

REPORTS DOCKET

Nov. 16: Land Use	Continued
Nov. 17: Programs&Services; Public Safety&Transportation; Public Facilities	Page 242
Nov. 23: Land Use	Monday, November 15, 2010
Nov. 29: Zoning & Planning	7:45 PM, Newton City Hall
Nov. 30: Land Use	To be reported on
	<u>Monday, December 6, 2010</u>

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item Postponed on November 15 to Date Certain of December 6, 2010:

#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.
LAND USE APPROVED 6-0-2 (Merrill and Schnipper abstaining) on 10/5/10
Conditions 4. B. and 4. C. amended by Full Board on 10/18/10
Postponed on 10/18/10 to date certain of 11/1/10; Postponed on 11/15 to date certain of 12/6/10

Item Postponed on November 15 to Date Certain of December 6, 2010:

#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.
LAND USE APPROVED 6-0 (Harney not voting) on 11/9/10

REFERRED TO LAND USE COMMITTEE

Tuesday, November 16, 2010

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

#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. (Ref: Sec 30-24, 30-23, 30-18(A)(f) of the City of Newton Rev Zoning Ord, 2007. **APPROVED 6-0**

#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. 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. **APPROVED 5-0 (Fischman recused)**

#8-10 CLEAR WIRELESS, LLC/AMERICAN TOWER petition to add a wireless antenna installation to an existing tower consisting of 3 panel antennae at the height of 115 feet and 9 wireless backhaul dishes at 250 feet in height, plus an ancillary ground-level equipment cabinet at 1165 CHESTNUT STREET, Ward 5, on land known as Sec 51, Blk 45, Lot 5, containing approx 284,000 of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18(A)(e)(3), (f) of the City of Newton Rev Zoning Ord, 2007 and board order nos. 105686, 781-73(2), 33-99(2), and 462-05. **APPROVED 5-0 (Fischman recused)**

REFERRED TO LAND USE COMMITTEE

Tuesday, November 23, 2010

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

#214-10 NEW ENGLAND DEVELOPMENT LLC/NED CHESTNUT HILL SQUARE LLC/G&K LLC/KEY CHESTNUT LLC petition for a change of zone to *Business 4* for parcels located at 200-230 Boylston Street also identified as Section 82, Block 2, Lots 10, 14, 15, 15A, 15B, 15C, 29, 30, 8, 9, 18, currently zoned Business 1, Lot 11, currently zoned Limited Manufacturing, and 13 and 32, currently zoned Multi Residence 2. **HELD 8-0**

#214-10(2) NEW ENGLAND DEVELOPMENT LLC/NED CHESTNUT HILL SQUARE LLC/G&K LLC/KEY CHESTNUT LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed-use retail and residential development, including an 8-story building containing approx. 91 residential units, approximately 102,000 sq ft of retail (with open air businesses) and restaurant space (over 50 seats), a 60,000 sq ft medical office building, 30,000 sq-ft health club and waivers from associated parking requirements, including but not limited to a multi-level parking facility, driveway width in excess of 25', valet parking, dimensions for handicapped parking stalls, retaining walls of greater than 4' in setbacks, and additional freestanding signs; number of signs; and signs exceeding the allowed square footage at 200-230 BOYLSTON STREET, 7 HAMMELL PLACE LLC, and 114 and 146 FLORENCE STREET, Ward 7, Chestnut Hill, on land known as Sec 82, Blk 2, Lots 8, 9, 10, 11, 13, 14, 15, 15A, 15B, 15C, 18, 29, 30, and 32 containing approx 11.32 acres of land in a *proposed* BUSINESS 4 zoned district. Ref: Sec 30-24, 30-23, 30-15 Table 3, 30-11(7), (8), (9), and (10), 30-19(d)(18), 30-19(f), 30-19(h)(2)c), (4),(5)b), 30-19(m), 30-20(c), 30-20(d)(2), 30-20(i)(4), 30-20(f), 30-20(l) of the City of Newton Rev Zoning Ord, 2007.

HELD 8-0

#278-10 MARK & JANE CONROY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to alter a NONCONFORMING USE/STRUCTURE from a mixed-use funeral home with 2 residential units to a 3-family residential use at 439 WASHINGTON STREET, Ward 1, Newton Corner, on land known as SBL 12, 6, 7, containing ≈4,516 sq. ft. of land in a district zoned BUSINESS 2. Ref 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-11(d), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

APPROVED 8-0

#266-10 BILL'S HOUSE OF PIZZA/B&E BEACON REALTY, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a restaurant in excess of 50 seats (from 33 to 57 seats) and to waive 9 parking stalls at 751-753 BEACON STREET, Ward 6, Newton Centre, on land known as SBL 61, 27, 20, located in district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-19(c)(3), (d)(9) and (13), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

APPROVED 8-0

REFERRED TO LAND USE COMMITTEE

Tuesday, November 30, 2010

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

#214-10 **NEW ENGLAND DEVELOPMENT LLC/NED CHESTNUT HILL SQUARE LLC/G&K LLC/KEY CHESTNUT LLC** petition for a change of zone to *Business 4* for parcels located at 200-230 Boylston Street also identified as Section 82, Block 2, Lots 10, 14, 15, 15A, 15B, 15C, 29, 30, 8, 9, 18, currently zoned Business 1, Lot 11, currently zoned Limited Manufacturing, and 13 and 32, currently zoned Multi Residence 2.

APPROVED 8-0

#214-10(2) **NEW ENGLAND DEVELOPMENT LLC/NED CHESTNUT HILL SQUARE LLC/G&K LLC/KEY CHESTNUT LLC** petition for a **SPECIAL PERMIT/SITE PLAN APPROVAL** to construct a mixed-use retail and residential development, including an 8-story building containing approx. 91 residential units, approximately 102,000 sq ft of retail (with open air businesses) and restaurant space (over 50 seats), a 60,000 sq ft medical office building, 30,000 sq-ft health club and waivers from associated parking requirements, including but not limited to a multi-level parking facility, driveway width in excess of 25', valet parking, dimensions for handicapped parking stalls, retaining walls of greater than 4' in setbacks, and additional freestanding signs; number of signs; and signs exceeding the allowed square footage at 200-230 BOYLSTON STREET, 7 HAMMELL PLACE LLC, and 114 and 146 FLORENCE STREET, Ward 7, Chestnut Hill, on land known as Sec 82, Blk 2, Lots 8, 9, 10, 11, 13, 14, 15, 15A, 15B, 15C, 18, 29, 30, and 32 containing approx 11.32 acres of land in a *proposed BUSINESS 4* zoned district. Ref: Sec 30-24, 30-23, 30-15 Table 3, 30-11(7), (8), (9), and (10), 30-19(d)(18), 30-19(f), 30-19(h)(2)c), (4),(5)b), 30-19(m), 30-20(c), 30-20(d)(2), 30-20(i)(4), 30-20(f), 30-20(l) of the City of Newton Rev Zoning Ord, 2007.

APPROVED 6-0-2 (Albright and Crossley abstaining)

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, November 29, 2010

Present: Ald. Johnson (Chairman), Yates, Baker, Lappin, Sangiolo, Swiston, Lennon, Shapiro
Also present: Ald. Crossley, Hess-Mahan

#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.

HELD 8-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, November 17, 2010

Present: Ald. Sangiolo (Chairman), Baker, Linsky, Rice, Fischman, Blazar, Merrill, Hess-Mahan
 Also present: Ald. Lennon, Fuller, Johnson

#298-09 ALD. MANSFIELD proposing Home Rule Legislation to amend Article 2, Section 2-1(c) Composition; Eligibility; Election and Term of the Newton Charter to establish four-year terms for Aldermen-at-Large with the provision for one Aldermen-at-Large to be elected from each ward at each biennial municipal election. [09-29-09 @ 6:45 PM]
HELD 6-1 (Sangiolo opposed, Hess-Mahan not voting)

#262-07 ALD. VANCE AND HESS-MAHAN seeking approval by the Board of Aldermen of a home rule petition to the General Court that would authorize an amendment to the charter of the City of Newton that would change the length of terms of the members of the Board of Aldermen to three years and would provide for electing one-third of the aldermen, one from each ward, every year. [08/22/07 @ 3:53 PM]
NO ACTION NECESSARY 7-0 (Merrill not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#322-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty thousand dollars (\$40,000) from the FY11 Budget Reserve Account to the Department of Veterans Services for the purpose of supplementing the FY11 budget for veterans' benefits. [11/08/10 @ 6:42 PM]
FINANCE TO MEET
APPROVED 7-0 (Hess-Mahan not voting)

REFERRED TO PROG. & SERV. AND FINANCE COMMITTEES

#262-10 PRESIDENT LENNON AND ALDERMAN FULLER 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]
APPROVED BY FINANCE 7-0 on 9-27-10
APPROVED BY RULES SUBCOMMITTEE 4-0 ON 11-10-10
APPROVED 5-0 (Hess-Mahan, Merrill, Fischman not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
HELD 7-0 (Hess-Mahan not voting)

REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

- #271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources.
PUBLIC FACILITIES VOTED NO ACTION NECESSARY ON 3/8/10
NO ACTION NECESSARY 7-0 (Hess-Mahan not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments. [07/17/08 @ 9:53 AM]
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
HELD 7-0 (Hess-Mahan not voting)
- #301-10 PROGRAMS AND SERVICES COMMITTEE proposing a Resolution to the Commissioner of Health and Human Services for the purpose of increasing the tobacco seller's license fee.
NO ACTION NECESSARY 7-0(Hess-Mahan not voting)
- #363-09 ALD. SANGIOLO requesting a discussion to increase the tobacco seller license fee.
NO ACTION NECESSARY 7-0(Hess-Mahan not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, November 17, 2010

Present: Ald. Ciccone (Chairman), Fuller, Freedman, Johnson, Harney and Shapiro; absent: Ald. Swiston and Yates

- #319-10 ALD. LINSKY, ALBRIGHT, JOHNSON, HARNEY, HESS-MAHAN, SALVUCCI, YATES, SCHNIPPER, SANGIOLO, SWISTON, CICCONE, GENTILE, LENNON DANBERG proposing a resolution in support of passage of state legislation presently before the Massachusetts State legislature that would reduce the default speed limit on local roadways from 30 mph to 25 mph.
NO ACTION NECESSARY 5-0 (Freedman not voting)

REFERRED TO PUBLIC FAC. & PUBLIC SAFETY & TRANS. COMMITTEES

- #35-04 ALD. SAMUELSON AND DANBERG requesting an ordinance amendment to Section 26-8 of the City of Newton Revised Ordinances, 2001 to require all property owners or residents to remove snow from sidewalks abutting their property.
PUBLIC FACILITIES NO ACTION NECESSARY 8-0 on 12/09/09
NO ACTION NECESSARY 5-0 (Freedman not voting)

REFERRED TO PUBLIC FACILITIES & PUBLIC SAFETY & TRANSPORTATION COMMITTEES

Wednesday, November 17, 2010

Public Facilities members present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Crossley, Danberg, and Lappin

Public Safety members present: Ald. Ciccone (Chairman), Johnson, Harney, Shapiro, Fuller, and Freedman; absent: Ald. Swiston and Yates

Also present: Ald. Baker, Blazar, Fischman, Hess-Mahan, Linsky, Merrill, Rice, and Sangiolo

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

- #310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations.
PUBLIC FACILITIES HELD 8-0
PUBLIC SAFETY & TRANSPORTATION HELD 5-0 (Freedman not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, November 17, 2010

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Crossley, Danberg, and Lappin

- #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 7-0 (Danberg not voting)

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 or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

