

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON

Massachusetts

INTER-OFFICE CORRESPONDENCE

DATE: July 3, 2019

TO: All Members, City Council

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Neil Cronin, Senior Planner

SUBJECT: Wells Avenue Deed Restriction and Consistency Request
181 Wells Avenue

The subject property is located on Wells Avenue in the Limited Manufacturing (the “LMD”) district. The property is subject to the Wells Avenue Deed Restriction which governs all properties within the LMD district. The site is also governed by three special permits: Board Order #89-74 approved a four-story office building and an accessory surface parking facility, while Board Orders #89-74(2) and #364-75 allowed modifications to the site plan.

The petitioner submitted a request to “waive” the Wells Avenue Deed Restriction to install two carports in the form of solar-photovoltaic systems at the rear of the site. The Wells Avenue Deed Restriction prohibits any building or structure from being erected without the approval of the City Council regarding finished grading and topography, drainage, parking, or landscaping. Additionally, because the site is also governed by three special permits, the petitioner requires a consistency determination from the Commissioner of Inspectional Services.

The plans indicate that the carports are 160 feet long, 45 feet wide, and due to their angle towards the sun, are a minimum of 16 feet tall and a maximum of 21 feet tall. The carports do not encroach into the setbacks and they will neither alter the parking stall dimensions nor the dimensions of the drive aisles within the facility. The carports do increase the lot coverage dimensional standard to 19.2 percent, which complies with the minimum of 25 percent required of the LMD zone.

The Planning Department believes that the carports are a minor change to the site plan which do not affect the special permits governing the site. Staff is unconcerned with the request to “waive” the Wells Avenue Deed Restriction and believes the carports are consistent with the special permits governing the property.

Please do not hesitate to contact me if you have any questions regarding this subject.