

REPORTS DOCKET

Jan. 21: Programs & Services; Public Facilities
Feb. 3: Land Use
Feb. 4: Programs & Services; Public Safety & Transportation; Public Facilities **Meeting**
Feb. 10: Land Use

Continued
Page 292

Monday, February 2, 2015 CANCELLED
7:45 PM, Newton City Hall
To be reported on
TUESDAY, FEBRUARY 17, 2015

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item Postponed on January 20, 2015 to date certain of February 2, 2015

Motion to Reconsider filed by Ald. Ciccone on January 5, 2015:

#273-14 NICORE CONSTRUCTION, CORP. petition to change the zone of 114 RIVER STREET, known also as Section 33, Block 23, Lot 15, containing approximately 6,837 square feet of land, from BUSINESS 1 to MULTI RESIDENCE 2.
HEARING CLOSED; LAND USE COMMITTEE APPROVED 5-0-3 (Albright, Laredo, Schwartz abstaining) on December 2, 2014
LAND USE MOTION TO APPROVE FAILED TO CARRY 14 YEAS 7 NAYS (Ald. Blazar, Ciccone, Danberg, Harney, Norton, Sangiolo, Yates) 2 ABSENT (Ald. Baker & Johnson), 1 RECUSED (Ald. Brousal-Glaser) on January 5. *Item postponed on January 5 to date certain of January 20.*

Item Postponed on January 20, 2015 to Date Certain of February 2, 2015:

#273-14(2) NICORE CONSTRUCTION CORP. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct four attached single-family dwellings in two buildings and to locate a driveway within 10 feet of a side lot line at 5-7 ELM STREET and 114 RIVER STREET, Ward 3, West Newton, on land known as SBL 33,23, 9, containing approximately 19,483 sf of land in a district zoned MULTI RESIDENCE 2 and SBL 33, 23, 15, containing approximately 6,837 sf of land in a *proposed* MULTI RESIDENCE 2 district, for a *proposed* total of 26,290 sf of land. Ref: Sec 30-24, 30-23, 30-15(b)(5)a) and b), 30-9(b)(5)a) of the City of Newton Rev Zoning Ord, 2012 and Amend Special Permit #40-07, dated May 21, 2007. *Hearing opened September 23; continued on November 6*
ON DECEMBER 2, 2014 LAND USE APPROVED 6-0-2 (Harney, Laredo abstaining)
ON DECEMBER 2, 2014 LAND USE APPROVED 6-0-2 (Harney, Laredo abstaining) AMENDMENT TO SITE PLAN #40-07
Item postponed on January 5 to date certain of January 20.

Item Postponed on December 15, 2015 to Date Certain of February 2, 2015:

#340-14 ALD. NORTON requesting to amend the City of Newton Charter to ~~also include the term "Alderswoman" in text that refers to individuals who serve on the Board of Aldermen as "Aldermen"~~ replace the term "Board of Aldermen" with "City Council" and replace the term "Alderman" with "Councillor".

PROGRAMS & SERVICES APPROVED AS AMENDED 6-1-1 (Baker opposed; Blazar abstaining) on December 4, 2014

REFERRED TO LAND USE COMMITTEE

Tuesday, February 3, 2015

Present: Ald. Laredo (Chairman), Ald. Albright, Crossley, Schwartz, Lipof, Cote, and Harney;
absent: Ald. Lennon; also present: Ald. Gentile, Lappin, and Fuller

102-06(13) PRESIDENT LENNON appointing the following individuals to the Neighborhood Liaison Committee as established in Condition 16 of Special Permit 102-06(12) granted on November 17, 2014 to Chestnut Hill Realty Development, LLC for an 80-unit multi-family building with a partially below grade parking garage and related site amenities.

Vine Street representative(s): John and Anne Decker

Rangeley Road (Brookline) representative(s): Joe and Alice Bresman

(Chestnut Hill Realty Development's two designees, *informational only*:

Brad Allen and Anna Mandell)

APPROVED 6-0

Hearing opened on October 14, continued to January 6, continued to January 27:

#318-14 88 CRESCENT STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct three single-family attached dwelling units at 88 CRESCENT STREET, Ward 3, Auburndale, on land known as SBL 33, 6, 34, containing approximately 23,739 sf of land in a district zoned MULTI RESIDENCE 1. Ref: 30-24, 30-23, 30-9(b)(5) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 6-0-1 (Harney abstaining)

Hearing opened and continued on January 13, 2015:

#473-14 TIMOTHY BURKE for ROGER & AFARIN GREIGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the one-story portion consisting of a two-car garage and to construct a three-car garage and living space with an accessory apartment exceeding 1,000 sf above it on an existing single-family dwelling increasing the Floor Area Ratio from .28 to .39, where .33 is allowed by right, at 100 EVELYN ROAD, Ward 5, Waban, on land known as SBL 53, 3, 13, containing approximately 18,052 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(u)(2), 30-15 Table 3, and 30-8(d)(c) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED

#360-14 112 NEEDHAM STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to demolish an existing single-story commercial building and construct a new two and one-half story commercial building approximately 29' in height with a parking facility including waivers from front and side setbacks and lot area requirements; the number of parking stalls; end stall maneuvering space; width requirement of exit and entrance driveways; and off-street loading requirement and Floor Area Ratio up to 1.5 at 112 NEEDHAM STREET, Ward 8, NEWTON UPPER FALLS, on land known as SBL 83, 12, 7, containing approximately 7,500 sf of land in a district zoned MIXED USE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-19(d)(11), (15), and (m), 30-19(h)(2)e), 30-19(l), and Table of off-street loading requirements of the City of Newton Rev Zoning Ord, 2012. *Hearing opened and continued on December 9; additional relief requested.*
HEARING CONTINUED

#1-15 CANTON CIRCLE LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for medical office use in 4,433 square feet of space located in a one-story building in conjunction with an existing bank and post office; waive 6 parking stalls; to waive dimensional requirements, aisle width, landscape screening, interior landscaping, lighting, and bicycle parking, and to allow parking in the side setback at 714 BEACON STREET, Ward 6, Newton Centre, on land known as SBL 61, 38, 8, containing approximately 37,941 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-19(c)(2)a), 30-19(d)(10), (12), 30-19(h)(1), (h)(2)a), (h)(2)b), (h)(2)c), (h)(2)e), (h)(3)b), 30-19(i)(1), (i)(2)a), (i)(2)b), (i)(2)c), (i)(2)d), 30-19(j)(1)a), (1)b), 30-19(j)(2)e), (2)f), 30-19(k)(1), (2), (3), 30-19(m) of the City of Newton Rev Zoning Ord, 2012 and special permit nos. 131-96, 503-96, and 520-74.
HEARING CONTINUED

#2-15 ATRIUM WELLNESS CENTER LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to repurpose an existing vacant building into a mixed-use facility including medical office, laboratory, general office, retail, and restaurant uses (to allow restaurants of more than 50 seats) at 300 BOYLSTON STREET, Ward 7, Chestnut Hill, on land known as SBL 82, 2, 1, containing approximately 125,771 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-21, 30-11(b)(3), 30-11(d)(9), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED

REFERRED TO LAND USE COMMITTEE

Tuesday, February 10, 2015

Present: Ald. Laredo (Chairman), Ald. Albright, Cote, Crossley, Harney, Lennon, Lipof and Schwartz; also present: Ald. Norton, Danberg
Planning Board members present: Scott Wolf (Chairman), Jonathan Yeo, John Gelcich, James Freas

A Public Hearing in conjunction with the Planning & Development Board was opened and continued:

#480-14 STEPHEN VONA petition to rezone 283 MELROSE STREET, also known as Section 41, Block 14, Lot 10, from MULTI RESIDENCE 1 to a MIXED USE 4 DISTRICT.

HEARING CONTINUED TO MARCH 10, 2015

A Public Hearing was opened and continued:

#480-14(2) STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse to provide a mix of uses including preserving the theater use, adding a street-level restaurant with office space above, and constructing a separate 23-unit multi-family structure with a below grade parking garage for 30 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land [currently zoned MULTI RESIDENCE 1] in a proposed MIXED USE 4 DISTRICT. Ref: Sec 30-24, 30-23, 30-13(h)(2) Table B, 30-13(j)(1),(2),(3), 30-15(w)(1) and (4)(a) and (b), (6)(b), 30-5(b)(4), 30-19(d)(2), (11), (13), (18), 30-19(k), and (m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO MARCH 10, 2015

Hearing opened and continued on November 18, 2014:

#362-14 SEPHARDIC CONGREGATION OF NEWTON, INC./EDMUND I. SHAMSI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 26 parking stalls and associated dimensional requirements for an orthodox synagogue at 556 WARD STREET, Ward 2, NEWTON CENTRE, on land known as SBL 13, 32, 2, containing approximately 12,142 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-19(d)(13) and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO DATE TO BE DETERMINED

Hearing opened and continued on December 9, 2014:

#272-09(4) HERRICK ROAD REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to erect at 39 HERRICK ROAD, Ward 6, NEWTON CENTRE a 3-story mixed-use building containing 4 dwelling units and ground floor commercial space with a restaurant, with underground parking and associated parking waivers unit; to allow off-street parking facilities to be located on a separate lot; waive 9 parking spaces; waive 3 bicycle parking spaces; allow frontage to be measured along a public footway) and to construct a retaining wall greater than 4 feet within the rear/side setbacks and waive 18 existing parking spaces on Lot 7 Herrick Road, Ward 6, Newton Centre, on land known as Sec 61, Blk 35, Lots 6 and 7, in a district zoned BUSINESS 1. 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.

HEARING CONTINUED TO MARCH 3, 2015

Hearing opened and continued on December 9, 2014:

#366-14 ARMAN CHITCHIAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition and reconfigure an existing two-family dwelling to into two side-by-side attached dwellings, which will increase the Floor Area Ratio from .42 where .36 is allowed, at 143 LINCOLN STREET, Ward 5, NEWTON HIGHLANDS, on land known as SBL 52, 1. 1B, containing approximately 11,775 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO MARCH 3, 2015

#17-15 BARBARA & CHRISTIAN TALVITIE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE for an addition which added a two-car garage with two floors of living space above, which created a three story structure and increased the Floor Area Ratio from .35 to .44, and to allow two garage on one property at 1446 BEACON STREET, Ward 5, Waban, on land known as SBL 53, 14, 9, containing approximately 13,915 sf of land in a district zoned SINGLE RESIDENCE 2. 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.

HEARING CONTINUED TO MARCH 3, 2015

#18-15 LAURA KAY HUGHES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE 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, on land known as SBL 52, 27, 10, containing approximately 8,640 sf of land in a district zoned SINGLE RESIDENCE 2. 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.

HEARING CONTINUED TO MARCH 3, 2015

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, January 21, 2015

Present: Ald. Sangiolo (Chairman), Rice, Norton, Leary, Blazar and Hess-Mahan; absent: Ald. Baker and Kalis

#334-12 ALD. SWISTON AND LINSKY requesting a discussion with the Licensing Board regarding the licensing and permit requirements for non-profit organizations. [10/10/12 @ 3:52 PM]

NO ACTION NECESSARY 6-0

- #10-15 ALD. HESS-MAHAN, BAKER, BROUSAL-GLASER, COTE, JOHNSON, SANGIOLO proposing a RESOLUTION requesting the Licensing Commission to adopt a policy requiring all applicants for a license to notify the Aldermen from the respective ward whenever applicants are required to send legal notice to abutters, public or private schools, churches, synagogues, religious institutions of worship and/or hospitals within 500 feet from the proposed licensed premises regarding their application. [12/29/14 @ 12:17 PM]
HELD 6-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, February 4, 2015

Present: Ald. Sangiolo (Chairman), Baker, Rice, Hess-Mahan, Blazar, Leary and Norton
Also Present: Ald. Fuller, Laredo, Crossley and Harney

- #9-15 SRDJAN S. NEDELJKOVIC et al. petitioning the Board of Aldermen to expand the area represented by the Newton Highlands Neighborhood Area Council to include areas immediately contiguous with the existing service area of the Newton Highlands Neighborhood Area Council pursuant to Article 9, Section 9-4, of the City of Newton Charter. [12/23/14 @ 12:20 PM]
HELD 7-0-1 (Kalis abstaining); HEARING CONTINUED to 3/4/15

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #15-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred eighty thousand dollars (\$980,000) from the Community Preservation Fund's general fund balance and reserve to the Parks and Recreation Department for the Waban Hill Reservoir at Manet Road and Reservoir Drive in Chestnut Hill, including: real property acquisition; a grant to the Newton Conservators for monitoring and enforcing a conservation restriction; initial dam safety compliance, public safety and accessibility improvements; and a master plan, as described in the proposal submitted November 13, 2013.
APPROVED 7-0-1 (Ald. Hess-Mahan abstaining)
FINANCE TO MEET

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, February 4, 2015

Present: Ald. Ciccone (Chair), Yates, Cote, Fuller, Lipof, Schwartz, Johnson and Harney; also present: Ald. Lennon, Leary and Albright

- #41-11(3) ALD. LENNON, LEARY, CICCONE, JOHNSON requesting implementation of an overnight parking pilot program for the period of 11/15/2014 through 04/15/2015 in Ward One. [07/07/14 @ 1:33 PM]
NO ACTION NECESSARY 7-0 (Fuller not voting)

#326-14 ALD. ALBRIGHT, requesting a discussion and a plan to replace all parking meters within two years. [08/19/14 @ 9:16 AM]
HELD 6-0 (Fuller and Johnson not voting)

#150-13 ALD. JOHNSON, ALBRIGHT & LINSKY, requesting the Planning Department create a traffic and parking management plan for the Education Center, Day Middle School, Horace Mann Elementary School and Carr School neighborhood area by December 2013. (Wards 1 & 2) [03/29/13 @ 9:11 AM]
HELD 7-0 (Fuller not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, January 21, 2015

Present: Ald. Crossley (Chairman), Lennon, Albright, Brousal-Glaser, Danberg, Laredo, and Lappin; absent: Ald. Gentile; also present: Ald. Fuller

#24-15 NSTAR ELECTRIC requesting a grant of location to install 25' ± of conduit and one manhole (Manhole #29995) in COMMONWEALTH AVENUE at the intersection of Mount Alvernia Road and College Road. [01/09/15 @ 12:25 PM]
APPROVED 5-0 (Lennon and Danberg not voting)

#14-15(2) FINANCE COMMITTEE requesting that the Department of Public Works and the Planning & Development Department provide the Public Facilities Committee with an overview of the proposed roadway and signalization improvements at the intersection of Needham, Oak and Christina Streets that is part of the Mass Works Highland Avenue and Needham Street Roadway Corridor Improvement.
NO ACTION NECESSARY 7-0

#286-13(3) HIS HONOR THE MAYOR requesting authorization to implement roadway improvements at the intersection of Collins Road and Beacon Street that result in improved overall function and safety at the intersection. These improvements are related to the Angier Elementary School Project. [01/13/15 @ 2:44 PM]
HELD 7-0

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#27-15 HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand two hundred fifty-five dollars (\$250,255) from StormWater Surplus to Stormwater Management Salaries and transfer the sums of eighty-eight thousand one hundred ninety-one dollars (\$88,191) from Storm Water Management Expenses and fifty thousand three hundred thirty-six dollars (\$50,336) from Stormwater Management Capital to Stormwater Management Salaries. [01/13/15 @ 2:43 PM]
HELD 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, February 4, 2015

Present: Ald. Crossley (Chairman), Lennon, Albright, Brousal-Glaser, Gentile, Laredo, and Lappin; absent: Ald. Danberg; also present: Ald. Fuller and Johnson

#200-13(2) **ALD. JOHNSON** proposing amendment(s) to Chapter 27 of the city ordinances relative to signs on sidewalks, traffic islands, and other city property to establish an application process for placing signs (sandwich boards, placards, and showboards), which includes requirements, timelines for posting and removal of signs. [02/26/14 @ 9:07 AM]
NO ACTION NECESSARY 7-0

#286-13(3) **HIS HONOR THE MAYOR** requesting authorization to implement roadway improvements at the intersection of Collins Road and Beacon Street that result in improved overall function and safety at the intersection. [01/13/15 @ 2:44 PM]
HELD 6-0 (Lennon not voting)

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#27-15 **HIS HONOR THE MAYOR** requesting authorization to appropriate two hundred fifty thousand two hundred fifty-five dollars (\$250,255) from StormWater Surplus to Stormwater Management Salaries and transfer the sums of eighty-eight thousand one hundred ninety-one dollars (\$88,191) from Storm Water Management Expenses and fifty thousand three hundred thirty-six dollars (\$50,336) from Stormwater Management Capital to Stormwater Management Salaries. [01/13/15 @ 2:43 PM]
APPROVED AS AMENDED 3-0-4 (Albright, Brousal-Glaser, Crossley, Lappin abstaining)
FINANCE TO MEET

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14 **HIS HONOR THE MAYOR** submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]
HELD 5-0 (Albright, Laredo not voting)

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 the Newton ADA Coordinator, John Lojek, at least two days in advance of the meeting: jlojek@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.