

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON

Massachusetts

INTER-OFFICE CORRESPONDENCE

DATE: October 21, 2022

TO: Land Use Committee

FROM: Barney S. Heath, Director of Planning and Development
Katie Whewell, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: **Petition #449-22** for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #234-10 to extend a nonconforming use; to allow the construction of sport courts, a warming hut and associated parking; to determine appropriate dimensional requirements; to determine appropriate setbacks relative to parking; to waive perimeter screening; to waive interior landscaping; to waive lighting and to waive bike parking facilities at **1897 Washington Street**, Ward 4, Newton, on land known as Section 43 Block 46 Lot 11, containing approximately 2,291,142 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.2.A.3, 5.1.8.B.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.11of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Please see the attached draft Council Order for consideration regarding Petition #311-22 which is in front of Land Use Committee at its upcoming October 25th hearing.

Attachment A: DRAFT Council Order

ATTACHMENT A

DRAFT #449-22
1897 Washington Street

CITY OF NEWTON IN CITY COUNCIL

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, hereby grants the following SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #234-10 to extend a nonconforming use (§3.4.1, §7.8.2.C.2); determine appropriate dimensional requirements (§3.1.2.A.3); determine appropriate setbacks relative to parking (§3.1.2.A.3, §5.1.8.B.2, §5.1.13); and to waive certain parking facility requirements related to perimeter screening (§5.1.9.A), interior landscaping (§5.1.9.B, §5.1.13), and lighting (§5.1.10.A, §5.1.13), ~~waive bike parking facilities (§5.1.11, §5.1.13)~~ in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefore, through its Chairman, Councilor Richard Lipoff:

1. The site in a SR1 district is an appropriate location for the project as designed which would extend the existing nonconforming use as the location is internal to the petitioner's property with limited no visibility from nearby dwellings and public rights of way (§7.3.3.C.1)
2. The project as designed will not adversely affect the neighborhood as the location is internal to the petitioner's property and the improvements will result in a negligible percentage increase in impervious surface due to the large size of the site (§7.3.3.C.2)
3. The project as designed will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)
5. Literal compliance with certain parking facility requirements related to setbacks, perimeter screening, landscaping, and lighting, ~~and bicycle parking~~ is impracticable due to the nature of the use, and the location and grade of the lot (§5.1.13)
6. The proposed changes extending the nonconforming use would not be substantially more detrimental than the existing nonconforming use to the neighborhood as the location is internal to the petitioner's property with limited no visibility from nearby dwellings and public rights of way and the improvements will result in a negligible percentage increase in impervious surface due to the large size of the site (§7.8.2.C.2)

PETITION NUMBER: #449-22

PETITIONER: Woodland Golf Club of Auburndale

LOCATION: 1897 Washington Street, Ward 4, in Auburndale on land known as Sec 43, Blk 46, Lot 11, containing approx. 2,291,142 sq. ft. of land

OWNER: Woodland Golf Club of Auburndale

ADDRESS OF OWNER: 1897 Washington Street
Auburndale, MA 02466

TO BE USED FOR: Sport courts, a warming hut structure, and associated parking

CONSTRUCTION: Wood frame building, paved sport court, parking and walking areas.

EXPLANATORY NOTE: Special Permit per §7.3.3 to:

- amend Special Permit #234-10 (§3.4.1, §7.8.2.C.2)
- determine appropriate dimensional requirements (§3.1.2.A.3)
- determine appropriate setbacks relative to parking (§3.1.2.A.3, §5.1.8.B.2, §5.1.13)
- waive certain perimeter screening requirements (§5.1.9.A,)
- waive certain interior landscaping requirements (§5.1.9.B, §5.1.13,)
- waive certain lighting requirements (§5.1.10.A, §5.1.13)
- ~~waive bike parking facilities (§5.1.11, §5.1.13)~~

ZONING: Single Residence Districts 1

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping, and other site features shall be located and constructed consistent with the following plans:
 - a. a set of plans entitled "Site Development Plans for Woodland Golf Club Racquet

Courts, 1897 Washington Street, Auburndale, MSA 02446,” prepared by CHA, dated August 24, 2022, stamped and signed by Kelly Killeen, Registered Professional Engineer, August 24, 2022, comprised of the following sheets:

- i. Title Sheet (C-001)
 - ii. Notes Sheet (C-002)
 - iii. Existing Conditions Plan (C-003)
 - iv. Demolition & Erosion Control Plan (C-004)
 - v. Site Layout Plan (C-101)
 - vi. Grading and Drainage Plan (C-201)
 - vii. Utility Plan (C-301)
 - viii. Site Details- 1 (C-601)
 - ix. Site Details- 2 (C-602)
 - x. Site Details- 3 (C-603)
 - xi. Site Details- 4 (C-604)
 - xii. Site Details- 5 (C-605)
 - xiii. Lighting Plan (C-901)
- b. a set of architectural plans entitled “Woodland Golf Club, Paddle Convenience Facility, 1897 Washington St, Auburndale, MA,” prepared by Rob Bramhall Architects, dated August 24, 2022, signed and stamped by Robert A. Bramhall, comprised of the following sheets:
- i. Title Sheet (A000)(*note: neither signed nor stamped*)
 - ii. Basement Plan (A100)
 - iii. First Floor Plan (A101)
 - iv. Exterior Elevations (A201)
 - v. Exterior Elevations (A202)
2. Except as amended by this Council Order, all conditions set out in prior Board and/or Council Orders granted for the property shall remain unchanged and in effect.
3. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the Petitioner has:
- a. recorded with the Registry of Deeds for the Southern District of Middlesex County a certified copy of this Council Order granting this Special Permit/Site Plan Approval.
 - b. filed a copy of such recorded Council Order with the City Clerk’s Office, the Inspectional Services Department and the Department of Planning and Development.
 - c. submitted final plans and elevations to the Director of Planning and Development, to assure consistency with the plans approved with the special permit, referenced in Condition #1.
4. No certificate of occupancy shall be issued, nor shall any portion of any structure(s) built pursuant to this Special Permit/Site Plan Approval shall be occupied, until the petitioner

has:

- a. filed with the Clerk of the Board, the Department of Inspectional Services and the Department of Planning and Development a statement by a registered architect or registered engineer certifying compliance with Condition #1;
- b. submitted to the City Engineer final as-built plans in digital and paper format, with the latter sealed by a licensed surveyor;
- c. filed with the Clerk of the Board, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Council Order have been constructed to the standards of the City of Newton Engineering Department.