

REPORTS DOCKET

July 13: Land Use; Zoning & Planning
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Monday, July 12, 2010
7:45 PM, Newton City Hall
To be reported on
Monday, August 9, 2010

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

MOTION TO RECONSIDER FILED BY ALD. SALVUCCI ON JULY 13:

#204-10 COMMISSIONER OF PUBLIC WORKS, ON BEHALF OF
NSTAR, petitioning for a grant of location to relocate pole 128/6 to
the opposite side of ELM ROAD, a distance of 50' +/- westerly from
existing pole location. (Ward 2) [06/21/10 @ 5:13 PM]
PUBLIC FACILITIES APPROVED 6-0 WITH CONDITION on
7/12/10
FULL BOARD APPROVED ON JULY 13

REFERRED TO LAND USE COMMITTEE

Tuesday, July 13, 2010

Present: Ald. Hess-Mahan (Chairman), Ald. Fischman, Schnipper, Merrill, Albright,
Crossley, and Blazar; absent: Ald. Harney; also present: Ald. Fuller

Public Hearings were held on the following items:

#151-10 PIE PIE LLC d/b/a CONTINENTAL petition for a SPECIAL
PERMIT/SITE PLAN APPROVAL to waive 9 parking spaces in order to
expand an existing 24-seat café to a 48-seat restaurant at 796 BEACON
STREET, Ward 6, Newton Centre, on land also known as Sec 61, Blk 36,
Lot 2, containing approx 3,945 sq ft of land in a district zoned
BUSINESS 1. Ref: Sec 30-24, 30-23, 39-19(d)(13), and 30-19(m) of the
City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED

#176-10 ANN & JOHN J. CAUFIELD petition for a SPECIAL PERMIT/SITE
PLAN APPROVAL to add a shed dormer wider than 50% of the length of
the exterior wall of the story next below on the rear of an existing single-
family residence at 37 HAGEN ROAD, Ward 8, Newton Centre, on land
known as Sec 81, Blk 42, Lot 3, containing approx 8,050 sf of land in a
district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-
15(t)(1) and (3) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED; ITEM APPROVED 7-0

#177-10 SUSAN MIRON & BURTON D. FINE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an EXTENSION OF A NON-CONFORMING STRUCTURE to extend a rear sunroom, which will increase the legally non-conforming Floor Area Ratio from .40 to .41, onto an existing single-family residence at 18 COCHITUATE ROAD, Ward 6, Newton Highlands, on land known as Sec 54, Blk 31, Lot 3, containing approx 6,545 sf in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)(b) and 30-21(b), 30-15, Table 1 of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; ITEM APPROVED 7-0

#178-10 EDWARD TAPPER PLOTKIN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive the minimum dimension of a parking stall and to waive the minimum dimension of an entrance/exit drive in order to relocate one of two existing tandem parking spaces at 64 EDDY STREET, Ward 3, West Newton, on land known as Sec 21, Blk 37, Lot 14, containing approximately 4,663 sf of land in a district zoned MULTI RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(2), (3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

REFERRED TO LAND USE COMMITTEE

Tuesday, July 27, 2010

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

A public hearing was held on the following item:

#139-10(2) MAX & MAJORIE SCHECHNER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL/EXTENSION OF NONCONFORMING STRUCTURE to add a dormer approximately 88% of the length of the rear of an existing two-family residence at 8-10 HATFIELD ROAD, Ward 3, on land known as Sec 34, Blk 18, Lot 1, containing approx 7,370 sq ft of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(t)(a) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; ITEM APPROVED 4-0-1 (Crossley abstaining)

Application for a Class 2 Auto Dealer License

#150-10 PARAGON GLOBAL PARTNERS, INC.
259 Walnut Street
Newtonville 02460

APPROVED 5-0

- #136-10 CHARLES RIVER COUNTRY CLUB, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL/EXTENSION OF A NONCONFORMING STRUCTURE to AMEND Special Permit #261-96 to replace an existing tent with an open-air pavilion of similar size with a permanent roof at 483 DEDHAM STREET, Ward 8, on land known as Sec 83, Blk 36, Lot 4, containing approx 6,446,022 sq ft of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2007 and Special Permit #261-96. (9/13)
APPROVED 5-0
- #138-10 MARTY SIEGAL/661-669 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF A NONCONFORMING STRUCTURE to add two additions (containing approx 1,205 sq ft) to the side and front of a commercial building and to waive one parking space at 675 WASHINGTON STREET, Ward 2, on land known as Sec 23, Blk 17, Lot 3, containing approx 33,176 sq ft of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(c)(2), (d), and (m), and 30-15 Table 3 of the City of Newton Rev Zoning Ord, 2007 and Special Permit #714-85. (9/13)
APPROVED 5-0
- #173-10 PRESIDENT LENNON recommending the appointment of R. LISLE BAKER as the aldermanic representative to the BOSTON COLLEGE NEIGHBORHOOD COUNCIL for a term to expire 12/31/11.
APPROVED 5-0
- #174-10 PRESIDENT LENNON recommending the re-appointment of STEPHEN BART, 26 Rochester Road, as the Boston College Law School Campus neighborhood appointee to the BOSTON COLLEGE NEIGHBORHOOD COUNCIL for a term to expire 12/31/11.
APPROVED 5-0
- #175-10 PRESIDENT LENNON recommending the appointment of VERNE W. VANCE, 101 Old Orchard Road, as the Boston College Chestnut Hill Campus Neighborhood appointee to the BOSTON COLLEGE NEIGHBORHOOD COUNCIL for a term to expire 12/31/11.
APPROVED 5-0

REFERRED TO ZONING & PLANNING COMMITTEE

Tuesday, July 13, 2010

Present: Ald. Johnson (Chairman), Lappin, Swiston, Baker, Sangiolo and Yates; absent: Ald. Lennon and Shapiro

#142-09(4) **INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT** requesting discussion of findings of Floor Area Ratio Working Group and consideration of recommended revisions to **Chapter 30** regarding FAR limits tied to lot sizes and definitions of “gross floor area”, “carport”, “mass below first story”, “porch”, “enclosed porch”, and “floor area ratio” as well as phasing of ongoing changes. [05/11/10 @ 7:07 PM]
HELD 6-0

#154-10 **ALD. JOHNSON, CROSSLEY AND HESS-MAHAN** requesting to amend **Section 30-1 Definitions**, by inserting a new definition of “lot area” and revising the “setback line” definition for clarity. [06/01/10 @ 9:25 PM]
HELD 5-0 (Sangiolo not voting)

#153-10 **ALD. JOHNSON, CROSSLEY AND HESS-MAHAN** requesting to amend **Section 30-15 Table 1** of the City of Newton Ordinances to allow a reasonable density for dwellings in Mixed Use 1 and 2 districts. [06/01/10 @ 9:25 PM]
HELD 5-0 (Sangiolo not voting)

#183-10 **ALD. JOHNSON, CROSSLEY AND HESS-MAHAN** requesting to amend **Section 30-13(a) Allowed Uses in Mixed Use 1 Districts** by inserting a new subsection (5) as follows: “(5) Dwelling units above the first floor, provided that the first floor is used for an office or research and development use as described above;” and renumbering existing subsection (5) as (6). [06/07/10 @ 12:00 PM]
HELD 5-0 (Sangiolo not voting)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, July 14, 2010

Present: Ald. Sangiolo (Chairman), Blazar, Hess-Mahan, Rice, Merrill, Linsky and Baker; absent: Ald. Fischman

#185-10 **PRESIDENT LENNON** recommending the appointment of LLOYD DAVID, 107 Hobart Road, Newton Centre, as an Aldermanic appointee to the COMMUNITY EDUCATION COMMITTEE for a term to expire 12/31/11. [6/11/10 @ 2:31 PM]
APPROVED 7-0

- 206-10 VETERANS' AGENT requesting a discussion and support for the replacement of the WWII Honor Roll on the grounds of City Hall at the intersection of Walnut Street and Commonwealth Avenue. [07/06/10 @ 4:41 PM]
HELD 6-0 (Hess-Mahan not voting)
- #100-10 ALD. JOHNSON AND SANGIOLO requesting amendment of the Rules of the Board, **Section 6. Committee Reports, A.** to "It shall be the duty of any committee to whom a subject may be specifically referred to take this item up and report thereon within three weeks from the time said subject is referred to them, or at the next meeting thereafter, or to ask for further time. No committee and hence Board action (Approved, Denied, No Action Necessary) may be taken without a discussion with the primary docketer, at a minimum, with the substantive committee." [03/21/10 @ 9:12 PM]
APPROVED AS AMENDED 7-0
- #242-03(6)(B) ALD. ALBRIGHT requesting to amend Section 3-30 (as established by Ordinance Z-11) to create an off-leash dog areas ordinance. [04/26/10 @ 8:47 AM]
B. APPROVED 5-0-2 (Sangiolo and Merrill abstaining)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, July 14, 2010

Present: Ald. Schnipper (Chairman), Albright, Salvucci, Gentile, Crossley, Danberg, and Lappin; absent: Ald. Lennon; also present: Ald. Yates and Hess-Mahan

- #194-10 PRESIDENT LENNON recommending the appointment of ROBERT A. FRANCHI, 290 Adams Street, Newton, as an aldermanic appointee to the DESIGN REVIEW COMMITTEE for a term to expire 12/31/11. [6/11/10 @ 2:31PM]
APPROVED 6-0 (Danberg not voting)
- #193-10 PRESIDENT LENNON recommending the re-appointment of JOHN BLISS, 9 Lewis Street, Newtonville, as an aldermanic appointee to the CITIZENS COMMISSION ON ENERGY for a term to expire 12/31/11. [6/11/10 @ 2:31PM]
APPROVED 4-0 (Albright, Danberg and Gentile not voting)
- #208-10 PRESIDENT LENNON recommending the re-appointment of ARVIN GRABEL, 259 Otis Street, West Newton, as an aldermanic appointee to the CITIZENS COMMISSION ON ENERGY for a term to expire 12/31/12. [07/06/10 @ 3:27 PM]
APPROVED 4-0 (Albright, Danberg and Gentile not voting)

#195-10 PRESIDENT LENNON recommending the re-appointment of MARK CHUDY, 34 Prescott Street, Newtonville, as an aldermanic appointee to the DESIGN REVIEW COMMITTEE for a term to expire 12/31/11.
[6/11/10 @2:31PM]
APPROVED 4-0 (Albright, Danberg and Gentile not voting)

#196-10 PRESIDENT LENNON recommending the re-appointment of PETER BARRER, 24 Hazelton Road, Newton Centre, as an aldermanic appointee to the DESIGN REVIEW COMMITTEE for a term to expire 12/31/11.
[6/11/10 @2:31PM]
APPROVED 4-0 (Albright, Danberg and Gentile not voting)

NOTE: The Committee recommended an emergency preamble with the following item, which will require a separate two-thirds vote by the Board.

#191-10 NATIONAL GRID requesting a grant of location to install and maintain 40' ± of 4" gas main in VILLAGE CIRCLE from the existing 4" gas main in Village Circle at 41 Village Circle northeasterly to 45 Village Circle.
APPROVED 4-0 (Albright, Danberg and Gentile not voting)

REFERRED TO POST AUDIT AND PUBLIC FACILITIES COMMITTEE

#107-10 ALD. YATES, LAPPIN, FREEDMAN, FISCHMAN, AND HESS-MAHAN requesting an update on the Newton South High School athletic field drainage project. [03/15/10 @ 12:09 PM]
**POST AUDIT & OVERSIGHT COMMITTEE TO MEET
NO ACTION NECESSARY 6-0 (Gentile not voting)**

#23-10 ALD. YATES & DANBERG proposing a Resolution urging His Honor the Mayor to re-present the city's request for State bond money to be appropriated to implement the Needham Street reconstruction plan developed in partnership with the Needham Street property owners over the past decade. [01/04/10 @8:16 PM]
NO ACTION NECESSARY 6-0 (Gentile not voting)

#385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project.
[11/21/07 @ 10:23 AM]
HELD 6-0 (Gentile not voting)