

REPORTS DOCKET

May 6: Land Use Continued
May 7: Programs & Services Public Safety & Transportation; Public Facilities Page 93
May 12: Zoning & Planning Monday, May 5, 2014
May 13: Land Use 7:45 PM, Newton City Hall
May 14: Public Safety & Transportation To be reported on
May 15: Zoning & Planning **MONDAY, MAY 19, 2014**

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Motion to Reconsider Vote of May 5, 2014 filed by Ald. Blazer on May 5:

#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 opened on February 11, 2014, continued to March 4; continued to March 18; chartered on April 7, 2014 by Alderman Albright; postponed on April 22, 2014 to date certain of May 5, 2014:* Land Use Committee Approved 6-2 (Harney, Lennon opposed) on March 18, 2014
APPROVAL FAILED TO CARRY 15- 8 (Baker, Blazar, Ciccone, Gentile, Harney, Lappin, Lennon, Sangiolo opposed) 1 vacancy on May 5, 2014 (90 days: June 16)

REFERRED TO LAND USE COMMITTEE

Tuesday, May 6, 2014

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

#108-14 WABAN IMPROVEMENT SOCIETY requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold the 10TH ANNUAL WABAN VILLAGE DAY on Sunday, May 18, 2014.
APPROVED 6-0 (Laredo not voting)

Public Hearing opened on April 8, 2014; continued to May 6.

#70-14 JOHN J. ROCHE, INC./ROBERT J. MARINICK FAMILY TRUST OF 1996 petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE and STRUCTURE to add a new pre-fabricated spray booth adjacent to an existing auto body shop and for related waivers from dimensional parking requirements, landscaping, and lighting requirements at 740 BEACON STREET (and O UNION STREET) on land known as SBL 61, 38, 5 and 6, containing a total of 10,888 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-11(g)(2), 30-19(h), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
PUBLIC HEARING CLOSED; APPROVED 5-0 (Laredo and Lipof recused)

Public Hearing opened on March 11, 2014, continued to May 6:

#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.
PUBLIC HEARING CLOSED; DENIED 3-2-2 (Albright, Laredo, Lipof voting in the affirmative; Cote, Lennon opposed; Crossley, Schwartz abstaining)

REFERRED TO LAND USE COMMITTEE

Tuesday, May 13, 2014

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

Public hearing opened on January 14, continued to February 11, continued to March 11, 201; continued to April 8; continued to May 13.

#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.
PUBLIC HEARING CONTINUED TO DATE TO BE DETERMINED

- #109-14 GEORGE SALLES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON CONFORMING STRUCTURE to construct a one-story kitchen addition containing approximately 200 square feet at the rear of an existing single-family dwelling, which will reduce the rear setback from 10.6 ft. to 8.5 ft., where 15 feet is required, at 11 SOLON STREET, Ward 5, Newton Highlands, on land known as SBL 81, 23, 5, containing approximately 7,589 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
PUBLIC HEARING CLOSED; APPROVED 7-0
- #141-13(3) NIKZUN GORDON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a retaining wall greater than four feet in front of an existing garage, which will lower the grade of an existing driveway to create a flatter surface, and to locate two parking stalls in the front setback at 74 NEWTONVILLE AVENUE, Newton, Ward 1, on land known as SBL 12, 21, 25C containing approx. 10,021 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.
PUBLIC HEARING CONTINUED TO MAY 20, 2014
- #128-14 GEORGE M. & WALIA K. DUNGAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a one-story addition to the rear of an existing two-family home, which will increase the nonconforming Floor Area Ratio from .56 to .62, where .48 is the maximum allowed by right, at 50-52 NOBLE STREET, Ward 3, West Newton, on land known as SBL 44, 3, 3, containing approximately 6,235 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
PUBLIC HEARING CONTINUED TO MAY 20, 2014
- #129-14 MICHAEL & MARTHA GANGEMI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to replace an existing detached garage with a new detached garage at the rear of an existing single-family home, which will increase the nonconforming Floor Area Ratio from .36 to .37, where .29 is the maximum allowed by right, at 96 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 49, 7, containing approximately 19,071 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
PUBLIC HEARING CLOSED; APPROVED 7-0

#130-14 RUSSELL & TRACY RICHMOND petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to (1) enclose a portion of an existing front porch to create a larger entry and (2) to add a one-story cantilevered bay containing approximately 19 sq. ft. to the kitchen, which will increase the nonconforming Floor Area Ratio from .43 to .44, where .37 is the maximum allowed by right, at 36 BILLINGS PARK, Ward 7, Newton, on land known as SBL 72, 8, 16, containing approximately 11,080 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

PUBLIC HEARING CLOSED; APPROVED 7-0

#131-14 ARTISAN CHILDCARE CENTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a freestanding sign at 2330 WASHINGTON STREET, Ward 4, Newton Lower Falls, on land known as SBL 42, 31, 18, containing approximately 28,277 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-20(l) of the City of Newton Rev Zoning Ord, 2012.

PUBLIC HEARING CLOSED; APPROVED 6-0 (Schwartz not voting)

#132-14 STONE GALLERYLLC/CLINE REALTY LIMITED petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow retail use and associated outdoor display of goods with various waivers from parking requirements including minimum aisle, entrance, exit, widths, parking in front setback, landscape screening, lighting, ~~bicycle parking~~, exclusive use of two parking spaces, etc. at 49-51 WINCHESTER STREET, Ward 5, Newton Highlands, on land known as SBL 51, 28, 30, containing approximately 79,500 sf of land in a district zoned MIXED USE 1. Ref: 30-24, 30-23, 30-13(b)(1) and (16), 30-19(c)(4), 30-19(h)(3)b), (4)(a), (h)(1), (i)(1) and (2), (j)(1), (j)(2)c), (k), and 30-19(m) of the City of Newton Rev Zoning Ord and Special Permit #219-05.

PUBLIC HEARING CLOSED; APPROVED 7-0 SUBJECT TO 2nd CALL

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, May 12, 2014

Present: Ald. Johnson (Chairman), Baker, Yates, Leary, Hess-Mahan, Kalis, Danberg and Sangiolo; also present: Ald. Albright, Crossley and Schwartz

Appointment by His Honor the Mayor

#158-14 MICHAEL J. QUINN, 115 Staniford Street, Auburndale, appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire December 31, 2014. (60 days 07/04/14) [04/23/14 @ 4:30PM]

APPROVED 8-0

Re-appointment by His Honor the Mayor

- #138-14 TREFF LAFLECHE, 1603 Commonwealth Avenue, West Newton, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for term to expire March 15, 2015. (60 days 06/21/14) [04/01/14 @ 2:40 PM]
APPROVED 5-0-3 (Sangiolo, Yates and Kalis abstaining)

Re-appointment by His Honor the Mayor

- #159-14 DAVID MORTON, 148 Edinboro Street, Newtonville, re-appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire April 15, 2017. (60 days 07/04/14) [04/23/14 @ 4:30PM]
APPROVED 7-0-1 (Yates abstaining)

Re-appointment by His Honor the Mayor

- #155-14 JANE IVES, 34 Lucille Place, Newton Upper Falls, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire August 17, 2016. (60 days 07/04/14) [04/23/14 @ 4:30PM]
APPROVED 7-0-1 (Kalis abstaining)

Re-appointment by His Honor the Mayor

- #156-14 PHILIP PLOTTEL, 50 Roslyn Road, Waban, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire December 21, 2016. (60 days 07/04/14) [04/23/14 @ 4:30PM]
APPROVED 8-0

Re-appointment by His Honor the Mayor

- #157-14 DAPHNE COLLINS, 372 Waltham Street, West Newton, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire July 13, 2016. (60 days 07/04/14) [04/23/14 @ 4:30PM]
APPROVED 8-0

Re-appointment by His Honor the Mayor

- #154-14 DARRYL SETTLES, 52 Hood Street, Newton, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire March 15, 2017. (60 days 07/04/14) [04/23/14 @ 4:30PM]
APPROVED 8-0

- #80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]
APPROVED 8-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, May 7, 2015

Present: Ald. Sangiolo, Rice, Blazar, Norton, Kalis, Leary, Baker and Hess-Mahan; also present: Ald. Fuller

Re-appointment by His Honor the Mayor

#145-14 MARJORIE A. BUTLER, 33 Andrew Street, Newton Highlands, re-appointed as a member of the ELECTION COMMISSION for a term to expire March 31, 2017. (60 days 06/21/14) 04/01/14 @ 9:08 AM]

APPROVED 4-0 (Kalis, Leary, Baker, Hess-Mahan not voting)

#146-14 NEWTON ELECTION COMMISSION requesting the Board of Aldermen approve a change of polling location for Ward 5, Precincts 3 and 4, from the Zervas School to the Waban Branch Library contingent upon the completed installation of a handicap ramp, paved parking area, door opener, and adequate exterior lighting by August 1, 2014. [04/09/14 @ 3:24 PM]

APPROVED 5-0 (Leary, Baker, Hess-Mahan not voting)

#147-14 NEWTON ELECTION COMMISSION recommending that, due to a death, a Special Municipal Election for Ward Alderman, Ward 3, be held on Tuesday, September 9, 2014 in conjunction with the State Primary Elections to be held on that date. [04/09/14 @ 4:07 PM]

APPROVED 5-0 (Leary, Baker, Hess-Mahan not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

May 7, 2014

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

#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]

HELD 7-0 (Harney not voting)

#302-13 ALD. FULLER, CICCONE & ALBRIGHT, requesting a presentation and discussion by the Executive Office and Chief of Police on the findings of the recently completed Newton Police Department departmental review.

NO ACTION NECESSARY 7-0 (Harney not voting)

#28-14(2) EMERGENCY MEDICAL SERVICES COMMITTEE (EMS), requesting a *RESOLUTION* in support of the proposed process to change eleven (11) duplicate street names. [04/16 /14 @ 1:10 PM]

RESOLUTION APPROVED AS AMENDED 8-0

#28-14 ALD. CICCONE AND FULLER on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names. [01/09/14 @ 10:57 AM]

HELD 8-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

May 14, 2014

Present: Ald. Ciccone (Chair), Yates, Cote, Fuller, Schwartz, Lipof, Harney and Johnson

Appointment by His Honor the Mayor

#116-14 JEROME GRAFE, 21 Oakland Street, Newton Corner, appointed as an alternate member of TRAFFIC COUNCIL for a term to expire on April 15, 2017. (60 days 05/31/14) [04/01/14 @ 2:18 PM]

APPROVED 8-0

REFERRED TO FINANCE COMMITTEE

Monday, May 12, 2014

Present: Present: Ald. Gentile (Chairman), Ciccone, Norton, Blazar, Fuller, and Lappin; absent: Ald. Rice, 1 vacancy

#149-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of seven thousand five hundred dollars (\$7,500) within the Sewer Enterprise Fund from Line Item 27A10498, Account No. 5790 into Line Item 27A10781, Account No. 56301 to provide a sufficient appropriation to cover the payment of assessments from the Massachusetts Water Resources Authority through the end of the current fiscal year. [04/14/14 @ 5:44 PM]

APPROVED 5-0 (Fuller not voting)

#151-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-five thousand dollars (\$25,000) from Fiscal Year 2014 Budget Reserve to Veterans' Benefits Account to supplement that account. [04/14/14 @ 5:43 PM]

APPROVED 5-0 (Fuller not voting)

#114-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Parks and Recreation Full-time Wages - Public Grounds Maintenance to Parks and Recreation Public Property Repair & Maintenance to purchase fibar for additional playgrounds. [03-31-14 @ 3:59 PM]

APPROVED 5-0 (Fuller not voting)

#287-11(5) HIS HONOR THE MAYOR requesting authorization to transfer the sum of five thousand dollars (\$5,000) from Fiscal Year 2014 Budget Reserve to the Planning & Development Department for the purpose of funding an appraisal of the former Health and Human Service Building at 1294 Centre Street. [04/14/14 @ 5:43 PM]

APPROVED 5-0 (Fuller not voting)

#34-14 ALD. FULLER requesting a discussion with the Executive Office regarding the current status and challenges related to the City of Newton pension and retiree healthcare (OPEB) systems. [01/11/14 @ 5:22 PM]

HELD 6-0

#148-14 SCHOOL COMMITTEE MEMBER STEVEN SIEGEL requesting Board of Aldermen approval of a Financial Interest Disclosure Exemption pursuant to G.L. chapter 268A, Section 20(b) in order to provide the City of Newton structural engineering consulting services as part of a sub-contract between Siegel Associate, Inc., a firm wholly owned by Mr. Siegel, and Schwartz/Silver Architects for the design of Fire Station #3 and the Fire Headquarters Building. [04/08/14 @ 4:35 PM]

NO ACTION NECESSARY 5-0 (Fuller 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.