

## REPORTS DOCKET

Oct. 5: Land Use Continued  
Oct. 6: Programs&Services; Public Safety&Transportation; Public Facilities Page 206  
Oct. 12: Land Use Monday, October 4, 2010  
Oct. 13: Zoning&Planning 7:45 PM, Newton City Hall  
To be reported on  
**Monday, October 18, 2010**

### CITY OF NEWTON

#### IN BOARD OF ALDERMEN

#### REFERRED TO LAND USE COMMITTEE

Tuesday, October 5, 2010

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

*A public hearing was held on the following item:*

#234-10 WOODLAND GOLF CLUB of AUBURNDALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of A NONCONFORMING USE and STRUCTURE to construct a new pool house building; new food service building; new patio deck and to expand an existing pool deck and replace an existing kiddie pool at 1897 WASHINGTON STREET, Ward 4, Auburndale, on land known as SBL 43, 46, 11 containing approx. 2,291,142 sf of land in a district zoned SINGLE RESIDENCE 1 and 2. Ref: 30-24, 30-23, 30-21(a)(2)a) and b), 30-21(b)(2), 30-15(m) of the City of Newton Rev Zoning Ord, 2007 and special permit nos. 101-87 and 517-83.  
**HEARING CLOSED; ITEM APPROVED 8-0**

*A public hearing, opened on September 21, was continued on the following item:*

#105-09(2) YANPING SUN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an accessory apartment in an existing single-family dwelling, including the waiver of landscaping requirements for a parking facility, at 87 WOODWARD STREET, Ward 5, Newton Highlands, on land known as Sec 52, Blk 1, Lot 27, containing approx 12,786 sq ft of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2), 30-19(i)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.  
**HEARING CLOSED; ITEM APPROVED 6-0-2 (Merrill and Schnipper abstaining)**

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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 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.

- #211-10 BRUNO PALUMBO TRUSTEE, PALUMBO FAMILY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND a NONCONFORMING USE to demolish an existing two-family dwelling and replace it with six 2.5-story attached dwelling units, with associated waivers from the 24-foot height requirement and from parking requirements for maneuvering space/aisles/driveway width/handicapped parking, and to construct a greater than four-foot retaining wall within the side setback at 244 ADAMS STREET, Ward 1, Nonantum, on land known as Sec 14, Blk 14, Lots 3 and 4, containing approx 13,966 sq ft of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(b), 340-19(h)(2)(c) and (e); 30-19(h)(3) and (4)(a), 30-15, 30-19(m), and 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.  
**APPROVED 8-0**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, October 12, 2010

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

*Public Hearings were held on the following items:*

- #215-10 CLEAR WIRELESS, LLC/CAPASSO ASSOCIATES LIMITED PARTNERSHIP petition to install 3 panel antennas and 2 wireless backhaul dishes within a stealth chimney on the roof of an existing apartment building at 199 LEXINGTON STREET, Ward 4, Auburndale, on land known as SBL 41, 31, 18A, containing ≈40,189 sf of land in a district zoned MULTI RESIDENCE 2.  
**HEARING CLOSED**
- #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 and the addition of a satellite earth station antenna 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.  
**HEARING CLOSED**
- #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.  
**HEARING CLOSED**

#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.

**HEARING CLOSED**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Wednesday, October 13, 2010

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

#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**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday October 6, 2010

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

Appointment by His Honor the Mayor

#240-10 KAREN LISCHINSKY, 230 Walnut Street, Newtonville, appointed as a member of the YOUTH COMMISSION for a term of office to expire September 7, 2013 (60 days 10/6/10). [8/30/10 @5:14 PM]

**NO ACTION NECESSARY 5-0 ( Linsky, Baker, Hess-Mahan not voting)**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#360-09(2) PROGRAM & SERVICES COMMITTEE requesting a discussion to explore possible sources of revenue to fund an off leash dog park system in the City. [11/06/09 @ 10:44 AM]

**FINANCE VOTED NO ACTION NECESSARY ON 3/8/10**

**HELD 7-0 (Sangiolo not voting)**

- #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]  
**NO ACTION NECESSARY 7-0 (Merrill not voting)**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #230-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of eight hundred twenty- one thousand six hundred sixty-four dollars (\$821,664) from FY'11 Revenue for the purpose of supplementing the FY11 School Department budget. This sum represents a portion of the state aid for the City of Newton in the Commonwealth's adopted FY'11 budget. [08/02/10 @ 4:59 PM]  
**APPROVED 8-0**  
**FINANCE TO MEET**

- #125-09 THE POST AUDIT & OVERSIGHT COMMITTEE requesting creation of a public tree protection ordinance and amendment of the current tree ordinance as recommended in the Tree Preservation Ordinance Report. [04/17/09 @ 9:14 PM]  
**APPROVED AS AMENDED 7-0 (Merrill not voting)**  
**REFERRED TO FINANCE COMMITTEE 7-0 (Merrill not voting)**

- #207-10 ALD. SANGIOLO, YATES, FISCHMAN, JOHNSON requesting a discussion with the Newton Housing Authority regarding the various housing programs offered and the process and procedures in (1) selection of appropriate housing for tenants with special needs (2) any special services offered to tenants with disabilities (3) resolution of tenant disputes and possible eviction procedures and (4) tenant resources and recourse in the event of tenant complaints. [7/7/10 @8:53 AM]  
**NO ACTION NECESSARY 8-0**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, October 6, 2010

Present: Ald. Ciccone (Chairman), Shapiro, Fuller, Swiston, Yates, Johnson, Freedman and Harney; also present: Ald. Hess-Mahan

- #219-10 DAVID NEWCOMB, 275 Grove Street, Suite 2-400, Auburndale, MA 02466, requesting **one (1) new public auto license** for NEWTON COACH, INC. [07/30/10 @ 12:48 PM]  
**APPROVED 7-0 (Shapiro not voting)**

- #267-10 ALD. DANBERG, FULLER, CROSSLEY and HESS-MAHAN requesting a discussion on traffic signal cameras in Newton and their current and potential uses. [09/24/10 @ 12:13 PM]  
**NO ACTION NECESSARY 7-0 (Shapiro not voting)**

**REFERRED TO PUBLIC SAFETY & 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]  
**A) APPROVED APPROPRIATION OF \$40,000 4-0 (Johnson, Freedman, Shapiro and Swiston not voting)**  
**B) APPROVED AUTHORIZATION TO EXPEND \$160,000 4-0 (Johnson, Freedman, Shapiro and Swiston not voting)**  
**FINANCE TO MEET**

- #101-10 PLANNING DEPARTMENT requesting presentation and discussion of the Pedestrian Mobility Project to be completed by the Worcester Polytechnic Institute Pedestrian Mobility Project Team. [03/29/10 @ 10:45 AM]  
**NO ACTION NECESSARY 4-0 (Johnson, Freedman, Swiston and Shapiro not voting)**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, October 6, 2010

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile and Danberg; absent: Ald. Crossley and Lappin; also present: Ald. Sangiolo, Shapiro, and Swiston

- #268-10 24 PINE LLC, GARY & LINDA SCHMITT, requesting Construction of Main Drain, Common Sewer and Water Main in Evergreen Circle, a proposed subdivision road and a portion of Subdivision Lots 1 and 2 from the existing utility services on Pine Street 400' ± southerly to the proposed private way. Ward 4 [09-24-10 @ 2:18 PM]  
**PETITIONER TO PAY ENTIRE COST**  
**APPROVED 5-0 (Danberg not voting)**
- #245-10 ALD. SCHNIPPER requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]  
**HELD 4-0 (Albright and Danberg not voting)**

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE**

- #196-09 ALD. MANSFIELD AND SANGIOLO requesting rescission of Sec. 19-99 (b), Speed humps of the Revised Ordinances of the City of Newton. [06/17/09 @ 11:24 PM]  
**PS&T APPROVED 4-0-2 (Johnson and Shapiro abstaining) on 6/9/10**  
**HELD 6-0**

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES**

- #196-09(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting to broaden Sec. 19-99, Speed humps of the Revised Ordinances of the City of Newton to cover all vertical deflection: raised intersections, raised crosswalks and speed humps, regardless of dimension. [01/20/10]  
**PS&T APPROVED 4-0-2 (Johnson and Shapiro abstaining) on 6/9/10**  
**HELD 6-0**
- #457-08 ALD. LAPPIN AND SALVUCCI requesting discussion with NStar regarding the timely repair of City streetlights and the development of a standard response timeframe. [11/20/08 @ 12:51 PM]  
**HELD 6-0**
- #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**