



## Land Use Committee Agenda

### City of Newton In City Council

Tuesday, November 16, 2021

6:00 PM

The Land Use Committee will hold this meeting as a virtual meeting on Tuesday, November 16, 2021 at 6:00 pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/88231853051> or call 1-646-558-8656 and use the following Meeting ID: **882 3185 3051**

- #381-21**      **Petition to allow three-story structure at 127 Clark Street**  
TIMOTHY AND LAUREN FAGERBEG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story rear addition with a three-car garage and living space above at 127 Clark Street, Ward 6, Newton Centre, on land known as Section 52 Block 29 Lot 29, containing approximately 10,830 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- #378-21**      **Petition to allow three-unit dwelling and parking modifications at 9-11 Circuit Ave**  
RONNIE CAVALIERI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to create a third unit in the two-family dwelling, extending the non-conforming two-family use, to alter a non-conforming parking facility to allow parking within the front setback and within five feet of the street and to alter the non-conforming parking facility to allow a minimum aisle width of 23 feet at 9-11 Circuit Avenue, Ward 5, Newton Highlands, on land known as Section 31 Block 27 Lot 35, containing approximately 8,471 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 5.1.8.A.1, 5.1.13, 5.1.8.C.2 of the City of Newton Rev Zoning Ord, 2017.
- #302-21**      **Petition to amend Special Permit #201-17 at 386-394 Watertown Street**  
JLM REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #201-17 to allow the reconfiguration of the parking stalls, to waive one parking stall, to reduce minimum maneuvering aisle width, to allow restricted end parking stalls and to waive lighting requirements at 386-394 Watertown Street, Ward 1, Newton,

---

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](mailto: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.

on land known as Section 14 Block 14 Lots 35, 37 and 38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

- #299-21**      **Petition to allow marijuana retailer at 131 Rumford Avenue**  
PHARMACANNIS MASSACHUSETTS INC. D/B/A/ VERILIFE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to allow parking facility requirements to be met off-site, to waive the minimum driveway width requirement, to waive perimeter screening requirements, to waive lighting requirements and to waive the 25% façade transparency requirement at 131 Rumford Avenue, Ward 4, Auburndale, on land known as Section 41 Block 31 Lot 50, containing approximately 20,443 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, 5.1.6.A, 5.1.6.B, 5.1.8.D.1, 5.1.13, 5.1.9.A, 5.1.10, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.
- #216-21**      **Petition to allow 12-unit multi family dwelling at 50 Jackson Street/383-387 Boylston St**  
BARBARA AND GERALD BARATZ REVOCABLE TRUSTS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish two commercial buildings and construct one, 12-unit, three-story, multi-family dwelling with a 23-parking stall underground parking spaces (1 accessible), to allow a ground floor residential use, to allow a building with more than 20,000 sq. ft., to allow a three-story structure with 36' in height, to allow an FAR of 1.5, to alter and extend a nonconforming side setback, to waive two parking stalls, to reduce the width of parking stalls, to allow a driveway width exceeding 25 feet and to allow a retaining wall greater than four feet in height within the setback at 50 Jackson Street/383-387 Boylston Street, Ward 6, Newton Centre, on land known as Section 65 Block 11 Lot 4, containing approximately 14,866 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.D.2, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.
- #262-20**      **Petition to allow accessory apartment and clubhouse in detached structure at 25 Paul St**  
25 PAUL STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert space in an existing detached accessory structure into an accessory apartment and clubhouse, to allow an accessory apartment greater than 40% of the total habitable space of the principal structure, to allow an accessory apartment in a detached structure that does not meet principal setbacks, to allow a neighborhood clubhouse and to further extend a nonconforming detached structure greater than 700 sq. ft. at 25 Paul Street, Ward 6, Newton Centre, on land known as Section 62 Block 13 Lot 06, containing approximately 15,000 sq. ft. in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 3.4.1, 6.7.1.E.2, 3.2.3, 6.7.1.E.6, 3.4.3.A.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.  
***Please see the attached request to withdraw without Prejudice***

Respectfully Submitted,

Richard A. Lipof, Chair

ENTASIS PC  
ARCHITECTS

Jay C. Walter AIA  
83 Pembroke Street  
tel.: (617) 527-8383  
fax: (617) 527-8330  
entasis@rcn.com

November 11, 2021

Nadia Khan  
Office of the City Council  
Newton City Hall  
1000 Commonwealth Ave.  
Newton Mass 024457

Re: 25 Paul Street  
Special Permit Application.

Ms. Khan;

I am writing at the behest of the owners of 25 Paul Street to notify you that we would like to withdraw our application for a Special Permit for the rear building. If the owners decide to pursue the plans we will reapply at a later date.

If you have any questions please let me know.  
Thank you for your time and patience.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay C. Walter". The signature is stylized with a large, sweeping initial "J" and a long, thin tail stroke.

Jay C. Walter AIA  
Entasis Architects PC

cc. Sarina Chinag