



Petition: #130-26  
New Gov: SP-26-8  
Public Hearing: 4/14/2026

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459  
617-796-1120

Marc C. Laredo  
**Mayor**

Katie Whewell  
**Acting Director**

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**PUBLIC HEARING MEMORANDUM**

**DATE:** May 8, 2026

**TO:** City Council

**FROM:** Katie Whewell, Acting Director of Planning and Development  
Cat Kemmett, Chief of Current Planning  
Sondria Berman, Senior Planner

**SUBJECT:** **Petition #130-26**, for SPECIAL PERMIT/SITE PLAN APPROVAL to construct four live/work units requiring relief to allow three stories, to allow up to 36ft in height, and to waive three parking stalls as required at 1100-1102 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54, Block 22, Lot 06, containing approximately 5,393 square feet of land in a district zoned Business 2. Ref: Sec. 4.1.2.B.3, 4.1.3, 5.1.4, and 5.1.13, 7.3.3 of Ch. 30 of the City of Newton Rev Zoning Ord, 2017.

APPLICATION RECORD: <https://newtonma.portal.opengov.com/records/912834>

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the City Council will want to consider in its discussion at a subsequent Working Session.



**1100-1102 Beacon Street**

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## **Project Description**

### **Background**

The petitioner previously applied for a special permit application for this property was opened on October 21, 2025 requesting to build four single family attached units with relief for the use, dimensions, and parking requirements associated with the project. A request to withdraw without prejudice was approved by the Land Use Committee on December 7, 2025 to allow the petitioner more time to revise plans.

### **Existing Site**

The subject property consists of a 5,393 square foot parcel in the Business Use 2 (BU-2) district in the Four Corners neighborhood and is improved by a two-story commercial building constructed in 1945. The lot size is pre-existing nonconforming with a lot area of 5,393 square feet where 10,000 square feet is required for two-story structures in a BU2 district. The topography of the site slopes downward towards the rear of the site from Beacon Street, with a top elevation of 129.2 feet at the front of the property and the low elevation of 119.2 feet at the rear of the property.

The surrounding area includes a mix of zoning districts including Business-1 and 2, Multi Residence 1 and 3, and public open space, with Single Residence 2 further south and east. Directly abutting the property to the east are commercial uses including a gas station and grocery store, with as well as a retail pharmacy directly opposite the street to the north. Additional commercial, public space, and multi-residence uses are immediately west of the site. Uses to the south and east of the site are primarily residential zones with a mix of single, two, and multifamily residences.

The parcel is situated close to public transportation, located less than 350 feet from an MBTA bus stop and less than a mile from both the Newton Centre and Newton Highlands Green Line stop.

### **Special Permit**

The petitioner proposes to raze the existing two story commercial building and construct a 6,213 square foot three-story live/work building with four attached units. The proposed development requires waivers from the Newton Zoning Ordinance's (NZO) dimensional standards within the BU-2 zone for the proposed number of stories (three stories) and proposed height (35.4 feet) along with a parking waiver for the required number of parking stalls per unit (proposing to waive three of the eight stalls required).

### **Analysis**

The Planning Department notes that the project includes four live/work residential units, which presents a unique opportunity to diversify housing stock in the area. However, staff cautions that since the petitioner is committing to utilizing the live/work use category, Inspectional Services will require residents of these units to apply for and maintain a business certificate, which is an ongoing commitment that should be clearly communicated to potential occupants. The neighborhood includes a mix of commercial and residential uses and is located near several public transit options, making it a good location for a modest increase in housing. Abutting parcels include two and three-story residential buildings over three units, such as the condominiums at 1111 Beacon Street, as well as single and two-story commercial buildings, including the Walgreens and Mobil gas station at the Four Corners intersection. While a waiver of three parking stalls is requested, the site has access to nearby amenities and public transit options, making it an appropriate location for multi-unit housing as prescribed in the City’s 2007 Comprehensive Plan.

Planning notes that the proposed project is somewhat larger in size and scale with a height of 3 stories and a proposed FAR of 1.17, but is not out of context with what exists on abutting properties including the adjacent four-story multi-family residence at 1114 Beacon Street. While the undersized, irregular-shaped lot of 5,331 square feet where 10,000 feet is the minimum required limits the amount of open space available relative to the proposed structure, it meets all setback requirements and includes pervious materials for the driveway and walkway. The proposed number of units and placement of the driveway contributes to the parking design and subsequent request to waive three of the eight required parking stalls.

I. Zoning Relief Requested

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.1.2.B.3 §4.1.3	Request to allow a three-story structure	S.P. per §7.3.3
§4.1.3	Request to allow up to 36 feet in height	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive three parking stalls	S.P. per §7.3.3

For more details around the zoning analysis please refer to **Attachment A**.

II. Criteria for Consideration per §4.1.2.B.3, §4.1.3, §5.1.13, §7.3.3

When reviewing this request, the Council should consider whether:

- The specific site is an appropriate location for the proposed four-unit building with three stories and a maximum height of 35.4 feet as designed. (§7.3.3.C.1.)

- The proposed four-unit building as developed and operated will adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no 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)
- Literal compliance with the number of parking stalls required in the Ordinance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.4, §5.1.13)

### III. Project Description and Analysis

#### A. Land Use

The petitioner is proposing to convert the existing commercial use to a residential live/work use with four residential units.

The petitioner proposes to raze the existing two-story commercial building and construct a four-unit live/work building. The live/work use designation is an allowable residential use in a BU2 district, and does not require relief. However, the Commissioner of Inspectional Services reviewed the proposed project and noted that should the special permit be approved, Inspectional Services will require a resident of each unit to file and maintain a business certificate with the City Clerk prior to the issuance of the Certificate of Occupancy. Uses that are allowed by right in the district would be allowed in the first floor live/work spaces, and depending on the proposed use, may require additional review from Inspectional Services, the Health Department, or other City departments. The live/work use allows for a flexible way to utilize the ground floor space of these units, but staff cautions that potential residents should be made aware of the requirement to maintain a business certificate and be aware of the uses allowed in those spaces.

#### B. Site and Building Design

Buildings in the BU-2 district may be up to 24 feet tall and two stories by right, or up to 48 feet tall and four stories by special permit. The proposed building height is 35.4 feet tall with three stories, requiring special permit relief for both height and stories.

The petitioner is not seeking relief from the dimensional standards for setbacks. The petitioner proposes 10.1 feet for the front setback where 10 feet is required, 18.4 feet

for the left (easterly) side setback where 17.7 is required, and 5.3 feet for the right (westerly) side setback where 5.3 feet is required (equal to the abutter). The rear setback proposed is 1.5 feet, where no setback minimum is required.

The minimum lot area per unit proposed requires no relief, as it will provide 1,333 square feet per unit where a minimum of 1,200 square feet per unit is required. In total, the four dwellings contain 6,213 square feet, with Units A-C approximately 1,492 square feet in size and Unit D slightly larger at 1,734 square feet in size.

Unit A faces Beacon Street and presents as a 3-story building with a sloped roof that hides each of the descending rooftop decks from the street view. Unit B and Unit C serve as the two interior units. Unit D will face the rear of the property and serves as the largest unit, inclusive an additional media room and studio space on the second and third floors. All units serve as two-bedroom units, with a work space at the first floor (ground) level.

An FAR of 1 for up to 2 stories is allowed by right in a BU-2 district. The applicant is requesting special permit relief per Section 4.1.2.B.3 to build a 3-story structure, which increases the allowable FAR to 1.5 in a BU-2 district per Section 4.1.3. The project has a proposed FAR of 1.17, and is therefore compliant.

Access to each unit will be at the ground level with interior staircases to the second and third floors. Each unit will include stairwell access to a hatch opening for rooftop deck access above the third floor. Two means of entry and egress are provided at the ground floor level on the east and west facing sides of the building, with one direct access entrance to the designated workspace on the ground floor. There is no proposed elevator access for these units.

C. Parking and Circulation

The proposed curb cut for the driveway will be shifted further to the left of the existing curb cut to create a new 15-foot-wide opening along Beacon Street for entry to and egress from the site. The driveway includes a gradual expansion in the width as it extends to the rear lot line, with the widest measurement provided on the proposed site plan of 20.5 feet in width.

The new driveway will be made of permeable pavers and provides access to five dimensionally-compliant carport stalls located at grade, four of which include a carport entrance located on the left (eastern) side of the building under each unit. An additional dimensionally compliant fifth stall will be located at the rear of the building for visitor parking. Because a total of five stalls are proposed for the four units where eight are required, a special permit is required to waive three stalls.

Planning notes the proposed project has limited parking and driveway space given the irregular shape of the lot and the size of the proposed building, limiting space for additional stalls to meet the required parking. A Turning Radius Plan, prepared by VTP Associates, Inc. dated 11/10/2025 and revised through 12/16/2025 shows how a large vehicle would enter and exist each of the dimensionally compliant five stalls. Planning acknowledges that the proposed 15-foot curb cut improves pedestrian safety from the existing oversized 25.9-foot curb cut.

D. Landscaping, Utilities, and Grading

Minor regrading work is proposed for the site modifying the existing average grade of 124.4 feet to the proposed average grade of 125 feet. Overall, the building height will vary with the roof peak descending by unit from the front lot line to the rear in concert with the existing sloped topography of the site.

No retaining walls over four feet in height are proposed, however, the site plan includes a proposed retaining wall that runs parallel along the eastern lot line towards the rear of the lot, ranging in height from .5 feet to 2.3 feet. A second retaining wall is proposed along the western lot line ranging in height from 0-1 foot. An existing retaining wall that follows along a portion of the rear lot line will be kept and modified, with a height ranging from 3.3-3.8 feet in height.

With regards to existing utility structures, an existing utility pole located halfway through the parcel to the right of the existing building will need to be moved and/or reconfigured given the proposed three-story height of the new building. Planning notes that there are no location(s) for transformers and/or HVAC units depicted on the proposed site plan but that petitioner has indicated in the application materials that these mechanical units will be placed on the rooftops. Planning cautions the petitioner that should these structures be moved to the ground level they will need to meet zoning setback requirements. Based on the materials provided, a snow removal service will be utilized.

The petitioner has provided a landscaping plan, prepared by Compass Landscapes dated 6/7/2025 which demonstrates that there will be some vegetative screening along Beacon Street, including an approximate 10 x 35 foot area of lawn and plantings to include Common Yarrow and Butterfly Milkweed perennials and Inkberry Holly shrubs. Three trees (Princeton Sentry) will also be planted in the front landscaped area, as well as single Kousa Dogwood tree in the rear left corner of the site. Lawn is proposed along the front landscape area as well as a 330 sq. foot area at the left rear corner of the site. To the left of the principal dwelling following the lot line will be a trellis system installed along the back of the existing retaining wall. A cedar fence will be placed along the rear and right lot line of the dwelling.

IV. Voting Threshold

The petitioner has submitted a letter dated March 27, 2026 and revised March 28, 2026 detailing how their proposal meets the criteria in Section 9 of the Housing Choice Act under M.G.L. Chapter 40A, that changes the voting threshold to a simple majority (as opposed to a supermajority) for certain special permit proposals that are increasing housing if they meet certain criteria.

Whether a special permit requires a simple majority vote depends on whether the particular proposal is requesting relief for housing-related exceptions to zoning that include: (i) transit-oriented multifamily development within a half mile of transit stations, including rapid transit, commuter rail and bus and ferry terminals and are subject to inclusionary zoning; (ii) mixed-use development in a commercial center that includes inclusionary zoning, or (iii) parking reduction/relief to increase housing density. The Planning Department notes that some of the relief requested in this special permit petition qualifies for a simple majority voting threshold under Housing Choice Act amendments to Chapter 40A, Section 9. Specifically, the request to waive three parking stalls meets the standard for a majority vote because it seeks a reduced parking space to residential unit ratio requirement that will result in the production of additional housing units. However, the requested relief as to stories and height will still require the standard 2/3 vote.

V. Interdepartmental Review

A. Historic Review

On September 30, 2025, the Newton Historical Commission voted 5-0 that the existing structure at 1100-1102 Beacon Street is not preferably preserved, waiving the demolition delay. **(Attachment B)**

B. Engineering Review

This City of Newton's Engineering Department Memorandum dated March 25, 2026 **(Attachment C)** notes the proposed project's stormwater collection and infiltration system is designed in accordance with the City's Stormwater Ordinance and will collect roof and driveway runoff, enhancing water quality and reducing quantity from the site. The memo notes that further clarification and information will be needed on certain aspects of the site design, which can be provided by the petitioner prior to issuance of a building permit.

VI. Petitioner's Responsibilities

The petition is complete.

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum – March 26, 2026  
**Attachment B:** Newton Historic Commission Decision- September 30, 2025  
**Attachment C:** Engineering Department Memorandum- March 25, 2026  
**Attachment D:** DRAFT Council Order



Marc C. Laredo  
Mayor

**City of Newton**  
**Department of Planning and Development**  
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Katie Whewell  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: March 26, 2026

To: Anthony Ciccariello, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Cat Kemmett, Acting Chief Planner for Current Planning

Cc: One Stop LLC, Applicant  
John Callahan, Agent  
Katie Whewell, Acting Director of Planning and Development  
Jonah Temple, Deputy City Solicitor

RE: **Request to allow three stories, to exceed height and associated parking waivers**

Applicant: One Stop LLC	
Site: 1100-1102 Beacon Street	SBL: 54022 0006
Zoning: BU2	Lot Area: 5,393 square feet
Current use: One story retail	Proposed use: Four-unit live/work space

### BACKGROUND:

The subject site is a 5,393 square foot lot improved with a two-story commercial building constructed circa 1945. The petitioner proposes to raze the existing building and construct a four live/work units. The proposed development requires a special permit for dimensional standards within the BU2 zone as well as parking.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by John Callahan, dated 1/22/2026
- Floor plans and elevations, prepared by John V. Downie, architect, dated 2/28/2024, revised 9/28/2024, 1/5/2026
- FAR Worksheet, submitted 2/13/2026
- Landscape Plan, prepared by Compass Landscapes, dated 6/7/2025, revised 6/19/2025
- Zoning Report, prepared by John Downie, architect, dated 2/202/2024, revised 1/6/2026
- Existing Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 3/29/2024
- Proposed Site Plan, signed and stamped by Joseph R. Porter, surveyor and Marc Besio, engineer, dated 11/10/2025, revised 12/16/2025, 2/25/2026

**ADMINISTRATIVE DETERMINATIONS:**

1. The petitioners intend to raze the existing structure and construct a three-story building containing four live/work units. Per section 4.4.1, live/work units are a distinct use, separate from residential use (ground floor and above ground floor), and are allowed by right in a Business 2 zoning district.

Section 4.4.1 refers the user to section 6.2.11 for a definition of “Live/work space” however it was never defined after being created. The Commissioner of Inspectional Services has determined that as proposed, the units provide a first floor work space with direct access to both the residential portion of the unit and the outside, as is customarily associated with live/work space, meeting the definition. To maintain compliance, the Inspectional Services Department will require a resident of each unit to file a business certificate with the City Clerk prior to the issuance of the Certificate of Occupancy.

2. The petitioners intend to construct a new three-story live/work building, replacing the existing two-story structure. Per section 4.1.2.B.3 and 4.1.3, a special permit is required to allow three story structures in the BU2 zone.
3. Per section 4.1.3, the maximum by right height allowed in the BU2 district is 24 feet, with a special permit required to allow a height up to 48 feet. The height of the proposed building is 35.4 feet, requiring a special permit.
4. Per section 5.1.4, two parking stalls are required per each residential unit. The petitioners propose to provide one single-car carport per each of the four dwelling units, plus one surface stall behind the building. The four-unit dwelling requires a total of eight parking stalls. With five stalls proposed, a waiver of three stalls is required per section 5.1.13.

<b>BU2 Zone</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	10,000 square feet	<b>5,331 square feet</b>	<b>No change</b>
Setbacks			
• Front	10 feet	31.8 feet	10.1 feet
• Side	17.7 feet (1/2 bldg height)	16.7 feet	18.4 feet
• Side	5.3 feet (equal to abutter)	10.2 feet	5.3 feet
• Rear	0 feet	5.2 feet	1.5 feet
Building Height	24 feet (48 feet by SP)	15.8 feet	<b>35.4 feet*</b>
Max Number of Stories	2 (up to 4 by SP)	2	<b>3*</b>
Lot Area Per Unit	1,200 square feet	N/A	1,333 square feet
FAR	1.5 (at 3 stories)	.47	1.17

See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
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§4.1.3	Request to allow up to 36 feet in height	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive three parking stalls	S.P. per §7.3.3



Ruthanne Fuller  
Mayor

# City of Newton, Massachusetts

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Attachment B

Barney S. Heath  
Director

## Newton Historical Commission Demolition Review Decision

Date: October 1, 2025 Application # HRA-25-158

Address of structure: 1100-1102 BEACON ST

Type of building: Non-residential building  
If partial demolition, feature to be demolished is

The building or structure is:

- in a National Register historic district or in a historic district eligible for listing
- individually listed on the National Register or individually eligible for listing.
- importantly associated with historic person(s), events, or architectural or social history
- historically or architecturally important for period, style, architect, builder, or context.
- in a local historic district not visible from a public way

is  **NOT HISTORICALLY SIGNIFICANT** as defined by the Newton Demolition Delay Ordinance.

*Demolition is not delayed and no further review is required.*

is  **HISTORICALLY SIGNIFICANT** as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

**APPROVES** the proposed project based upon materials submitted see below for conditions (if any).

*Demolition is not delayed, further staff review may be required.*

**DOES NOT APPROVE** and the project requires Newton Historical Commission review on this date September 30, 2025 (See below).

Conditions:

The Newton Historical Commission finds the building or structure:

is  **NOT PREFERABLY PRESERVED**  
*Demolition is not delayed and no further review is required.*

Owner of Record:

One Stop LLC

is  **PREFERABLY PRESERVED - (SEE BELOW).**



Delay of Demolition:

is in effect until

has been waived - see conditions

Please Note: if demolition does not occur within two years of the date of expiration of the demolition delay, the demolition will require a resubmittal to the Historical Commission for review and may result in another demolition delay.

Determination made by:

David Lewis, Chief Preservation Planner

Kimberly Crocker, Senior Preservation Planner



Ruthanne Fuller  
Mayor

### City of Newton, Massachusetts

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Barney S. Heath  
Director

**RECORD OF ACTION**

**DATE: October 1, 2025**



**SUBJECT: 1100-1102 BEACON ST**

At a scheduled meeting and public hearing on September 30, 2025, the Newton Historical Commission, by vote of 0-5:

RESOLVED to: find the property preferably preserved. The motion failed, and demolition is not delayed.

<u>Voting in the Affirmative:</u>	<u>Voting in the Negative:</u>	<u>Abstained:</u>	<u>Recused:</u>
	Mark Armstrong Anne Marie Stein Nancy Grissom Travis Salters, Alternate Doug Cornelius, Chair		

**Title Reference:**                    Owner of Property: One Stop LLC  
Deed recorded at: Middlesex County Registry of Deeds  
Book/Page  
Date

	
David Lewis, Chief Preservation Planner	Kimberly Crocker, Senior Preservation Planner

Newton Historical Commission  
1000 Commonwealth Avenue, Newton, Massachusetts 02459  
Email: [dlewis@newtonma.gov](mailto:dlewis@newtonma.gov) or [kcrocker@newtonma.gov](mailto:kcrocker@newtonma.gov)  
[www.newtonma.gov](http://www.newtonma.gov)

CITY OF NEWTON  
Department of Public Works  
ENGINEERING DIVISION

MEMORANDUM

To: Council Andrea Kelly, Land Use Committee Chair.

From: John Daghlian, Associate City Engineer

Re: Special Permit – SP-26-8 ~ #1100-1102 Beacon Street

Date: March 25, 2026

CC: Alfredo Vargas, PE City Engineer  
Katie Whewell, Acting Director of Planning

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In reference to the above site, I have the following comments for a plan entitled:

*Zoning Plan Showing Proposed Conditions  
#1100 -1102 Beacon Street  
Prepared by: VTP Associates Inc.  
Dated: November 10, 2025  
Revised: February 25,2026*

Executive Summary:

The proposed permit entails the demolition of an existing one-story commercial building (formerly a *dry-cleaning* business) and the construction of a four-unit residential dwelling on a 5,393 square foot [0.12 acre] lot.

The parcel has 57 feet of frontage along Beacon Street towards the north, a gas station to the east, commercial property to the west and residential dwellings towards the south.

The site has a high point elevation of 128-feet within the front portion of the lot and slopes towards the south to a low point of 119-feet within a depressed space surrounded by retaining walls.



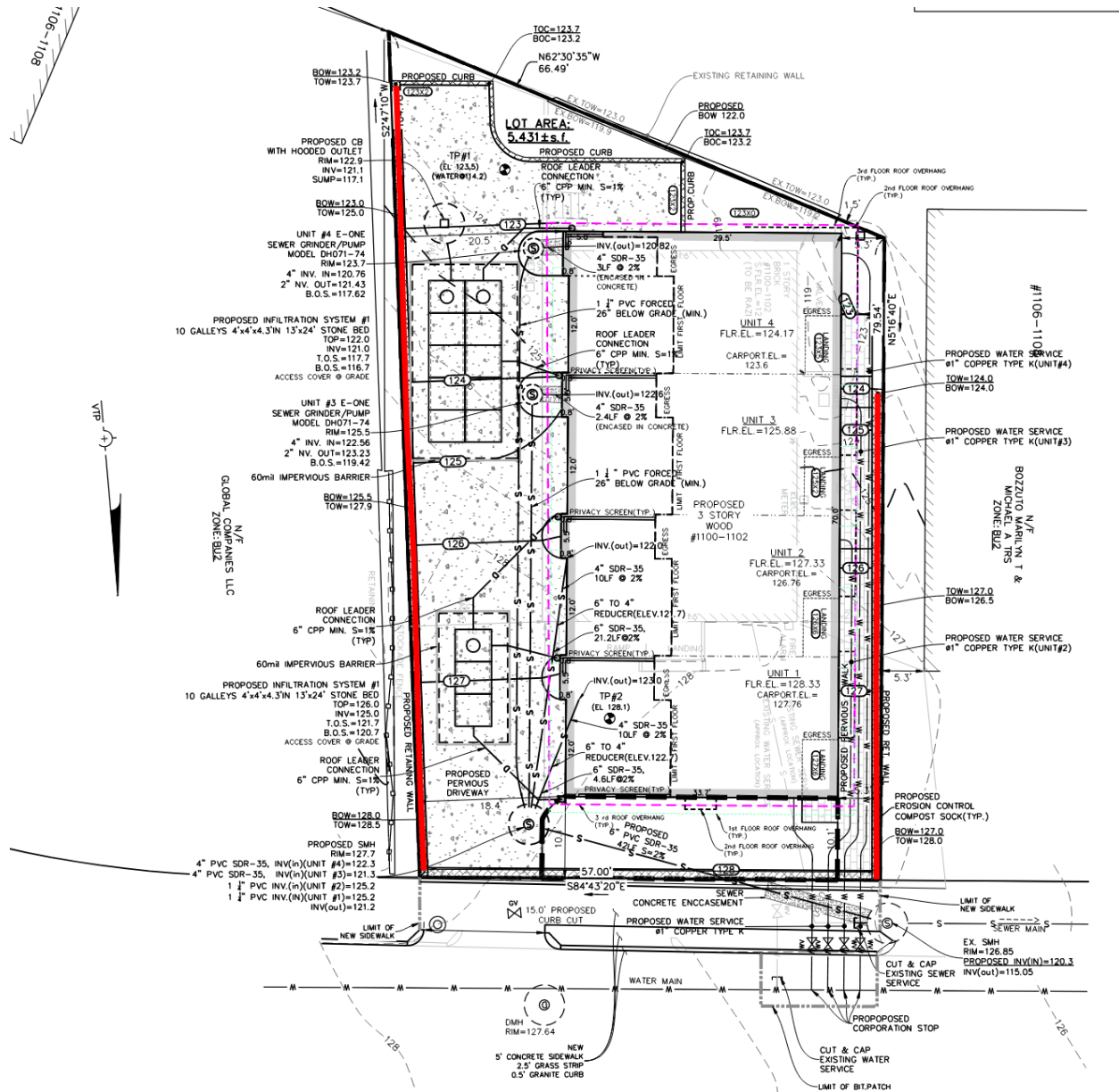
*1100-1102 Beacon St looking towards the west*

Currently the site is essentially totally impervious except for a 435 square foot “green space” in a depression behind the building. The site has no stormwater collection system the runoff from the building sheets practically towards Beacon Street and the remainder of the roof & driveway sheet flow towards the rear of the lot with no treatment nor infiltration.

A site visit was performed on October 10, 2025; a what appears to be a capped monitoring well was discovered within the paved driveway along the east side of the building; what is the status of the monitoring well, was it installed for monitoring of groundwater for the former dry-cleaning business or the gas station?



The proposed site plan has a driveway along the east side of the lot to provide access to the individual garages for each units; to facilitate this driveway, a retaining wall will be constructed from the northern property line and extends southerly approximately 98-feet. The wall varies in height from 6-inches to a maximum height of 2.4-feet. A retaining wall will also be constructed along the western property line of approximately 1 foot height at the highest point.



Units # 3 & 4 will have individual sewer ejector pump stations that will pump wastewater to the uphill sewer manhole that eventually connects to the City sewer main in Beacon Street. Units 3 & 4 should have backup generator to supply power to the sewer ejector pumps. Units 1 & 2 will have gravity connection to the common sewer manhole on the property. Four one-inch water services will provide domestic water. The applicant should check with Newton Fire Prevent and verify if a fire suppression system is warranted.

The Engineer of record has designed a stormwater collection and infiltration system to collect roof & driveway runoff that will be infiltrated on site. This system will enhance stormwater quality & reduce quantity from the site. The system is designed in accordance with the City's Stormwater Ordinance.

A turning template plan has been provided to demonstrate access into and egress from the garages, however; the layout does not provide for multiple guest parking. Based on the turning template plan no guest would be able to park along the driveway as this will hinder access into and out of the garage stalls. Snow storage areas should be identified as there is minimal open space. Trash & Recycling systems should be clarified.

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction materials and equipment, parking for construction workers vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of the general contractor. It shall also address anticipated dewatering during construction, site safety & stability, siltation & dust control and noise impact to abutters. The CMP must also address surface runoff during construction so that it does not impact abutters nor City streets & the stormwater system. Temporary detention basins, check dams or diversion swales should be considered. Due to the limited space on site laydown areas for deliveries and materials need to be identified.
2. An Operations & Maintenance (O&M) plan is required. Additionally, how downstream properties will be protected from surface runoff until the site is full landscaped. It is imperative to note that post construction indicates reductions of surface runoff from the site, however during construction various controls have to be in place to prevent surface water runoff from exiting the site.

3. A stabilized driveway construction entrance(s) will be required for the duration of the construction which will provide a truck wash to prevent tracking of mud and silt onto City streets.
4. Catch basins within and downstream of the construction zone will be required to have siltation control installed for the duration of the project and must be identified on the site plan.

Drainage:

1. An Operations and Maintenance (O&M) plan for the long-term maintenance of the proposed stormwater management facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by the applicant/property owner, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
2. Annual inspection logs shall be submitted to the DPW Engineering Division as required to maintain certification of compliance under Newton's NPDES MS4 Permit.
3. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, trench drains, and pipe(s) are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E Investigation and report been performed on the site, if so, copies of the report should be submitted to the Newton Board of Health and Engineering Division.
2. Are there any existing underground oil or fuel tanks? Have they been removed, if they have been, evidence of the proper removal should be submitted to the Newton Fire Department and the Board of Health.

Sanitary Sewer & Domestic Water Service(s):

1. Existing water and sewer services to building(s) shall cut and capped at the respective mains and completely removed from the main(s) and its entire length and properly

backfilled. The Engineering Division must inspect and approve this work, failure to having this work inspected will result in delay of issuance of the new Utility Connection or issuance of a Certificate of Occupancy.

2. All new sewer service(s) shall be pressure tested in accordance with the City Construction Specifications & Standards and inspected via Closed Circuit Television CCTV inspection after installation is completed. A copy of the video inspection and written report shall be submitted to the City Engineer or his representative. The sewer service will NOT be accepted until the two methods of inspection are completed AND witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until these tests are completed to the satisfaction of the City Engineer.
3. All sanitary sewer manhole(s) shall be vacuum tested in accordance to the City's Construction Standards & Specifications; the sewer service and manhole will NOT be accepted until the manhole(s) pass the testing requirements. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed to the satisfaction of the City Engineer and a written report of the test results is submitted to the City Engineer.
4. With the exception of natural gas service(s), all utility trenches within the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E up to within 18-inches of the asphalt binder level, after which Dense Grade Gravel compacted to 95 % Proctor Testing shall be placed over the CDF. Details of this requirement is the Engineering Division website "Standard Construction Details".
5. All water services shall be chlorinated, and pressure tested in accordance with the AWWA and the City Construction Standards & Specifications prior to coming online. These tests MUST be witnessed by a representative of the Engineering Division.
6. Approval of the final configurations of the water service(s) shall be determined by the Utilities Division; the engineer of record shall submit a plan to the Director of Utilities for approval.

General:

1. 5 Year Moratorium – if at time of construction the roadway is under a 5-year moratorium, the roadway must be milled and paved gutter-to-gutter for a distance of 25 feet in each direction from the outermost trenches.
2. All trench excavation shall comply with Massachusetts General Law Chapter 82A, Trench Excavation Safety Requirements, and OSHA Standards to protect the general public from unauthorized access to unattended trenches or excavations. Trench Excavation Permit is required prior to any construction. This applies to all trenches on public and private property. *This note shall be incorporated onto the final plans.*
3. All tree removal shall comply with the City's Tree Ordinance.
4. The contractor of record is responsible for contacting the Engineering Division and scheduling an appointment 48-hours prior to the date when the utilities will be made available for an inspection of water services, sewer services and drainage system installation. The utility in question shall be fully exposed for the Inspector to view; backfilling shall only take place when the City Engineer's Inspector has given their approval. *This note shall be incorporated onto the final plans.*
5. The applicant shall apply for a Building Permit with the Inspectional Services Department prior to ANY construction.
6. Before requesting a Certificate of Occupancy, an As-Built plan shall be submitted to the Engineering Division in both digital and paper format. The plan shall show all utilities and final grades, any easements and improvements and limits of restoration. The plan shall include profiles of the various new utilities including but not limited to rim & invert elevations (City of Newton Datum), slopes of pipes, pipe materials, and swing ties from permanent building corners. The as built shall be stamped by both a Massachusetts Registered Professional Engineer and Registered Professional Land Surveyor. Once the As-built plan is received the Engineering Division shall perform a final site inspection and then make a determination to issue a Certificate of Occupancy. *This note shall be incorporated onto the final plans.*

7. All site work including trench restoration, sidewalk, curb, apron, and loam border (where applicable) shall be completed before a Certificate of Occupancy is issued. *This note shall be incorporated onto the final plans.*
8. The contractor of record shall obtain a Sidewalk Crossing, Trench Utility Connection permits with DPW prior to any construction. *This note shall be on the final approved plans.*
9. The contractor of record shall contact the Newton Police Department 48-hours in advanced and arrange for Police Detail to help residents and commuters navigate around the construction zone.
10. If any changes from the final approved design plan that are required due to unforeseen site conditions, the contractor of record shall contact the design engineer of record and submit revised design and stamped full scale plans for review and approval prior to continuing with construction.
11. *The engineer of record shall add the following attestation to the plans when applying for a building permit:*

*I certify that the construction so shown was inspected prior to backfill and that all work conforms with the Approved Plan and meets or exceeds the City of Newton Construction Standards.*

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Signature

Note: If the plans are updated it is the responsibility of the applicant to provide all City Departments [ ISD, Conservation Commission, Planning and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns, please feel free to contact me at 617-796-1023.

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow a three-story building, to allow up to 48 feet in height, and to waive three parking stalls as required for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

FINDINGS:

1. The site is an appropriate location for the proposed four-unit live/work building because it is located in a mixed-use area with other multi-family residential uses and includes access to public transportation and amenities located in the Four Corners neighborhood. (§7.3.3.C.1)
2. The proposed four-unit, three-story building with a height of 35.4 feet as designed will not adversely affect the neighborhood because the project's design utilizes tiered elevations to break up the massing of the four units and provides new landscaping design for screening for abutters. (7.3.3.C.2)
3. The proposed four-unit building will not create a nuisance or serious hazard to vehicles or pedestrians because the proposed parking includes dimensionally compliant stalls for each unit and will utilize a smaller, single curb cut for vehicular entry and egress, improving pedestrian safety. (§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)
5. Literal compliance with the number of parking stalls required per unit is impractical due to the topography of the site, irregular shape of the lot and existing nonconforming lot area. Compliance with the eight required parking stalls would require an increase in hardscape and a reduction in building area and vehicular maneuverability. The site is adjacent to public transportation options and pedestrian and bike transit infrastructure that provide alternative multi-modal transit options. (§5.1.13)

PETITION NUMBER: #130-26

PETITIONER: One Stop, LLC

LOCATION: 1100-1102 Beacon Street, Ward 6, on land known as Section 54 Block 22 Lot 06, containing approximately 5,331 sq. ft. of land

OWNER: One Stop, LLC

ADDRESS OF OWNER: 28 Cynthia Road  
Needham, MA 02494

TO BE USED FOR: Four attached live/work units in one building

RELIEF GRANTED: Special Permit per §7.3.3 to allow the following:

- To allow a three-story structure (§4.1.2.B.3, §4.1.3)
- To allow up to 48 feet in height (§4.1.3)
- To waive three parking stalls (§5.1.4, §5.1.13)

ZONING: Business 2 (BU-2)

CONDITIONS:

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
  - a. Site Plan titled, "Zoning Plan Newton, Massachusetts" prepared by VTP Associates, Inc. signed and stamped by Joseph R. Porter, P.L.S., dated 11/10/2025, revised 12/16/2025, 2/25/2025, and 3/25/2026.
  - b. Architectural plan set titled, "Beacon Street Condominiums 1100-1102 Beacon Street Newton, MA" signed and stamped by John V. Downe, Registered Architect, dated 9/1/2023 and revised 9/28/2024, 9/30/2024, 1/6/2026 consisting of the following sheets:
    - i. "Exterior Elevations North and South, Sheet A2.1 (option 1),
    - ii. "Exterior Elevations North and South, Sheet A2.1 (option 2),
    - iii. "Proposed Exterior Elevations West, Sheet A2.2,
    - iv. "Proposed Exterior Elevations East, Sheet A2.3.

- c. Landscaping Plan titled, "Landscaping Layout" prepared by Compass Landscapes, consisting of one sheet, dated 6/7/2025 revised 6/19/2025.
2. Prior to the issuance of any Building Permit pursuant to this Special Permit/Site Plan Approval, the Petitioner shall provide a final Operations and Maintenance Plan (the "O&M Plan") for stormwater management to the Engineering Division of Public Works for review and approval, should a system be required. Once approved, the O&M Plan must be adopted by the Petitioner and recorded at the Middlesex South District Registry of Deeds. A copy of the recorded O&M Plan shall be filed with the Engineering Division of Public Works and submitted with the Building Permit application.
3. The Petitioner shall do the following to remediate pest and rodent activity:
  - a. Prior to issuance of any demolition or building permit, the Petitioner, at its sole cost and expense, shall hire a licensed Pest Control Operator to assess the property for pest and rodent activity and develop and implement a pest remediation action plan to eliminate the activity and prevent off-site migration. The plan shall include the target pest, the methods for eliminating activity, and plan for preventing pest migration off-site during demolition and construction.
  - b. A copy of the Pest Control inspection report and the remediation action plan shall be submitted to the Inspectional Services Department for review and approval prior to issuance of any demolition or building permit. A copy of such approval shall be provided to the Department of Planning and Development.
  - c. The Pest Control Operator shall implement the approved remediation action plan, monitor the site for the duration of the project, and take whatever action the Operator deems necessary to control pest infestation and migration.
4. Prior to the issuance of any Building Permit, the Petitioner shall submit a Construction Management Plan (the "CMP") for review and approval to the Commissioner of Inspectional Services, the Director of Planning and Development, the City Engineer, and the Chief of the Fire Department. The CMP shall be in compliance with all applicable policies and ordinances in effect at the time of submission. The Petitioner shall comply in all material respects with the Construction Management Plan, which shall be consistent with and not in conflict with relevant conditions of this Order and shall include, but not be limited to, the following provisions:
  - a. 24-hour contact information for the general contractor. This information shall also be posted in a clear and visible manner at the construction site.
  - b. The proposed schedule of the project, including the general phasing of the construction activities and anticipated completion dates and milestones.
  - c. Site plan(s) showing the proposed location of contractor and subcontractor parking, on-site material storage area(s), on-site staging areas(s) for construction materials and delivery vehicles and equipment, and location of any security fencing and erosion control.

- d. A plan showing temporary pedestrian access within work zones in accordance with DPW Policy.
  - e. Proposed methods for dust control including, but not limited to: watering, covering trucks for transportation of excavated material; minimizing storage of debris on-site by using dumpsters and regularly emptying them; using tarps to cover piles of bulk building materials and soil; locating a truck washing station to clean muddy wheels on all truck and construction vehicles before exiting the site.
  - f. Proposed methods of noise control, in accordance with the Revised Ordinances, §20-13. Staging activities should be conducted in a manner that will minimize off-site impacts of noise. Noise producing staging activities should be located as far as practical from noise sensitive locations.
  - g. Tree preservation plan to define the proposed method(s) for protection of any existing trees to remain on site.
  - h. The CMP shall also address the following: safety precautions; anticipated dewatering during construction; site safety and stability; and impacts on abutting properties.
5. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
- a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
  - b. Submitted final engineering, utility, and drainage plans, and a recorded copy of the O&M Plan with the Middlesex South District Registry of Deeds and provided a copy of the recorded document to the City Engineer in accordance with this Order.
  - c. Submitted a Final CMP for review and approval by the Commissioner of Inspectional Services in consultation with the Director of Planning and Development, the Fire Department, the Commissioner of Public Works, and the City Engineer in accordance with this Order.
  - d. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.
6. A resident of each unit must obtain and maintain an active business certificate with the City Clerk to certify compliance with the requirements of a live/work space. Evidence that a business certificate has been issued must be provided to Inspectional Services prior to issuance of a Certificate of Occupancy.

7. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with for the portion of the project for which occupancy is requested and the Petitioner has:
  - a. Filed with the building permit record statements by a registered architect (or professional engineer) and a professional land surveyor (or professional engineer) certifying compliance with Condition #1.
  - b. Obtained approval from the City Engineer certifying that all engineering details for the portion of the Project for which a certificate of occupancy is requested have been constructed to standards of the City of Newton Public Works Department.
  - c. Filed with the Department of Inspectional Services a statement by the Director of Planning and Development approving final location, number and type of plant materials, landscape features, fencing and parking areas related to or for the portion of the Project for which a certificate of occupancy is requested.
  - d. Submitted final as-built survey plans in digital format, stamped, and signed by a professional land surveyor or professional engineer, as applicable.
8. The Petitioner shall install all landscaping consistent with this Special Permit/Site Plan approval and shall maintain landscaping in good condition. Any plant material that becomes diseased or dies shall be replaced as soon as feasibly possible with similar material.