

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE REPORT

MONDAY, AUGUST 2, 2004

Present: Ald. Yates (Chairman), Ald. Lappin, Hess-Mahan, Johnson, Lennon, Baker, and Sangiolo; absent: Ald. Danberg; also present: Ald. Linsky

City staff: Martha Horn, Environmental Planning; Juris Alksnitis, Chief Zoning Code Official; Michael Baseman, Assistant City Solicitor; Linda Finucane, Chief Committee Clerk

Also: Doug Dickson, Conservation Commission and Lawrence Schwirian, presumptive appointee to the Newton Upper Falls Historic District Commission

#301-04 CONSERVATION COMMISSION requesting Board of Aldermen acceptance of a Conservation Restriction preserving an undeveloped portion of “The Residences” on Boylston Street (Bradford Development Corporation Special Permit nos. 514-99 and 515-99).

ACTION: APPROVED 6-0 (Sangiolo not voting)

NOTE: Senior Environmental Planner Martha Horn presented the item and explained the materials that had been sent out with the agenda. The land in question is to the west of the Residences, the rear of the homes on the eastern side of Dudley Road, and south of the Church and homes on Boylston Street. It serves as a collection point for storm water in the area. Excess amounts will depart the area through the Tanglewood Road drainage system. The area is a home to salamanders and is in the process of being registered as a vernal pool. The basic treatment for the area is to leave it alone with the exception of cleaning out trash that might impact its ability to store water. After discussion, the Committee voted unanimously to accept the Conservation Restriction.

Appointment by His Honor the Mayor

#302-04 JEFFREY R. RIKLIN, 37 High Street, Newton Upper Falls, appointed as a RESIDENT member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION to fill the unexpired term of Steven Flynn, whose term of office expires July 31, 2005 (60 days 9/10/04).

ACTION: NO ACTION NECESSARY 5-0-1 (Yates abstaining; Sangiolo not voting)

NOTE: Mr. Riklin was not available to attend the meeting because a member of his family was having surgery out of state. Although his resume was extremely impressive both for his Construction Supervisor background and civic activities in Newton and elsewhere, the Committee felt that he needed to be seen by more members than just the Chair as a new appointee. Therefore the Committee voted to hold the item that will expire before the first

Committee meeting in September and to ask the Mayor to resubmit the appointment so the full Committee can have the chance to meet Mr. Riklin.

Re-appointment by His Honor the Mayor

#303-04 DONALD TELLALIAN, 19 Crystal Street, Newton Centre, re-appointed as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term of office expiring January 1, 2007 (60 days 9/10/04).

ACTION: APPROVED 6-0 (Sangiolo not voting)

NOTE: Since Mr. Tellalian is a longstanding member of both the Upper Falls Historic District Commission and the Historical Commission, which he represents on the NUFHDC, who has been before the Committee in February of this year, the Committee was comfortable in voting 6-0 to approve his re-appointment. (Although Mr. Tellalian is an architect and is generous in offering expert advice to those before the Commission, he is an Historic Commission representative on the District Commission.)

Re-appointment by His Honor the Mayor

#304-04 CAROLE DeJONG, 33 Old Orchard Road, Chestnut Hill, re-appointed as an ALTERNATE member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term of office expiring July 31, 2007 (60 days 9/10/04).

ACTION: APPROVED 6-0 (Sangiolo not voting)

NOTE: The Committee voted unanimously to confirm Ms. DeJong's re-appointment based on Alderman Baker's observation that she has been an active Resident member of the Commission.

Re-appointment by His Honor the Mayor

#305-04 JOHN WYMAN, 47 Old Orchard Road, Chestnut Hill, re-appointed as a member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term of office expiring July 31, 2007 (60 days 9/10/04).

ACTION: APPROVED 6-0 (Sangiolo not voting)

NOTE: Mr. Wyman is well known to most members of the Committee from his long service on the Commission of which he was an original member. He is a resident of the District but fills the attorney seat. The Commission voted unanimously to approve his re-appointment.

#49-04 ALD. JOHNSON & LINSKY recommending that the following properties, identified by both address and Section, Block, and Lot numbers, be re-zoned from MULTI RESIDENCE 1 to SINGLE RESIDENCE 2 to have the zoning for these properties reflect the actual single-family use: **(Hearing held 6/14/04; 90 days 9/12/04)**

ADDRESS	SBL	LOT AREA (sq. ft.)
<u>CLAREMONT STREET</u>		
00	13-09-05A	4,397 (partial)
<u>CABOT STREET</u>		
114	13-18-14	4,332 (partial)

121	13-08-01	10,873
129	13-08-10	8,793

LANGDON STREET

92	13-09-11	8,808
100	13-09-12	16,176
118	13-08-05	8,970
126	13-08-06	7,563
134	13-08-08	8,512
140	13-08-09	7,524

LAUDHOLM ROAD

4	13-09-13	7,950
10	13-09-14	9,350
16	13-09-15	4,428 (partial)
21	13-08-04	8,380
27	13-08-03	7,360
35	13-08-02	7,792

ROCHESTER ROAD

48	13-20-47	10,433 (partial)
49	13-20-42	6,144 (partial)
53	13-20-43	8,685
00	13-20-46	3,213
54	13-20-45	10,137
58	13-20-44	18,927 (partial)

SURRY ROAD

22	13-09-09	11,833
28	13-09-10	8,540

WESTCHESTER ROAD

91	13-20-29	10,040
99	13-20-30	5,597 (partial)

ACTION: APPROVED AS AMENDED 4-0-3 (Johnson, Baker, Sangiolo and Yates in the affirmative; Hess-Mahan, Lennon, and Lappin abstaining)

NOTE: The Committee discussed this item extensively and started with the suggestion of the Planning Department that the two parcels off Langdon Street south of the existing Single Residence 3 Zone be re-zoned Single Residence 3 as well. After several straw votes, a majority of the Committee agreed that the remaining parcels on the eastern side of Langdon Street should be rezoned SR3 as well. The majority felt that the reduction of the possibility for two-family houses on these mostly small parcels was important but the proposed rezoning to Single Residence 2 with its much larger lot sizes seemed unreasonable since it would make these lots massively out of compliance. The Committee therefore voted 4-0-3, with Ald. Johnson, Baker, Sangiolo and Yates in the affirmative and Ald. Hess-Mahan, Lennon, and Lappin abstaining, to approve the proposed zoning amendment as amended by the extension of the SR 3 district to nos. 22 and 28 Surrey Road and nos. 92, 100, 4, 118, 126, 134, and 140 Langdon Street and no. 129

Cabot Street, but all other lots going to SR2 as proposed above. Alderman Lennon wanted to consult the affected residents.

All other items were held without discussion. The meeting was adjourned at approximately 9:30 PM.

Respectfully submitted,
Brian Yates, Chairman