

## DOCKET

Nov. 22: Land Use  
Nov. 28: Finance; Zoning & Planning  
Nov. 29: Real Property Reuse; Community Preservation

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Monday, November 21, 2011  
Newton City Hall  
To be reported on  
**Monday, December 5, 2011**

### 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 to be assigned for January 10, 2012:*

#388-11 KOUZINA, INC./DTS TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 9 parking stalls in order to increase in the number of seats from 20 to 46 in an existing restaurant at 1649 BEACON STREET, Ward 5, Waban, on land known as SBL 53, 29, 2A, containing approximately 54,198 square feet of land in a district zoned BUSINESS 1. Ref: Sec. 30-24, 30-23, 30-19(d)(13), and 3-19(m) of the City of Newton Rev Zoning Ord, 2007.

#### REFERRED TO ZONING AND PLANNING COMMITTEE

Appointment by His Honor the Mayor:

#389-11 JANE SENDER, 47 Kingswood Road, Auburndale, appointed as a member of the Conservation Commission for a term of office to expire December 31, 2015 (60 days 1/20/12). [11/14/11 @ 1:22PM]

Appointment by His Honor the Mayor:

#390-11 WILLIAM MCLAUGHLIN, 117 Hammond Street, Chestnut Hill, appointed as a member of the Zoning Board of Appeals for a term to expire on September 30, 2012 (60 days 1/20/12). [11/12/11 @ 11:46 AM]

Appointment by His Honor the Mayor:

#391-11 THOMAS PHILLIPS, 139 Algonquin Road, Newton, appointed as a member of the Zoning Board of Appeals for a term to expire on September 20, 2014 (60 days 1/20/12). [11/14/11 @ 4:46 PM]

Appointment by His Honor the Mayor:

#392-11 TREFF LAFLECHE, 86 Prince Street, West Newton, appointed as an *associate* member of the Zoning Board of Appeals for a term to expire December 31, 2012 (60 days 1/20/12). [ 11/14/11 @ 4:53 PM]

Appointment by His Honor the Mayor:

#393-11 PETER KILBORN, 31 Buswell Park, Newton Corner, appointed as an *associate* member of the Zoning Board of Appeals for a term of office to expire December 31, 2012 (60 days 1/20/12). [11/12/11 @ 11:45 AM]

Appointment by His Honor the Mayor:

#394-11 BARBARA HUGGINS, 122 Albemarle Road, Newtonville, appointed as an *associate* member of the Zoning Board of Appeals for a term of office to expire December 31, 2012 (60 days 1/20/12). [11/12/11 @ 11:45AM]

Appointment by His Honor the Mayor:

#395-11 STUART SNYDER, 30 Erie Avenue, Newton Highlands, appointed as an *associate* member of the Zoning Board of Appeals for a term of office to expire December 31, 2012 (60 days 1/20/12). [11/12/11 @ 11:45 AM]

Re-appointment by His Honor the Mayor:

#396-11 BROOKE LIPSETT, 54 Kirkstall Road, Newtonville, re-appointed as a member of the Zoning Board of Appeals for a term of office to expire September 30, 2014 (60 days 1/20/12). [11/12/11 @ 11:46 AM]

Re-appointment by His Honor the Mayor:

#397-11 VINCENT FARINA, 24 Manemet Road, Newton, re-appointed as a member of the Zoning Board of Appeals for a term of office to expire September 1, 2014 (60 days 1/20/12). [11/12/11 @ 11:46 AM]

Re-appointment by His Honor the Mayor:

#398-11 HARVEY CREEM, 110 Huntington Road, Newton Corner, re-appointed as a member of the Zoning Board of Appeals for a term of office to expire February 1, 2013 (60 days 1/20/12). [11/12/11 @ 11:46 AM]

Re-appointment by His Honor the Mayor:

#399-11 JAMES MITCHELL, 83 Countryside Road, Newton Centre, re-appointed as a member of the Zoning Board of Appeals for a term of office to expire December 31, 2012 (60 days 1/20/12). [11/12/11 @ 11:45 AM]

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

#400-11 ALD. GENTILE, HARNEY, SANGIOLO requesting establishment of a Business 5/Riverside Zone: a mixed-use transit-oriented district at the site of the current Riverside MBTA rail station. The proposed new zone shall allow by special permit a single commercial office building not to exceed 225,000 square feet with a maximum height of 9 stories, two residential buildings not to exceed 290 housing units in total, retail space not to exceed 20,000 square feet, along with a multi-use community center. [11/17/11 @3:36 PM]

### **OTHER COMMUNICATIONS**

#401-11 HIS HONOR THE MAYOR, pursuant to §20-33(g) of the City of Newton Revised Ordinances, 2007, filing a copy of his decision re the appeal filed by Bruce & Elizabeth Wilson from a decision of the tree warden that the lot at 52 Sewall Street is not exempt from the provisions of the Tree Ordinance.

### **REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

#402-11 ALD. LENNON & LAPPIN, pursuant to section 2-7 of the City Charter, recommending that the 2012-2013 Board of Aldermen re-appoint David C. Wilkinson as Comptroller of Accounts; said term will be two years or until a successor is duly qualified. [11/04/11 @ 1:10PM]

#403-11 ALD. LENNON & LAPPIN, pursuant to Section 2-7 of the City Charter recommending that the 2012 -2013 Board of Aldermen re-appoint David A. Olson as City Clerk/Clerk of the Board; said term will be two years or until a successor is duly qualified. [11/04/11 @ 1:10PM]

#404-11 GREEN DECADE NEWTON requesting Board of Aldermen approval of Newton Extended Producer Responsibility (EPR) RESOLUTION which seeks statewide DPR framework legislation to support transfer of responsibility for the costs of managing discarded products to producers (brand owners and first importers) under oversight of the Massachusetts Department of Environmental Protection. 11/12/11 @11:58AM]

### **REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

#386-11 ZAKARIA ATROUSSE, 9 Hazelwood Street, Malden, MA 02148, requesting **two (2) new public auto licenses** for Boston City Limousine. [11/08/11 @ 12:26 PM]

#387-11 ROBERT KEEFFE, 266 Nevada Street, Newton 02460, requesting **one (1) public auto license** for Charter Rides, Inc. [11/09/11 @ 11:12 AM]

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

- #405-11 NATIONAL GRID requesting a grant of location to install and maintain 102' ± of 4" gas main in UPLAND AVENUE from the existing 4" gas main at 193 Upland Avenue southerly to 210 Upland Avenue. (Ward 8) [11-10-11 @ 2:00 PM]
- #149-11(3) SOVEREIGN BANK requesting the necessary approvals for the off-site road improvements at the intersection of Washington and Crafts Streets outlined in Special Permit Board Order #149-11, Condition 6A. 11/07-11 @ 2:16 PM]

**REFERRED TO FINANCE COMMITTEE**

- #406-11 HIS HONOR THE MAYOR requesting acceptance, appropriation, and expenditure of a reimbursable grant in the amount of fifty-three thousand ninety-five dollars and eleven cents (\$53,095.11) awarded by the Massachusetts Executive Office of Public Safety and Security to be used for specialized police services directed at traffic safety education, crime reduction and criminal investigations. [11/14/11 @ 4:56 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #407-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of ninety thousand dollars (\$90,000) from bonded indebtedness for the purpose of purchasing a backhoe for the Department of Public Works. [10/31/11 @ 2:48 PM]

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION**

- #408-11 COMMITTEE ON COMMUNITY PRESERVATION requesting a discussion with the members of the CIP team including Bob Rooney, Maureen Lemieux, and Stephanie Gilman to talk about project management regarding potential CPA-eligible projects listed in the CIP. Recognizing that project management has been difficult in prior CPA funded projects, the conversation will revolve around how things will be different with respect to project management in the future. [11/14/11 @ 1:58PM]

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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.

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

*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 DECEMBER 7, 2011:***

#367-10(3) **DESIGN REVIEW COMMITTEE** in accordance with §5-58 of the City of Newton Ordinances petitioning for site plan approval for the F.A. Day Middle School project which consists of a conversion of the existing administration offices and student services areas, a third floor addition to create six new classrooms and associated learning spaces, and a two-story addition at the Minot Street entry to the school, as well as proposed site improvements that include modifications to parking, pedestrian access, and landscaping.