



Land Use Committee Report

City of Newton

In City Council

Thursday, November 4, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Kelley, Markiewicz, Downs, Bowman, Laredo, Wright, Noel, Albright, Norton, Malakie, Krintzman and Danberg

City Staff Present: Senior Planner Katie Whewell, Senior Planner Michael Gleba, Chief Planner Neil Cronin, Assistant City Solicitor Jonah Temple

All Special Permit Plans, Plan Memoranda and Application Materials can be found at the following link <https://www.newtonma.gov/government/city-clerk/city-council/special-permits/-folder-1058>. Presentations for each project can be found at the end of this report.

#382-21 **Petition to allow oversized dormer and increase nonconforming FAR at 9 Oak Terrace**
DEREK BLOOM petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear, oversized dormer, further increasing the nonconforming FAR at 109 Oak Terrace, Ward 5, Newton Highlands, on land known as Section 52 Block 01 Lot 02, containing approximately 4,633 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 1.5.4.G.2.b, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Approved 7-0 (Councilor Downs not Voting); Public Hearing Closed**
11/04/2021

Note: The petitioner, Derek Bloom presented the request to finish an unfinished attic, adding a dormer to the rear of the house. The dormer is oversized and extends the nonconforming FAR at 9 Orchard Terrace. Mr. Bloom reviewed the proposed plans, which can be found at the following link: <https://www.newtonma.gov/government/city-clerk/city-council/special-permits/-folder-2153>. Mr. Bloom noted that the petitioners communicated the proposed plans to neighbors who have expressed their support for the project.

Chief Planner Neil Cronin compared the requested relief, criteria for consideration, land use, zoning and proposed plans as shown on the attached presentation.

The Public Hearing was Opened. No member of the public wished to speak. Councilor Bowman motioned to close the public hearing which carried 7-0. Councilor Bowman motioned to approve the petition. The Committee reviewed the draft findings and conditions as shown in the attached presentation and voted 7-0 in favor of approval. (Councilor Downs not voting)

#360-21 **Petition to allow single-family attached dwellings at 50 Highland Avenue**
50 HIGHLAND REALTY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the existing structure and a second two-unit structure, allowing four single-family attached dwelling units in two buildings, to allow reduced side and rear setbacks and to allow a driveway within ten feet of the side lot line, 50 Highland Avenue, Ward 2, on land known as Section 24 Block 11 Lot 34, containing approximately 22,738 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 6-0 (Councilors Greenberg and Downs not Voting); Public Hearing Continued**

Note: The Chair noted that the petitioner requested a continuance of the public hearing. Councilor Lucas motioned to open the public hearing and hold the item and the Committee voted 6-0 in favor of the motion. (Councilors Greenberg and Downs not voting)

#29-21 **Amended Petition to allow single-family attached dwelling units at 145 Warren Street**
CIVICO DEVELOPMENT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow five single-family attached dwellings, to allow reduced side setbacks, to increase the allowed lot coverage, to allow a driveway within ten feet of the side lot line, to allow retaining walls greater than 4' within a setback, to waive three parking stalls and to allow a reduced driveway width at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13, 5.1.8.D.1, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 8-0; Public Hearing Continued**

Note: Atty. Terry Morris, with law offices at 5-7 Elm Road, represented the petitioner, David Oliveri. Senior Planner Katie Whewell presented the requested relief, criteria for consideration, land use, zoning and proposed plans as shown on the attached presentation. The petition was recommitted by the Council to the Land Use Committee after the public hearing on June 8, 2021. The petitioner has increased the number of proposed units from four to five and is seeking a parking waiver of 3 parking stalls. While the project is increasing by one unit, the footprint remains the same. The new structure is subordinate to the existing dwelling, consistent with the direction from the Historic Commission. The height of the proposed structure is 30'. Unit 1 is the existing house and unit 2 will be connected to the existing dwelling. Units 1 and 2 are connected to Units 3-5 through an underground garage. Revised plans for the project can be seen at the following link <https://www.newtonma.gov/government/city-clerk/city-council/special-permits/-folder-1832>. Atty. Morris noted that if the parking was open air parking, it would not count towards FAR. He noted that the roof of the garage is considered open space and noted that the total gross floor area is 10,600 sq. ft. with an FAR of .58.
The Public Hearing was Opened.

Jill Ruiz, 136 Warren Street, spoke on behalf of Clive and Deanna Martin. She noted that Clive and Deanna Martin submitted a letter to the Committee.

MaryLee Belleville, 136 Warren Street, noted that the item passed land use in June, was chartered in July, and recommitted in August. She noted that Committee members asked for clarification from Law

Department. Ms. Belleville noted that a petition was circulated and signed by many members of the neighborhood who expressed their concerns relative to the project.

Atty. Temple confirmed that the petitioner will need to receive Historic Commission review and approval prior to issuance of a building permit.

Sean Roche, 42 Daniels Street, noted that the smaller units better serve the City's housing needs. He urged the Committee voted to approve the petition noting that the additional structure does not overwhelm the existing, historic, dwelling unit.

Simon French, 47 Glen Avenue, noted that the addition of four units to the site will bring more use and cars. He noted that the 2800 sq. ft. carriage house is almost an additional unit.

Lisa Gordon, urged the Committee to recognize that this neighborhood is naturally affordable and most of the homes are two-family homes. She expressed the importance of maintaining the green space and noted that 1500 sq. ft. per unit is above average for the street.

Barry and Marilyn Lipkind, 140 Warren Street, noted that the petition circulated was made very simple so that neighbors would understand the details of the project. She noted that the proposed development is contrary to what the neighbors want.

Some Committee members noted that the issues related to FAR, density, setback(s) and lot coverage have not changed since the petition was before the Council during summer. It was noted that while there are some benefits to the extra unit, the petition is seeking relief to allow a development significantly what could be built as a matter of right.

Some Councilors expressed appreciation for the smaller sized units and the sustainable features of the development. It was noted that the smaller units may make the units more attainable.

Atty. Morris noted that with respect to the parking, prospective buyers will self-select based on their parking needs. Ms. Whewell noted that although the petition formerly sought a waiver for one accessible parking stall the zoning ordinance is more strict than the state's standards and it has been determined that the petition does not need a waiver. Councilor Bowman motioned to hold the item pending review by the Historic Commission and some data on the neighborhood context and size of the proposed units. The Committee voted 8-0 in favor of holding the item.

#125-21 Petition to allow marijuana retailer at 740 Beacon Street

THE GREEN LADY DISPENSARY II, INC/740 BEACON STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a recreational marijuana retail establishment, to allow parking in the side setback, to reduce dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements and to waive lighting requirements at 740 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lo 6, containing approximately 10,969 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.8.A.1, 5.1.13, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Held 8-0; Public Hearing Continued

Note: Attys. Steve Buchbinder and Katherine Adams, with law offices at Schlesinger and Buchbinder, 1200 Walnut Street, represented the petitioners. Atty. Buchbinder presented updates to the petition as shown on the attached presentation. Atty. Adams noted that the petitioner held a virtual community meeting in late July. At the meeting the petitioner reviewed options for pedestrian activity in the shared easement. Although Jake's Falafel customers have been parking in the shared easement, they do not have the rights to do so. The petitioner worked with the abutters, but they were unable to come to an agreement relative to parking. The petitioner's current proposal does not affect parking for Tartufos and is well marked. The petitioner has agreed to restrict four parking stalls on the right for employees only in response to comments from the peer reviewer. They believe that the 9 parking spaces to the left should adequately accommodate customer demand. In lieu of a shared bike program, the petitioner proposes to make a payment to the blue bike program and plans to increase the capacity of the covered bike rack so that it accommodates 8 bicycles. The petitioner's commitments to transportation improvements in the vicinity can be seen on the attached presentation.

Senior Planner Katie Whewell reviewed the requested relief, criteria for consideration, land use, zoning and proposed plans as shown on the attached presentation. BSC Group's Transportation Consultant Michael Santos presented reviewed details of the traffic peer review and the off-site transportation improvements. A copy of his presentation can be found attached to the end of this report. Mr. Santos confirmed that the traffic operations, TDM program and proposed intersection improvements satisfy the peer review. The Committee discussed whether vehicles may take a left turn in front of the site when driving in an eastbound direction. It was noted that the current signage requires drivers in the far-right lane to take a right turn, but there were questions related to whether left turns are permitted and how prohibition of the left turn might impact traffic.

Councilors noted that the petitioner could provide some parking near the building (including accessible) and require additional guests to park in street and/or lot parking. Atty. Buchbinder confirmed that the petitioner would still need a parking attendant to manage visitor parking.

Public Comment

Lisa Gordon, noted that the current left turn at the front of the site allows people to get across the street to get to the Beacon Street businesses and stated that the proposed changes could be negatively impactful.

Adam Lunin, 24 Court Street, urged the Council to be considerate of granting parking waivers for dispensaries before they are needed.

Adina Jacobson, 692 Commonwealth Avenue, expressed support for the petition. She noted that the location is away from the street and appointment-only, which will help track the pace of operations.

Jane Frantz, 12 Glastonbury Oval, expressed support for the petition. She noted that the location will allow easy and convenient access to residents and will promote revenue for ongoing projects in and the City.

Sabrina Pashtan, 165 Collins Road, expressed support for the petition.

Gary Irving, expressed concerns relative to the impact on driving activity and traffic congestion.

Tina Maiorano, noted that the petition seems like it will be approved and questioned why the site is considered BU2 when it feels like a BU1 zone. Ms. Maiorano noted that the area could be revitalized and turned into a BU1 zone after Roche Collision leaves.

Joshua Kadis, noted that the operators have proven their expertise for quality and safety. He stated that the small family business will be better for the City and urged the Committee to vote in favor of approval.

Committee asked that the petitioner ensure that the demarcation from the street to the business is clear for patrons. Committee members asked that the circulation (pedestrian and/or vehicular) within the site is also made clear. The Committee expressed support for having a parking attendant. The Committee asked for clarification from the Law Department on the ability to grant the parking waivers. With that, the Committee voted 8-0 in favor of a motion to hold the item from Councilor Markiewicz.

#215-21 Petition to amend Council Order #289-18 for Garden Remedies

GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18 to remove the appointment only conditions, amend the hours of operations to allow business operations, to remove the sign plan as a control document and to amend the site plan and landscape plan in Ward 2, Newton at 697 Washington Street (Section 23 Block 19 Lot 01B), 691 Washington Street (Section 23 Block 19 Lot 01A), 681 Washington Street (Section 23 Block 19 Lot 01) and 2 Court Street (Section 23 Block 19 Lot 23), containing approximately 16,669 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Closed 09/21/2021; Land Use Divided the Item into #215-21(A) Hours of Operation, #215-21(B) Removing Appointment Only, #215-21(C) Sign Plan and #215-21(D) Landscape Plan

#215-21(A) Hours of Operation - Land Use Approved 6-0

#215-21(B) Removing Appointment Only - Land Use Approved 3-2-1 (Councilors Greenberg and Lucas Opposed, Councilor Kelley abstaining)

#215-21(C) Sign Plan - Land Use Approval Failed to Carry 0-4-2 (Councilors Laredo, Lucas, Kelley and Greenberg Opposed, Councilors Downs and Lipof abstaining)

#215-21(D) Landscape Plan – Land Use Approved 6-0

City Council Recommitted to Land Use by Voice Vote on October 18, 2021

Action: #215-21(A) Hours of Operation – Land Use Approved 8-0

#215-21(B) Removing Appointment Only – Land Use Approved 5-3-0 (Councilors Lucas, Markiewicz and Laredo Opposed)

#215-21(D) Landscape Plan – Land Use Approved 8-0

Note: Atty. Mike Ross, with law offices at Prince Lobel Tye, Boston, Massachusetts, represented the petitioner. Atty. Ross noted that a community meeting was well attended and feedback was solicited from neighbors. Atty. Ross noted that as a result of the meeting on October 28, abutters to the property are supportive of the petition. He noted that the petitioner has removed the language on the billboard that references Newton.

Councilor Lucas noted that the Ward Councilors attended and there are still some concerns relative to idling, screening, etc. Atty. Ross noted that it is anticipated that removal of the appointment only condition will help to eliminate the idling. Councilors noted that the neighbors are appreciative of the landscaping mitigation funds. Some Committee members expressed support for maintaining the appointment only conditions until more dispensaries are open. With that, the Committee voted 8-0 in favor of approval of 215-21(A) Hours of Operation, 5-0-3 in favor of approval of 215-21(B) removing the appointment only condition and 8-0 in favor of 215-21(D) Landscape plan.

With that, the Committee adjourned at 9:10 pm.

Respectfully Submitted,

Richard Lipof, Chair

Department of Planning and Development



**PETITION #382-21
9 OAK TERRACE**

SPECIAL PERMIT/SITE PLAN
APPROVAL TO ALLOW AN
OVERSIZED DORMER AND TO
FURTHER INCREASE THE
NONCONFORMING FLOOR AREA
RATIO

NOVEMBER 4, 2021



Requested Relief



Special Permits per §7.3.3 and §7.8.2.C.2 of the NZO to:

- Further increase the nonconforming floor area ratio. (§3.1.3 and §3.1.9)
- Allow a dormer exceeding 50% of the length of the exterior wall of the story next below. (1.5.4.G.2.b)

Criteria to Consider



When reviewing this request, the Council should consider whether:

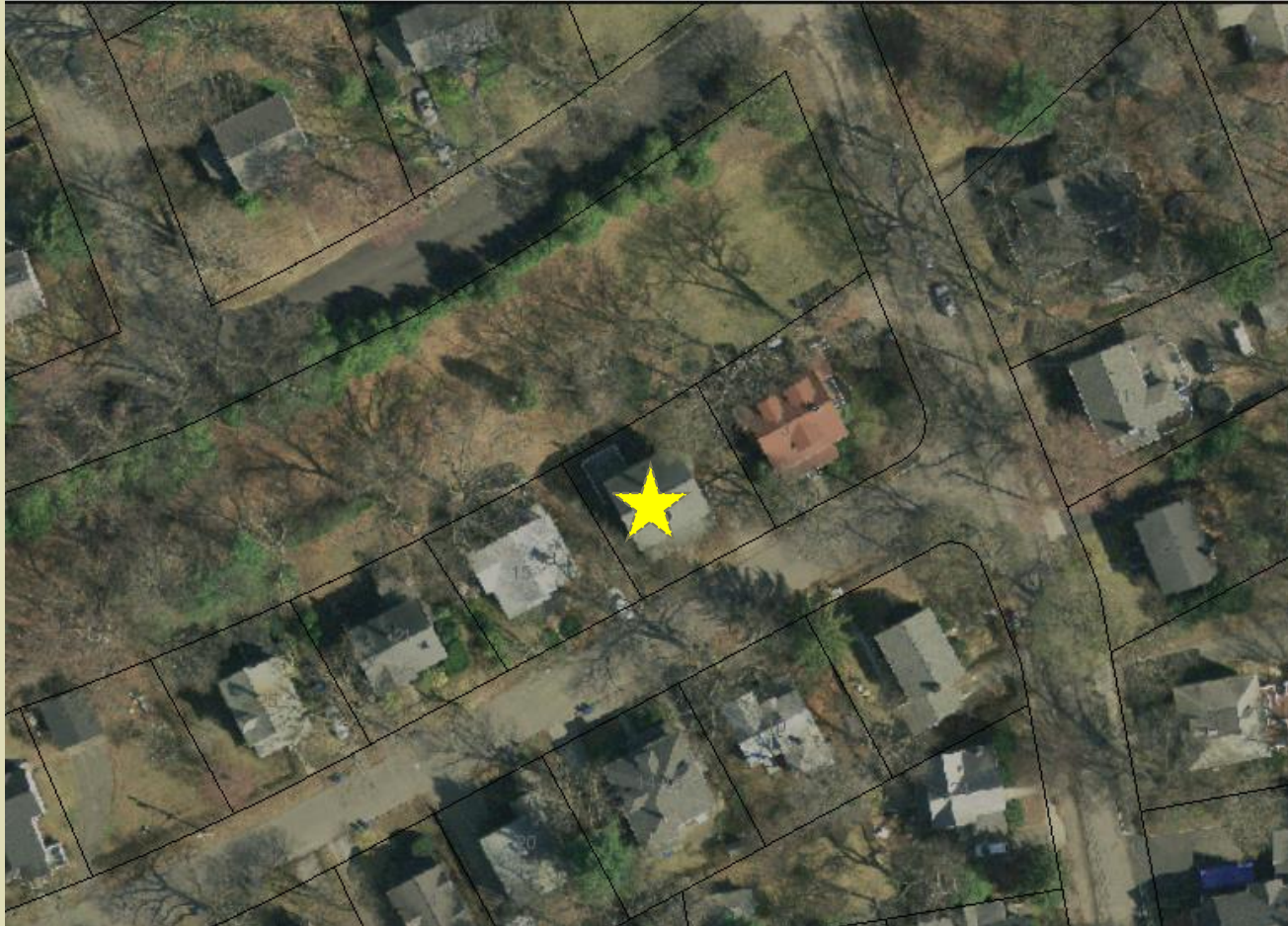
- The specific site is an appropriate location for the proposed dormer, which exceeds 50 percent of the length of the exterior wall of the story next below. (§7.3.3.C.1)
- The proposed dormer, which exceeds of 50 percent of the length of the exterior wall of the story next below, will adversely impact the neighborhood. (§7.3.3.C.2)
- The proposed dormer, which exceeds of 50 percent of the length of the exterior wall of the story next below, 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)

Criteria to Consider Continued

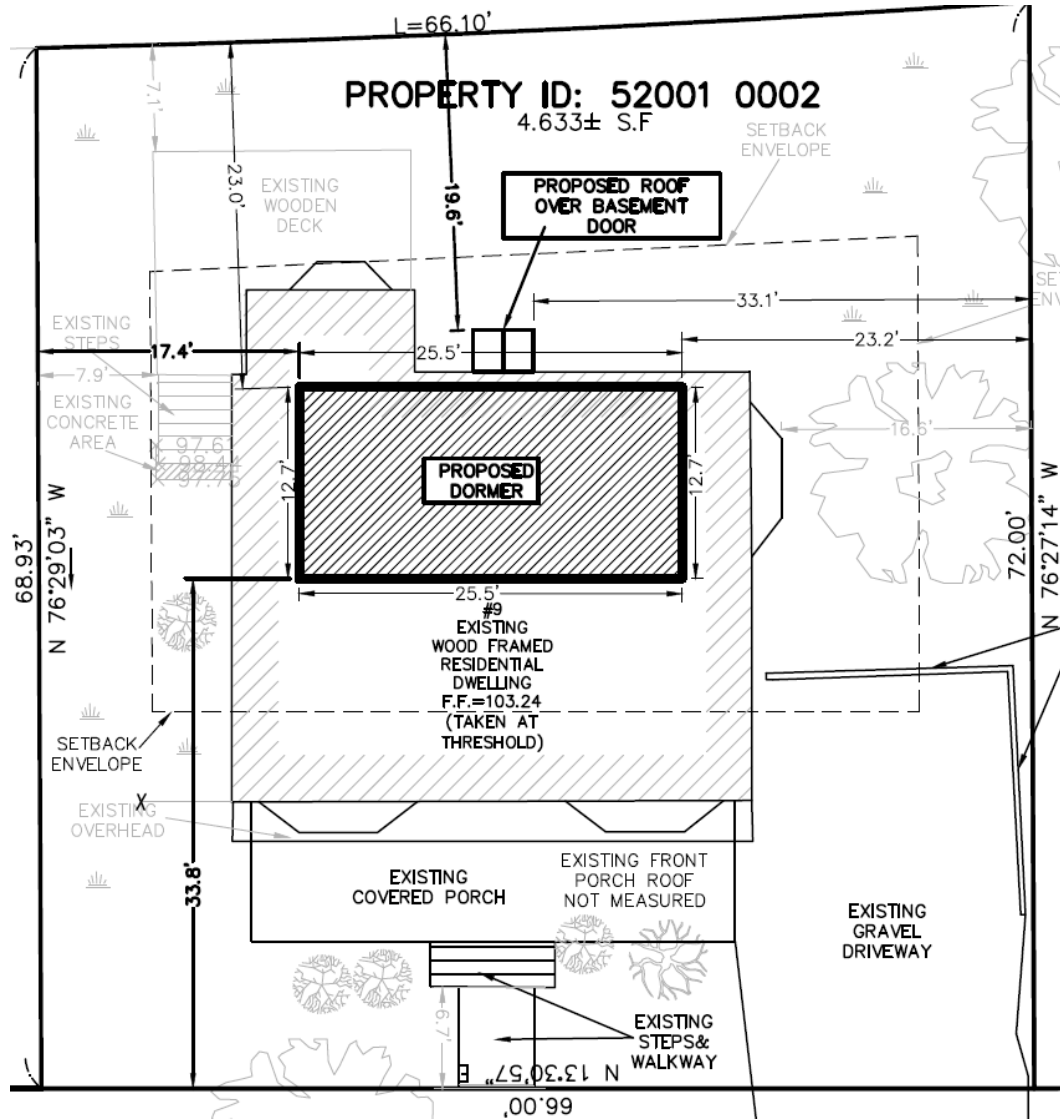


- The proposed increase in the nonconforming FAR from .70 to .72, where .48 is the maximum allowed by-right, is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood. (§3.1.3, and §7.8.2.C.2)
- The proposed increase in the nonconforming FAR from .70 to .72, where .48 is the maximum allowed by-right, is substantially more detrimental than the existing nonconforming structure is to the neighborhood. (§3.1.9, and §7.8.2.C.2)

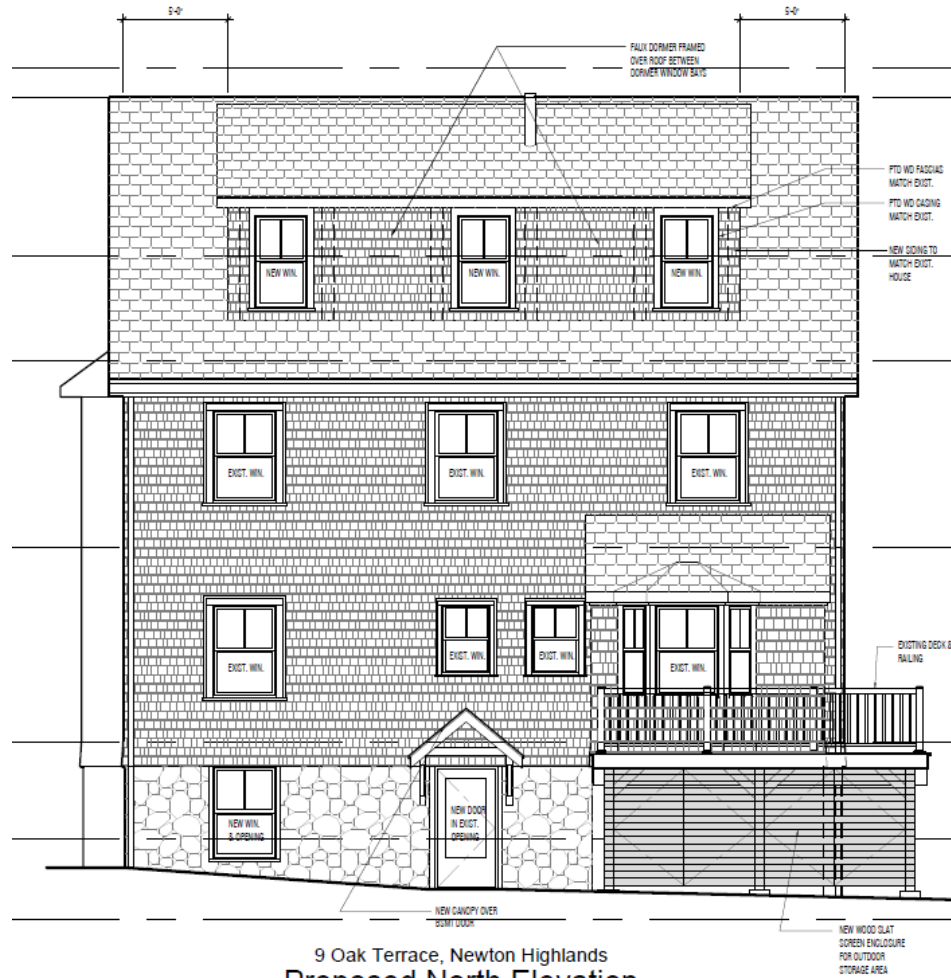
Aerial/GIS Map



Site Plan



Proposed Rear Elevation



9 Oak Terrace, Newton Highlands
Proposed North Elevation
 3/16" = 1'-0"

Department of Planning and Development



PETITION #29-21 145 WARREN STREET

TO ALLOW FIVE SINGLE-FAMILY ATTACHED DWELLINGS, REDUCED SIDE SETBACKS, INCREASE THE ALLOWED LOT COVERAGE, ALLOW A DRIVEWAY WITHIN TEN FEET OF THE SIDE LOT LINE, ALLOW REDUCED DRIVEWAY WIDTH, TO ALLOW RETAINING WALLS GREATER THAN 4' WITHIN A SETBACK, AND TO WAIVE THREE PARKING STALLS



NOVEMBER 4, 2021

Requested Relief



Special Permit per §7.3.3 of the NZO to:

- Allow ~~four~~ **five** single-family attached dwellings (§3.4.1)
- Reduce the required side setbacks (§3.2.4)
- Exceed lot coverage (§3.2.4)
- Allow a driveway within 10 feet of the side lot line. (§6.2.3.B.2)
- Allow a retaining wall of four feet or more in height within the side setback (§5.4.2.B)
- Allow reduced driveway width for a parking facility with over 5 stalls (§5.1.8.D.1, §5.1.13)
- Waive ~~one~~ **three** parking stalls (§5.1.4, §5.1.13)

Special Permit Criteria

Standard Criteria



When reviewing this request, the Council should consider whether:

- The specific site is an appropriate location for the proposed five single-family attached dwellings. (§7.3.3.C.1)
- The specific site is an appropriate location for the proposed retaining wall greater than four feet within the side setback. (§7.3.3.C.1)
- The specific site is an appropriate location for the waiver of three parking stalls. (§7.3.3.C.1)
- The proposed five single-family attached dwellings will adversely affect the neighborhood. (§7.3.3.C.2)
- The proposed single-family attached dwellings 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)

Special Permit Criteria

Parking Criteria and Criteria for Dimensional Waivers

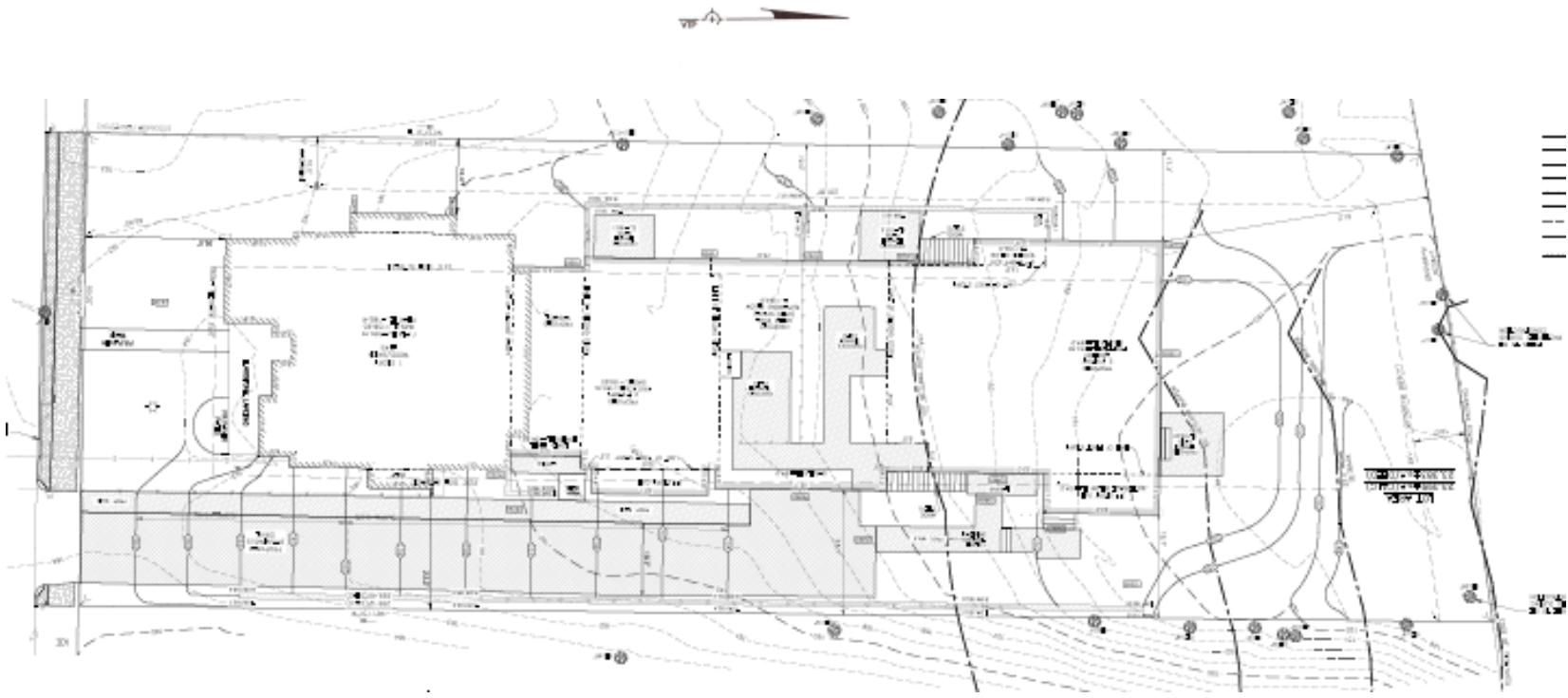


When reviewing this request, the Council should consider whether:

- Literal compliance with the dimensional standards for the side setbacks, lot coverage, a driveway located within ten feet of the side lot line, and reduced driveway width is impractical due to the nature of the use, or the location, size, frontage, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§3.2.4, §6.2.3.B.2)
- Literal compliance with the required number of parking stalls is impractical due to the nature of the use, or the location, size, frontage, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§3.2.4, §6.2.3.B.2)

Revised Site Plan, September 2021

WARREN ST.



Revised Elevations



WARREN ST.



Unit 1

Unit 2

Unit 3

Unit 4

Revised Unit Sizes

	April 2021 Filing		September 2021 Filing	
Unit 1	4,250 square feet	3 bedrooms	4,250 square feet	3 bedrooms
Unit 2	1,860 square feet	2 bedrooms	1,860 square feet	2 bedrooms
Unit 3	2,140 square feet	3 bedrooms	1,500 square feet	2 bedrooms
Unit 4	2,450 square feet	3 bedrooms	1,545 square feet	2 bedrooms
Unit 5	N/A		1,556 square feet	2 bedrooms
Garage	2,868 square feet		2,868 square feet	
FAR	.58		.58	

Petition Timeline

- **June 8, 2021** – Land Use Committee approved petition.
- **June 24, 2021** – Newton Historical Commission (NHC) designates the site as a Local Landmark.
 - Site is under the jurisdiction of the NHC.
- **November 4, 2021** – Land Use Committee Hearing with revised program and relief.
 - *Five units*
 - *Parking waiver for three parking stalls*
- **November 18, 2021** – Project is on the agenda for the NHC Meeting to be reviewed against the Landmark Ordinance.

Findings

(1 of 2)



When reviewing this request, the Council should consider whether:

1. The specific site is an appropriate location for the proposed five single-family attached dwellings because such use is allowed within the Multi-Residence 1 zone and the site has the required lot area. (§7.3.3.C.1)
2. The proposed five single-family attached dwellings will not adversely affect the neighborhood due to the proposed building design that preserves the historic structure and locates the additional massing to the rear. (§7.3.3.C.2)
3. The proposed single-family attached dwellings will not create a nuisance or serious hazard to vehicles or pedestrians because the driveway location is being maintained. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved.
5. The specific site is an appropriate location for the proposed retaining wall greater than four feet within the side setback due to the downward slope of the site and to accommodate the driveway along the property line. (§7.3.3.C.1)
6. The specific site is an appropriate location for the waiver of three parking stalls because it is in close proximity to Newton Centre Village Center. (§7.3.3.C.1)

Findings

(2 of 2)



1. Literal compliance with the dimensional standards for the side setback, lot coverage, a driveway located within ten feet of the side lot line, and reduced driveway width is in the public interest because the building design preserves a historic structure, and the site design utilizes the existing driveway. (§6.2.3.B.2)
2. Literal compliance with the required number of parking stalls is in the public interest because the site is located within one half mile of transit, and secure and indoor bicycle parking is being provided in lieu of three parking stalls. (§5.1.4, §5.1.13)

Conditions

(1-8)



1. Plan Referencing Condition
2. The petitioner shall preserve the existing proportions, substrate and architectural details that contribute to the historic significance of the original structure including but not limited to all exterior walls, roof structure, and window openings.
3. Prior to the issuance of any building permit, the petitioner shall provide a final site plan for review and approval by the Director of Planning and Development, City of Newton Fire Department, Department of Planning and Development, Department of Engineering, and Department of Inspectional Services.
4. Prior to the issuance of a Building Permit, the petitioner shall conduct a closed-circuit television inspection of the City's drainpipe on site and provide an electronic copy of such inspection to the Commissioner of Public Works.
5. The petitioner shall comply with the Tree Preservation Ordinance.
6. Construction Management Plan
7. Standard Building Permit Condition
8. Prior to the issuance of any occupancy certificate, the petitioner shall conduct a closed-circuit television inspection of the City's drainpipe on site and provide an electronic copy of such inspection to the Commissioner of Public Works.

Department of Planning and Development



**WORKING SESSION
PETITION #125-21
740 BEACON STREET**

**SPECIAL PERMIT TO ALLOW A
MARIJUANA RETAILER AND
WAIVE CERTAIN DIMENSIONAL
STANDARDS FOR PARKING
FACILITIES CONTAINING OVER
FIVE STALLS**

NOVEMBER 4, 2021



Updates



- Public Hearing Opened- Thursday, May 13, 2021
- Summer – Fall 2021
 - Transportation Peer Review
 - Off Site Improvements
 - Internal Improvements
 - TDM Measures
 - ✦ \$100/month per employee.
 - ✦ \$5,000 Contribution to BlueBike Bikeshare system.
 - Designate Four Stalls where driveway is 12.9' wide as Employee Only
 - ✦ Requires relief, but can be granted under the relief already sought.

Proposed Signage



BEACON STREET ELEVATION
SCALE: 1/8" = 1'-0"

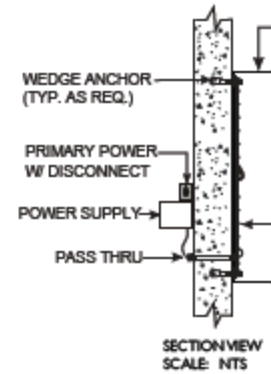
Exterior
Furnish as letters on the day, ill green at r returns as with reme mechanic; non-corr;
Signage is
Total: 54



SIGN DETAIL
SCALE: 1/2" = 1'-0"

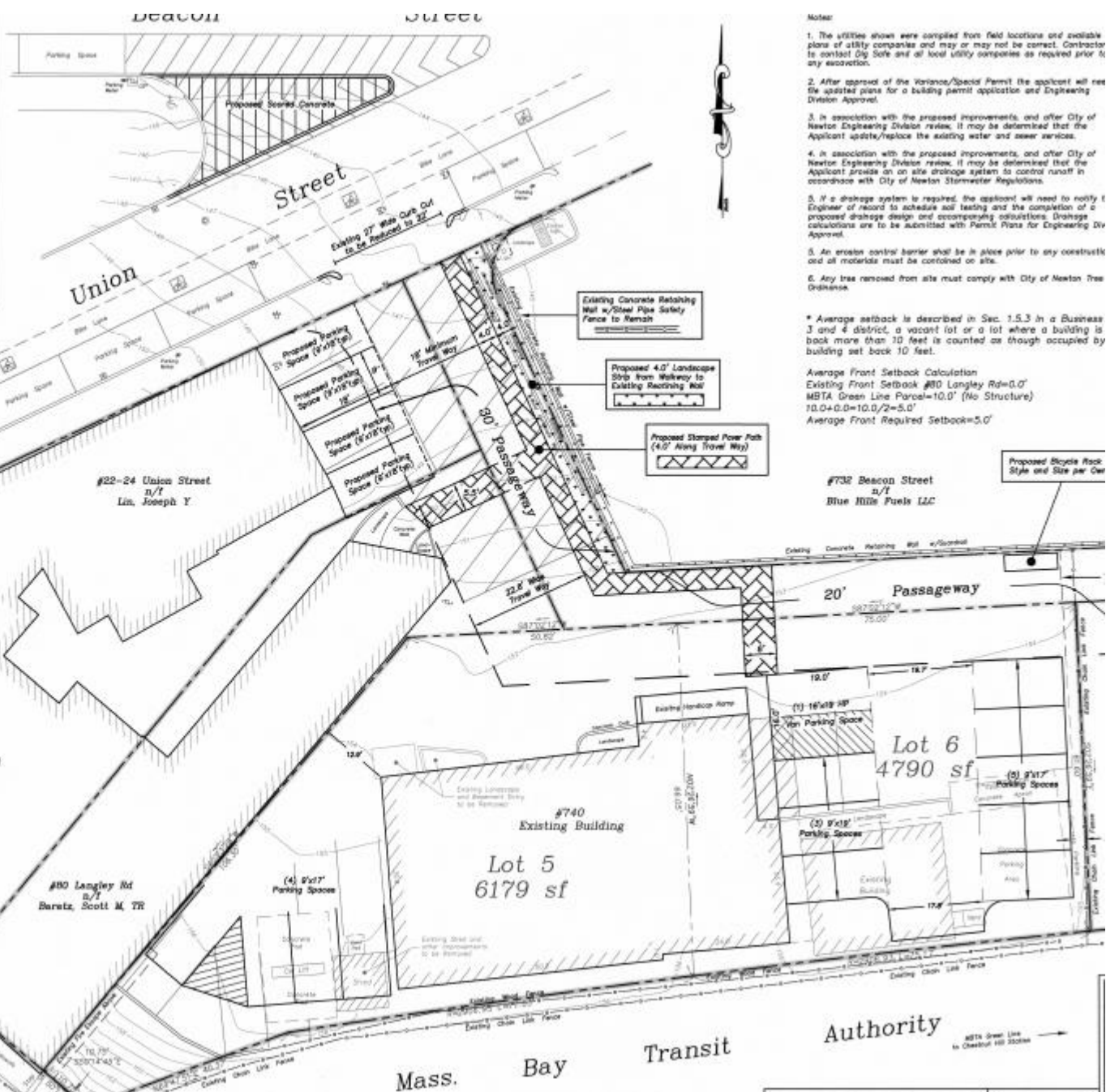


COMP
SCALE: NTS



SECTION VIEW
SCALE: NTS

Revised Site Plan



- Notes:**
- The utilities shown were compiled from field locations and available plans of utility companies and may or may not be correct. Contractor to contact Dig Safe and all local utility companies as required prior to any excavation.
 - After approval of the Variance/Special Permit the applicant will need the updated plans for a building permit application and Engineering Division Approval.
 - In association with the proposed improvements, and after City of Newton Engineering Division review, it may be determined that the Applicant update/replace the existing water and sewer services.
 - In association with the proposed improvements, and after City of Newton Engineering Division review, it may be determined that the Applicant provide an on site drainage system to control runoff in accordance with City of Newton Stormwater Regulations.
 - If a drainage system is required, the applicant will need to notify the Engineer of record to schedule soil testing and the completion of a proposed drainage design and accompanying calculations. Drainage calculations are to be submitted with Permit Plans for Engineering Div Approval.
 - An erosion control barrier shall be in place prior to any construction and all materials must be contained on site.
 - Any tree removed from site must comply with City of Newton Tree Ordinance.
- * Average setback is described in Sec. 15.3 in a Business 3 and 4 district, a vacant lot or a lot where a building is back more than 10 feet is counted as though occupied by building set back 10 feet.
- Average Front Setback Calculation
 Existing Front Setback #80 Langley Rd=0.0'
 MBTA Green Line Parcel=10.0' (No Structure)
 $10.0+0.0=10.0/2=5.0'$
 Average Front Required Setback=5.0'



garden
remedies

CANNABIS

City of Newton Land Use Committee

697 Washington Street

November 4, 2021





Amendments (Recap)



- ✿ We are seeking to have the following amendments made to our special permit to align our operating rules and restrictions with the other Newton dispensaries in the process of opening:
 - ✿ 1. Remove the appointment-only restriction (make administrative)
 - ✿ 2. Amend hours of operation to match other operators
 - ✿ 3. Amend site plan/landscape plan



Community Outreach



DATE	MEETING
April 14, 2021	DRT Meeting
July 1, 2021	Meeting with Ward 2 City Councilors
July 19, 2021	Meet with area abutters and City Councilors
July 21, 2021	Meeting with Newtonville Neighborhood Area Council
July 21, 2021	Meeting with Newton Police Chief
July 27, 2021	Meeting with Land Use Committee
September 17, 2021	Additional community outreach to neighbors
September 21, 2021	Land Use Committee
October 4, 2021	Newton City Council Meeting
October - November, 2021	Individual meetings with City Councilors
October 28, 2021	Meeting with neighbors
November 1, 2021	Meeting with Newton Police Chief
November 4, 2021	Land Use Committee



Community Outreach

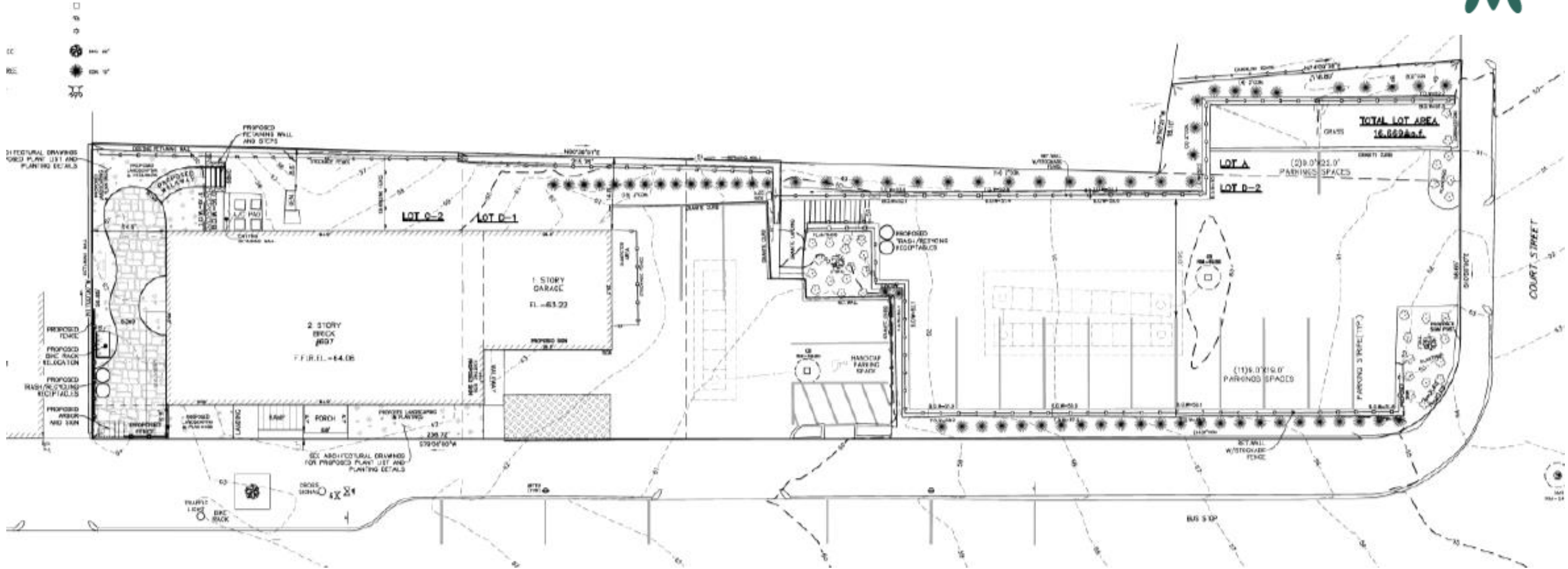
October 28, 2021 Meeting with Neighbors



- Defer to District Councilors
- Neighbors supported removal of appointment only
- Neighbors supported equality of hours of operation as a matter of fairness
- Neighbors supported changes to site-plan
- Abutting neighbors supported landscaping mitigation as a condition of the Special Permit



Revised Site Plan





Revised Billboard

