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**Barney S. Heath**  
Director

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**PUBLIC HEARING/WORKING SESSION MEMORANDUM**

**DATE:** September 25, 2020  
**MEETING DATE:** September 29, 2020  
**TO:** Land Use Committee of the City Council  
**FROM:** Barney S. Heath, Director of Planning and Development  
Neil Cronin, Chief Planner for Current Planning  
Michael Gleba, Senior Planner  
**CC:** Petitioner

In response to questions raised at the City Council public hearing, the Planning Department is providing the following information for the upcoming public hearing/working session. This information is supplemental to staff analysis previously provided at the Land Use Committee public hearing.

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**PETITION #316-20**

**432 Dedham Street**

SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear-lot subdivision to create two lots fronting on Dedham Street at **432 Dedham Street**, Ward 8, Newton Centre, on land known as Section 81 Block 11A Lot 47, containing approximately 66,503 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.5, 3.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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The Land Use Committee (the "Committee") held a public hearing on September 15, 2020 on this petition. This memo reflects additional information addressed to the Planning Department as of September 24, 2020.

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**Background**

The petitioner proposes to divide the lot into three parcels. Two lots would front Dedham Street and a third would be a "rear lot" located behind both structures. As proposed, the rear lot ("Lot 1") would have 31,308 square feet in area, the left front lot ("Lot 2") would have 17,632 square feet and the right front lot ("Lot 3") would have 17,563 square feet. A new single-family dwelling is proposed on each of

Lots 2 and 3 while the existing single-family dwelling would remain on Lot 1. To divide the property as proposed and create a rear lot requires a special permit per Sections 3.1.5 and 3.1.10 of the Newton Zoning Ordinance.

### **Petition Update**

#### ***Modified Site Plan***

Subsequent to the Land Use Committee's September 15, 2020 hearing, in response to issues raised at that hearing and comments from the public and the Planning Department, the petitioner has made some changes to the proposed project and amended its petition to modify its proposed site plan.

The changes identified in the modified site plans are the relocation of proposed retaining walls that would facilitate the raising of the grade on portions of the property. The retaining walls on the left (west) and right (east) side of the property would be moved a minimum of one foot into the property. This is responsive to a recommendation from the Engineering Division's September 11, 2020 memorandum that the walls be "pulled back a foot or two to keep the walls on the applicant's property and ease of maintenance." In response to other concerns expressed at the public hearing, the petitioner has shifted the proposed location of portions of the right (east) side retaining wall even further into the subject property, using a curvilinear design to, as stated by the petitioner, "ensure the preservation of the black walnut tree and beach tree" on the property.

The Planning Department notes that the petitioner's modified site designs do not reflect any change to the proposed locations of the two front lots' (Lots 2 and 3) street-facing garages and or their associated driveways. This aspect of the proposed site design/layout was discussed at the previous hearing and continues to be a concern for the Planning Department. The Department recommends that the petitioner be prepared to discuss this subject at the upcoming hearing.

#### ***Lighting***

In response to a previous request for information about lighting proposed for the site, the petitioner provided the attached narrative (**Attachment A**). The Department notes that the petitioner emphasizes the need to provide appropriate light levels for safety, a goal that would be consistent with a standard order condition requiring that any lighting be "residential in scale."

### **Next Steps**

The petitioner should continue to work with City staff in anticipation of the upcoming hearing on this petition.

### **ATTACHMENTS**

<b>Attachment A</b>	Petitioner submitted narrative- "Proposed Landscape and Exterior Lighting for Lots 2 and 3"
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## **ATTACHMENT A**

Special Permit Application

432 Dedham Street

Newton Center, MA 02459

### **Proposed Landscape and Exterior Lighting for Lots 2 and 3**

The proposed structures on these sites are intended to follow “Universal Design” principles which focus on accessibility for all ages.

It will be important to light entries, paths, and site orientation features so that the buildings may be accessed safely.

Lighting selected will be from “Night Sky” products. These shield the light source and direct the illumination onto surfaces.

Code required lighting at entrances will be located within porch ceilings or, if wall mounted, will be a Night Sky fixture.

Path lighting as required for safety will be low voltage landscape lighting with shielded light source directed onto the path surface.

Orientation lighting will be low voltage landscape lighting directed to uplight such things as granite posts and house numbering near the drive entry.