

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING AND PLANNING COMMITTEE AGENDA

MONDAY, FEBRUARY 26, 2001

7:45 PM  
ROOM 202

**BUSINESS TO BE DISCUSSED:**

Appointment by His Honor the Mayor

# 18-01        JOSEPH I. PROMAN, 155 Hobart Road, Newton Centre, appointed as an Alternate member of the PLANNING & DEVELOPMENT BOARD to fill the remainder of Ms. Janelle Tiernan's term, which will expire on February 1, 2005 (Board action date 3/17/01).

Appointment by His Honor the Mayor

# 34-01        JOSEPH COSGROVE, 125 Shornecliffe Road, as an Associate Member of the ZONING BOARD OF APPEALS for a term of office to expire January 1, 2002 (Board action date 4/6/01).

# 65-01        HIS HONOR THE MAYOR appointing MARK GILROY as COMMISSIONER OF INSPECTIONAL SERVICES pursuant to Sec 3-3(b) of the City Charter, effective March 6, 2001.

# 19-01        ALD. BULLWINKLE, GENTILE & SALVUCCI proposing that Sec 30-12, MANUFACTURING DISTRICTS, subsections (a)(6), (a)(27), (b), (b)(6), and (c)(16) be amended to prohibit on-site collection, storage, transfer-haul, or composting of any kind of trash or waste including but not limited to yard waste or recyclable material either as a principal or accessory use, whether by right or by special permit.

#298-00(2)    ALD. YATES proposing that Chapter 30 be amended by adding a definition for a "telecommunications and data storage facility" to define a facility for the operation, monitoring and maintenance of telecommunication switching equipment, data storage computers, internet connectivity routers and ancillary equipment and to allow such use by special permit in Mixed Use 1 and Limited Manufacturing Districts.

#298-00        ALD. YATES proposing that Chapter 30 be amended by adding a definition for a "telecommunications facility, "e-distribution center," Internet data center, or similar term to define a high tech facility that holds and maintains banks of Internet computer equipment and to allow such use by right in Mixed Use 1 and Limited Manufacturing Districts.

**ITEMS SCHEDULED FOR MARCH 26, 2001:**

- #423-00 HIS HONOR THE MAYOR submitting for aldermanic review the draft *Framework Plan* prepared by The Newton Framework Planning Committee
- #423-00(2) ALD. YATES offering a RESOLUTION commending the members of the Framework Plan Committee on the overall *Framework Plan* and urging the Committee to begin work as soon as possible on a detailed Land Use/Transportation Plan.
- #423-00(3) ALD. YATES offering a RESOLUTION that the *Framework Plan* and documents based on it include a recognition of the adverse impact of the closing of village schools and branch libraries and a commitment to preserve the remaining ones and the community centers that replaced the closed ones.

**ITEM RECOMMENDED BY FULL BOARD ON 2/20/01:**

- #508-98(2) ZONING & PLANNING COMMITTEE recommending that Chapter 17, **Fees for certain licenses and permits**, be amended by adding a new subsection under "Special Permits" listing the thresholds for implementation of #508-98.  
**ZAP APPROVED AS AMENDED 5-0 (M. LIPOF NOT VOTING) ON 9/25.**

**BUSINESS NOT YET SCHEDULED FOR DISCUSSION:**

Re-appointment by His Honor the Mayor

- # 66-01 SAMUEL D. PERRY, 26 Old Orchard Road, Chestnut Hill, re-appointed to the CHESTNUT HILL HISTORIC DISTRICT COMMISSION as an Alternate member for a term of office expiring January 1, 2004 (60-day Board action date 4/21/01).

Re-appointment by His Honor the Mayor

- # 67-01 LAWRENCE C. BAUER, 42 Eliot Memorial Road, Newton Corner, re-appointed as member of the NEWTON HISTORICAL COMMISSION for a term of office expiring January 1, 2004 (60-day Board action date 4/21/01).

Re-appointment by His Honor the Mayor

- # 68-01 CLAUDIA SAUERMANN WU, 25 Sewall Street, West Newton, re-appointed to the NEWTON HISTORICAL COMMISSION as an Alternate member for a term of office expiring January 1, 2004 (60-day Board action date 4/21/01).

**REFERRED TO PROGRAMS&SERVICES, ZAP & FINANCE COMMITTEES**

# 64-01 ALD. PARKER, M. LIPOF, YATES, TATTENBAUM, SANGIOLO, BAKER, MANSFIELD, JOHNSON requesting discussion of possible implementation of the Massachusetts Community Preservation Act in Newton.

**REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES**

- # 33-01 ALD. YATES proposing an ordinance to establish a special assessment policy for the substantial rehabilitation of owner-occupied residential properties listed in the State Register of Historic Places (§5J.of MGL Chapter 59).
- #422-00 ALD. SANGIOLO requesting adoption of an ordinance that would require filings every two years by non-profit and educational institutions of a growth management or master development plan.
- #216-00 ALD. YATES requesting that Chapter 30 be amended to require a special permit to demolish an existing single-family dwelling on a pre-1953 lot that does not meet the current dimensional requirements for a lot in a Multi Residence District and replace it with a two-family dwelling.
- #297-00 ALD. YATES & SAMUELSON proposing that Chapter 30 be amended to require a minimum lot area of 5,000 square feet for a single-family dwelling and 7,500 square feet for a two-family dwelling in Multi Residence Districts.
- #274-00 NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION proposing that the existing boundaries of the Newton Upper Falls Historic District be expanded to include Chestnut Street south of Elliot Street to Oak Street, Hale Street, and portions of Pennsylvania Avenue and Elliot Street located between or adjacent to Chestnut and Hale Streets.
- # 27-00 ALD. SANGIOLO requests an update from the Law Department on the status of the challenge to the Dover Amendment.
- #217-00 ALD. YATES requesting that Chapter 30 be amended to require a special permit for the demolition of a structure aged 100 years or more containing one or more residential units in any residential district.
- #127-00 ALD. YATES proposing an amendment to the ordinance governing the Upper Falls Historic District to prohibit the construction of attached garages facing public ways or facing private ways but visible from a public way.

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- #128-00 ALD. YATES proposing an amendment to the ordinance governing the Upper Falls Historic District to make failure to complete a project approved by the Commission within one year of the issuance of the permit a violation of the ordinance.
- # 26-00 ALD. SANGIOLO requesting discussion with Planning, Law, and Inspectional Services Departments regarding amending certain sections of Chapter 30 to be consistent with Chapter 40A of the Massachusetts General Laws.
- #518-99 ALD. BAKER & YATES requesting presentation and discussion of planning and zoning ideas regarding the Route 9/Hammond Street corridor prepared for the joint Newton/Brookline Chestnut Hill Village Alliance by three teams of MIT students as part of their fall semester coursework.
- #459-96 ALD. PARKER & SAMUELSON proposing to amend Sec. 30-15 Density and Dimensional Controls, including elimination of exemption for pre-existing 12/7/53 lots and changes to subsection (c) and elimination of subsection (j).
- #366-98 ZONING & PLANNING COMMITTEE requesting discussion and possible recommendation of further ordinance or statutory amendments to enhance the enforcement of Newton Zoning and other Land Use Ordinances.
- #82-99(3) ZONING & PLANNING COMMITTEE requesting provision of Ordinance V-111 clarifying definition of height for residential districts be extended to clarify its application to other zoning districts.
- # 7-99 ALD. PARKER requesting discussion of possible zoning amendments to create additional residential districts with different FAR and lot size requirements.
- #291-95 ALD. PARKER, BALSER, LIPSITT, MANSFIELD, & SAMUELSON requesting that Sec. 30-24 of the City of Newton Rev. Ords., 1995, be amended to require all large commercial development(s) to make a cash payment to be used for affordable/low-income housing. Such payments to be calculated individually for each development on the basis of costs incurred by the city; demands on infrastructure and services; increased need for area affordable housing; and other impositions to the city and community that result from the construction of such projects.
- #366-95 ALD. YATES proposing the establishment of a "Recycling Market Development Zone."
- #367-95 ALD. YATES proposing the establishment of a subzone of the "Foreign Trade Zone of the Port of Boston" within Newton.

- #333-97      ALD. YATES proposing to amend the zoning ordinance to require a special permit for the subdivision of property where such subdivision would reduce the level of service for traffic at the intersection of the subdivision with a public way by one level of service or more.
- #106-00      ALD. MANSFIELD & PARKER on behalf of a petition signed by 70 residents, requesting that the Planning and Development Department undertake a study of the impacts of the potential build-out of the Bowen-Thompsonville area as it is currently zoned, including effects upon traffic, utilities, schools, and other infrastructure.  
**HELD PENDING RECEIPT OF STUDY FROM PLANNING DEPARTMENT**
- #326-99      ALD. YATES proposing amendments to Chapter 30 to encourage railroad related uses in Mixed Use Districts land adjacent to railroad.
- # 20-99      ALD. YATES proposing that Chapter 30 be amended by removing radio and television towers as allowed uses in the Mixed Use 1 district.
- #169-00      ALD. YATES proposing an amendment to Chapter 30 to prohibit granting permits for telecommunications and antennae to providers which hold more than 1000 unused telephone numbers or which have not filed a binding agreement to not seek more than 1000 numbers at a time in the future.

Respectfully submitted,

Ald. Brian Yates, Chairman