



City Council Reports Docket

POSTED
City Clerk

RECEIVED

By City Clerk at 3:26 pm, Aug 04, 2016

July 12: Land Use
July 13: Public Facilities
July 18: Zoning & Planning
July 26: Land Use

Monday, July 11, 2016
Continued
Page 171
7:45 PM, Newton City Hall
To be reported on
Monday, August 8, 2016

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, July 12, 2016

Present: Councilors Laredo, Schwartz, Lennon, Cote, Crossley, Harney, Auchincloss, Lipof; also present: Councilors Albright, Norton, Yates

- #219-16** **Special Permit Petition to increase FAR at 21 Orient Avenue**
LOUISA SYLVIA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further EXTEND NONCONFORMING FAR by removing an existing porch and constructing a 575 sq. ft. single story garage and mudroom and portico over existing front porch at 21 Orient Avenue, Ward 6, Newton Centre, on land known as SBL 64022 0001, containing approximately 10, 018 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 5-0 (Cote, Harney, Schwartz not voting)
- #180-16** **Special Permit Petition to rezone the Orr block to Mixed Use 4**
MARK NEWTONVILLE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a change of zone to MIXED USE 4 for a portion of land located at Walnut Street, Washington Street, Washington Terrace, also identified as Lots 10, 11, 12, 13, 14, 16, 19, 20, 21, 22, Block 29, Map 201 currently zoned Business 1 and Business 2.
Public Hearing Opened on June 7, 2016
Land Use Held 8-0

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, or 617-796-1253.* For Telecommunications Relay Service dial 711.

#179-16

Special Permit Petition for Orr Building at Walnut St. and Washington St.

MARK NEWTONVILLE,LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit oriented development in excess of 20,000 sq. ft. consisting of three interconnected buildings with building heights of 60 feet and five stories, total gross floor area of 238,075 sq. ft., incorporating 171 residential units, approximately 39,745 sq. ft. of commercial space to permit office use, medical use, retail and personal establishment of more than 5,000 sq. ft., eating and drinking establishments of more than 5,000 sq. ft. retail banking and financial services and health club establishments, and approximately 2,030 sq. ft., of office/community space; 346 on-site parking stalls within a below-grade garage and surface parking, and to allow an FAR of 1.92; waive the setback and façade transparency, waiver of 97 parking stalls and dimensional requirements for parking stalls, interior landscaping, lighting, curbing, wheel stops, guard rails and bollards, waive entrance and end stall maneuvering space requirements, waive number of signs and allow for free-standing signs and loading bay at 241-261 Walnut Street, 845-875 Washington Street, 0-22 Bailey Place, 6-22 Washington Terrace, Ward 2, Newtonville, on land known as SBL 21029 0010, 21029 0011, 21029 0012, 21029 0017, 21029 0016, 21029 0018, 21029 0019, 21029 0019A, 21029 0013, 21029 0014, 21029 0015, 21029 0020, 21029 0021, 21029 0022, 21029 0023, containing approximately 123,956 sq. ft. of land in a district zoned BUSINESS USE 1 and BUSINESS USE 2. Ref:7.3.3, 7.4, 4.2.3, 4.2.5.A.2, 4.2.5.A.4.c, 4.2.5.A.4, 4.2.5.A.6.a, 4.2.5.A.6, 4.2.5.A.6.b, 4.2.5.A.6, 4.4.1, 5.1.4.A, 5.1.4.C, 5.1.4, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.10.B.3, 5.1.8.B.6, 5.1.9.B, 5.1.10.A.1, 5.1.10.B.5, 5.1.12, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened on June 7, 2016**Land Use Held 8-0****Referred to Land Use Committee****Tuesday, July 26, 2016**

Present: Councilors Laredo, Schwartz, Lennon, Cote, Crossley, Harney; absent: Councilors Auchincloss, Lipof; also present: Councilor Gentile

#215-16

Special Permit Petition to construct parking stalls and retaining wall at Dunn Gaherin's

SEANA GAHERIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct six parking stalls and retaining wall greater than four feet within the setback, waive security lighting and parking in a setback requirements at 342, 342A, 344-346 Elliot Street, Ward 5, Newton Upper Falls, on land known as SBL 51041 0010, 51041 0011, 51041 0012, containing approximately 9,676 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 5.1.8.A.1, 5.1.13, 5.1.10.A, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved Withdrawal without Prejudice 5-0 (Harney not voting)

- #177-16** **Special Permit Petition to waive 13 parking stalls at 1375-1379 Washington Street**
RON STOLOFF/KENMORE REALTY CORPORATION petition for SPECIAL PERMIT/SITE PLAN APPROVAL to take over the adjacent 996 sq. ft. space at 1379 Washington Street to add 37 seats at Blue Ribbon BBQ 1375-1379 Washington Street, Ward 3, West Newton, on land known as SBL 33015 0032, containing approximately 1,957 sq. ft. of land in a district zoned BUSINESS 1. Ref: 5.4.1, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Approved Withdrawal without Prejudice 5-0 (Harney not voting)
- #195-16** **Special Permit Petition to extend nonconformance and increase FAR at 41 Chesley Rd**
MICHAEL MCKAY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to the existing dwelling, maintaining two units at 41 Chesley Road, Ward 6, Newton Centre, on land known as SBL 61027 0016, containing approximately 10,817 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4, 7.8.2.C.2, 3.1.9.A.2 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 6-0
- #214-16** **Special Permit Petition to allow 3 story single family structure at 65 Oakmont Road**
CHRIS & SUSAN KIM petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second floor, creating a three-story structure due to the average grade of the property at 65 Oakmont Road, Ward 6, Newton, Centre, on land known as SBL 65012 0008, containing approximately 13, 301 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref 3.1.3, 1.5.4.D-F, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 6-0
- #216-16** **Special Permit Petition to continue non-conforming use & FAR at 17-19 Pulsifer St**
NANCY BOLANIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add rear sunrooms to first and second floor, exterior stair from third floor to grade, a one car garage at the rear, replace the front porch and add two parking stalls at 17-19 Pulsifer Street, Ward 2, Newtonville on land known as SBL 22018 0003, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 6-0
- #217-16** **Special Permit Petition to extend nonconforming two-family use at 50-52 Rowe St**
NEW NEWTON, LLC./DANIEL SZETO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND NON NONCONFORMING USE by building a rear addition to existing building and construct a second two-family dwelling at 50-52 Rowe Street, Ward 4, Auburndale, on land known as SBL 44023 0006, containing approximately 19,321 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4, 7.8.2.C.2, 3.1.3, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 6-0

#218-16 **Special Permit Petition to allow 3 story structure and exceed FAR at 20 Ferncroft Rd**
MATT AND WENDY FEINER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add a second floor, creating a three-story structure due to the average grade of the property and increase the FAR to .45 where .40 is allowed at 20 Ferncroft Road, Ward 5, Waban, on land known as SBL 53008 0009, containing approximately 9,793 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 1.5.4.D-F, 3.1.3, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Closed; Land Use Approved 6-0

#233-16 **Special Permit Petition to increase FAR & nonconforming use at 45-47 Noble Street**
ANNA RUMSHISKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add a rear dormer to the attic level to finish the attic for livable space, expanding the nonconforming two-family use and FAR to .57 at 45-47 Noble Street, Ward 3, West Newton, on land known as SBL 44004 0013, containing approximately 6,278 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref. 7.3.3, 7.4, 3.1.9, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Closed; Land Use Approved 6-0

Referred to Zoning & Planning Committee

Monday, July 18, 2016

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

#182-16 **Citizens petition to prohibit zones changes without surrounding owner's approval**
FRED ARNSTEIN ET AL., submitting a petition, pursuant to Article 10, Section 2 of the Newton City Charter, to establish a moratorium to prohibit the change of the zoning district applicable to any land in Newton without the written approval of a majority of the owners of land within 1,000 feet of the land contained in said proposed changed zoning district. [04/28/16 @ 10:34 AM] (90 days 8/14/16)

Public Hearing Closed; Zoning & Planning No Action Necessary 4-0-1 (Yates abstaining)

Referred to Public Facilities Committee

Tuesday, July 1, 2016

Present: Councilors Crossley, Laredo, Gentile, Albright, Lappin, Lennon, Danberg, Brousal-Glaser

#253-16 **Lighttower Fiber Networks petition for grant of location in Wells Ave**
Lighttower Fiber Networks petition for a grant of location to place 540' +/- of 4" conduit from Verizon Manhole 47/237 in front of 160 Wells Ave trenching Westerly to 180 Wells Ave. [(Ward 8) 06/21/2016 @ 1:39 PM]

Public Facilities Approved 8-0

- #252-16 Verizon petition for grant of location on Franklin Street**
VERIZON petition for a grant of location to place 402'+/- of conduit starting at Pole #1100/15 in front of #133 Franklin Street, trenching across Franklin Street in an easterly direction to a new proposed hand hole in front of #100 Franklin Street. [(Ward 7) 07/05/2016 @ 8:37 AM]
Public Facilities Approved 8-0

- #251-16 National Grid petition for grant of location in Deforest Road**
NATIONAL GRID petition for a grant of location to install 50'+/- of 4" main in Deforest Road from existing gas main at #36 Deforest trenching in a southerly direction to house #45 for new gas service. [(Ward 4) 06/16/2016 @ 12:26 PM]
Public Facilities Approved 8-0

- #250-16 Comcast petition for a Grant of Location on Washington Street**
COMCAST petitioning for a grant of location to install 250'+/- of conduit in Washington Street in existing vault trench heading Westerly to the property line at 612 Washington Street. [(Ward 2) 06/27/2016 @ 3:03 PM]
Public Facilities Approved 8-0

- #254-16 Verizon petition for grant of location on Elliot Street Bridge**
VERIZON petition for a grant of location to relocate pole #136/50 approximately 28' easterly and pole #49 3' southerly as part of the Elliot Street Bridge reconstruction. [(Ward 5) 07/05/2016 @ 4:33 PM]
Public Facilities Approved 8-0

- #249-16 Cellco petition for Grant of Location for wireless communication equipment**
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility poles at the following locations [(Ward 8) 07/01/2016 @11:17 AM]:
Locations
Dudley Road (near 530 Dudley Road) at Pole #10-7
Hay Road (near 16 Hay Road) at Pole #1368-1
Public Facilities Held 8-0

- #221-16 Eversource petition for a grant of location on Court Street**
EVERSOURCE petitioning for a grant of location to install a 30' ± of conduit in Court Street approximately 68' west of Beach street, easterly to pole #52/10, to provide service to 77 Court Street. (Ward 2) [06/13/2016 @ 8:53 AM]
Public Facilities Approved 6-0 (Lennon, Brousal-Glaser not voting)

#200-15 Update on the strategic plan for street and sidewalk improvements
ALD. LAREDO requesting that the Department of Public Works provide an update on the creation of a strategic plan for the improvement of streets and sidewalks in the City.
 [08/13/15 @ 11:20 AM]
Public Facilities Held 6-0 (Gentile, Danberg not voting)

#255-16 5-58 waiver for relocation of modular classrooms
COMMISSIONER OF PUBLIC BUILDINGS requesting a waiver of the City of Newton Ordinance Sec. 5-58. Site plan approval for construction or modification of municipal buildings and facilities. For the relocation of the existing modular classrooms from the Zervas Elementary School to the Brown Middle School and Newton South High School.
 [07/06/2016 @ 11:51 AM]
Public Facilities Held 6-0 (Gentile, Danberg not voting)

Referred to Public Facilities and Finance Committees

#191-16 Funding to relocate the Zervas modulars to NSHS and Brown Middle School
HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars (\$500,000) to the Public Buildings Department for the purpose of funding the relocation modular classrooms from the Zervas Elementary School to Newton South High School and Brown Middle School from the following accounts:

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Executive Office	Full-time Salaries	\$40,000
Treasury	Debt Service (010772-582A48)	\$403,784
Treasury	Debt Service (010772-582A49)	\$21,216
Financial Info Systems	Full-time Salaries	\$35,000

[05/09/16 @ 4:59 PM]

Public Facilities Held 6-0