



Land Use Committee Report

City of Newton **In City Council**

Tuesday, February 27, 2018

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo

Also Present: Councilor Downs

City Staff Present: Associate City Solicitor Bob Waddick, Chief Planner Jennifer Caira, Senior Planner Neil Cronin, Senior Planner Michael Gleba, Planning Associate Valerie Birmingham

All Special Permit Plans, Memos and Application Materials can be found at http://www.newtonma.gov/gov/aldermen/special_permits/current_special_permits.asp. Presentations for each project can be found at the end of this report.

#65-18 **Petition to amend Board Order #152-14 at 1186 Chestnut Street/Indiana Court**
SEYED A ZEKAVAT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #152-14 to allow for the construction of a second driveway at the rear of the property to be accessed from Indiana Court, Ward 5, Newton Upper Falls, on land known as Section 51, Block 40, Lot 23, containing approximately 5,383 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened 02/06/2018

Action: **Land Use Approved Withdrawal without Prejudice 8-0**

Note: Committee members voted unanimously to approve the withdrawal without prejudice.

#68-18 **Petition to allow for profit educational use at 227 Washington Street**
EUI CHOI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit learning center in the existing day care at 227 Washington Street, Ward 1, Newton, on land known as Section 71, Block 07, Lot 01, containing approximately 5,553 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Action: **Land Use Held 8-0**

Note: With a request from the petitioner to hold the item, Committee members voted unanimously to hold #68-18.

#18-18 **Special Permit Petition to allow oversized dormer at 165 Harvard Street**
DIEGO TEBALDI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow dormer greater than 50% of the exterior wall below it at 165 Harvard Street, Ward 2, Newtonville, on land known as Section 22, Block 23, Lot 2, containing approximately 9,273 sq. ft. of land in a

district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened 01/09/2018 and continued to 02/06/2018

Action: **Land Use Approved 6-0-2 (Crossley, Kelley abstaining)**

Note: Petitioner Diego Tebaldi presented the request to construct a rear dormer on the second floor at 165 Harvard Street. Because the proposed dormer is greater than 50% of the exterior wall below it, the dormer requires zoning relief. Mr. Tebaldi noted that there was a new addition built and because it is off set from the principal structure, does not count towards continuous exterior wall space.

Senior Planner Neil Cronin presented the requested relief and criteria for consideration as follows:

Special Permits per §7.3.3 of the NZO to

- Allow a dormer wider than 50% of the exterior wall below (§1.5.4.G.2 and §1.5.4.G.2.b).

When reviewing the requested special permits the Council should consider whether:

- The specific site is an appropriate location for a single-family dwelling with dormer wider than 50% of the exterior wall below (§7.3.3.C.1).
- The proposed structure, as developed and operated, will not adversely affect the neighborhood (§7.3.3.C.2).
- The structure as proposed will not be 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).

Mr. Cronin demonstrated the location and proposed dormer as shown on the attached presentation. Because the addition constructed in 2014 is approximately 2' off set from the principal structure, Inspectional Services does not consider the first floor façade as a single façade. Because of this, the proposed dormer size is 50% larger than the size of the original first floor exterior façade. A Committee member noted that the construction of the large dormer will compromise the integrity of the structure without adequate support. Committee members questioned whether the item should be voted Subject to Second call, pending review by a structural engineer. It was confirmed that the Ordinance limiting the size of second floor dormers is for aesthetic, not structural purposes. Mr. Tebaldi stated that an architect has reviewed the plans. Committee members agreed that addressing structural issues is not under the Council's purview and noted that the petitioner must submit final building plans which are subject to review by Inspectional Services. A Committee member suggested that the petitioner discuss the concern raised with his architect. One Councilor noted that there are discrepancies in the architectural drawings that reflect changes to the windows and a chimney. Mr. Tebaldi confirmed that the only proposed change to the structure is the dormer and confirmed that the chimney and windows will not be changed.

Councilor Auchincloss motioned to close the public hearing which carried unanimously. Councilor Auchincloss motioned to approve the petition. Committee members reviewed the following draft findings:

1. The specific site is an appropriate location for a single-family dwelling with a dormer wider than 50% of the exterior wall below because dormers are featured in the neighborhood and the dormer, as proposed, will not affect the dimensional standards of an old lot in the Multi-Residence 1 zone. (§7.3.3.C.1)
2. The proposed structure, as developed and operated, will not adversely affect the neighborhood because the dormer is located on the rear façade not visible from the street. (§7.3.3.C.2)
3. The structure as proposed will not be 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)

Committee members reviewed the following conditions for the Council Order:

1. Plan References.
2. Prior to the issuance of a building permit, the petitioner shall receive a final inspection for the addition known as Permit #12110758 in the Inspectional Services Department.
3. Standard Building Permit Condition.
4. Standard CO Condition.

With no changes to proposed conditions, Committee members voted 6-0-2 with abstentions from Councilors Crossley and Kelley.

#71-18 Petition to amend Special Permit #515-61 at JFK Circle

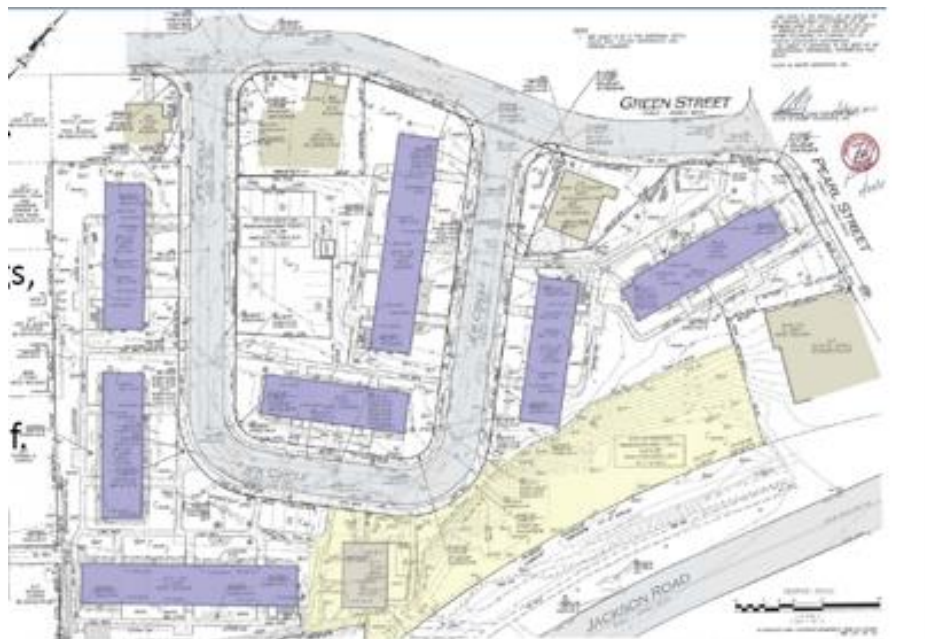
NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing lots at 83-127 and 106-128 JFK Circle to develop 55 affordable elderly housing units, requiring a Comprehensive Permit, to extend non-conforming front setbacks and for waivers relative to parking at 83-127 John F Kennedy Circle and 106-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.1 of the City of Newton Rev Zoning Ord, 2015.

Action: **Public Hearing Opened on February 13 and February 27, 2018; Land Use Held 8-0**

Note: Attorney Alan Schlesinger, office at 1200 Walnut Street, represented the Newton Housing Authority. The petitioner made an initial presentation for the proposed Site Plan amendment on February 13, 2018. Because additional relief was identified, the item required re-advertising and was continued to February 27, 2018. The petition before the Land Use Committee is a Special Permit Petition to remove 26,366 sq. ft. from the Jackson Gardens site on JFK Circle. Because Jackson Gardens was the subject site of a Special Permit and Site Plan Approval, the removal of the square footage requires an amendment to the Special Permit. If approved, it is the Newton Housing Authority's intent to use the 26,366 sq. ft. lot to develop a new structure to be used for 55 units for mixed income, elderly housing (Haywood House). The development will be presented as a request for a Comprehensive Permit before the Zoning Board of Appeals.

Atty. Schlesinger demonstrated the location of the portion of the site to be removed (in yellow) as shown below and on the attached presentation. The parcel to be removed currently contains a community building for Jackson Gardens. The community room would be demolished for the location of eight parking stalls. As part of the Haywood House development, a new community space will be built for use by residents of both Jackson Gardens and Haywood House. Atty. Schlesinger stated that while the landscaping plan has not been reviewed by the Planning Department, he anticipates that it will be reviewed prior to the next meeting. Atty. Schlesinger introduced members of the development team present including; Chair of the Housing Authority Rick Kronish, Baker Wohl Principal Architect Ahmed Idris, Housing Authority Christine Long and Housing Partners Eleanor White.

Housing Authority Chair Rick Kronish, 22 Chestnut Terrace, Newton Housing Authority provided an overview of Haywood House. He stated that the Housing Authority is the largest provider of affordable housing in the City, housing over 1300 low income residents. He noted that it is the mission of the Housing Authority to expand the housing stock, provide supportive social services while creating a sense of community. Mr. Kronish noted that the proposed development will contain 55 mixed income units for residents aged 62 and older. The proposed unit mix is as follows: 11 units at or below 30% AMI, 21 units 31%-60% AMI and 10 units between 60%-90% AMI. Six units will be designated for individuals currently or at risk of homelessness. Three units in the development will be fully accessible and all units will be fully adaptable and visitable. Mr. Kronish noted that the Housing Authority has held community meetings and held site visits. Additionally, the CPC has approved \$2.4 million dollars in funding for the project. Mr. Kronish submitted the (attached) Livable Newton endorsement as well as the (attached) petition in support of the proposed development.



Baker Wohl Principal Architect Ahmed Idris, presented an overview of the changes to the site plan. He stated that after the public hearing on February 13, a traffic circulation study was completed. The traffic study included a review of emergency vehicle access to the site. Mr. Idris noted that several “no parking” zones would be beneficial for emergency access. As part of the Special Permit process, the

petitioner proposes to locate 22 spaces within the site, 8 to be located where the existing community room is. A total of 55 spaces would be available for the two developments. Mr. Idris confirmed that it is the petitioner's intent to capture all rainwater and drainage in cisterns for release into the existing sanitary and storm water systems. He confirmed that drainage calculations will be submitted prior to the next public hearing. Mr. Idris noted that an existing ramp will be made ADA compliant.

Mr. Idris stated that although the existing community room will be removed to locate parking, the new community room will be double in size, including a fitness space, common area and management office. It is expected that the new community room will serve as a gateway between the two communities. In response to questions raised relative to the proximity of Haywood House to the culvert and sidewalk. Mr. Idris noted that at the closest point, the culvert is approximately 20' from the building and the sidewalk is 36-69' from the building. From Jackson Road, the building is approximately 61'-62' from the sidewalk. Mr. Idris confirmed that the petitioner will revise the proposed site plan to include bicycle accommodations.

Atty. Schlesinger responded to the concerns raised by the Planning Department relative to the parking stalls that abut the public way. He noted that where there are three proposed stalls abutting Green Street, two stalls currently exist. Atty. Schlesinger noted that he spoke with Conservation Commission Planner Jennifer Steele who confirmed that there is no wetlands jurisdiction and the land is not conservation land. Her continued that a finding of no environmental effect has been issued under NEPA HUD funding. Atty. Schlesinger stated that he spoke to Parks and Recreation Commission Bob DeRubeis who is open to the idea of a passive recreation or seating area on the land above the culvert if it were offered and funded by the Newton Housing Authority. It was noted that the non-conforming stalls on the site are legal non-conformities as they existed prior to the enactment of the parking ordinance. Atty. Schlesinger noted that with the exception of the stalls that abut Green Street; modifications to the parking will create more conforming stalls than the existing ones.

Senior planner Michael Gleba reviewed the requested relief and criteria for consideration as follows:

Special permit per §7.3.3 to:

- amend Special Permit #515-61 (*to allow the removal of 26,336 square feet of land along Jackson Road from the existing 83-127 John F. Kennedy Circle property*), and
- allow parking within any required front or side setbacks and within five feet of the street (§5.1.8.A.1, §5.1.13)
- allow parking within five feet of a residential structure (§5.1.8.A.2, §5.1.13)
- allow reduced stall dimensions (§5.1.8.B.1, §5.1.8.B.2, §5.1.13)
- allow an entrance/exit drive exceeding 25 feet in width (§5.1.8.D.2, §5.1.13)
- waive perimeter screening requirements (§5.1.9.A, §5.1.13)
- waive interior landscaping requirements (§5.1.9.B, §5.1.13)
- waive lighting requirements (§5.1.10.A, §5.1.13)
- waive bicycle parking requirements (§5.1.11, §5.1.13)

When reviewing this request, the Council should consider whether:

- The site is an appropriate location for the proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan. (§7.3.3.C.1)
- The proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan will adversely affect the neighborhood (§7.3.3.C.2)
- The proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan 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)

Mr. Gleba reviewed the proposed site plan and demonstrated the location of the parcel to be removed, on the right side of the property, adjacent to Jackson Road. He noted that the area is zoned primarily multi-residence, with some business and mixed use in the vicinity. Mr. Gleba reviewed the proposed changes to the site plan emphasizing the proposed locations of several parking stalls, on curves and with no 5' buffer to the sidewalk. He demonstrated the existing conditions and the locations of the proposed parking stalls on the photos shown in the attached presentation. He noted that there are two trees that will need to be removed to locate parking. Mr. Gleba stated that due to the proximity of some parking stalls to the sidewalks (JFK Circle, Green Street), the Planning Department has concerns relative to pedestrian safety.

Public Comment

Tim Snyder, 341 Linwood Avenue, Believes that it is advantageous that the NHA owns and will maintain the land. He believes the proposed is a good request and utilization of space and traffic flow that provides the necessary parking. He notes that it will address a small piece of the affordable housing shortage.

Donvito Dimercuril, 26 Green Street, has concerns about the existing traffic. He noted that you cannot pull out during school hours and does not believe that a five-story building belongs at the site. He has questions about ownership of the property.

Kevin McCormick, 52 Madison Avenue, supports the livable Newton petition.

Julia Malakie, 50 Murray Road, noted that the Site Plan amendment request shouldn't be adversely affecting existing residents. She noted that there will be tree loss on the parcel at the most pleasant part of the site. She noted that if you cannot locate parking without taking down trees, the new building is too big.

Unnamed resident at 175 Adams Street, Stated that he was informed that there is 3-5 year wait for senior housing. He noted that the City desperately needs senior housing and questioned if there will be another community room. He noted that the parking will have a huge impact on the Jackson Gardens site and suggested that the Housing Authority should take a part of Aquinas to locate some parking. He questioned whether there will be two elevators and if the solar has been included in the proposal.

Shawn Roche, 42 Jacobs Terrace, supports the project. He stated that five-story senior housing should be allowed everywhere until there is adequate senior housing. He noted that often parking is overbuilt and questioned whether the parking can be added on later.

Nancy Patriacca, 110 Nevada Street, supports senior housing, but has concerns about the density of the project. She has concerns about the removal of trees and impact of parking. Ms. Patriacca believes that the area should remain open space and any removed landscaping should be replaced. Ms. Patriacca stated that some streets will be difficult to maneuver emergency vehicles and questioned why the smaller roads are being used for circulation for emergency vehicles. She noted that the petitioner should be careful not to create additional hazards with the new parking stalls and stated that if the development is too dense, parking will become an issue. She noted that most residents were in favor of original proposal containing 34 units, but believes that 55 units seems really excessive on this lot.

An unnamed resident on Jackson Street, was supportive of the original proposal for a smaller building and questioned the process for the petitioner. The Chair explained that if the site plan is approved, the petitioner will present the petition before the ZBA. He noted that the petitioner should improve or maintain the safety and traffic in the area. He stated that the proposed parking stalls at JFK Circle and Green Street seem dangerous. He noted that the trees should be maintained and the petitioner should make a positive impact on the site.

Tamara Bliss, 9 Lewis Street, Supports the petition to build 55 units. Ms. Bliss stated that by 2030, seniors will compose 1/3 of the population, noting that 88% of seniors want to stay in the City. Ms. Bliss stated that there are limited options for senior housing in the City and she believes that the mixed income plan will help to begin to address the need. She noted that the Jackson Gardens residents will benefit from the project as ½ of the apartment buildings at Jackson Gardens are inaccessible. She urged Committee members to take the first step in the process and approve the site plan amendment.

Lynn Weisberg, 5 Alden Street, signed the Livable Newton letter and urged Committee members to approve the petition.

Mary Visco, 155 Adams Street, does not believe that the proposal is appropriate for the site. She noted that there is an existing parking problem. She has neighbors that park in her driveway because they don't have an alternate place to park. She believes that other site should be evaluated.

Caren Seagraves, 13 Murphy Court, has concerns about the parking configuration and noted that children who walk to school will be crossing behind the cars. She does not believe the parking can be safe, but supports senior housing.

Committee members agreed that the goal of the proposed project is a good initiative. Committee members are supportive of the spirit of the proposed project but agreed that the proposed parking plan is unsafe and not suitable. Committee members urged petitioner to consider a revised parking plan with alternate solutions (shared or reduced parking, or alternate methods of transportation. A Committee member asked that the petitioner prepare a response to the question of how the proposed development increased from 34 to 55 units. Committee members noted that while there is a need for senior housing,

creating a dense development that requires substandard stalls might not adequately meet the needs of the senior population and may create unsafe conditions for pedestrians. A Councilor asked that the petitioner consider whether the trees must be removed. Councilor Greenberg motioned to hold the item and continue to March 13, 2018. The Committee will meet for a Site visit on Monday, March 5, 2018 and will meet at the JFK Circle community room. All interested parties are invited.

#130-18 Class 2 Auto Dealer License

CICCONE MOTORS

22 West Street

Newton, MA. 02458.

Action: **Land Use Approved 8-0**

Note: It was confirmed that Inspectional services is not aware of any issues at the site for Ciccone Motors and the dealership is current on taxes. Committee members voted unanimously in favor of the auto dealers license.

#131-18 Temporary license to hold Nonantum Village Day

NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 2.3.3 of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 3, 2018.

Action: **Land Use Approved 8-0**

Note: Committee members reviewed the information submitted for Nonantum Village Day. Councilor Greenberg invited all Councilors to attend the 7th annual Nonantum Village Day. Committee members voted unanimously in favor of approval.

#132-18 President's Appointment of Councilor Rice to the NWH Neighborhood Council

PRESIDENT LAREDO re-appointing Councilor John Rice, 9 Selden Street, Waban, as the Ward 5 Council Representative, to the Newton-Wellesley Neighborhood Council pursuant to Condition #29 of Special Permit #470-04 for a term of office to expire on December 31, 2019. (60 days: 04/16/18)

Action: **Land Use Approved 8-0**

#102-18 President's Appointment of Councilor Auchincloss to the Austin St Liaison Committee

PRESIDENT LAREDO appointing Councilor Jake Auchincloss as the Ward 2 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#103-18 President's Appointment of Councilor Leary to the Austin Street Liaison Committee

PRESIDENT LAREDO appointing Councilor Alison Leary as the Ward 1 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the

Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#104-18 President's Appointment of Stephen Logowitz to the Austin Street Liaison Committee

PRESIDENT LAREDO appointing Stephen Logowitz, 28 Clyde Street, Newtonville, as a Newtonville Resident Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#105-18 President's Appointment of Bill Honeycutt to the Austin Street Liaison Committee

PRESIDENT LAREDO appointing Bill Honeycutt as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#106-18 President's Appointment of Brian Shaw to the Austin Street Liaison Committee

PRESIDENT LAREDO appointing Brian Shaw as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#107-18 President's Appointment of Michael Tucci to the Austin Street Liaison Committee

PRESIDENT LAREDO appointing Michael Tucci, 191 Jackson Road, Newton as the Jackson Road Area Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#99-18 Appointment of Councilor Kalis to the Chabad Neighborhood Council

PRESIDENT LAREDO appointing Councilor David Kalis as the Ward 8 Council Representative to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#100-18 President's Appointment of David Yu to the Chabad Neighborhood Council

PRESIDENT LAREDO appointing David Yu, 22 Rachel Road, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

#101-18 President's Appointment of Elyse Friedman to the Chabad Neighborhood Council

PRESIDENT LAREDO appointing Elyse Friedman, 370 Dedham Street, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#97-18 Appointment of Councilor Baker to the Boston College Neighborhood Council

PRESIDENT LAREDO appointing Councilor R. Lisle Baker as the Ward 7 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#98-18 Appointment of Councilor Norton to the Boston College Neighborhood Council

PRESIDENT LAREDO appointing Councilor Emily Norton as the Ward 2 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#93-18 Appointment of Elizabeth Smith to the Washington Place Liaison Committee

PRESIDENT LAREDO appointing Elizabeth Smith, 40 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#94-18 Appointment of Meghan Smith to the Washington Place Liaison Committee

PRESIDENT LAREDO appointing Meghan Smith, 34 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#95-18 Appointment of Wayne Koch to the Washington Place Liaison Committee

PRESIDENT LAREDO appointing Wayne Koch, 64 Greylock Road, West Newton, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: Land Use Approved 8-0

#96-18 Appointment of Robert Fitzpatrick to the Washington Place Liaison Committee

PRESIDENT LAREDO appointing Robert Fitzpatrick, 167 Lowell Avenue #1, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

Action: **Land Use Approved 8-0**

Note: The Chair noted that the Washington Place Liaison Committee members have not come before the Land Use Committee. Councilor Auchincloss noted that the Ward 2 Councilors discussed the appointments with the President. President Laredo noted that he was guided by the Ward 2 Councilors and while the Newtonville Area Council expressed concerns that no NVAC member was appointed, the Council Order did not require appointment of a Newtonville Area Council member. Councilor Auchincloss confirmed that the developers typically present to both bodies. Committee members had no concerns relative to the reappointments. With a motion to approve all appointments from Councilor Lipof, Committee members voted unanimously in favor.

The Committee adjourned at 8:40 pm.

Respectfully Submitted,

Greg Schwartz, Chair

Department of Planning and Development



PETITION #18-18
165 HARVARD STREET

SPECIAL PERMIT TO ALLOW A
DORMER WIDER THAN 50%
OF THE EXTERIOR WALL
BELOW

FEBRUARY 27, 2017



Requested Relief



Special Permits per §7.3.3 of the NZO to:

- Allow a dormer wider than 50% of the exterior wall below (§1.5.4.G.2 and §1.5.4.G.2.b).

Criteria to Consider

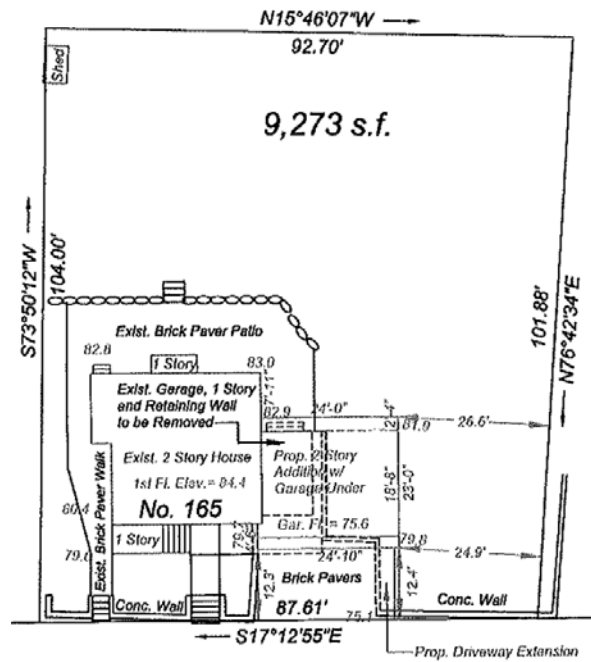
When reviewing the requested special permits the Council should consider whether:

- The specific site is an appropriate location for a single-family dwelling with dormer wider than 50% of the exterior wall below (§7.3.3.C.1).
- The proposed structure, as developed and operated, will not adversely affect the neighborhood (§7.3.3.C.2).
- The structure as proposed will not be 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).

AERIAL/GIS MAP



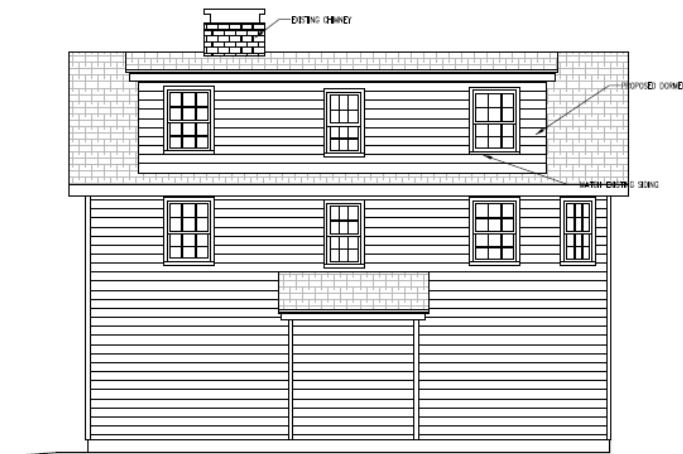
Site Plan



Existing Rear Elevation



Proposed Rear Elevation



Proposed Findings

1. The specific site is an appropriate location for a single-family dwelling with a dormer wider than 50% of the exterior wall below because dormers are featured in the neighborhood and the dormer, as proposed, will not affect the dimensional standards of an old lot in the Multi-Residence 1 zone. (§7.3.3.C.1)
2. The proposed structure, as developed and operated, will not adversely affect the neighborhood because the dormer is located on the rear façade not visible from the street. (§7.3.3.C.2)
3. The structure as proposed will not be 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)

Proposed Conditions



1. Plan References.
2. Prior to the issuance of a building permit, the petitioner shall receive a final inspection for the addition known as Permit #12110758 in the Inspectional Services Department.
3. Standard Building Permit Condition.
4. Standard CO Condition.

Haywood House Newton Housing Authority

Newton City Council – Land Use Committee
February 27, 2018

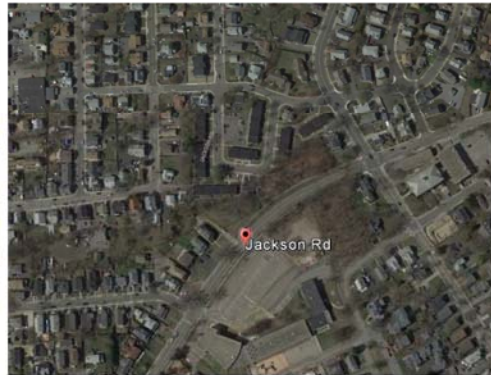


Haywood House Main Entry facing John F. Kennedy Circle - Sidewalk Level



Jackson Gardens Locus Plan

- Located on John F. Kennedy Circle, a Public Way off of Green St



Newton Housing Authority Jackson Gardens

- **Newton Housing Authority (NHA)**
 - Established in 1959
 - Largest provider of affordable housing in Newton
 - Over 1300 residents
 - 500 public housing units
 - 441 Rental Assistance Vouchers
 - 57 management units
- **Mission of the NHA**
 - Provide a high standard of housing
 - Create a sense of community for residents
 - Increase affordable housing opportunities
 - Expand social services
- **Jackson Gardens:**
 - One of the four original public housing developments in Newton
 - Built in 1963, Federally-assisted
 - 64 one-bedroom units for elders and persons with disability



Haywood House Development Team

- Newton Housing Authority
 - Board of Commissioners (unpaid)
 - Rick Kronish, Chairman
 - Howard Haywood, Vice Chairman
 - Mary Panaggio, Treasurer
 - Tom Turner, Commissioner
 - Vincent O'Donnell, Commissioner
 - Amy Zarechian, Executive Director
- Development Consultant: Housing Partners, Inc.
- Owner's Project Manager: Pinck & Co.
- Designer: Baker | Wohl Architects
- Construction Manager at Risk: Colantonio Corp.
- Zoning & Permitting Counsel: Schlesinger and Buchbinder, LLP
- Tax Credit Counsel: Klein Hornig LLP
- Property Manager: Maloney Properties, Inc.



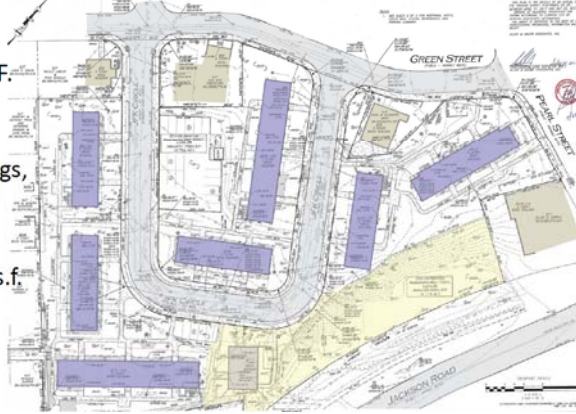
Haywood House Project Summary

- 55 one-bedroom units for elders over the age of 62.
- 32 units designated for households with income below 60% AMI, including 11 limited to households with income below 30% AMI. 70% preference for Newton residents (subject to fair housing laws).
- 10 units set aside for households with income up to 99% AMI
- 13 units for households at market incomes and middle-market rents
- 3 units fully accessible for individuals with mobility impairments (under Community Based Housing -- CBH)
- All units adaptable and visitable
- 6 units designated for individuals currently or at risk of being homeless (including 3 under state Facilities Consolidation Fund -- FCF)



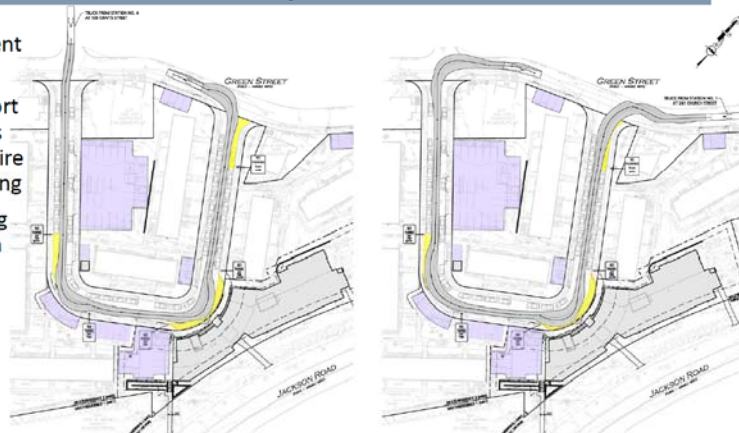
Jackson Gardens Existing Site Plan

- Located on John F. Kennedy Circle, a Public Way
- Two Existing Parcels at John F. Kennedy Circle :
 - one inside 31,000 ± s.f.
 - one outside 89,000 ± s.f.
- 7 Existing Residential Buildings, 64 Units, and a Community Center
- 25 existing parking spaces
- Proposed parcel is 26,336 ± s.f.



John F. Kennedy Circle Circulation Improvements

- Turning Movement Study
- Adding a few short No Parking zones would improve Fire Truck maneuvering
- On-street parking is not included in parking counts



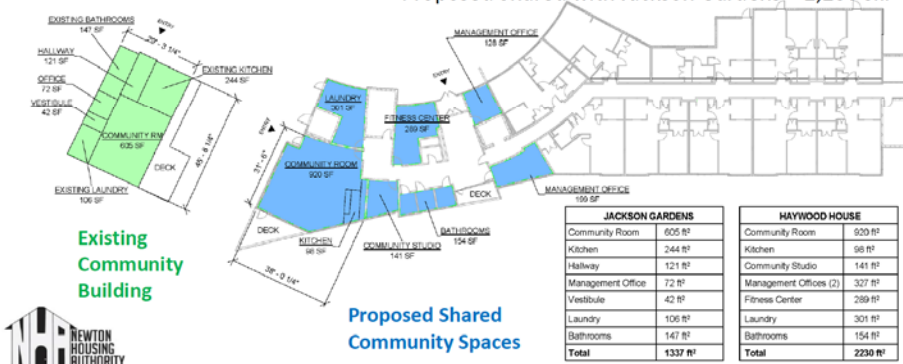
Jackson Gardens Revised Site Plan

- Existing 25 parking spaces are maintained for Jackson Gardens
- Parking added to provide 30 added spaces for Haywood House
- Jackson Gardens front yards retained; new parking at ends of buildings
- Leaves existing utilities in place for Jackson Gardens
- Mitigation of stormwater systems and improvement of circulation on JFK Circle
- Landscape improvements will be included for Jackson Gardens
- Path to Jackson Road will be retained



Jackson Gardens & Haywood House Community Spaces

- Haywood House contains a new Community Center which will be shared by both Developments, and will be available for other neighborhood activities.
- Existing Community Building = 1,337 s.f.
- Proposed Shared with Jackson Gardens = 2,230 s.f.



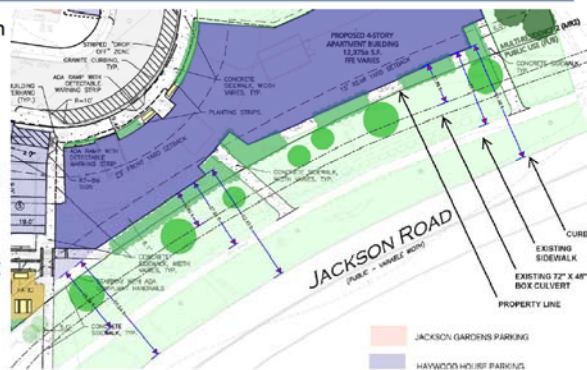
Jackson Road Existing Site View

- Proposed building 61± feet from curb along Jackson Road
- Proposed building 36± to 39± feet from existing Jackson Road walk
- Existing box culvert on City land between sidewalk and proposed building



Jackson Road Site Plan

- Proposed building 61± feet from curb along Jackson Road
- Proposed building 36± to 39± feet from existing Jackson Road walk
- Existing box culvert on City land along Jackson Road remains; 20± feet from building
- New patio with outdoor seating along pathway from JFK Circle to Jackson Road



Jackson Gardens Revised Site Plan

- Existing 25 parking spaces are maintained for Jackson Gardens
- Parking added to provide 30 added spaces for Haywood House
- Jackson Gardens front yards retained; new parking at ends of buildings
- Leaves existing utilities in place for Jackson Gardens
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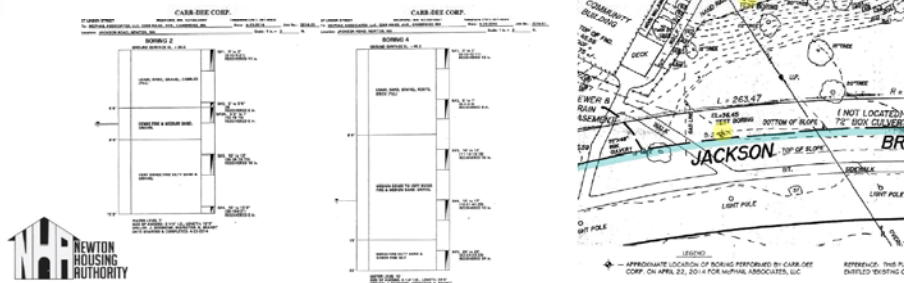
Haywood House Newton Housing Authority

Newton City Council – Land Use Committee
February 27, 2018



Jackson Gardens Site Conditions

- Soil Borings have shown suitable underlying conditions for supporting building foundations.
- Fill layer at the top 4.5 to 8.5 feet, above the suitable underlying soils, will be remediated.
- Existing Box Culvert below the City land green strip along Jackson Road carries water flow – will remain as is.



Haywood House Jackson Road – Sidewalk Level



Haywood House Jackson Road – Birds Eye View



Haywood House Jackson Road – Elevation



Department of Planning and Development



PETITION #71-18 83-127 AND 106-128 JFK CIRCLE

SPECIAL PERMIT/SITE PLAN
APPROVAL TO AMEND BOARD ORDER
#515-61 TO REMOVE 26,366 SQ. FT.
OF LAND FROM THE EXISTING LOTS
AT 83-127 AND 106-128 JFK CIRCLE
TO DEVELOP 55 AFFORDABLE
ELDERLY HOUSING UNITS,
REQUIRING A COMPREHENSIVE
PERMIT, TO EXTEND NON-
CONFORMING FRONT SETBACKS AND
FOR WAIVERS RELATIVE TO PARKING

FEBRUARY 27, 2018



Requested Relief



Special permit per §7.3.3 to

- to amend Special Permit #515-61 (*to allow the removal of 26,336 square feet of land along Jackson Road from the existing 83-127 John F. Kennedy Circle property*), and
- allow parking within any required front or side setbacks and within five feet of the street (§5.1.8.A.1, §5.1.13)
- allow parking within five feet of a residential structure (§5.1.8.A.2, §5.1.13)
- allow reduced stall dimensions (§5.1.8.B.1, §5.1.8.B.2, §5.1.13)
- allow an entrance/exit drive exceeding 25 feet in width (§5.1.8.D.2, §5.1.13)
- waive perimeter screening requirements (§5.1.9.A, §5.1.13)
- waive interior landscaping requirements (§5.1.9.B, §5.1.13)
- waive lighting requirements (§5.1.10.A, §5.1.13)
- waive bicycle parking requirements (§5.1.11, §5.1.13)

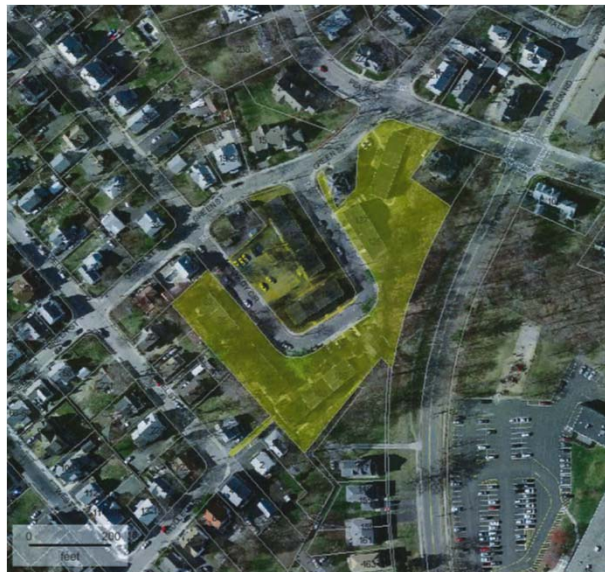
Criteria to Consider



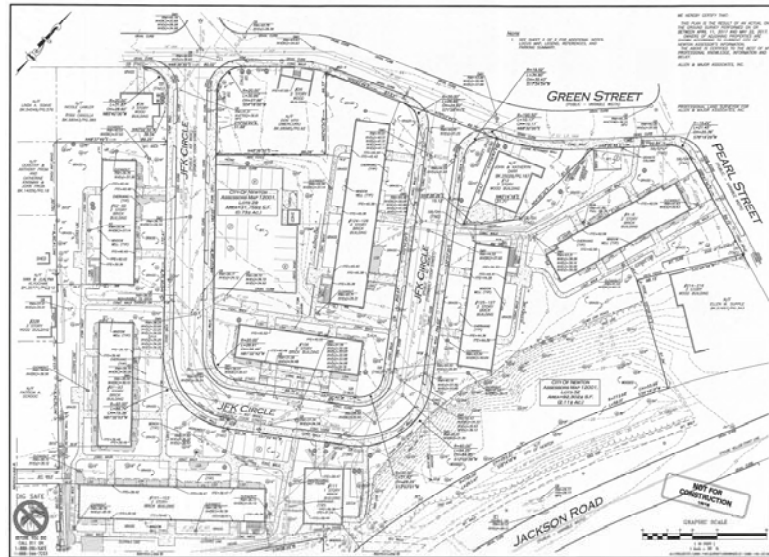
When reviewing this request, the Council should consider whether:

- The site is an appropriate location for the proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan. (§7.3.3.C.1)
- The proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan will adversely affect the neighborhood (§7.3.3.C.2)
- The proposed changes pursuant to the requested amendments and modifications to Special Permit #515-61 and the associated site plan 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)

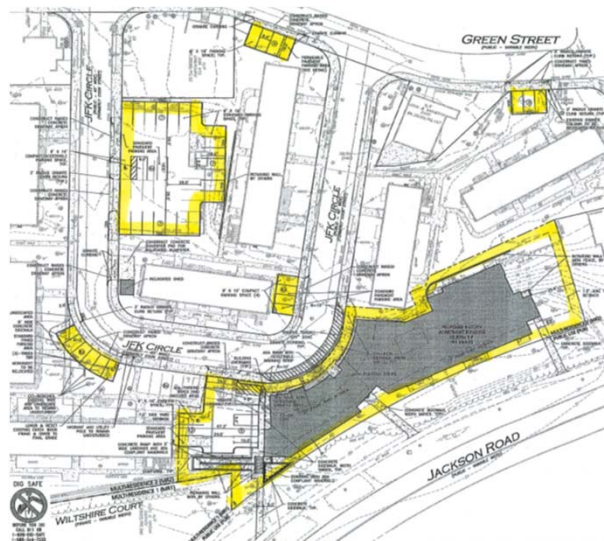
AERIAL/GIS MAP



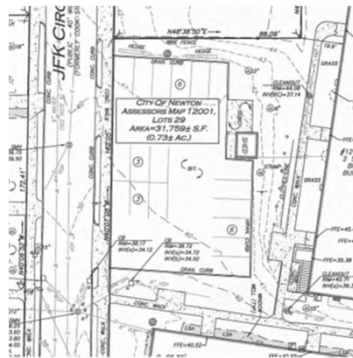
Site Plan- existing



Site Plan- proposed



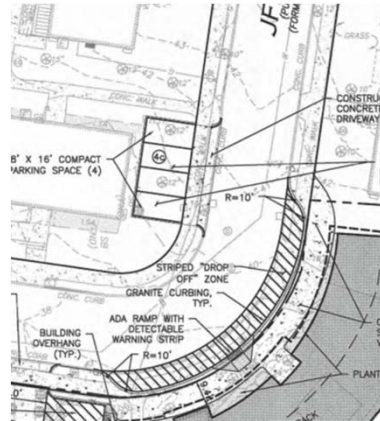
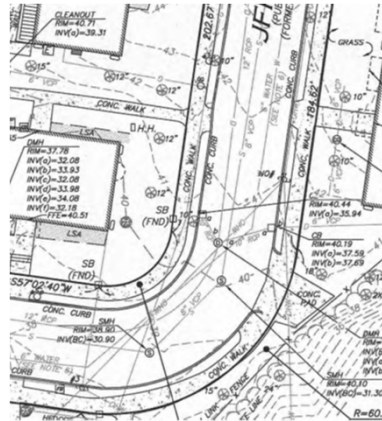
Site Plan Detail: Existing (L) & Proposed (R) Expanded parking area- JFK Circle



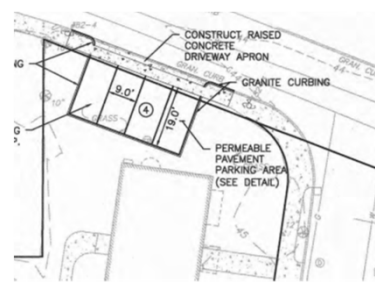
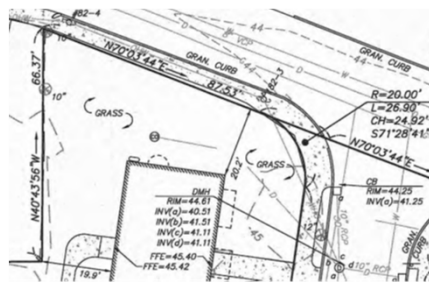
Site Plan Detail: Existing (L) & Proposed (R) 6 new parking stalls- JFK Circle



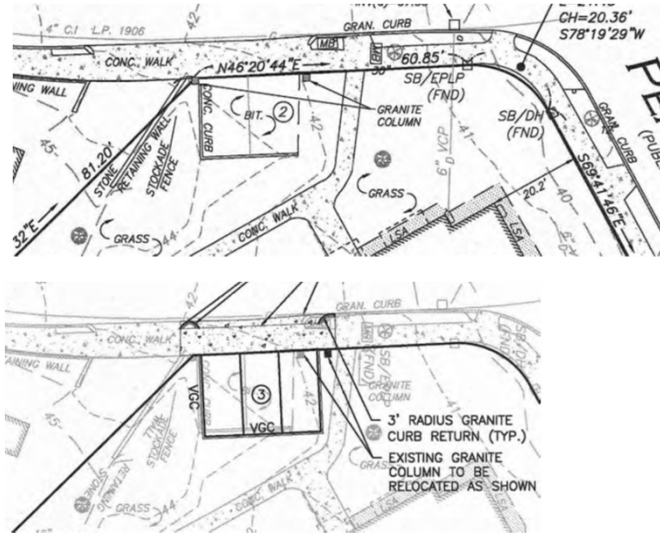
Site Plan Detail: Existing (L) & Proposed (R) 4 new parking stalls- JFK Circle



Site Plan Detail: Existing (L) & Proposed (R) 4 new parking stalls- Green Street



**Site Plan Detail: Existing (T) & Proposed (B)
1 additional stall- Green Street**



Photos



Photos



Photos



Photos



Photos



Photos



Photos



Photos



Photos



Photos

