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Land Use Committee Agenda

City of Newton In City Council

Tuesday, March 10, 2020

7:00 PM
Council Chamber

- #89-20** **Petition to allow waivers for a rear lot subdivision at 40 Williston Road**
LAUREN AND DAVID BROOKS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision and construct a new single-family dwelling on the rear lot, requiring relief to exceed FAR on the front (from .40 to .42) and rear (from .24 to .30) lots, and to allow a retaining wall greater than four feet in the setback at 40 Williston Road, Ward 4, Auburndale, on land known as Section 43 Block 28 Lot 06, containing approximately 25,099 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10.A, 3.1.3, 3.1.9, 3.1.5, 3.1.10.C, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Please see the attached request for a continuance

Referred to Land Use and Finance Committees

- #165-20** **Requesting CPA funding be awarded to the Newton Housing Authority**
COMMUNITY PRESERVATION COMMITTEE requesting that one million one hundred and five thousand (\$1,105,000) in CPA funding for the support of Community Housing be awarded to the Newton Housing Authority for the acquisition of the CAN-DO Housing Portfolio.

Request for a Consistency Ruling relative to Special Permit Council Order #124-15 to allow conversion of approximately 10,500 sq. ft. of existing office space to be used for childcare at 2 Wells Avenue.

Request for a Consistency Ruling relative to Special Permit Council Order #362-18 to allow a change in the façade of the building from Hardie board to vinyl.

- #118-20** **Petition to extend nonconforming setback at 112 Grasmere Street**
JEN AND CHRIS MURPHY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND THE NONCONFORMING SETBACK by constructing a covered front porch and entry, decreasing the nonconforming setback from 20.9' to 18.6' where 20.8 is allowed at 112 Grasmere Street, Ward 1, Newton, on land known as Section 71 Block 28 Lot 09,

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

containing approximately 9,254 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

#337-16(2) Petition to amend Special Permit Council Order #337-16 at 41 Dorset Road
TIMOTHY LEARY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #337-16, which approved an oversized dormer, an accessory structure with ground floor area in excess of 700 sq. ft. and an accessory apartment in a detached structure, to make changes to the site plan at 41 Dorset Road, Ward 5, Waban, on land known as Section 55 Block 10 Lot 45, containing approximately 24,936 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#16-20 Petition to allow parking waiver and restaurant with more than 50 seats at Piccadilly Sq.
FIRST GENERAL REALTY GROUP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with more than 50 seats and a parking waiver of 478 parking stalls in Ward 6, Newton Centre, at 93-105 Union Street, (containing approximately 31455 sq. ft. of land) on land known as Section 61 Block 36 Lot 09, 1280 Centre Street (containing approximately 27,560 sq. ft. of land) on land known as Section 61 Block 36 Lot 05, 47-61 Langley Road (containing approximately 10,037 sq. ft. of land) on land known as Section 61 Block 36 Lot 06, 49-63 Union Street (containing approximately 8,735 sq. ft. of land) on land known as Section 61 Block 36 Lot 07 and 790-794 Beacon Street (containing approximately 7,400 sq. ft. of land) on land known as Section 61 Block 36 Lot 03, all zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 5.1.4.A, 5.1.13, 4.4.1, 6.4.29 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0 (Laredo Recused); Public Hearing Closed 01/14/2020

#15-20(2) Petition to amend Deed Restriction and Orders #148-15(2) and (3) at 180 Wells Ave
180 WELLS AVENUE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #148-15(2) and (3) to revise the design of the parking structure and surface parking to the approved three-story office building, to reduce interior landscaping requirements, to reduce loading bay length requirements and to allow reduced minimum open space requirements which requires an amendment to the deed restriction at 180 Wells Avenue, Ward 8, Newton Centre, on land known as Section 84 Block 34A Lot 03, containing approximately 219,980 sq. ft. of land in a district zoned LIMITED MANUFACTURING. Sec. 7.3.3, 7.4, 5.1.9.B.1, 5.1.13, 5.1.12.D.1, 4.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#15-20(3) Petition to amend Deed Restriction at 180 Wells Ave
180 WELLS AVENUE, LLC. requesting an amendment to the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments including 148-15(3) be further amended to allow a waiver of the minimum open space requirement to less than 40% at 180 Wells Avenue, Ward 8, Newton Centre. *NOTE: Public Hearing not required.*

**8:00 PM
Or Later**

- #71-20** **Amended Petition to allow 27-unit multi-family dwelling at 1114 Beacon Street**
1114 BEACON STREET LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 27-unit multi family dwelling greater than 20,000 sq. ft. of new gross floor area, a four-story structure up to 48' in height, alteration of a nonconforming front setback, to allow ground floor residential use, to allow an FAR of up to 2.0, a waiver of 4 parking stalls, a waiver for parking in the side setback, a waiver of the minimum stall depth requirements and a waiver of the sustainable design standards at 1114 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot 04, containing approximately 51,745 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4.A, 5.1.13, 5.1.7.A, 5.1.8.B.2, 5.1.8.D.2, 5.4.2.B, 5.12 of the City of Newton Rev Zoning Ord, 2017.
- #119-20** **Request to waive I&I fee for Special Permit #71-20 at 1114 Beacon Street**
1114 BEACON STREET LLC. Request an abatement of the infiltration/inflow mitigation fee pursuant to the City of Newton Revised Ordinances, Chapter 29 Section 29-170.
- #90-20** **Discussion regarding utility undergrounding costs for special permit projects**
COUNCILORS LAREDO, ALBRIGHT, CROSSLEY AND LEARY requesting a discussion of whether to require, as part of the Special Permit process for projects over a certain size, that developers provide a project-specific cost estimate for undergrounding utilities, both on the project site and in adjacent streets and sidewalks, so that the City Council can decide whether to include such requirements in the special permit.
- #139-20** **Reappointment of Elizabeth Smith to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing Elizabeth Smith, 40 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2021.
- #140-20** **Reappointment of Meghan Smith to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing Meghan Smith, 34 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2021.
- #141-20** **Reappointment of Wayne Koch to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing Wayne Koch, 64 Greylock Road, West Newton, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2021.

#120-20 **Temporary license to hold Nonantum Village Day**
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 6(k) of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 7, 2020.

#41-19(3) **Extension of Time to Exercise Special Permit #41-19 at 24-26 Elliot St**
CYPRESS TREE MANAGEMENT, INC requests a two-year EXTENSION OF TIME to EXERCISE Special Permit petition #41-19 for a SPECIAL PERMIT/SITE PLAN APPROVAL which amended Special Permit Council Order #288-18 to allow retail marijuana sales in conjunction with as the approved RMD (Registered Medical Dispensary) at 24-26 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 01, containing approximately 25,320 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 6.10.3.E.15, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.10, 7.3.2.E of the City of Newton Rev Zoning Ord, 2017. Said EXTENSION OF TIME will run from May 6, 2020 to May 6, 2022.

Respectfully Submitted,

Richard A. Lipof, Chair