



**RECEIVED**  
By City Clerk at 2:02 pm, Oct 14, 2016

**Referred To Land Use Committee**

**Thursday, October 13, 2016**

Present: Councilors Laredo (Chair), Lennon, Auchincloss, Cote, Harney, Crossley, and Schwartz;  
absent: Councilor Lipof

- #262-16**      **Special Permit to increase nonconforming setback at 112-114 Carlisle Street**  
MICHAEL VAHEY & MOK JIANG PANG/CARLISLE STREET DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE EXISTING NONCONFORMING FRONT SETBACK, by razing the existing two family dwelling, and construct a new, enlarged two family, further increasing the front setback, allowing a parking stall within 5' of a street, allowing a driveway entrance greater than 20' and reducing the required parking stall depth at 112-114 Carlisle St, Ward 6, Newton Centre, on land known as SBL 65008 0006, containing approximately 9,196 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 5.1.7.B.2, 5.1.13, 5.1.7.A, 5.1.7.C of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Held 6-0 (Lennon not voting)**
- #216-16**      **Special Permit Petition to continue non-conforming use & FAR at 17-19 Pulsifer St**  
NANCY BOLANIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add rear sunrooms to first and second floor, exterior stair from third floor to grade, a one car garage at the rear, replace the front porch and add two parking stalls at 17-19 Pulsifer Street, Ward 2, Newtonville on land known as SBL 22018 0003, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015. **Public Hearing closed on September 27, 2016**  
**Land Use Approved 6-0 as Amended (Lennon not voting)**
- #287-16**      **Special Permit Petition to allow rear lot subdivision at 57 Adams Avenue**  
GENNARO AND GIUSEPPINA NICOLAZZO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALLOW A REAR LOT SUBDIVISION AND REDUCED FRONT SETBACK, dividing the lot and constructing a new single family on the rear lot while maintain the existing single family on the front lot at 57 Adams Avenue, Ward 4, West Newton, on land known as 44014 0012, containing approximately 22,122 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.1.10, 3.1.5, 3.1.10.B.3.a of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved Subject to Second Call 5-0-1 (Schwartz abstaining; Lennon not voting)**

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #288-16**      **Special Permit Petition to exceed FAR at 25 Stiles Terrace**  
ALEXANDER P. SHEYNER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to INCREASE FAR by constructing a detached garage at 25 Stiles Terrace, Ward 7, Newton Centre, on land known as SBL 65004 0010, containing approximately 8,563 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.  
**Public Hearing Closed; Land Use Approved 5-0-1 (Laredo abstaining; Lennon not voting)**
- #289-16**      **Special Permit Petition to extend nonconforming FAR at 35 Lenox Street**  
JAMES BENINATI/35 LENOX STREET LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING FAR by regrading the property to construct a two car garage in the existing basement space at 35 Lenox Street, Ward 3, West Newton, on land known as SBL 32047 0006, containing approximately 9,969 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.9.A.2, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved Subject to Second Call 6-0 (Lennon not voting)**
- #290-16**      **Special Permit Petition modify existing Special Permit at Finagle a Bagel**  
NEWTON-FAB, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING USE and amend Special Permit #191-81(B) to allow an increase in bakery seating to 49 seats and waivers to signage at 47 Crescent St/77 Rowe St/Crescent St, Ward 4, Auburndale, on land known as SBL 44023 0016A, 44023 0016B, containing approximately 137,922 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.2.3, 5.2.8, 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 6-0 Subject to Second Call (Lennon not voting)**
- #308-16**      **Special Permit Petition to further increase nonconforming setback at 79 Kenwood Ave**  
SURRENDRA DUDANI AND SHALINI SEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE THE NONCONFORMING SETBACK by razing the existing 12'x22' detached garage and construct a 22'x22' detached garage, reducing the setback from 16.2' to 6.2' where 25' is required at Kenwood Avenue, Ward 6, Newton Centre, on land known as SBL 64 20 01, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 5-0-1 (Crossley abstaining; Lennon not voting)**

**#310-16 Special Permit Petition exceed FAR at 20 Morton Road**  
DAVID AND LOUISA WEST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR to raze an existing detached garage and rear porch and construct a two-car attached garage, family room and new first floor kitchen and master bedroom above the garage at 20 Morton Road, Ward 2, Newton Centre, on land known as SBL 24 43 18, containing approximately 8,705 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 6-0 (Lennon not voting)**

**#309-16 Special Permit Petition exceed FAR at 41 Woodlawn Drive**  
LINDA AND DAVID GILLESPIE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR to construct an addition to the basement and first level without the retaining wall as required to keep the FAR within by right limits at 41 Woodlawn Drive, Ward 7, Chestnut Hill, on land known as 63 05 27, containing approximately 8,000 sq. ft. of land in a district zoned SNGLE 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.

**Land Use Approved Withdrawal without Prejudice 6-0 (Lennon not voting)**

**Referred to Zoning & Planning Committee**

**Thursday, October 13, 2016**

Present: Councilors Hess-Mahan (Chair), Danberg, Leary, Kalis, Auchincloss, Baker and Yates;  
absent: Councilor Sangiolo; also present: Councilor Lennon

**#222-13(3) Review of Garage Ordinance**  
COUNCILOR LENNON, LIPOF, ALBRIGHT, CROSSLEY, LAPPIN, LAREDO, GENTILE AND CICCONE requesting a review of Ordinance A-78, which amends Chapter 30, Section 3.4.4 of the Revised Ordinances, for the purpose of amending, clarifyng, and/or interpreting the Ordinance. [08/01/16 @ 4:53 PM]

**Zoning & Planning Held 7-0**

**#222-13(4) Zoning amendment to defer effective date of Garage Ordinance**  
COUNCILOR LENNON, LIPOF, ALBRIGHT, CROSSLEY, LAPPIN, LAREDO, GENTILE AND CICCONE proposing an amendment to Ordinance No. A-78, which amends Chapter 30, Section 3.4.4 of the Revised Ordinances, to implement a deferred effective date for the Ordinance of February 1, 2017. [08/01/16 @ 4:53 PM]

**Zoning & Planning approved with amended date of 12/31/16 4-1-2 (Baker opposed; Yates and Hess-Mahan abstaining)**

**#222-13(5) Zoning amendment to Garage Ordinance**

COUNCILOR HESS-MAHAN proposing to amend Chapter 30, Section 3.4.4. of Revised Ordinances as amended by Ordinance A-78, as follows: (1) allow front facing garages that are no closer to the front lot line than the longest front facing wall, or a front porch at least 6 feet wide, to be the greater of up to 12 feet wide or 50% of the total length of the building parallel to the street; (2) allow front-facing garages that are closer to the front setback than the rest of the building and at least 24 feet from the front lot line to be up to 40% of the total length of the building parallel to the street; (3) delete Sec. 3.4.4.F "Exemptions"; and (4) add a provision grandfathering permits requested or construction begun on or after the date of the notice of public hearing on Ordinance A-78 [08/01/16 @ 4:58 PM]

**Zoning & Planning Held 6-1-0 (Baker opposed)**