

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE AGENDA

TUESDAY, OCTOBER 23, 2012

7:00 PM  
Room 222

- #272-09(3) HERRICK ROAD REALTY TRUST petition for ONE-YEAR EXTENSION of TIME, from December 21, 2012 to December 21, 2013 in which to exercise SPECIAL PERMIT/SITE PLAN APPROVAL #272-09, granted on December 21, 2009 to erect at 39 HERRICK ROAD, Ward 6, NEWTON CENTRE (Lot 7) a 3-story mixed-use building containing 4 dwelling units and ground floor commercial space with a 75-seat restaurant, with underground parking and associated parking waivers (allow 1¼ parking spaces per housing unit; allow off street parking facilities to be located on a separate lot; waive 9 parking spaces; waive 3 bicycle parking spaces; allow frontage to be measured along a public footway) and to construct a retaining wall greater than 4 feet within the rear/side setbacks and waive 18 existing parking spaces on Lot 7 Herrick Road, on land known as Sec 61, Blk 35, Lots 6 and 7, in a district zoned BUSINESS 1.  
*NOTE: Chapter 240 Acts of 2012, Section 173, granted permitted projects in effect or existence for the period beginning August 15, 2008 continuing through August 15, 2010 an additional 2 years in addition to the lawful period of the term of the approval; on August 7, 2012 the Legislature passed Chapter 238 of the Acts of 2012, which Sections 73 and 74 amended chapter 240 of the Acts of 2012 to provide an **additional** 2-year extension of time for all approvals in effect or existence between the extended tolling period of 8/15/08 to 8/15/12.*
- #137-10(4) REQUEST FOR AN EXTENSION OF TIME in which to EXERCISE Special Permit/Site Plan Approval #137-10(3) granted to SHARAD S. GANDBHIR on November 21, 2011 for an accessory apartment in an existing detached structure and to allow three parking spaces in the front setback and less than five feet from the front lot line at 298-300 ADAMS STREET, Ward 1; said EXTENSION will run from November 21, 2012 to November 21, 2013. Ref: Sec. 30-24(c)(4)of the City of Newton Rev Zoning Ord, 2012.  
*NOTE: Please see note above.*

- #210-12     STEPHEN & LESLIE BERNSTEIN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to replace an existing detached garage with a new attached garage and mudroom and to extend an existing rear deck, increasing the Floor Area Ratio from .48 to .57, at 97 HILLSIDE AVENUE, Ward 3, West Newton, on land known as SBL 32, 3, 12, containing approximately 12,551 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(b), 30-15(u) of the City of Newton Rev Zoning Ord, 2012.
- #190-12     YOUNG INVESTMENTS, LLC/NEWTON COMMUNITY SERVICE CENTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing 2-story building and construct a 3-story (36.5') multi-family structure with 13 units (with a 1.47 FAR), 996 sq. ft. of office space on the first floor, an 18-stall below grade parking garage, a retaining wall greater than 4 feet in height in the setback, and to waive 11 parking stalls and certain parking dimensionals at 429 CHERRY STREET, Ward 3, WEST NEWTON, on land known as SBL 33, 12, 12, containing approximately 13,398 sq. ft. of land in district zoned Business 1. Ref: Sec 30-24, 30-23, 30-15 Table 3, 30-11(d)(8), 30-5(b) and (b)(4), 30-19(d)(1), (d)(11), 30-19(h)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
- #213-12     NEEDHAM STREET VILLAGE SHOPS LLC/H&J NEWTON LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND A NONCONFORMING USE/STRUCTURE to construct two single-story commercial buildings with an aggregate total gross floor area of 19,200 sq. ft.; to permit retail/service uses including restaurant uses containing up to 150 seats; to waive 20 parking stalls and certain dimensional requirements and associated fencing and lighting requirements for parking facilities greater than five stalls; to waive one required loading dock facility; and to allow a freestanding sign and the number of secondary signs and dimensionals at 49, 55, 71 NEEDHAM STREET, Ward 5, on land known as Sec 51, Blk 28, Lots 23, 22, 20, containing approximately 11,775 sq. ft., 19,625 sq. ft. and 27,475 sq. ft., respectively, for a total of 58,875 sq. ft., in a district zoned MIXED USED 1. Ref: Sec. 30-24, 30-23, 30-21(b), 30-13(b)(1), (4), (5), (h)(1), 30-19(d), (h)(3)a), (i), (l)a)(ii), (j), (k), (l), (m), 30-20(f)(1), (2), (9) and 30-20(l) of the City of Newton Rev Zoning Ord.

Respectfully submitted,  
Ted Hess-Mahan, 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 have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at [TGuditz@newtonma.gov](mailto:TGuditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date