

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE AGENDA

TUESDAY, SEPTEMBER 10, 2013

7:00 PM

Aldermanic Chamber and Room 222

The public hearing was opened on August 13 and continued to September 10:

#237-13 SEVENTY FIVE to SEVENTY SEVEN AUBURN ST. TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to reconfigure an existing two-family dwelling into three units with a 2-car garage and to construct two additional attached dwelling units with 2-car garages at the rear for a total of five units at 75-77 AUBURN STREET, Ward 3, Auburndale, on land known as SBL 33, 6, 42, containing approximately 31,437 square feet of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-9(b)(5), (b)(5)(a) and (b)(5)b), of the City of Newton Rev Zoning Ord, 2012.

Public Hearings will be held on the following items:

#141-13(2) ZION YEHOASHUA & NIKZUN GORDON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to re-grade an existing driveway to make it less steep by rebuilding existing retaining walls within the setback at a maximum height of 12 feet and to provide 2 parking spaces within the front setback at 74 NEWTONVILLE AVENUE, Newton, Ward 1, on land known as SBL 12, 21, 25 containing approx. 10,021 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.

#259-13 CYPRESS DEVELOPMENT, LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON-CONFORMING USE/STRUCTURE to allow the expansion of a legal nonconforming three-family dwelling and to locate 4 parking stalls 6 feet from the side lot line at 43-45 HIGH STREET, Newton Upper Falls, Ward 5, on land known as SBL 51, 8, 5, containing approximately 25,618 square feet of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a), 30-21(b), 30-9(b)(5)a) and b), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

The public hearing on the following petition has been noticed and therefore must be opened; however, the petitioners wish to continue the hearing to October 15, 2013:

#260-13 COREPOWER YOGA/TAURAU ONE NEWTON PLACE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a parking waiver for 17 parking stalls for a yoga studio with locker room facilities at 275 WASHINGTON/284-291 CENTRE STREET, Ward 1, NEWTON CORNER on land known as SBL 61, 13, 11, containing approximately 78,813 square feet of land in a district zone BUSINESS 1. Ref: 30-24, 30-23, 30-19(d)(21), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

The following items will be taken up in a working session following the public hearings:

#148-11(5) REQUEST FOR AN EXTENSION OF TIME in which to EXERCISE Special Permit/Site Plan Approvals #148-11(2) and #148-11(3) granted to Constantine Taleas, Trustee of Border Trust and Elm Trust on December 5, 2011 for an addition to an existing nonconforming structure consisting of a three-story mixed-use building with commercial space on the first floor and four dwelling units on the second and third floors at 8 BORDER STREET and 115-119 ELM STREET, West Newton, Ward 3; said EXTENSION will run from December 5, 2012 to December 5, 2013. Ref: Sec. 30-24(c)(4) of the City of Newton Rev Zoning Ord, 2012.

#257-13 WELLS AVENUE BUSINESS CENTRE, LLC. requesting that the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended to reflect a waiver of use restriction to permit a day care center to operate at 145 WELLS AVENUE, Ward 8. *NOTE: Public Hearing not required.*

#231-13 JAMES KOERT, CU, INC. d/b/a/ MyGym/DAN WOOLEY & JOHN FINLEY III, TRUSTEES c/o CREATIVE DEVELOPMENT CO., LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a for-profit physical educational use for children at 30 OSSIPEE ROAD/70 LINDEN STREET, Ward 5, Newton Upper Falls, on land known as Sec. 51, Blocks 34 and 35, Lots 1 and 2 in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23 and 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.

#218-13(2) FALLON DEVELOPMENT INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision to construct two single-family dwellings, including if necessary relief to locate the proposed rear house further away from the proposed rear lot line at 131 OTIS STREET, Ward 2, Newtonville, on land known as SBL 24, 12, 16, containing approximately 48,677 sq. ft. of land, in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(r), 30-15(r) Table 4 Footnote 3 of the City of Newton Rev Zoning Ord, 2012.

#236-13 CHARLES RIVER COUNTRY CLUB petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to expand the existing clubhouse loggia by approximately 427 sf; to add a Bag Room (approximately 1,080 sf) adjacent to the 1st fairway; to expand the props shop (approximately 43 sf), to expand the second floor Pub over the props shop by approximately 951 sf , and to fill in on each of three levels at the left of the building (approximately 819 sf), all of which proposed changes will bring the building interior up to current regulations and codes, making it more accessible, and define separation of users and service providers at 483 DEDHAM STREET, Ward 8, on land known as Sec 83 and 84, Blocks 34, 35, 36, Lots 1 and 4, containing approximately 6,466,022 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a), 30-21(b), 30-8(b)(5) of the City of Newton Rev Zoning Ord, 2012 and special permit nos.136-10, 261-96, 48-87, 36-74, and #108006.

Respectfully submitted,

Ted Hess-Mahan, Chairman

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Joel Reider at 617-796-1145 or jreider@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.