

REPORTS DOCKET

Oct. 7: Land Use	Continued
Oct. 8: Programs & ; Public Safety & Transportation; Public Facilities	Page 203
Oct. 14: Land Use	Monday, October 6, 2014
Oct. 15: Zoning & Planning	7:45 PM, Newton City Hall
	To be reported on
	<u>MONDAY, OCTOBER 20, 2014</u>

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, October 7, 2014

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

Public Hearing opened on June 17, 2014:

#167-14 **GARDEN REMEDIES/697 WASHINGTON STREET TRUST** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to operate a Registered Marijuana Dispensary and to waive two parking stalls; to allow parking in the front setback; and to exceed the allowable horizontal projection of a secondary sign at 697 WASHINGTON STREET, Ward 2, NEWTONVILLE, on land known as SBL 23, 19, 1B, containing approximately 16,669 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-36, 30-19(d)(10), 30-19(h)(1), 30-19(m), and 30-20(j)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; APPROVED 7-0

REFERRED TO LAND USE COMMITTEE

Tuesday, October 14, 2014

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

Hearing opened on June 10, continued to July 29; continued to September 16; continued to October 14:

#165-14 **RICHARD D. SEWALL** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing single-family dwelling and construct two sets of two attached single-family dwellings for a total of four dwellings which includes waivers from the side-and rear-yard setback and lot coverage requirements and relief to locate a driveway within 10 feet of a side lot line at 3-5 AUBURN STREET, Ward 3,
REQUEST FOR WITHDRAWAL WITHOUT PREJUDICE APPROVED

#317-14 HEAMEE INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow for tandem parking and parking within a setback and to waive dimensional requirements for parking facilities with more than 5 stalls re stall dimensions, aisle width, landscaping and lighting, and to waive the number of required parking stalls in order to convert approximately 1,500 sf of basement space from storage to office space at 1175 WALNUT STREET, Ward 6, Newton Highlands, on land known as SBL 52, 39, 1, containing approximately 10,921 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d)(11), 30-19(h)(1), (2), (3), (5)a), 30-19(i)(1), (2), 30-19(j), and 30-19(m) of the City of Newton Rev Zoning Ord.

HEARING CLOSED; APPROVED 8-0

#336-14 FOX & HOUNDS REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition of approximately 840 square feet to the rear of an existing property, to be used for an auto detailing business, at 230 NEEDHAM STREET, Ward 8, on land known as SBL 83, 28, 78, in a district zoned MIXED USE 1. Ref: Sec 30-24, (d)(5), 30-23, 30-13(b)(6) of the City of Newton Rev Zoning Ord, 2012 and special permit #91-91.

HEARING CLOSED; APPROVED 8-0

#132-14(2) STONE GALLERYLLC/CLINE REALTY LIMITED petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a second freestanding sign 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, 30-20(l) and special permits #219-05 #132-14.

HEARING CLOSED; APPROVED 8-0

#337-14 A&M REALTY TRUST, ANDREW & MONICA HEALY, TRUSTEES, petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND A NONCONFORMING STRUCTURE to convert an existing detached structure into an accessory apartment at 59-61 WARWICK ROAD, Ward 3, on land known as SBL 31, 28, 62 and 64, containing approximately 11,218 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b) 30-8(d)(4), 30-15 Table 1, 30-15(m)(2) and (3), Table 30-8 of the City of Newton Rev Zoning Ord, 2012.

HEARING CLOSED; APPROVED 8-0

Hearing opened July 15, continued to September 16; continued to October 14:

#285-06(2) BELL ATLANTIC MOBILE OF MASS. CORP. LTD. d/b/a VERIZON WIRELESS/THE COVENANT RESIDENCES ON COMMONWEALTH CONDOMINIUM TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to install antennas on the roof inside faux chimney structures and to place accessory radio equipment and an emergency stand-by power generator inside an equipment shelter to the rear of property at 35 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill.

HEARING CONTINUED TO NOVEMBER 18, 2014

- #228-14(2) GONGXIONG WU petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing attached garage and breezeway and construct a new one-stall garage with a master suite and one bedroom above it, maintaining the existing nonconforming side setback but vertically extending the nonconforming side setback, and to construct an office and bath in the attic, which will increase the nonconforming Floor Area Ratio from .42 to .56, where .38 is the maximum allowed by right, at 102 McCARTHY ROAD, Ward 8, NEWTON CENTRE on land known as SBL 84, 27, 6, containing approximately 10,033 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), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO DATE TO BE DETERMINED
- #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 CONTINUED TO DATE TO BE DETERMINED
- #319-14 LEOPOLDO BUTERA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an existing garage exceeding 700 square feet of ground floor area at 26 ELM STREET, Ward 3, West Newton, on land known as SBL 33, 24, 10, containing approximately 8,250 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(m)(c)5) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO DATE TO BE DETERMINED (Laredo excused)
- #335-14 B & M CALIFORNIA STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 4-unit multi-family dwelling; to extend a nonconforming structure for lot size and frontage; to allow a building height of up to 36 feet and to allow up to 3 stories; to increase the Floor Area Ratio; to waive the number of required parking stalls and, to the extent necessary, associated parking waivers, at 198 CALIFORNIA STREET, Ward 1, on land known as SBL 11, 11, 7, containing approximately 8,294 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-11(d)(8), 30-15 Table 3, 30-21(b), 30-19(d)(2) and (18) and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO DATE TO BE DETERMINED

REFERRED TO ZONING & PLANNING COMMITTEE

Present: Ald. Johnson (Chairman), Danberg, Baker, Hess-Mahan, Leary, Yates and Sangiolo
 Absent: Ald. Kalis; also present: Ald. Lipof, Blazar, Crossley, Fuller, Brousal-Glaser, Harney and Albright

Planning & Development Board members: Scott Wolf, Roger Wyner, Peter Doeringer, and James Freas

Appointment by His Honor the Mayor

#347-14 JOHN GELCICH, 28 Jefferson Street, Newton Corner, appointed as an *alternate* member of the PLANNING AND DEVELOPMENT BOARD for a term to expire February 1, 2017 (60 days 12/05/14) [09/29/14 @ 9:32AM]
APPROVED 5-0 (Sangiolo, Yates not voting)

Appointment by His Honor the Mayor

#348-14 PETER DOERINGER, 35 Pulsifer Street, Newtonville, currently an associate member, appointed as a *regular* member of the PLANNING AND DEVELOPMENT BOARD for a term to expire February 1, 2018 (60 days 12/05/14) [09/29/14 @ 9:32AM]
APPROVED 5-0 (Sangiolo, Yates not voting)

Appointment by His Honor the Mayor

#349-14 VINCENT F. O'DONNELL, 10 Leighton Road, Auburndale, appointed as a member of the NEWTON HOUSING AUTHORITY for a term to expire August 15, 2017 (60 days 12/05/14) [09/25/14 @ 1:39PM]
HELD 7-0

Appointment by His Honor the Mayor

#350-14 JONATHAN YEO, 275 Lowell Avenue, Newtonville, appointed as a *regular* member of the PLANNING AND DEVELOPMENT BOARD for a term to expire February 1, 2019 (60 days 12/05/14) [09/29/14 @ 9:32AM]
APPROVED 7-0

Appointment by His Honor the Mayor

#351-14 STEVEN SCHWARTZ, 20 Kenwood Avenue, Newton Centre, appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire September 30, 2015. (60 days 12/05/14) [09/29/14 @ 9:32AM]
HELD 7-0

#80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]
HELD 7-0

#27-14 ALD. SANGIOLO on behalf of concerned citizens requesting a one-year moratorium on the demolition of single- and two-family homes.
HEARING CLOSED; HELD 7-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, October 8, 2014

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

Absent: Ald. Rice; also present: Ald. Johnson, Danberg, Fuller and Harney

#339-14 ALD. HESS-MAHAN AND SANGIOLO requesting discussion with the Mayor's Office, the Law Department and the Clerk's Office concerning training of staff and members of Commissions, Boards and Committees to ensure compliance with the requirements of the Open Meeting Law Commissions, particularly with respect to meeting minutes. [09/05/14 @ 2:40PM]

HELD 7-0

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @ 11:07 AM]

HELD 5-0 (Baker and Kalis not voting)

#356-14 ALD. HESS-MAHAN AND DANBERG, requesting a RESOLUTION of the Newton Board of Aldermen on behalf of Newton Dialogues on Peace & War, declaring support for the U.S. Conference of Mayors' program "Mayors for Peace," of which the City of Newton has been a member since 2005, and its goal of eliminating all nuclear weapons by 2020. [09/10/14 @ 3:15PM]

HELD 7-0

Re-appointment by His Honor the Mayor

#353-14 MICHAEL GOLDMAN, 14 Saxon Terrace, Newton Highlands, re-appointed as a member of the FARM COMMISSION for a term to expire July 31, 2017 (60 days 12/05/14) [09/25/14 @ 1:39PM]

APPROVED 7-0

Re-appointment by His Honor the Mayor

#354-14 PETER LEWENBERG, 47 Mary Ellen Road, Waban, re-appointed as a member of the FARM COMMISSION for term to expire July 31, 2017 (60 days 12/05/14) [09/25/14 @ 1:39PM]

APPROVED 7-0

Re-appointment by His Honor the Mayor

#355-14 MARIAN KNAPP, 250 Hammond Pond Parkway, Chestnut Hill, re-appointed as a member of COUNCIL ON AGING for a term to expire September 1, 2017 (60 days 12/05/13) [09/25/14 @ 1:39PM]

APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, October 8, 2014

Present: Ald. Ciccone (Chair), Yates, Cote, Fuller, Schwartz, Johnson, Lipof and Harney; also present: Ald. Crossley (Chair), Gentile, Lappin, Danberg, Brousal-Glaser, Laredo and Hess-Mahan; absent: Ald. Albright, Lennon

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-
 (#409-12) MAHAN, RICE, COTE, LEARY, AND NORTON, requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]

PUBLIC FACILITIES HELD 6-0 on 10/08/14

HELD 7-0 (Schwartz not voting)

#357-14 ALD. ALBRIGHT & SGT. BABCOCK, requesting that Chapter 19 be amended to create an ordinance that would prohibit citizens, organizations including profit and non-profit from reserving parking spaces on any public roadway, street or municipal parking lots without the authorization of the Newton Police Department. [09/12/14 @ 10:34 AM]

APPROVED 7-0 (Johnson not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, October 8, 2014

Present: Ald. Crossley (Chairman), Brousal-Glaser, Gentile, Danberg, Laredo and Lappin; absent: Ald. Lennon and Albright; also present: Ald. Ciccone, Cote, Fuller, Harney, Hess-Mahan, Johnson, Leary, Lipof and Yates

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-
 (#409-12) MAHAN, RICE, COTE, LEARY, AND NORTON requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]

PUBLIC SAFETY HELD 7-0 on 10/08/14

HELD 6-0

#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]

HELD 5-0 (Danberg not voting)

- #312-14 ALD. ALBRIGHT, BAKER, BLAZAR, HESS-MAHAN, JOHNSON, LAREDO and LEARY requesting discussion of proposal to purchase and install electronic bulletin boards on the exterior of City properties, including consideration of such issues as the possible distraction of passersby, the precedent of allowing electronic displays which may invite imitation by private landowners, and the visual impact on public open spaces, as well as how the installation would fit with the law or policy of Newton's sign code, and consideration of possible alternative means to help fulfill the worthy goal of providing public information to those who may need it. [07-17-14 @ 10:24 AM]
NO ACTION NECESSARY 5-0 (Laredo not voting)
- #417-13 PUBLIC FACILITIES COMMITTEE requesting that the Administration provide updates on the progress of the Angier Elementary School project. [11/21/13 @ 9:16 AM]
HELD 6-0
- #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

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.