

REPORTS DOCKET

March 6: Land Use Continued
March 7: Programs&Services; Public Safety&Transportation; Public Facilities Page 65
March 12: Zoning & Planning Monday, March 5, 2012
March 13: Land Use 7:45 PM, Newton City Hall
To be reported on
MONDAY, MARCH 19, 2012

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, March 6, 2012

Present: Ald. Hess-Mahan (Chairman), Ald. Fischman, Albright, Laredo, Crossley, Harney, Schwartz, and Merrill

#416-11 K.J.R., INC/JOSEPH BONTEMPO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to expand the seating capacity of an existing restaurant by 15 seats to allow for an outdoor roofed patio at 7 WEST STREET, Ward 1, Nonantum, on land known as SBL 14, 14, 41, containing approximately 2,850 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(d)(13) and (m) 30-15(m), 30-15 Table 1, 30-9 of the City of Newton Rev Zoning Ord, 2007.

APPROVED 8-0

#10-12 DT-ARCO, LLC/IERACI REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to relocate an existing 2-family dwelling and construct a new structure containing two additional attached dwelling units for a total of four attached dwellings in two structures at 37 ELM STREET, West Newton, Ward 3, on land known as SBL 33, 23, 20, containing approximately 25,000 sq. ft. of land in a district zoned Multi Residence 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a) and b), 30-15 Table 1, 30-15(t) 1-4 of the City of Newton Rev Zoning Ord, 2007.

APPROVED 8-0

REFERRED TO LAND USE COMMITTEE

Tuesday, March 13, 2012

Present: Ald. Hess-Mahan (Chairman), Ald. Albright, Merrill, Laredo, Harney, Fischman; and Schwartz; absent: Ald. Crossley

#42-12 BLOOMINGDALE'S DEPARTMENT STORES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a 5-YEAR permit for a temporary tent to hold an ANNUAL rug sale in May and the temporary displacement of approximately 90 parking spaces for the event at 175 BOYLSTON STREET, Ward 7, CHESTNUT HILL. REF: Sec. 30-24, 30-23, 30-11(d)(10), 30-19(m) of the City of Newton Rev. Zoning Ord., 2007.

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

#43-12 GRACE CONNELLY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct an attached garage and two-story addition, increasing the Floor Area Ratio to .48 where .40 is allowed by-right, at 1841 COMMONWEALTH AVENUE, Ward 4, Auburndale, on land known as SBL 43, 4, 2, containing approximately 8,475 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; APPROVED 7-0

#44-12 YOUNG INVESTMENTS, LLC/NEWTON COMMUNITY SERVICES CENTERS, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a multi-family dwelling with nine units and office space at 429 CHERRY STREET, Ward 3, West Newton, on land known as SBL 33, 12, 12, containing approximately 13,398 sq. ft. of land in a district zoned BUSINESS USE 1. Sec 30-24, 30-23, 30-11(d)(8) and (j)(1),30-15(h), Table 3 footnote 3, 30-5(b)(4), 30-19(d)(2), and (11), 30-19(h)(2)b, c), (3)a), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

HEARING CONTINUED TO APRIL 10, 2012

#56-12 ONE WELLS AVENUE LIMITED PARTNERSHIP requesting an amendment to the 1968 Wells Avenue restrictive covenant to allow a graduate school of professional psychology - a non-profit use – to be operated by the Massachusetts School of Professional Psychology to locate in an existing building at One Wells Avenue. *Note: Public Hearing not required.*

APPROVED 6-0 (Laredo Recused)

REFERRED TO ZONING & PLANNING COMMITTEE

Present: Ald. Johnson (Chairman) Ald. Swiston, Yates, Kalis, Danberg, and Lennon; absent: Baker, Danberg; also present: Ald. Hess-Mahan

Re-Appointment by His Honor the Mayor:

#399-11(2) JAMES H. MITCHELL, 83 Countryside Road, Newton Centre, being re-appointed as an *associate member* of the Zoning Board of Appeals for a term to expire February 1, 2013 (60 days 03/29/12). [01/30/2012 @ 4:34PM]

APPROVED 6-0

Appointment by His Honor the Mayor:

#390-11(2) WILLIAM MCLAUGHLIN, 117 Hammond Street, Newton, being appointed as a full member of the Zoning Board of Appeals for a term of office, filling the full member position vacated by Selma H. Urman, Esq., to expire on September 30, 2012 (60 days 03/06/12). [01/30/2012 @ 4:34PM]

APPROVED 6-0

#49-11 ALD. JOHNSON, Chair of Zoning and Planning Committee, on behalf of the Zoning and Planning Committee requesting that the Director of Planning & Development and Commissioner of Inspectional Services review with the Zoning & Planning Committee the FAR data collected during the eight months prior to the new FAR going into effect and the 12 months after. This committee review should occur no less than bi-monthly but could occur as frequently as monthly, based on the permits coming into the departments. [02-15-2011 @8:44AM]

HELD 6-0

#162-11 ALD. YATES requesting a report from the Director of Planning and Development on the status of the update of the *Open Space and Recreation Plan*, particularly as it pertains to the Charles River Pathway. [05/12/11 @ 10:16AM]

HELD 6-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday March 7, 2012

Present: Ald. Sangiolo (Chairman), Ald. Linsky (Vice-Chairman), Baker, Merrill, Hess-Mahan, Blazar, Fischman; absent: Ald. Rice; also present: Ald. Johnson, Ald. Lappin.

A Public Hearing was held on the following item:

#297-11(3) HIS HONOR THE MAYOR re-submitting a reorganization request pursuant to City Charter §6-2 to change the assignment of responsibility of the Licensing Board of Commissioners Administrative Director/Agent from the Veterans' Services Department to the Department of Health and Human Services (60 days 03/06/12). [01/30/2012 @ 4:18PM]

PUBLIC HEARING CONTINUED TO MARCH 21, 2012

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

- #130-11 PAUL COLETTI, ALD. SANGIOLO, DANBERG, & JOHNSON requesting Home Rule Legislation to create a Capital Preservation Fund for the City of Newton modeled on the Community Preservation Fund to address the capital needs of the City. [04/11/11 @9:42 PM]
FINANCE VOTED NO ACTION NECESSARY ON 10/12/11
PUBLIC FACILITIES VOTED NO ACTION NECESSARY ON 10/19/11
HELD 5-2 (Sangiolo and Linsky opposed)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #422-06(2) ALD. HESS-MAHAN requesting that a task force be established to meet and prepare a report and recommendations regarding the regulation of noise, air pollution and best practices with respect to the operation of power equipment used in landscaping, property and yard maintenance, including, without limitation, leaf blowers. [01/27/09 @ 3:47 PM]
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, March 7, 2012

Present: Ald. Ciccone (Chair), Johnson, Swiston, Yates, Harney, Schwartz, Fuller and Kalis; also present: Ald. Lappin, Danberg, Crossley and Albright

- #278-11 ALD. YATES, requesting a report from His Honor the Mayor on the likely impacts on traffic in Newton from the changes to the Route 9/128 intersection as part of the Add-A-Lane Project. [09/26/11 @ 2:37 PM]
HELD 7-0 (Johnson not voting)
- #59-12 ALD. YATES, requesting a report from His Honor the Mayor as to how the City can support the request of the MBTA Advisory Board that the costs of the MBTA Police Department be assumed by the Massachusetts Executive Office of Public Safety and Homeland Security. [02/21/12 @ 8:29 PM]
RESOLUTION APPROVED 6-0-2 (Fuller and Johnson abstaining) Subject to 2nd call
- #60-12 ALD. YATES, requesting a report from His Honor the Mayor as to how the City can support the recommendations of the MBTA Advisory Board that the Massachusetts Port Authority assume the costs of the commuter ferries into Boston. [02/21/12 @ 8:29 PM]
RESOLUTION APPROVED 6-0-2 (Fuller and Johnson abstaining) Subject to 2nd call

PUBLIC FACILITIES COMMITTEE REPORT

Wednesday, March 7, 2012

Present: Ald. Salvucci, Lennon, Albright, Gentile, Crossley, Danberg, Laredo and Lappin

Also present: Ald. Hess-Mahan and Linsky

#41-12 NATIONAL GRID petitioning for a grant of location to install and maintain approximately 125 feet of gas main easterly from the existing 4" gas main at the intersection of Broken Tree Road to provide service to 131 Old Farm Road.

APPROVED 7-0 (Gentile not voting)

#418-11 ALD. CROSSLEY, HESS-MAHAN, LINSKY AND SALVUCCI requesting a report from the administration on the status of a strategy to meet the City's obligation as a Department of Energy Resources Green Community to reduce municipal energy consumption by 20% over five years, and how that strategy is incorporated into the capital improvement plan. [12/08/11 @ 4:09 PM]

HELD 7-0 (Lappin not voting)

#116-10 ALD. CROSSLEY AND HESS-MAHAN requesting discussion regarding status of ESCO weatherization audit focusing on building envelope retrofits proposed for Phase II and Phase III and coordinating those efforts to inform decision making on related capital expenditures. [04/13/10 @ 7:24 PM]

NO ACTION NECESSARY 7-0 (Lappin not voting)

#126-09 ALD. LAPPIN requesting an update on the status of repairs and rental of the Kennard Estate. [04/17/09 @ 2:49 PM]

NO ACTION NECESSARY 8-0

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 or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date