

IN BOARD OF ALDERMEN

BOARD ACTIONS

Tuesday, February 17, 2015

Present: Ald. Albright, Baker, Blazar, Ciccone, Cote, Crossley, Danberg, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Kalis, Lappin, Laredo, Leary, Lipof, Norton, Rice, Sangiolo, Schwartz, Yates and Lennon

Absent: Ald. Brousal-Glaser

THE BOARD OF ALDERMEN DISCUSSED AND VOTED THE FOLLOWING ITEMS ON SECOND CALL:

REFERRED TO LAND USE COMMITTEE

#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 OPENED SEPTEMBER 23; CONTINUED ON NOVEMBER 6; CLOSED DECEMBER 2

LAND USE APPROVED 5-0-3 (Albright, Laredo, Schwartz abstaining) on December 3, 2014

ITEM POSTPONED ON DECEMBER 15, 2014 TO DATE CERTAIN OF JANUARY 5, 2015

MOTION DENIED 15 YEAS, 6 NAYS (Ald. Blazar, Danberg, Harney, Norton, Sangiolo, Yates), 2 ABSENT (Ald. Baker & Johnson), 1 RECUSED (Ald. Brousal-Glaser)

MOTION TO ALLOW ALD. CICCONE TO CHANGE HIS VOTE APPROVED 18 YEAS, 3 NAYS (Ald. Harney, Norton, Sangiolo), 2 ABSENT (Ald. Baker & Johnson), 1 RECUSED (Ald. Brousal-Glaser)

MOTION DENIED 14 YEAS, 7 NAYS (Ald. Blazar, Ciccone, Danberg, Harney, Norton, Sangiolo, Yates), 1 RECUSED (Ald. Brousal-Glaser)

MOTION TO RECONSIDER FILED BY ALD. CICCONE AFTER THE CLOSE OF THE MEETING

MOTION TO POSTPONE THE VOTE TO RECONSIDER TO A DATE CERTAIN OF FEBRUARY 2, 2015 WAS APPROVED BY VOICE VOTE

FEBRUARY 2, 2015 MEETING CANCELLED DUE TO WEATHER

MOTION TO RECONSIDER APPROVED BY VOICE VOTE

APPROVED 17 YEAS, 6 NAYS (Ald. Baker, Blazer, Danberg, Harney, Sangiolo, Yates)

REFERRED TO LAND USE COMMITTEE

#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; CLOSED DECEMBER 2

LAND USE APPROVED 6-0-2 (Harney, Laredo abstaining) on December 3, 2014

LAND USE APPROVED AMENDMENT TO SITE PLAN #40-07 APPROVED 6-0-2 (Harney, Laredo abstaining) on December 2, 2014

ITEM POSTPONED ON DECEMBER 15, 2014 TO DATE CERTAIN OF JANUARY 5, 2015

MOTION TO POSTPONE TO DATE CERTAIN OF JANUARY 20, 2015 WAS APPROVED BY VOICE VOTE

MOTION TO POSTPONE TO DATE CERTAIN OF FEBRUARY 2, 2015 WAS APPROVED BY VOICE VOTE

FEBRUARY 2, 2015 MEETING CANCELLED DUE TO WEATHER

APPROVED 18 YEAS, 5 NAYS (Ald. Baker, Blazer, Harney, Sangiolo, Yates), 1 ABSENT (Ald. Brousal-Glazer)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

#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

ITEM POSTPONED ON DECEMBER 15, 2015 TO DATE CERTAIN OF FEBRUARY 2, 2015

FEBRUARY 2, 2015 MEETING CANCELLED DUE TO WEATHER

MOTION TO REFER BACK TO PROGRAMS & SERVICES COMMITTEE APPROVED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

#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; LAND USE APPROVED 6-0-1 (Harney abstaining)

MOTION TO APPROVE AS AMENDED TO REDUCE THE SECOND BUILDING BY 200 SQ FT. APPROVED 23 YEAS, 1 ABSENT (Ald. Brousal-Glaser)

MOTION TO RECONSIDER FILED BY ALD. SANGIOLO ON FEBRUARY 18, 2015

REFERRED TO FINANCE COMMITTEE

#26-15

HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-eight thousand dollars (\$28,000) from Veterans' Services Salaries to Veterans' Expenses for a 20% down payment for a quadrant of Veterans' graves at the Newton Cemetery. [01/13/15 @ 2:44 PM]

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE COMMITTEE TO REPORT ON THIS ITEM WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE

FINANCE APPROVED 7-0

MOTION TO POSTPONE TO DATE CERTAIN OF MARCH 16, 2015 AND TO REFER THIS ITEM TO THE PROGRAMS & SERVICES COMMITTEE WAS APPROVED BY VOICE VOTE

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 1 ABSENT (Ald. Brousal-Glaser) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, February 3, 2015

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)

LAND USE APPROVED 6-0

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

#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

#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]

PROGRAMS AND SERVICES NO ACTION NECESSARY 6-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, February 4, 2015

- #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]
PUBLIC SAFETY & TRANSPORTATION NO ACTION NECESSARY 7-0 (Fuller not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, January 21, 2015

- #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]
PUBLIC FACILITIES 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.
PUBLIC FACILITIES 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 COMMITTEE

Wednesday, February 4, 2015

- #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]
PUBLIC FACILITIES NO ACTION NECESSARY 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]

PUBLIC FACILITIES APPROVED AS AMENDED 3-0-4 (Albright, Brousal-Glaser, Crossley, Lappin abstaining)

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PUBLIC FACILITIES COMMITTEE TO POLL HER COMMITTEE TO REVISE VOTE BASED ON CLARIFYING INFORMATION WAS APPROVED BY VOICE VOTE

PUBLIC FACILITIES APPROVED AS AMENDED 6-0-1

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE FINANCE COMMITTEE TO REPORT WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE

FINANCE APPROVED 6-0-1

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIRS OF PUBLIC FACILITIES AND FINANCE TO REPORT THE FOLLOWING THREE ITEMS THAT WERE TAKEN UP AT A JOINT MEETING EARLIER IN THE EVENING WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#35-15 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of two million dollars (\$2,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Personnel Costs – Overtime
 (0140110-513001).....\$700,000
 Rental Vehicles
 (0110410-5273).....\$1,300,000

[01/26/15 @ 1:03 PM]

PUBLIC FACILITIES APPROVED 7-0

FINANCE APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#36-15 **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of two million three hundred twenty-five thousand dollars (\$2,325,000) from June 30, 2014 Certified Free Cash to the following accounts:

(B) Personnel Costs – Overtime
 (0140110-513001).....\$700,000
 Rental Vehicles
 (0110410-5273).....\$1,300,000

(A) Construction Equipment
 0110410-58502\$325,000

[02/06/15 @ 11:45 AM]

THIS ITEM WAS DIVIDED INTO (A) AND (B) AND (A) WAS APPROVED ON FEBRUARY 11, 2015

MOTION TO AMEND OVERTIME TO \$1,250,000 AND RENTAL VEHICLES TO \$2,750,000 WAS APPROVED BY BOTH COMMITTEES.

PUBLIC FACILITIES APPROVED AS AMENDED 7-0

FINANCE APPROVED AS AMENDED 7-0

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public Hearing assigned for March 10, 2015:

#233-07(2) THOMAS D. MURPHY & MAIREAD A. MURPHY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create an accessory apartment in an existing two-family dwelling and to create a third parking stall, which will decrease the existing nonconforming open space from 39.2% to 37.5%, where 50% is required, at 15-17 WELDON ROAD, Ward 1, on land known as SBL 12, 22, 4A, containing approximately 11,113 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-8(d)(1) and (2), 30-24, 30-23, 30-21(b), 30-15 Table 1, of the City of Newton Rev Zoning Ord, 2012, and special permit 233-07.

Public Hearing assigned for March 10, 2015:

#37-15 KARL SVARTSJROM, JR. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCUTRE /USE to demolish an existing rear porch in order to construct a two-story addition to the rear of an existing single-family dwelling at 49 CRAFTS STREET, Ward 1, on land known as SBL 14, 20, 3, containing approximately 6,416 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3 of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for March 10, 2015:

#38-15 PAUL LANGIONE, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF A NONCONFORMING USE for a for-profit educational purpose, including classrooms and offices, and waivers from parking facility design requirements for dance studios at 38 BORDER STREET, Ward 3, West Newton, on land known as SBL 33, 15, 23, containing approximately 27,874 sq. ft. of land in a district zoned MANUFACTURING. Ref: 30-24, 30-23, 30-21(b), 30-19(h)(1), (h)(5), 30-19(i)(1), (i)(2)a), (i)(2)b), (i)(2)c), (i)(2)d), 30-19(j)(1)a), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for March 17, 2015:

#39-15 SCOTT CUSICK/PITSICK llc/JOSHUA SHRIBER & PATIENCE ORBELLO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for 18, 22, and 26 GODDARD STREET, Ward 8, Newton Highlands, to allow a build factor of 28.08, where 20 is the maximum allowed in a district zoned SINGLE RESIDENCE 3, in order to create two conforming lots from three lots and to legitimize two existing structures at (1) 22 Goddard Street, which will have 8,000 sq. ft. and (2) 26 Goddard (a partially completed new dwelling), which will have 7,000 sq. ft. Ref: Sec. 30-24, 30-23, 30-15(p) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for March 10, 2015:

#40-15 CURTIS P. O'HARA, JOHN O'HARA & KARL J. O'HARA, TRUSTEES of the BB&G REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE/USE to construct additions to the northeast side and to the rear, which will increase the existing nonconforming Floor Area Ratio and front and side setbacks, to increase the seating from 116 seats to 146 seats, and to waive 11 parking stalls at 95-97 ELM STREET, Ward 3, West Newton, on land known as SBL 33, 13, 11, containing approximately 3,506 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-11(d)(9), 30-15 Table 3, 30-19(c)(2)a, 30-19(d)(13), 30-19(m), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for March 10, 2015:

#41-15 JUAN & KIRSTEN SMALL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to construct a second-story addition upon the existing footprint of an existing single-family dwelling, which will increase the Floor Area Ratio from .49 to .53, where .41 is the maximum allowed by right, at 85 ERIE AVENUE, Ward 6, Newton Highlands, on land known as SBL 52, 42, 19, containing approximately 9,100 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(u)(2), and 30-21(b) of the City of Newton Rev Zoning Ord, 2012.