

IN BOARD OF ALDERMEN

BOARD ACTIONS

Tuesday, April 21, 2015

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

Absent: Ald. Gentile, Hess-Mahan and Laredo

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

REFERRED TO LAND USE COMMITTEE

A public hearing was opened on the following item

#102-06(15) CHESTNUT HILL REALTY DEVELOPMENT, LLC./CORNERSTONE CORPORATION petition to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #102-06(12) granted to Chestnut Hill Realty Development, LLC on November 17, 2014 for a 4-story 80-unit multi-family building with a partially below grade parking garage and related site amenities on land located on LaGRANGE STREET, Ward 8, known as Sec 82, Blk 37, Lot 95, containing approximately 640,847 sf of land in a Multi Residence 3 district; said amendment seeks to modify the special permit from 80 units to 88 units to be located in the same building with no changes to the footprint or site from what was approved in special permit #102-06(12). Ref: §§30-24, 30-23, 30-9(d) of the City of Newton Rev Zoning Ord and special permit board order #102-06(12).
HEARING CLOSED; LAND USE APPROVED 6-0-1 (Harney abstaining)
APPROVED 19 YEAS, 2 NAYS (Ald. Harney & Yates), 3 Absent (Ald. Gentile, Hess-Mahan & Laredo)

Clerk's Note: The Vice-Chair of the Land Use Committee reported on the item. He noted that the amendment sought to modify from 80 units to 88 units with no change in the footprint of the building. Sixteen additional parking spaces were created by reconfiguring underground parking to achieve five extra spots in the garage as well as putting some additional parking spaces on the circular drive in front of the proposed building. The reason for the change was that the market has changed and there is more interest in smaller apartments; one bedroom, rather than two. The original ratio of 25% one bedroom and 75% two bedroom units was considered too large and as a result of this amendment, if approved, will change the project to 34 one bedrooms, and 54 two bedrooms with a reduction of 21% on average of the size of market rate units. In addition it would add one additional affordable unit. Based on a traffic study, the level of service at the intersections and area roadways would not be altered in any way. There was testimony from abutters who expressed concern about the number of both units and cars. It was pointed out by

the petitioner that some of the parking stalls would be moved away from the abutters in the new plan.

Objections to the project included the fact that the project had previously been approved for 62 units of housing. When it came back, 80 units were approved and it was felt by some that the project was both too large and dense. Concern was expressed that the public convenience and welfare would not be substantially served by approving the project and that the project with more units would adversely affected the neighborhood, especially the traffic. An Alderman noted that when he visited the site it seemed that there was an outrageous amount of traffic.

Several Aldermen stated that they would have liked to see more affordable units included in the project.

In support of the project it was noted that the project saved 20 acres of land from development.

It was asked if there was a study done to see what the estimated number of children that would be in school system if moved to fewer two bedrooms units. The vice Chair responded that it was not part of the current analysis, but it makes sense that one bedroom units would be less likely to have school age children. It was noted that this type of analysis has been done for other projects, and concern was raised that the Board's role is not to discriminate against families with children.

It was noted that the current project before the Board is a much less invasive project than the first iteration. It will be taking up less land area and there will be 40% less blasting required.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 4 ABSENT (Ald. Baker, Gentile, Hess-Mahan & Laredo) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, April 7, 2015

A public hearing was opened on the following item

#57-15 **BROOKE H. & CONAN LAUGHLIN** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE 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, onto an existing single-family dwelling at 109 ESSEX ROAD, Ward 7, Chestnut Hill, on land known as SBL 63, 27, 18, containing approximately 43,560 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0

A public hearing was opened and continued on March 3, 2015

#19-15 **NEWTON TECHNOLOGY PARK, LLC** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to partially demolish two buildings and to construct additions

to the front of each building, which will bring them closer to the street, to reconfigure the existing parking areas and reduce the parking requirement to 441 parking stalls in order to redevelop the site for a mix of restaurant, retail, and service uses at 131-181 NEEDHAM STREET, Ward 5, on land known as SBLs 51-28-15, 51-28-14, 51-28-13, 51-28-12, 51-28-11, 51-21-10, 51-28-9A, containing approximately 11.06 acres of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-20(l), 30-19(j)(1), 30-19(i)(1), 30-19(h)(4)b), 30-19(h)(3)a), 30-19(h)(1), 30-19(m), 30-19(d)(18), 30-13(b)(16), 30-13(b)(12), 30-13(b)(5), 30-13(b)(4), 30-13(b)(1) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; HELD 7-0

Item Recommended by the Board of Aldermen on March 16:

#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~~, .50 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.

A public hearing was opened and continued on February 10, 2015:

Hearing Closed; Land Use Approved 6-1 (Lipof opposed) on March 3 (90 days: June 1, 2015)

LAND USE APPROVED AS AMENDED 6-0-1 (Lipof abstaining)

REFERRED TO LAND USE COMMITTEE

Tuesday, April 14, 2015

A public hearing was opened on the following petition:

#45-15 SARAH IONTA & JOSEPH RIZZO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow two garages (maintain both an existing detached garage and an existing attached garage) at 31 FARLOW ROAD, Ward 7, on land known as SBL 72, 37, 3, containing approx. 17,416 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(m)(5)a), 30-8(b)(7) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; LAND USE APPROVED 6-0-1 (Lennon abstaining; Schwartz not voting)

A public hearing was opened on the following petition:

#58-15 MICHAEL VAHEY & MOK JIANG PANG petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE

by removing an existing single dormer on the front façade and adding a total of six dormers (two on the front and back and one on each side) which will allow an additional bedroom and bath for each unit in an existing side-by-side two-family dwelling, thereby increasing the Floor Area Ratio from .61 to .67, where .48 is allowed by right, at 13-15 ALDEN PLACE, Ward 3, West Newton, on land known as SBL 33, 34, 47, containing ±5,315 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; LAND USE APPROVED 7-0 (Schwartz not voting)

A public hearing was opened on the following petition:

#59-15 YONG MOU CHEN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an accessory apartment exceeding 1,000 sq. ft. but less than the maximum of 1,200 sq. ft. in an existing single-family dwelling at 1765 BEACON STREET, Ward 5, Waban, on land known as SBL 55, 9, 4, containing ±20,800 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 30-24, 30-23, 30-8(d)(1)c) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO MAY 5

A public hearing was opened on the following petition:

#60-15 MARJA J. SISK & DAVID GROSSMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create an accessory apartment in a detached structure at 86 WABAN HILL ROAD, Ward 7, Chestnut Hill, on land known as SBL 63, 8, 37, containing ±50,649 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; LAND USE APPROVED 8-0

A public hearing was opened on the following petition:

#62-15 ANN LOUISE WOLF petition for an accessory apartment in a detached carriage house at 133 WABAN AVENUE, Ward 5, Waban, on land known as SBL 55, 14, 15, containing ±33,030 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; LAND USE APPROVED 8-0

A public hearing was opened on the following petition:

#63-15 TOM TIMKO, COPPER BEECH DESIGN for JAYANT & MANJIRI BHAWALKAR petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to allow an increase to a nonconforming three-story single-family dwelling which will increase the Floor Area Ratio from .32 to .52, where .43 is the maximum allowed by right, at 15 HOLMAN ROAD, Ward 4, Auburndale, on land known as SBL 43, 43 5 and 43, 43 4A, containing ±6,970 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO MAY 5

A public hearing was opened and continued on March 3, 2015 and closed on April 7:

#19-15 NEWTON TECHNOLOGY PARK, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to partially demolish two buildings and to construct additions to the front of each building, which will bring them closer to the street, to reconfigure the existing parking areas and reduce the parking requirement to 441 parking stalls in order to redevelop the site for a mix of restaurant, retail, and service uses at 131-181 NEEDHAM STREET, Ward 5, on land known as SBLs 51-28-15, 51-28-14, 51-28-13, 51-28-12, 51-28-11, 51-21-10, 51-28-9A, containing approximately 11.06 acres of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-20(l), 30-19(j)(1), 30-19(i)(l), 30-19(h)(4)b), 30-19(h)(3)a), 30-19(h)(1), 30-19(m), 30-19(d)(18), 30-13(b)(16), 30-13(b)(12), 30-13(b)(5), 30-13(b)(4), 30-13(b)(1) of the City of Newton Rev Zoning Ord, 2012.

LAND USE APPROVED 8-0

Request for Withdrawal without Prejudice

#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

WITHDRAWAL WITHOUT PREJUDICE LAND USE APPROVED 8-0

Request for Withdrawal without Prejudice

#61-15 DIOMID BASHKINOV petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 400 sq. ft. detached garage which when combined with the existing attached garage will exceed the 700 sq. ft. allowed by right and will increase the Floor Area Ratio from .47 to .41, where .35 is the maximum allowed by right at 228 WISWALL ROAD, Ward 8, on land known as SBL 84, 20, 12, containing ±12,556 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-15(m)(5) and 5c),30-8(b)(7) of the City of Newton Rev Zoning Ord, 2012.

WITHDRAWAL WITHOUT PREJUDICE LAND USE APPROVED 8-0

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, April 13, 2015

#376-14 PLANNING & DEVELOPMENT DEPARTMENT requesting that **Chapter 30 ZONING** be deleted in its entirety and replaced with the Zoning Reform Phase 1 Zoning Ordinance. [10/22/14 @ 7:48PM]

PUBLIC HEARING CONTINUED

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, April 8, 2015

- #302-13(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting the Chief of Police provide periodic updates to the Committee on the departmental review, completed in July 2013. [04/16/14 @ 1:10 PM]
PUBLIC SAFETY & TRANSPORTATION NO ACTION NECESSARY 6-0 (Lipof not voting)
- #81-15 POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review. [03/23/15 @ 3:54 PM]
PUBLIC SAFETY & TRANSPORTATION APPROVED 6-0 (Lipof not voting)
- #115-14 FRAN KUEHN, 37 Fairfield Street, appealing the Approval of TC1-14 Traffic Council Decision on February 27, 2014: SGT. BABCOCK, requesting a parking restriction on Fairfield Street, to allow for emergency vehicle access. (Ward 2) [03/17/14 @ 4:10 PM]
PUBLIC SAFETY & TRANSPORTATION APPEAL APPROVED 6-0 (Lipof not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, April 8, 2015

- #71-15 EVERSOURCE ENERGY petitioning for a grant of location to install a total of 461' ± of conduit in the following locations:
- 50' ± of conduit in SPIERS ROAD northerly from Pole 371/18 to the intersection of Keller Path
 - 411' ± of conduit in KELLER PATH from Spiers Road to proposed Manhole #30070. [02/27/15 @ 2:46 PM]
- PUBLIC FACILITIES APPROVED 7-0 (Lennon not voting)**
- #70-15 EVERSOURCE ENERGY petitioning for a grant of location to install a total of 754' ± of conduit in the following locations:
- 50' ± of conduit in SPIERS ROAD westerly from Pole 371/21 to the intersection of Van Wart Path.
 - 704' ± of conduit in VAN WART PATH from Spiers Road northwesterly to proposed Manhole #30072 and then continuing to proposed Manhole #30073. [02/27/15 @ 2:44 PM]
- PUBLIC FACILITIES APPROVED 7-0 (Lennon not voting)**

- #69-15 EVERSOURCE ENERGY petitioning for a grant of location to install a total of 665' ± of conduit in the following locations:
- 50' of conduit in WISWALL ROAD southeasterly from Pole 232/18 to the intersection of Shumaker Path
 - 456' ± of conduit in SHUMAKER PATH from the intersection of Wiswall Road in a southeasterly direction to a proposed Manhole 30074 in front of 15 Shumaker Path and then continuing to proposed Manhole 30075
 - 56' ± of conduit in OSBORNE PATH from the intersection of Shumaker Path in a northeasterly direction to a box in front of 28 Osborne Path.
 - 103' ± of conduit in OSBORNE PATH from the intersection of Shumaker Path in a southwesterly direction to a box in front of 36 Osborne Path.
- PUBLIC FACILITIES APPROVED 7-0 (Lennon not voting)**

- #68-15 EVERSOURCE ENERGY petitioning for a grant of location to install a total of 616' ± of conduit in the following locations:
- 47' ± of conduit in WISWALL ROAD southeasterly from Pole 232/16 to the intersection of Nightingale Path
 - 495' ± of conduit in NIGHTINGALE PATH from the intersection of Wiswall Road in a southeasterly direction to a proposed Manhole 30076 in front of 27 Nightingale Path and continuing to proposed Manhole 30077
 - 75' ± of conduit in OSBORNE PATH from the intersection of Nightingale Path in an easterly direction to a box in front of 10 Osborne Path.
- PUBLIC FACILITIES APPROVED 7-0 (Lennon not voting)**

REFERRED TO PUBLIC FACILITES AND FINANCE COMMITTEES

- #88-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of six hundred thousand dollars (\$600,000) from the Department of Public Works Salaries Account to the Department of Public Works Contracted Snow Removal Account for the purpose of funding the contracted labor final bills. [04/03/15 @ 9:45 AM]
- FINANCE APPROVED 7-0 on 04/13/15**
- PUBLIC FACILITIES APPROVED 7-0 (Danberg not voting)**
- #14-14 ALD. ALBRIGHT, JOHNSON & NORTON requesting a discussion of the snow removal operations during the last storm including information on the use of brine and how it worked, the effectiveness of the new snow melter, snow dumping, and what can be done to make city sidewalks safe in the event of an ice storm.
12/20/13 @ 4:21 PM]
- PUBLIC FACILITIES NO ACTION NECESSARY 7-0 (Danberg not voting)**

REFERRED TO FINANCE COMMITTEE

Monday, April 13, 2015

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#88-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of six hundred thousand dollars (\$600,000) from the Department of Public Works Salaries Account to the Department of Public Works Contracted Snow Removal Account for the purpose of funding the contracted labor final bills. [04/03/15 @ 9:45 AM]

PUBLIC FACILITIES APPROVED 7-0 on 04/08/15**FINANCE APPROVED 7-0****REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#73-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash to supplement the snow and ice operations budget. [03/06/15 @ 11:40 AM]

PUBLIC FACILITIES APPROVED 5-0 (Gentile, Lappin not voting) on 03/18/15**FINANCE APPROVED AS AMENDED 7-0 @ \$300K****A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PUBLIC FACILITIES COMMITTEE TO POLL HER COMMITTEE WAS APPROVED BY VOICE VOTE.****A MOTION BY THE CHAIR OF PUBLIC FACILITIES TO AMEND THE COMMITTEE VOTE TO MAKE IT CONSISTENT WITH FINANCE AT \$300,00 WAS APPROVED BY PUBLIC FACILITIES 6-0****REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#468-14 HIS HONOR THE MAYOR requesting authorization to reallocate the Carr Elementary School Renovation Project Budget to replenish funds for the Mayor's Contingency Budget Line, as well as to cover the costs of various project related expenses. [11/24/14 @ 4:23 PM]

PUBLIC FACILITIES VOTED NO ACTION NECESSARY on 01/07/15**FINANCE NO ACTION NECESSARY 7-0****PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:***Public Hearing reassigned for May 5, 2015:*

#78-15 BETH KIRSCH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow more than three customers or pupils in a home business and to waive one parking stall associated with the proposed business at 27 WALDORF ROAD, Ward 5, Newton Highlands, on land known as SBL 54, 46, 8, containing approximately 4,883 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(c)(4), (c)(11)c and e) 30-8(c) and (c)(9) of the city of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#65-15(2) THOMAS C. CHALMERS AUSTIN DESIGN, INC. for KATHLEEN & NEAL KENSLEA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition to the basement and first floor levels of a single-family dwelling, which will increase the Floor Area Ratio from .35 to .41, where .36 is the maximum allowed by right, at 20 KINGSTON ROAD, Ward 6, Newton Highlands on land known as SBL 54, 21, 10, containing approximately 11,902 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#89-15 NOBLE and DEVINE HOLDING COMPANY, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a restaurant with more than 50 seats (94 seats), to allow a 1/3 reduction in the parking requirement, to waive 20 parking stalls, to allow parking in the side and rear setbacks, to allow a maneuvering aisle less than 24 feet wide, to waive screening, interior landscaping, lighting, surfacing and striping, and bicycle parking requirements at 271-283 AUBURN STREET, Ward 4, Auburndale, on land known as SBL 44, 25, 2, containing approximately 17,772 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-11(d)(9), 30-19(d)(13), (d)(18), 30-19(h)(1), (3)a), 30-19(i)(1) and (2), 30-19(j)(1) and (2), 30-19(k), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#90-15 JAMES P. ROBERTSON JR. & CLAIRE RYAN-ROBERTSON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to raze an existing garage and rebuild a larger 1½-story garage to accommodate two cars and to build a porch and interior finished space on the front of a single-family dwelling, which will increase the Floor Area Ratio from .30 to .34, where .33 is the maximum allowed by right, at 158 NEWTONVILLE AVENUE, Ward 1, Newton, on land known as SBL 12, 22, 19, containing approximately 15,052 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(g) and (m), 30-15 Table 1, 30-15(u)(2), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#91-15 CP NEEDHAM STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to convert existing retail space to a restaurant use, to allow parking requirements to be met off-site (at 118-210 Needham Street), to allow parking within a setback in a parking facility with 5 or less parking stalls, to waive off-street loading requirements, and to waive lighting and screening requirements in a parking facility at 180 NEEDHAM STREET and to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #182-09, dated 11/07/09, which allowed up to 6,000 sf of retail space to be converted to restaurant use, in order to expand

parking within a setback in a facility with more than 5 parking stalls, to increase the number of parking stalls accessed by a nonconforming aisle width, to waive requirements for vegetative screening and lighting for a parking facility with 5 or more parking stalls at 188-210 NEEDHAM STREET to accommodate the parking proposed for 180 Needham Street, Ward 8, Newton Upper Falls, both of which properties are located in a district zoned MIXED USE 1. Ref: 180 Needham Street: 30-24, 30-23, 30-13(b)(5), 30-19(f)(2), 30-19(g)(1), 30-19(i), 30-19(j), 30-19(l), 30-19(m) and 188-210 Needham Street: 30-24, 30-23, 30-21(b), 30-19(h)(1), and (h)(3), 30-19(i), 30-19(j), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#92-15 ANDREW CONSIGLI, 131 CHARLESBANK ROAD LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 2-unit addition to an existing 2-family dwelling at 131 CHARLESBANK ROAD, Ward 1, Newton Corner, on land known as SBL 71, 7, 25, containing approximately 14,080 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 30-24, 30-23, 30-9(d)(1) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings assigned for May 12, 2015:

#93-15 CAPASSO REALTY/PACKARD COVE ASSOCIATES LLP petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 5 parking stalls, to allow parking in the front and side setbacks, to waive the maneuvering aisle width, to allow a driveway entrance in excess of 25 feet, to allow tandem parking, and to waive parking lot screening and lighting requirements in order to locate a food establishment at 339 RIVER STREET, Ward 4, West Newton, on land known as SBL 44, 15, 13, containing approximately 10,150 sq. ft. of land in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-19(d), 30-19(h)(1), 30-19(h)(3)b and (4)b and (5)a, 30-19(i)(1), 30-19(j), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for May 19, 2015:

#480-14(3) STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed use building with an addition containing 6 dwelling units at street level and above and a second building containing a 23-unit multi-family dwelling 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 Table 3, 30-15(w)(1) and (4) and (w)(6), 30-5(b)(4), 30-19(d)(2), and (d)(18), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public hearing assigned for May 6, 2015

#98-15 NATIONAL GRID petitioning for a grant of location to install and maintain 70' ± of 4" gas main in OAK AVENUE from the existing 4" gas main at 34 Oak Avenue northerly to 25 Oak Avenue for a new gas service. (Ward 3) [03/31/15 @ 12:15 PM]

Public hearing assigned for May 6, 2015

#99-15 NATIONAL GRID petitioning for a grant of location to install and maintain 125' ± of 6" gas main in HARDING STREET from the existing 6" gas main at 119 Harding Street northerly to 131 Harding Street to provide gas service to 127 and 131 Harding Street. (Ward 3) [04/08/15 @ 8:32 AM]

Public hearing assigned for May 4, 2015

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#375-14(3) HIS HONOR THE MAYOR submitting recommended FY2016 Water, Sewer Storm Water Rates for implementation on July 1, 2015, as follows:

Fiscal Year 2016 Tiers & Rates for Water and Sewer

| <u>HCF Per Quarter</u> | <u>Water Rate Per HCF</u> | <u>Sewer Rate Per HCF</u> |
|------------------------|---------------------------|---------------------------|
| 0-10 | \$6.30 | \$9.50 |
| 11-25 | \$7.00 | \$10.00 |
| 26-60 | \$8.40 | \$12.00 |
| >60 | \$10.00 | \$14.00 |
| Irrigation | \$10.00 | |

Storm Water Flat Fees

| | <u>Fiscal Year 2015</u> | <u>Fiscal Year 2016</u> |
|-------------|-------------------------|-------------------------|
| Residential | \$25.00 | \$75.00 |
| Commercial | \$150.00 | \$200.00 |

[04/14/15 @ 1:04 PM]

A MOTION TO SUSPEND THE RULES TO ACCEPT TO THE DOCKET AND REFER TO COMMITTEE THE FOLLOWING FIVE ITEMS WAS APPROVED BY VOICE VOTE.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#375-14(3) HIS HONOR THE MAYOR submitting recommended FY2016 Water, Sewer Storm Water Rates for implementation on July 1, 2015, as follows:

Fiscal Year 2016 Tiers & Rates for Water and Sewer

| <u>HCF Per Quarter</u> | <u>Water Rate Per HCF</u> | <u>Sewer Rate Per HCF</u> |
|------------------------|---------------------------|---------------------------|
| 0-10 | \$6.30 | \$9.50 |
| 11-25 | \$7.00 | \$10.00 |
| 26-60 | \$8.40 | \$12.00 |

| | | |
|------------|---------|---------|
| >60 | \$10.00 | \$14.00 |
| Irrigation | \$10.00 | |

Storm Water Flat Fees

| | <u>Fiscal Year 2015</u> | <u>Fiscal Year 2016</u> |
|-------------|-------------------------|-------------------------|
| Residential | \$25.00 | \$75.00 |
| Commercial | \$150.00 | \$200.00 |

[04/14/15 @ 1:04 PM]

REFERRED TO LAND USE AND FINANCE COMMITTEES

#375-14(5) HIS HONOR THE MAYOR requesting that Sec. 17-3. **Fees for certain licenses and permits.** of the Revised Ordinances of the City of Newton, 2012, relative to Special Permit fees, be amended by striking in (15)a) “\$350.00” and in (15b) “\$750.00” and by substituting “\$500.00” and “\$1,000.00,” respectively, and by deleting (15c) in its entirety and re-lettering d) to c) and e) to d), effective July 1, 2015. [04/15/15 @ 4:57 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#375-14(6) HIS HONOR THE MAYOR requesting that Sec. 17-6 **Fees for building, electrical, gas and plumbing permits.** of the Revised Ordinances of the City of Newton, 2012 be amended by deleting the section and inserting the following in to take effect July 1, 2015:

The fees for all building permits shall be computed at a rate of \$20.00 per one thousand dollars (\$1,000) of estimated construction cost or any fraction thereof, provided however, that in no event shall the fee be less than the minimum fee set out below.

PERMIT FEE SCHEDULE

All fees are “Per \$1,000.00 of Construction or Fraction Thereof”

- | | |
|---|----------|
| 1. Minimum Permit Fee – Residential (1 & 2 Family) | \$50.00 |
| 2. Minimum Permit Fee – Residential (3 Family and Up) | \$100.00 |
| 3. Minimum Permit Fee – Commercial | \$100.00 |
| 4. Building Permit (Including Signs) | \$20.00 |
| 5. Electrical Permit | \$20.00 |
| 6. Plumbing Permit | \$20.00 |
| 7. Gas Permit | \$20.00 |
| 8. Mechanical Permit | \$20.00 |
| 9. Demolition Permit | \$20.00 |
| 10. Sprinkler Permit | \$20.00 |
| 11. All other work requiring permits | \$20.00 |

If at any point, work has started before the issuance of a permit, the required fee shall be doubled.

RE-INSPECTION FEE SCHEDULE

1. Re-inspection fee –first re-inspection \$50.00
2. Re-inspection fee – second and subsequent re-inspection \$100.00

CERTIFICATION OF USE AND OCCUPANCY FEE SCHEDULE

1. Temporary or Partial Certificate of Use and Occupancy, \$50.00
per unit, per month
2. Condominium Certificate of Inspection (not required for \$100.00
new construction)

Estimated Construction Costs shall be computed by multiplying the gross floor area (sq. ft.) by the average square foot costs as published in the latest edition of “Means Cost Data” by R.S. Means Co., Duxbury, MA or other similar recognized national survey data. [04/15/15 @ 4:57 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14(2) HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY16 Municipal/School Operating Budget totaling \$361,997,264 passage of which shall be concurrent with the FY16-FY20 Capital Improvement Program (#375-14). [04/15/15 @ 5:08 PM]

EFFECTIVE DATE OF SUBMISSION 04/21/15; LAST DATE TO PASS THE BUDGET 06/05/15

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14(4) HIS HONOR THE MAYOR submitting the FY 2016 – FY 2020 Supplemental Capital Improvement Plan. [04/15/15 @ 4:57 PM]

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 19 YEAS,1 RECUSED (Ald. Ciccone), 4 ABSENT (Ald. Baker, Gentile, Hess-Mahan & Laredo) TO TAKE THE FOLLOWING ACTIONS:

Application for 2015 Class 2 Auto License Renewal

#416-14 CICCONI MOTORS
75 Adams Street
Newtonville 02458

LAND USE APPROVED 6-0 (Schwartz not voting)