



Land Use Committee Agenda

RECEIVED

By City Clerk at 3:41 pm, Sep 22, 2017

City of Newton In City Council



Tuesday, September 26, 2017

7:00 PM
Room 211

- #97-17** **Special Permit to EXTEND nonconforming use at 966 Watertown Street**
BR STONE CORP./STEPHANIE OLIVEIRA DIAS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to use a portion of the legally nonconforming wholesale site to cut and fabricate stone countertops, further extending the nonconforming use to manufacturing at 966 WATERTOWN STREET, Ward 3, West Newton, on land known as SBL 31005 0003, containing approximately 13,408 sq. ft. of land in a district zoned BUSINESS 1. Ref. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Please see the attached Request to withdraw the petition without prejudice
- #229-17** **Special Permit to allow vehicle sales at 454-458 Watertown Street**
TEE GEE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing auto service business to allow the sale and service of up to ten used cars and waivers to requirements for parking facilities at 454-458 WATERTOWN STREET, Ward 1, Newtonville, on land known as Section 14, Block 16, Lot 35, containing approximately 14,277 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2015.
Postponed to October 3, 2017
- #146-17** **Special Permit to amend Board Order #229-14 to allow for a swing set**
MICHAEL AND DENA RASHES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #229-14 to allow a swing set on Lot 40 at 93 Bellevue Street, Ward 1, Newton, on land known as Section 12, Block 021, Lots 0039 and 0040, containing approximately 94,410 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.
- #43-17** **Special Permit to extend non-conforming two-family use at 893 Watertown Street**

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.

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.

#226-17

Special Permit to allow oversized dormers and exceed FAR at 18 Meredith Avenue

JAMES YOUNGBLOOD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct three new dormers and increase the size of one existing dormer, exceeding the allowable size of dormers and increasing the FAR to .48 where .46 is required and .42 exists at 18 MEREDITH AVENUE, Ward 5, Newton Highlands, on land known as Section 54, block 45, Lot 15, containing approximately 4,443 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 1.5.4.G.2.b, 3.1.3, 3.1.9, 3.1.9.A.2 of the City of Newton Rev Zoning Ord, 2015.

7:30 PM

Or Later

#231-17

Special Permit to amend Board Order #437-03 at 60 Needham Street

CHRISTINE D'AMICO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #437-03 to create a third commercial space for ground level health club use and to allow a waivers for 15 parking stalls or to allow required stalls off site at 60 NEEDHAM STREET, Ward 8, Newton Highlands, on land known as Section 83, Block 28, Lot 02, containing approximately 25,753 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, of the City of Newton Rev Zoning Ord, 2015.

#224-17

Special Permit to increase non-conforming FAR and setbacks at 168 Allerton Road

ALAN LOBOVITS AND LISA ROSENFELD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and construct an attached garage, mudroom and kitchen, extending the existing non-conforming front setback, requiring a variance to allow a rear setback of 7.6' and increasing the FAR to .55 where .40 is allowed and .50 exists at 168 ALLERTON ROAD, Ward 6, Newton Highlands, on land known as Section 52, Block 27, Lot 08, containing approximately 9,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

8:15 PM

Or Later

#132-17

Special Permit to amend Special Permit for Kessler Woods

KESSELER WOODS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #102-06(15) at Kessler Woods to allow relocation of the inclusionary zoning units by use of the Off-Site Development Option in conjunction with the rehabilitation of the apartment building at 219 Commonwealth Avenue resulting in an

increased number of affordable units from the approved site of 179 Kessler Way, Ward 8, on land known as Section 82 Block 037 Lot 0095, containing approximately 640,847 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: 7.3, 7.4, 5.11.4, 5.11.6 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**8:30 PM
Or Later
Council Chamber**

#60-17 Request to Rezone Hovey Street parcels

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for a change of zone to Business Use 2 for land located at 29 Hovey Street, also identified as Section 12, Block 006, Lot 004, and an unnumbered lot on Hovey Street, also identified as Section 12, Block 006, Lot 003, containing approximately 34,361 sq. ft. of land in a district zoned MULTI RESIDENCE 2, further described as follows:

Beginning at a point on the Westerly side of Hovey Street, said point being N 21°00'54" W and a distance of one hundred twenty-six and no hundredths (126.00) feet from a bound at the Northwesterly intersection of Hovey and Washington Streets being the Southeast corner of the parcel herein described; thence

S 69°15'05" W A distance of seventy-three and forty hundredths (73.40) feet to a point; thence

S 69°07'43" W A distance of one hundred forty-five and no hundredths (145.00) feet to a point; thence

N 20°20'22" W A distance of forty-five and fifty hundredths (45.50) feet to a point; thence

N 18°34' 11" E A distance of sixty-one and forty-seven hundredths (61.47) feet to a point; thence

N 21°09'23" E A distance of two and forty-one hundredths (2.41) feet and on the same bearing a distance of thirty-six and eight hundredths (36.08) feet to a point; thence

N 21°31'11" E A distance of one hundred sixteen and eighty-eight hundredths (116.88) feet to a point; thence

N 28°57'55" E A distance of twelve and seventy hundredths (12.70) feet to a point; thence

N 71°07'46" E A distance of sixty-four and fifteen hundredths (64.15) feet to a point; thence

S 21°00'54" E A distance of one hundred thirty-one and no hundredths (131.00) feet and on the same bearing a distance of eighty-three and no hundredths (83.00) feet by the Westerly sideline of Hovey Street to the point of beginning.

Said parcel containing 34,361 square feet or 0.789 acres, more or less.

#61-17 Special Permit Petition to construct elderly housing on Washington Street

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct elderly housing with services in excess of 20,000 sq. ft. of gross floor area, consisting of 85 living units in a four-story structure not to exceed 48' in height and Floor Area Ratio not to exceed 2.0, extending the existing nonconforming front setback and constructing a retaining wall greater than 4' in a setback at 431 Washington Street, 29 Hovey Street, and the adjacent unnumbered lot to the north on Hovey Street, on land known as Section 12 Block 006 Lots 003, 004, and 005, containing approximately 66,909 sq. ft. of land in districts zoned BUSINESS 2 AND MULTI-RESIDENCE 2. Ref.: 7.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 4.4.1, 5.1.13, 5.4.2.B, 5.11.11, 6.2.10, 6.2.10.B, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Respectfully submitted,

Marc C. Laredo, Chair

**SCHLESINGER AND
BUCHBINDER, LLP**

ATTORNEYS AT LAW

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NEWTON, MASSACHUSETTS 02461-1267

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August 23, 2017

BY HAND

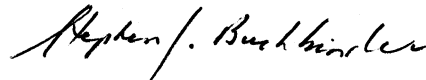
Ms. Nadia Khan
Chief Committee Clerk
Newton City Council
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: Petition #97-17
BR Stone Corp/966 Watertown Street

Dear Nadia,

My client, 966 Watertown Street Realty Trust, hereby requests leave to withdraw, without prejudice, the pending request for special permit relief referenced above. I intend to present this request to the Land Use Committee at the public hearing to be held September 26, 2017.

Sincerely,



Stephen J. Buchbinder

SJB/mer

cc: See attached distribution list

RECEIVED
Newton City Clerk
2017 AUG 23 PM 1:44
David A. Olson, CMC
Newton, MA 02459

SCHLESINGER AND BUCHBINDER, LLP

Ms. Nadia Khan
August 23, 2017

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(By Hand)

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