

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE AGENDA

TUESDAY, OCTOBER 14, 2014

7:00 PM  
Aldermanic Chamber

*Hearing opened on June 10, continued to July 29; continued to September 16; continued to October 14:*

#165-14     RICHARD D. SEWALL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing single-family dwelling and construct two sets of two attached single-family dwellings for a total of four dwellings which includes waivers from the side-and rear-yard setback and lot coverage requirements and relief to locate a driveway within 10 feet of a side lot line at 3-5 AUBURN STREET, Ward 3, on land known as SBL 33, 6, 34, containing approximately 23,426 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a) and b), 30-15 Table 1, 30-15(b)(5)a) and b) of the City of Newton Rev Zoning Ord, 2012.

***Note: Please see attached letter requesting withdrawal of the petition.***

*Hearing opened July 15, continued to September 16; continued to October 14:*

#285-06(2)     BELL ATLANTIC MOBILE OF MASS. CORP. LTD. d/b/a VERIZON WIRELESS/THE COVENANT RESIDENCES ON COMMONWEALTH CONDOMINIUM TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to install antennas on the roof inside faux chimney structures and to place accessory radio equipment and an emergency stand-by power generator inside an equipment shelter to the rear of property at 35 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill on land known as SBL 63, 1, 8, containing approximately 48,000 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18A(e)(6) and 10 and 30-18A(i) of the City of Newton Rev Zoning Ord, 2012.

***Note: The petitioner has requested a continuance to November 18, 2014.***

*Public Hearings will be held on the following items, after which if time allows a working session will be held in room 222:*

#317-14     HEAMEE INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow for tandem parking and parking within a setback and to waive dimensional requirements for parking facilities with more than 5 stalls re stall dimensions, aisle width, landscaping and lighting, and to waive the number of required parking stalls in order to convert approximately 1,500 sf of basement space from storage to office space at 1175 WALNUT STREET, Ward 6, Newton Highlands, on land known as SBL 52, 39, 1, containing approximately 10,921 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d)(11), 30-19(h)(1), (2), (3), (5)a), 30-19(i)(1), (2), 30-19(j), and 30-19(m) of the City of Newton Rev Zoning Ord.

- #228-14(2) GONGXIONG WU petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing attached garage and breezeway and construct a new one-stall garage with a master suite and one bedroom above it, maintaining the existing nonconforming side setback but vertically extending the nonconforming side setback, and to construct an office and bath in the attic, which will increase the nonconforming Floor Area Ratio from .42 to .56, where .38 is the maximum allowed by right, at 102 McCARTHY ROAD, Ward 8, NEWTON CENTRE on land known as SBL 84, 27, 6, containing approximately 10,033 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
- #318-14 88 CRESCENT STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct three single-family attached dwelling units at 88 CRESCENT STREET, Ward 3, Auburndale, on land known as SBL 33, 6, 34, containing approximately 23,739 sf of land in a district zoned MULTI RESIDENCE 1. Ref: 30-24, 30-23, 30-9(b)(5) of the City of Newton Rev Zoning Ord, 2012.
- #319-14 LEOPOLDO BUTERA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an existing garage exceeding 700 square feet of ground floor area at 26 ELM STREET, Ward 3, West Newton, on land known as SBL 33, 24, 10, containing approximately 8,250 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(m)(c)5) of the City of Newton Rev Zoning Ord, 2012.
- #335-14 B & M CALIFORNIA STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 4-unit multi-family dwelling; to extend a nonconforming structure for lot size and frontage; to allow a building height of up to 36 feet and to allow up to 3 stories; to increase the Floor Area Ratio; to waive the number of required parking stalls and, to the extent necessary, associated parking waivers, at 198 CALIFORNIA STREET, Ward 1, on land known as SBL 11, 11, 7, containing approximately 8,294 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-11(d)(8), 30-15 Table 3, 30-21(b), 30-19(d)(2) and (18) and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
- #336-14 FOX & HOUNDS REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition of approximately 840 square feet to the rear of an existing property, to be used for an auto detailing business, at 230 NEEDHAM STREET, Ward 8, on land known as SBL 83, 28, 78, in a district zoned MIXED USE 1. Ref: Sec 30-24, (d)(5), 30-23, 30-13(b)(6) of the City of Newton Rev Zoning Ord, 2012 and special permit #91-91.

- #132-14(2) STONE GALLERYLLC/CLINE REALTY LIMITED petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a second freestanding sign at 49-51 WINCHESTER STREET, Ward 5, Newton Highlands, on land known as SBL 51, 28, 30, containing approximately 79,500 sf of land in a district zoned MIXED USE 1. Ref: 30-24, 30-23, 30-20(1) and special permits #219-05 #132-14.
- #337-14 A&M REALTY TRUST, ANDREW & MONICA HEALY, TRUSTEES, petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND A NONCONFORMING STRUCTURE to convert an existing detached structure into an accessory apartment at 59-61 WARWICK ROAD, Ward 3, on land known as SBL 31, 28, 62 and 64, containing approximately 11,218 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b) 30-8(d)(4), 30-15 Table 1, 30-15(m)(2) and (3), Table 30-8 of the City of Newton Rev Zoning Ord, 2012.

Respectfully submitted,

Marc C. Laredo, Chairman

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, John Lojek, at least two days in advance of the meeting: [jlojek@newtonma.gov](mailto:jlojek@newtonma.gov) or 617-796-1145. For Telecommunications Relay Service dial 711.

*Terrence P. Morris, Esq.*  
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*617 202-9132*

October 10, 2014

***By electronic transmission***

Ald. Marc Laredo, Chairman  
Land Use Committee  
Newton Board of Aldermen  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: 3-5 Auburn Street  
Special Permit Petition #165-14

Dear Mr. Chairman:

Please accept this letter on behalf of the petitioner as a formal request to withdraw the above-referenced matter.

Thank you for your consideration.

Sincerely,

***Terrence P. Morris***

Terrence P. Morris

Cc: Linda Finucane, Clerk of Committee *via email*

Dan Sexton, Sr. Planner *via email*

Richard Sewall *via email*