

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, December 1, 2014

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

Absent: Ald. Ciccone

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

REFERRED TO LAND USE COMMITTEE

#344-14 **ERIC BERNARD & GIDA ZIKAS-BERNARD** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE in order to replace an existing 7' x 4' landing and staircase and replace them with an approximately 23.75' x 5/7' covered porch and new staircase at 1044-1046 CHESTNUT STREET, Ward 5, on land known as SBL 51, 7, 7, containing approximately 11,390 sf of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.
LAND USE APPROVED 5-0-1 (Crossley abstaining) on November 6, 2014
ITEM CHARTERED BY ALD. YATES ON NOVEMBER 17, 2014
APPROVED 22 YEAS, 2 ABSENT (Ald. Ciccone & Harney)

Clerk's Note:

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF PUBLIC FACILITIES TO REPORT THE FOLLOWING ITEM WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE.

REFERRED TO PUBLIC FACILITIES COMMITTEE

#255-14(2) DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec 5-58, for schematic design and site plan approval of a new elementary school to be located on the existing Zervas Elementary School site at 30 Beethoven Avenue and the city's three newly acquired properties at 1316 Beacon Street, 1330 Beacon Street, and 1338 Beacon Street.
PUBLIC FACILITIES APPROVED AS AMENDED 7-0-1 ABSTENTION (Ald. Brousal-Glaser)

APPROVED AS AMENDED 16 YEAS, 6 NAYS (Ald. Blazar, Cote, Hess-Mahan, Norton, Sangiolo, Yates) 2 ABSENT (Ald. Ciccone & Johnson)

Clerk's Note:

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIRS OF PUBLIC FACILITIES AND FINANCE TO REPORT THE FOLLOWING ITEM WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#255-14(4) HIS HONOR THE MAYOR requesting authorization to appropriate the sum of thirty-six million five hundred eighty-five thousand dollars (\$36,585,000) from bonded indebtedness for the purpose of funding the replacement of the Zervas Elementary School. [09/09/13 @ 2:03 PM]

PUBLIC FACILITIES APPROVED 7-0-1 ABSTENTION (Ald. Brousal-Glaser)

FINANCE APPROVED 4-0-3 ABSTENTIONS

APPROVED 19 YEAS, 3 NAYS (Ald. Blazar, Norton, Yates) 2 ABSENT (Ald. Ciccone & Johnson)

Clerk's Note:

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

REFERRED TO LAND USE COMMITTEE

Tuesday, November 18, 2014

#285-06(2) BELL ATLANTIC MOBILE OF MASS. CORP. LTD. d/b/a VERIZON WIRELESS/THE COVENANT RESIDENCES ON COMMONWEALTH CONDOMINIUM TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to install antennas on the roof inside faux chimney structures and to place accessory radio equipment and an emergency stand-by power generator inside an equipment shelter to the rear of property at 35 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill on land known as SBL 63, 1, 8, containing approximately 48,000 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18A(e)(6) and 10 and 30-18A(i) of the City of Newton Rev Zoning Ord, 2012.

WITHDRAWAL WITHOUT PREJUDICE LAND USE APPROVED 4-0 (Cote, Harney, Lipof not voting)

- #361-14 SMADAR BABCHUCK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create an accessory apartment in an existing two-stall attached garage with an office and common space above at 206 WISWALL ROAD, Ward 8, NEWTON CENTRE, on land known as SBL 84, 21, 10, containing approximately 11,109 sf 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 CLOSED; LAND USE APPROVED 7-0
- #260-14 HENRY J. & DENISE S. DELICATA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create two tandem parking stalls within the front and side setbacks (on the right side) of an existing two-family dwelling at 358-360 NEVADA STREET, Ward 1, on land known as SBL 14, 16, 44, containing approximately 7,140 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-19(g)(1) and (2), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0
- #345-14 YURIY MATSKEVITCH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE in order to replace and reconfigure an existing addition and to add an attached breezeway and two-car attached garage to an existing nonconforming two-family dwelling, increasing the Floor Area Ratio from .32 to .42, where .35 is the maximum allowed by right, at 182 BEETHOVEN AVENUE, Ward 5, on land known as SBL 54, 12, 7, containing approximately 15,000 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 7-0
- #363-14 DAVID HORNSTEIN/40 HAMPSHIRE STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing detached carriage house to an accessory apartment at 40 HAMPSHIRE STREET, Ward 3, WEST NEWTON, on land known as SBL 32, 41, 2, containing approximately 43,377 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0
- #180-13(2) JOHN F. MCCARTHY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND special permit #180-13, granted on August 12, 2013, for increased Floor Area Ratio for a garage, in order to expand an existing parking allow for two vehicles to park in the front setback at 20 BURRAGE ROAD, Ward 7, on land known as SBL 73, 28, 6, containing approximately 5,771 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CLOSED; LAND USE APPROVED 7-0

- #362-14 SEPHARDIC CONGREGATION OF NEWTON, INC./EDMUND I. SHAMSI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 26 parking stalls and associated dimensional requirements for an orthodox synagogue at 556 WARD STREET, Ward 2, NEWTON CENTRE, on land known as SBL 13, 32, 2, containing approximately 12,142 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-19(d)(13) and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
HEARING CONTINUED TO A DATE TO BE DETERMINED IN JANUARY, 2015

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, November 24, 2015

Appointment by His Honor the Mayor

- #351-14 STEVEN SCHWARTZ, 20 Kenwood Avenue, Newton Centre, appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire September 30, 2015. (60 days 12/05/14) [09/29/14 @ 9:32AM]
ZONING & PLANNING NO ACTION NECESSARY 6-0 (Kalis not voting)

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Wednesday, November 19, 2014

Appointment by His Honor the Mayor

- #380-14 SAM FIGLER, 63 Sumner Street, Newton Centre, appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

Re-appointment by His Honor the Mayor

- #381-14 BETHEL CHARKOUDIAN, 18 Maple Avenue, Newton, re-appointed as the *Ward 1 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

Re-appointment by His Honor the Mayor

- #382-14 ARTHUR MAGNI, 107 Mt. Vernon Street, West Newton, re-appointed as the *Ward 2 member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

Re-appointment by His Honor the Mayor

- #384-14 RICHARD TUCKER, 23 Woodman Road, Chestnut Hill, re-appointed as the *Ward 7 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

Re-appointment by His Honor the Mayor

- #385-14 JACK NEVILLE, 68 High Street, Newton Upper Falls, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire April 1, 2015 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

Re-appointment by His Honor the Mayor

- #386-14 MICHAEL CLARKE, 1115 Beacon Street #9, Newton, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #454-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash to the Elections/ISD Archival Move and Scanning Project for the purpose of funding a temporary full-time Scanning Coordinator position, purchasing and installing new shelving in the City Clerk's and Elections vaults, scanning equipment, and outside scanning/microfilming costs. [11/10/14 @ 6:20 PM]
FINANCE APPROVED 7-0 on 11/24/14
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, November 19, 2014

REFERRED TO PUB. SAF. & TRANS. AND PUBLIC FACILITIES COMMITTEES

- #310-10(3) ALD. DANBERG requesting an amendment to City of Newton Ordinances Chapter 26 Section 8D **Trial program for removal of snow and ice from sidewalks.** by extending the expiration date of the trial from November 1, 2014 to November 1, 2015. [11/07/14 @ 5:00 PM]
PUBLIC FACILITIES APPROVED 7-0 (Gentile not voting)
PUBLIC SAFETY APPROVED 5-0 (Johnson and Lipof not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, November 19, 2014

REFERRED TO PUB. SAF. & TRANS. AND PUBLIC FACILITIES COMMITTEES

- #310-10(3) ALD. DANBERG requesting an amendment to City of Newton Ordinances Chapter 26 Section 8D **Trial program for removal of snow and ice from sidewalks.** by extending the expiration date of the trial from November 1, 2014 to November 1, 2015. [11/07/14 @ 5:00 PM]
PUBLIC SAFETY APPROVED 5-0 (Johnson and Lipof not voting)
PUBLIC FACILITIES APPROVED 7-0 (Gentile not voting)

REFERRED TO FINANCE COMMITTEE

Monday, November 24, 2014

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #454-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash to the Elections/ISD Archival Move and Scanning Project for the purpose of funding a temporary full-time Scanning Coordinator position, purchasing and installing new shelving in the City Clerk's and Elections vaults, scanning equipment, and outside scanning/microfilming costs. [11/10/14 @ 6:20 PM]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting) on 11/19/14
FINANCE APPROVED 7-0
- #367-14 SGT. BABCOCK, requesting an amendment to Sec. 19-200, C.(3) of the City of Newton Ordinances to implement a \$5.00 permit fee for resident sticker and visitor permit in the municipal lot parking program effective January 1, 2016. [10/09/14 @ 2:07 PM]
FINANCE NO ACTION NECESSARY
- #342-14 ALD. DANBERG requesting amendment to Section 20-21(d) of the City of Newton Ordinances to increase the fine for violation of sidewalk snow removal requirements in business districts per Sec. 26-8, *Removal of snow from sidewalks in certain districts*. [09/10/14 @ 4:25 PM]
FINANCE APPROVED 7-0
- #451-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six thousand six hundred fifty dollars (\$6,650) in fire prevention fine revenue for the purpose of funding enforcement, training and education of fire prevention officers in accordance with MGL Ch. 148A, Section 5. [11/10/14 @ 6:20 PM]
FINANCE APPROVED 7-0
- #452-14 HIS HONOR THE MAYOR requesting authorization to expend a reimbursable grant of forty-four thousand four hundred thirty-five dollars (\$44,435) from the Massachusetts Emergency Management Agency (MEMA) for the purpose of purchasing equipment and related items for the City of Newton Emergency Operations Center. [11/10/14 @ 6:20 PM]
FINANCE APPROVED 7-0
- #453-14 HIS HONOR THE MAYOR requesting authorization to expend a grant fifty thousand dollars (\$50,000) from the Massachusetts Department of Energy Resources (DOER) as part of the Pathways to Zero Program, which is intended to support efforts to reduce energy use in public and private buildings. The grant funds will be used to provide additional energy modeling for the Zervas School Project to study the feasibility and cost/benefit of potential HVAC and renewable energy systems. [11/10/14 @ 6:20 PM]
FINANCE APPROVED 7-0

#450-14 HIS HONOR THE MAYOR requesting authorization for the Trustees of the Horace Cousens Industrial Fund to enter into a contract for fund management services with a term of three years, with an option to renew for two additional three-year terms. [11/10/14 @ 6:20 PM]

FINANCE APPROVED 7-0

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 1 RECUSED (Ald. Blazar), 2 ABSENT (Ald. Ciccone & Harney) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

#359-14 ELIZABETH BLAZAR & TIM SULLIVAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE in order to extend an existing deck, increasing an existing nonconforming setback, at 5 COOLIDGE ROAD, Ward 7, Newton Centre, on land known as SBL 73, 34, 12, containing approximately 5,400 sf of land in a district zoned SINGLE RESIDENCE 2. 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 7-0

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 1 RECUSED (Ald. Fuller), 2 ABSENT (Ald. Ciccone & Harney) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO PUBLIC FACILITIES COMMITTEE

#270-14(2) BRIAN LASH, 46 Woodman Road, Chestnut Hill, requesting that Board Order #270-14 approved on September 17, 2014 be amended to reflect a revised easement relocation plan to conform with the actual location of utility lines. [11/05/14 @ 10:49 AM]

PUBLIC FACILITIES APPROVED 7-0 (Gentile not voting)