

## DOCKET

June 18: Land Use Continued  
June 19: Programs&Services; Public Safety&Transportation; Public Facilities Page 139  
June 24: Finance; Zoning&Planning Monday, June 17, 2013  
7:45 PM, Newton City Hall  
To be reported on  
**MONDAY, JULY 8, 2013**

### CITY OF NEWTON

#### IN BOARD OF ALDERMEN

- I. Communications from His Honor the Mayor and other City Boards, Agencies, and Commissions.

#### REFERRED TO LAND USE COMMITTEE

*Public Hearings to be assigned for July 9, 2013:*

- #325-06(3) RUSSIAN SCHOOL OF MATHEMATICS/RJ WELLS MANAGEMENT, LLC. petition to AMEND Special Permit/Site Plan Approval #325-06, granted on 12/18/06 for a for-profit education use, a waiver of parking provisions, and two free-standing signs, in order to increase the class size from 10 to 15 students; increase the number of classes at a time from 10 to 17; allow up to 28 employees on-site at a time; allow a revised parking, drop-off , and pick-up plan with a new driveway; and a revised lighting plan and a revised directional and signage package at 200 WELLS AVENUE, Ward 8. Ref: Sec 30-24, 30-23 of the City of Newton Rev Zoning Ord, 2012.
- #416-12(3) MAIN GATE REALTY petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12, granted on 2/10/13 for retail and/or office uses, to allow a massage therapy business at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b)(1) of the City of Newton Rev Zoning Ord, 2012
- #214-13 LINDA J. HEFFNER petition for Special Permit/Site Plan Approval for an accessory apartment in the loft of an existing detached carriage house and for exterior alterations (reconfiguring existing dormers) at 15 FARLOW ROAD, Ward 7, Newton, on land known as SBL 72, 37, 01, containing approximately 28,913 sq. ft. of land, in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 30-24, 30-23, 30-8(d)(2) and (d)(2)(b) of the City of Newton Rev Zoning Ord, 2012.

- #215-13      CHRISTINA & JOHN HENNESSEY petition for Special Permit/Site Plan Approval to use 594 sq. ft. of the existing basement as an accessory apartment at 45 BRAE BURN ROAD, Ward 4, Auburndale, on land known as SBL 43, 4, 1, containing approximately 14,739 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-22, 30-8(d)(1), and 30-8 Table of the City of Newton Rev Zoning Ord, 2012.
- #216-13      PATRICIA FLATELY petition for Special Permit/Site Plan Approval to exceed the by-right Floor Area Ratio of .30 to .32 in order to construct a new single-family dwelling at 80 DARTMOUTH STREET, Ward 3, West Newton, on land known as SBL 32, 34, 11, containing approximately 19,371 sq. ft. of land, in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(u), (u)(2), 30-15 Table A of the City of Newton Rev Zoning Ord, 2012.
- #217-13      JEAN TELLON, CHUNGDAHM READWRITE/DAN WOOLEY & JOHN FINLEY, III, TRUSTEES c/o CREATIVE DEVELOPMENT CO., LLC. petition for a Special Permit/Site Plan Approval for a for-profit educational use formerly occupied by the non-profit Newton Community Service Center at 1254 CHESTNUT STREET/70 LINDEN STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 35 and 35, 1 and 2, containing approximately 93,480 sq. ft., in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23, 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.
- #300-10(2)      WALTER ENRIGHT d/b/a SIGN RIGHT/BURKE & BLACKINGTON FUNERAL HOME petition for a Special Permit/Site Plan Approval for a free-standing sign at 1479 WASHINGTON STREET, Ward 3, West Newton, on land known as SBL 33, 5, 4, containing approximately 8,990 sq. ft. in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-20(f)(9) of the City of Newton Rev Zoning Ord, 2012.
- #218-13      FALLON DEVELOPMENT INC. petition for a Special Permit/Site Plan Approval for a rear lot subdivision in order to construct two single-family dwellings at 131 OTIS STREET, Ward 2, Newtonville, on land known as SBL 24, 12, 16, containing approximately 48,677 sq. ft. of land, in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(r) of the City of Newton Rev Zoning Ord, 2012.
- #219-13      ELINOR MODY & DAVID LERNER petition for a Special Permit/Site Plan Approval to Extend a Nonconforming Structure to fill in an area of approximately 22 sq. ft. to allow an expansion of the kitchen, which will increase the Floor Area Ratio from .46 to .47 where .43 is allowed by right, at 15 RICE STREET, Ward 6, Newton Centre; on land known as SBL 61, 1, 3, containing approximately 6,944 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30, 24, 30-23, 30-15 Table A, 30-15(u), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

- #220-13 SONYA MEAD & ALEX WHITING petition for a Special Permit/Site Plan Approval to Extend a Nonconforming Structure for a first-floor addition of approximately 170 sq. ft. to replace an existing deck in order to expand the kitchen, which will increase the Floor Area Ratio from .65 to .71, where .46 is allowed by right, at 42 BRAELAND AVENUE, Ward 6, Newton Centre, on land known as SBL 61, 37, 15, containing approximately 4,767 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing not required:*

- #325-06(4) RUSSIAN SCHOOL OF MATHEMATICS /RJ WELLS MANAGEMENT, LLC requesting that the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended to reflect the amendments proposed in petition #325-06(3) and to legalize an existing shed and construct a fenced-in play area ancillary to the for-profit school at 200 WELLS AVENUE, Ward 8.

**REFERRED TO ZONING & PLANNING COMMITTEE**

- #221-13 THE COMMISSION ON DISABILITIES requesting to amend the name of the "Commission on Disabilities" to the "Commission on Disability" in **Chapter 22, Section 22-100** of the City of Newton Ordinances. [06/07/13 @ 9:59 AM]
- #222-13 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, DANBERG, FISCHMAN & JOHNSON proposing to amend the definitions of "Common roof connector", "Common wall connector", and "Dwelling, two-family" in **Chapter 30, Section 30-1** of the City of Newton Zoning Ordinances. [06/07/13 @ 1:31 PM]

**REFERRED TO PROGRAMS & SERVICES COMMITTEE**

- #223-13 ALD. HESS-MAHAN proposing an amendment to the City of Newton Charter, **Section 2-5 Filling of Vacancies**, to delete the requirement that "the Board of Aldermen *shall forthwith* call a special election to fill a vacancy" and replace it with "the Board of Aldermen *may* call a special election to fill a vacancy." [06/07/13 @ 1:31 PM]

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

*Public hearing to be assigned for June 19, 2013:*

- #224-13 COMCAST OF NEW ENGLAND petitioning for a grant of location to install 204' ± of conduit in WALNUT STREET from existing Pole # V2 437/23 to 823-833 Washington Street. (Ward 2) [05/22/13 @ 2:57 PM]

*Public hearing to be assigned for June 19, 2013:*

- #225-13     **CHRIS UTANO**, 295 Upland Avenue, Newton Highlands, petitioning for a main drain extension in NOD HILL ROAD to a proposed manhole at the intersection of Upland Avenue 220' ± in a northeasterly direction to a proposed manhole in Nod Hill Road. (Ward 8) [05/28/13 @ 2:05 PM]  
**PETITIONER TO PAY ENTIRE COST**

**REFERRED TO FINANCE COMMITTEE**

**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

- #226-13     **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of two hundred thousand dollars (\$200,000) from Fire/Rescue Salaries to a capital account for Fire Department Equipment. [06/10/13 @ 6:54 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #317-03(7)     **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of eighty thousand three hundred three dollars (\$80,383) from the Shaw's/Hammond Pond Development Mitigation Fund for the purpose of implementing storm water management on an existing drainage pipe that runs across the Chestnut Hill Shopping Center, which is owned by C & R Management, to Hammond Pond. [06/10/13 @ 6:54 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #227-13     **HIS HONOR THE MAYOR** requesting authorization to enter into an Inter-Municipal Agreement with the Town of Wellesley detailing Wellesley's obligation to fund half of the construction contract costs associated with structural repairs to the jointly owned Wales Street Bridge. [06/10/13 @ 6:54 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #228-13     **HIS HONOR THE MAYOR** requesting the sum of two hundred fifty thousand dollars (\$250,000) be appropriated from bonded indebtedness for the purpose of purchasing snow melting equipment for the Department of Public Works. [06/10/13 @ 6:54 PM]

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The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at [TGuditz@newtonma.gov](mailto:TGuditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.