

CITY OF NEWTON

IN BOARD OF ALDERMEN

REAL PROPERTY REUSE COMMITTEE REPORT

WEDNESDAY, APRIL 26, 2006

Present: Ald. Gentile (Acting Chairman), Johnson, Salvucci, Weisbuch, Danberg, and Samuelson;
absent: Ald. Lipof and Baker
City staff: Juris Alksnitis, Planning and Linda Finucane, Clerk

#164-06(2) REAL PROPERTY REUSE COMMITTEE recommending that the formation of the Joint Advisory Planning Group be waived pursuant to §2-7(5) re the reuse of a surplus a parcel of city-owned real property running from Walnut Street to Beacon Street over the Cochituate Aqueduct currently leased to Triple A Realty Trust and used for part of the Whole Foods Market parking lot at 916 Walnut Street.

ACTION APPROVED 6-0

NOTE: The committee met this evening to decide to whether to recommend waiving the requirement in Section 2-7 to form a Joint Advisory Planning Group (JAPG) for the reuse of surplus city-owned property that does not contain a building. In 1987, a JAPG was created for this property. Its primary recommendation ‘That the land shall be leased for parking so long as the adjacent building shall be used for a food market...’ was incorporated into board order #152-87, resulting in the Mayor’s execution of a 10-year lease to a food store, with two optional 5-year extensions, that will expire in 2007.

The city-owned parcel at 916 Walnut Street in Four Corners runs over a large conduit, a no-build area, between a portion of the Whole Foods parking lot and the site of the recently closed Mobile gas station. Attorney Jason Rosenberg, who represents Triple A Realty Trust, said his clients eventually would like to purchase the property if and when they exercise their option to purchase the building. However, short term they wish to renew the lease with the City and are negotiating with the Mobile property owner to lease that parcel to provide additional parking. (Parking on an accessory lot will require a special permit.)

Planning Director Mike Kruse in his memo of April 19, 2006 concurred with the Commissioner of Public Works that the property is unnecessary for municipal purposes. He also noted resolve (3) of board order 152-87, suggesting a review after nine years to determine if any problems exist and need rectifying. Alderman Danberg indicated that she has spoken with Alderman Mansfield, who is the most familiar with the history of the site. Alderman Parker noted that he lives closest to the site. Neither has received any complaints. Anecdotally, it appears the only problem is that some customers are parking on Carthay Circle. Since Carthay Circle has permit parking, it is a police enforcement issue. Mr. Rosenberg explained that Whole Foods is not owned by the entity that owned Bread & Circus, and is perhaps more sensitive to the neighborhood. For example, after

purchasing a house at 1062 Beacon Street for additional parking, Whole Foods sold it again in response to neighborhood concerns of housing loss.

Alderman Danberg moved waiving the formation of a Joint Advisory Planning Group. Alderman Gentile asked the two Ward 6 Aldermen present if they were confident about doing so. At that point, Alderman Mansfield joined the meeting and agreed with Alderman Danberg, as did Alderman Parker. A public hearing must be held on the proposal to lease the property at which the abutters will be given the opportunity to comment on the continuation of the proposed use and, ultimately, the Aldermen will set a new minimum rate for a lease.

Alderman Danberg's motion to waive the JAPG passed unanimously.

#164-06 COMMISSIONER OF PUBLIC WORKS declaring surplus a parcel of city-owned real property running from Walnut Street to Beacon Street over the Cochituate Aqueduct, containing approximately 22,871 sf of land, identified as Section 62, Block 4, Lot 15, currently leased to Triple A Realty Trust and used for part of the Whole Foods Market parking lot at 916 Walnut Street, who wish to renew the lease.
ACTION: HELD

That meeting adjourned at 7:45 PM. Please note, that Alderman Baker was attending a wake for a City colleague.

Respectfully submitted,

Leonard J. Gentile, Acting Chairman