

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, October 19, 2015

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

Absent: Ald. Johnson & Yates

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

#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 \pm 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*)
HEARING CLOSED; LAND USE APPROVED 5-0-3 (Cote, Harney, Schwartz abstaining)

MOTION TO POSTPONE TO DATE CERTAIN OF NOVEMBER 2, 2015 WAS APPROVED BY VOICE VOTE

Clerk's Note: The item was placed on second call. The Chairman of Land Use reported the item and a request was immediately made to postpone the item to a date certain of November 2, 2015. It was reported that the community and the developer are in agreement on seeking a postponement.

There was support for the motion to postpone but it was hoped that the two week postponement would be used to have further discussions. There was also concern that the four and five unit projects that have been proposed are too dense for the neighborhood.

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. [09/28/15 @ 1:43 PM]

PUBLIC FACILITIES APPROVED 3-0-5 (Albright, Brousal-Glaser, Crossley, Lappin, Laredo abstaining) on 10/07/15

FINANCE APPROVED 7-0**MOTION TO RECOMMIT TO PUBLIC FACILITIES COMMITTEE
WAS APPROVED BY VOICE VOTE**

Clerk's Note: The Chairs of the Public Facilities Committee and the Finance Committee reported on the item. The Chair of Public Facilities reported that in the committee discussion there were a number of questions regarding the product that would be used because there was no information provided before the meeting, and the Commissioner of Public Buildings was not able to attend the meeting. It was presented that this was the least expensive alternative and that it needed to happen quickly as winter is approaching. Many questions were raised by the Committee that could not be answered including: What is it?; Where is it going?; What are the specifications?; What kind of contract would this be?; How do we know this would fix the problem?; Is this a band aid approach? Some of these questions were eventually answered in the Finance Committee meeting where the Commissioner of Public Buildings was present.

The Chair of Finance reported on the discussion that took place in the Finance Committee. The first question asked of the Commissioner was if a full assessment on the roof should be done to determine exactly what shape it was in. It was reported that Commissioner Morse felt that there was a substantial evaluation of the roof done in the past and the condition of the roof overall was very favorable. He did not feel that a further assessment was necessary at this time. The idea of installing this trace wiring is because a few offices, in particular the City Solicitor's office, were damaged from water from ice dams was free flowing in the offices. In consultation with the roofing contractor, it was felt this was the best way to address the problem would be to install the trace wiring. Other solutions considered were insulating steam pipes on the third floor or removing a few courses of the slate surrounding the entire building and putting in a product to address the issue. Both of those projects would be costly. The recommendation at this time is to put the trace wiring in and it should take care of most of the problem.

It was reported that an assessment of the roof was made in 2011 but it was not the detailed professional assessment that this building deserves. This is a very complex problem and this may be short term solution to the problem but a long term solution is needed. A cold roof is what should be the result. A professional assessment could reveal other ways to achieve solving the problem. Solving for ice dams in this way is a very expensive Band-Aid approach. Solving ice dams by applying heat instead of ice can also be done in several ways. The best way is not necessarily to put this trace wiring on top of the roof. In 2011, the assessment noted that the roof has about a 20 year life left. This is not a very long life for a slate roof that can last hundreds of years, if well maintained. Even if the ice dam problems are solved, the snow will not be prevented from sliding off the roof or the ice from sliding down. A problem with heat trace wiring or heat tape is that it can come off the roof with a snow or ice slide. Prices were solicited from one vendor. There is currently no report on the condition of the roof from the roofer; there are no documents or plan and no specifications for exactly what this work is. It was only a description of the work and intent that was priced. Some would like to see a more formal process. As a stop gap measure the possibility of shoveling off the roof could be considered.

Some were not convinced that this is the right approach and the suggestion of bringing in more contractors was made.

There was a disagreement with the characterization of this being a Band-Aid approach. It was felt by some that it is a more substantive suggestion or recommendation than a Band-Aid. There are on-call roofing contractors that will provide information. If this is not done right now, nothing will be accomplished this winter. There was comfort expressed by some in supporting the recommendation of Commissioner Morse. It was hoped this item could be voted up or down on November 2nd.

It was felt that it is a positive that the recommendation is coming from a contractor that the City has had a long-standing relationship with. It might be good to understand the advantages of moving forward with a thorough assessment of the building. This could not be available for the next Public Facilities meeting, but it might be good to understand what could be learned from it and the possibility of other options that could be considered before this actually becomes a contract with a roofer for this much work.

It was asked if the Board could have more information on this particular contract before the Board authorized it and that alternatives to heat tape could be presented. There was a sentiment to have more detail on the spending of \$150,000.

It was felt by some that the floor of the Full Board was not the place to debate this but they did not want to delay this project. More information from the Commissioner regarding some of the problems would be helpful. It was felt that there was enough doubt about the project and the motion to send item back to committee was made and approved.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 2 ABSENT (Ald. Johnson & Yates) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, October 6, 2015

The public hearing was opened and continued June 2, June 9, July 21, and September 24:

#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 ±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, 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO OCTOBER 20, 2015

REFERRED TO LAND USE COMMITTEE

Tuesday, October 13, 2015

The petitioner requested to withdraw the following petition without prejudice.

#230-15 ANNA E. RUTHERFORD & 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 additions will increase the Floor Area Ratio from .42 to .57, 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 ±5,490 square feet of land, in a district zoned SINGLE RESIDENCE 3.

WITHDRAWAL WITHOUT PREJUDICE LAND USE APPROVED 7-0
(Lennon not voting)

#273-14(4) NICORE CONSTRUCTION CORP. request for an EXTENSION of TIME in which to EXERCISE special permit #273-14(2), granted on February 17, 2015, to construct four attached single-family dwellings in two buildings and to locate a driveway within 10 feet of a side lot line at 5-7 ELM STREET and 114 RIVER STREET, Ward 3, West Newton and to amend the site plan approved in special permit #40-07, dated May 21, 2007; said EXTENSION will run from February 17, 2016 to February 17, 2017. Ref: 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

EXTENSION OF TIME LAND USE APPROVED 7-0 (Lennon not voting)

#317-14(2) HEAMEE INC. request for an EXTENSION of TIME in which to EXERCISE special permit #317-14, granted on October 20, 2014, to allow tandem parking and parking within a setback and to waive dimensional requirements for parking facilities with more than 5 stalls re stall dimensions, aisle width, landscaping and lighting, and to waive the number of required parking stalls in order to convert approximately 1,500 sf of basement space from storage to office space at 1175 WALNUT STREET, Ward 6, Newton Highlands; said EXTENSION will run from October 20, 2015 to October 20, 2016. Ref: 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

EXTENSION OF TIME LAND USE APPROVED 7-0 (Lennon not voting)

#160-15 TIMOTHY BURKE ARCHITECTURE for ICHIRO ISHIGURO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a second-story addition on an existing 1½-story single-family dwelling, which will increase the Floor Area Ratio from .31 to .44, where .37 is the maximum allowed by right, at 80 DEBORAH ROAD, Ward 8, Newton Centre, on land known as SBL 82, 8, 8, containing approximately 10,990 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012. (A *Public Hearing was opened and continued on August 11, 2015*)

HEARING CLOSED; LAND USE APPROVED 7-0-1 (Lennon abstaining)

A Public Hearing was opened on the following item:

- #192-15 YURIY MATSKEVITCH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE and USE to reconfigure an existing two-family dwelling into a one-family dwelling and construct a second unit to the rear of 403-405 PARKER STREET, Ward 8, Newton Centre, on land known as SBL 81, 31, 39 containing approximately 17,408 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 8-0

A Public Hearing was opened on the following item:

- #193-15 ALEXANDER PESELMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to widen an existing breezeway, enclose a deck above the adjacent sunroom, and to enlarge an existing mudroom, which will increase the Floor Area Ratio from .46 to .48, where .33 is the maximum allowed by right, at 5 GREEN PARK, Newton, Ward 7, on land known as SBL 73, 11, 3, containing approximately 14,665 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 8-0

A Public Hearing was opened on the following item:

- #228-15 JENNIFER TJIA & JANE GIVENS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to add a dormer to the existing attic, which will expand an existing 3½-story, single-family dwelling ~~from 2½ stories to~~ at 30 MOULTON STREET, Ward 4, Newton Lower Falls, on land known as SBL 42, 32, 38 and 37, containing a total of 8,143 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 8-0

A Public Hearing was opened on the following item:

- #166-14(2) SEAN O'MALLEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by enclosing an existing detached carport and installing a garage door, which will increase the Floor Area Ratio from .38 to .42, where .35 is the maximum allowed by right, at 22 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 50, 5, containing approximately 9,353 square feet of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0-1 (Schwartz)

- #148-15(2) INTRUM COPORATION petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second 60,565 square-foot building to be connected to an existing office building, as well as a one-story parking deck, and to redesign existing parking facilities increasing the number of parking stalls from 215 to 379

at 180 WELLS AVENUE, Ward 8, on land known as SBL 84, 34A, 3, containing approximately 220,097 square feet of land in a district zoned LIMITED MANUFACTURING. Ref: 30-12(g)(2), 30-19(m) of the City of Newton Rev Zoning Ord, 2012 and Board Order nos. 276-68(3), 761-69, 734-72 (884-71).

NOTE: Accompanying the petition is a request to amend the Deed Restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended or waived to increase the Floor Area Ratio from .25 to .53, which exceeds the maximum of .25, to waive the minimum 40% open space requirement, and to allow a greater percentage of square footage in the office park to be dedicated to office space. *(A Public Hearing opened and continued on September 10, 2015)*

HEARING CLOSED; LAND USE APPROVED 8-0

#148-15(3) AMENDMENT TO THE DEED RESTRICTION LAND USE APPROVED 7-0 Crossley not voting)

- #181-15 AYENG FONG & BINH NGUYEN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a third unit onto the rear of an existing two-family dwelling at 220-222 CALIFORNIA STREET, Ward 1, NONANTUM, on land known as SBL 11, 10, 16, containing approximately 9,510 sf of land in a district zoned BUSINESS 1. Rev: Sec 30-24, 30-11(d)(8), 03-19(h)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2012. *(A Public Hearing was opened and continued on September 10, 2015)*
HEARING CLOSED; HELD 8-0

A Public Hearing was opened on the following item:

- #233-15 SIAMAB THERAPEUTICS/CHAPELBRIGE PARK ASSOCIATES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate rDNA facility and associated office use at 49-55 CHAPEL STREET (a/k/a 90 BRIDGE STREET), Ward 1, NONANTUM, on land known as SBL 14, 1, 14, containing ±170,913 square feet of land in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23, 30-12(c)(15) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0 (Lipof not voting)

A Public Hearing was opened on the following item:

- #231-15 CARTHAY INVESTMENT LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND and ALTER a NONCONFORMING USE in order to construct four attached dwellings in two new 2½-story structures and extend a nonconforming side setback at 5-7 and 9-11 CARTHAY CIRCLE, Ward 6, Newton Highlands, on land known as SBL 54, 22, 8A and 9, containing 7,130 and 7,980 square feet of land, respectively, in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 3, of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED

- #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. ***(A Public Hearing opened on July 14 and continued on August 4, 2015)***

HEARING CONTINUED

- #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. ***(A Public Hearing opened and continued on September 10, 2015)***

HEARING CONTINUED

A Public Hearing was opened on the following item:

- #229-15 LINDA BRENNAN & ROBERT H. LEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a SPECIAL PERMIT to construct a detached structure for an accessory apartment accessory to a single-family dwelling at 28 ORCHARD AVENUE, Ward 5, WABAN, on land known as SBL 54, 10, 1, containing approximately 19,850 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED

REFERRED TO ZONING & PLANNING COMMITTEE

Wednesday, October 14, 2015

- #278-14 ALD. YATES proposing to amend **Chapter 30** of the City of Newton Ordinances to restrict the two-unit structures allowed by-right in the multi-residence districts to structures with the two units side-by-side in a single structure, or one above the other as in double-deckers.

ZONING & PLANNING NO ACTION NECESSARY 5-0

- #222-13 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, DANBERG, FISCHMAN & JOHNSON proposing to amend the definitions of "Common roof

connector", "Common wall connector", and "Dwelling, two-family" in **Chapter 30**, Section 30-1 of the City of Newton Zoning Ordinances.

ZONING & PLANNING NO ACTION NECESSARY 5-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, October 7, 2015

#126-15 **ALD. JOHNSON, ALBRIGHT, NORTON AND SCHOOL COMMITTEE MEMBER ALBRIGHT** requesting a discussion with the Newton School Department, Newton North High School principal, and the Newton Police Department regarding ways to address the student smoking issue at Newton North High School. [05/11/15 @ 9:30AM]

PROGRAMS & SERVICES NO ACTION NECESSARY 7-0

#10-15 **ALD. HESS-MAHAN, BAKER, BROUSAL-GLASER, COTE, JOHNSON, SANGIOLO** proposing a RESOLUTION requesting the Licensing Commission to adopt a policy requiring all applicants for a license to notify the Aldermen from the respective ward whenever applicants are required to send legal notice to abutters, public or private schools, churches, synagogues, religious institutions of worship and/or hospitals within 500 feet from the proposed licensed premises regarding their application. [12/29/14 @ 12:17 PM]

PROGRAMS & SERVICES NO ACTION NECESSARY 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, October 7, 2015

#186-15(2) **ALD. YATES**, requesting a *RESOLUTION* that MassDOT include the exclusion of trucks from the sign to Quinobequin Road at the intersection with Rtes. 16/128. **PUBLIC SAFETY NO ACTION NECESSARY 4-0, Johnson and Fuller not voting**

#186-15 **ALD. YATES**, requesting a *RESOLUTION* that MassDOT devise a system to inform drivers entering Ellis Street, Quinobequin Road and Williams Street (Wellesley) intersection that Quinobequin Road is closed to truck traffic before entering Rte. 9 ramp to be modified by the Add-a-Lane project.

PUBLIC SAFETY NO ACTION NECESSARY 5-0, Fuller not voting

#150-13 **ALD. JOHNSON, ALBRIGHT & LINSKY**, requesting the Planning Department create a traffic and parking management plan for the Education Center, Day Middle School, Horace Mann Elementary School and Carr School neighborhood area by December 2013. (Wards 1 & 2) [03/29/13 @ 9:11 AM]

PUBLIC SAFETY NO ACTION NECESSARY 5-0-1, Fuller abstained

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, October 7, 2015

- #188-15 COMCAST OF MASS petitioning for a grant of location to install 295' ± of conduit in BEACH STREET from Pole #194/1 southerly to Washington Street and continuing 190' ± easterly on WASHINGTON STREET from Beach Street to 701 Washington Street and for two 3' x 3' handholes in the sidewalk at the property lines of 723 Washington Street and 709 Washington Street. (Ward 2)
PUBLIC FACILITIES APPROVED 6-0 (Danberg, Gentile not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #225-15 HIS HONOR THE MAYOR requesting authorization to appropriate seven hundred twenty-five thousand dollars (\$725,000) from bonded indebtedness for the purpose of funding the Dedham Street Drainage Improvement Project. [09/01/15 @ 8:46 AM]
FINANCE APPROVED 7-0 on 10/14/15
PUBLIC FACILITIES APPROVED 7-0 (Gentile not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #285-15 HONOR THE MAYOR proposing amendments to the City of Newton Revised Ordinances, 2012 Section 11-15. **White goods.** by striking the fee of eighteen dollars (\$18) and replacing it with twenty-five dollars (\$25) wherever the fee is mentioned. [09/28/15 @ 1:43 PM]
FINANCE APPROVED 7-0 on 10/14/15
APPROVED 7-0-1 (Lennon abstaining)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #286-15 HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from bonded indebtedness for the purpose of funding the design engineering and construction services for the replacement of the backstop at the Newton North High School baseball field. [09/28/15 @ 1:43 PM]
FINANCE APPROVED 7-0 on 10/14/15
PUBLIC FACILITIES APPROVED 8-0

REFERRED TO FINANCE COMMITTEE

Wednesday, October 14, 2015

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #286-15 HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from bonded indebtedness for the purpose of funding the design engineering and construction services for the replacement of the backstop at the Newton North High School baseball field. [09/28/15 @ 1:43 PM]
PUBLIC FACILITIES APPROVED 8-0 on 10/07/15
FINANCE APPROVED 7-0

- #204-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty-three thousand six hundred dollars (\$33,600) from Budget Reserve to a Parks and Recreation Department Public Ground Maintenance Account to fund professional landscape architecture and engineering services for the replacement of the backstop at the Newton North High School baseball field. [08/31/15 3:08 PM]
FINANCE NO ACTION NECESSARY 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #285-15 HONOR THE MAYOR proposing amendments to the City of Newton Revised Ordinances, 2012, Section 11-15. **White goods.** by striking the fee of eighteen dollars (\$18) and replacing it with twenty-five dollars (\$25) wherever the fee is mentioned. [09/28/15 @ 1:43 PM]
PUBLIC FACILITIES APPROVED 7-0-1 (Lennon abstaining) on 10/07/15
FINANCE APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #225-15 HIS HONOR THE MAYOR requesting authorization to appropriate seven hundred twenty-five thousand dollars (\$725,000) from bonded indebtedness for the purpose of funding the Dedham Street Drainage Improvement Project. [09/01/15 @ 8:46 AM]
PUBLIC FACILITIES APPROVED 7-0 (Gentile not voting) on 10/07/15
FINANCE APPROVED 7-0

- #279-15 HIS HONOR THE MAYOR requesting authorization to appropriate three hundred sixty-nine thousand twenty-three dollars and ninety-five cents (\$369,023.95) from the premiums earned on the Fiscal Year 2015 bond sales for debt excluded capital projects for the purpose of reducing the future debt to be issued on the below projects as follows:

- 1) Angier Elementary School Project: reduce the amount of financing from bonded debt by three hundred fifty-one thousand one hundred fifty-nine dollars and twenty-one cents (351,159.21) and increase the financing from premium earned on the sale of bonds by three hundred fifty-one thousand one hundred fifty-nine dollars and twenty-one cents (351,159.21).
- 2) Cabot Elementary School Project: reduce the amount of financing from bonded debt by seventeen thousand eight hundred sixty-four dollars and seventy-four cents (\$17,864.74) and increase the financing from premium earned on the sale of bonds by seventeen thousand eight hundred sixty-four dollars and seventy-four cents (\$17,864.74). [09/28/15 @ 1:43 PM]

FINANCE APPROVED 7-0

- #280-15 HIS HONOR THE MAYOR requesting authorization to appropriate ninety-five thousand two hundred twenty-six dollars and thirteen cents (\$95,226.13) from the

September 21, 2015 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors to the Statutory Interest Account in order that any liabilities ordered by the Courts or the Massachusetts Appellate Tax Board can be extinguished. [09/28/15 @ 1:43 PM]

FINANCE APPROVED 7-0

#281-15 HIS HONOR THE MAYOR requesting authorization to appropriate six hundred twenty-three thousand two hundred fifty-five dollars and seventy six cents (\$623,255.76) from the September 21, 2015 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors and appropriate fifty-nine thousand ninety-nine dollars and forty-four cents (\$59,099.44) from Free Cash to the Rainy Day Stabilization Fund. [09/28/15 @ 1:43 PM]

FINANCE APPROVED 7-0

#282-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of thirty-six thousand six hundred ten dollars (\$36,610) of Homeless Transportation reimbursement revenue to the Newton Public School budget, as the reimbursement funds were accounted for in the school budget but were deposited into general fund revenue. [09/28/15 @ 1:43 PM]

FINANCE APPROVED AS AMENDED 7-0 @ \$37,433

REFERRED TO ZAP, PROG & SERV AND FINANCE COMMITTEES

#397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed ~~historic~~ significant by the ~~Historical Commission and the~~ City's Tree Warden with the advice and counsel of the Urban Tree Commission. [05-05-14 @ 4:32 PM]

ZAP VOTED NO ACTION NECESSARY 7-0 on 02/19/15

PROG & SERV VOTED NO ACTION NECESSARY 3-0-1 (Kalis abstaining; Blazar and Baker not voting) on 09/09/15

FINANCE NO ACTION NECESSARY 7-0

MOTIONS TO ACCEPT THE FOLLOWING SEVEN LATE FILED ITEMS TO THE DOCKET AND REFER THEM TO COMMITTEE WERE APPROVED BY VOICE VOTE

REFERRED TO FINANCE COMMITTEE

#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]

REFERRED TO FINANCE COMMITTEE

#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	Jerrod 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

REFERRED TO FINANCE COMMITTEE

#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

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]

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]

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]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #144-15(2) COMMUNITY PRESERVATION COMMITTEE recommending the release and appropriation to the Public Buildings Department to complete construction of the Museum Archives and Fire Suppression project, a total of one hundred thirty-two thousand nine hundred forty-three (\$132,943), including: release of \$39,452 in the Board of Aldermen's contingency fund, as created by Board Order #144-15 dated June 15, 2015; and appropriation of \$93,491 from the Community Preservation Fund, as recommended by the Community Preservation Committee on May 27, 2015 but not yet appropriated. [10/16/15 @ 3:09 PM]

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public Hearing assigned for November 9, 2015:

- #293-15 11 JOHN STREET LLC petition to rezone land known as Section 65, Block 8, Lot 70 at 11 JOHN STREET from MULTI RESIDENCE 1/BUSINESS 1 to BUSINESS 1. [10/09/15 @ 1:00PM]

Public Hearing assigned for November 17, 2015:

- #289-15 SIMON & LEANNE TAYLOR petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE and USE in order to add dormers, one of which is 60% of the wall plane below, to the half story above the second floor, which will increase the existing nonconforming Floor Area Ratio from 62 to .71, onto an existing 3½-story, two-family dwelling at 136 EASTBOURNE ROAD, Ward 7, Newton Centre, on land known as BL 73, 43, 5, containing approximately 5.952 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15 Table A, 30-15(u)(2), 30-15(t)(1), 30-8(a) of the City of Newton Rev Zoning Ord, 2012.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 1 RECUSED (Ald. Sangiolo), 2 ABSENT (Ald. Johnson & Yates) TO TAKE THE FOLLOWING ACTIONS:

A Public Hearing was opened on the following item:

- #232-15 SCOTT MILLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to construct a second-floor onto an existing nonconforming single-family dwelling which will result in an increase to the two nonconforming front setbacks at 166 PARMENTER ROAD, Ward 3, West Newton, on land known as SBL 34, 37, 49, containing

approximately 5,960 square feet of land in a district zoned SINGLE RESIDENCE
3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev
Zoning Ord, 2012.

HEARING CLOSED; LAND USE APPROVED 8-0