



## Land Use Committee Agenda

City of Newton

In City Council

February 28, 2017

**POSTED**  
City Clerk

**RECEIVED**

By City Clerk at 4:25 pm, Feb 23, 2017

**6:45 pm – Note Early Start Time  
Chamber**

### Referred to Land Use and Finance Committees

- #10-17** **Appropriate \$2 million for development of housing units at 70 Crescent Street**  
HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from the November 16, 2016 Overlay Surplus Declaration for the purpose of funding the City's share of the development of market rate and affordable housing units at 70 Crescent Street. {12/28/16 @ 4:48 PM}

### Referred to Programs & Services, Land Use and Finance Committees

- #35-17** **Appropriation of CPA funds for design of the Crescent Street Project**  
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two hundred sixty thousand dollars (\$260,000) from the Community Preservation Fund to the Public Buildings Department for feasibility and design work on affordable housing and playground expansion and improvements at 70 Crescent Street, as envisioned by Council Order #384-11(4) and as described in the December 2016 proposal to the Community Preservation Committee and the Community Preservation Committee's detailed funding recommendation. [01/23/17 @ 5:19 PM]

**7:00 PM  
Or Later**

- #180-16 (2)** MARK NEWTONVILLE, LLC petition for a change of zone to Mixed Use 4 for land located at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street (a/k/a 835-843 Washington Street), 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and an unnumbered lot on Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, Ward 2, currently zoned Business 1, Business 2, and Public Use, further described as follows:

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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.

Beginning at a point on the northerly line of Washington Street, running thence;  
Along the northerly line of Washington Street, south 89 degrees - 04 minutes - 40 seconds west, a distance of 433.14 feet to a point; thence  
Along the easterly line of Washington Terrace north 02 degrees - 03 minutes - 34 seconds west, a distance of 278.34 feet to a point, thence, the following four (4) courses along the existing zone lines of MR-1 and MR-3:

North 86 degrees - 11 minutes - 41 seconds west, a distance of 15.07 feet to a point; thence

North 01 degrees - 52 minutes - 35 seconds west, a distance of 3.01 feet to a point; thence

South 86 degrees - 11 minutes - 41 seconds east, a distance of 85.43 feet to a point; thence

North 88 degrees - 31 minutes - 34 seconds east, a distance of 370.56 feet to a point on the westerly line of Walnut Street; thence

Along the westerly line of Walnut Street, south 04 degrees - 12 minutes - 48 seconds east, a distance of 261.82 feet to a point of curvature; thence

Along a curve to the right having a radius of 17.00 feet, a central angle of 93 degrees - 17 minutes - 28 seconds, an arc length of 27.68 feet, a chord bearing of south 42 degrees - 25 minutes - 56 seconds west, a chord length of 24.72 feet to the point and place of beginning.

Containing 123,765 square feet, or 2.84 acres, more or less.

***Please see the attached request to Withdraw without Prejudice.***

#179-16

MARK NEWTONVILLE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use development in excess of 20,000 square feet consisting of three interconnected buildings with building heights not exceeding 60 feet and five stories, total gross floor area not exceeding 235,000 square feet incorporating not more than 163 residential units, not exceeding 45,000 square feet of commercial space, not exceeding 2,500 square feet of community space, not less than 350 onsite parking stalls outside at grade or within a below-grade garage, and related site improvements; to authorize uses including retail of more than 5,000 square feet, personal service of more than 5,000 square feet, restaurants over 50 seats, standalone ATMs, health club establishments at or above ground floor, animal service, and street level office; to allow FAR of not more than 1.90, lot area per dwelling unit of approximately 775 square feet, reduction of the overall non-residential parking requirement by 1/3, 1.25 parking stalls per residential unit, and free standing signs; to grant waivers of not more than 97 parking stalls and of the height setback and facade transparency and entrance requirements; to grant waivers of certain parking facility design standards including dimensional requirements for parking stalls, parking stall setback requirements, entrance and exit driveways, interior landscaping, interior planting area, tree plantings, bumper overhang, lighting of one foot candle, curbing and surfacing, wheel stops, guard rails, bollards, and maneuvering space for end stalls; and to grant waivers as to number,

size, location, and height of signs and number of required loading bays, at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street (a/k/a 835-843 Washington Street), 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and an unnumbered lot on Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, containing approximately 2.84 acres of land in a proposed Mixed Use 4 District. Ref.: Sections 4.2.2.A.2; 4.2.2.B.1; 4.2.3; 4.2.5.A.2; 4.2.5.A.3; 4.2.5.A.4; 4.2.5.A.4.c; 4.2.5.A.6; 4.2.5.A.6a; 4.2.5.A.6.b; 4.4.1; 5.1.4.A; 5.1.4.C; 5.1.8.A; 5.1.8.A.2; 5.1.8.B; 5.1.8.B.1; 5.1.8.B.2; 5.1.8.B.6; 5.1.9.B; 5.1.9.B.1; 5.1.9.B.2; 5.1.9.B.3; 5.1.9.B.4; 5.1.10; 5.1.10.A.1; 5.1.10.B.3; 5.1.10.B.5; 5.1.12; 5.1.13; 5.2.13; 5.2.13.A; 7.3; and 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2015.

**Public Hearing Opened on June 7, 2016 and continued to July 12, September 13, October 6, 2016, November 1, 2016, November 29, December 15, 2016, January 12, 2017, January 31, 2017, February 7, 2017 and February 28, 2017.**

***Please see the attached request to Withdraw without Prejudice.***

Respectfully submitted,

Marc C. Laredo, Chair

**SCHLESINGER AND  
BUCHBINDER, LLP**

ATTORNEYS AT LAW

1200 WALNUT STREET  
NEWTON, MASSACHUSETTS 02461-1267

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ROBIN GORENBERG

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February 22, 2017

**BY HAND**

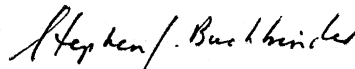
Marc C. Laredo, Chairman  
Land Use Committee  
Newton City Council  
1000 Commonwealth Avenue  
Newton, MA 02459-1449

Re: Petition #180-16(2) and Petition #179-16  
Mark Newtonville, LLC and Mark Lolich, LLC/Washington Place

Dear Chairman Laredo,

My clients, Mark Newtonville, LLC and Mark Lolich, LLC, hereby request leave to withdraw, without prejudice, the pending requests for a change of zone and special permit, respectively, referenced above. I intend to present this request to the Land Use Committee at the next scheduled meeting of the Land Use Committee to be held on February 28, 2017, unless you advise me to the contrary.

Sincerely,



Stephen J. Buchbinder

SJB/mer

cc: See attached distribution list

RECEIVED  
Newton City Clerk  
2017 FEB 23 AM 11:03  
David A. Olson, CMC  
Newton, MA 02459

**SCHLESINGER AND BUCHBINDER, LLP**

Chairman Marc C. Laredo  
February 22, 2017

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