths (126.00) feet from a bound at the Northwesterly intersection of Hovey and Washington Streets being the Southeast corner of the parcel herein described; thence

S 69°15'05" W            A distance of seventy-three and forty hundredths (73.40) feet to a point; thence

S 69°07'43" W            A distance of one hundred forty-five and no hundredths (145.00) feet to a point; thence

N 20°20'22" W            A distance of forty-five and fifty hundredths (45.50) feet to a point; thence

N 18°34' 11" E            A distance of sixty-one and forty-seven hundredths (61.47) feet to a point; thence

N 21°09'23" E            A distance of two and forty-one hundredths (2.41) feet and on the same bearing a distance of thirty-six and eight hundredths (36.08) feet to a point; thence

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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.

N 21°31'11" E            A distance of one hundred sixteen and eighty-eight hundredths (116.88) feet to a point; thence

N 28°57'55" E            A distance of twelve and seventy hundredths (12.70) feet to a point; thence

N 71°07'46" E            A distance of sixty-four and fifteen hundredths (64.15) feet to a point; thence

S 21°00'54" E            A distance of one hundred thirty-one and no hundredths (131.00) feet and on the same bearing a distance of eighty-three and no hundredths (83.00) feet by the Westerly sideline of Hovey Street to the point of beginning.

Said parcel containing 34,361 square feet or 0.789 acres, more or less.

The request for a change of zone and associated plans and documents are on file with the City Clerk's office at Newton City Hall.

**#61-17**

**Special Permit Petition to construct elderly housing on Washington Street**

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct elderly housing with services in excess of 20,000 sq. ft. of gross floor area, consisting of 85 living units in a four-story structure not to exceed 48' in height and Floor Area Ratio not to exceed 2.0, extending the existing nonconforming front setback and constructing a retaining wall greater than 4' in a setback at 431 Washington Street, 29 Hovey Street, and the adjacent unnumbered lot to the north on Hovey Street, on land known as Section 12 Block 006 Lots 003, 004, and 005, containing approximately 66,909 sq. ft. of land in districts zoned BUSINESS 2 AND MULTI-RESIDENCE 2. Ref.: 7.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 4.4.1, 5.1.13, 5.4.2.B, 5.11.11, 6.2.10, 6.2.10.B, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**#19-17**

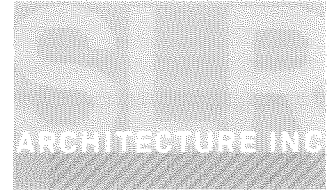
**Special Permit to rectify already constructed garage at 129 Cabot Street**

MICHAEL MENDIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rectify the building permit issued in error due to a garage with an oversized dormer on the half-story above the first level at 129 Cabot Street, Ward 2, Newton, on land known as SBL 13008 0010, containing approximately 8,793 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Please note that this item is postponed to April 13, 2017***

Respectfully submitted,

Marc C. Laredo, Chair



January 26th, 2017

Mr. John D. Lojek  
Commissioner  
Newton Inspectional Services  
Newton City Hall, room 202, 1000 Commonwealth Ave  
Newton, Ma 02459

RE: 33 Needham Street Site plan modifications

Dear John,

I am writing in regards to a building at 33 Needham Street. This building is a small building at the rear of parcel 19-31 as designated in your assessors database. 33 Needham Street is currently unoccupied and planning is underway to create new office space in this building.

The site plan for this parcel was approved on June 5th, 2013 under a special permit and in order to satisfy the building and accessibility codes we need to make some modifications to this approved plan.

We are seeking an appropriateness ruling from you regarding these modifications and that they keep with the intention of the original approved special permit site plan.

As a part of the renovation we are upgrading the building to bring it up to the current code. In order to meet the requirements of 521 CMR we are providing a 1:20 ramp to allow for an accessible route to enter the property. Installing this ramp requires us to reconfigure some of the parking lot area.

As you'll see from the enclosed site plan sketch SKA-10 the changes are fairly minor and we have made every effort to match capacity and minimize the changes to the site. Another item of note is a new generator, we are proposing that this be located in the back corner of the building. In addition some of the required designated Handicapped parking locations have been upgraded and moved around to better access the new ramp and entrance.

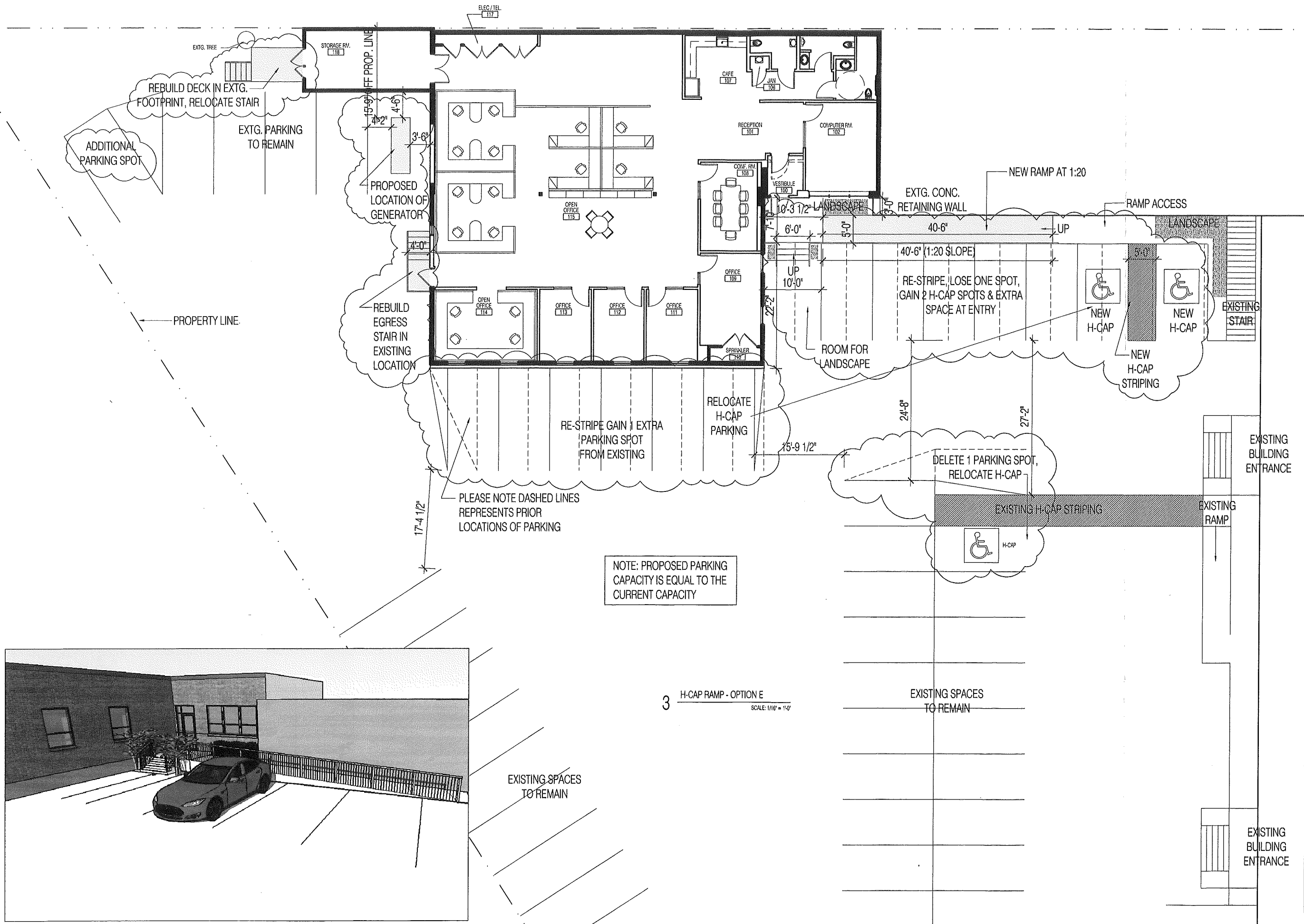
Please review the enclosed materials and don't hesitate to call with any questions or concerns you may have about this project. We look forward to hearing your comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen L. Reilly".

Stephen L. Reilly, AIA

SLR ARCHITECTURE INC



Partial site plan w/ proposed site plan changes & h-cap ramp option

01.03.16

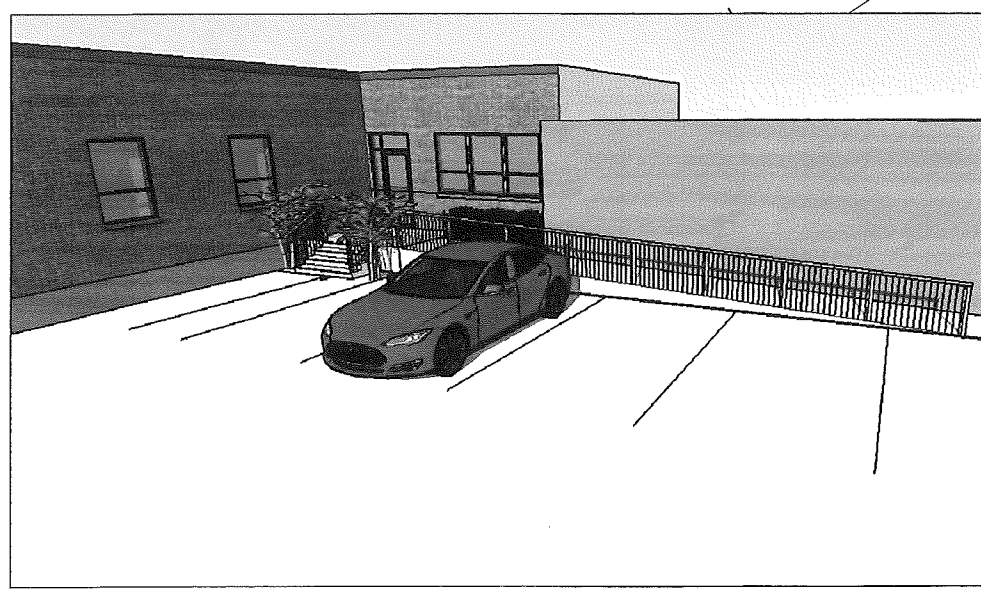
1/16" = 1'-0"

33 Needham Street

Drawing Name:

Scale:

Project Name and Number:



3 H-CAP RAMP - OPTION E  
SCALE: 1/16" = 1'-0"

**ARCHITECTURE**

Stephen L. Reilly / AIA, NCARB  
28 Woodbine Terrace, Newton, MA 02456  
tel: 617.413.6244  
email: Stephen@SLRArchitecture.com

# SKA-11

Drawing Number

### Existing Condition Photographs

Drawing Name:

N.T.S.

01.03.16

Date:

33 Needham Street

Project Name and Number

**ARCHITECTURE**

Stephen L. Reilly / AIA, NCAAB  
 28 Woodbine Terrace, Newton, MA 02468  
 Tel: 617.413.6244  
 Email: Stephen@SLRArchitecture.com

APPROXIMATE LOCATION OF NEW GAS GENERATOR, SEE SKA-10

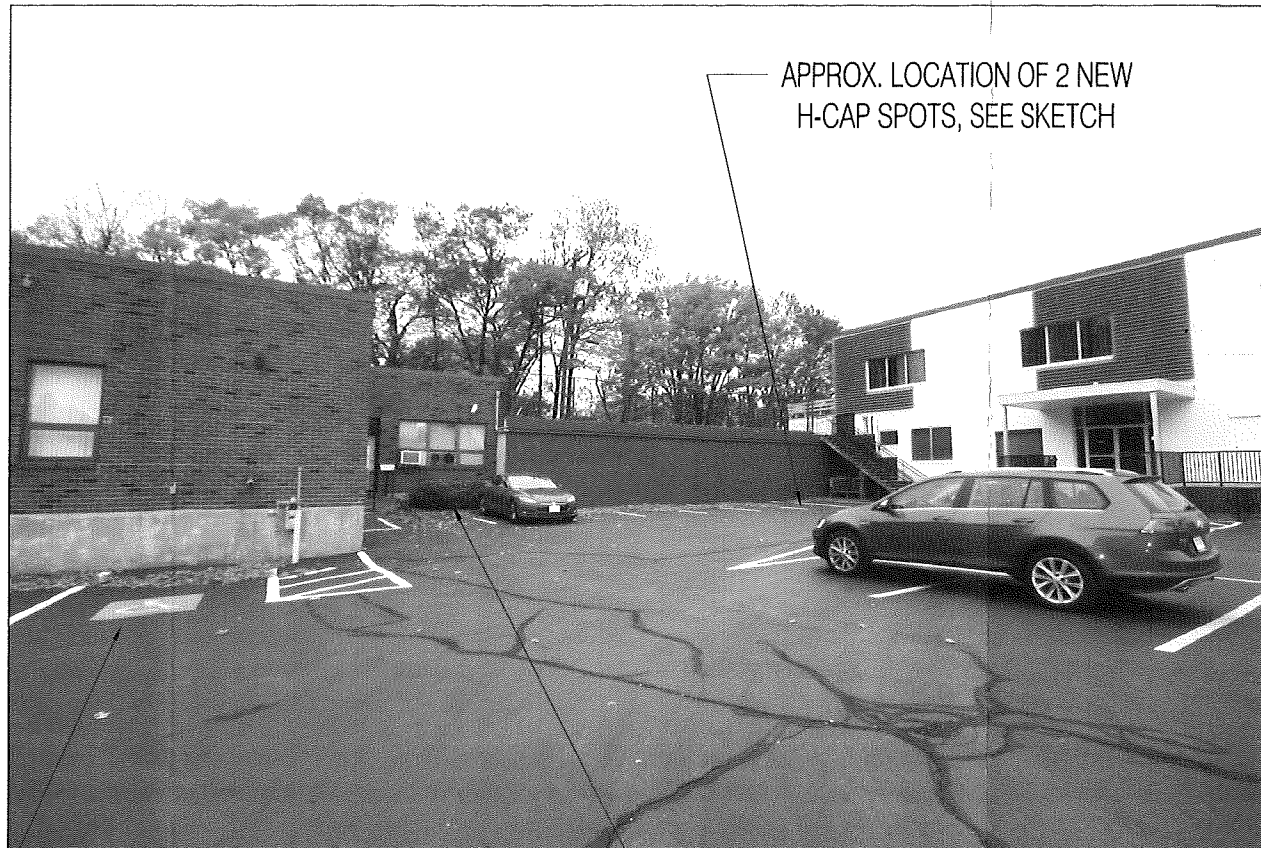
LOADING DOCK NOT USED, PROPOSED BRICK INFILL



APPROXIMATE LOCATION OF NEW GAS GENERATOR, SEE SKA-10



APPROX. LOCATION OF 2 NEW H-CAP SPOTS, SEE SKETCH



RELOCATE H-CAP AND ADD 1 NEW PARKING SPACE IN THIS AREA, SEE SKA-10



RELOCATE H-CAP AS SHOWN IN SKA-10

NEW RAMP PROPOSED ALONG THIS WALL, SEE SKA-10