



City Council Docket

September 7: Programs & Services, Public Safety & Transportation, Public Facilities Continued
September 12: Finance, Zoning & Planning Page 188
September 13: Land Use

Tuesday, September 6, 2016

7:45 PM, Newton City Hall

To be reported on

Monday, September 19, 2016

City of Newton

In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

2016 Auto Dealer License

Class 1

#283-16 McGOVERN CHRYSLER JEEP DODGE RAM

777 Washington Street

Newton, MA. 02460 Class 1

Public Hearing to be assigned for September 20, 2016

#261-16 Special Permit Petition to allow site and building improvements at "The Street"

CHESTNUT HILL SHOPPING CENTER LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALTER A NONCONFORMING STRUCTURE to construct new buildings for existing and new commercial uses including banking, office, medical office, theatre, health club, retail, restaurant and parking, to allow buildings in excess of 20,000 sq. ft., allow a building up to 60' in height, site plan review for buildings within 300' of a great pond, allow parking within a setback, extend Farmers Market special permit 230-14, update signage special permit 417-12, allow parking stalls in garage to be reduced stall depth, allow reduced parking facility lighting and waive interior landscaping requirements at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as SBL 63037 0025, 63037 0026, containing approximately 859,444 sq. ft. in a district zoned BUSINESS USE 4. Ref. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.2, 4.1.2.B.3, 5.6, 5.1.8, 6.4.22, 5.8.2.C, 5.1.8.B, 5.1.10.A, 5.1.9.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

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.

Public Hearing to be assigned for September 27, 2016

- #262-16** **Special Permit Petition to increase nonconforming setback at 112-114 Carlisle Street**
MICHAEL VAHEY & MOK JIANG PANG/CARLISLE STREET DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE EXISTING NONCONFORMING FRONT SETBACK, by razing the existing two family dwelling, and construct a new, enlarged two family, further increasing the front setback, allowing a parking stall within 5' of a street, allowing a driveway entrance greater than 20' and reducing the required parking stall depth at 112-114 Carlisle St, Ward 6, Newton Centre, on land known as SBL 65008 0006, containing approximately 9,196 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 5.1.7.B.2, 5.1.13, 5.1.7.A, 5.1.7.C of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 27, 2016

- #284-16** **Special Permit Petition to maintain increased nonconforming FAR at 7-9 Arundel Ter**
CARMEN FUGAZZOTTO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to MAINTAIN FURTHER EXTENDED NON NONCONFORMING USE and INCREASED FAR by maintaining the existing enclosed garage that encroaches on the rear and side setbacks, exceeding the maximum lot coverage, continuing to be below minimum open space and maintain the increased nonconforming FAR at 7-9 Arundel Terrace, Ward 1, Newton, on land known as SBL 71001 0025, containing approximately 5,100 sq. ft. of land in a district zoned MULTI-RESIDENCE 2. Ref: 7.3.3, 7.4, 3.2.3, 3.2.11, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 27, 2016

- #285-16** **Special Permit Petition to create an accessory apartment at 133 Harwich Road**
SHEHZAD S. BASARIA/MILENA BRAGA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to CREATE AN ACCESSORY APARTMENT in an existing single-family dwelling less than 2,500 sq. ft. by building a rear addition including a kitchen and living space to the ground floor and office space to the first floor at 133 Harwich Road, Ward 8, Chestnut Hill, on land known as SBL 82037 0076, containing approximately 11,170 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 6.7.1.D, 6.7.1.F of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 27, 2016

- #286-16** **Special Permit Petition to further increase nonconforming setback at 115 Waban St**
JOHN MULLIGAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE NONCONFORMING SETBACK by building a 308 sq. ft. one story addition including a mudroom, study and half bath at 115 Waban Street, Ward 1, Newton, on land known as SBL 12004 0032, containing approximately 7,072 sq. ft. in a district zoned MULTI-RESIDENCE 1. Ref: 7.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for October 13, 2016

#287-16 Special Permit Petition to allow rear lot subdivision at 57 Adams Avenue
GENNARO AND GIUSEPPINA NICOLAZZO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALLOW A REAR LOT SUBDIVISION AND REDUCED FRONT SETBACK, dividing the lot and constructing a new single family on the rear lot while maintain the existing single family on the front lot at 57 Adams Avenue, Ward 4, West Newton, on land known as 44014 0012, containing approximately 22,122 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.1.10, 3.1.5, 3.1.10.B.3.a of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for October 13, 2016

#288-16 Special Permit Petition to exceed FAR at 25 Stiles Terrace
ALEXANDER P. SHEYNER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to INCREASE FAR by constructing a detached garage at 25 Stiles Terrace, Ward 7, Newton Centre, on land known as SBL 65004 0010, containing approximately 8,563 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for October 13, 2016

#289-16 Special Permit Petition to extend nonconforming FAR at 35 Lenox Street
JAMES BENINATI/35 LENOX STREET LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING FAR by regrading the property to construct a two car garage in the existing basement space at 35 Lenox Street, Ward 3, West Newton, on land known as SBL 32047 0006, containing approximately 9,969 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.9.A.2, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for October 13, 2016

#290-16 Special Permit Petition modify existing Special Permit at Finagle a Bagel
NEWTON-FAB, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING USE and amend Special Permit #191-81(B) to allow an increase in bakery seating to 49 seats and a principal wall sign in excess of 100 sq. ft. at 47 Crescent St/77 Rowe St/0Crescent St, Ward 4, Auburndale, on land known as SBL 44023 0016A, 44023 0016B, containing approximately 137,922 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.2.8, 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Other Communications

Submittal of draft citywide transportation strategy

PLANNING DEPARTMENT submitting a draft citywide transportation strategy project overview known as "Newton-in-Motion." [08/25/16 @ 11:05 AM]

Referred to Zoning & Planning Committee

#291-16

Zoning Amendment relative to nonconforming single- and two-family dwellings

COUNCILOR SANGIOLO proposing to amend Chapter 30, Section 7.8.2.A.1.a. regarding nonconforming buildings, structures and uses, to also require that if an existing nonconforming single- or two-family structure is demolished, and the lot on which that structure existed does not meet current lot area or lot frontage requirements, then a special permit or variance would be required for any alteration, reconstruction, extensions or structural changes from the original structure. [08/22/16 @ 2:08 PM]

Referred to Programs & Services Committee

#292-16

Mayor's appointment of Elizabeth Dugan to the Newton Council on Aging

HIS HONOR THE MAYOR appointing ELIZABETH DUGAN, 62 Woodcliff Road, Newton as a Commissioner of the COUNCIL ON AGING for a term to expire September 15, 2019. (60 days 11/05/16) [08/04/16 @ 11:34 AM]

#293-16

Mayor's re-appointment of Carol Ann Shea to the Newton Council on Aging

HIS HONOR THE MAYOR re-appointing CAROL ANN SHEA, 24 Milo Street, Newton as a Commissioner of the COUNCIL ON AGING for a term to expire September 15, 2019. (60 days 11/05/16) [08/04/16 @ 11:34 AM]

#294-16

Mayor's appointment of Ajaya Soltau as a member of the Youth Commission

HIS HONOR THE MAYOR appointing AJAYA SOLTAU, DeForest Street, Roslindale, as a member of the YOUTH COMMISSION for a term to expire September 1, 2018. (60 days 11/05/16) [08/29/16 @ 3:37 PM]

#295-16

Mayor's appointment of Heather Krasner as a member of the Youth Commission

HIS HONOR THE MAYOR appointing HEATHER KRASNER, Irving Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2018. (60 days 11/05/16) [08/29/16 @ 3:37 PM]

- #296-16 Mayor's appointment of Ashley Rodriguez as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing ASHLEY RODRIGUEZ, Adams Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
(60 days 11/05/16) [08/29/16 @ 3:37 PM]
- #297-16 Mayor's appointment of Luther Evans as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing LUTHER EVANS, Cherry Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
(60 days 11/05/16) [08/29/16 @ 3:37 PM]
- #298-16 Mayor's appointment of Daniel Babitsky as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing DANIEL BABITSKY, Washington Avenue, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
(60 days 11/05/16) [08/29/16 @ 3:37 PM]
- #299-16 Mayor's appointment of Rebecca Arango as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing REBECCA ARANGO, Angier Circle, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
(60 days 11/05/16) [08/29/16 @ 3:37 PM]
- #300-16 Ordinance to register lobbyists**
COUNCILORS COTE, NORTON AND HARNEY proposing an ordinance to register lobbyists in the City of Newton. [08/10/16 @ 3:11 AM]
- #301-16 Amendment to the Tree Preservation Ordinance**
COUNCILOR SANGIOLO requesting an amendment to the Tree Preservation Ordinance so that any tree removal requested by a city department be forwarded to the Urban Tree Commission and all tree removal requests under the Tree Preservation Ordinance be posted online to give residents and interested citizens notification. [08/09/16 @10:30 PM]

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

Referred to Public Safety & Transportation Committee

- #302-16 Discussion with MassDOT regarding new toll structure on the Mass Pike in Newton**
COUNCILOR CICCONE, on behalf of the Public Safety & Transportation Committee requesting a discussion with MassDOT regarding the new toll structure on the Massachusetts Turnpike in Newton. [08/31/16 @ 10:13 AM]

Referred to Public Facilities Committee

Public hearing to be assigned for September 7, 2016:

- #282-16** **5-58 Site plan approval for the relocation of modular classrooms**
DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec. 5-58, for site plan approval to relocate four (4) modular classrooms from the Zervas Elementary School as follows: two (2) modular classrooms to be located at Newton South High School and two (2) modular classrooms at Brown Middle School to provide additional classroom space. [08/18/16 @ 12:09 PM]
- #303-16** **Request to approve traffic calming islands for Concord Street**
COMMISSIONER OF PUBLIC WORKS requesting authorization to install four torpedo traffic island in Concord Street in Lower Falls between Hagar Street and St. Mary's Street to be funded using mitigation funds previously approved by the Council for Lower Falls traffic mitigation. (Ward 4) [08/25/16 @ 1:51 PM]
- #304-16** **Verizon petition for grant of location at Greenwood Street**
VERIZON NEW ENGLAND petitioning for a grant of location to relocate Pole #6 on Greenwood Street approximately 19'± southeast to accommodate a new driveway at house #56. (Ward 8) [08/25/16 @ 8:45 AM]

Referred to Finance Committee

- #305-16** **Mayor's reappointment of Michael Caramanica as a Constable**
MICHAEL CARAMANICA, 14 Emerald Street, Newton reappointed as a Constable for the City of Newton for a term of office to expire September 15, 2019. (60 days 11/05/16) [08/04/16 @ 11:34 PM]

Referred to Programs & Services and Finance Committees

- #306-16** **Request to review and possibly adjust the City Clerk/Clerk of the Council's salary**
COUNCILORS LENNON AND LAPPIN requesting a salary review and possible ordinance amendment to adjust the salary of the City Clerk/Clerk of the City Council pursuant to Article XI of the Rules and Orders of the City Council 2016-2017. 08/24/16 @ 2:41 PM]

Referred to Public Safety & Transportation and Finance Committees

- #307-16** **Request to bond \$650,000 to purchase a new fire pumper truck**
HIS HONOR THE MAYOR requesting authorization to appropriate six hundred fifty thousand dollars (\$650,000) from bonded indebtedness for the purpose of purchasing a new Fire Department Pumper Truck – Engine 3 in accordance with the frontline apparatus replacement schedule. [08/25/16 @ 1:18 PM]