



## Land Use Committee Agenda

### City of Newton In City Council

Tuesday, April 28, 2020

7:00 PM

The Land Use Committee will hold this meeting as a virtual meeting on Tuesday, April 14, 2020 at 7:00 pm. To view this meeting using Zoom use this link: <https://zoom.us/j/802731624> or call 1-646-558-8656 and use the following Meeting ID: 802-731-624

- #168-20**      **Petition to change nonconforming use at 632 Commonwealth Avenue**  
DENNIS DYER/LIZ CAAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing structure from an existing non-conforming office use to a new non-conforming use at 632 Commonwealth Avenue, Ward 6, Newton Centre, on land known as Section 61 Block 01 Lot 06, containing approximately 4,347 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- #169-20**      **Special Permit to extend nonconforming use for multi-family dwelling at 148 Pine St**  
PHILIP MASTROIANNI/148 PINE REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to change the existing nonconforming use from the existing two-family use to allow three single-family dwellings on one lot in the SR3 district, and to determine appropriate density and dimensional controls at 148 Pine Street, Ward 4, Auburndale, on land known as Section 44 Block 17 Lot 32, containing approximately 18,235 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.2.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- #170-20**      **Petition to allow four single-family attached dwelling units at 70 Walker Street**  
70 WALKER STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwelling units in two structures, to further extend the nonconforming height, to reduce the required side setback and to allow a driveway within ten feet of the side lot line at 70 Walker Street, Ward 2, Newtonville, on land known as Section 21 Block 33 Lot 7, containing 21,962 sq. ft. of land in a district zoned

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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](mailto: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.

MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.4, 7.8.2.C.2, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**#273-14(6) Special Permit to amend Special Permit Board Orders #273-14(2) & #40-07 on Elm Street**

NICORE CONSTRUCTION CORP./ANTONIO BONADIO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND Special Permit Board Orders #273-14(2) and #40-07 to allow changes to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton, on land known as Section 33 Block 23 Lot and Section 33 Block 23 Lots 9, 15 and 16, containing approximately 26,290 sq. ft. of land in a district zoned MR1. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2017.

8:00 PM  
Or Later

***Note: The presentation and discussion for the following two items will be relative to Construction Management and Construction Phasing***

**#26-20 Request to Rezone Approximately 4.4 acres to MU-3 to Create a Contiguous MU-3 Zone**  
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3, 4, and 4A, abutting the existing MU-3 Zone.

**#27-20 Petition to allow Mixed Use Transit Oriented Development at Riverside Station**  
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development of residential units, office, retail, personal services, restaurant, hotel, and related commercial uses not to exceed 1,025,000 square feet of gross floor area, with residential uses comprising not less than 60% of the total gross floor area with a residential density of not less than 800 square feet per unit with not less than 560 units nor more than 620 units with special permit relief and/or waivers as follows: as to dimensional standards, a development of more than 20,000 square feet of gross floor area, building height of up to 170 feet, buildings up to 11 stories, Floor Area Ratio of up to 2.5, beneficial open space of not less than 15%, increase of height of certain buildings with the Grove Street Area Corridor (to the extent necessary), and reduction in setback from Grove Street for certain buildings within the Grove Street Corridor Area (to the extent necessary); as to design standards, waiver of the sustainable development design standards and placement of a retaining wall greater than 4 feet in height located in a setback; as to uses, for-profit educational use, retail sales of over 5,000 square feet, restaurant with more than 5,000 square feet of gross floor area, personal service use of over 5,000 square feet, place of amusement, health club on ground floor, animal services, hotel, bank up to and over 5,000 square feet, theatre/hall, laboratory/research facility, parking facility, accessory,

multi-level, parking facility, non-accessory, single level; as to parking, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, and waiver of parking stalls not to exceed 685 stalls, above and beyond the reductions specified above; as to parking facilities, waivers of the parking stall dimension requirements, the end stall maneuvering space requirements, the driveway entrance and exit requirements, the 5% interior landscaping requirements, the interior planting area requirements, the tree requirements, the bumper overhang requirements, the one-foot candle lighting requirement, the parking stall striping requirements (to the extent necessary), the curbing, wheel stop, guard rail, or bollard requirements, and the number of off-street loading facilities requirements; and as to signage, waiver of the number, size, type, location, and design requirements, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 4.2.2.B.1, 4.2.2.B.3, 4.2.3, 4.2.4, 4.2.4.A.4, 4.2.4.B.3, 4.2.4.G.2, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.12.B.4, 5.1.13, 5.2, 5.2.13, 5.4.2.B, 5.12, 6.4.29.C.5, 7.3.3, 7.3.5, 7.4 of the City of Newton Revised Zoning Ordinance, 2017. Additionally, as to infiltration and inflow mitigation, an abatement of the infiltration/inflow mitigation fee pursuant to Section 29-170 of the City of Newton Revised Zoning Ordinance, 2017.

**Respectfully Submitted,**

**Richard A. Lipof, Chair**