



City Council Reports Docket

Jan. 11: Zoning & Planning
Jan. 13: Land Use
Jan. 14: Public Safety & Transportation

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Monday, January 4, 2016
7:45 PM, Newton City Hall
To be reported on
Tuesday, January 19, 2016

City of Newton In City Council Items to be Acted Upon

Referred to the Land Use Committee

January 12, 2016

Present: Councilors Laredo (Chair), Lennon, Auchincloss, Cote, Harney, Lennon, & Schwartz; absent: Councilor Lipof

#480-14 Petition to rezone 283 Melrose Street from MR-1 District to MU-4 District

Hearing open and closed on November 17:

STEPHEN VONA petition to rezone 283 MELROSE STREET, also known as Section 41, Block 14, Lot 10, from MULTI RESIDENCE 1 to a MIXED USE 4 DISTRICT. (90 Days: February 15, 2016)

Withdrawal without prejudice Approved 6-0

#480-14(4) Petition to expand Turtle Lane Playhouse and construct second building for a mixed-use project

STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change one nonconforming use to another by restoring and expanding an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed-use building with an addition containing 4 dwelling units at street level and above and a second building containing a 16-unit multi-family dwelling with a below grade parking garage for 27 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land currently zoned MULTI-RESIDENCE 1 *or in the alternative in a proposed* MIXED USE 4 DISTRICT. Ref: Sec. 7.3, 7.4, 7.8.2.C, 4.4.1, 4.2.2.B.1, 4.2.5.A.1, 4.2.5.A.6.b, 5.4.2, 5.1.4, 5.1.13, 5.1.4.C, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Hearing Continued to February 2, 2016; Held 6-0

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #416-12(6) Petition to restripe existing parking lot to create 5 parking stalls, instead of 4 stalls**
MAIN GATE REALTY LLC petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013, which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses, in order to restripe an existing parking facility to create five parking stalls, where four currently exist , and to waive the dimensional requirements for the parking stalls at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: 7.3, 7.4, 7.8.2.C.2, 5.1.7, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved as Amended 6-1
- #416-12(7) Amend special permit #416-12(3) to permit more than 3 customers on site**
JULIA WILLIAMSON/WALLY ZAINOUN, MAIN GATE REALTY petition to AMEND Special Permit/Site Plan #416-12(3), granted on August 12, 2013, with respect to EXTENDING a NONCONFORMING USE, to permit more than 3 customers for the service use on site at any one time and change the hours of operation of MODERN BARRE at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec 7-3, 7-4 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved as Amended 6-1
- #326-15 Petition to Increase seating at Bertucci's Restaurant**
BERTUCCI'S RESTAURANT CORPORATION/KNAPP FOOD INC. to AMEND Special Permit/Site Plan Approval #573-88 to increase the seating capacity from 129 to 170 seats and to waive up to three parking stalls at 275 CENTRE STREET, Ward 1, Newton Corner, on land known as SBL 71, 2, 1, 2, and 4, containing a total of 58,248 sf of land in districts zoned BUSINESS 1 and BUSINESS 2. Ref: Sec. 6.4.29.C.1, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Continued to a date to be determined; Held 6-0
- #230-15(2) Petition to increase the Floor Area Ratio at 239 Cypress Street**
BRENDAN M. EVERETT petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to the basement and first floor and to enlarge an existing attic dormer, which will increase the Floor Area Ratio from .42 to .55, where .48 is the maximum allowed by right, at 239 CYPRESS STREET, Ward 6, Newton Centre, on land known as SBL 65, 15, 26, containing approximately 5,490 square feet of land, in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3, 7.4, and 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved as Amended 5-0

- #348-15 Petition to increase the Floor Area Ratio at 27-29 Talbot Street**
NATALLIA ASTAPUK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE and USE in order to add a shed dormer to the half story above the second floor, which will increase the existing nonconforming Floor Area Ratio from .51 to .62, where .48 is the maximum allowed by right, and to extend the legally nonconforming two-family dwelling use at 27-29 TALBOT STREET, Ward 3, West Newton, on land known as SBL 34, 30. 5, containing approximately 5,000 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3, 7.4, 7.8.1C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved 4-0-1 (Lennon Abstaining)
- #349-15 Petition to increase existing nonconforming setbacks at 28 Beecher Place**
GREGORY KESHISHYAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by adding a pitched roof half-story addition to an existing two-family dwelling in order to create an attic with storage and living space, which will increase the structure within the existing nonconforming setbacks, at 28 BEECHER PLACE, Ward 6, Newton Centre, on land known as SBL 65, 8, 30, containing approximately 5,574 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 7.3, 7.4, 3.2, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved 6-0
- #350-15 Petition to increase Floor Area Ratio at 17 East Boulevard Road**
WENDY & JASON KRITZER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to enlarge the existing basement garage, to enlarge the kitchen and family room on the first floor, and to enlarge the master bedroom on the second floor, which will increase the Floor Area Ratio from .38 to .46, where .43 is the maximum allowed by right, on a single-family dwelling at 17 EAST BOULVEVARD ROAD, Ward 7, Newton Centre, on land known as SBL 73, 34, 5, containing approximately 7,135 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Closed; Approved 6-0
- #351-15 Petition for 4 attached dwelling units in an existing 2-family dwelling at 1110 Chestnut Street**
CHARLES ZAMMUTTO/DOUGLAS & MAGDALENA TURCOTTE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to create four attached dwelling units in an existing two-family dwelling including waivers from the height and number of stories, the side setback, and to locate parking and a driveway within a setback at 1110 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 41, 2, containing approximately 22,800 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec 7.3, 7.4, 2.4.1, 3.2.4, 5.4.2, 6.2.3B.2, 5.1.7.A, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Hearing Continued to February 2, 2016; Held 6-0

2016 Auto License Renewals

#241-15 **CLAY NISSAN OF NEWTON INC. (Class 1)**

431 Washington Street

Newton Corner 02458

Approved 6-0

#258-15 **NEWTON CENTRE SHELL, INC. (Class 2)**

1365 Centre Street

Newton Centre 02459

Approved 6-0

#248-15 **JOHN BORTONE d/b/a ENZO'S AUTO SALES (Class 2)**

10 Hawthorn Street

Nonantum 02458

Approved 6-0

#269-15 **JOHN & CATALINA BORTONE (Class 2)**

d/b/a VELOCITY MOTORS

14 Hawthorn Street

Nonantum 02458

Approved 6-0

Referred to the Zoning & Planning Committee

Monday, January 11, 2016

Present: Councilors Hess-Mahan (Chair), Danberg (Vice Chair), Leary, Yates, Baker and Kalis;
absent: Councilors Albright and Sangiolo; also present: Councilors Fuller, Lipof, Crossley, Brousal-Glaser, Lappin, Blazar, Norton and Auchincloss

#170-15 Discussion of HUD settlement relative to creating 9-12 affordable units

ALD. HESS-MAHAN, JOHNSON, CROSSLEY AND ALBRIGHT requesting a discussion relative to the HUD Settlement with Supporters of Engine 6, the Fair Housing Center of Greater Boston and the Disability Law Center in conjunction with the Law and Planning Departments, to explain the settlement and possible implications for the Zoning Board of Appeals and the Board of Aldermen in terms of the City's obligation to identify sites and facilitate the creation of, and issue permits for, affordable housing for 9-12 chronically homeless persons in Newton. [07/06/15 @ 4:18 PM]

Held 6-0

#9-16 Nomination of Episcopal Parish of the Messiah building for Landmark Designation

COUNCILOR SANGIOLO requesting the City Council nominate the building currently housing the Episcopal Parish of the Messiah, located at 1900 Commonwealth Avenue in Auburndale for Landmark Designation. [12/24/15 @ 9:40 AM]

No Action Necessary 5-0 (Baker not voting)