

## DOCKET

Oct. 16: Land Use  
Oct. 17: Programs&Services; Public Safety; Public Facilities  
Oct. 22: Finance; Zoning & Planning  
Oct. 23: Land Use

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Monday, October 15, 2012  
7:45 PM, Newton City Hall  
To be reported on  
**MONDAY, NOVEMBER 5, 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

*Public Hearing Date to be Determined:*

#272-12(3) BH NORMANDY OWNER, LLC petition to AMEND Special Permit/Site Plan Approval application #272-12, for which a public hearing was opened on October 9, 2012, with respect to EXTENDING a NONCONFORMING STRUCTURE to allow construction of a ramp on the easterly side of the Hotel Indigo at 399 Grove Street, Newton Lower Falls. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearings to be assigned for November 13, 2012:*

#305-12 STEPHEN GUILLETTE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by replacing an existing rear deck with a mudroom addition and to locate two dimensionally non-compliant 9'x18' parking stalls in the front setback and closer than five feet at 29 BREWSTER Road, Ward 5, Newton Highlands, on land known as SBL 54, 10, 13, containing approx. 5,176 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-19(g)(1) and (2) and 30-19(m) of the City of Newton Rev Zoning Ord, 2012. .

#306-12 EVELYN P. GREENSPAN TRUST, PAUL I. FEINBERG, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive the dimensional requirements, lighting, curbing, surface and maintenance requirements for an existing nonconforming 18-stall parking facility or alternatively to waive the required five additional parking stalls required for a change of use at 35-41 LINCOLN STREET, Ward 5, Newton Highlands, on land known as SBL 52, 8, 18, containing approx. 15,000 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(c), 30-19(d), 30-19(h), 30-19(j), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

- #307-12 WMACH, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF A NONCONFORMING USE to add over a three-year period three restaurants with more than 50 seats; to waive 300 parking spaces and one loading dock; erect three additional signs all in excess of 100 sq. ft. for the restaurants facing Boylston Street and a fourth sign over the entrance of the Mall; pop out the Boylston Street façade 5,726 sq. ft. within the existing footprint; add 2,223 sq. ft. of outside restaurant patio seating; relocate the ring road in front of the mall to accommodate the pop-outs and outdoor seating; and make physical improvements to the Boylston Street façade and the Boylston Street parking lot at 199 BOYLSTON STREET, Ward 7, Chestnut Hill, on land known as SBL 65, 8, 1, containing approximately 324,691 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-20(f)(2), (l), 30-19(c), 30-19(d)(10), 30-19(d)(13), 3-19(l), and 30-19(m), 30-11(d)(9), 30-11(k), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

**REFERRED TO ZONING & PLANNING COMMITTEE**

- #308-12 ALD. HESS-MAHAN & ALBRIGHT requesting a discussion with the Mayor's office and the Planning & Development Department of policies, procedures, and criteria relating to determinations concerning expenditures of Community Development Block Grant (CDBG) funds. [10/09/12 @3:59 PM]

Appointment by His Honor the Mayor

- #309-12 JESSICA ALPERT, 14 Fuller Avenue, West Newton, appointed as a member of the URBAN DESIGN COMMISSION for a term to expire September 17, 2015 (60 days 12/14/12). [10/03/12 @12:17 PM]

**OTHER COMMUNICATIONS**

- #310-12 T-MOBILE NORTHEAST, LLC application for Administrative Site Plan Review pursuant to §30-18) of the City of Newton Rev Zoning Ordinance to modify existing wireless communication equipment at 2345 Commonwealth Avenue, Ward 4.

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

- #311-12 ALD. CICCONE filing on 09/28/12 an appeal from TC5-12, which requested parking restrictions in the area of the blind curve on Winchester Street (Ward 8), approved by Traffic Council on September 27, 2012.

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

*Public Hearing to be assigned for October 17, 2012:*

#312-12 COMCAST petitioning for a grant of location to install 72' ± of 3" conduit in CHAPEL STREET from Pole #78/8 proceeding 41' in a northerly direction thence turning westerly for an additional 31' to 55 Chapel Street. 09/27/12 @ 3:18 PM]

*Public Hearing to be assigned for October 17, 2012:*

#313-12 NATIONAL GRID petitioning for a grant of location to install and maintain 124' ± of 4" gas main in BOUND BROOK ROAD from the existing 4" gas main at 83 Bound Brook Road to 98 Bound Brook Road for a new gas service. (Ward 8) [10/02/12 @ 2:16 PM]

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

*Public Hearing to be assigned for November 7, 2012:*

#314-12 HIS HONOR THE MAYOR requesting a water main be extended through a proposed easement from an existing water main in the public way portion of Boulder Road a distance of approximately 300' across the private way portion of BOULDER ROAD to an existing water main in DEDHAM STREET. [10/10/12 @ 11:11 AM]

**REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES**

#315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process. [10-02-12 @ 3:37PM]

**REFERRED TO PUB.FAC, ZONING&PLANNING, PROG & SERV COMMITTEES**

#316-12 DEPARTMENT HEADS HAVENS, ZALEZNIK, LOJEK requesting amendments to **Sec. 26-30. Licenses for cafe furniture on sidewalks.** to streamline the procedure allowing businesses to place café furniture on public sidewalks. [09/24/12 @ 3:17 PM]

**REFERRED TO FINANCE COMMITTEE**

#317-12 HIS HONOR THE MAYOR submitting the FY14 - FY18 Five-Year Financial Forecast for Board of Aldermen review/acceptance. [10/09/12 @ 2:38 PM]

#318-12 HIS HONOR THE MAYOR requesting authorization to expend seventy thousand dollars (\$70,000), which represents the first year of a five-year, \$350,000 reimbursement grant from the United States Food and Drug Administration for the purpose of strengthening, standardizing, and documenting food safety inspection and community outreach activities of the Health and Human Services Department. [10/09/12]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #319-12 ALD. FULLER, LAPPIN AND SALVUCCI requesting a discussion of the benefits and drawbacks of using a Construction Manager at Risk and the most effective ways of managing construction and controlling costs. [10/02/12 @ 10:57 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #320-12 ALD. SALVUCCI AND GENTILE requesting a discussion with the Engineering Division of the Public Works Department regarding the billing and collecting of street opening permit fees. [09/28/12 @ 10:28 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #321-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six hundred ninety-five thousand five hundred fifty-eight dollars (\$695,558) from bonded indebtedness for the purpose of completing design services through the construction administration phase of the Carr School Building renovation project. [10/09/12 @ 2:37 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #322-12 HIS HONOR THE MAYOR submitting the FY14-FY18 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter. [10/09/12 @ 2:38 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.