



## City Council Reports Docket

**RECEIVED**

By City Clerk at 4:06 pm, Jun 02, 2016

May 17: Real Property Reuse  
May 23: Zoning & Planning  
May 24: Land Use

Continued  
Page 131  
Monday, May 16, 2016  
7:00 PM, Newton City Hall  
To be reported on  
**Monday, June 6, 2016**

### City of Newton In City Council Items to be Acted Upon

**Note:** *At the request of the City Solicitor, and with the consent of President Lennon, there will be a discussion on Monday night, June 6, 2016 during the City Council meeting following the First Call portion of the meeting to hear from the City Solicitor on the status of the AUSTIN STREET PARTNERS, LLC/CITY OF NEWTON special permit litigation. A motion for Executive session will be entertained.*

#### Referred to Land Use Committee

Tuesday, May 24, 2016

**#193-16**      **NEWTON HIGHLANDS NEIGHBORHOOD AREA COUNCIL** requesting a temporary one-day license pursuant to Sec. 30-2.3.3 of the City of Newton Ordinances to hold its 41st Annual Newton Highlands Village Day on Sunday, June 12, 2016.

**Land Use Committee Approved 4-0 (Lennon, Lipof, Harney not voting)**

**#129-16**      **Special Permit Petition to exceed FAR at 23 Howe Road**  
RICHARD SEVERINI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to exceed the Floor Area Ratio to .64 at 23 Howe Road where .46 is the maximum allowable at 23 Howe Street, Ward 8, Newton Centre, on land known as SBL 81 11A 37, containing approximately 6, 591 sq. ft. of land in a district zoned SINGLE RESIDENCE 2 . Ref: 7.3., 7.4, 3.1.9.

**Hearing Closed May 10, 2016; Land Use Committee Approved 5-0 (Lennon, Harney not voting)**

**#97-16**      **Special Permit Petition for 27 Waverley Avenue**  
ALICE SCHAEFER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an association of persons in a common dwelling where inhabitants will share common living spaces at 27 Waverley Avenue, Ward 1, Newton Corner on land known as SBL 71

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

36 09 containing approximately 10,480 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 3.4.1, 5.1.4, 5.1.13, 5.1.7.A, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

**Public Hearing Closed; Land Use Committee Approved 7-0.**

**#48-16**

**Special permit petition for 255-257 Newtonville Avenue**

STORAGE DEVELOPMENT PARTNERS, LLC/NORCROSS TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story, 113,187 square foot self-storage facility with a building height of 36 feet which will increase the Floor Area Ratio to 1.5, where 1.0 is the maximum allowed by right as well as a waiver of 36 parking stalls and waivers of other parking requirements at 255-257 NEWTONVILLE AVENUE, Ward 2, Newtonville, on land known as SBL 12, 16, 8, containing approximately 75,634 sf of land in a district zoned MANUFACTURING. Ref: 7.3.3, 7.4, 4.3.1.B.1, 4.3.2.B.3, 4.3.3, 5.1.4, 5.1.8.A.1, 5.1.8.B.3, 5.1.9.A.1, 5.1.10.A, 5.1.13, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Hearing Continued to June 8, 2016; Land Use Held 7-0.**

**#127-16**

**Special Permit Petition to locate a daycare at 288 Walnut Street**

THE BEANTOWN COMPANIES, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a day care center at 288 Walnut Street, Ward 2, Newtonville, on land known as SBL 22 04 15, containing approximately 21,988 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.4.5, 7.3.3, 5.1.4, 5.1.3.D, 5.1.13, 6.3.4.B.3.a, 6.3.4.B.3.c.

**Hearing Closed May 10, 2016; Land Use Approved 3-0-2 (Schwartz, Cote abstaining, Laredo not voting)**

### **Referred to Zoning & Planning Committee**

Monday, May 23, 2016

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

**#181-16**

**Mayor's appointment of Barney Heath and Director of Planning & Development**

HIS HONOR THE MAYOR, pursuant to section 3-3 of the City Charter, appointing BARNEY HEATH as DIRECTOR OF THE PLANNING AND DEVELOPMENT DEPARTMENT effective June 7, 2016 [05/09/16 @ 4:31 PM]

**Zoning & Planning Approved 6-0 (Leary and Kalis not voting)**

**#103-16**

**Petition to rezone lots on Glen Avenue from MR1 to SR2**

COUNCILORS DANBERG, BLAZAR, SCHWARTZ , SANGIOLO AND YATES petitioning to rezone land known as Section 61, Block 39, Lots 01, 02, 03 and 04 located at 41, 45, 47 and 51 Glen Avenue from MULTI RESIDENCE 1 to SINGLE RESIDENCE 2 [03/17/16 @ 1:50 PM]

**Zoning & Planning Approved Withdrawal without Prejudice 8-0**

- #278-14(2) Zoning amendment to clarify definition of two-family detached dwelling**  
COUNCILOR HESS-MAHAN requesting an amendment to clarify the intent of **Chapter 30 Section 1.5.1.B** definition of Two-Family Detached Dwelling. [03/31/16 @ 11:00 AM]  
**Hearing continued; Zoning & Planning Held 8-0**
- #222-13(2) Zoning amendment to regulate front-facing garages in residential zones**  
THE ZONING AND PLANNING COMMITTEE proposing to amend **Chapter 30**, City of Newton Zoning Ordinances, to regulate the dimensions and setbacks of front facing garages in residential zoning districts. [08/03/15 @ 10:15 AM]  
**Zoning & Planning Held 8-0**
- #170-15 Discussion of HUD settlement relative to creating 9-12 affordable units**  
ALD. HESS-MAHAN, JOHNSON, CROSSLEY AND ALBRIGHT requesting a discussion relative to the HUD Settlement with Supporters of Engine 6, the Fair Housing Center of Greater Boston and the Disability Law Center in conjunction with the Law and Planning Departments, to explain the settlement and possible implications for the Zoning Board of Appeals and the Board of Aldermen in terms of the City's obligation to identify sites and facilitate the creation of, and issue permits for, affordable housing for 9-12 chronically homeless persons in Newton. [07/06/15 @ 4:18 PM]  
**Zoning & Planning Held 8-0**

**Referred to Real Property Reuse Committee**

Tuesday, May 17, 2016

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

- #71-09(4) Amend Board Order 71-09(2) to allow the purchase of a subsurface easement**  
TERENCE P. MORRIS on behalf of HERRICK ROAD REALTY TRUST seeking to amend Board Order #71-09(2) for a renewable lease for a subsurface easement beneath city-owned land 1294 Centre Street, Newton Centre, for vehicular access to 17-31 Herrick Road; the petitioner is seeking to purchase the easement. [04/20/16 @ 8:44 AM]  
**Real Property Reuse Approved 5-0-1 (Kalis abstaining)**
- #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 6-0**