

## DOCKET

Sept. 21: Land Use Continued  
Sept. 22: Programs&Services; Public Safety&Transportation; Public Facilities Page 188  
Sept. 23: Real Property Reuse Monday, September 20, 2010  
Sept. 27: Finance; Zoning&Planning 7:45 PM, Newton City Hall  
Sept. 28: Land Use To be reported on  
**Monday, October 4, 2010**

### 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 Hearings to be assigned for October 12, 2010:*

- #248-10 SCONNIX REALTY TRUST/ATS – NEEDHAM, LLC petition to amend and consolidate special permits and site plans approved via prior special permit nos. 105686, April 5, 1954, 781-73(2) and 462-05 and to extend a nonconforming structure/use (tower/transmission station) for existing equipment located on the at 1165 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 45, 5, containing ≈330,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18(c)(2), 30-18(A)(e)(5), 30-18(e)(7)d), 30-18(A)(e)(8), 30-18(A)(f), 30-21(b), 30-8(b)(9), 30-9(b)(1) of the City of Newton Rev Zoning Ord, 2007.
- #249-10 CHESTNUT HILL FOUNDATION, INC. petition for a special permit/extension of a nonconforming use and to amend the site plan(s) approved in special permit nos. 253-73, 359-74, 471-76, 624-78, and 17-82 for an association of persons living together and religious/educational center operated by *Opus Dei*, a prelature of the catholic Church, at 481 HAMMOND STREET, Ward 7, Chestnut Hill, on land known as SBL 63, 16, 1, containing ≈145,538 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-3(b)(1), 30-15 Table 2, 30-21(a)(2)b), 30-21(b), 30-19(h)(1), 30-19(m), 30-19(h)(4)a) and b), 30-19(k) of the City of Newton Rev Zoning Ord, 2007.

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 Kathleen Cahill, 617-796-1125, via email at [KCahill@newtonma.gov](mailto:KCahill@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

- #250-10 HISTORIC CHESTNUT STREET, LLC. petition for a special permit/site plan approval and to extend a nonconforming structure to renovate an existing building and construct an addition to create three residential units and to waive one parking space at 1012-1022 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as Sec 51, Blk 6, Lots 15 &16, containing ≈11,530 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-15 Table 3, 30-21(a)(2)b), 30-21(b), 30-11(d)(8), 30-19(d) and (m) of the City of Newton Rev Zoning Ord, 2007.

### **OTHER COMMUNICATIONS**

- #251-10 FRANCIS O'BRIEN filing with the Zoning Board of Appeals on 9/3/10 an appeal from the decision of the Commissioner of Inspectional Services re a multi-family property at 29 Boylston Road, Newton Highlands.
- #159-10 RALPH ROBART filing with Land Court on 9/7/10 an appeal from the denial by the Zoning Board of Appeals (#8-10) on 6/29/10 to overturn a decision by the Commissioner of Inspectional Services deny a building permit for construction of a two-family dwelling at 32 Williams Street, Newton Upper Falls.
- #238-10 VENERANDA SANTONASTASO filing with Land Court on 9/7/10 an appeal from the denial of the Zoning Board of Appeals (#7-10) on 6/29/10 for a variance from the 18-foot height limitation for an accessory building (a garage) at 148 Chapel Street, Nonantum.
- #252-10 HEALTH & HUMAN SERVICES DEPARTMENT granting to Boston College a variance for one academic year from the minimum space requirement of Chapter II of the Massachusetts State Sanitary Code, 105 CMR 410.400 to allow certain rooms in Cheverus, Claver, Fenwick, Fitzpatrick, Gonzaga, Kostka, Loyola, and Xavier dormitories may be used as forced triples. Strict enforcement of 105 CMR 410.000 would do manifest injustice and the variance does not conflict with the spirit of the minimum standards of fitness for human habitation.

### **REFERRED TO ZONING & PLANNING COMMITTEE**

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

- #92-10(2) ZONING & PLANNING COMMITTEE proposing a RESOLUTION to His Honor the Mayor providing selection criteria guidance for membership on the *Planning & Development Board* so that the level of expertise in related areas or the equivalent combination of experience and/or education is present in order to enhance the ability of the Board to increase its service to the City. [9-13-10@11:41AM]

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

#93-10(2) ZONING & PLANNING COMMITTEE proposing a RESOLUTION to His Honor the Mayor providing selection criteria guidance for membership on the *Zoning Board of Appeals* so that the level of expertise in related areas or the equivalent combination of experience and/or education is present in order to enhance the ability of the Board to increase its service to the City. [9/13/10 @ 11:41AM]

#253-10 ALD. YATES proposing a RESOLUTION to the Conservation Commission and the Mayor's Advisory Committee on Renewable Energy requesting that they investigate the possibility of establishing a Brightfield Solar Energy Array on the Flowed Meadow site similar to the one in Brockton. [09/07/10 @ 8:31pm]

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

#83-07(2) ALD. YATES proposing a RESOLUTION to the City's representatives and senator in the General Court asking them to co-sponsor the legislation of the Massachusetts Municipal Association that would give cities and towns the same power to determine their health care costs that agencies of the State have. [9/13/2010 @ 9:38am]

#254-10 ALD. FREEDMAN, SANGIOLO, JOHNSON SWISTON, & RICE requesting a discussion with the Child Care Commission regarding changes which have been made, or are planned to be made, in light of a decreasing budget. [9/13/2010 @ 4:06pm]

Appointment by His Honor the Mayor

#255-10 RICK LIPOF, 105 Baldpate Hill Road, Newton Centre, appointed as a member of the Election Commission to fill the unexpired term of David Mofenson, which expires on March 31, 2011 (60 days 11/19/10). [9/13/2010 @ 5:46pm]

Re-appointment by His Honor the Mayor

#256-10 KENNETH HARTFORD, 30 Clarendon Street, Newtonville, re-appointed as a member of the Election Commission for a term of office to expire March 31, 2013 (60 days 11/19/10). [9/13/2010 @ 5:46pm]

Re-appointment by His Honor the Mayor

#257-10 FAY COHEN, 25 Cottonwood Road, Newton Centre, re-appointed as member of the Election Commission for a term of office to expire March 31 2013 (60 days 11/19/10). [9/13/2010 @ 5:46pm]

**REFERRED TO PUBLIC FACILITIES COMMITTEE****Public Hearing to be assigned for September 22, 2010:**

- #258-10 NATIONAL GRID petitioning for a grant of location to install and maintain 110' ± of 6" gas main in BEECHER PLACE from the existing 6" gas main in Beecher Place at Beecher Terrace easterly to 50 Beecher Place. WARD 6 [09/01/10 @ 12:01 PM]

**REFERRED TO FINANCE COMMITTEE**

- #259-10 COMPTROLLER transmitting Annual Financial Report for the audit of fiscal year ending June 30, 2010 for Board of Aldermen review/acceptance. [09/13/10 @ 12:26 PM]
- #260-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one thousand six hundred dollars (\$1,600) from the Special Permit Mitigation Fund established with contributions from Panera Bread (#242-09), Lumiere Restaurant (#18-98(2)), Down Under Yoga (#246-09) and 548 Centre Street/48 Hollis Street (#16-10) for the purpose of funding the cost of shipping bicycle racks. [09/13/10 @ 3:03 PM]
- #260-10(2) HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-five thousand dollars (\$25,000) from FY11 Budget Reserve to the Planning Department for the purchase of bicycle racks and authorization to accept a grant in the amount of twenty-five thousand dollars (\$25,000) from the Metropolitan Area Planning Council for the purpose of reimbursing the FY11 Budget Reserve once the bicycle racks are purchased. [09/13/10 @ 3:03 PM]
- #261-10 HIS HONOR THE MAYOR requesting authorization to accept funds donated by the Newton Conservators, Friends of Nahanton Park, and the Newton Community Farm, Inc. in the amount of four thousand five hundred dollars (\$4,500) and expend it for the purpose of funding a Natural Resources Inventory and Management Plan for Nahanton Park. [09/13/10 @ 5:52 PM]

**REFERRED TO PROG. & SERV. AND FINANCE COMMITTEES**

- #262-10 PRESIDENT LENNON recommending that the 2010 – 2011 Rules and Orders of the Board of Aldermen be amended to establish a FINANCIAL AUDIT ADVISORY COMMITTEE. The advisory committee will report to the Board of Aldermen through the Finance Committee. The focus of the committee's work will be on the annual financial audit of the City and any other fiscal accountability matters, as deemed important by the Finance Committee, needing review. [09-13-10 @ 1:52 PM]

**REFERRED TO PUBLIC SAF. & TRANS. AND FINANCE COMMITTEES**

- #263-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of forty thousand dollars (\$40,000) from Parking Meter Receipts Reserve Fund to be used as the City's required 20% match to leverage the \$160,000 awarded by the Boston Region Metropolitan Planning Organization for the City's Traffic Signal Retiming Project. [09/13/10 @ 3:03 PM]

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

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #264-10 ALD. CROSSLEY, SCHNIPPER & FULLER requesting a discussion of the status of new water meter installations, and to consider payment mechanisms to help customers if they receive an extraordinary, one-time, water bill from an accurate accounting of past usage over an extended period of time. [09/16/10 @ 11:59 am]