

## DOCKET

May 19: Land Use Continued  
May 20: Programs & Services; Public Safety & Transportation; Public Facilities Page 115  
May 26: Real Property Reuse; Post Audit & Oversight; Monday, May 18, 2009  
Committee on Community Preservation Newton City Hall  
To be reported on  
**Monday, June 1, 2009**

## 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

Application for a Class 2 Auto Dealer License

#133-09 AMERICAN TRUCK & EQUIPMENT SALES, LLC. (Michael Gimmelfarb)  
274 Dedham Street  
Newton 02461

#134-09 NEWTON HIGHLANDS NEIGHBORHOOD AREA COUNCIL  
requesting a temporary license pursuant to Sec 30-6(k) of the City of  
Newton Ordinances to hold its 34th annual VILLAGE DAY on Sunday,  
June 14, 2009.

### **REQUEST FOR WITHDRAWAL WITHOUT PREJUDICE**

#384-08 DAVID CHODRIKER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to eliminate the use of a garage beneath an existing single family home and relocate parking for two vehicles on a new driveway within the front setback at 5 STAFFORD ROAD, Ward 6, NEWTON CENTRE, on land known as Sec 64, Blk 25, Lot 9, containing approx 7,911 sf of land in a district zoned SINGLE RESIDENCE 2. *90 days expires May 21, 2009.*

***Public Hearings to be assigned for June 2, 2009:***

- #135-09      KENNETH S. LEONETTI & SUSAN L. AMSTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to construct an addition on the east side of an existing single-family dwelling, increasing the legally nonconforming floor area ratio from .303 to .348, and to allow two existing parking spaces in the setback at 124 ALLERTON ROAD, Ward 6, NEWTON HIGHLANDS on land known as Sec 52, Blk 26, Lot 8, containing approx 7,550 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)(b), 30-21(b), 30-19(g)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.
- #136-09      PETER & ENID LEVANGIE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to construct a one-story addition onto the rear of an existing single-family dwelling, increasing the legally nonconforming floor-area ratio from .26 to .32, at 20 CHESTNUT HILL TERRACE, Ward 7, CHESTNUT HILL, on land known as Sec 63, Blk 28, Lot 18, containing approximately 8,800 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord 2007.
- #137-09      CHRIS TEITLEMAN & TINA SCIOLETTI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to demolish a porch and construct a two-story addition onto the rear of an existing single-family dwelling, increasing a legally nonconforming floor area ratio from .313 to .429, at 169 OLIVER ROAD, Ward 5, WABAN, on land known as Sec 54, Blk 3, Lot 7, containing approx 6,000 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.
- #138-09      CATHERINE O'RIORDAN & LAWRENCE LICKLIDER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to demolish a portion of an existing single-family dwelling, including a converted sunporch, front entry and 2<sup>nd</sup> floor bedroom, in order to construct a 2-story addition, increasing the legally nonconforming floor area ratio from .365 to .467, and to waive the front setback requirement at 17 WILDE ROAD, Ward 5, WABAN, on land known as Sec 55, Blk 24, Lot 13, containing approx 4,800 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

- #139-09 FRANCESCO GIGLIOTTI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to construct a second-story addition onto the front of an existing single-family dwelling, increasing the legally nonconforming floor area ratio from .43 to .48, at 204 RIVER STREET, WEST NEWTON, on land known as Sec 44, Blk 17, Lot 55, containing approx 3,064 sf feet of land in a district zoned SINGLE RESIDENCE 3. Ref: 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.
- #140-09 GIL SHNEORSON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to construct a two-story addition to the rear of an existing single-family dwelling, increasing the legally nonconforming floor area ratio from .312 to .369, at 25 BOTHFELD ROAD, Ward 6, NEWTON CENTRE, on land known as Sec 64, Blk 9, Lot 10, containing approx 7,240 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.
- #141-09 JAMES G. & PATRICIA A. JUMES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE to demolish an existing garage and reconstruct it with a second-story and to construct a two-story addition to the rear of an existing single-family dwelling, increasing the floor area ratio, at 26 ACACIA AVENUE, Ward 7, CHESTNUT HILL, on land known as Sec 63, Blk 23, Lot 14, containing approx 11,031 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: 30-24, 30-23, 30-15 Table 1, Footnote 5, of the City of Newton Rev Zoning Ord, 2007.

**REFERRED TO ZONING & PLANNING COMMITTEE**

- #142-09(2) ALD. BAKER, DANBERG, HESS-MAHAN, MANSFIELD, PARKER, YATES proposing a *resolution* to request that the Director of Planning and Development review and analyze the definition of “*Floor area, gross*” for residential structures as it is used in the definition and calculation of “*Floor area ratio*” in Section 30-1 with respect for actual usage, and make recommendations for amendments thereto and in the dimensional regulations contained in Table 1 of Section 30-15, which may also include illustrations, the purpose of which is to regulate the size, density and intensity of use in the construction or renovation of, or additions to a residential structure, to more accurately reflect and be compatible with neighborhood character, and to ensure that a proposed residential structure is consistent with and not in derogation of the size, scale and design of other existing structures in the neighborhood, and is not inconsistent with the city’s comprehensive plan.

***Public Hearings to be assigned for June 8, 2009:***

- #303-07 ALD. JOHNSON, ALBRIGHT, HESS-MAHAN, LINSKY & SANGIOLO proposing to amend Chapter 30-24(f) to revise provisions requiring inclusion of low-income housing units in certain residential developments, by so doing encourage multi-family developers to seek approval under Newton zoning rather than under Chapter 40B. [1-3-07@9:29; AM]
- #142-09 ALD. BAKER, DANBERG, HESS-MAHAN, MANSFIELD, PARKER, YATES proposing that Chapter 30 be amended to provide a cumulative floor area ratio bonus of .05 for renovation of existing one- and two-family homes which meet otherwise applicable dimensional requirements; to provide an additional .02 floor area ratio bonus for renovation of existing one- and two-family homes on old zoning lots which meet new zoning lot dimensional requirements; to clarify the application of the existing .05 floor area ratio bonus for new construction of one- and two-family homes; to end such floor area ratio bonuses on June 30, 2010; and to clarify the application of the *de minimis* rule, in accordance with language provided.
- #108-07(3) ALD. SANGIOLO proposing the suspension/rescission of Ordinance Z-44, voted on March 16, 2009, which deleted Footnote 7 of Section 30-15, Table 1 relative to floor area ratio.

**OTHER COMMUNICATIONS**

- #143-09 ALD. COLETTI offering a MEMORIAL RESOLUTION for former ALDERMAN CAROL J. ROBINSON, elected to the Board of Aldermen in 1984, who passed away May 3, 2009.
- #144-09 ALD. SALVUCCI offering a MEMORIAL RESOLUTION for former ALDERMAN EUGENE A. CRONIN, first elected to the Board of Aldermen in 1942, who passed away May 13, 2009.

## Application for Administrative Site Plan

- #145-09 WEST SUBURBAN YMCA petition for administrative site plan review pursuant to Sec. 30-5(a)(2) to locate a scoreboard in the setback at 276 Church Street, Newton Corner.

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

- #146-09 ALD SANGIOLO requesting a discussion to explore the possibility of the sale of City of Newton-related merchandise to benefit various city departments. [05-06-09 @ 4:46 PM]

**REFERRED TO PUBLIC SAFETY COMMITTEE**

- #147-09 ALD. VANCE, HESS-MAHAN AND DANBERG requesting discussion with members of the Administration of such possible adoption by Newton's city government of a program such as Zipcar's Fast Fleet vehicle-sharing and management system as a means of reducing the costs of vehicle usage by city employees and the impact of such usage on the environment. [05/11/09 @ 9:58 AM]

**PUBLIC FACILITIES COMMITTEE**

- #289-03(6) JOHN S. MAYPOLE proposing a Resolution to the Commissioner of Public Works to install curb-line geometry at the intersection of Daniel and Jackson Streets as originally designed by the Traffic Engineer and approved by the Board of Aldermen on November 20, 2006.

**REFERRED TO FINANCE COMMITTEE**

- #197-07(4) HIS HONOR THE MAYOR requesting that for the purpose of clearing the books for FY09 that board order #196-07(3) be amended by rescinding a balance of \$25 that remains authorized but unissued debt for bonds issued in April 2009 pursuant to board order #196-07(3). [05/12/09 @ 5:02 PM]
- #148-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend ninety thousand two hundred sixty dollars (\$90,260) from Capital Stabilization for the purpose of paying issuance costs related to the sale of bonds in March 2009. [05/12/09 @ 5:01 PM]
- #149-09 HONOR THE MAYOR requesting a transfer of twelve thousand dollars (\$12,000) from Unemployment in Human Resources to Legal Services and an additional four thousand dollars (\$4,000) from Unemployment to the Human Resources Consultants. These transfers will allow Human Resources to pay legal and consulting fees related to multiple pending arbitrations through FY09. [05-12-09 @ 5:02 PM]

**REFERRED TO REAL PROPERTY REUSE COMMITTEE**

- #150-09 DIRECTOR OF PLANNING & DEVELOPMENT requesting a discussion re the potential redevelopment of the Austin Street municipal parking lot in Newtonville for mixed-use development, including affordable housing.

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION**

**REFERRED TO CMTE ON COMMUNITY PRES AND FINANCE COMMITTEE**

#151-09      THE COMMUNITY PRESERVATION COMMITTEE recommending that two million forty-six thousand dollars (\$2,046,000) be appropriated and expended from the Community Preservation Fund's community housing and general reserves to create ten permanently affordable homeownership units of community housing at 192 Lexington Street.  
[05-11-09 @ 2:04 PM]