

DOCKET

July 10: Land Use

July 16: Zoning & Planning

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Aug. 6: Finance

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Monday, July 9, 2012

7:45 PM, Newton City Hall

To be reported on

MONDAY, AUGUST 13, 2012

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

#188-12 ALD. HESS-MAHAN requesting a discussion regarding the types of information that should be required from petitioners applying for a special permit to exceed FAR under Sec. 30-15(u)(2) in order to meet their burden of proof to show that the “proposed structure is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood.”

Article X Section 5 of the Rules & Orders of the Board of Aldermen classifies the following three petitions as “Major Projects.” The petitioners are seeking Suspensions of the Rules to allow the petitions to be assigned for public hearings on August 14, 2012.

#189-12 ROX DINER/NORMAN CUBELL, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a restaurant with greater than 50 seats (increase the seating from 38 seats to 61 seats) and for a waiver from the 8 parking stalls required for such expansion at 335 WALNUT STREET, Newtonville, Ward 2, on land known as SBL 24, 9, 20 in a district zoned Business 1. Ref: Sec 30-24, 30-23, 30-11(d)(9), 30-19(c)(3), 30-19(d)(13), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

#190-12 YOUNG INVESTMENTS, LLC/NEWTON COMMUNITY SERVICE CENTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing 2-story building and construct a 3-story (36.5’) multi-family structure with 13 units (with a 1.47 FAR), 996 sq. ft. of office space on the first floor, an 18-stall below grade parking garage, a retaining wall greater than 4 feet in height in the setback, and to waive 11 parking stalls and certain parking dimensionals 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 district zoned Business 1. Ref: Sec 30-24, 30-23, 30-15 Table 3, 30-11(d)(8), 30-5(b) and (b)(4), 30-19(d)(1), (d)(11), 30-19(h)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

- #191-12 MAXIMILLIAN CANDIDUS/337 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 7 parking stalls required as a result of expanding a restaurant from 12 to 37 seats and to waive the associate design standards for parking facilities with greater than 5 stalls at 323-333 WASHINGTON STREET, Ward 1, Newton Corner, on land known as SBL 71, 3, 7, in a district zoned Business 1. Ref: Sec. 30-24, 30-23, 30-19(c)(3), (d)(13), 30-19(h), (i), (k) and (m) of the City of Newton Rev Zoning Ord, 2012.

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Re-appointment by His Honor the Mayor

- #192-12 JOHN NEVILLE, 86 High Street, Newton Upper Falls, re-appointed as a member of the NEWTON COMMONWEALTH FOUNDATION for a term to expire April 1, 2015 (60 days 09/07/12). [06/20/12 @11:14 AM]

OTHER COMMUNICATIONS

- #193-12 ALD. YATES offering a MEMORIAL RESOLUTION commemorating the life of BEATRICE "BEA" BARRON, member of the Cultural Affairs Commission, a founder of the Newton Art Center, and the Newton Times, and longtime community activist.

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

- #194-12 ALD. CICCONE proposing that **Sec. 19-309. Requirements as to vehicles generally. and 19-332. Procedure for obtaining licenses.** be amended to include vans and that **Sec. 17-3. Fees for certain licenses and permits.** be amended to include a \$25 annual fee for vans. [06/21/12 @11:28AM]
- #195-12 ALD. BLAZAR filing on behalf of Deborah & Marc Fogel, Michael Hamilton, and Deborah Lewis an appeal from TC50-11, which was approved 3-2 (Babcock, Ciccone opposed) by Traffic Council on May 31, to prohibit parking between the driveway at 51 Lake Avenue and south to the curve at Cronin's Cove, Crystal Lake. (Appeal filed 06/18/12)
- #196-12 ANN BASSI et al. filing an appeal from TC-68-11, which requested a one-hour parking restriction on school days between 8:00 a.m. – 3:00 p.m. on Atwood Avenue (Ward 2), voted No Action Necessary by Traffic Council on June 14. (Appeal filed 07/02/12).

REFERRED TO PUBLIC FACILITIES COMMITTEE

Public Hearing to be assigned 07/18/2012:

#197-12 HIS HONOR THE MAYOR requesting the Board of Aldermen authorize a long-term lease with the solar photovoltaic firm, Ameresco Solar Inc., to allow for the installation of solar panels on the rooftops of five (5) public schools: Newton North High School, Brown Middle School, Memorial-Spaulding Elementary School, Countryside Elementary School and Bowen Elementary School. [07/02/12 @ 5:03 PM]

Public Hearing to be assigned 07/18/2012:

#198-12 NATIONAL GRID petitioning for a grant of location for a utility control box, regulator station and to install and maintain 128' ± of 12" and 8" gas main in AUSTIN STREET from the existing 8" gas main in Chestnut Street easterly to the proposed regulator station and from the proposed regulator station to the existing 8" gas main. (Ward 3) [06/19/12 @ 1:44 PM]

Public Hearing to be assigned 07/18/2012:

#199-12 NATIONAL GRID petitioning for a grant of location for a utility control box, regulator station and to install and maintain 78' ± of 8" gas main in WASHINGTON STREET at CHESTNUT STREET from the existing 24" gas main easterly to the proposed regulator station and from the proposed regulator station to the existing 10" gas main. (Ward 3) [06/19/12 @ 1:44 PM]

Public Hearing to be assigned 07/18/2012:

#200-12 NATIONAL GRID petitioning for a grant of location for a utility control box, regulator station and to install and maintain 60' ± of 16", 12", and 8" gas main in BEACON STREET at WABAN AVENUE from the existing 16" gas main easterly, to the proposed regulator station and from the proposed regulator station to the existing 12" gas main. (Ward 5) [06/19/12 @ 1:44 PM]

REFERRED TO FINANCE COMMITTEE

Appointment by His Honor the Mayor

#201-12 ROBERT FANNING, 27 Cook Street, Newton appointed as a Constable for the City of Newton for a term of office to expire July 26, 2015. [07/02/12 @ 1:15 PM]

Re-appointment by His Honor the Mayor

#202-12 MICHAEL FLYNN, 23 Thelma Road, Dorchester, re-appointed to the BOARD OF ASSESSORS for a term expiring on February 1, 2015. (60 days 09/07/12) [07/02/12 @ 1:15 PM]

- #56-07(4) HIS HONOR THE MAYOR requesting an amendment to the Newton North High School New Construction Project Appropriation Schedule included in Board Order #56-07(2) approved April 22, 2008 to reflect the final cost of the project. [07/02/12 @ 5:03 PM]
- #203-12 HIS HONOR THE MAYOR requesting that the Board of Aldermen accept the sum of eighteen thousand dollars (\$18,000) in the form of donations to be used to fund a parking study for the Cypress Street Parking Structure. [07/02/12 @ 5:03 PM]
- #204-12 HIS HONOR THE MAYOR requesting authorization to accept, appropriate, and expend a reimbursable grant of five million dollars (\$5,000,000) for Route 9 infrastructure improvements associated with the Chestnut Hill Square Development Project contingent upon the successful execution of the grant agreement between the Executive Office of Housing and Economic Development and the City of Newton.
- #205-12 HIS HONOR THE MAYOR requesting an amendment to the F.A. Day Middle School Construction Project Appropriation Schedule included in Board Order #115-12 approved June 18, 2012 by reducing the amount of thirty-five thousand three hundred thirty-four dollars (\$35,334) from the appropriation for “General Contractor” and adding that sum to the “Undistributed Project Budget.” [07/02/12 @ 5:03 PM]
- #206-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred ninety-three thousand seven hundred eighteen dollars and ninety-three cents (\$493,718.93) from the July 2, 2012 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors to be used for the purpose of funding the statutory interest charges incurred by the City of Newton beginning September 8, 2009 through June 21, 2012 pursuant to the Appeals Court reversal of the Appellate Tax Board’s order for Verizon New England, Inc. to pay back taxes for Fiscal Years 2003 through 2008. [07/02/12 @ 5:03 PM]

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #214-10(6) HIS HONOR THE MAYOR requesting authorization to accept the sum of one hundred ninety-six thousand dollars (\$196,000) from New England Development Chestnut Hill LLC to be held in a “Receipts Reserved for Appropriation – Fire Department Equipment” Account per Condition #6 of Special Permit #214-10 approved on December 6 2010, for Chestnut Hill Square.

REFERRED TO REAL PROPERTY REUSE COMMITTEE

- #287-11(3) HIS HONOR THE MAYOR appointing Molly Gasnick, 21 Newtonville Avenue, Newton, to the Joint Advisory Planning Group re the future use of the land and building currently housing the Health Department at 1294 Centre Street, Newton Centre, Ward 6.
- #384-11(3) PRESIDENT LENNON & HIS HONOR THE MAYOR appointing the following individuals to the Joint Advisory Planning Group re the future use of the land and building at 70 Crescent Street, which formerly housed the Parks & Recreation Department, Auburndale, Ward 3:

Aldermanic appointee: George Schnee, 339 Auburn Street, Auburndale
Mayoral appointee: Wataru Matsuyasu, 57 Evergreen Avenue, Auburndale

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