

REPORTS DOCKET

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7:45 PM

ED CENTER
100 WALNUT STREET
To be reported on
MONDAY, AUGUST 11, 2014

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, July 15, 2014

Present: Ald. Laredo (Chairman), Ald. Cote, Lipof, Crossley, Lennon, Albright, and Schwartz;
absent: Ald. Harney; also present: Ald. Baker and Norton

#214-13(2) **REQUEST for a ONE-YEAR EXTENSION OF TIME** in which to EXERCISE Special Permit/Site Plan Approval #214-13, granted on July 15, 2013, to Linda Heffner for an accessory apartment in the loft of an existing detached carriage house and for exterior alterations (reconfiguring existing dormers) at 15 FARLOW ROAD, Ward 7; said EXTENSION will run from July 15, 2014 to July 15, 2015. Ref: 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.
APPROVED 6-0 (Crossley not voting)

Public Hearings were held on the following items:

#223-14 **BERNARD BUNNER** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a dormer above a new interior staircase between the second and third floors and to raze an existing detached garaged, which is 2½ feet from the side lot setback, and to construct a new smaller detached ~~garage~~-shed maintaining the 2½ foot side setback though closer to the rear of the property, which although not encroaching further into the setback will alter an already nonconforming setback, at 454 WALNUT STREET, Ward 2, NEWTONVILLE, on land known as SBL 22, 24, 19 , containing approximately 12,063 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(t)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; APPROVED 7-0

#225-14 WABORA NEWTON LLC/MONTROSE 1229-1249 CENTRE LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive five parking stalls for a 19-seat sushi restaurant at 1247-1249 CENTRE STREET, Ward 6, NEWTON CENTRE, on land known as SBL 64, 28, 25, containing approximately 1,427 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d)(13), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 7-0

#226-14 ALAN MAYER, MAYER & ASSOCIATES ARCHITECTS/DAWNE VOGHT & JOHN RYAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to construct an approximately 1,300 sq. ft. addition to the rear of an existing single-family dwelling, which will increase the Floor Area Ratio from .31 to .48, where .42 is the maximum allowed by right, at 21 LARCHMONT AVENUE, Ward 5, WABAN, on land known as SBL 54, 7, 3, containing approximately 7,593 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 7-0

Public Hearing opened on June 10

#166-14 CREDERE VENTURES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to enclose an existing carport in order to create a garage containing approximately 324 sf at 22 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 50, 5, containing approximately 9,353 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: 30-24, 30-23, 30-15 Table A, 30-15(u)(2), and 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO JULY 29, 2014

#285-06(2) BELL ATLANTIC MOBILE OF MASS. CORP. LTD. d/b/a VERIZON WIRELESS/THE COVENANT RESIDENCES ON COMMONWEALTH CONDOMINIUM TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to install antennas on the roof inside faux chimney structures and to place accessory radio equipment and an emergency stand-by power generator inside an equipment shelter to the rear of property at 35 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill on land known as SBL 63, 1, 8, containing approximately 48,000 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18A(e)(6) and 10 and 30-18A(i) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO SEPTEMBER 16, 2014

- #222-14 DENISE & PETER STAUBACH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to remove an existing attached garage and breezeway and to construct a two-stall garage, sunroom and $\frac{3}{4}$ bath with two bedrooms above, which will increase the Floor Area Ratio from .42 to .54, where .48 is the maximum allowed by right, at 29 WEDGEWOOD ROAD, Ward 3, WEST NEWTON, on land known as SBL 31, 20, 14 containing approximately 4,501 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO AUGUST 5, 2014
- #224-14 DEBORAH PIERCE & STEPHEN TISE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE to construct an attached two-story addition with a two-car garage with living space above onto an existing two-family dwelling, which will increase the Floor Area Ratio from .45 to .70, where .55 is the maximum allowed by right and to increase the maximum lot coverage from 31.3% to 39.1%, where 30% is the maximum required, at 126-128 WESTLAND AVENUE, Ward 3, WEST NEWTON, on land known as SBL 33, 34A, 10, containing approximately 5,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO AUGUST 5, 2014
- #227-14 GAIL SILLMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build out the third floor to the same floor area as the second floor, which will increase the Floor Area Ratio from .53 to .65, where .44 is the maximum allowed by right, and to add a second bay to an existing 398 sq. ft. garage to create a garage exceeding 700 sq. ft. at 64 PERKINS STREET, Ward 3, WEST NEWTON, on land known as SBL 32, 12, 42, containing approximately 6,157 sq. ft. of land in a district zoned SINGLE RESIDENCE 2.
HEARING CONTINUED TO AUGUST 5, 2014

REFERRED TO LAND USE COMMITTEE

Tuesday, July 29, 2014

Present: Ald. Laredo (Chairman), Ald. Cote, Crossley, Harney, Lennon, Lipof, and Schwartz;
absent: Ald. Albright; also present: Ald. Norton

Public hearing opened on January 14, continued to February 11 March 11, April 8; May 13, June 3, June 10, and July 29:

#424-13 UBC EQUITY PARTNERS, LLC/KS RETAIL MANAGE, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a future potential mixture of office, retail, services, restaurant, and storage uses, which will involve no proposed physical changes, in an existing building, to waive 37 parking stalls or to allow, if necessary, 40 off-site parking stalls in addition to the existing 185 parking stalls at 19-33 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 25B, 25C, 25D, containing approximately 109,396 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-13(b)(1), (3), (4), (5), 30-19(f)(1), (2) *or* 30-19(c)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 7-0

#230-14 CHESTNUT HILL SHOPPING CENTER LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to hold a temporary and seasonal open air farmers' market selling artisan foods and select crafts at 1-55 BOYLSTON STREET (THE STREET), Ward 7, CHESTNUT HILL, on land known as SBL 63, 37, 18A, 26, 27, 22, 25, containing approximately 20 acres of land in districts zoned BUSINESS 1 and 4. Ref: Sec 30-24, 30-23, 30-11(c), 30-11(d)(10) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 7-0

Hearing opened and continued on June 10, July 15, July 29

#166-14 CREDERE VENTURES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to enclose an existing carport in order to create a garage containing approximately 324 sf at 22 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 50, 5, containing approximately 9,353 sf of land in a district zoned SINGLE RESIDENCE 1.

REQUEST FOR WITHDRAWAL WITHOUT PREJUDICE APPROVED 6-0 (Laredo recused)

Application for a Class 2 Auto Dealer License

#67-14(2) AUCTION DIRECT PRE-OWNED INC.

1545 Washington Street

West Newton

APPROVED 7-0

- #423-13(2) PROFESSIONAL PERMITS/KEY POINT PARTNERS LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for four signs, which relief includes waiving the size restrictions for a principal wall sign; locating a secondary wall sign on the same wall as the principal wall sign; waiving the size restriction for a secondary wall sign; and waiving the number of secondary signs to allow a third secondary sign, for PETSMAST at 215 NEEDHAM STREET, Ward 5, NEWTON UPPER FALLS on land known as SBL 51, 28, 8G containing approximately 70,847 sq. ft. of land in a district zoned MULTI USE 1. Ref: Sec 30-24, 30-23, 30-20(f)(1), (2), and 30-20(l) of the City of Newton Rev Ord, 2012, and Special Permits #610-89 and #610-89(2).

HEARING CONTINUED TO AUGUST 5, 2014

Hearing opened on June 10, continued to July 29

- #165-14 RICHARD D. SEWALL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing single-family dwelling and construct two sets of two attached single-family dwellings for a total of four dwellings which includes waivers from the side-and rear-yard setback and lot coverage requirements and relief to locate a driveway within 10 feet of a side lot line at 3-5 AUBURN STREET, Ward 3, on land known as SBL 33, 6, 34, containing approximately 23,426 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a) and b), 30-15 Table 1, 30-15(b)(5)a) and b) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO SEPTEMBER

- #318-13(3) RODNEY D. FARNSWORTH III petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create an accessory apartment in part of an finished living space in the basement at 161 EDINBORO STREET, Ward 2, NEWTONVILLE on land known as SBL 21, 23 18, containing approximately 17,496 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(h)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO SEPTEMBER

- #229-14 MICHAEL & DENA RASHES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to add approximately 2,372 sq. ft. to the rear of an existing dwelling, which is nonconforming as to height, ~~and to relocate the existing detached garage from the western side of the property to the eastern side of the property and~~ and to construct an attached three-car garage, and to waive preservation and conservation restrictions and to amend special permit #127-80(2), at 93 BELLEVUE STREET, Ward 1, NEWTON, on land known as SBL 12, 21, 39 and 40, containing approximately 93,923 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-8(b)(7), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO SEPTEMBER

REFERRED TO LAND USE COMMITTEE

Tuesday, August 5, 2014

Present: Ald. Laredo (Chairman), Ald. Lennon, Crossley, Schwartz, and Cote; absent: Ald. Albright, Harney, and Lipof; also present: Ald. Leary

Hearing opened on July 15, continued to August 5, 2014:

#222-14 DENISE & PETER STAUBACH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to remove an existing attached garage and breezeway and to construct a two-stall garage, sunroom and ¾ bath with two bedrooms above, which will increase the Floor Area Ratio from .42 to .54, where .48 is the maximum allowed by right, at 29 WEDGEWOOD ROAD, Ward 3, WEST NEWTON, on land known as SBL 31, 20, 14 containing approximately 4,501 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO SEPTEMBER

Hearing opened on July 15, continued to August 5, 2014:

#224-14 DEBORAH PIERCE & STEPHEN TISE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE to construct an attached two-story addition with a two-car garage with living space above onto an existing two-family dwelling, which will increase the Floor Area Ratio from .45 to .70, where .55 is the maximum allowed by right and to increase the maximum lot coverage from 31.3% to 39.1%, where 30% is the maximum required, at 126-128 WESTLAND AVENUE, Ward 3, WEST NEWTON, on land known as SBL 33, 34A, 10, containing approximately 5,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; APPROVED 5-0

Hearing opened on July 15, continued to August 5, 2014:

#227-14 GAIL SILLMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build out the third floor to the same floor area as the second floor, which will increase the Floor Area Ratio from .53 to ~~.65~~ .59 where .44 is the maximum allowed by right, ~~and to add a second bay to an existing 398 sq. ft. garage to create a garage exceeding 700 sq. ft.~~ at 64 PERKINS STREET, Ward 3, WEST NEWTON, on land known as SBL 32, 12, 42, containing approximately 6,157 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-15 Table 1, 30-21(b), 30-8(b)(7) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; APPROVED AS AMENDED 4-0-1 (Schwartz)

Hearing opened on July 29, continued to August 5, 2014:

#423-13(2) PROFESSIONAL PERMITS/KEY POINT PARTNERS LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for ~~four~~ two signs, which relief includes waiving the size restrictions for a principal wall sign and locating a secondary sign on the same wall as the principal wall sign; ~~waiving the size restriction for a secondary wall sign; and waiving the number of secondary signs to allow a third secondary sign,~~ for PETSMAART at 215 NEEDHAM STREET, Ward 5, NEWTON UPPER FALLS on land known as SBL 51, 28, 8G containing approximately 70,847 sq. ft. of land in a district zoned MULTI USE 1. Ref: Sec 30-24, 30-23, 30-20(f)(1), (2), and 30-20(1) of the City of Newton Rev Ord, 2012, and Special Permits #610-89 and #610-89(2).

HEARING CLOSED; APPROVED AS AMENDED 5-0

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 the Newton ADA Coordinator, John Lojek, at least two days in advance of the meeting: jlojek@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.