

REPORTS DOCKET

March 18: Land Use Continued
March 19: Programs&Services; Public Safety&Transportation; Public Facilities Page 57
March 24: Finance; Zoning & Planning Monday, March 17, 2014
March 25: Joint Real Property Reuse/Zoning & Planning 7:45 PM, Newton City Hall
April 1: Real Property Reuse To be reported on
MONDAY, APRIL 7, 2014

CITY OF NEWTON

IN BOARD OF ALDERMEN

- I. Communications from His Honor the Mayor and other City Boards, Agencies, and Commissions.

REFERRED TO LAND USE COMMITTEE

Tuesday, March 18, 2014

Present: Ald. Laredo (Chairman), Ald. Albright, Cote, Lennon, Lipof, Crossley, Schwartz, and Harney

#55-14 NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 1, 2014. Ref: 30-6(k) of the City of Newton Rev Zoning Ord, 2012.
APPROVED 7-0 (Harney not voting)

Public Hearing opened on February 11, 2014, continued to March 4, and continued to March 18:

#23-14 ALBERT PINKHASOV petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for walls of more than 4 feet in the setback at 78 LOVETT ROAD, Ward 8, Newton Centre, on land known as SBL 82, 15, 97, containing approximately 16,004 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; APPROVED 6-2 (Harney, Lennon opposed)

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, March 24, 2014

Present: Ald. Johnson (Chair), Danberg, Hess-Mahan, Sangiolo and Yates; absent: Ald. Kalis, Leary and Baker; also present: Ald. Albright, Fuller, Lappin, Gentile and Crossley

Appointment by His Honor the Mayor

#73-14 JOHN DOWNIE, Auburndale Avenue, Auburndale, appointed as a member of the URBAN DESIGN COMMISSION for a term to expire March 31, 2017.
(60 days 05/16/14) [03/10/14 @ 3:48PM]

APPROVED 5-0

Appointment by His Honor the Mayor

#74-14 JAMES DOOLIN, 104 Fairway Drive, West Newton, appointed as a member of the URBAN DESIGN COMMISSION for a term to expire March 1, 2017.
(60 days 05/16/14) [03/10/14 @ 3:48PM]

APPROVED 5-0

Re-appointment by His Honor the Mayor

#75-14 RICHARD GRIFFIN, 74 Bennington Street, Newton, re-appointed as a member of the URBAN DESIGN COMMISSION for a term to expire March 1, 2017. (60 days 05/16/14) [03/10/14 @ 3:48PM]

APPROVED 5-0

Re-appointment by His Honor the Mayor

#76-14 MICHAEL KAUFMAN, 24 Tuner Terrace, Newtonville, re-appointed as a member of the URBAN DESIGN COMMISSION for term to expire March 1, 2017. (60 days 05/16/14) [03/10/14 @ 3:48PM]

APPROVED 5-0

#80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]

HELD 5-0

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Wednesday, March 19, 2014

Present: Ald. Sangiolo (Chairman), Leary, Norton, Kalis, Hess-Mahan, Blazar and Baker
Absent: Ald. Rice; also present: Ald. Johnson and Harney

Appointment by His Honor the Mayor

#85-14 LAUREN DIGERONIMO, 18 Eddy Street, West Newton, appointed as a member of the URBAN TREE COMMISSION for a term to expire March 1, 2017.
(60 days 05/16/14) [03/10/14 @ 3:48PM]

RECOMMEND HOLD 3-0 (Kalis, Hess-Mahan, Blazar and Baker not voting)

Appointment by His Honor the Mayor

#86-14 CHRIS STEELE, 702 Chestnut Street, Waban, appointed as a member of the URBAN TREE COMMISSION for a term to expire March 1, 2017.
(60 days 05/16/14) [03/10/14 @ 3:48PM]
RECOMMEND APPROVAL 3-0 (Kalis, Hess-Mahan, Blazar and Baker not voting)

Appointment by His Honor the Mayor

#78-14 CHRISTOPHER K. MURPHY, 112 Grasmere Street, Newton, appointed as a member of the INSTITUTIONAL BIOTECHNOLOGY COMMITTEE for a term to expire March 31, 2017. (60 days 05/16/14) [03/10/14 @ 3:47 PM]
RECOMMEND APPROVAL 3-0 (Kalis, Hess-Mahan, Blazar and Baker not voting)

Appointment by His Honor the Mayor

#82-14 THEKLA DIEHL, 102 Parker Avenue, Newton Highlands, appointed as a member of the BIOSAFETY COMMITTEE for a term to expire March 31, 2015.
(60 days 05/16/14) [03/10/14 @ 3:48PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Appointment by the President of the Board

#80-14 WILLIAM DIETRICH, 29 Osborne Path, Newton Centre, appointed as a member of the BIOSAFETY COMMITTEE for a term to expire April 1, 2016.
(60 days 05/16/14) [03/6/14 @ 12:29PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Appointment by the President of the Board

#81-14 GARY DU MOULIN, 24 Myerson Lane, Newton Centre, appointed as a member of the BIOSAFETY COMMITTEE for a term to expire April 1, 2017.
(60 days 05/16/14) [03/6/14 @ 12:29PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Re-appointment by His Honor the Mayor

#87-14 KATHERINE HOWARD, 84 Fenwick Road, Waban, re-appointed as a member of the URBAN TREE COMMISSION for a term to expire March 1, 2017.
(60 days 05/16/14) [03/10/14 @ 3:48PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Re-appointment by His Honor the Mayor

#88-14 BARBARA SMILEY, 1073 Walnut Street, Newton Highlands, re-appointed as a member of the URBAN TREE COMMISSION for a term to expire March 1, 2017. (60 days 05/16/14) [03/10/14 @ 3:48PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Re-appointment by His Honor the Mayor

#89-14 VAUNITA SCHNELL, 68 Stearns Street, Newton Centre, re-appointed as a member of the FARM COMMISSION for a term to expire March 31, 2017. (60 days 05/16/14) [03/10/14 @ 3:48PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

Re-appointment by His Honor the Mayor

#90-14 JAMES HARPER, 59 Westminster Road, Newton, re-appointed as a member of the FARM COMMISSION for a term to expire March 31, 2017. (60 days 05/16/14) [03/10/14 @ 3:48PM]
APPROVED 4-0 (Hess-Mahan, Blazar and Baker not voting)

#200-13 ALD. JOHNSON requesting a discussion with the Parks & Recreation Department and the Department of Public Works to establish a process for managing the placement and removal of City, for-profit, and non-profit signs advertising events. [05/28/13 @ 9:26 AM]
NO ACTION NECESSARY 4-0 (Hess-Mahan, Blazar and Baker not voting)

REFERRED TO PROG. & SERV. AND PUBLIC SAFETY & TRANS COMMITTEES

#410-13 ALD. JOHNSON, ALBRIGHT AND LINSKY requesting discussion with the Parks & Recreation, Police, Fire and Law Departments regarding options to decrease vandalism at the Albemarle Park (Halloran Recreation Complex) before April, 2014 [11/12/13 @ 4:15 PM]
PUBLIC SAFETY & TRANSPORTATION VOTED NO ACTION NECESSARY ON 1/8/14
NO ACTION NECESSARY 4-0 (Hess-Mahan, Blazar and Baker not voting)

#254-12(2) THE PROGRAMS & SERVICES COMMITTEE recommending an ordinance to ban single-use plastic bags at certain retail establishments in the City of Newton.
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, March 19, 2014

Present: Ald. Ciccone (Chair), Yates, Cote, Fuller, Schwartz, Johnson and Harney; absent: Ald. Lipof; also present: Ald. Crossley (Chair), Lennon, Gentile, Albright, Lappin, Danberg and Laredo; absent: Ald. Salvucci

REFERRED TO PUBLIC SAFETY & TRANS. AND PUBLIC FACIL. COMMITTEES

#101-14 COMMISSIONER OF PUBLIC WORKS requesting discussion of proposed intersection improvements at Winchester and Boylston Streets that includes the installation of new traffic signal on westerly side of the intersection to be funded under the Mass Works Grant. [03/03/14 @ 3:03 PM]
PUBLIC FACILITIES HELD 7-0 on 03/19/14
HELD 7-0

#310-13(2) ALD. LENNON, on behalf of Dominic Proia, 17 Peabody Street, requesting an amendment to Resident Permit Parking Program Sec. 19-201(B)(1) regarding contiguous lots. [02/24/14 @ 9:08 AM]

HELD 6-0, Harney not voting

#72-14 ALD. CICCONE & JOHNSON, requesting a discussion of the installation of a possible bike lane on Walnut Street between Otis Street and Commonwealth Avenue. [03/03/14 @ 8:17 AM]

HELD 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, March 19, 2014

Present: Ald. Crossley (Chairman), Lennon, Albright, Gentile, Danberg, Laredo, and Lappin;
absent: Ald. Salvucci; also present: Ald. Ciccone, Cote, Fuller, Johnson, Harney, Schwartz, and Yates

#61-14 NSTAR ELECTRIC petitioning for a grant of location to install 196' ± of conduit and a new manhole in the sidewalk on WASHINGTON STREET from Manhole #8216 easterly to new Manhole #29794 then continuing to the intersection of Washington and Chestnut Streets. (Ward 3) [02-11-14 @ 10:47 AM]

APPROVED 6-0 (Gentile not voting)

Appointment by the President of the Board

#99-14 MARK SUSSER, 40 Harvard Street, Newtonville, appointed as a member of the DESIGN REVIEW COMMITTEE for a term of office to expire on December 31, 2015. [02-26-14 @ 2:36 PM]

APPROVED 7-0

Appointment by the President of the Board

#100-14 EVE M. TAPPER, 24 Nathan Road, Newtonville, appointed as a member of the DESIGN REVIEW COMMITTEE for a term of office to expire on December 31, 2015. [02-26-14 @ 2:36 PM]

APPROVED 7-0

Re-appointment by His Honor the Mayor

#95-14 JAMES POWERS, 11 Star Road, West Newton, re-appointed as a member of the DESIGNER SELECTION COMMITTEE for a term of office to expire on December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]

APPROVED 6-0 (Lennon not voting)

#229-13(2) HIS HONOR THE MAYOR requesting acceptance of two easements on the property at 170 Needham Street per Condition #7 and #8 of Special Permit #229-13 approved on October 21, 2013: 1) a 10' wide drain easement for the installation, repair, maintenance and replacement of a storm water drain, which now exists across the property without an easement and 2) an access easement for the purpose of maintenance, repair and replacement of structures within the South Meadow Brook Drain Easement. [03/10/14 @ 5:42 PM]
APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANS AND PUBLIC FACIL COMMITTEES

#101-14 COMMISSIONER OF PUBLIC WORKS requesting discussion of proposed intersection improvements at Winchester and Boylston Streets that includes the installation of new traffic signal on westerly side of the intersection to be funded under the Mass Works Grant. [03-03-14 @ 3:03 PM]
PUBLIC SAFETY HELD 7-0 on 03/19/14
HELD 7-0

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#403-13 HIS HONOR THE MAYOR submitting the FY15-FY19 Capital Improvement Plan and Long Range Projection pursuant to section 5-3 of the Newton City Charter. [10/21/13 @ 9:59 AM]
HELD 6-0 (Lennon not voting)

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#106-14 HIS HONOR THE MAYOR requesting authorization to transfer and appropriate the sum of two million seven hundred thousand dollars (\$2,700,000) from the City's Water Operating Reserve Fund to fund Water System Improvements for calendar year 2014. [03/17/14 @ 10:09 PM]
FINANCE APPROVED 6-0 (Lennon not voting) on 03/24/14
APPROVED 6-0 (Lennon not voting)

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#107-14 HIS HONOR THE MAYOR requesting authorization to transfer the following funds into a capital account to purchase and install LED streetlights throughout the City:

<u>Account</u>	<u>Amount</u>
Capital Stabilization – Bonded Capital Projects	\$887,346
Capital Stabilization – Energy Conservation Projects	\$208,890
Capital Stabilization – Unrestricted Capital Purposes	\$7,817
Receipts Reserved for Appropriation – Sale of Municipal Assets ...	\$46,684

[03/17/14 @ 10:09 AM]

FINANCE APPROVED 7-0 AS AMENDED on 03/24/14
APPROVED 7-0

Re-appointment by His Honor the Mayor

#92-14 WILLIAM ELDREDGE, 275 Nevada Street, Newton re-appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire on December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]
APPROVED 6-0 (Lappin not voting)

Re-appointment by His Honor the Mayor

#93-14 JONATHAN KANTAR, 672 Chestnut Street, Newton Upper Falls, re-appointed to the Design Review Committee for a term of office to expire December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]
APPROVED 6-0 (Lappin not voting)

Re-appointment by His Honor the Mayor

#94-14 ARTHUR COHEN, 79 Warren Street, Newton Centre re-appointed as a member of the DESIGN REVIEW COMMITTEE for a term of office to expire on December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]
APPROVED 6-0 (Lappin not voting)

Re-appointment by His Honor the Mayor

#96-14 BENJAMIN TUCKER, 12 Nathan Road, Newton Centre, re-appointed as a member of the DESIGNER SELECTION COMMITTEE for a term of office to expire on December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]
APPROVED 6-0 (Lappin not voting)

Re-appointment by the President of the Board

#97-14 ROBERT FRANCHI, 290 Adams Street, re-appointed as a member of the DESIGN REVIEW COMMITTEE for a term of office to expire on December 31, 2015. [02-26-14 @ 2:36 PM]
APPROVED 6-0 (Lappin not voting)

Re-appointment by His Honor the Mayor

#91-14 MARC RESNICK, 57 Westgate Road, Newton Centre, re-appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire on December 31, 2017. (60 days 05/16/14) [03-10-14 @ 3:46 PM]
HELD 7-0

REFERRED TO FINANCE COMMITTEE

Monday, March 24, 2014

Present: Ald. Gentile (Chairman), Ciccone, Norton, Rice, Blazar, Fuller and Lappin; absent Ald. Salvucci

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#107-14 HIS HONOR THE MAYOR requesting authorization to transfer the following funds into a capital account to purchase and install LED streetlights throughout the City:

<u>Account</u>	<u>Amount</u>
Capital Stabilization – Bonded Capital Projects	\$887,346
Capital Stabilization – Energy Conservation Projects	\$208,890
Capital Stabilization – Unrestricted Capital Purposes	\$7,817
Receipts Reserved for Appropriation – Sale of Municipal Assets ...	\$46,684

[03/17/14 @ 10:09 AM]

PUBLIC FACILITIES APPROVED 7-0 on 03/19/14

APPROVED AS AMENDED 7-0 @ \$1,300,736.47 & ACCEPTANCE AND EXPENDITURE OF A \$250K GREEN COMMUNITY GRANT

#317-03(8) HIS HONOR THE MAYOR requesting authorization to appropriate the sum of sixty-nine thousand six hundred seventeen dollars (\$69,617) from the Shaw’s/Hammond Pond Development Mitigation Fund for the purpose of implementing storm water management on an existing drainage pipe owned by the Massachusetts Department of Conservation and Recreation per Condition #4 of Special Permit #401-03, approved on December 15, 2003. [03/10/14 @ 5:42 PM]

APPROVED 7-0

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES

#106-14 HIS HONOR THE MAYOR requesting authorization to transfer and appropriate the sum of two million seven hundred thousand dollars (\$2,700,000) from the City’s Water Operating Reserve Fund to fund Water System Improvements for calendar year 2014. [03/17/14 @ 10:09 PM]

PUBLIC FACILITIES APPROVED 6-0 (Lennon not voting) on 03/19/14

APPROVED 7-0

#105-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) form Budget Reserve for the purpose of covering the costs incurred as a result of the February 2014 Bond Sale. 03/17/14 @ 10:09 AM]

APPROVED AS AMENDED 7-0 @ \$104,415.77

Re-appointment by His Honor the Mayor

#102-14 MATTHEW CHAO, 95 Columbia Avenue, re-appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire March 1, 2017 (60 days 05/16/14) [03-10-14 @ 3:46 PM]

APPROVED 7-0

Re-appointment by His Honor the Mayor

#103-14 ROSEMARY LARKING, P.O. Box 620066, Newton Lower Falls re-appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire March 1, 2017 (60 days 05/16/14) [03-10-14 @ 3:46 PM]

APPROVED 7-0

REFERRED TO REAL PROPERTY REUSE & ZONING & PLANNING COMMITTEES

JOINT MEETING

Tuesday, March 25, 2014

Real Property Reuse Committee members present: Ald. Albright (Chairman), Ald. Leary, Hess-Mahan, Gentile, Crossley, Danberg, Fuller, and Lipof

Zoning & Planning Committee members present: Ald. Johnson (Chairman), Ald. Leary, Hess-Mahan, Sangiolo, Yates, and Danberg; Absent: Ald. Baker and Kalis

Also present: Ald. Norton, Harney, and Blazar

A Public Hearing was held on the following item:

REFERRED TO ZONING & PLANNING & REAL PROPERTY REUSE COMMITTEES

#47-14 SARAH QUIGLEY et al. filing on February 3, 2014 a Group Petition pursuant to Sec. 10-2 of the Newton Charter which seeks the following:

1. Review and rescind the declaration and classification of the Austin Street public parking lot as surplus municipal land.
2. Recommend that the mayor or other municipal authority withdraw the offer to sell the land, exercising an option listed in the Request for Proposal dated February 13, 2013.
3. Rezone the Austin Street parking lot from the recently created Mixed Use 4 (MU4) zone to a zone that is more appropriate to the scale of Newtonville village: Public Use, BU1 or BU2.

HEARING CLOSED

REFERRED TO REAL PROPERTY REUSE COMMITTEE

Tuesday, April 1, 2014

Present: Ald. Albright (Chairman), Ald. Crossley, Danberg, Fuller, Gentile, Hess-Mahan, Leary, and Lipof; also present: Ald. Johnson, Norton, and Harney

#53-14 HIS HONOR THE MAYOR seeking an amendment of reuse board order #645-76, dated December 6, 1976, amended by board order #466-93, dated November 15, 1993, re the Newton Arts Center, 61 Washington Park, Newtonville, in order to allow execution of all necessary documents to subordinate the City's right of reverter in connection with a proposed loan to the Newton Arts Center.

APPROVED 6-0-2 (Fuller, Gentile abstaining)

REFERRED TO ZONING & PLANNING & REAL PROPERTY REUSE COMMITTEES

#47-14 SARAH QUIGLEY et al. filing on February 3, 2014 a Group Petition pursuant to Sec. 10-2 of the Newton Charter which seeks the following:

1. Review and rescind the declaration and classification of the Austin Street public parking lot as surplus municipal land.
2. Recommend that the mayor or other municipal authority withdraw the offer to sell the land, exercising an option listed in the Request for Proposal dated February 13, 2013.
3. Rezone the Austin Street parking lot from the recently created Mixed Use 4 (MU4) zone to a zone that is more appropriate to the scale of Newtonville village: Public Use, BU1 or BU2.

(1), (2) NO ACTION NECESSARY 6-1-1 (Gentile opposed, Fuller abstaining)

(3) NO ACTION NECESSARY 8-0; ZONING & PLANNING TO MEET

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 the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.