

DOCKET

Sept. 24: Finance; Zoning & Planning

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Wednesday, September 19, 2012

7:45 PM, Newton City Hall

To be reported on

MONDAY, OCTOBER 1, 2012

CITY OF NEWTON

IN BOARD OF ALDERMEN

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

- #137-10(4) REQUEST FOR AN EXTENSION OF TIME in which to EXERCISE Special Permit/Site Plan Approval #137-10(3) granted to SHARAD S. GANDBHIR on November 21, 2011 for an accessory apartment in an existing detached structure and to allow three parking spaces in the front setback and less than five feet from the front lot line at 298-300 ADAMS STREET, Ward 1; said EXTENSION will run from November 21, 2012 to November 21, 2013. Ref: Sec. 30-24(c)(4) of the City of Newton Rev Zoning Ord, 2012.

Public Hearings to be assigned for October 9, 2012:

- #271-12 DAVID AUTOR & MARIKA TATSUTANI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct a rear addition to expand the kitchen and add a mudroom which will increase the Floor Area Ratio from .71 to .73, where .48 is allowed by right at 54 OXFORD ROAD, Ward 6, Newton Centre, on land known as SBL 62, 4, 18, containing approximately 7,681 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

- #149-03(4) BERTUCCI'S COPORATION/THE NOLAN BROTHERS petition to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #149-03 granted on June 2, 2003 to allow a restaurant use (120 seats) in a MIXED USE 1 District and to waive the 25 parking stalls required for such use at 300 NEEDHAM STREET, Ward 8, on land known as SBL 83, 30, 11 containing 205,211 sq. ft. of land. Ref: Sec 30-24, 30-23, 30-19©, (d)(13), and (m), 30-13(b)(5) of the City of Newton Zoning Ord 2012 and Special Permit #149-03 and #149-03(2).

#272-12 BH NORMANDY OWNER, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for several improvements to be completed over two phases. The first phase requires a special permit to (1) amend the current site plan by adding a pool deck awning; reconfiguring the delivery and trash pick-up area at the front of the hotel; reconfiguring the existing parking areas; reflecting existing and proposed signage; and reflecting existing wireless communications equipment; (2) extend a nonconforming structure by adding a pool deck awning; (3) obtain waivers for number of parking stalls and parking facility design standards including stall width, stall depth, handicap stall depth, maneuvering space for end stalls, maneuvering space for aisles, maximum width for entrance and exit driveways, landscape screening, interior landscaping, surfacing and curbing, one foot candle lighting, number of bicycle parking spaces, and design of loading facilities; and (4) authorize existing and proposed signage at 399 GROVE STREET, Ward 4. The second phase anticipates that a portion of the applicant's lot will be conveyed or taken to provide rear access/egress to the proposed Riverside Development. This taking or conveyance would require special permit relief to (6) authorize an FAR greater than 1.0; (7) extend the existing nonconforming lot coverage; (8) obtain relief for the existing nonconforming building (i.e., height, number of stories and loading facility) as the building may be affected by a reduction in lot area; and (9) obtain a waiver for number of required parking stalls; all on land known as Section 42, Block 11, Lot 4 containing approximately 116,650 square feet of land in a Business 5 Zoned district. Ref: Sections 30-15, Table 3; 30-19(d)(3); 30-19(d)(13); 30-19(h); 30-19(h)(2)a); 30-19(h)(2)b); 30-19(h)(2)c); 30-19(h)(2)e); 30-19(h)(3)b); 30-19(h)(4)b); 30-19(i); 30-19(i)(1); 30-19(i)(2); 30-19(j); 30-19(j)(1)a); 30-19(j)(2)e); 30-19(k)(1); 30-19(l); 30-19(m); 30-20(f)(1); 30-20(f)(2); 30-20(f)(9); 30-20(l); 30-21(b); 30-23; 30-24; and 30-26(a)(1) of the City of Newton Revised Zoning Ordinances, 2012.

#272-12(2) BH NORMANDY OWNER, LLC petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 399 Grove Street, also identified as Section 42, Block 11, Lot 4, currently zoned Business 5.

Public Hearings to be assigned for October 16, 2012:

#258-12 BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 327 GROVE STREET, also identified as Section 42, Block 11, Lot 3A, currently zoned Public Use.

#258-12(2) BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit oriented development including an office building of approximately 225,000 sq. ft., a residential building containing 290 apartments with 5,000 sq. ft. of retail space, a three story building containing approximately 15,000 sq. ft. of retail space and approximately

8,000 sq. ft. of community space, and related site improvements; to permit office use on the ground floor, medical office use, retail and personal establishments of more than 5,000 sq. ft., eating and drinking establishments of more than 5,000 sq. ft., retail banking and financial services, and health club establishments on the ground floor; and reduced minimum setbacks of side setback of office building, and front setback of retail/community building; parking facility design standards including stall width, stall depth, maneuvering space for end stalls, minimum width for entrance and exit driveways, tandem stalls, number of required off-street loading facilities and design standards of same, landscape screening requirements, surfacing and curbing requirements and one foot candle lighting; at 327 GROVE STREET, Ward 4, on land known as SBL 42, 11, 3A containing approx. 9.4 acres of land in a proposed Mixed Use 3 Transit Oriented Zoned district. Ref: Sec 30-13(f), Table A Footnote ; 30-13(g); 30-15(v)(1); 30-15, Table 3; 30-19(d)(22); 30-19(h); 30-19(h)(2)a); 30-19(h)(2)b); 30-19(h)(2)e); 30-19(h)(4)a); 30-19(h)(5)a); 30-19(i); 30-19(i)(1)a); 30-19(j); 30-19(j)(1)a); 30-19(j)(2)d); 30-19(l); 30-19(l)(2); 30-19(l)(3); 30-19(m); 30-23; 30-24; 30-24(i)(7) of the City of Newton Revised Zoning Ord, 2012.

REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer. [09-10-12 @ 1:17 PM]

OTHER COMMUNICATIONS

- #274-12 DONNA MAZZOLA filing a Review of Accessory Apartment Petition (RAAP) pursuant to Section 30-22 of the City of Newton Revised Zoning Ordinances, 2012, for a pre-existing unit at 267-269 Adams Street, Ward 1.

REFERRED TO PUBLIC FACILITIES COMMITTEE

Public Hearing Assigned for October 3, 2012:

- #275-12 NATIONAL GRID petitioning for a grant of location to install and maintain 230' ± of 6" gas main in ELMWOOD STREET from the existing 3" gas main at Eldredge Street westerly to Baldwin Street and 255' ± of 6" gas main in BALDWIN STREET from the proposed 6" gas main in Elmwood Street southerly to 19 Baldwin Street. (Ward 1) [09/05/12 @ 2:38 PM]

Public Hearing Assigned for October 3, 2012:

- #276-12 NATIONAL GRID petitioning for a grant of location to install and maintain 90' ± of 6" gas main in COLUMBINE ROAD from the existing 6" gas main at 57 Columbine Road to 45 Columbine Road. (Ward 8) [09/05/12 @ 2:38 PM]

Public Hearing Assigned for October 3, 2012:

#270-12 NATIONAL GRID petitioning for a grant of location to install and maintain 62' ± of 6" gas main in DEDHAM STREET from the existing 6" gas main at 127 Dedham Street to 135 Dedham Street. (Ward 5 & 8) [07/20/12 @ 1:46 PM]

Public Hearing Assigned for October 3, 2012:

#277-12 NATIONAL GRID petitioning for a grant of location to install and maintain 90' ± of 4" gas main in NEAL STREET from the existing 4" gas main at Baker Place westerly to 19 Neal Street. (Ward 4) [09/05/12 @ 2:37 PM]

REFERRED TO FINANCE COMMITTEE

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

#56-07(5) HIS HONOR THE MAYOR requesting that Board Order #56-07(2) be amended by reducing the amount to be used from borrowing by fifty-three thousand four hundred forty-six dollars (\$53,446) and appropriating the fifty-three thousand four hundred forty-six dollars (\$53,446) from the Capital Stabilization Fund for the purpose of closing out the project. [09/12/12 @ 2:15 PM]

#278-12 HIS HONOR THE MAYOR requesting adoption of Chapter 40, Section 21E of the Massachusetts General Laws authorizing municipalities to set interest rates for any overdue charges or bills. [09/10/12 @ 6:44 PM]

#279-12 HIS HONOR THE MAYOR appointing Nicholas Read Chief Procurement Officer, effective September 10, 2012, pursuant to §3-3 of the City Charter. (30 days 10/23/12). [09-10-12 @ 6:55 PM]

#280-12 ALD. CROSSLEY, ALBRIGHT, JOHNSON requesting that (A) the City accept G.L. c. 59 section 5N of the Acts of 2012 and (B) create an ordinance establishing a program to allow veterans to volunteer to provide services in exchange for a reduction in real property tax obligation. [09-10-12]

REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES

#281-12 HARRY SANDERS requesting creation of an ordinance to allow pawnbrokers in the City of Newton pursuant to G.L. c. 140 section 70 with potential for non-fixed location of business. Secured property storage would not entail retail walk-in; model would entail possible satellite locations enabling the possibility of integrating Newton students. [08-31-12 @ 12:25 PM]

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