

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE REPORT

MONDAY, OCTOBER 25, 2004

Present: Ald. Yates (Chairman), Ald. Danberg, Hess-Mahan, Lappin, Sangiolo, Lennon, and Baker

Absent: Ald. Johnson

Also present: Ald. Lipof

Planning Board: Lorraine Salvucci and Joseph DiDuca,
City staff: Juris Alksnitis (Planning), Michael Baseman (Law), Linda Finucane (Clerk)

PUBLIC HEARING OPENED ON 9/27/04 CONTINUED TO 10/25/04:

#264-04 ALD. JOHNSON, SANGIOLO, HESS-MAHAN, LINSKY recommending that Section 30-24(f). Inclusionary Zoning, as most recently amended by Ordinance X-48 on April 22, 2003, be further amended based on its first application to the Christian Science Church redevelopment at 391 Walnut Street.

ACTION: PUBLIC HEARING CONTINUED TO 11/8/04

NOTE: Because Ald. Johnson, one of the lead sponsors, was out of town, the hearing was continued to November 8th.

THE FOLLOWING ITEMS WERE TAKEN UP IN WORKING SESSION:

#242-04 ALD. YATES proposing that §30-15 be amended by reducing to .35 the FAR for lots containing less than 10,000 square feet located in Multi Residence districts.
(Hearing closed 9/27/04; 90-days 12/26/04)

ACTION NO ACTION NECESSARY 7-0

NOTE: Several developers and realtors came to city hall to complain about the impact of the proposed amendment on their projects. They also complained about confusion at the Inspectional Services Department with building permits issued during the publication period of the hearing notice and a subsequent letter received from ISD informing them that those building permits were at risk (this may have been caused by the extended absence of the former ISD Commissioner). Ald. Yates moved no action necessary on the item with the intent of forming a new task force focusing on small lot overdevelopment. The motion passed unanimously.

Appointment by His Honor the Mayor

#377-04 PAUL D. SNYDER, 9 Ardmore Road, West Newton, appointed as the Attorney Member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term which will expire on June 30, 2007 (60-day BOA action 11/19).

ACTION: APPROVED 7-0

NOTE: Former Alderman Snyder has been an attorney for the United States Department of Housing and Development for more than 15 years. In that capacity, he has reviewed hundreds of historic rehabilitation requests. He likes historic districts. The committee approved his appointment unanimously.

Re-appointment by His Honor the Mayor

#378-04 ROBERT L. REIMER, 24 Pickwick Road, Waban, re-appointed as a FENCE VIEWER for a term of office which will expire on January 31, 2007 (60-day BOA action 11/19).

ACTION: HELD 7-0

NOTE: Mr. Reimer was not present. The committee would like to talk with him about the office of fence viewer, so held the item.

Re-appointment by His Honor the Mayor

#414-04 BRUCE GOLD, 115 Annawan Road, Waban, re-appointed to the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on August 17, 2007 (60-day BOA action 12/14/04).

ACTION: APPROVED 7-0

NOTE: Mr. Gold is a Waban resident and Certified Public Account whose office is in Newton Centre. He is the Chairman of the Economic Development Commission's Newton Centre Revitalization Subcommittee. The committee voted unanimously to approve his re-appointment.

Appointment by His Honor the Mayor

#333-04(2) DAPHNE COLLINS, 372 Waltham Street, West Newton, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term of office to expire on July 31, 2007 (60-day Board action 12/14/04).

ACTION: APPROVED 7-0

NOTE: Ms. Collins is a former senior planner for Newton and currently a part-time historic planner in Watertown. Her last two jobs involved community-based economic development. She wants to bring a focus on entrepreneur and public improvements to the business districts to the Economic Development Commission. Ald. Yates gave her copies of the principles of the Main Street Program (attached), which matched those she outlined based on her own experiences. Ms. Collins' appointment was approved unanimously.

#397-04 CONSERVATION COMMISSION requesting acceptance of a Conservation Restriction pursuant to Order of Conditions #239-471 over

a portion of Lot 2 at 25 Moorfield Road a/k/a Hammond Street, Chestnut Hill to preserve a wooded edge of Hammond Pond on the referenced property.

ACTION: APPROVED 7-0

#398-04 CONSERVATION COMMISSION requesting acceptance of a Conservation Restriction pursuant to Order of Conditions #239-398 and 239-478 to preserve a wooded edge of Hammond Pond on a portion of 74 Longwood Road, Chestnut Hill.

ACTION: APPROVED 7-0

NOTE: Conservation Commission member Doug Dickson explained that these restrictions were listed for acquisition in the city's Open Space Plan and had been in negotiations for four years. Both restrictions are along the banks of Hammond Pond, and were given by the property owners in return for, in one case, an addition onto an existing house, and in the other case, permission to build a new house. Mr. Dickson said that not only was Ald. Baker instrumental in obtaining these restrictions, but he continues a dialogue with other property owners abutting the pond, hoping to stimulate a domino effect. The committee voted unanimously to accept both restrictions.

#225-01(3) ZONING & PLANNING COMMITTEE proposing a new section of the Ordinance governing rear lot subdivisions that would require explicit findings of specific public benefits and standards for mitigation of impacts that must be met before a special permit for this purpose could be granted. **(Hearing closed 9/27/04; 90-days 12/26/04)**

ACTION: HELD 7-0

NOTE: Juris Alksnitis refreshed the memories of the committee on the recommendations of the Planning Department. Most seemed quite reasonable, but members, although agreeing it was likely to be approved as proposed, wished to review both the table and language before making a recommendation to the Board.

#432-01 ALD. SANGIOLO proposing to add a definition for "recreational facilities" to Sec. 30-1. **(Hearing closed 9/27/04; 90-days 12/26/04)**

ACTION: HELD 7-0

NOTE: At the public hearing a question had been raised about the impact of this definition on space rented out by churches and other non-profits to what are often for-profit uses. Ald. Sangiolo suggested holding the item, and the committee agreed to do so.

All other items were held without discussion and the meeting was adjourned at approximately 10:00 PM.

Respectfully submitted,
Brian Yates, Chairman