

CITY OF NEWTON
IN BOARD OF ALDERMEN
LAND USE COMMITTEE AGENDA
TUESDAY, OCTOBER 22, 2013

7:00 PM
Room 222

Application for a Class 2 Automobile Dealer License
#360-13 MAVERICK MOTORS, INC. (Gregory G. Keshishyan)
1209 Washington Street, West Newton 02465

Consistency Determination: Re the “after” study of parking utilization requirements contained in special permit #161-11(2), granted on August 8, 2011, to W/S Development Associates LLC, for mixed uses at the Chestnut Hill Shopping Center a/k/a The Street, 1-55 Boylston Street. *Please see attached memo from John Lojek, dated October 4, 2013.*

Consistency Determination: NED Chestnut Hill Square LLC seeking a modification to the existing parking garage approved as part of Special permit #214-10, granted on December 6, 2010, for a mixed-use development of approximately 245,000 square feet of commercial space and up to 100 residential units, and accessory parking at 200 Boylston Street, Chestnut Hill Square, to provide additional parking spaces to serve the retail and future residential uses.

#291-13 NEWTON RESTAURANT, LLC./PINKY’S PLACE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE to increase an existing nonconforming restaurant containing 74 seats to 116 seats; to waive the requirement for an additional 16 parking stalls; and to utilize an adjacent parcel to meet a portion of the required parking at 1205 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBA 51, 45, 11, containing approximately 12,012 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a, 30-19(f)(2), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

#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.

Respectfully submitted,
Ted Hess-Mahan, Chairman

Inspectional Services Department

City of Newton
Massachusetts

Inter-Office Correspondence

TO: Land Use Committee

FROM: John D. Lojek, Commissioner of Inspectional Services
Candace Havens, Director of Planning and Development

DATE: October 4, 2013

RE: CHSC "The Street" parking utilization studies

The CHSC ("The Street"), under SP #161-11(2), is obligated to conduct separate parking utilization "after" studies for the entire "The Street" site upon completion of the 33 Boylston St. building. It is noted that during the course of the planning of the project that the order in which the buildings were to be constructed on-site was changed. The original sequence called for #33 Boylston St. to be constructed first, followed by #55 Boylston St., and then #27 Boylston St. However, W.S. Weiner decided to pursue the as-of-right reconstruction of #55 before they began the #33 Boylston Building. Because this was an as-of-right project, no "after" study was required. Please note that an "after" study was completed subsequent to the construction of the Cottage Restaurant under S.P. #244-09. Additionally, when the S. P. #161-11(2) was awarded it was yet to be confirmed that the "Frontage Rd" would be a part of the project, as there were approvals and leases from the State that were yet to be acquired. The acquisition of the Frontage Rd. rights and the change in sequence changes the equation in terms of how an "after" study can or would inform the City of Newton in terms of traffic and or parking mitigation.

The petitioner now has plans to pursue a reconstruction of the #27 Boylston Building, the timing of which is still unclear.

Based on the facts of the existing site conditions and the additional plans and changes to the proposed projects it is our opinion that the requirements for an "after" study of parking utilization be changed in the following manner:

- 1) That the required "after" study following the completion of #33 Boylston St. be postponed until the Fall/ Winter shopping season of 2014.
- 2) That if the construction of #27 Boylston St. has commenced prior to or during the Fall/Winter shopping season of 2014, then the "after" study can be delayed until the Fall/ Winter shopping season of 2015. By construction we mean to imply that not only has a building permit been acquired, but that construction has actually commenced on site.
- 3) That the "after" study will include a comprehensive study of both the parking lot(s) utilization and the "Frontage Rd" utilization of parking.