



RECEIVED
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City Council Reports Docket

POSTED
City Clerk

Sept 19: Real Property Reuse
Sept 25: Finance, Zoning & Planning
Sept 26: Land Use

Monday, September 18, 2017
Continued
Page 518
7:45 PM, Newton City Hall
To be reported on
Monday, October 2, 2017

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item Postponed to a Date Certain of October 2, 2017

#201-17 Special Permit to construct three-story building at 386-394 Watertown Street

JLM REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story building, up to 36' high, allow an FAR of 1.5, waivers to allow parking in the side setback, waiver to allow parking within 5' of a building or structure containing dwelling units, waivers to allow a reduction in the parking requirement to 1.25 per dwelling unit, relief from parking facility landscaping, and a waivers to the lot area per unit in a multifamily dwelling by 25% to allow for an affordable unit at 386-394 Watertown Street, Ward 1, Newton, on land known as Section 14, Block 14, Lots 37-38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Ref: 7.3, 7.4, 4.1.2.B.3, 4.1.3.3, 5.1.4, 5.1.8, 5.1.8.A.2, 5.1.13, 5.1.9, 5.1.1.13, 5.11, 5.11.15.A of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved Subject to Second Call 6-0; Public Hearing Closed 09/07/2017

Referred to Land Use Committee

Tuesday, September 26, 2017

Present: Councilors Laredo (Chair), Schwartz, Lennon, Auchincloss, Cote, Harney, Lipof, Crossley; also present: Councilors Leary, Sangiolo, Yates, Baker

#97-17 Special Permit to EXTEND nonconforming use at 966 Watertown Street

BR STONE CORP./STEPHANIE OLIVEIRA DIAS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to use a portion of the legally nonconforming wholesale site to cut and fabricate stone countertops, further extending the nonconforming use to manufacturing at 966 WATERTOWN STREET, Ward 3, West Newton, on land known as SBL 31005 0003,

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

containing approximately 13,408 sq. ft. of land in a district zoned BUSINESS 1. Ref. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved Withdrawal Without Prejudice 5-0 (Lipof, Lennon, Crossley, not voting)

#229-17

Special Permit to allow vehicle sales at 454-458 Watertown Street

TEE GEE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing auto service business to allow the sale and service of up to ten used cars and waivers to requirements for parking facilities at 454-458 WATERTOWN STREET, Ward 1, Newtonville, on land known as Section 14, Block 16, Lot 35, containing approximately 14,277 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2015.

Land Use Held 5-0 (Lipof, Lennon, Crossley not voting)

#146-17

Special Permit to amend Board Order #229-14 to allow for a swing set

MICHAEL AND DENA RASHES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #229-14 to allow a swing set on Lot 40 at 93 Bellevue Street, Ward 1, Newton, on land known as Section 12, Block 021, Lots 0039 and 0040, containing approximately 94,410 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved Withdrawal Without Prejudice 5-0 (Lipof, Lennon, Crossley, not voting)

#43-17

Special Permit to extend non-conforming two-family use at 893 Watertown Street

JAMES AND CAROL HOOPES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story rear addition extending the existing non-conforming two-family use at 893 Watertown Street, Ward 3, West Newton, on land known as SBL 31014 0005, containing approximately 19,560 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 6-0-1 (Lennon abstaining, Crossley not voting); Public Hearing Closed 09/26/2017

#226-17

Special Permit to allow oversized dormers and exceed FAR at 18 Meredith Avenue

JAMES YOUNGBLOOD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct three new dormers and increase the size of one existing dormer, exceeding the allowable size of dormers and increasing the FAR to .48 where .46 is required and .42 exists at 18 MEREDITH AVENUE, Ward 5, Newton Highlands, on land known as Section 54, block 45, Lot 15, containing approximately 4,443 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 1.5.4.G.2.b, 3.1.3, 3.1.9, 3.1.9.A.2 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 6-0 (Crossley, Harney not Voting); Public Hearing Closed 09/26/2017

- #231-17** **Special Permit to amend Board Order #437-03 at 60 Needham Street**
CHRISTINE D'AMICO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #437-03 to create a third commercial space for ground level health club use and to allow a waivers for 15 parking stalls or to allow required stalls off site at 60 NEEDHAM STREET, Ward 8, Newton Highlands, on land known as Section 83, Block 28, Lot 02, containing approximately 25,753 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, of the City of Newton Rev Zoning Ord, 2015.
Land Use Approved 6-0 (Crossley, Harney not Voting); Public Hearing Closed 09/26/2017
- #224-17** **Special Permit to increase non-conforming FAR and setbacks at 168 Allerton Road**
ALAN LOBOVITS AND LISA ROSENFELD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and construct an attached garage, mudroom and kitchen, extending the existing non-conforming front setback, requiring a variance to allow a rear setback of 7.6' and increasing the FAR to .55 where .40 is allowed and .50 exists at 168 ALLERTON ROAD, Ward 6, Newton Highlands, on land known as Section 52, Block 27, Lot 08, containing approximately 9,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 6-0; (Crossley, Harney not Voting)
- #132-17** **Special Permit to amend Special Permit for Kessler Woods**
KESSELER WOODS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #102-06(15) at Kessler Woods to allow relocation of the inclusionary zoning units by use of the Off-Site Development Option in conjunction with the rehabilitation of the apartment building at 219 Commonwealth Avenue resulting in an increased number of affordable units from the approved site of 179 Kessler Way, Ward 8, on land known as Section 82 Block 037 Lot 0095, containing approximately 640,847 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: 7.3, 7.4, 5.11.4, 5.11.6 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 7-0 (Harney not Voting)
- #60-17** **Request to Rezone Hovey Street parcels**
SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for a change of zone to Business Use 2 for land located at 29 Hovey Street, also identified as Section 12, Block 006, Lot 004, and an unnumbered lot on Hovey Street, also identified as Section 12, Block 006, Lot 003, containing approximately 34,361 sq. ft. of land in a district zoned MULTI RESIDENCE 2, further described as follows:
Beginning at a point on the Westerly side of Hovey Street, said point being N 21°00'54" W and a distance of one hundred twenty-six and no hundredths (126.00) feet from a bound at the Northwesterly intersection of Hovey and Washington Streets being the Southeast corner of the parcel herein described; thence

S 69°15'05" W A distance of seventy-three and forty hundredths (73.40) feet to a point; thence

S 69°07'43" W A distance of one hundred forty-five and no hundredths (145.00) feet to a point; thence

N 20°20'22" W A distance of forty-five and fifty hundredths (45.50) feet to a point; thence

N 18°34' 11" E A distance of sixty-one and forty-seven hundredths (61.47) feet to a point; thence

N 21°09'23" E A distance of two and forty-one hundredths (2.41) feet and on the same bearing a distance of thirty-six and eight hundredths (36.08) feet to a point; thence

N 21°31'11" E A distance of one hundred sixteen and eighty-eight hundredths (116.88) feet to a point; thence

N 28°57'55" E A distance of twelve and seventy hundredths (12.70) feet to a point; thence

N 71°07'46" E A distance of sixty-four and fifteen hundredths (64.15) feet to a point; thence

S 21°00'54" E A distance of one hundred thirty-one and no hundredths (131.00) feet and on the same bearing a distance of eighty-three and no hundredths (83.00) feet by the Westerly sideline of Hovey Street to the point of beginning.

Said parcel containing 34,361 square feet or 0.789 acres, more or less.

Land Use Held 8-0; Public Hearing Closed on 09/26/2017

#61-17

Special Permit Petition to construct elderly housing on Washington Street

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct elderly housing with services in excess of 20,000 sq. ft. of gross floor area, consisting of 85 living units in a four-story structure not to exceed 48' in height and Floor Area Ratio not to exceed 2.0, extending the existing nonconforming front setback and constructing a retaining wall greater than 4' in a setback at 431 Washington Street, 29 Hovey Street, and the adjacent unnumbered lot to the north on Hovey Street, on land known as Section 12 Block 006 Lots 003, 004, and 005, containing approximately 66,909 sq. ft. of land in districts zoned BUSINESS 2 AND MULTI-RESIDENCE 2. Ref.: 7.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 4.4.1, 5.1.13, 5.4.2.B, 5.11.11, 6.2.10, 6.2.10.B, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Land Use Held 8-0 Public Hearing Closed on 09/26/2017

Referred to Zoning & Planning Committee

Monday, September 25, 2017

Present: Councilors Hess-Mahan (Chair), Danberg, Albright, Yates, Baker, Sangiolo, Kalis and Leary;
also: Councilor Crossley

Planning & Development Board: Wolf (Chair) Doeringer, Parisca, Yeo and Heath

- #264-17 Zoning amendments to rezone parcels related to school uses**
HIS HONOR THE MAYOR requesting that the following residential properties be rezoned to Public Use as they have been acquired by the City for use at the Zervas, Cabot and Pre-School sites:
- 1316 Beacon Street, 1330 Beacon Street and 1338 Beacon Street from SR2 to Public Use
 - 23 Parkview Avenue and 15 Walnut Park from MR1 to Public Use
- [08/29/17 @ 4:01PM]
Hearing Closed; Zoning & Planning Approved 6-0 (Kalis and Leary not voting)
- #109-15 Zoning amendment for inclusionary housing provisions from 15% to 20%**
HIS HONOR THE MAYOR requesting consideration of changes to the inclusionary housing provisions of the Zoning Ordinance to increase the required percentage of affordable units to 20% with the additional 5% set aside for middle income households.
[04/24/15 @ 2:38 PM]
Zoning & Planning Held 8-0
- #295-17 Zoning amendment for a Shared Parking Pilot Program**
DIRECTOR OF PLANNING AND COMMISSIONER OF PUBLIC WORKS requesting amendments to Chapter 30, Zoning Ordinance, to allow for non-accessory parking in accordance with a Shared Parking Pilot Program. [09/11/17 @ 4:28 PM]
Zoning & Planning Held 8-0
- #136-17 Recommendation to establish a West Newton Historic District**
NEWTON HISTORICAL COMMISSION submitting a recommendation, pursuant to MGL Chapter 40C, Section 3, that Article III, Historical Provisions, and Division 1, Commissions and Districts, of the City of Newton Ordinances, be amended by establishing a local historic district in West Newton. [04/26/17 @ 9:34 AM]
Zoning & Planning Held 8-0
- #104-17 Recommendation to establish a Newton Highlands Historic District**
NEWTON HISTORICAL COMMISSION submitting a recommendation, pursuant to MGL Chapter 40C, Section 3, that Article III, Historical Provisions, and Division 1, Commissions and Districts, of the City of Newton Ordinances, be amended by establishing a local historic district in Newton Highlands. [04/10/17 @ 10:45AM]
Zoning & Planning Held 8-0

- #288-17 Mayor's re-appointment of Jane Ives to the Economic Development Comm**
JANE IVES, 34 Lucille Place, Newton Upper Falls, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2019. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)
- #289-17 Mayor's re-appointment of Stephen Feller to the Economic Development Comm**
STEPHEN FELLER, 104 Harvard Street, Newtonville, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2020. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)
- #290-17 Mayor's re-appointment of Howard Barnstone to the Econ Development Comm**
HOWARD BARNSTONE, 26 Brackett Road, Newton, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2020. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)
- #291-17 Mayor's re-appointment of Joyce Plotkin to the Economic Development Comm**
JOYCE PLOTKIN, 250 Hammond Pond Parkway, Chestnut Hill, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2020. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)
- #292-17 Mayor's re-appointment of Philip Plottel to the Economic Development Comm**
PHILIP PLOTTEL, 50 Roslyn Road, Waban, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2019. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)
- #293-17 Mayor's re-appointment of Peter Kai Jung Lew to the Econ Development Comm**
PETER KAI JUNG LEW, 61 West Pine Street, Auburndale, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2020. (60 DAYS 11/17/17) [09/08/17 @ 9:11 AM]
Zoning & Planning Approved 7-0 (Sangiolo not voting)

Referred to Programs & Services Committee

Monday, September 25, 2017

Present: Councilor Leary (Acting Chair), Auchincloss, Hess-Mahan, Sangiolo, Baker, and Kalis; absent: Councilors Rice and Schwartz; also present: Councilors Ciccone, Norton, Gentile, Blazar, and Lappin

Referred to Programs & Services and Finance Committees

#259-17

Increase the number of years the City can lease Weeks House

HIS HONOR THE MAYOR requesting consideration of a request to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the Weeks House from the current period of sixty-five years, as authorized by the Acts of 1981, Chapter 330, to a period of up to ninety-nine years. [08/07/17 @ 2:23 PM]

Finance Approved 5-0 on 09/25/17

Programs & Services Recommended Approval 3-0 (Hess-Mahan, Sangiolo, Baker not voting)

Referred to Finance Committee

Monday, September 25, 2017

Present: Councilors Gentile (Chair), Ciccone, Norton, Blazar, and Lappin; absent: Councilors Brousal-Glaser, Rice, and Fuller; also present: Councilor Leary, Auchincloss, Hess-Mahan, Sangiolo, Baker, and Kalis

Referred to Land Use and Finance Committees

#221-17

\$977,000 for CAN-DO to create 8-units of affordable housing at 236 Auburn Street

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of three hundred thousand dollars (\$300,000) for historic rehabilitation and six hundred seventy-seven thousand seven hundred dollars (\$677,700) for affordable housing for a total of nine hundred seventy-seven thousand dollars (\$977,000) from the Community Preservation Fund, to the Planning & Development in Newton (CAN-DO), to create 8 units of permanently affordable rental housing at 236 Auburn Street, Auburndale, including 5 units in a congregate home to be owned and operated by the Barry L. Price Rehabilitation Center, as described in CAN-DO's proposal submitted to the Community Preservation Committee in May 2017. [06/19/17 @ 5:19 PM]

Land Use Approved 6-0 on 09/07/17

Finance Approved Subject to Second Call 3-1-1 (Gentile opposed, Ciccone abstaining)

Referred to Programs & Services and Finance Committees

#259-17

Increase the number of years the City can lease Weeks House

HIS HONOR THE MAYOR requesting consideration of a request to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the Weeks House from the current period of sixty-five years, as authorized by the Acts of 1981, Chapter 330, to a period of up to ninety-nine years. [08/07/17 @ 2:23 PM]

Programs & Services Recommended Approval 3-0 (Hess-Mahan, Sangiolo, Baker not voting)

Finance Approved 5-0

Referred to Real Property Reuse Committee

Tuesday, September 19, 2017

Present: Councilors Albright (Chair), Brousal-Glaser, Crossley, and Danberg; absent: Councilors Lennon, Gentile, Fuller, and Kalis

#92-16

Amendments to the Real Property Reuse Ordinance

COUNCILORS ALBRIGHT AND KALIS requesting amendments to Chapter 2, Section 7. Sale or lease of city owned real property, of the City of Newton Revised Ordinance, 2012 (The Real Property Reuse Ordinance) to clarify how properties are classified in regards to purpose, use, and ownership; the procedure to handle reused properties; and to address any other changes that might be needed. [02/17/16 @ 12:04 PM]

Real Property Reuse Held 4-0