

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE AGENDA

MONDAY, OCTOBER 29, 2007

7:45 PM  
Room 202

#351-06      HIS HONOR THE MAYOR submitting in accordance with Section 7-2 of the City Charter an updated Draft Newton Comprehensive Plan, dated October 2006. (**Public hearing held 9/10/2007**)

**BUSINESS NOT YET SCHEDULED FOR DISCUSSION:**

#303-07      ALD. JOHNSON, ALBRIGHT, HESS-MAHAN, LINSKY, SANGIOLO proposing to amend chapter 30-24(f) to clarify and revise its provisions requiring inclusion of low-income housing units in certain residential developments, by so doing encouraging multi-family developers to seek approval under Newton zoning rather than under GL40B. [10-3-07 @9:29 AM]

#333-97(2)      ALD. YATES proposing that Chapter 30 be amended to prohibit without a special permit in any zoning district the approval of a subdivision that would be accessed by any public way on which the Level of Service at the point of access is already a D, E, or F, for at least one hour per week or if the additional traffic to be generated by the subdivisions would cause the Level of Service at the point of access to a public way to fall to D, E, or F for at least one hour per week. [8-7-07 @2:05 PM] (**Hearing closed September 24, 2007; 90 days 12/23/07**)

#248-07      ALD. YATES proposing to amend the “demolition delay ordinance” to exclude from review the partial demolition of architectural features not visible from a public or private way or a public park or open space. [8-7-07 @2:05 PM]

#339-06      ALD. PARKER proposing an amendment to Chapter 30 to require that residential developments over 36 feet in height include a minimum of 25% affordable (‘inclusionary’) units. (**Hearing closed 4/23/07; 90 days 7/22/07**)

- #193-06      ALD. VANCE proposing an ordinance that would require the owner of any residential property who is not otherwise required to give written notice to abutters and others of proposed modifications of the owner's residential structure to provide such written notice prior to the filing by such owner of an application for the building permit to construct such proposed modifications.
- #194-06      NEWTON HISTORICAL COMMISSION recommending that the Demolition Delay Ordinance, Section 22-44, be amended in an effort to:
- Reflect actual administrative practices vs. those specified in the current ordinance,
  - Reduce the number of non-historic properties or building elements that the Commission reviews, while re-enforcing the intent of the original ordinance, which is to protect and enhance historically and architecturally significant properties, that are not otherwise protected through local historic districts and local landmark designation, through the creation of additional criteria, beyond just age of the building, based on the Commission's and staff's experiences over the past few years and through the use of building surveys, etc., and
  - Help reduce ambiguities in the ordinance, such that both staff and members of the public have a better understanding of the types of structures and/or elements of structures that would fall under the purview of the Commission. **(Approved as amended 4-2-1 (Lappin and Weisbuch opposed; Sangiolo abstaining) on 11-27-06; recommitted by Full Board 12-4-06)**
- #48-04      ALD. GENTILE requesting that subsection (c) (1) of Chapter 22-44, **Demolition of historically significant buildings or structures.** be amended to affect a building or structure which is in whole or in part 100 or more years old.
- #10-05      PRESIDENT BAKER recommending discussion and possible recommendations about amendments to historic district state law proposed by the Massachusetts Historical Commission, including suggested enhancement to facilitate local review and effective compliance.
- #50-06      ALD. SAMUELSON proposing that private contractors be required by ordinance to obtain a permit from Inspectional Services prior to installing outdoor lighting on public property.

- #237-01      ALD. MANSFIELD proposing to amend Sec nos. 30-1, 30-11, 30-12, and 30-13 of the Revised Zoning Ordinances to clarify the definitions of and specify the distinctions between restaurants, retail food establishments, fast food establishments, and food processing and preparation as allowed and permissive uses in Business, Manufacturing and Mixed Use Districts.
- #238-01      ALD. MANSFIELD & SAMUELSON proposing to amend Sec. 30-1 and 30-11(g)(5) of the Revised Zoning Ordinances to clarify the definition of and restrict the permissive use “drive-in food service establishment” to Limited Manufacturing Districts only.
- #239-01      ALD. MANSFIELD proposing to amend Sec. nos. 30-1, 30-11, 30-12, and 30-13 of the Revised Zoning Ordinances to establish a definition of and to specify appropriate zoning districts in which to conduct food catering businesses.
- # 86-02      ALD. MANSFIELD proposing to amend Sec. nos. 30-11(a)(9) and 30-11(d)(9) to require a special permit for restaurants having not more than 50 seats that are within 300 feet of a Residence District.
- #152-04      ALD. SANGIOLO proposing that Chapter 30 be amended by adding a definition of “kitchen facilities.”
- # 7-99      ALD. PARKER requesting discussion of possible zoning amendments to create additional residential districts with different FAR and lot size requirements.
- #231-02      ZONING & PLANNING COMMITTEE requesting that further studies be done by the Planning and Public Works Departments with maximum feasible participation by the neighborhood (using special permit mitigation money to hire consultant(s) if necessary) to answer questions and address issues raised in Zoning and Planning Committee on June 10, 2002 about how to reduce the possibility of further over development in Thompsonville and ways to measure its impact.
- #330-02      ALD. JOHNSON, BULLWINKLE, LINSKY requesting a discussion regarding revamping the home business ordinance to reflect current uses (allowable/not allowable).
- #267-03      ALD. SANGIOLO, JOHNSON, STEWART, & SAMUELSON proposing that Sec 30-5(a)(3) of the Zoning Ordinance be amended to include public safety concerns and a cap on the number of students based on lot size.

- #59-03      ALD. SANGIOLO proposing amendments to Chapter 30-19 Section (j),  
*Lighting, Surfacing, and Maintenance of Parking Facilities.*
- #287-01      ALD. SANGIOLO proposing an ordinance to require a permitting process  
for the construction of parking lots.
- #306-04      ALD. SANGIOLO & JOHNSON on behalf of George Foord proposing  
either an amendment or new ordinance re: living fences.
- #371-01      ALD. PARKER, YATES, SANGIOLO, BASHAM, LIPSITT proposing  
an ordinance to require an appropriate review and approval process to  
control drainage and other environmental impacts in cases of major  
excavation or other topographic changes.

Respectfully submitted,  
Brian Yates, Chairman