



## Land Use Committee Report

### City of Newton In City Council

**Tuesday, January 6, 2026**

**Present:** Councilors Kelley (Chair), Leary, Block, Farrell, Golden, Irish, Lucas, and Roche

**Also Present:** Councilors Malakie, Wright, and Oliver

**City Staff Present:** Senior Planner Sondria Berman, Acting Director of Planning Katie Whewell, Deputy Chief Planner Cat Kemmett, Deputy City Solicitor Jonah Temple, and Planning Associate Zach Melcher

All Special Permit Plans, Designs, Plan Memoranda and Application Materials, both past and present, can be found at the following link: [NewGov – City of Newton Land Use Committee Special Permit Search](#).

The full video of the January 6, 2026, Land Use Meeting can be found at the following link: [https://www.youtube.com/watch?v=stBkAA\\_M4go&list=PLqJiDbvsfNjUwMJnmuRsKZOBf\\_K9kq5C7](https://www.youtube.com/watch?v=stBkAA_M4go&list=PLqJiDbvsfNjUwMJnmuRsKZOBf_K9kq5C7)

**#15-26 Request to exceed FAR and to extend a nonconforming front setback at 355 Walnut Street**

YEVGENYA ZISLIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL, to construct a mudroom and entry landing, extending the nonconforming front setback and FAR at 355 Walnut Street, Ward 2, Newton, on land known as Section 24 Block 11 Lot 01, containing approximately 7,238 sq. ft. of land in a district zoned Multi Residence 1. Ref: Sec. 7.3.3, 3.2.3, 7.8.2.C.2, 3.2.11, and 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

355 Walnut Street - <https://newtonma.viewpointcloud.com/records/902460>

**Action:** Land Use Held; Public Hearing Continued 7-0 (Councilor Golden Not Voting)

**Note:** The Chair noted the petitioner had asked for a postponement of the hearing due to scheduling conflicts.

The public hearing was opened. No members of the public were present to speak on the item.

Councilor Lucas made a motion to hold, which passed unanimously.

**#13-26 Request to amend Special Permit #216-88 to extend a nonconforming front setback for an automotive service station canopy and to amend Special Permit**

**#305-82 to replace the existing free-standing sign and other waivers from the sign regulations at 14 Elliot Street**

EDWARD NEGOSHIAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL, to raze the existing canopy and construct a new canopy and updated signage at 14 Elliot Street, Ward 5, Newton, on land known as Section 51 Block 25 Lot 03, containing approximately 8,470 sq. ft. of land in a district zoned Business Use 2. Ref: Sec. 7.3.3, 4.1.3, 7.8.2.C.2, 5.2.13.A, 5.2.13.B, and 5.2.8, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

14 Elliot Street - <https://newtonma.viewpointcloud.com/records/861404>

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

**Note:** Mark Smith, engineer for the petitioner, noted the request was to amend two existing Special Permits related to the Sunoco filling station canopy and signage. Mr. Smith explained the signage is outdated and the goal is to create a cohesive modern image. He shared existing and proposed site plans. Mr. Smith noted the plans had been approved by the Urban Design Commission and that the proposed plans are a reduction in the total number of signs as well as the total square footage of signs.

Senior Planner Sondria Berman gave an overview of the requested relief and noted the proposed changes are consistent with the City's Zoning Ordinance.

The public hearing was opened. No members of the public were present to speak on the item.

A councilor asked how the canopy lights would impact nearby residents. Mr. Smith explained that the lights will be LED and will not cause light trespass onto neighboring properties.

A councilor noted there would be expanded space between the gas pumps. Mr. Smith explained that was to improve traffic flow on the site.

A councilor suggested moving the illuminated signage to the end of the canopy to reduce light trespass and to improve visibility from Route 9. Ed Negoshian, the petitioner, said he would accept that suggestion.

A councilor asked about the construction timeline and if there was a neighborhood notification system. Mr. Smith explained this project would be done at the same time as an underground tank replacement project so he estimated it would take five months.

A councilor expressed support for the proposed reduction in signs on the site and asked why an oversized freestanding sign beyond the 50 square feet was necessary. Mr. Smith said the bottom panel could be removed so that the sign is within the 50 square feet limit.

Councilors discussed the oversized freestanding sign and determined that if the petitioner would be willing to address the illuminated signage, then the oversized sign could be allowed.

The public hearing was closed.

The committee discussed the draft council order. Councilor Irish motioned to approve which passed unanimously.

**#16-26      Request to exceed FAR and to allow three stories at 89 Redwood Road**  
89 REDWOOD LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL, to raze the existing structure to construct a three-story single-family dwelling exceeding the maximum FAR at 89 Redwood Road, Ward 8, Newton, on land known as Section 82 Block 15 Lot 77, containing approximately 12,860 sq. ft. of land in a district zoned . Ref: Sec. 7.3.3, 5.2.13.A, 5.2.13.B, and 5.2.8, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
89 Redwood Road - <https://newtonma.viewpointcloud.com/records/904907>

**Action:**      Land Use Held; Public Hearing Continued 8-0

**Note:**      Zach Melcher, Planning Associate, joined the committee to discuss the petitioner’s request to raze the existing structure and construct a three-story single-family dwelling exceeding the maximum allowable Floor Area Ratio (FAR) at 89 Redwood Road. Mr. Melcher presented the PowerPoint referenced in the meeting materials. The relief requested includes an increase in building height and number of stories, as well as an increase in FAR.

Michael Ross, Attorney for the Petitioner, addressed the committee regarding the proposal. Attorney Ross explained that the site has higher groundwater levels than surrounding properties, which necessitates placing the basement above the groundwater table. This condition, he stated, drives the overall building height. He noted that the project has received approval from the Historic Commission.

The proposal would replace the existing split-level home with a new structure in the same general location. The design includes two living floors, a basement, and an attic accessed by a pull-down ladder, with no habitable attic space. The proposed building height is 33.8 feet, which is below the maximum height of 36 feet permitted as of right in the zoning district. The building footprint would be similar to the existing structure, and the project is otherwise compliant with zoning requirements. Attorney Ross also stated that the owners have been informally notifying neighboring property owners.

The public hearing was opened.

Tejas Mehta, 94 Redwood Road, expressed understanding of the groundwater challenges but raised concerns about setting a precedent and the potential “slippery slope” associated with granting FAR and height exemptions.

Committee members expressed concerns regarding the requested FAR increase. One councilor also raised concerns about groundwater displacement in the Oak Hill area resulting from new construction. Additional concerns included the precedent the project could set, potential impacts on neighborhood character, and issues related to landscaping and impervious surface coverage.

Due to these concerns, the committee voted to hold the item and requested the following revisions and additional information:

- Reduction of impervious surface and driveway width
- Detailed landscaping and tree plans
- Stormwater management and grading details
- Consideration of overall building size and FAR impacts

Councilor Farrell moved to hold the item; the motion passed unanimously, and the public hearing was continued.

The committee adjourned at 8:50 p.m

**Respectfully Submitted,**

**Andrea Kelley, Chair**