



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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**#296-21**

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Barney S. Heath  
Director

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## PUBLIC HEARING MEMORANDUM

Public Hearing Date:	September 28, 2021
Land Use Action Date:	September 22, 2020
City Council Action Date:	December 20, 2021
90- Day Expiration Date:	December 28, 2021

DATE: September 24, 2021

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development  
Neil Cronin, Chief Planner  
Michael Gleba, Senior Planner

SUBJECT: **Petition #296-21** for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #106-13 to allow for construction of a third garage bay at **414 Watertown Street**, Ward 1, Newton, on land known as Section 14 Block 15 Lot 24, containing approximately 10,992 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.

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The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



**414 Watertown Street**

## EXECUTIVE SUMMARY

The subject property at 414 Watertown Street consists of a 10,992 square foot corner lot in a Business 2 (BU2) zoning district improved with a one-story 2,016 square foot auto repair shop that was permitted by special permit in 1970. The original special permit was amended in 2013 to allow for construction of an additional (second) auto service bay. The petitioner now seeks to amend Special Permit #106-13 to allow for construction of a one-story 605 square foot addition to the southwest side of the building that would be used as a third service bay per Sec. 4.4.1. of the Newton Zoning Ordinance (NZO).

The Planning Department is generally not concerned with the proposed addition but does have some questions discussed below regarding certain resulting onsite conditions and operations discussed below.

### I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council should consider whether:

- The site in a Business 2 (BU2) zoning district is an appropriate location for the proposed addition containing a third auto service bay (§7.3.3.C.1)
- The proposed addition containing a third auto service bay will adversely affect the neighborhood (§7.3.3.C.2)
- The proposed addition containing a third auto service bay will create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)

### II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

#### A. Neighborhood and Zoning

The subject property is located at the southern corner of the intersection of Watertown and Adams Street. The neighborhood features a wide mix of land uses, including residential, commercial, industrial, and mixed uses (**Attachment A**). The site and surrounding area along both sides of Watertown and Adams streets are predominantly zoned Business 2 (BU2), areas beyond those thoroughfares and their intersection are zoned Business 1 (BU1) (including directly across Adams Street) and Multi Residence 2 (MR2) and Manufacturing (MAN), as well as some Public Use (PU) parcels (**Attachment B**).

#### B. Site

The subject property consists of a 10,992 square foot corner lot in a Business 2 (BU2) zoning district improved with a one-story 2,016 square foot auto repair shop. The generally level parcel is all but fully occupied by paving and structures.

III. PROJECT DESCRIPTION AND ANALYSIS

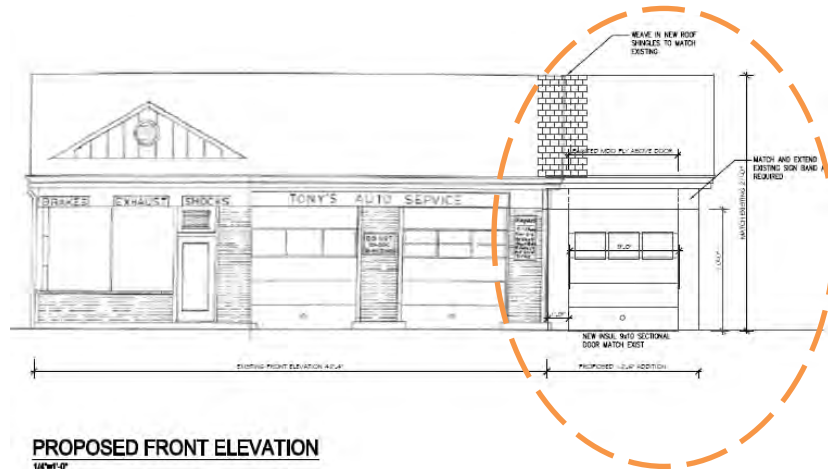
A. Land Use

The principal use of the site would remain an auto repair garage.

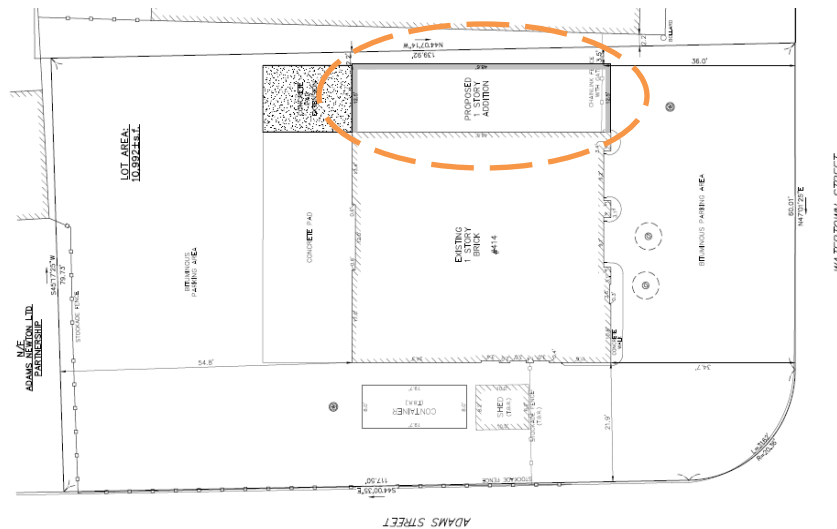
B. Building and Site Design

This petitioner proposes to construct a one-story 605 square foot addition to the southwest side of the building that would be used as a third service bay.

The height of the structure would remain unchanged at 21 feet, below the allowed 24 feet.



The property's floor area ratio (FAR) would increase from 0.20 to 0.26, remaining well below the maximum 1.0 allowed by right. The side setback on the affected side (southwest) would be reduced from 14.7 to 2.2 feet, the minimum allowed as determined by that of the direct abutter's existing setback. The Planning Department recommends the petitioner be prepared to discuss how that narrow gap would be handled (i.e., left open, fenced/enclosed, etc.).



**Proposed site plan**

C. Parking and Circulation

While no changes to the site's curb cuts are proposed by the current petition, the proposed addition would effectively eliminate the existing passageway on the southwest side of the building, reducing its width from 14.7 to 2.2 feet.

As this existing passageway provides vehicular access to now-fenced eastern side or "rear" of the lot that "fronts" on Adams Street, the petitioner should be prepared to address how the proposed elimination of that passageway would affect the circulation of vehicles on the site. The Planning Department notes that, based on submitted plans, vehicles would use the now-enclosed area along the Adams Street frontage (currently occupied by a shed and container) for access to/egress from that parking area.

D. Landscape, Lighting and Signage

The subject parcel is all but fully paved or built upon. No changes to the lighting or signage are contemplated by the present petition.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- Special Permit per §7.3.3 to amend Special Permit #106-13 to allow for construction of an additional garage bay (§4.4.1)

B. Engineering Review

Review by the Engineering Division is not required at this time.

C. Historic Review

On September 12, 1999 the Newton Historic Commission found the building to be not historic and not preferably preserved.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time. The petitioner should address any concerns and/or questions discussed above in advance of or at the upcoming public hearing.

**ATTACHMENTS:**

- Attachment A:** Land Use Map
- Attachment B:** Zoning Map
- Attachment C:** Zoning Review Memorandum

# ATTACHMENT A









## Land Use

### 414 Watertown St.

City of Newton,  
Massachusetts

## Land Use

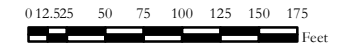
### Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Industrial
-  Mixed Use
-  Open Space
-  Nonprofit Organizations
-  Vacant Land

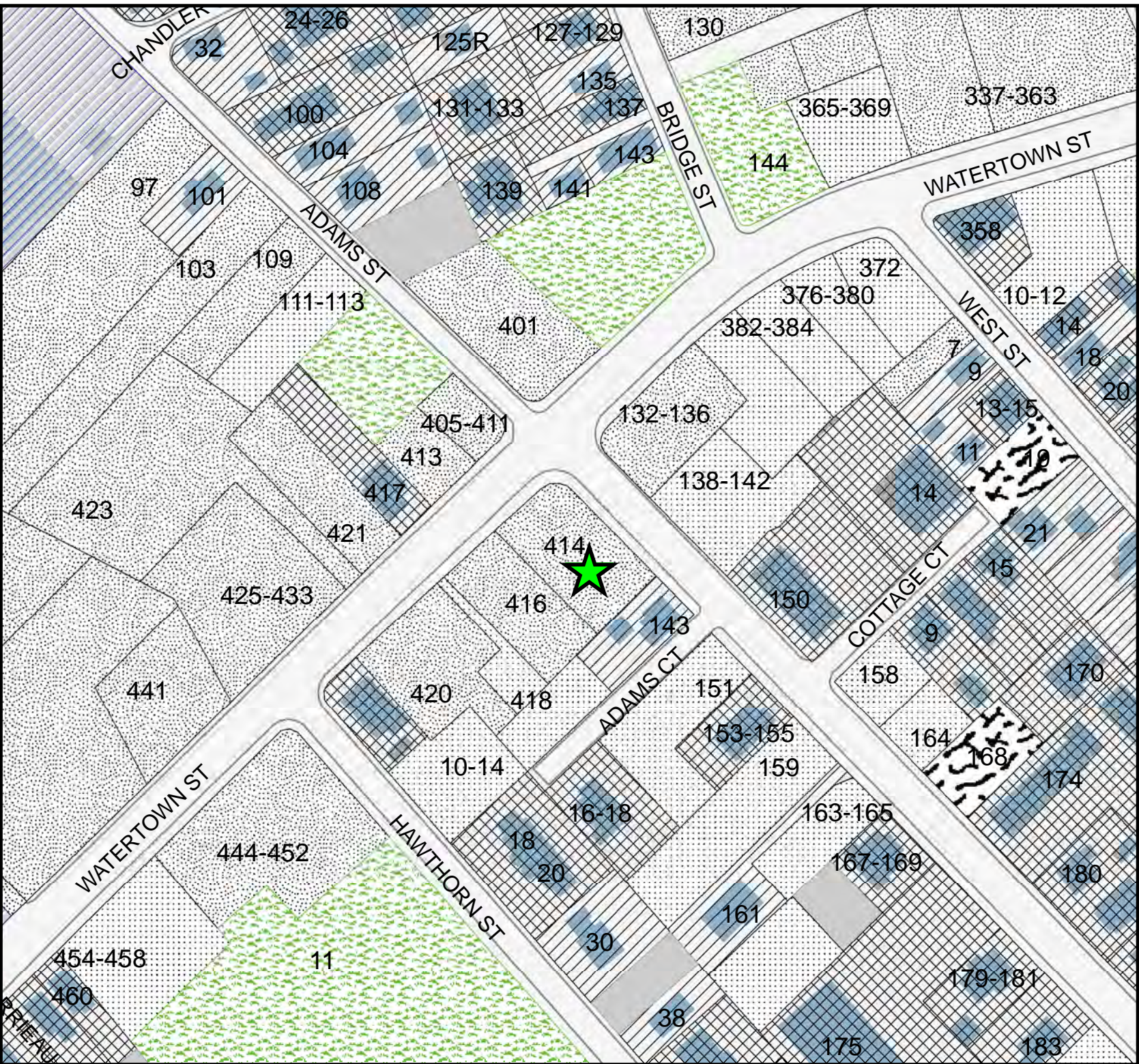


The information on this map is Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS  
Mayor - Ruthanne Fuller  
GIS Administrator - Douglas Greenfield



Map Date: September 22, 2021

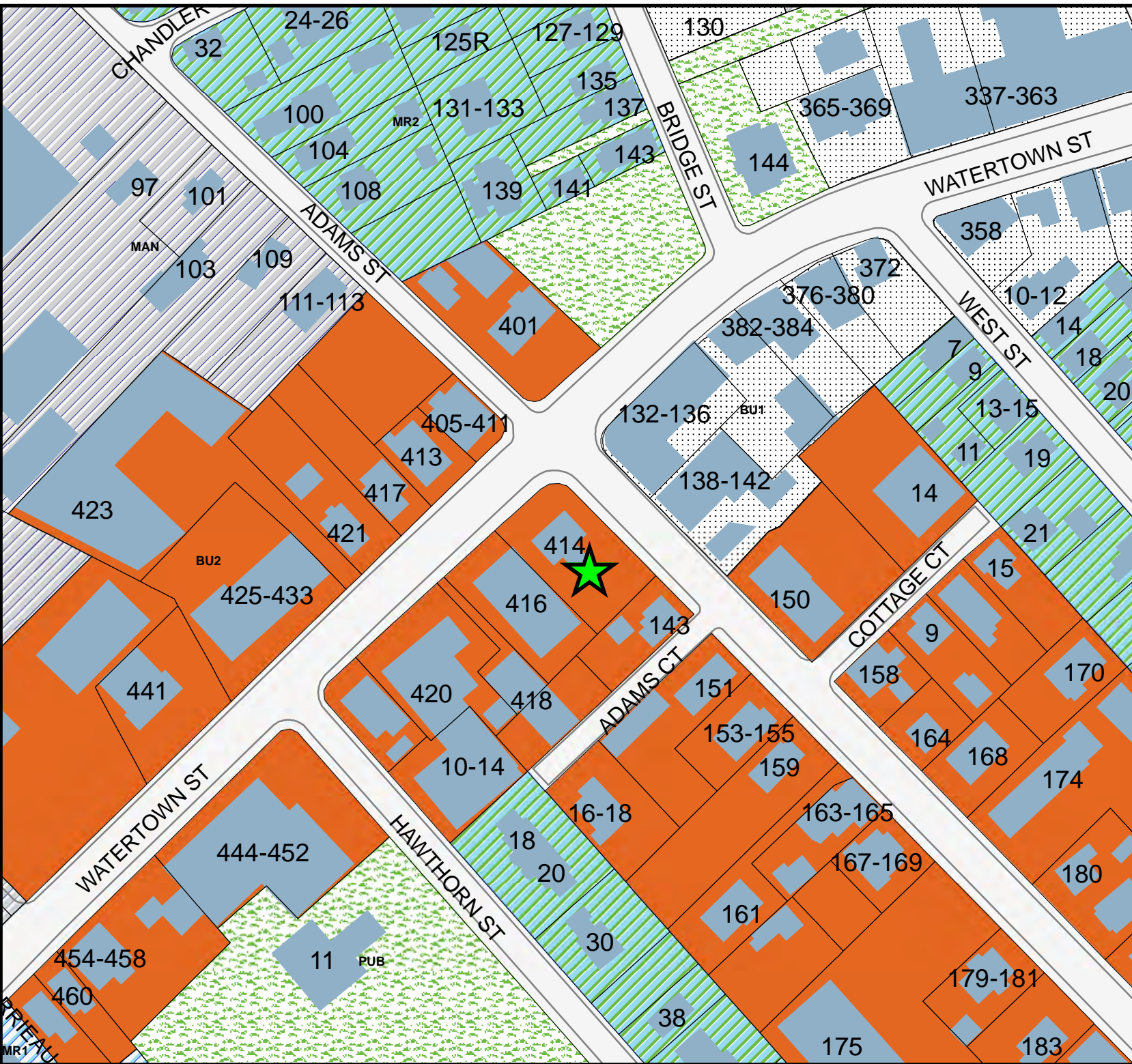








# ATTACHMENT B

## Zoning

414 Watertown St.

*City of Newton,  
Massachusetts*

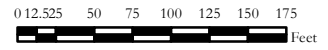


-  Multi-Residence 1
-  Multi-Residence 2
-  Business 1
-  Business 2
-  Manufacturing
-  Public Use



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# ATTACHMENT C

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Director

## ZONING REVIEW MEMORANDUM

Date: July 26, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Neil Cronin, Chief Planner for Current Planning

Cc: Terrence P. Morris, Attorney  
A&L Auto Services LLC, Applicant  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Assistant City Solicitor

RE: Request to amend Special Permit #106-13

Petitioner: A&L Auto Services LLC	
Site: 414 Watertown Street	SBL: 14015 0024
Zoning: BU2	Lot Area: 10,992 square feet
Current use: Auto repair shop	Proposed use: No change

### BACKGROUND:

The property at 414 Watertown Street consists of a 10,992 square foot lot improved with a one-story auto repair shop allowed by special permit in 1970. The original special permit was amended in 2013 to allow for construction of an additional car bay. The petitioner seeks to amend Special Permit #106-13 to allow for construction of a third garage bay.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared Terrence P. Morris, attorney, dated 6/7/2021
- Existing Conditions Plan, signed and stamped by Joseph R. Porter, surveyor, dated 10/1/2013
- Proposed Conditions Plan, signed and stamped by Joseph R. Porter, surveyor, dated 1/11/2021
- Floor Plans and elevations, signed and stamped by Ronald Jarek, architect, dated 3/22/2021



**ADMINISTRATIVE DETERMINATIONS:**

1. The property received a special permit in 1970 to operate an auto repair shop. The special permit was amended and superseded by Special Permit #106-13 to allow for construction of an additional garage bay. The petitioner seeks to amend Special Permit #106-13 to allow for the addition of a third garage bay per section 4.4.1.

<b>BU2 Zone</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	10,000 square feet	10,992 square feet	No change
Frontage		75 feet	No change
Setbacks			
• Front (Watertown St)	10 feet	34.7 feet	No change
• Front (Adams St)	10 feet	21.2 feet	No change
• Side	2.2 feet (equal to abutter)	14.7 feet	2.2 feet
• Rear	0 feet	54.8 feet	No change
Building Height	2 stories/24 feet	1 story/21 feet	No change
Max FAR	1.0	.20	.26

2. See "Zoning Relief Summary" below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§4.4.1	Request to amend Special Permit #106-13 to allow for construction of an additional garage bay	S.P. per §7.3.3