

REPORTS DOCKET

Oct. 20: Land Use Continued
Oct. 21: Programs & Services; Public Facilities Page 496
Oct. 26: Finance; Zoning & Planning Monday, October 19, 2015
Oct. 27: Real Property Reuse 7:45 PM, Newton City Hall
Oct. 29: Land Use To be reported on

MONDAY, NOVEMBER 2, 2015

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item postponed on October 19 to Date Certain of November 2:

#150-15 ANTHONY DePASQUALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change an existing nonconforming use to another nonconforming use to convert an existing clubhouse to a multi-family dwelling with ~~five~~ four units, to waive one parking stall, and to allow parking within the front setback at 15 SOUTH GATE PARK, Ward 3, West Newton, on land known as SBL 33, 31, 9, containing ±14,120 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(d)(2), (g)(1), and (m) and 30-24(f) of the City of Newton Rev Zoning Ord, 2012. *(Public Hearing opened and continued on July 13 and August 4, 2015)*
LAND USE COMMITTEE CLOSED HEARING; APPROVED 5-0-3 (Cote, Harney, Schwartz abstaining) on October 13, 2015

REFERRED TO LAND USE COMMITTEE

Tuesday, October 20, 2015

Present: Ald. Laredo (Chairman), Ald. Cote, Harney, Albright, Crossley, Schwartz, and Lennon;
absent: Ald. Lipof; also present: Ald. Fuller and Baker

A Public Hearing was opened and continued on September 10, 2015:

#147-15 BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON THEOLOGICAL SCHOOL petition for a SPECIAL PERMIT/ SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to renovate the top two floors of an existing dormitory (Farwell Hall) to include 12 reconfigured dormitory rooms and to use the bottom three floors and a proposed new attached structure for a 51-unit assisted living facility and to waive 28 parking stalls and various dimensional requirements of Sec 30-19 at 157 HERRICK ROAD, Ward 6, Newton Centre, on land known as SBL 65, 19, 45, containing approximately 871,960 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-9(b)(2), 30-5(b)(2), 30-19(d)(4), (d)(5), (h)(1), (2)a and b), (h)(3), (h)(4), (i)(1), (j)(1), (k), and (m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO NOVEMBER 17, 2015

A Public Hearing was opened on July 14, continued on August and continued on October 13, 2015:

#416-12(4) 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 allow office and storage space in the basement and to re-stripe an existing parking lot 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: Sec 30-24, 30-23, 30-21(b), 30-19(h)(2)a) and (m) of the City of Newton Rev Zoning Ord.

HEARING CONTINUED TO NOVEMBER 17, 2015

A Public Hearing was opened and continued on September 10, and continued on October 13, 2015:

#416-12(5) JULIA WILLIAMSON/WALLY ZAINOUN, MAIN GATE REALTY petition to AMEND Special Permit/Site Plan #416-12(3), granted on August 12, 2013, and to AMEND special permit application #416-12(4), for which a public hearing was opened on July 13, 2015, 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 30-24, 30-23, 30-21(b), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO NOVEMBER 17, 2015

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, October 26, 2015

Present: Ald. Johnson (Chairman), Baker, Kalis, Leary, Danberg, Sangiolo; absent: Ald. Yates and Hess-Mahan; also present: Ald. Harney and Cote

Planning & Development Board present: Scott Wolf (Chairman), Meg Mierav, Peter Doeringer and Jonathan Yeo

#227-15 SEANA GAHERIN et al. petition to rezone land known as Section 51, Block 041, Lot 0011 from MULTI RESIDENCE 1 to BUSINESS 1. [09/03/15 @ 1:15 PM]

PUBLIC HEARING CLOSED; HELD 6-0

#196-15 TAMMY ARCURI et al. petition to rezone land known as Section 41, Block 6, Lots 11, 12, and Lot 13 1B located at 132 CHARLES STREET, AUBURNDALE, from MULTI RESIDENCE 2 to MANUFACTURING .

PUBLIC HEARING CLOSED; HELD 6-0

- #23-15(2) ACTING DIRECTOR OF PLANNING & DEVELOPMENT requesting amendments to the official zoning map in order to correct discrepancies between Board of Aldermen actions and the boundaries of zoning districts as shown on the map and to better align zoning district boundaries with property lines and other features to reduce the number of split lots and other map anomalies as follows:
1. Change from SR2/SR3 to SR2:
 120 Olde Field Road SBL 81-051-0050E
 71 Brandeis Road SBL 81-051-0062
 2. Change from SR2/SR3 to SR3:
 127 Olde Field Road SBL 81-051-0050C
 84 Brandeis Road SBL 81-051-0050D
 76 Brandeis Road SBL 81-051-0063
 61 Brandeis Road SBL 81-051-0061
 3. Change from SR3 to SR1:
 121 Rachel Road SBL 83-027-0043

PUBLIC HEARING CLOSED; HELD 6-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, October 21, 2015

Present: Ald. Sangiolo (Chairman), Hess-Mahan, Blazar, Kalis, Leary, Norton and Baker;
 absent: Ald. Rice; also present: Ald. Ciccone, Brousal-Glaser, Crossley, Albright, Lennon,
 Laredo, Danberg and Lappin

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

- #46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]

PUBLIC FACILITIES HELD 7-0

HELD 6-0 (Norton not voting)

- #483-14 PROGRAMS & SERVICES COMMITTEE proposing a RESOLUTION to promote a cooperative program with food establishments in the City, the Newton-Needham Chamber of Commerce, the Economic Development Commission, the Director of Economic Development and members of the Board of Aldermen, to find opportunities for these establishments to provide their food services for events in the City. [12/02/14 @ 3:56PM]

HELD 6-0 (Norton not voting)

- #31-15 PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20PM]

HELD 7-0

- #31-15(2) THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14PM]
HELD 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12(3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
FINANCE TO MEET
NO ACTION NECESSARY 7-0

- #199-13 ALD. JOHNSON AND SANGIOLO requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]
NO ACTION NECESSARY 7-0

- #59-14 ALD. HESS-MAHAN AND BLAZAR requesting discussion with the Executive Department and the Health Care Advisory Committee concerning plans to implement recommendations contained in the First Report of the Health Care Advisory Committee to control the cost of health insurance while improving or maintaining the quality of care. [02/18/14 @ 6:39 PM]
NO ACTION NECESSARY 7-0

- #229-12 RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.
HELD 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, October 21, 2015

Present: Ald. Crossley (Chair), Lennon, Albright, Brousal-Glaser, Danberg, Laredo and Lappin;
absent: Ald. Gentile; also present: Ald. Baker, Blazar, Ciccone, Hess-Mahan, Kalis, Leary, and Sangiolo

- #278-15 NSTAR ELECTRIC d/b/a EVERSOURCE ENERGY petitioning for a grant of location to install 97' ± of conduit in SPIERS ROAD southwesterly from pole 371/19 thence turning and running northwesterly 58' ± northeast of Kappius Path and install 520' ± of conduit in KAPPIUS PATH from the intersection of Spiers Road to a proposed manhole and continuing to a second proposed manhole. (Ward 8) [09/28/15 @ 10:55 AM]
APPROVED WITH CONDITIONS 6-0 (Laredo not voting)

#277-15 NSTAR ELECTRIC d/b/a EVERSOURCE ENERGY petitioning for a grant of location to install 297' ± of conduit and a manhole in HUNNEWELL CIRCLE from existing Manhole # 11183 located at the intersection of Hunnewell Circle and Washington Street northeasterly to proposed Manhole 30186 in Hunnewell Circle. (Ward 1) [09/21/15 @ 4:15 PM]

APPROVED 6-0 (Laredo not voting)

#102-06(16) HIS HONOR THE MAYOR requesting the necessary approvals for implementation of geometric roadway improvements at the intersection of LaGrange Street/Vine Street/Corey Street to be designed and funded through a contribution from Chestnut Hill Realty Development, LLC, as outlined in Special Permit Board Order #102-06(12), Condition 35. [09/28/15 @ 3:29 PM]

APPROVED 6-0 (Laredo not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#284-15 HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand dollars (\$250,000) from bonded indebtedness for the purpose of funding mechanical upgrades and interior improvements at the main library. [09/28/15 @ 1:43 PM]

HELD 6-0 (Laredo not voting)

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

#46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]

PROGRAMS & SERVICES HELD 6-0 on 10/21/15

HELD 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#223-15 ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]

REFERRED TO 2016-2017 CITY COUNCIL 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#283-15 HIS HONOR THE MAYOR requesting authorization to appropriate one hundred fifty thousand dollars (\$150,000) from bonded indebtedness for the purpose of funding the installation of heat trace wiring for the City Hall roof *and to hire a building envelope specialist to assess the City Hall roof.* [09/28/15 @ 1:43 PM]
PUBLIC FACILITIES APPROVED 3-0-5 (Albright, Brousal-Glaser, Crossley, Lappin, Laredo abstaining) on 10/09/15
FINANCE APPROVED 7-0 ON 10/14/15
BOARD REFERRED BACK TO PUBLIC FACILITIES on 10/19/15
APPROVED AS AMENDED 7-0

#189-15 ALD. ALBRIGHT, JOHNSON, HESS-MAHAN requesting a discussion with the Department of Public Works re contract provisions for staging materials and the removal of excavate or other unsightly materials stored/created as a result of work under contract with the City, specifically to understand the provision that allowed contractor(s) to store excavate from the Lowell Avenue reconstruction project on Washington Street across from a residential neighborhood. [07-31-15 @9:34AM]
NO ACTION NECESSARY 7-0

REFERRED TO FINANCE COMMITTEE

Present: Ald. Fuller (Acting Chair), Ciccone, Norton, Brousal-Glaser, Blazar, and Lappin;
 absent: Ald. Gentile and Rice

#295-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of ten thousand five hundred seventy dollars (\$10,570) from the City Clerk Full-time Salaries Account to the following accounts:

Printing	
(0110102-5342).....	\$3,310
Postage	
(0110102-5341).....	\$7,200 \$7,260

APPROVED AS AMENDED 5-0 (Norton not voting)

#294-15 HIS HONOR THE MAYOR requesting authorization to accept and expend a Massachusetts Board of Library Commissioners grant in the amount of sixteen thousand seven hundred nine dollars (\$16,709) received as part of the administration of federal Library Services and Technology Act grants to expand the STEAM and computer coding programming to include robotics at the Main Library. [10/14/15 @ 2:55 PM]
APPROVED 6-0

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #296-15 HIS HONOR THE MAYOR requesting authorization of the addition of 1 FTE position in the Inspectional Services Department and authorization to transfer the sum of fifty thousand dollars (\$50,000) from Budget Reserve to the Full-time Salaries line item in the Inspectional Services Department budget to fund the addition of a full-time Building Inspector. [10/19/15 @ 11:54 AM]
HELD 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #297-15 HIS HONOR THE MAYOR requesting an amendment to the Sewer Fund Revenue Budget by increasing the Estimated Sewer Fund Revenue Budget by one hundred seventeen thousand twenty-nine dollars (\$117,029) and decreasing the anticipated reimbursement from Water Fund by one hundred seventeen thousand twenty-nine dollars (\$117,029). [10/19/15 @ 11:54 AM]
PUBLIC FACILITIES TO MEET
NO ACTION NECESSARY 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #298-15 HIS HONOR THE MAYOR requesting an amendment to the Water Revenue Budget by increasing surplus revenue and decreasing the revenue forecast from water usage. [10/19/15 @ 11:54 AM]
PUBLIC FACILITIES TO MEET
NO ACTION NECESSARY 6-0

- #259-14(3) HIS HONOR THE MAYOR requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extensions in Aspen Avenue, Studio Road and Hawthorne Avenue:

<u>SBL</u>	<u>Names & Address of Owner</u>	<u>BK/PG</u>	<u>Amount</u>
43-37-09	Lasell College 239 Woodland Road	9135/268	\$5,529.50
43-36-03	Jerrold C. and Lisa A. Capasso 81 Vista Avenue	61174/280	\$6,127.50
43-37-10	Daniel and Shirley Yen Matloff 21 Studio Road	54242/249	\$3,063.75
43-37-11	James E. and Kathleen W. Muller 29 Studio Road	30379/29	\$3,063.75
43-37-12	Omer A. Mendolson and Woo Chul Jung 35 Studio Road	60956/66	\$3,063.75
43-37-13	Kevin R. Shea and Judith Richland 47 Studio Road	22400/129	\$4,990.00
43-37-14	Susan Sansby 67 Studio Road	32299/352	\$5,321.25
43-35-09	Mahmoud and Afarin Kebati 6 Aspen Avenue	24770/205 & 22215/69	\$3,870.00
43-35-08	Ronald A. and Angela M. Marini 14 Aspen Avenue	42729/58	\$2,180.75

43-35-07	Carol Salter 24 Aspen Avenue	49541/392	\$1,912.75
43-46-36	Susan Rosen Shishko 27 Aspen Avenue	1333/68 Cert. No. 238769	\$1,815.00
43-46-28	Robert Anderson Stuart-Vail 33 Aspen Avenue	34673/496	\$2,583.25
43-46-27	Maria Bianchi Rosen 41 Aspen Avenue	50933/5	\$3,741.00
43-36-02	Sisters of Charity Supporting Corporation 50 Aspen Avenue	27551/117	\$4,192.50
43-46-26	Timothy P. Moore and Deborah W. Moore 55 Aspen Avenue	1128/82 Cert. No. 199632	\$4,998.75
43-46-25	Frank E. Litwin and Barbara A. Weiler 63 Aspen Avenue	24498/359	\$4,773.00
43-46-24	Annette L. Baker 75 Aspen Avenue	25222/538	\$3,483.00
43-35-01	Helen R. Wallstrom 51 Hawthorne Avenue	7042/290	\$5,224.50
43-35-02	John H. and Anne W. Freitas 57 Hawthorne Avenue	22758/87 & 12298/90	\$2,483.25
43-35-03	Robert M. Kelley and Kristen D. Kelley 63 Hawthorne Avenue	57313/157	\$3,708.75
43-35-04	Jean K. and Charles R. Jr., Mixer 73 Hawthorne Avenue	33129/492	\$2,322.00
43-36-01	Robert and Kimly Lynn Hanlon 78 Hawthorne Avenue	46406/45	\$5,579.25
43-35-05	Mark A. and Andrea L. Mahoney 79 Hawthorne Avenue	53536/360	\$2,418.75
43-35-06	Matthew J. and Deborah B. Kuronen 85 Hawthorne Avenue	63628/39	\$2,354.25
43-46-29	Marc and Donna Heimlich 96 Hawthorne Avenue	1327/16 Cert. No. 237819	\$1,804.25
43-46-35	John J. Cronin, Jr. and Stelita M. Cronin 97 Hawthorne Avenue	810/9 Cert. No. 135959	\$1,560.00
43-46-30	Helen K. Foo 98 Hawthorne Avenue	62392/463	\$2,232.75
43-46-34	John J. Aber and Tracy J. Aber 101 Hawthorne Avenue	1262/46 Cert. No. 226396	\$1,378.00
43-46-33	Barry Robinson and Kelly Park 107 Hawthorne Avenue	1325/139 Cert. No. 237642	\$1,508.00
43-46-31	Yee Sun and Xiaoye He 110 Hawthorne Avenue	65616/20	\$2,786.50
43-46-32	Qingyun Yan and Yimin Zhu 111 Hawthorne Avenue	1448/141 Cert. No. 256015	\$1,971.25

APPROVED 6-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #464-14 ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives. [11/24/14 @ 3:41 PM]
PROG & SERV VOTED NO ACTION NECESSARY 7-0 on 10/09/15
NO ACTION NECESSARY 6-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 (3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
PROG & SERV VOTED NO ACTION NECESSARY 7-0 on 10/21/15
NO ACTION NECESSARY 6-0

REFERRED TO PROG. & SERVICES AND ZONING & PLANNING COMMITTEES

- #127-15 ALD. SANGIOLO requesting discussion with Health Department, Inspectional Services Department and the Economic Development Commission regarding the policy of food truck operations in the City of Newton. [05/11/15 @ 10:22AM]
ZONING & PLANNING TO MEET
NO ACTION NECESSARY 6-0 (Norton not voting)

REFERRED TO REAL PROPERTY REUSE COMMITTEE

Tuesday, October 27, 2015

Present: Ald. Albright (Chairman), Ald. Fuller, Crossley, Leary, Danberg, and Lipof; absent: Alderman Gentile and Hess-Mahan; also present: Ald. Cote, Harney, and Blazar

- #287-11(4) JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT filing their separate reports pursuant to Ordinance Sec. 2-7(2)b) identifying alternatives for the future use of the former Newton Centre Library/Health Department building at 1294 Centre Street, Newton Centre, which was declared surplus by the Board of Aldermen on March 5, 2012. (*Public Hearing opened and closed on January 29, 2013.*)
APPROVED 5-0 (Leary not voting)
- #384-11(4) JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT filing their separate reports pursuant to Ordinance Sec. 2-7(2)b) identifying alternatives for the future use of the former Parks & Recreation site at 70 Crescent Street, Auburndale, which was declared surplus by the Board of Aldermen on February 6, 2012. (*Public Hearing opened and closed on February 26, 2013.*)
APPROVED 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.*