

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, October 5, 2015

Present: Ald. Albright, Baker, Blazar, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Kalis, Lappin, Laredo, Leary, Lennon, Lipof, Norton , Rice, Sangiolo, Schwartz and Yates

THE BOARD OF ALDERMEN DISCUSSED AND VOTED THE FOLLOWING ITEMS ON SECOND CALL:

REFERRED TO ZONING & PLANNING COMMITTEE

#376-14 **PLANNING & DEVELOPMENT DEPARTMENT** requesting that **Chapter 30 ZONING** be deleted in its entirety and replaced with the Zoning Reform Phase 1 Zoning Ordinance. [10/22/14 @ 7:48PM]

*Hearing Closed; Zoning & Planning Committee Approved as Amended 4-3-1 (Baker, Yates and Sangiolo opposed; Kalis abstaining) on September 16, 2015
Planning & Development Board Approved as Amended 4-0*

BOARD of ALDERMEN APPROVED 21 yeas 1 nay (Sangiolo) 2 absent (Aldermen Lennon and Norton on September 21, 2015

A MOTION FOR RECONSIDERATION WAS FILED BY ALD. BAKER ON SEPTEMBER 21, 2015

**A MOTION TO RECONSIDER WAS APPROVED BY VOICE VOTE
MOTION TO APPROVE SIX SPECIFIC AMENDMENTS FOUND IN ATTACHMENT A APPROVED BY VOICE VOTE**

MOTION TO APPROVE AS AMENDED APPROVED 24 YEAS

Clerk's Note: Ald. Baker asked that the item be reconsidered as the Clerk of the Board, Law Department and Planning Department, after careful review of questions and concerns submitted since the last Board meeting, has suggested six amendments that should be made to the ordinance before it is finally passed. The other concerns and requests can all be handled in future discussions including several formatting issues and items that will require new docket items and additional discussions before those changes can be made. The six amendments were approved unanimously by voice vote. Ald. Baker then asked the Board to adopt the revised Zoning Ordinance as amended and the item was approved 24 yeas.

REFERRED TO ZONING & PLANNING COMMITTEE

#195-15(2) **ZONING & PLANNING COMMITTEE** proposing a RESOLUTION to His Honor the Mayor to work to preserve the recreation and conservation character of 300 Hammond Pond Parkway

ZONING & PLANNING APPROVED 6-0-1 (Hess-Mahan abstaining; Johnson not voting) on September 16, 2015

ITEM POSTPONED ON SEPTEMBER 21, 2015 TO DATE CERTAIN OF OCTOBER 5, 2015.

APPROVED 24 YEAS

Clerk's Note: Ald. Danberg reported that item had been voted out in the Zoning & Planning Committee 6 in favor, 0 opposed, and one abstaining on September 16.

Ald. Baker said that in addition to the information presented at the last meeting, there have been two letters received; one from the Conservation Commission and one from the Chestnut Hill Garden Club. He felt these letters were important because they indicate that ultimate preservation should be a goal. He hoped the resolution would be passed to His Honor the Mayor to work to preserve the recreation and conservation character of 300 Hammond Pond Parkway.

Ald Danberg said this is probably the largest parcel of land in the City of Newton that is not under the protection of the City or State. This parcel is very important because of educational and environmental value. There is now the opportunity to protect this property.

Ald. Hess-Mahan said he was very much in favor of preserving this property as open space, recreational, and conservation area. He cautioned that the property is under agreement with two private parties and a legal concern that the City not be seen as interfering with a private contract. After reading this resolution he feels it is not the action we are asking for from the Mayor. If the contract were broken for any reason and the City involved, and the temple were to breach or violate the agreement, that the temple would be exposed. Ald. Hess-Mahan did not want to see that happen. He felt it was likely that the expenditure of community preservation funds would be looked at in the future. He wanted to be sure property would be preserved for generations to come and not bound up in litigation.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 24 YEAS TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Thursday, September 24, 2015

The public hearing was opened on June 2, continued on June 9, and continued on July 21:

#119-15 AUSTIN STREET PARTNERS, LLC/CITY OF NEWTON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to redevelop an existing municipal parking lot, declared surplus by the Board of Aldermen on February 6, 2012, into a mixed use residential building providing 68 units of housing, approximately 5,000 sf of commercial space, approximately 90 underground parking spaces appurtenant to the proposed residences and commercial space and 127 public parking spaces at grade at 28 AUSTIN STREET, Ward 2, Newtonville, on land known as SBL 24, 9, 15, containing approximately 74,480 sf of land in a district zoned MIXED USE 4. Ref: Sec. 30-24, 30-23, 30-21(b), 30-15(w)(2), (w)(4)b), 30-15 Table 3, 30-13(h), (h)(2) Table B, 30-13(j)(1), (2), and (3), 30-19(d)(2), (10), (11), (12), and (13), 30-19(e), 30-19(h)(1), (2)a) and b), 30-19(i)(1) and (2),

30-19 (j)(1), 30-19 (k); 30-19 (l) Table 3, and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO OCTOBER 6, 2015

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, September 30, 2015

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #141-15(3) **PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEE** requesting a RESOLUTION from the Board of Aldermen to His Honor the Mayor requesting that he, on behalf of the city, complement ongoing discussion with National Grid by preparing and filing litigation to recover damages and appropriate remediation and prevention relating to harm to City trees from gas leaks from National Grid infrastructure. [07/15/15 @8:30 PM]
PUBLIC FACILITIES APPROVED 7-0 ON 9/9/15
PROG & SERV APPROVED 5-0 (Baker not voting)

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE FINANCE COMMITTEE TO REPORT OUT THE FOLLOWING TWO ITEMS DISCUSSED EARLIER IN THE EVENING WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE

REFERRED TO FINANCE COMMITTEE

Reappointment by His Honor the Mayor

- #238-15 **JEFFREY SILTON**, 120 Cherry Street, West Newton reappointed as a Constable for the City of Newton for a term of office to expire October 24, 2018. [09/15/15 @ 3:37 PM]
FINANCE APPROVED 7-0

REFERRED TO FINANCE COMMITTEE

- #239-15 **HIS HONOR THE MAYOR** requesting an amendment to the New Angier Elementary School Capital Project Appropriation Schedule included in Board Order #286-13(2) approved October 7, 2013 by transferring the amount of one hundred eighty-two thousand seven hundred forty-eight dollars (\$182,748) from the "Owners Contingency" line item to the "Furniture" line item and transferring the sum of fifty-two thousand eight hundred eighty-one dollars (\$52,881) from the "Owners Contingency" line item to the "Technology" line item. [09/15/15 @ 3:37 PM]
FINANCE APPROVED 8-0

A MOTION TO ACCEPT THE FOLLOWING TWO LATE FILED DOCKET ITEMS TO THE DOCKET AND REFER THEM TO COMMITTEE WAS APPROVED BY VOICE VOTE

REFERRED TO FINANCE COMMITTEE

- #287-15 HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 5-Year Financial Forecast for Board of Aldermen review/acceptance. [10/01/15 @ 1:53 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #288-15 HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public Hearing assigned for November 17, 2015:

- #274-15 STORAGE DEVELOPMENT PARTNERS, LLC/NORCROSS TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish two existing buildings and construct a 113,187 square-foot self-storage facility with 11 parking stalls at 255-257 NEWTONVILLE AVENUE, Ward 2, Newtonville, on land known as SBL 12, 16, 8, containing approximately 75,634 sf of land in a district zoned MANUFACTURING. Ref: Sec. 30-24, 30-23, 30-12(g)(1), 30-15 Table 3, 30-19(d)(15), (h)(1), (h)(2)c, (i)(1), (j)(1), (g)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public hearing assigned for October 21, 2015:

- #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. [09/21/15 @ 4:15 PM]

Public hearing assigned for October 21, 2015:

- #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. [09/28/15 @ 10:55 AM]