



# Real Property Reuse Committee Report

## City of Newton In City Council

**Tuesday, October 19, 2021**

**Present:** Councilors Danberg (Chair), Markiewicz, Albright, Kelley, Downs and Laredo

**City staff Present:** Associate City Solicitor Andrew Lee, Director of Planning and Development Barney Heath, Chief Operating Officer Jonathan Yeo, Chief Planner Neil Cronin

**#236-21      Reuse of parcel of land behind 50 Stearns Street**

DIRECTOR OF PLANNING & DEVELOPMENT submitting on May 6, 2021 a letter stating that the a 8,800 sq. ft. City owned parcel of land known as Section 62 Block 23 Lot 15A at 50 Stearns Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

**Action:**      **Real Property Reuse Approved 6-0; Public Hearing Closed 10/19/2021**

**Note:**      Chief Planner Neil Cronin presented an overview of the parcel located at SBL 62 Block 23 Lot 15A. The 8,800 sq. ft. property is zoned SR3, is landlocked with 0' of frontage and abuts six residential properties on Stearns Street, Clark Street and Sunhill Lane. At the June 24, 2021 Committee meeting, the Committee voted to make the parcel available for sale and/or lease, waive the formation of a JAPG and requested a report from the Planning Department exploring whether the parcel can be sold as with a conservation restriction. Mr. Cronin noted that a conservation restriction would prohibit construction of building on site and is valued at a price between \$44,000 and \$88,000.

In response to questions from the Committee, Atty. Lee confirmed that the restriction would cover the parcel if it were sold as one piece, or to multiple abutters. The Committee noted that the parcel could house a pool and/or tennis court depending on the type of conservation restriction. Atty. Lee suggested that the Committee could vote to set a minimum sale price of fair market value to allow the City to review bids based on the proposals received.

The Public Hearing was Opend.

Jay Mehta, 50 Stearns Street, asked how likely the City will be to accept the Committee's recommendation and Atty. Lee explained that after the Council votes on the reuse of the parcel, the administration will develop an RFP that reflects the Committee's recommendation .

Swapna Mehta, 50 Stearns Street, questioned whether the Council can further restrict the conservation restriction so that there is no pool and/or recreational structures on the parcel.

Zenaida Orduna, 144 Clark Street, expressed support for maintaining the property as open space.

No other member of the public wished to speak. The public hearing was closed. Councilor Laredo moved approval for sale at fair market value with the use of open recreation space. The Committee asked that the order be drafted so that the additional land may not be included for FAR and/or usable for any kind of increase in density on the combined lots. With that, the Committee voted 6-0 in favor of approval.

The Committee adjourned at 8:00 pm.

**Respectfully submitted,**

**Victoria Danberg, Chair**

**STEARNS STREET REAR  
SBL: 62 23 15A**

Real Property Reuse

Department of Planning and Development

October 19, 2021



Stearns Street

Clark Street

Sunhill Lane

## PROCEDURAL HISTORY

- At its June 24, 2021, meeting the Reuse Committee voted to:
  - (1) make the parcel available for sale or lease;
  - (2) waive the Joint Advisory Planning Group; and
  - (3) task the Planning Department to prepare a report exploring whether the parcel could be sold with a conservation restriction and whether the lot could remain as a separate lot.

## ANALYSIS

- A conservation restriction would prohibit the construction of any building.
- For abutters to utilize the parcel's lot area, the abutter's lot and the parcel would have to be combined.
- The Assessing Department states the parcel could be valued at between \$5 and \$10 per square foot, resulting in a price of between \$44,000 and \$88,000.

# FLOOR AREA RATIO COMPARISON

Address	Existing Lot Area	Existing Allowable Floor Area	Proposed Lot Area	Proposed Allowable Floor Area	Increase in Floor Area
50 Stearns Street	8,475	3,814	17,275	6,565	2,751
44 Stearns Street	8,750	3,850	17,550	6,669	2,819
56 Stearns Street	10,819	4,436	19,619	7,455	3,019
136 Clark Street	9,870	4,047	18,670	7,095	3,048
42 Sunhill Lane	22,170	8,203	30,970	11,149	2,946
144 Clark Street	13,815	5,388	22,615	8,368	2,980

## RECOMMENDATION

- The parcel be sold with a conservation restriction to an abutter at fair market value.