

### **Land Use Committee Report**

# City of Newton In City Council

#### Tuesday, January 12, 2016

Present: Councilors Laredo (Chair), Lennon, Auchincloss, Cote, Harney, Lennon, Schwartz; also

present: Councilors Baker, Fuller, Leary & Yates

Staff: Daniel Sexton (Planning), Ouida Young (Associate City Solicitor), Robert Waddick

(Assistant City Solicitor), David Olson (City Clerk)

#480-14 Petition to rezone 283 Melrose Street from MR-1 District to MU-4 District

Hearing open and closed on November 17:

STEPHEN VONA petition to rezone 283 MELROSE STREET, also known as Section 41, Block 14, Lot 10, from MULTI RESIDENCE 1 to a MIXED USE 4 DISTRICT. (90

**Days: February 15, 2016)** 

Action: Withdrawal without prejudice Approved 6-0

**Notes:** Attorney Morris presented his clients request to withdraw the request for zone change

without prejudice. The Committee approved.

## #480-14(4) Petition to expand Turtle Lane Playhouse and construct second building for a mixed-use project

STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change one nonconforming use to another by restoring and expanding an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed-use building with an addition containing 4 dwelling units at street level and above and a second building containing a 16-unit multi-family dwelling with a below grade parking garage for 27 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land currently zoned MULTI-RESIDENCE 1 or in the alternative in a proposed MIXED USE 4 DISTRICT. Ref: Sec. 7.3, 7.4, 7.8.2.C, 4.4.1, 4.2.2.B.1, 4.2.5.A.1, 4.2.5.A.6.b, 5.4.2, 5.1.4, 5.1.13, 5.1.4.C, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: Hearing Continued to February 2, 2016; Held 6-0

**Notes:** Attorney Morris presented the petition for Stephen Vona the petitioner. Due to concerns expressed by neighbors and councilors on what might happen should the theater close, it was proposed that the petitioner be required to come back and amend the Special Permit. The project has changed over the year. It started off as a 29 unit building with the

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: <u>jfairley@newtonma.gov</u>, or 617-796-1253. For Telecommunications Relay Service dial 711.* 

theater, office space and a restaurant. Over time the project has been reduced in size and scope, the restaurant has been eliminated and the number of units has been reduced to 20. The setbacks have also been increased significantly. The stand alone residential building will need a waiver of the front setback as 25 ft. is allowed and it will be 23.5 ft. as can be requested by special permit. The project includes the restoration of the Turtle Lane Playhouse and includes smaller units which are needed in the City. The petitioner is asking for a change in the number of parking spaces from the required two down to one and a quarter per unit. This requested is being asked for due to the site's proximity to public transportation. The parking for the theater has been increased from the 18 spaces that existed before to 51 spaces in this plan which is 2 more than required by the City's Zoning Code Official.

The petitioner has worked with the neighbors to address many of the concerns that they had about the project and will continue to work with the neighbors, if possible, over the next few weeks to address additional concerns that they may still have.

Councilor Crossley thanked the petitioner for his responsiveness to the neighbor's concerns. She asked Atty. Morris to comment on the additional conditions that the Planning Department had requested on page ten of their memo. Atty. Morris responded that the petitioner did create a tree and landscape replacement plan that was submitted for the review of the neighbors and he expects that there will be further revision. The type of fencing is also still being discussed. A lighting plan has been put together. Bicycle racks will be incorporated into the parking garage. Snow removal plans have been developed and any snow that can't be accommodated on site will be removed from the site by a contractor. Undergrounding of wires will be explored. A parking management plan has been discussed with the neighbors and a preliminary plan is on committee members desks. The biggest concern around parking would be matinee performances at the theater that might conflict with the church schedule at Corpus Christi. This however is precisely the time that the municipal parking lot will be most available for parking.

Ald. Crossley asked about the connector piece between the new and old structure. Atty. Morris stated that they were not planning to change that.

The Public Hearing was opened.

Barbara Zeles, 267 Melrose Street – Would welcome three of four well built homes, but the current plan is too dense. 20 units is unreasonable. Don't allow a third story. Noise and Activity will have greatest impact. Limit the hours of operation. Reduce the parking per unit.

Theresa Casavant and Robert Nye, 27 Ash Street – the project will add to traffic problems and parking. Asks that the builder be allowed to build what he can by right. This special permit project is too dense.

Gayle Whiting Lidaney, 187 Melrose Street – Has met with the developer and some headway is being made, but there is more to be done. Likes the theater, but there are too many units. The Neighborhood has to put up with a lot going on. Loves the theatre, however density should be reduced.

Lynn Weissberg, 5 Alden Street - urges support for the project. Good combination of theatre and housing. Should be approved

Kathleen Hobson, 128 Dorset Road Waban – supports the project. Housing is needed and the theatre needs saving.

Richard Kaplan, 18 Woodbine Street, also representing others including Mark and Debbie Christopher, 12 Woodbine Street and Friends of Turtle Lane - Discussions with the developer have made progress, but the project is too massive and needs to be reduced. He is looking forward to seeing the landscaping plan. Felt that if they can continue to meet with the developer, issues can be worked out. The project is too massive and needs to be reduced. He noted that taxes on the property have not been paid for 6 periods. (The Chair stated that the taxes have been paid and are up to date)

David Herlihy, 14 Staniford Street – There is support for the proposal. He attended a meeting at City Hall with abutters and developer and noted that the height and density are more advantageous than as of right. Having a liaison committee is a good thing. Speculative restrictions do not give the theatre a fair shot. A dialogue needs to be initiated with the Korean Church.

Rich Frantz, 12 Glastonbury Oval – Preservation of theatre is important. Promote smaller and lower cost units.

Doris Ann Sweet, 281 Lexington Street – Housing is needed. This offers condos and will be a benefit for older adults that sell their large homes and want an ownership opportunity. Traffic is bad regardless.

Karla Armenoff, 57 Evergreen Avenue - excited about the project. There is precedent for building large complexes in the neighborhood. Density is not in opposition to the community spirit of Auburndale. There is room for 16 condos on the lot.

Michael McNally, 9 Bonmar Circle – Supports this project. From a housing point of view it is a win. Right kind of housing and density. The theatre will be kept. It is a gorgeous project and the perfect bridge for neighborhood block

Rachel Freed, 30 Chaske Avenue for Friends of Turtle Lane – concerned about density. Unfair to maximize the density. She is looking for 8 units. 20 units is too much with the theatre. Developer is saying city is requiring the density.

Lizabeth Heyer, 25 Freeman Street – supports project. The difference between 8 and 20 units is minimal.

Tamara Bliss, 9 Lewis Street – expressed support. The project will meet needs of senior population. Option to buy or rent. Range of price range. Walkable neighborhood.

Susan Terru, 278 Melrose Street – theatre activity on weekend nights is too much for the neighborhood. Building is too tall.

Hearing left open. Working session postponed to Tuesday, February 2<sup>nd</sup>.

Chair Laredo asked if there were any questions that Committee members wanted answered before the session on February 2<sup>nd</sup>.

Councilor Schwartz would like to get more information at the working session from the Planning Department on how the projects detrimental factors on the neighborhood can be mitigated, and if the parking has been adequately addressed.

Councilor Crossley asked how this project furthers the goals of the Comprehensive Plan.

### #416-12(6) Petition to restripe existing parking lot to create 5 parking stalls, instead of 4 stalls

MAIN GATE REALTY LLC petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013, which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses, in order to restripe an existing parking facility to create five parking stalls, where four currently exist , and to waive the dimensional requirements for the parking stalls at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: 7.3, 7.4, 7.8.2.C.2, 5.1.7, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#### Action: Hearing Closed; Approved as Amended 6-1

**Notes:** Atty. Peirce presented for the petitioner Main Gate Realty. This petition relates solely to the redesign of parking at the property. After working with the Planning Department they have come up with a design for the parking facility. The plan goes from the current four spaces to five spaces, but actually reduces the amount of pavement. The spaces will also be slightly smaller so the Council will need to waive the width of the parking spaces. The reconfiguration will also eliminate the problem of tandem parking which was a problem in the past. The new space will be used by the owner to come to the building to manage the building, talk with tenants, etc. The reconfiguration will also narrow the width of the driveway. These modifications along with the things noted in the companion permit application make for a good

project. The Committee is also asking for a modification of the condition that requires that any new retail business that might go in here in the future that generates 20 or more trips an hour would require the petition to return to the Land Use Committee to amend the special permit. 20 trips per hour is the standard for a convenience store which would not work at this location, so, at the request of Councilor Fuller, we are asking that the number be reduced to 12 trips per hour.

The discussion then turned to the companion item below:

#416-12(7) Amend special permit #416-12(3) to permit more than 3 customers on site JULIA WILLIAMSON/WALLY ZAINOUN, MAIN GATE REALTY petition to AMEND Special Permit/Site Plan #416-12(3), granted on August 12, 2013, with respect to EXTENDING a NONCONFORMING USE, to permit more than 3 customers for the service use on site at any one time and change the hours of operation of MODERN BARRE at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec 7-3, 7-4 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: Hearing Closed; Approved as Amended 6-1

**Notes:** Atty. Morris presented information on Modern Barre's special permit application. The petition is to change two items from the previously approved special permit which is the hours of operation and the number of people that can be on the site at any given time. The first change to the petition is the request to have two employees on site, we are reducing that number to one, and second, we had requested that three classes begin at 6:15 am and we have reduced that number to the two that are currently operating. Finally, we would like to amend condition #19 which limits the number of people per class to an average of 9, which is based on a 36 class week schedule. We ask that that number be the average of the actual number of classes held. In regards to parking and vehicle trips, it has been established that there is sufficient parking on Commonwealth Avenue and there will be no patron parking behind the building. A three page handout was distributed tonight which looks at hours of operation. Current use allows for 105 hours of operation per week, Modern Barre's proposed scheduled only uses 36 hours. Modern Barre has existed in this location for two years without incident.

Councilor Fuller asked Atty. Peirce about a sidewalk extension. Is this something that you are considering? A safe way to get around to the back is needed. Atty. Peirce indicated that they are willing to implement the plan should the Special Permit be granted.

Councilor Schwartz asked Atty. Peirce if the 5 spaces would fit the same footprint as the 4 current spaces. He responded that they would.

The Public Hearing was opened:

Marcos Carenno, 252 Commonwealth Avenue – would like a compromise. Concerns include increased use and negativity brought by the process and the name calling. Vote no.

Atty. Kenneth Parker – presented a letter. Noted that the Board of Aldermen had previously voted to have 3 employees and 3 customers on site, not eleven customers. The Board got it right at 3. The intensity of use is too high. There has never been that level of intensity of use. Monopolizing on-street parking is not appropriate. Pre 7:00 am opening is not appropriate for this neighborhood.

Sarah Winchester, 254 Commonwealth Avenue – too high a number of clients coming. Cars block driveways, narrowly missing runners. Run the business within the existing permit.

Rachel Blankstein, 75 Manet Road – This is a detriment to the neighborhood. The increase in traffic will increase likelihood of accident.

Marita Treseler, 79 Manet Road – As currently operating Modern Barre is more detrimental than what has been there before. This growing business is misplaced. Moving parking spaces closer to Manet Road does not enhance the site. The business has used the space as an event hall.

Fred Treseler, 79 Manet Road – detrimental to the neighborhood. The structure was originally built as a temporary structure and then allowed to remain as a non-conforming structure. Previous businesses have been smaller. Compliance is an issue.

Lee McIntyre, 607 Commonwealth Avenue – client speaking in favor. The 72 people that are expected are less than the 90 that are allowed at this site. First two years in business had zero complaints. Turning the special permit down will put owner out of business. Grant the permit and set a short look back period.

Kara Boudreau, 282 Commonwealth Avenue - this is positive to the neighborhood. Best use of property. Have never seen more than four cars parked in front. No one is parking on Manet or in the lot.

Sky Shirley, 50 Crosby Road – there is no problem in the neighborhood. Most people walk to the studio.

Crystal Byrus, 66 Bennington Street – the studio is convenient. I walk to the studio.

Linda Plaut, 84 Hancock Avenue – this business does not impact greatly. People walk to the studio.

Julie Plaut Mahoney, 33 Irving – walks to studio. The traffic is hard in this neighborhood because of all that is going on, not because of the studio.

Statia Fogg, 7 Carol Avenue Brighton – not everyone walks, and have not seen the issues the neighbors are complaining about in terms of traffic. You can't assign vehicles to everyone in the class.

Motion to close the public hearing on both items was approved.

Dan Sexton explained that both special permit requests for this site have been consolidated into one Board Order.

Councilor Baker stated that he was concerned that the permit does not meet the standards in the ordinances. Councilor Laredo felt it was important to craft an Order and then Councilors can vote it up or down.

Dan Sexton presented the findings from the Board Order:

The 1<sup>st</sup> finding relates to the additional parking space on the site. Councilor Fuller noted that the original special permit calls for four spaces and the requested use is for four so it is appropriate to keep it at four. If there is a need for a fifth space, the petitioner can come back to amend the special permit. Chair Laredo noted that this would not be a denial of #416-12(6), it would just be a removal of the parking requirement request from #416-12(6). The decision was to strike finding one.

Finding #2 found that to allow longer hours of operation and an increase in the maximum number of customers from 3 to 11 was not more detrimental. Councilor Harney felt that 11 customers was too many and that customers should be limited to 9. There was not a policy reason to reduce to 9. Councilor Fuller noted that there was ample parking for this use on Commonwealth Avenue to be not more detrimental. Information later on in the special permit it notes that the average class size is 9 which makes her comfortable with 11 here. Councilor Baker was concerned that the detail that is being incorporated is going to be difficult for Inspectional Services to monitor it. Chair Laredo decided to keep it as a placeholder for the moment.

Finding #3, Chair Laredo notes that this does not need to be belabored but it is appropriate.

Finding #4 Dan Sexton notes that the sidewalk extension discussed earlier should be included in this finding. Councilor Baker asked if there was a final landscaping plan. Councilor Laredo stated that the plan will be left to Planning to review. It is not been provided yet. Councilor Baker asked that the concept plan be provided before voting.

Chair Laredo noted that the Committee struck finding #1 and conditionally approved numbers 2-4. He moved the discussion to the conditions:

It was noted that conditions numbers one and two need to be combined, and the references need to be updated to the most current plans.

Condition #4. Councilor Fuller expressed concern that the intensity of use for the whole building needs to be addressed. The 20 hourly vehicle trips is too high for the property and 12 is a better number given the amount of parking in the area. Councilor Laredo expressed concern about what would happen in the future if the tenant mix changed. Questions about how to determine intensity were raised, and when the petitioner would have to come back in to amend the special permit. Councilor Laredo suggested that the wording allow no more intensive use in the building than is currently allowed in the total building. The Law Department will need to wordsmith the text. Dan Sexton will craft language that will look at the number of employees, customers, and vehicle trips for the building.

Condition #5. Parking stalls will be reduced to four and amend the rest of the language

Condition #6. Any legal parking restrictions in the neighborhood will trump the conditions.

Condition #7. Councilor Lennon asked if the end time should be 9:00 pm not 10:00 pm, Dan Sexton responded that this is the time specified in the prior board order for hours of operation, not the hours that will be in the conditions for this permit.

Condition #14. Clarifying language will be added for Inspectional Services.

Conditions #15-16. Will be reworked by Law.

Condition #19. Clarifying language about the average class size per week will be added. It was expressed by some that 9 as the average would be better than 11. However the physical space would limit the size of the classes. It was expressed that 11 would be acceptable.

Condition #20. Councilors Baker and Harney felt that a 6:15 am start time is too early and it should be 7:00 am. Councilor Auchincloss felt that 6:15 am was not too detrimental. Councilor Laredo asked for a vote and 5 were in favor of 6:15 am.

Condition #21. Councilor Lennon asked that the look back period be 1 year instead of 3 years and that the number of classes be on the low end. Councilors Laredo and Fuller agreed with the one year look back but the number of classes be as requested and that any other types of programs be included in the intensity of use calculations. Councilor Schwartz asked that the 11 maximum be used but that the total number of classes be reduced to 30 instead of 36. Atty. Morris responded that they are at 27 classes now so 30 for the next year would be acceptable. Councilor Baker noted that the look back should allow for both an increase and a decrease in the class number.

Councilor Crossley made a motion to Approve both the Special Permit petitions as amended.

Committee Approved 6 yeas, 1 nay (Harney)

#### #326-15 Petition to Increase seating at Bertucci's Restaurant

BERTUCCI'S RESTAURANT CORPORATION/KNAPP FOOD INC. to AMEND Special Permit/Site Plan Approval #573-88 to increase the seating capacity from 129 to 170 seats and to waive up to three parking stalls at 275 CENTRE STREET, Ward 1, Newton Corner, on land known as SBL 71, 2, 1, 2, and 4, containing a total of 58,248 sf of land in districts zoned BUSINESS 1 and BUSINESS 2. Ref: Sec. 6.4.29.C.1, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#### Action: Hearing Continued to a date to be determined; Held 6-0

**Notes:** The petitioner noted that they are here for an amendment to the Special Permit as they have expanded the seating in the restaurant and now want to correct the issue. Councilor Lennon noted that there had not been any discussion with the Ward Councilors and neighbors around this permit. He asked that it be held until conversations between Bertucci's, the property owner, the Ward Councilors and the neighborhood have taken place, and information from planning has been provided. Councilor Leary asked how the expansion of seats could have happened without the permit.

#### #230-15(2) Petition to increase the Floor Area Ratio at 239 Cypress Street

BRENDAN M. EVERETT petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to the basement and first floor and to enlarge an existing attic dormer, which will increase the Floor Area Ratio from .42 to .55, where .48 is the maximum allowed by right, at 239 CYPRESS STREET, Ward 6, Newton Centre, on land known as SBL 65, 15, 26, containing approximately 5,490 square feet of land, in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3, 7.4, and 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#### Action: Hearing Closed; Approved as Amended 5-0

**Notes:** The petitioner presented his project which is to enlarge an existing attic dormer to increase the upper floor bathroom space. It will also expand the living space in the kitchen and add closets at the entry by using a portion of the garage. The historic character of the home will be maintained.

Councilor Crossley is in support of the project, but was concerned about the square footage in the plans. Dan Sexton noted that the numbers were correct and the numbers seem large because of the work in the basement.

The Public Hearing was opened and closed.

The Committee Approved the Special Permit 5-0

#### #348-15 Petition to increase the Floor Area Ratio at 27-29 Talbot Street

NATALLIA ASTAPUK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE and USE in order to add a shed dormer to the half story above the second floor, which will increase the existing nonconforming Floor Area Ratio from .51 to .62, where .48 is the maximum allowed by right, and to extend the legally nonconforming two-family dwelling use at 27-29 TALBOT STREET, Ward 3, West Newton, on land known as SBL 34, 30. 5, containing approximately 5,000 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3, 7.4, 7.8.1C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: Hearing Closed; Approved 4-0-1 (Lennon Abstaining)

Notes: The architect representing the petitioner presented the request. They are looking to add a bedroom and bathroom. The dormer will accommodate a staircase and bedroom. This is a dormer addition.

Councilor Crossley recommended that the petitioner get a structural engineer.

The Public Hearing was opened and closed.

The Committee Approved the Special Permit 5-0-1 Abstain (Lennon)

#### #349-15 Petition to increase existing nonconforming setbacks at 28 Beecher Place

GREGORY KESHISHYAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by adding a pitched roof half-story addition to an existing two-family dwelling in order to create an attic with storage and living space, which will increase the structure within the existing nonconforming setbacks, at 28 BEECHER PLACE, Ward 6, Newton Centre, on land known as SBL 65, 8, 30, containing approximately 5,574 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 7.3, 7.4, 3.2, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: Hearing Closed; Approved 6-0

Notes: Petitioner presented the request to change the roof from a flat roof to a pitched roof in order to add 2 bedrooms and a bathroom.

The Public Hearing was opened and closed.

Councilor Schwartz asked if the setbacks would be affected by the vertical construction. Dan Sexton noted that they would not be.

Councilor Schwartz noted that the project improves the site.

The Committee Approved the Special Permit 5-0

#### #350-15 Petition to increase Floor Area Ratio at 17 East Boulevard Road

WENDY & JASON KRITZER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to enlarge the existing basement garage, to enlarge the kitchen and family room on the first floor, and to enlarge the master bedroom on the second floor, which will increase the Floor Area Ratio from .38 to .46, where .43 is the maximum allowed by right, on a single-family dwelling at 17 EAST BOULVEVARD ROAD, Ward 7, Newton Centre, on land known as SBL 73, 34, 5, containing approximately 7,135 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: Hearing Closed; Approved 6-0

Notes: Lee Silverstone presented the petition. They are seeking to increase FAR in order to enlarge the home to include new bedrooms. The addition will be in keeping with the Tudor style of the house.

The Public Hearing was opened and closed.

The Committee Approved the Special Permit 6-0

### #351-15 Petition for 4 attached dwelling units in an existing 2-family dwelling at 1110 Chestnut Street

CHARLES ZAMMUTTO/DOUGLAS & MAGDALENA TURCOTTE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to create four attached dwelling units in an existing two-family dwelling including waivers from the height and number of stories, the side setback, and to locate parking and a driveway within a setback at 1110 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 41, 2, containing approximately 22,800 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec 7.3, 7.4, 2.4.1, 3.2.4, 5.4.2, 6.2.3B.2, 5.1.7.A, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#### Action: Hearing Continued to February 2, 2016; Held 6-0

**Notes:** Atty. Morris presented the petition. The petition is to convert the building into four attached dwellings by adding units to either side of the structure. The building is historic in that it was once a rectory for St. Mary's Church. The building currently includes illegal apartments. Councilor Laredo asked that the situation be addressed before the petition goes forward, but allowed Atty. Morris to complete his presentation. The plan puts the 8 parking spaces that are in the front yard into the back yard and to construct a retaining wall. The requests provide improvements to the site plan.

Councilor Crossley asked that at the next meeting the petitioner asked for information on the costs of the units.

The Public Hearing was opened and the abutter to the rear expressed his concern about the retaining wall.

The public Hearing was continued to February 2, 2016 and the item was Held 6-0

2016 Auto License Renewals

#241-15 **CLAY NISSAN OF NEWTON INC.** (Class 1)

431 Washington Street Newton Corner 02458

Action: Approved 6-0

#258-15 **NEWTON CENTRE SHELL, INC.** (Class 2)

1365 Centre Street Newton Centre 02459

Action: Approved 6-0

#248-15 **JOHN BORTONE d/b/a ENZO'S AUTO SALES** (Class 2)

10 Hawthorn Street Nonantum 02458

Action: Approved 6-0

#269-15 **JOHN & CATALINA BORTONE** (Class 2)

d/b/a VELOCITY MOTORS

14 Hawthorn Street Nonantum 02458

Action: Approved 6-0

Respectfully submitted,

Marc C. Laredo, Chair