



City Council Docket

March 22: Real Property Reuse
March 23: Programs & Services; Public Safety; Public Facilities
March 28: Finance; Zoning & Planning
March 29: Land use

Continued
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Monday, March 21, 2016
7:45 PM, Newton City Hall
To be reported on
Monday, April 4, 2016

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing to be assigned for April 12, 2016

#93-16

Special permit petition for 413 Hammond Street

DIANA M. BAILEY/ELISABETH M. BATTINELLI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build additions to the rear and side of the existing structure on the basement and first floor levels, and enclose a porch to create living space, which will further increase the non-conforming floor area ratio from .47 to .50, where .31 is the maximum allowed by right, and to regrade the property, which will further increase the nonconforming height of the existing structure from 37.4' to 37.7', where 36' is the maximum allowed by right at 413 Hammond Street, Ward 7, Chestnut Hill, on land known as SBL 63, 26, 14 containing approximately 15,307 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 7.8.2.C.2, 3.1.9, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for April 12, 2016

#94-16

Special Permit Petition for 2171 Commonwealth Avenue

PHILIP HRESKO/THEODOROS VENTOURIS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build a two story garage/barn style addition to the rear of an existing structure to allow a private garage with a footprint of 1,169 square feet with provisions for four cars where 700 sq. ft. and three cars is allowed by right at 2171 Commonwealth Avenue, Ward 4, Auburndale on land known as SBL 41, 18, 32A containing approximately 20,952 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3.3, 7.4, 3.4.2.C.1 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

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.*

Public Hearing to be assigned for April 12, 2016

#95-16 Special Permit Petition for 37 Westbourne Street

JOYCE ZAKIM & PETER GREENSPAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing detached garage and construct a new wider garage connected to the principle structure which exceeds nonconforming FAR, and variances from side and front setback and lot coverage requirements to make the home accessible for wheelchair use at 37 Westbourne Road, Ward 7, Chestnut Hill on land known as SBL 73 45 09 containing approximately 8,090 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 3.1.9, 7.8.2.C.2, 7.3.3, 7.4 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing to be assigned for April 12, 2016

#96-16 Special Permit Petition for 1573 Beacon Street

RICHARD LEVY/RBL ARCHITECTS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to further increase nonconforming FAR by expanding the front of a garage at 1573 Beacon Street, Ward 5, Waban on land known as SBL 53 32 04 containing approximately 13,555 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 3.1.9, 7.8.2.c.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing to be assigned for April 12, 2016

#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 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 to be assigned for April 12, 2016

#98-16 Special Permit Petition for 99 Oxford Street

CHRISTINE CORONA AND JOSEPH MALARNEY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to further increase the nonconforming FAR by adding a second story rear addition over an existing room at 99 Oxford Road, Ward 6, Newton Centre on land known as 62 13 30 containing approximately 5,930 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 3.1.9, 7.8.2.C.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing to be assigned for April 12, 2016

#99-16 Special Permit Petition for 360 Ward Street

BENYAMIN BER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a non-conforming structure with respect to the front setback, FAR, lot coverage and open space at 360 Ward Street, Ward 7, Chestnut Hill on land known as SBL 73 45 01A containing approximately 3,220 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec. 3.1.3, 7.8.C.2, 3.1.9.A.2, 5.4.2.B, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

- #18-15(2) Request for an Extension of Time for Special Permit at 17 Cushing Road**
LAURA KAY HUGHES request for an EXTENSION of TIME in which to EXERCISE special permit #18-15, granted on April 21, 2015 to construct a two-story addition to the rear of an existing 2½-story single-family dwelling, to demolish an existing detached garage and build a new two-stall detached garage with storage above, which will increase the Floor Area Ratio from .31 to .57, where .40 is the maximum allowed by right, and for a front porch addition, which will encroach into the existing nonconforming setback, at 17 CUSHING STREET, Ward 6, Newton Highlands, said EXTENSION will run from April 21, 2016 to April 21, 2017. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u)(2), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.
- #57-15(2) Request for an Extension of Time for Special Permit at 109 Essex Street**
BROOKE H. & CONAN LAUGHLIN request for an EXTENSION of TIME in which to EXERCISE special permit #57-15, granted on April 21, 2015 to demolish an existing one-story 6'x6' mudroom addition and construct a 8'x10' one-story mudroom adjoining a 10'x12' pantry, for a total floor area of 200 square-feet, on to an existing single-family dwelling at 109 ESSEX ROAD, Ward 7, Chestnut Hill, said EXTENSION will run from April 21, 2016 to April 21, 2017. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
- #272-09(6) Request for an Extension of Time for Special Permit at 39 Herrick Road**
HERRICK ROAD REALTY TRUST request for an EXTENSION of TIME in which to EXERCISE special permit #272-09(4), granted on March 16, 2015 to allow a three-story mixed use building containing an office use on the ground floor, four dwelling units above, and underground parking, also the waiver of 18 parking stalls, and to allow retaining walls greater than four feet in the setback at 39 HERRICK ROAD, Ward 6, Newton Centre, said EXTENSION will run from March 16, 2016 to March 16, 2017. Ref: Sec 30-24, 30-23, 30-19(d)(2), (8), (9), 30-19(f)(1), (2), 30-19(k), 30-19(m), 30-15(b)(2), 30-15 Table 3, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.
- #17-15(2) Request for an Extension of Time for Special Permit at 1446 Beacon Street**
KRISTIAN & BARBARA TALVITIE request an EXTENSION of TIME in which to EXERCISE special permit #17-15, granted on March 16, 2015 to legalize a previous three-story addition and construct two new additions to the second and third floors, and demolish the existing detached garage and construct a new two-car detached garage, the sum of which will exceed the maximum allowable floor area ratio, and to allow two garages at 1446 BEACON STREET, Ward 5, Waban, said EXTENSION will run from March 16, 2016 to March 16, 2017. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15 Table A, 30-15(u)(2), 30-15(m)(5) of the City of Newton Rev Zoning Ord, 2012.

Other Communications

- #100-16** **Bloomingtondale's letter of intent for the annual tent sale**
BLOOMINGDALE'S CHESTNUT HILL submitting a letter of Intent to erect a tent for the annual rug tent sale in the approved parking spaces at the Chestnut Hill Mall beginning on May 17, 2016 per Special Permit #42-12.
- #101-16** **Zoning Board of Appeals Decision, February 23, 2016**
ZBA #11-14 DINOUSAUR ROWE, LLC filing a Comprehensive Permit Application to construct 135 mixed-income apartments at 70 Rowe Street, Auburndale.
Withdrawn Without Prejudice
- #102-16** **Waban Area Council filing its 2015 annual report**
WABAN AREA COUNCIL submitting pursuant to Sec. 9-10 of the Charter its Annual Report of its activities for calendar year 2015.

Referred to Zoning & Planning Committee

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

- #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]

Referred to Programs & Services Committee

- #104-16** **Mayor's appointment of Brooke Foucault Welles to Human Rights Commission**
BROOKE FOUCAULT WELLES, 9 William Street, Newton, appointed to the HUMAN RIGHTS COMMISSION for a term to expire February 25, 2019 (60 days 5/2/0/16) [03/07/16 @ 4:37 PM]

Referred to Public Safety & Transportation Committee

- #105-16** **Extension of time for police to inspect taxicabs and public autos**
POLICE DEPARTMENT, requesting an extension of time of **Sec. 19-309. Requirements as to vehicles generally** (b) Annual inspection of vehicles, of the Revised Ordinances of the City of Newton. [03/11/16 @ 10:35 AM]

#106-16 **Appeal of Traffic Council Decision of new parking regulations on Chestnut St.**
COUNCILOR HESS-MAHAN, appealing the Approval of TC56-15 Traffic Council Decision on February 25, 2016: 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street. Requesting on behalf of business owners 1) Reduce or eliminate the five approved 15-minute parking spaces. 2) Reinstate the one-hour limit, west side, 7:00 a.m. to 6:00 p.m. (Ward 3) [Appeal filed 03/04/16]

#107-16 **Semi-annual taxi license/public auto inspections.**
POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review. [03/02/16 @ 1:47 PM]

Referred to Public Facilities Committee

Public hearing to be assigned for April 6, 2016:

#108-16 **Eversource Grant of Location petition for conduit in Franklin Street**
EVERSOURCE ENERGY petitioning for a grant of location to install 350' ± of conduit in FRANKLIN STREET from existing Manhole #MH4210 at the intersection of Beechcroft Road easterly to 100 Franklin Street. (Ward 7) [02/26/16 @ 8:27 AM]

Public hearing to be assigned for April 6, 2016:

#109-16 **Verizon Grant of Location petition for conduit in Franklin Street**
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:

Locations

Cabot Street (near corner of Cabot and Centre Streets) at Pole # 60
Grove Street (near corner of Grove and Washington Streets) at Pole #185/79
Wheeler Road (near Shuman Circle) at Pole # VZ3
Dedham Street (near Carleton Avenue) at Pole # 177/87
Parker Street (near 270 Parker Street) at Pole #340/29
Derby Street (near 114 Derby Street) at pole # 120/14
Crafts Street (near 542 Crafts Street) at Pole # 108/65A
Highland Street (near 200 Highland Street) at Pole # 208/22
Needham Street (near Charlemont Street) at Pole #113/26
Crafts Street (near 224 Crafts Street) at Pole # 108/30
[03/09/16 @ 10:00 AM]

Referred to Finance Committee

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

#110-16 Funding for the Charter Commission

HIS HONOR THE MAYOR requesting authorization to appropriate forty-five thousand five hundred dollars (\$4,500) from Free Cash to the below accounts for the purpose of enabling the Charter Commission to hire a consultant, a clerk and have access to funds for expenses:

Consulting	
(C108004-5301)	\$30,000
Part-time Salaries	
(C108004-211101)	\$4,500
Printing	
(C108004-5342)	\$10,000
Office Supplies	
(C108004-5420)	\$1,000

[02/11/16 @ 4:24 PM]

#111-16 Appropriation for Worker's Compensation Order from Dept of Industrial Accidents

HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty thousand six hundred thirty-one dollars and ninety-seven cents (\$20,631.97) from the Worker's Compensation as ordered by the Department of Industrial Accidents. [03/15/16 @ 4:51PM]

#112-16 Appropriation of mitigation funds for pedestrian and traffic improvements

HIS HONOR THE MAYOR requesting authorization to appropriate and expend the following Mitigation Funds:

Village Café at 719 Washington Street	\$2,500
258 Nevada Street at Linwood Street	\$1,500
Cherry Street at Washington Street	\$2,000
O'Hara's Restaurant, Newton Highlands	\$2,500
Rox Diner Parking & Pedestrian Improvements	\$2,500
Riverside, Old Jordan marsh	\$16,045
Canton Circle LLC, 714-724 Beacon Street	\$10,000

#113-16 Grant of \$450,000 from MassDOT for Complete Streets

HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred fifty thousand dollars (\$450,000) in grant funds from the Mass Department of Transportation (Mass DOT) as part of their Complete Streets Program to develop a Complete Streets Prioritization Plan and the construction of projects in the plan and approved by Mass DOT. [03/15/16 @ 4:52 PM]

#114-16 Assessment of sidewalk/driveway apron and/or curb betterments

HIS HONOR THE MAYOR requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction: [03/15/16 @ 4:52 PM]

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1790 Commonwealth Ave	Ward Holan & Christine	05690/0426	4300080001	\$3,237.50
76 Annawan Road	Steven D. Weatherhead	059840/0001	550410004	\$3,237.50
88 Annawan Road	William & Stacie Baker	035754/0494	550410003	\$2,705.00
98 Annawan Road	Terrance McGouan	049883/0151	550410002	\$2,932.50
16 Balcarres Road	David Palmer	018594/0151	320500011	\$2,745.00
19 Balcarres Road	John & Mary Rugie	032712/0228	320500007	\$2,445.00
28 Balcarres Road	Robert Bransfield	036599/0119	320500010	\$2,900.00
28 Lenox Street	Jane Obaggy	023803/0516	320500010	\$2,055.00
98 Baldpate Hill Road	William Hahn	01454/0056	82026011	\$5,272.50
105 Baldpate Hill Road	Janice & Richard Lipof	01330/0136	820250058	\$3,745.00
30 Berwick Road	Philip & Heather Palmer	050134/0279	520170001	\$2,522.50
290 Central Street	Terence Farmer	036493/0409	430230015	\$2,055.00
295 Central Street	Leslie Whitham	026726/0513	430290011	\$2,055.00
315 Central Street	Neritan Mustafa	062468/00824	430290013	\$2,477.50
321 Central Street	Jeffrey & Elyssa Kotzen	059890/0436	430290013A	\$3,400.00
330 Central Street	James & Louise Corrigan	031392/0573	430240002	\$2,172.50
347 Central Street	Wendy Woodruff	035169/0526	430290015	\$3,615.00
348 Central Street	Joel Shames	022103/0426	430250004	\$2,587.50

29 Fern Street	Dennis Howard	053946/01964	430250008	\$2,867.50
51 Lake Ave	Marc Fogel	031370/0019	620080009	\$2,587.50
7 Leewood Road	Robert Jed	001074/0024	830220001	\$3,120.00
12 Leewood Road	Green Richard	001430/0079	830230009	\$5,467.50
15 Leewood Road	Pogany Eugene	01449/0086	8300220002	\$2,900.00
24 Leewood Road	Arthur Noonan III	000857/0075	830230007	\$2,770.00
274 Otis Street	Mary & Adam Kirsch	022239/0298	320500006	\$5,817.50
70 Varick Road	Susan R Hayman	049962/0362	550250018	\$2,347.50
362 Waban Ave	Steven & Peter Smith	049962/0362	420080002	\$3,505.00
				\$83,542.50

Referred to Zoning & Planning and Finance Committees

#115-16 Funding for Zoning Reform Phase 2

HIS HONOR THE MAYOR requesting authorization to appropriate one hundred twenty five thousand dollars (\$125,000) from Free Cash and authorization to transfer the sum of two hundred thousand dollars (\$200,000) from the Planning Department's Full-time Salaries Account to the Planning Department's Consultants Account for the purpose of funding Zoning Reform Phase 2. [03/15/16 @ 4:52 PM]

Referred to Public Facilities and Finance Committees

#116-16 Additional funding for Aquinas Window Project

HIS HONOR THE MAYOR requesting authorization to appropriate three hundred eighteen thousand two hundred sixty dollars (\$318,260) from a transfer from the Capital Stabilization fund to provide additional funding for the Aquinas Window Project. [03/15/16 @ 4:52 PM]

Referred to Public Facilities and Finance Committees

#117-16 \$2,700,000 for water main improvements

HIS HONOR THE MAYOR requesting authorization to appropriate two million four hundred thousand dollars (\$2,700,000) from bonded indebtedness for the purpose of funding water main improvements as part of the 10 year - \$40 million Capital Improvement Plan. [03/15/16 @ 4:51 PM]

Referred to Public Facilities and Finance Committees

- #118-16** **Funding for traffic signalization, traffic signal knockdowns, streetlight work**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of four hundred twenty-five thousand dollars (\$425,000) from the Public Works' Street Maintenance Full-time Salaries Account to the following accounts:

Electrical Equipment R&M – Streetlighting (0140109-52404)	\$85,000
Electrical Equipment R&M – Transportation (0140115-52404)	\$215,000
Public Property R&M – Transportation (0140115-52409)	\$125,000
[03/15/16 @ 4:51 PM]	

To be discussed in a Committee of the Whole meeting on March 23, 2016:

Referred to Programs & Serv., Public Facil., Land Use and Finance Committees

- #119-16** **\$100,000 in CPA funding for technical assessments of 70 Crescent Street**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one hundred thousand (\$100,000) from the Community Preservation Fund to the Public Buildings Department for technical assessments of 70 Crescent Street as a site for the CPA eligible affordable housing and park uses described in Board Order #384-11(4) and in the department's February 2016 proposal to the CPC. [03/10/16 @ 11:33 AM]