



Land Use Committee Agenda

City of Newton In City Council

September 10, 2024

7:00 PM

Council Chambers Room 207

The Land Use Committee will hold this meeting as a hybrid meeting on September 10, 2024 at 7:00 pm that the public may access in-person or virtually via Zoom. To attend this meeting via Zoom use this link <https://newtonma.gov.zoom.us/j/88351594857> or call 1-646-558-8656 and use the following Meeting ID: 883 5159 4857

Submitted documents for each petition can be viewed via the digital hyperlink following the item below

#325-24

Request for Extension of Time to Exercise Special Permit #446-22 at 113 Grove Street

113 GROVE STREET, LLC petition for Extension of Time to November 21, 2024 to allow a rear lot subdivision to construct a single-family dwelling, relocate the existing dwelling forward and waive the definition of "rear-lot" at 113 Grove Street, Ward 4, Newton, on land known as Section 43 Block 31 Lot 15, containing approximately 23,063 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10, 1.5.2.G.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

113 Grove- <https://newtonma.viewpointcloud.com/records/760833>

#326-24

Request for Extension of Time to Exercise Special Permit #227-23 at 107-109 Elliot Street

107-109 ELLIOT STREET LLC petition for Extension of Time to July 10, 2026 to raze the dwelling and construct a four-unit three-story multi-family dwelling with garage parking for seven vehicles at 107-109 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 21, containing approximately

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.

12,189 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.8.B.1, 5.1.13, 5.1.8.B.6, 5.4.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

107-109 Elliot- <https://newtonma.viewpointcloud.com/records/790137>

#327-24 Request for Extension of Time to Exercise Special Permit #265-23 at 43 Crafts Street

KOSHER K LLC petition for Extension of Time to September 5, 2026 to raze the existing dwelling and construct a three- story, three-unit multi-family dwelling with surface parking for three vehicles at 43 Crafts Street, Ward 1, Newton, on land known as Section 14 Block 23 Lot 11, containing approximately 1,789 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 4.4.1, 7.8.2.C.2, 4.3.3, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

43 Crafts- <https://newtonma.viewpointcloud.com/records/797372>

#328-24 Request to vertically extend a nonconforming side setback at 228 Grove Street

DAVID AND CEIRE NEVINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second story addition over an existing sunroom, vertically extending the nonconforming side setback at 228 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 30 Lot 04, containing approximately 11,400 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

228 Grove- <https://newtonma.viewpointcloud.com/records/828776>

#329-24 Request to waive two parking stalls at 15-17 Playstead Road

YANTING AND ZHEN SUN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to waive two parking stalls at 15-17 Playstead Road, Ward 1, Newton, on land known as Section 71 Block 37 Lot 05, containing approximately 5,101 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

15-17 Playstead- <https://newtonma.viewpointcloud.com/records/835499>

#330-24 Request to exceed FAR and to vertically extend nonconforming front setbacks at 35 Hood Street

PETER DANIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct basement, first and second story additions, exceeding FAR and reconstruct the roof of the detached garage and add a roof deck and extending the nonconforming front setback of both structures at 35 Hood Street, Ward 7, Newton, on land known as Section 72 Block 38 Lot 08, containing approximately 5,988 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3,

3.1.9. 7.8.2.C.2, 3.4.3.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

35 Hood- <https://newtonma.viewpointcloud.com/records/834884>

#331-24

Request to extend a nonconforming front setback at 98 Parker Avenue

ALEXANDER ZASLAVSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a larger front landing and new steps, extending the nonconforming front setback at 98 Parker Avenue, Ward 6, Newton Highlands, on land known as Section 81 Block 26 Lot 06, containing approximately 6,160 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

98 Parker- <https://newtonma.viewpointcloud.com/records/835018>

#332-24

Request to allow ground floor residential use, and to exceed by right height and stories at 340 River Street and 76 Lexington Street

340 RIVER STREET REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing structures, combine the lots into one 10,578 square foot lot, and construct four residential dwelling units in one building consisting of three stories and greater than 24 feet in height at 340 River Street and 76 Lexington Street, Ward 4, West Newton and Auburndale, on land known as Section 44 Block 35 Lots 60 and 59, containing approximately 10,578 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 4.4.1, 4.1.2.B.3, 4.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

340 River- <https://newtonma.viewpointcloud.com/records/834332>

**Respectfully Submitted,
Andrea Kelley, Chair**

Terrence P. Morris, Esq.
Law Offices of Terrence P. Morris LLC
57 Elm Road
Newton, MA 02460
617 202-9132

August 19, 2024

Scott Matthews, Clerk of Committee *By electronic transmission*
Newton City Council
City of Newton
1000 Commonwealth, Avenue
Newton, MA 02459

Re: 113 Grove Street: Council Order #446-22
Extension of Special Permit

Dear Mr. Matthews:

On November 22, 2022, the City Council granted a special permit (Council Order #446-22) for the above-referenced property. I am writing this letter to request an extension of the time in which to exercise this special permit until November 22, 2024. This request is being made pursuant to Section 7.3.2.E of the zoning ordinance, which provides that “[t]he City Council may extend the period of time granted under this subsection for good cause, whether or not such period of time shall have expired, without the necessity of a further public hearing thereon”.

The reason for this request and basis for the good “cause” is the protracted effort required to resolve compliance with Condition #8 in the Order regarding conveyance of the 31 square foot strip of land referenced therein to a “*bona fide third-party purchaser*”. Compliance with this condition was a necessary predicate to obtaining the building permits for construction of the project. This issue was not ultimately resolved until recently.

Thank you for your attention to this matter.

Sincerely,

Terrence P. Morris

Terrence P. Morris, Esq.
Counsel for 113 Grove Street LLC

Cc: Rich Zagame, *salvisbarbershop@gmail.com*
John Umina, *uminaplumbing@gmail.com*
Jonah Temple, Land Use Committee Counsel, *jtemple@newtonma.gov*.
Katie Whewell, Chief Planner, *kwhewell@newtonma.gov*

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*admitted in MA and NY

August 14, 2024

City Council
City of Newton
1000 Commonwealth Avenue
Newton, Massachusetts 02459
c/o Scott Matthews, Clerk of the City Council

Re: Extension of Special Permit No. 227-23 – 107-109 Elliot Street

Dear Members of the City Council:

On behalf of 107-109 Elliot Street LLC, as owner of 107-109 Elliot Street, Newton, Massachusetts, please accept this letter as a formal request for a two-year extension to exercise Special Permit No. 227-23 under Section 7.3.2 of the Newton Zoning Ordinances. The Special Permit was granted on July 10, 2023. The Petitioner has been actively engaged in obtaining approvals from the City of Newton Engineering Department and soon from the Inspectional Services Department in connection with the building permit application. The process has taken longer than anticipated, hence, the request for said extension.

Kindly place this matter on the docket of the City Council and the first available Land Use Committee public hearing. For your convenience, I enclosed a copy of the Special Permit as recorded with the Middlesex South Registry of Deeds.

Please call should you have any questions. As always, thank you, for your help in this matter.

With regards,



Laurance S.L. Lee

Enclosure
cc: 107-109 Elliot Street LLC

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*admitted in MA and NY

August 21, 2024

City Council
City of Newton
1000 Commonwealth Avenue
Newton, Massachusetts 02459
c/o Scott Matthews, Clerk of the City Council

Re: Extension of Special Permit No. 265-23 – 43 Crafts Street


Dear Members of the City Council:

On behalf of 43 Crafts LLC, as owner of 43 Crafts Street, Newton, Massachusetts, please accept this letter as a formal request for a two-year extension to exercise Special Permit No. 265-23 under Section 7.3.2 of the Newton Zoning Ordinances. The Special Permit was granted on September 5, 2023. The Petitioner recently received approvals from the City of Newton Engineering Department and is submitting an application with the Inspectional Services Department for the building permit. The Petitioner respectfully requests said extension of the Special Permit to allow the City Department(s) to issue the required permits/approvals for the project.

Kindly place this matter on the docket of the City Council and the first available Land Use Committee public hearing. For your convenience, I enclosed a copy of the Special Permit as recorded with the Middlesex South Registry of Deeds.

Please call should you have any questions. As always, thank you, for your help in this matter.

With regards,



Laurance S.L. Lee

Enclosure

cc: 43 Crafts LLC