



Land Use Committee Agenda

City of Newton

In City Council

March 28, 2017



RECEIVED

By City Clerk at 2:44 pm, Mar 24, 2017

**7:00 PM
Room 211**

- #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:
- 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

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.

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 and February 7, 2017.**

Please see the attached request to Withdraw without Prejudice

#37-17

Special Permit to extend nonconforming FAR & front setback at 8 Hazelwood Ave

JOEL AND MARGHERTIA ROBBINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition and deck in front of the house, further extending the nonconforming front setback and nonconforming FAR to .62 where .50 is allowed and .55 exists at 8 Hazelwood Avenue, Ward 3, West Newton, on land known as SBL 44003 0030, containing approximately 4,750 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.9, 7.8.2.C.2, 3.1.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

7:30 PM

Or Later

#38-17

Special Permit to exceed FAR at 1016 Centre Street

CLAUDINE GROSSMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing garage, structure and deck and to construct an attached two-car garage and indoor sport court, exceeding the maximum allowable FAR to .38 where .33 is allowed and .31 exists at 1016 Centre Street, Ward 7, Newton Centre, on land known as SBL 73049 0010, containing approximately 19,878 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#43-17

Special Permit to extend non-conforming two-family use at 893 Watertown Street

JAMES AND CAROL HOOPES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story rear addition extending the existing non-conforming two-family use at 893 Watertown Street, Ward 3, West Newton, on land known as SBL 31014 0005, containing approximately 19,560 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. 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, 2015.

8:00 PM

Or Later

Consistency Ruling relative to Special Permit 257-13, 257-13(3), 257-13(4) to discuss allowing the operation of a 9-week summer program.

#39-17

Special Permit to locate a daycare center at 45-47 Bryon Road

LARISA BANKOVSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to terminate the residential use at the property and use it for a day care center to enroll 34 children, requiring a waiver of four parking stalls, a waiver for parking in the setback, a waiver for the parking stall dimensions, waiver for the minimum aisle width for two-way traffic, waivers for lighting requirements for parking, a waiver for the outdoor play area vegetative buffer at 45-47 Bryon Road, Ward 8, Chestnut Hill, on land known as SBL82043 0007, containing approximately 10,050 sq. ft. of land in a district zoned MULTI

RESIDENCE 1. Ref: Dover Waiver, 7.3.3, 7.4, 7.4.5, 6.3.4.3, 5.1.4.A, 5.1.13, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.2, 5.1.10, 6.3.4.B.3.a, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#431-16

Special Permit to allow three attached dwellings at 377 Langley Road

367-377 LANGLEY ROAD LLC., petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow three attached single-family dwellings, reduce frontage requirements for attached single family dwellings, reduce side setback requirements, allow parking within 20' of a side lot line and a driveway within 10' of a side lot line and to allow placement of a retaining wall of 4 feet or more within a setback at 377 Langley Road, Ward 6, Newton Centre, on land known as SBL 65019 0058, containing approximately 23,545 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

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

#256-16

Request to extend notification area of notice for special permit petitions

COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300' required by Massachusetts General Law Chapter 40A to also include property owners within 600' of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300' will be entitled to the rights conferred by Massachusetts General Law Chapter 40A. [07/01/16 @2:09 PM]

Respectfully submitted,

Marc C. Laredo, Chair