

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, December 15, 2014

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

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)

MOTION TO POSTPONE TO DATE CERTAIN OF JANUARY 5, 2015 APPROVED BY VOICE VOTE

Clerk's Note: See related item below.

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)

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

**MOTION TO POSTPONE TO DATE CERTAIN OF JANUARY 5, 2015
APPROVED BY VOICE VOTE**

Clerk's Note:

- #356-14 **REFERRED TO PROGRAMS & SERVICES COMMITTEE**
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]
PROGRAMS & SERVICES APPROVED 7-0 (Baker not voting)
**MOTION TO POSTPONE TO DATE CERTAIN OF JANUARY 5, 2015
APPROVED BY VOICE VOTE**

Clerk's Note:

- #340-14 **REFERRED TO PROGRAMS & SERVICES COMMITTEE**
ALD. NORTON requesting to amend the City of Newton Charter to ~~also include the term "Alderman" 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". [09/08/14 @4:10PM]
PROGRAMS & SERVICES APPROVED AS AMENDED 6-1-1 (Baker opposed; Blazar abstaining)
**MOTION TO POSTPONE TO DATE CERTAIN OF FEBRUARY 2, 2015
APPROVED BY VOICE VOTE**

Clerk's Note:

- #456-14 **REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**
HIS HONOR THE MAYOR recommending amendments to Chapter 29, Article II. **Water. and Sec. 29-80. Sewer** of the City of Newton Ordinances to allow for second water meters for outside water use and to restructure the water rate fee structure.
PUBLIC FACILITIES APPROVED AS AMENDED 6-2 (Brousal-Glaser and Laredo opposed)
FINANCE APPROVED AS AMENDED 4-1 (Brousal-Glaser opposed)
MOTION TO AMEND THE ORDINANCE TEXT AS FOLLOWS:
Sec 29-24(c) Outdoor meters are devices that may be installed at residential properties that contain no more than four dwelling units, to measure and register outdoor water consumption such as water used for lawn and garden irrigation

and other outdoor uses. ~~Effective July 1, 2015, sewer use charges under section 29-80 of this chapter shall not be made for water consumption registered by or attributable to outdoor meters.~~

and

Section 29-80(c) Estates whose building sewers discharge directly or indirectly into public sewers of the city, shall pay a charge for the use of sewage works in proportion to water consumption except that a charge for the use of sewage works shall not be made for water consumption registered on or attributable to outdoor made for water consumption registered on or attributable to outdoor meters installed at residential properties in accordance with the provisions of section 29-24 of this chapter except as provided below.

AMENDMENT FAILED 14 NAYS, 9 YEAS (Ald. Baker, Blazar, Brousal-Glaser, Danberg, Hess-Mahan, Kalis, Sangiolo, Schwartz & Yates), 1 ABSENT (Ald. Norton)

MOTION TO AMEND THE ORDINANCE TEXT BY ADDING THE FOLLOWING:

Whoever violates any provision of this section shall be liable for the penalty set out in Section [insert]. In addition, upon the determination by the Commissioner of public works of a second violation of subsection (d), the privilege of not being charged a discounted sewer use fee in connection with water usage through an outdoor meter pursuant to section [insert] shall be considered forfeited for so long as such estate remains in the same ownership. In such event, the commissioner shall make arrangements to include a sewer use charge upon the rates set forth in section [insert] on the subsequent bills for water supplied through the outside meter(s) at such estate, and shall so notify the owner of the estate.

AMENDMENT APPROVED BY VOICE VOTE

ORDINANCE TEXT APPROVED AS AMENDED 14 YEAS, 9 NAYS (Ald. Baker, Blazar, Brousal-Glaser, Cote, Danberg, Harney Laredo, Sangiolo, & Yates), 1 ABSENT (Ald. Norton)

Clerk's Note:

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 24 YEAS TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, December 2, 2014

Public Hearing opened and continued on October 14, 2014:

- #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 IN JANUARY 2015

The following are Auto Dealer Renewal Licenses for 2015

Class 1

- #410-14 CLAY NISSAN OF NEWTON INC.
431 Washington Street
Newton Corner 02458
LAND USE APPROVED 7-0 (Schwartz not voting)

Class 2

- #413-14 AUCTION DIRECT PREOWNED
1545 Washington Street
West Newton 02465
LAND USE APPROVED 7-0 (Schwartz not voting)

- #417-14 JOHN BORTONE d/b/a ENZO'S AUTO SALES
10 Hawthorn Street
Nonantum 02458
LAND USE APPROVED 7-0 (Schwartz not voting)

- #418-14 GLOBAL VENTURES GROUP INC.
d/b/a LUX AUTO PLUS
1197-1201 Washington Street
West Newton 02465
LAND USE APPROVED 7-0 (Schwartz not voting)

- 419-14 MAVERICK MOTORS, INC.
1209 Washington Street,
West Newton 02465
LAND USE APPROVED 7-0 (Schwartz not voting)

- #422-14 LIFT THROTTLE AUTOMOTIVE, LLC
64 Hillside Avenue
West Newton 02465
LAND USE APPROVED 7-0 (Schwartz not voting)

- #423-14 MAP DEVELOPMENT & INVESTMENTS
d/b/a CHRISTIAN TAPIA/MASTER USED
CARS of WATERTOWN
175 North Street

Newtonville 02460

LAND USE APPROVED 7-0 (Schwartz not voting)

#425-14

NEW ENGLAND MOTOR MART, INC.

1221-1229 Washington Street

West Newton 02465

LAND USE APPROVED 7-0 (Schwartz not voting)

#426-14

NEWTON AUTO GROUP, INC.

1235 Washington Street

West Newton 02465

LAND USE APPROVED 7-0 (Schwartz not voting)

#427-14

NEWTON CENTRE SHELL, INC.

1365 Centre Street

Newton Centre 02459

LAND USE APPROVED 7-0 (Schwartz not voting)

#429-14

NTC-NEWTON TRADE CENTER

103 Adams Street

Nonantum 02458

LAND USE APPROVED 7-0 (Schwartz not voting)

#430-14

OLD TIME GARAGE LTD.

1960 Washington Street

Newton Lower Falls 02462

LAND USE APPROVED 7-0 (Schwartz not voting)

#432-14

R.J.S. SERVICE, INC.

361 Washington Street

Newton Corner 02458

LAND USE APPROVED 7-0 (Schwartz not voting)

#433-14

REGANS INC.

2066 Commonwealth Avenue

Auburndale 02466

LAND USE APPROVED 7-0 (Schwartz not voting)

#434-14

ROBERT'S TOWING, INC.

926r Boylston Street

Newton Highlands 02461

LAND USE APPROVED 7-0 (Schwartz not voting)

#438-14

JOHN & CATALINA BORTONE

d/b/a VELOCITY MOTORS

14 Hawthorn Street

Nonantum 02458

LAND USE APPROVED 7-0 (Schwartz not voting)

#439-14

CITY OF NEWTON

1000 Commonwealth Avenue 02459

LAND USE APPROVED 7-0 (Schwartz not voting)

REFERRED TO LAND USE COMMITTEE

Tuesday, December 9, 2014

#222-14(2)

DENISE & PETER STAUBACH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to remove an existing attached garage and breezeway and to construct a two-stall garage, sunroom and $\frac{3}{4}$ bath with two bedrooms above, which will increase the Floor Area Ratio from .42 to .54, where .48 is the maximum allowed by right, at 29 WEDGEWOOD ROAD, Ward 3, WEST NEWTON, on land known as SBL 31, 20, 14 containing approximately 4,501 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

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

#360-14

112 NEEDHAM STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCOMFORMING STRUCTURE to demolish an existing single-story commercial building and construct a new two-story commercial building with a parking facility with 11 stalls, a with approximately 1,400 sf of storage on the first floor, and 5,810 sf of office space on the second floor 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 MULTI USE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-19(d)(11), (15), and (m), and 30-19 Table of off-street loading requirements of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO DATE TO BE DETERMINED

#364-14

PHI PROPERTIES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a four-unit multi-family dwelling with 10 below grade parking stalls and associated parking waivers if necessary at 9 CHANDLER STREET, Ward 1, NONANTUM, on land known as SBL 14, 10, 4 and 5, containing a combined total of 13,153 sf of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO DATE TO BE DETERMINED

#366-14

ARMAN CHITCHIAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition and reconfigure an existing two-family dwelling to two side-by-side attached dwellings, which will increase the Floor Area Ratio from .24 to .42 where .36 is allowed, at 143 LINCOLN STREET,

Ward 5, NEWTON HIGHLANDS, on land known as SBL 52, 1, 18, 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 DATE TO BE DETERMINED

- #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 DATE TO BE DETERMINED

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, December 8, 2014

- #352-14 ACCESSORY APARTMENT SUBCOMMITTEE proposing that §§30-8(4)(a) and 30-9(2)(a) re proof of existence for pre-existing accessory apartments in Single Residence and Multi Residence districts be amended to change the date an owner-occupant seeking validation of an existing accessory apartment must prove its existence from December 31, 1979 to December 31, 1999. [09/29/14 @ 11:20AM]

HEARING CLOSED; ZONING & PLANNING APPROVED 5-1-1 (Baker opposed; Sangiolo abstaining)

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE COMMITTEE TO POLL HER COMMITTEE WAS APPROVED BY VOICE VOTE

ZONING & PLANNING HELD 7-0

Clerk's Note: The Chair of the Committee noted that the Board should not vote this item out at this time as the Planning & Development Board had not yet voted on the proposal. The Chair polled her committee to amend the vote to Hold so as to keep the item in committee until the Planning & Development Board has taken its vote.

- #113-14 DIRECTOR OF PLANNING & DEVELOPMENT requesting discussion regarding Newton's Historic District Commissions and ways to optimize staff and Commission oversight to further the goals of historic preservation. [03/28/14 @ 11:06 AM]

ZONING & PLANNING NO ACTION NECESSARY 7-0**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday, December 4, 2014

Appointment by His Honor the Mayor

#379-14 PAT PALMER, 37 Arapahoe Road, Newton, appointed as an *at-large alternative member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

PROGRAMS & SERVICES APPROVED 7-0 (Baker not voting)

Re-appointment by His Honor the Mayor

#383-14 ANDREW STERN, 56 Tyler Terrace, Newton Centre, re-appointed as the *Ward 6 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

PROGRAMS & SERVICES APPROVED 7-0 (Baker not voting)

#95-13(2) THE PROGRAMS & SERVICES COMMITTEE requesting an update from the Health Care Advisory Committee. [09/12/13 @ 9:49AM]

PROGRAMS & SERVICES NO ACTION NECESSARY 7-0-1 (Baker abstaining)**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, December 3, 2014

#460-14 DONALD LaPLANTE, 395 Lexington Street, Auburndale, MA 02466, requesting **one (1) new public auto license** for Don's Car Service. [11/12/14 @ 10:56 AM]

PUBLIC SAFETY & TRANSPORTATION APPROVED 4-0, Harney and Schwartz not voting

#310-13(2) ALD. LENNON, on behalf of Dominic Proia, 17 Peabody Street, requesting an amendment to Resident Permit Parking Program Sec. 19-201(B)(1) regarding contiguous lots. [02/24/14 @ 9:08 AM]

PUBLIC SAFETY & TRANSPORTATION APPROVED 6-0**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, December 3, 2014

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#455-14 HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater use charge**. of the City of Newton Ordinances to create a

storm water rate fee structure based upon square footage of impervious surface area.

PUBLIC HEARING CONTINUED; HELD 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #466-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding HVAC improvements at the Senior Center as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 PM]

FINANCE APPROVED 5-0 on 12/08/14

PUBLIC FACILITIES APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #467-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding the replacement of the water heater at the F.A. Day Middle School as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 PM]

FINANCE APPROVED 5-0 on 12/08/14

PUBLIC FACILITIES APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #469-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred twenty-seven thousand five hundred dollars (\$127,500) from the Energy Conservation Fund **Free Cash** to the Public Buildings Department to replace the emergency electrical generator and transfer switch at Fire Station #1 in Newton Corner. [11/24/14 @ 4:23 PM]

PUBLIC FACILITIES APPROVED AS AMENDED 8-0

- #255-14(3) ALD. YATES requesting a RESOLUTION to His Honor the Mayor seeking preservation of the historic house at 1316 Beacon Street; such preservation shall include documentation and disassembly and storage on a temporary basis for possible reconstruction on another site in the future.

PUBLIC FACILITIES NO ACTION NECESSARY 6-0 (Brousal-Glaser and Lennon not voting)

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

- #341-14 TRANSPORTATION DIVISION requesting presentation of the Washington Street Access Improvement Study provided by the Central Transportation Planning Staff. [08/29/14 @ 11:08 AM]

PUBLIC SAFETY VOTED NO ACTION NECESSARY 6-0 on 11/19/14

PUBLIC FACILITIES NO ACTION NECESSARY 6-0 (Brousal-Glaser and Lennon not voting)

REFERRED TO FINANCE COMMITTEE

Monday, December 8, 2014

#462-14 HIS HONOR THE MAYOR requesting authorization to temporarily increase the Purchasing Department staff by one (1) Full Time Equivalent Position for a period of up to one month. [11/24/14 @ 4:27 PM]
FINANCE APPROVED 4-0-1 (Norton abstaining)

#463-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty-three thousand eleven dollars and forty-nine cents (\$43,011.49) from various completed Capital Improvement Projects to cover the final costs of the construction and installation of modular classrooms at four elementary schools. [11/24/14 @ 3:43 PM]
FINANCE APPROVED 5-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#466-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding HVAC improvements at the Senior Center as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 PM]
PUBLIC FACILITIES APPROVED 8-0 on 12/03/14
FINANCE APPROVED 5-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#467-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars ((\$150,000) from bonded indebtedness for the purpose of funding the replacement of the water heater at the F.A. Day Middle School as outlined in the FY 2015 Capital Improvement Plan. [11/24/14 @ 4:23 PM]
PUBLIC FACILITIES APPROVED 8-0 on 12/03/14
FINANCE APPROVED 5-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#469-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred twenty-seven thousand five hundred dollars (\$127,500) from the Energy Conservation Fund **Free Cash** to the Public Buildings Department to replace the emergency electrical generator and transfer switch at Fire Station #1 in Newton Corner. [11/24/14 @ 4:23 PM]
PUBLIC FACILITIES APPROVED AS AMENDED 8-0 on 12/03/14
FINANCE APPROVED AS AMENDED 5-0

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public Hearing assigned for January 13, 2015:

#472-14 BNTT, INC./CID REALTY, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to expand the sale of food, extend self-service gas sales, modify signage, waive the dimensional

requirements for maneuvering aisles and maximum driveway width, and to waive landscaping, screening and lighting requirements at 979 WATERTOWN STREET, Ward 3, West Newton, on land known as SBL 31, 16, 15, containing approximately 17,376 sf of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-21(b), 30-19(h)(3), (4)(b), (i)(l), (j)(1)a) and b), and (m), and 30-20(1) of the City of Newton Rev Zoning Ord, 2012 special permit nos. 394-70, 677-73, 11-93(4), and 278-07.

Public Hearing assigned for January 13, 2015:

#473-14 TIMOTHY BURKE for ROGER & AFARIN GREIGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish a one-story portion of an existing two-family dwelling 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, 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.

Public Hearing assigned for January 13, 2015:

#474-14 THE MALL AT CHESTNUT HILL, LLC petition to AMEND special permit #307-12(2) in order to renovate the mall's exterior façade to incorporate newly-expanded vestibules at the north and south entrances, enhancing ADA accessibility, and to add six additional secondary signs not exceeding 250 square-foot each at 199 BOYLSTON STREET, Ward 7, Chestnut Hill, on land known as SBL 65-8-1, containing approximately 324,691 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-11(k), 30-20(f)(2) and (l) of the City of Newton Rev Zoning Ord, 2012 and special permit nos. 307-12 and (2), 162-86.

Public Hearing assigned for January 13, 2015:

#475-14 THOMAS ENSELEK/S&H NEWTON REALTY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to allow 17 indoor seats and ten outdoors seats for a total of 27 seats for an existing yogurt shop that currently operates as a retail use with no seating and to waive four parking stalls at 665 WATERTOWN STREET, Ward 2, Newtonville, on land known as SBL 21, 23, 1 in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 39-19(d)(13) and (m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 13, 2015:

#476-14 JOHNNY'S LUNCHONETTE/KRASNER METRO BOSTON ASSOC. LP & HKS PROPERTIES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING USE to expand the number of seats in an existing restaurant from 88 to 96 and to waive three parking stalls at 30 LANGLEY ROAD, Ward 6, Newton Centre, on land known as SBL 61, 33, 14 in

a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-21(b), 30-11(d)(9), 30-19(c)(2)a), (d)(13), and (m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 13, 2015:

#477-14 JANNA & RONALD CURTIS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct an addition containing approximately 1,142 sf at the rear of an existing single-family dwelling (571 sf of basement space to be used as a garage and 571 sf on the first floor for an expanded kitchen and family room), which will increase the Floor Area Ratio from .35 to .48, where .40 is the maximum allowed by right, at 15 LARCHMONT AVENUE, Ward 5, Waban, on land known as SBL 54, 7, 2, containing approximately 8,552 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2), 30-15 Table A, and Table 1 of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 13, 2015:

#478-14 JAMES B. CORSI/CORSI REALTY LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to remodel and construct a two-story addition to the rear of a single-family dwelling and a single-story attached garage and foyer, which will increase the Floor Area Ratio from .39 to .44, where .35 is the maximum allowed by right, at 1004 CENTRE STREET, Ward 7, Newton Centre, on land known as SBL 73, 49, 1, containing approximately 13,238 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u), 30-15 Table A of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 13, 2015:

#479-14 DANIEL & BRENDA KOSTYK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend an existing 18-foot dormer by an additional 11.5 feet, which will create a dormer wider than 50% of the length of the exterior wall of the story next below, at 29 KEWADIN ROAD, Ward 5, Waban, on land known as SBL 55, 51, 9, containing approximately 13,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(t)(1) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for 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.

Public Hearing assigned for February 10, 2015

#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 2623-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 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.

Public Hearing assigned for December 22, 2014:

#316-12(4) CLERK OF THE BOARD proposing that Sec. 30-19(d)(13) of Chapter 19 PARKING AND LOADING FACILITIES be deleted and amended by reinstating the following requirements: “One stall for each three (3) seats, permanent or otherwise, excluding any additional outdoor sidewalk seats permitted under section 26-30 of these ordinances, for patron use of restaurants and other places serving food or beverages and of theaters, halls, clubs, auditoriums and other places of amusement or assembly and one stall for each three (3) employees to be employed or anticipated to be employed on the largest shift. Places of assembly or amusement shall also provide one parking stall for each forty-five (45) square feet of gross floor area used for meeting function purposes when such space is customarily used concurrently with the seating space. In the case of such uses in conjunction with a hotel or motor hotel and in the same or an abutting building, the parking stall requirements with respect to patron use of restaurants and other places serving food or beverages shall be one-half (1/2) and with respect to patron use of theaters, halls, clubs, auditoriums and other places of amusement or assembly shall be one-fourth (1/4) of the preceding requirements. “

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 1 RECUSED (Ald. Ciccone) TO TAKE THE FOLLOWING ACTIONS:

The following are Auto Dealer Renewal Licenses for 2015

Class 3

- #440-14 ECHO BRIDGE SALVAGE CO.
16-24 Maguire Court
Newtonville 02460
LAND USE APPROVED 7-0 (Schwartz not voting)
- #441-14 SCHIAVONE BROTHERS, INC.
16-24 Maguire Court
Newtonville 02460
LAND USE APPROVED 7-0 (Schwartz not voting)