



## Zoning & Planning Committee Agenda

### City of Newton In City Council

Monday July 24, 2023

6:30 pm

Council Chamber (Room 207)

The Zoning and Planning Committee will hold this meeting as a hybrid meeting on Monday, July 24, 2023 at 6:30 PM that the public may access in-person or virtually via Zoom. To attend this meeting via Zoom use this link: <https://newtonma-gov.zoom.us/j/84940638685> or call 1-646-558-8656 and use the following Meeting ID: 849 4063 8685.

#### Items Scheduled for Discussion:

##### ***Public Hearing***

**#205-23**

**Petition to rezone lots on Charles Street**

TERRENCE P. MORRIS, ESQ. petitioning to amend the City of Newton's Zoning Map by changing the current zoning of the property known as and numbered 132 Charles Street, Newton, Ma, and shown on the City of Newton Assessor's database as Section 41, Block 06, Lots 14, currently zoned MULTI-RESIDENCE 1 and MANUFACTURING, and Section 41, Block 06, Lot 26, currently zoned MANUFACTURING, to MIXED USE 1.

**Chair's Note:** *We will hold up to 1.5 hours of testimony for folks who could not testify at the first night of hearings, then will continue the public hearing to early September. The committee will resume discussion on 38-22 after taking up item 206-23. Please see Chair's memo suggesting a strategy for organizing the next several meetings on this item.*

***Public Hearing at 7:00pm or later following the public hearing on #205-23***

**#38-22**

**Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts**

ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

**Zoning & Planning Held 8-0 on 06/26/23; Public Hearing Continued**

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

**Chair's Note:** *The intention is for the committee to set a public hearing date for the following item after review and discussion of the proposed ordinance.*

**#206-23 Discussion and possible ordinance to allow for breweries, brew pubs, and other craft beverage production**

COUNCILOR LIPOF requesting review, discussion, and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to craft beverage production. Possible amendments would remove prohibition on bottling alcoholic beverages and propose opportunities for other craft beverage production and accessory retail.

**Zoning & Planning Held 7-0 on 06/12/23**

**#39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill**

COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

**Zoning & Planning Held 8-0 on 06/26/23**

**Respectfully Submitted,  
Deborah J. Crossley, Chair**

LEGAL DESCRIPTION  
126-132 CHARLES STREET, NEWTON, MASSACHUSETTS

The parcels of land, identified as SBL 41006 0026 and 41006 0014, together with the buildings and improvements situated thereon located in the Auburndale Village of Newton, Middlesex County, Massachusetts, shown on a plan entitled “Site Plan of Land Showing Proposed Zoning, Located at 132 Charles Street, Newton, MA” dated March 24, 2023, drawn by Boston Survey, Inc., and bounded and further described as follows:

Beginning at a point on the northerly side of Charles Street, thence running

- |               |                                                                                                                                               |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| NORTHWESTERLY | By Lot 1A on said plan, one hundred seventeen and 86/100 (117.86) feet, as shown on said plan;                                                |
| NORTHWESTERLY | Again by said Lot 1A, twenty-four and 99/100 (24.99) feet, as shown on said plan;                                                             |
| NORTHWESTERLY | Again by said Lot 1A, forty-seven and 21/100 (47.21) feet, as shown on said plan;                                                             |
| NORTHEASTERLY | By land of the Massachusetts Turnpike Authority one hundred fifty-two and 19/100 (152.19) feet as shown on said plan; and                     |
| NORTHEASTERLY | Again by land of the Massachusetts Turnpike Authority one hundred twenty-five and 62/100 (125.62) feet as shown on said plan;                 |
| SOUTHWESTERLY | Along a curved line by land of the Massachusetts Bay Transit Authority, three hundred ninety and 25/100 (390.25) feet, as shown on said plan. |
| NORTHWESTERLY | By Charles Street, one hundred twenty-eight and 64/100 (128.64) feet, to the point beginning.                                                 |

Containing 33,986 square feet, more or less.



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
**#205-23**  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
[www.newtonma.gov](http://www.newtonma.gov)

Barney Heath  
Director

**Property Owner Authorization**

Date: 2/22/23

Property Location: 126-132 Charles Street

Property Owner: WZ DNA LAB LLC      617 945-9697

Current Mailing Address: 478 Franklin Street

Franklin      MA      02038  
City/Town      State      Zip Code

- I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:
1. This application for a land use permit or administrative approval for development on my (our) property is made with my permission.
  2. I(we) grant permission for officials and employees of the City of Newton to access my property for the purposes of this application.

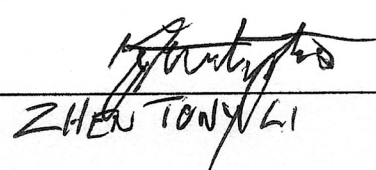
*NOTICE: The City of Newton's staff may need access to the subject property during regular business hours and will attempt to contact the applicant/agent prior to any visit. Further, members of a regulatory authority of the City may visit the property as well.*

The undersigned "Property Owner" assumes full responsibility for compliance with applicable codes, ordinances, regulations, and the City of Newton codes, procedures, and requirements.

I (we) give our permission for the applicant to submit this application as my agent (see Page 2).

*NOTICE: The applicant/agent is the primary contact and may be any individual representing the establishment or property owner. The applicant/agent must also be legally authorized to make decisions on behalf of the property owner(s) regarding the application.*

**Property Owner/Owner Representative Signature:**

  
\_\_\_\_\_

**Applicant/Agent Information**

**Applicant/Agent:** Terrence P. Morris, Esq.  
Name

**Applicant/Agent Address:**

<u>57</u>	<u>Elm Road</u>	
Number	Street Name	
<u>Newton</u>	<u>MA</u>	<u>02460-2144</u>
City/Town	State	Zip Code

**Applicant/Agent Signature:**

Terrence P. Morris, Esq.

**#205-23**

PREPARED FOR:  
 TOWN OF NEWTON  
 133 CHARLES STREET  
 NEWTON, MA 02459

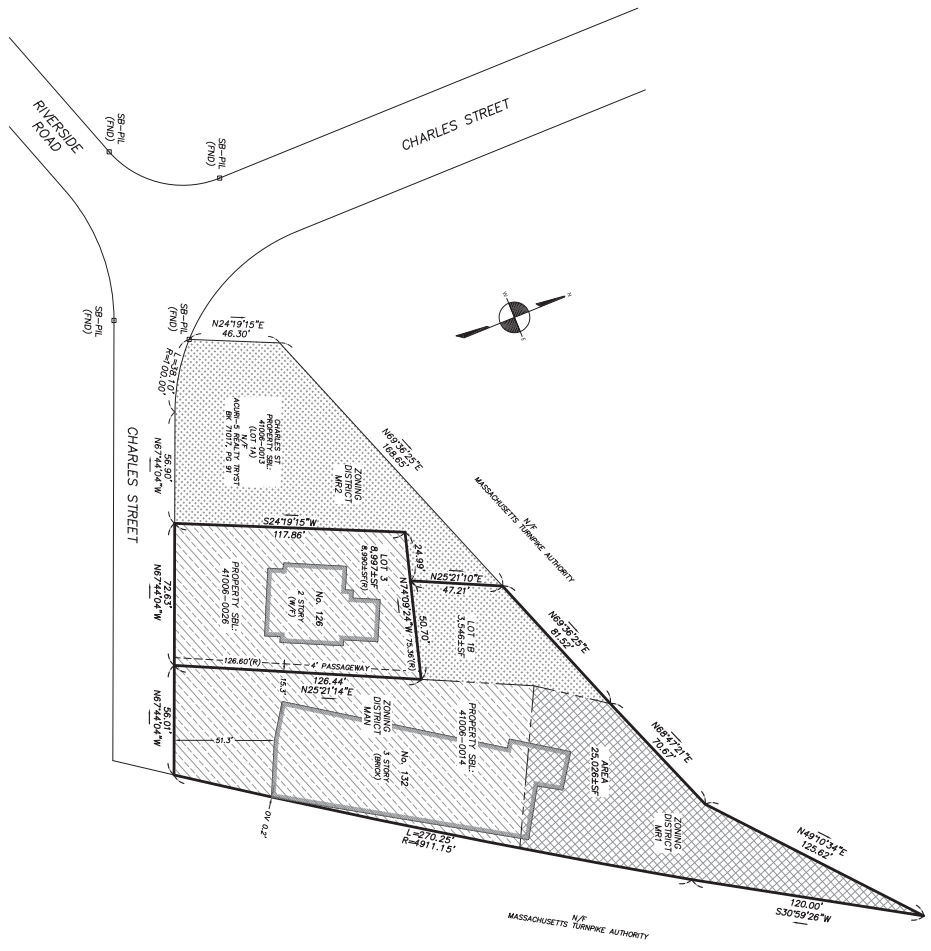
REFERENCES:  
 PL 1320 P102  
 PL 1320 P102  
 PL 1320 P102  
 PL 1320 P102  
 PL 2015 0634

DATE: 05/09/2010

#130 CHARLES STREET  
 #132 CHARLES STREET

**SITE PLAN OF LAND**  
 SHOWING THE EXISTING ZONING  
 AT 126 - 132 CHARLES STREET  
 NEWTON, MA

DATE: MARCH 26, 2010 SCALE: 1/8" = 30' FEET



**LEGEND**

**ZONING DISTRICTS**

[Pattern]	M1 - MULTI RESIDENCE 1
[Pattern]	M2 - MULTI RESIDENCE 2
[Pattern]	M3 - MANUFACTURING

I CERTIFY THAT THIS PLAN WAS MADE FROM AN  
 DATE OF JULY 31, 2010 AND ALL STRUCTURES ARE  
 LOCATED AS SHOWN HEREON.  
 ACCORDING TO THE FEDERAL EMERGENCY  
 DISASTER RELIEF ACT, ANY CHANGES OR  
 MAJOR IMPROVEMENTS ON THIS PROPERTY FALL  
 IN AN AREA DESIGNATED AS  
 COMMUNITY PANEL: 25070334E  
 EFFECTIVE DATE: 05/09/2010

FIELD	JH
DRAWN	JH, GJC, PAF
CHECK	GJC
DATE	07/26/10
TOR #	15-00506



PREPARED FOR:  
 TOWN OF NEWTON  
 133 CHARLES STREET  
 NEWTON, MASSACHUSETTS 02459

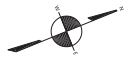
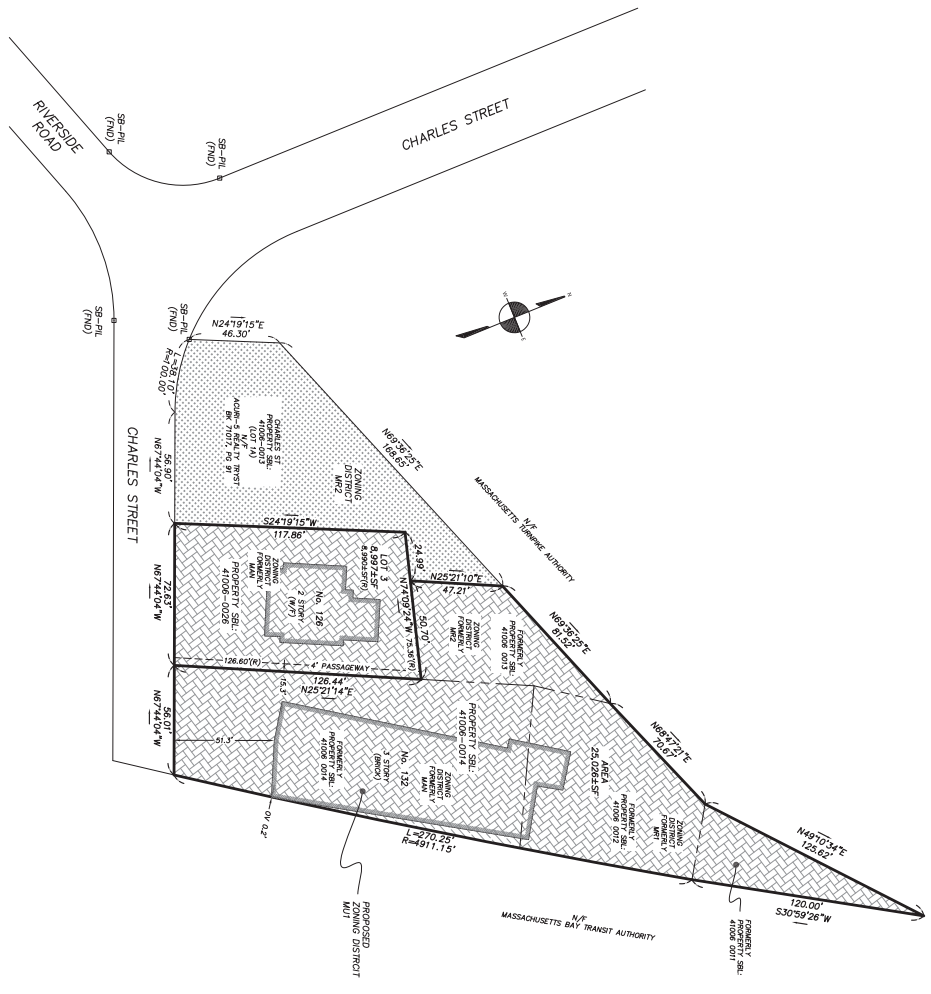
DATE: 03/26/2025  
 SCALE: 1"=100'-0"

PROJECT:  
 #126 CHARLES STREET  
 #132 CHARLES STREET

REFERENCES:  
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 R. 2021A, PG. 811  
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 R. 2021A, PG. 1000

**SITE PLAN OF LAND**  
 SHOWING PROPOSED ZONING  
 AT 126 - 132 CHARLES STREET  
 NEWTON, MA

DATE: MARCH 26, 2025 SCALE: 1"=100'-0"  
 0 20 40 60 80



**LEGEND**

	CHARLES ST. ZONING DISTRICT M2
	PROPOSED ZONING M2
	PROPOSED ZONING M2
	PROPOSED ZONING M2

**NOTES:**  
 THE PURPOSE OF THIS PLAN IS TO PROPOSE NEW ZONING DISTRICTS ON THE FOLLOWING CITY OF NEWTON PARCELS:  
 1) NO. 126 CHARLES STREET, PROPERTY SBL: 41006-0025, FORMERLY WITHIN THE (M2) MANUFACTURING ZONING DISTRICT WILL NOW BECOME (M2) M2 USE 1.  
 2) NO. 132 CHARLES STREET, PROPERTY SBL: 41006-0014, MANUFACTURING (M2) MULTI RESIDENCE 1, AND (M2) MULTI RESIDENCE 2 ZONING DISTRICTS WILL NOW BECOME (M2) M2 USE 1.

I CERTIFY THAT THIS PLAN WAS MADE FROM AN ORIGINAL SURVEY OF THE PROPERTY AND ALL STRUCTURES LOCATED AS SHOWN HEREON.  
 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD HAZARD MAPS, THE PROPERTY IS NOT IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD AREA.  
 COMMUNITY PANEL: 25070303AE  
 EFFECTIVE DATE: 06/04/2010



FIELD:	JH
DRAWN:	JH, GJC, DAV
CHECK:	GJC
DATE:	03/26/25
TOR #:	15-00506

**Abutters List**

[print this list](#)

Date: July 06, 2023

Subject Property Address: 132 CHARLES ST AUB Newton, MA  
Subject Property ID: 41-006-0014

Subject Property Address: 126 CHARLES ST AUB Newton, MA  
Subject Property ID: 41-006-0026

Search Distance: 300 Feet

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Owner: COMMONWEALTH OF MASSACHUSETTS  
Co-Owner: MDC- PARK COMM  
Prop ID: 41-005-0001  
Prop Location: 1 RIVERSIDE RD Newton, MA  
Mailing Address:

20 SOMERSET ST  
BOSTON, MA 02108

-----  
Owner: COMMONWEALTH OF MASSACHUSETTS  
Co-Owner: MDC- CENTRAL SERVICES DIVISION  
Prop ID: 41-005-0002  
Prop Location: 107 CHARLES ST AUB Newton, MA  
Mailing Address:  
1 MONSIGNOR O'BRIEN HWY  
CAMBRIDGE, MA 02141

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Owner: COMMONWEALTH OF MASSACHUSETTS  
Co-Owner: MDC- PARK COMM  
Prop ID: 41-005-0003  
Prop Location: 139 CHARLES ST AUB Newton, MA  
Mailing Address:  
20 SOMERSET ST  
BOSTON, MA 02108

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Owner: MASSACHUSETTS TURNPIKE AUTHORITY  
Prop ID: 41-005-0004  
Prop Location: 149 CHARLES ST AUB Newton, MA  
Mailing Address:  
80 BOYLSTON ST  
BOSTON, MA 02116



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Owner: ARCURI-5 REALTY TRUST  
Prop ID: 41-006-0013  
Prop Location: CHARLES ST AUB Newton, MA  
Mailing Address:  
132 CHARLES ST  
AUBURNDALE, MA 02466  
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Owner: MASSACHUSETTS TURNPIKE AUTHORITY  
Prop ID: 41-006-0013-A  
Prop Location: 132 R CHARLES ST REAR AUB Newton, MA  
Mailing Address:  
80 BOYLSTON ST  
BOSTON, MA 02116  
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Owner: MCDONALD KEITH & JOYCE TRS  
Co-Owner: MCDONALD FAMILY TRUST  
Prop ID: 41-007-0025  
Prop Location: 30 CHARLES ST AUB Newton, MA  
Mailing Address:  
30 CHARLES ST  
AUBURNDALE, MA 02466  
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Owner: ARCURI JAMES  
Prop ID: 41-007-0027  
Prop Location: 13 NEWLAND ST Newton, MA  
Mailing Address:  
13 NEWLAND ST  
AUBURNDALE, MA 02466  
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Owner: MASSACHUSETTS TURNPIKE AUTHORITY  
Prop ID: 41-007-0028  
Prop Location: 11 NEWLAND ST Newton, MA  
Mailing Address:  
80 BOYLSTON ST  
BOSTON, MA 02116  
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Owner: COMMONWEALTH OF MASSACHUSETTS  
Co-Owner: MDC  
Prop ID: 42-011-0001  
Prop Location: 355 R GROVE ST OFF Newton, MA  
Mailing Address:  
20 SOMERSET ST  
BOSTON, MA 02108  
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Owner: COMMONWEALTH OF MASSACHUSETTS  
Co-Owner: MDC  
Prop ID: 42-011-0001-A  
Prop Location: 355 X GROVE ST OFF Newton, MA  
Mailing Address:  
20 SOMERSET ST  
NEWTON, MA 02465  
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Owner: MASSACHUSETTS TURNPIKE AUTHORITY  
Prop ID: 42-011-0001-B  
Prop Location: GROVE ST OFF Newton, MA  
Mailing Address:  
80 BOYLSTON ST  
BOSTON, MA 02116  
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Owner: ABEND LAWRENCE J  
Prop ID: 43-029-0013-B  
Prop Location: 329 CENTRAL ST Newton, MA  
Mailing Address:  
329 CENTRAL ST  
AUBURNDALE, MA 02466  
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Owner: LEE KEVIN K Q  
Co-Owner: SUN LI J TRS  
Prop ID: 43-029-0014  
Prop Location: 337 CENTRAL ST Newton, MA  
Mailing Address:  
12 CHRISTIAN WAY  
ANDOVER, MA 01810  
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Owner: WOODRUFF WENDY R  
Co-Owner: PIKE JEFFREY  
Prop ID: 43-029-0015  
Prop Location: 347 CENTRAL ST Newton, MA  
Mailing Address:  
347 CENTRAL ST  
AUBURNDALE, MA 02466

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Owner: HSU CHUNG HAN  
Co-Owner: HSU BECKY LAM  
Prop ID: 43-029-0016  
Prop Location: 357 CENTRAL ST Newton, MA  
Mailing Address:  
357 CENTRAL ST  
AUBURNDALE, MA 02466

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Owner: THEODOROU IGNATIUS E & ANGELINA  
Co-Owner: MCNEIL EO  
Prop ID: 43-029-0017  
Prop Location: 369 CENTRAL ST Newton, MA  
Mailing Address:  
369 CENTRAL ST  
AUBURNDALE, MA 02466

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Owner: LEVINE HERBERT O & NANCY M  
Prop ID: 43-029-0018  
Prop Location: 379 CENTRAL ST Newton, MA  
Mailing Address:  
379 CENTRAL ST  
AUBURNDALE, MA 02466

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Owner: MASSACHUSETTS TURNPIKE AUTHORITY  
Prop ID: 43-029-0019  
Prop Location: 379 R CENTRAL ST OFF Newton, MA  
Mailing Address:  
80 BOYLSTON ST  
BOSTON, MA 02116

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Owner: SANGIOLO JOHN & AMY MAH

Prop ID: 43-029-0020

Prop Location: 387-389 CENTRAL ST Newton, MA

Mailing Address:

387 389 CENTRAL ST

AUBURNDALE, MA 02466

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