

**DOCKET**

April 23: Programs & Services; Public Facilities  
April 28: Zoning & Planning Committee

Continued  
Page 80  
Tuesday, April 22, 2014  
7:45 PM, Newton City Hall  
To be reported on  
**MONDAY, MAY 5, 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**

*Public Hearings to be assigned for May 13, 2014:*

- #141-13(3) NIKZUN GORDON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a retaining wall greater than four feet in front of an existing garage which will lower the grade of an existing driveway to create a flatter surface and to locate two parking stalls in the front setback created by the proposed wall at 74 NEWTONVILLE AVENUE, Newton, Ward 1, on land known as SBL 12, 21, 25 containing approx. 10,021 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.
- #128-14 GEORGE M. & WALIA K. DUNGAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a one-story addition to the rear of an existing two-family home, which will increase the nonconforming Floor Area Ratio from .56 to .62, where .48 is the maximum allowed by right, at 50-52 NOBLE STREET, Ward 3, West Newton, on land known as SBL 44, 3, 3, containing approximately 6,235 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
- #129-14 MICHAEL & MARTHA GANGEMI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to replace an existing detached garage with a new detached garage at the rear of an existing single-family home, which will increase the nonconforming Floor Area Ratio from .34 to .37, where .29 is the maximum allowed by right, at 96 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 49, 7, containing approximately 19,071 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

- #130-14 RUSSELL & TRACY RICHMOND petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to (1) enclose a portion of an existing front porch to create a larger entry and (2) to add a one-story cantilevered bay containing approximately 19 sq. ft. to the kitchen, which will increase the nonconforming Floor Area Ratio from .43 to .44, where .37 is the maximum allowed by right, at 36 BILLINGS PARK, Ward 1, Newton, on land known as SBL 72, 8, 16, containing approximately 11,080 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
- #131-14 ARTISAN CHILDCARE CENTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a freestanding sign at 2330 WASHINGTON STREET, Ward 4, Newton Lower Falls, on land known as SBL 42, 31, 18, in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-20(l) of the City of Newton Rev Zoning Ord, 2012.
- #132-14 STONE GALLERYLLC/CLINE REALTY LIMITED petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow retail use and associated outdoor display of goods with various waivers from parking requirements including minimum aisle, entrance, exit, widths, parking in front setback, landscape screening, lighting, bicycle parking, exclusive use of two parking spaces, etc. at 49-51 WINCHESTER STREET, Ward 5, Newton Highlands, on land known as SBL 51, 28, 30, containing approximately 79,500 sf of land in a district zoned MIXED USE 1. Ref: 30-24, 30-23, 30-13(b)(1) and (16), 30-19(c)(4), 30-19(h)(3)(b), (4)(a), (h)(1), (i)(1) and (2), (j)(1), (j)(2)c, (k), and 30-19(M) of the City of Newton Rev Zoning Ord and Special Permit 219-05.

### **OTHER COMMUNICATIONS**

#### *Appointment by the School Committee*

- #133-14 ERIC OLSON, 858 Watertown Street, West Newton appointed as a member of the CITIZENS COMMISSION ON ENERGY for a term of office to expire on December 31, 2016.
- #134-14 KELLY CHRONOS, NOTTINGHAM REALTY TRUST application to legalize a pre-existing accessory apartment at 5-7 Nottingham Street, Newton Centre, pursuant to §30-8(d)(4) and 30-22 Review of Accessory Apartment Petitions (RAAP) of the City of Newton Rev Zoning Ord, 2012.
- #135-14 EMILY COSTELLO of the NEWTON TAB filed with the Office of the Attorney General on April 10, 2014 an Open Meeting Law Complaint re the Mayor's practice of holding private briefings with small groups of Aldermen in advance of the formal presentation of the City's annual budget.

**REFERRED TO ZONING & PLANNING COMMITTEE***Re-appointment by His Honor the Mayor*

#136-14 BARBARA HUGGINS, 122 Albemarle Road, Newtonville, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire March 15, 2015. (60 days 06/21/14) [04/01/14 @ 2:40 PM]

*Re-appointment by His Honor the Mayor*

#137-14 MICHAEL ROSSI, 20 Rose Drive, West Newton, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for term to expire March 15, 2015. (60 days 06/21/14) [04/01/14 @ 2:40 PM]

*Re-appointment by His Honor the Mayor*

#138-14 TREFF LAFLECHE, 1603 Commonwealth Avenue, West Newton, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for term to expire March 15, 2015. (60 days 06/21/14) [04/01/14 @ 2:40 PM]

#47-14(2) SARAH QUIGLEY et al. petition to re-zone city-owned land located at 28 Austin Street, Ward 2, identified as Section 24, Block 9, Lot 15 from Mixed Use 4 district to either Public Use District or Business Use 1 District.[04/08/14 @ 12:31 PM]

#139-14 ALD. ALBRIGHT requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to clarify rules relative to retaining walls. [04/09/14 @ 8:32 AM]

#140-14 ALD. CROSSLEY AND HESS-MAHAN requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to include a "lodging house" ordinance to promulgate rules requiring annual fire, safety and health inspections and licensing of buildings providing single room occupancy and/or congregate living arrangements. [04/04/14 @ 6:29 PM]

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

#28-14(2) EMERGENCY MEDICAL SERVICES COMMITTEE (EMS), requesting a *RESOLUTION* in support of the proposed process to change eleven (11) duplicate street names. [04/16/14 @ 1:10 PM]

#302-13(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting the Chief of Police provide periodic updates to the Committee on the departmental review, completed in July 2013. [04/16/14 @ 1:10 PM]

**REFERRED TO PUBLIC FACILITIES**

*Appointment by His Honor the Mayor*

#141-14 CAROLINE WILSON, 38 Beethoven Avenue, Waban appointed to the Design Review Committee as the Community Representative for the Zervas Elementary School Project. (60 days 06/21/14) [04/01/14 @ 2:18 PM]

*Re-appointment by His Honor the Mayor*

#142-14 LAWRENCE KAUFMAN, 362 California Street, Nonantum, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2015. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

*Re-appointment by His Honor the Mayor*

#143-14 HALINA BROWN, Ph.D., 56 Cloverdale Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2017. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

*Re-appointment by His Honor the Mayor*

#144-14 JONATHAN KANTAR, 672 Chestnut Street, Waban, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on April 15, 2016. (60 days 06/21/14). [04/01/14 @ 2:18 PM]

**REFERRED TO PROGRAMS & SERVICES COMMITTEE**

*Re-appointment by His Honor the Mayor*

#145-14 MARJORIE A. BUTLER, 33 Andrew Street, Newton Highlands, re-appointed as a member of the ELECTION COMMISSION for a term to expire March 31, 2017. (60 days 06/21/14) 04/01/14 @ 9:08 AM]

#146-14 NEWTON ELECTION COMMISSION requesting the Board of Aldermen approve a change of polling location for Ward 5, Precincts 3 and 4, from the Zervas School to the Waban Branch Library contingent upon the completed installation of a handicap ramp, paved parking area, door opener, and adequate exterior lighting by August 1, 2014. [04/09/14 @ 3:24 PM]

#147-14 NEWTON ELECTION COMMISSION recommending that, due to a death, a Special Municipal Election for Ward Alderman, Ward 3, be held on Tuesday, September 9, 2014 in conjunction with the State Primary Elections to be held on that date. [04/09/14 @ 4:07 PM]

**REFERRED TO FINANCE COMMITTEE**

- #148-14 SCHOOL COMMITTEE MEMBER STEVEN SIEGEL requesting Board of Aldermen approval of a Financial Interest Disclosure Exemption pursuant to G.L. chapter 268A, Section 20(b) in order to provide the City of Newton structural engineering consulting services as part of a sub-contract between Siegel Associate, Inc., a firm wholly owned by Mr. Siegel, and Schwartz/Silver Architects for the design of Fire Station #3 and the Fire Headquarters Building. [04/08/14 @ 4:35 PM]
- #149-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of seven thousand five hundred dollars (\$7,500) within the Sewer Enterprise Fund from Line Item 27A10498, Account No. 5790 into Line Item 27A10781, Account No. 56301 to provide a sufficient appropriation to cover the payment of assessments from the Massachusetts Water Resources Authority through the end of the current fiscal year. [04/14/14 @ 5:44 PM]
- #150-14 HIS HONOR THE MAYOR requesting authorization to expend up to three hundred forty-eight thousand nine hundred nineteen dollars (\$348,919) from a one-time contract received from the Massachusetts Department of Transportation's Winter Rapid Recovery Program for the purpose repairing roadway damage as a result of the severe winter of 2013-2014. [04/14/14 @ 5:43 PM]
- #287-11(5) HIS HONOR THE MAYOR requesting authorization to transfer the sum of five thousand dollars (\$5,000) from Fiscal Year 2014 Budget Reserve to the Planning & Development Department for the purpose of funding an appraisal of the former Health and Human Service Building at 1294 Centre Street. [04/14/14 @ 5:43 PM]
- #151-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-five thousand dollars (\$25,000) from Fiscal Year 2014 Budget Reserve to Veterans' Benefits Account to supplement that account. [04/14/14 @ 5:43 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #403-13(3) HIS HONOR THE MAYOR submitting recommended FY2015 Water and Sewer Rates for implementation on July 1, 2014, as follows:

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>		<u>Sewer Rate Per HCF</u>	
	<b>Old</b>	<b>New</b>	<b>Old</b>	<b>New</b>
0 - 20	\$5.84	\$6.07	\$8.60	\$8.94
21 - 70	\$7.00	\$7.27	\$10.33	\$10.73
>70	\$8.41	\$8.74	\$12.40	\$12.88

[04/14/14 @ 5:43 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

#403-13(2) HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY15 Municipal/School Operating Budget totaling \$345,044,967 passage of which shall be concurrent with the FY15-FY19 Capital Improvement Program (#403-13). [04/14/14 @ 5:43 PM]  
EFFECTIVE DATE OF SUBMISSION 04/22/14; LAST DATE TO PASS THE BUDGET 06/06/14

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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](mailto:jreider@newtonma.gov) or 617-796-1145. For Telecommunications Relay Service dial 711.