

REPORTS DOCKET

March 4: Land Use
March 5: Programs & Services; Public Facilities
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Monday, March 3, 2014
7:45 PM, Newton City Hall
To be reported on
MONDAY, MARCH 17, 2014

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, March 4, 2014

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

Public Hearing opened on February 11, 2014 and continued to March 4:

#23-14 ALBERT PINKHASOV petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for walls of more than 4 feet in the setback at 78 LOVETT ROAD, Ward 8, Newton Centre, on land known as SBL 82, 15, 97, containing approximately 16,004 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.

**PUBLIC HEARING CONTINUED TO DATE TO BE DETERMINED
MARCH 18, 2014**

#20-14 ALD. ALBRIGHT, CROSSLEY, LARREDO, SCHWARTZ requesting a discussion between the LAND USE COMMITTEE and the ECONOMIC DEVELOPMENT COMMISSION regarding permitting processes and their impacts up small business attraction and creation in village centers.

NO ACTION NECESSARY 7-0

#367-13 CICCONE MOTORS
75 Adams Street
Newtonville 02458
APPROVED 7-0

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, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.

REFERRED TO LAND USE COMMITTEE

Tuesday, March 11, 2014

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

Public hearing opened on January 14, continued to February 11, continued to March 11, 2014:

#424-13 UBC EQUITY PARTNERS, LLC/KS RETAIL MANAGE, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a future potential mixture of office, retail, services, restaurant, and storage uses, which will involve no proposed physical changes, in an existing building and to waive 37 parking stalls or to allow, if necessary, 40 off-site parking stalls in addition to the existing 185 parking stalls at 19-33 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 25B, 25C, 25D, containing approximately 109,396 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-13(b)(1), (3), (4), (5), 30-19(f)(1), (2) *or* 30-19(c)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO APRIL 8, 2014

#44-14 CAFÉ SANTIAGO, LLC/DAVID T. ZUSSMAN, TRUSTEE petition for a SPECIAL PERMIT /SITE PLAN APPROVAL to locate a restaurant of more than 50 seats, to waive the 14 parking stalls associated with the proposed restaurant, and to allow cooking classes on-site at 105 UNION STREET, Ward 6, NEWTON CENTRE, on land known as SBL 61, 36, 9, containing approximately 31,455 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-11(d)(9), (13), 30-19(c)(3) (d)(13), and (m), 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO APRIL 8, 2014

#42-14 HEATHER & ALLEN SUSSMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL ~~to EXTEND A NONCONFORMING STRUCTURE~~ to add a bay in front of the existing single-car garage to create a two-car garage and to construct additions to the first and second floors, which will increase the Floor Area Ratio from .28 to .43, where .39 is allowed at 58 FERNCROFT ROAD, Ward 5, Waban, on land known as SBL 53, 8, 3, containing approximately 9,483 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u), and 30-21(b) of the City of Newton Rev Zoning Ord, 2012/

HEARING CLOSED; APPROVED 8-0

- #139-12(2) BANK OF AMERICA, N.A./DANA J. KATZ, TRUSTEE, DK REALTY TRUST petition to AMEND special permit #139-12 (granted on 8/13/12 for a freestanding sign and a second principal sign and to waive dimensional limits) to add an additional tenant and if necessary relief for a second principal sign if the existing wall sign is deemed to be a principal sign at 176 BOYLSTON STREET, Ward 7, CHESTNUT HILL, on land known as SBL 82, 2, 18, containing approximately 64,007 sq. ft. in a district zoned BUSINESS 1 and 4. Ref: Sec 30-24, 30-23, 30-20(f)(1), (2), and (9), 30-20(l) of the City of Newton Rev Zoning Ord, 2012 and Special Permit #139-12.
HEARING CLOSED; APPROVED 7-0 (Laredo recused)
- #387-13 SONOMA CLASSICS LLC.
1215 Chestnut Street/145 Wells Avenue
Newton
APPROVED 8-0
- #43-14 SALOMEH SADRI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an accessory apartment in a single-family dwelling at 21 COURT STREET, Ward 2, NEWTONVILLE, on land known as SBL 23, 16, 13, containing approximately 5,498 sq. ft. in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(h), 30-19(d)(19), 30-19(g) and (1) and (2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO DATE TO BE DETERMINED

REFERRED TO ZONING & PLANNING COMMITTEE
Monday, March 10, 2014
- Present: Ald. Johnson (Chairman), Danberg, Hess-Mahan, Yates, Leary, Sangiolo, Baker and Kalis; also present: Ald. Albright and Crossley
- #296-13 ALD DANBERG proposing amendment to **Sec. 30-24(f) Inclusionary Zoning** by reorganizing and clarifying the provisions regarding purchaser and renter income limits and sale and rental price limits. [08/26/13 @ 12:30PM]
Public Hearing opened on February 24 2014
HEARING CLOSED; APPROVED 6-0 (Baker, Kalis not voting)
- #294-13 ALD. DANBERG proposing amendment to **Sec.30-24(f) Inclusionary Zoning** to clarify the limitation on use of public funds in constructing inclusionary units and to expand on where the use of public funds for inclusionary units will be allowed. [08/26/13 @ 12:30PM]
Public Hearing opened on February 24 2014
HEARING CLOSED; APPROVED 4-0-2 (Sangiolo, Hess-Mahan abstaining; Baker, Kalis not voting)

#426-13 ALD. HESS-MAHAN requesting periodic updates on development of the Consolidated Plan for the City of Newton Housing and Community Development Program and the WestMetro Home Consortium. [12/06/13 @ 9:51 AM]
HELD 7-0 (Danberg not voting)

#282-12 ALD. JOHNSON, CROSSLEY, DANBERG, SANGIOLO requesting quarterly reports, starting the last month of the quarter beginning December 2012, Re-implementation of *Ramping Up: Planning for a More Accessible Newton*. [09-09-12]
HELD 8-0

#263-13 ALD. JOHNSON & ALBRIGHT requesting that the Planning Department document a clear and transparent process for the establishment of housing that complies with Massachusetts Chapter 40B statute so that citizens are knowledgeable of the steps needed, decision making points and decision makers. [07/15/13 @ 2:09PM]
HELD 7-0 (Yates not voting)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, March 5, 2014

Present: Ald. Sangiolo (Chairman), Rice, Blazar, Leary, Hess-Mahan, Baker, Norton and Kalis
Also Present: Ald. Danberg, Schwartz and Harney

#59-14 ALD. HESS-MAHAN AND BLAZAR requesting discussion with the Executive Department and the Health Care Advisory Committee concerning plans to implement recommendations contained in the First Report of the Health Care Advisory Committee to control the cost of health insurance while improving or maintaining the quality of care. [02/18/14 @ 6:39 PM]
HELD 7-0 (Kalis not voting)

#60-14 HIS HONOR THE MAYOR, HEALTH AND HUMAN SERVICES COMMISSIONER ZALEZNIK, ALD. RICE, SCHWARTZ, LEARY, HARNEY AND DANBERG proposing amendments to Chapter 20 to include and regulate nicotine delivery products (such as e-cigarettes) in the same manner as tobacco products; to prohibit use of nicotine delivery products in places where use of tobacco products is prohibited; to regulate the sale of tobacco products and nicotine delivery products contain flavoring other than regular or menthol; to increase the minimum age for purchasing tobacco and nicotine delivery products to 21; to further regulate signage; and to regulate minimum cigar pricing and packaging, blunt wrappers and roll-your-own machines. [02/24/14 @ 4:53 PM]
HELD 7-0 (Baker not voting)

#254-12(2) THE PROGRAMS & SERVICES COMMITTEE recommending an ordinance to ban single-use plastic bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 PM]

HELD 7-0 (Baker not voting)

#200-13 ALD. JOHNSON requesting a discussion with the Parks & Recreation Department and the Department of Public Works to establish a process for managing the placement and removal of City, for-profit, and non-profit signs advertising events. [05/28/13 @ 9:26 AM]

HELD 7-0 (Baker not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, March 5, 2014

Present: Ald. Crossley (Chairman), Lennon, Albright, Salvucci, Danberg, Laredo, and Lappin;
absent: Ald. Gentile

#63-14 PRESIDENT LENNON recommending Lawrence Bauer, 42 Eliot Memorial Road, Newton, be re-appointed as an Aldermanic appointee to the DESIGNER SELECTION COMMITTEE, term of office to expire 12/31/15. [02-25-14 @ 4:09 PM]

APPROVED 5-0 (Albright, Lennon not voting)

#64-14 PRESIDENT LENNON recommending Howard Goldberg, 27 Theodore Road, Newton Centre, be re-appointed as an Aldermanic appointee to the DESIGNER SELECTION COMMITTEE, term of office to expire 12/31/15. [02-25-14 @ 4:09 PM]

APPROVED 5-0 (Albright, Lennon not voting)

#65-14 PRESIDENT LENNON recommending Joseph Michelson, 94 Park Avenue, Newton be re-appointed as an Aldermanic appointee to the DESIGNER SELECTION COMMITTEE, term of office to expire 12/31/15. [02-25-14 @ 4:09 PM]

APPROVED 5-0 (Albright, Lennon not voting)

#62-14 ALD. CROSSLEY, HESS-MAHAN, ALBRIGHT AND SALVUCCI requesting a report from the administration on the status of the City strategy to meet its obligations as a Department of Energy Resources Green Community, to reduce municipal energy consumption by 20% over five years, particularly regarding advancing the implementation of the building energy audits program recommending energy efficiency measures in existing buildings, and how that strategy is incorporated into the capital improvement plan. [02/24/14 @ 6:35 PM]

HELD 6-0 (Danberg not voting)