

DOCKET

Jan. 23: Programs&Services; Public Safety&Transportation; Public Facilities Continued

Jan. 28: Finance; Zoning & Planning Page 14

Jan. 29: Real Property Reuse Tuesday, January 22, 2013

7:45 PM, Newton City Hall

To be reported on

MONDAY, FEBRUARY 4, 2013

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 February 12, 2013:

- #277-10(4) JENNIE MARIE ONE LLC/JENNIE MARIE TWO LLC petition to AMEND Special Permit/Site Plan Approval application #277-10(3), for which a public hearing was opened and closed on December 11, 2012. The petitioner is seeking relief from the required 24-foot maneuvering aisle width of at least 24 feet to allow a 20-foot wide aisle to increase the front setback distance of the proposed building from 5 feet to 9 feet so that residents of the proposed 9-unit building at 138-142 Adams Street will have increased privacy and a decrease in street noise, Ward 1. Ref: Sec 30-24, 30-23, 30-19(h)(3)(a) of the City of Newton Rev Zoning Ord, 2012.
- #23-13 BENJAMIN GOMEZ petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NON CONFORMING STRUCTURE to enclose a second story deck to expand the master suite, increasing the existing nonconforming floor area ratio of .38 to .40, where .35 is allowed by-right, at 55 ALBAN ROAD. Ward 5, Waban, on land known as SBL 55, 19, 17, in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
- #149-03(5) BERTUCCI'S COPORATION/THE NOLAN BROTHERS petition to AMEND the SITE PLAN approved in SPECIAL PERMIT #149-03(4), granted on October 15, 2012, that allowed a restaurant use of up to 100 seats and attendant waiver of 25 parking spaces at 300 NEEDHAM STREET, Ward 8. The petitioners are now seeking 20 outdoor seats that require an additional waiver of 12 parking spaces on land known as SBL 83, 30, 11, containing 205,211 sq. ft. of land in a MIXED USE 1 District. Ref: Sec 30-24, 30-23, 30-19©, (d)(13), and (m), 30-13(b)(5) of the City of Newton Zoning Ord 2012 and Special Permit #149-03 and #149-03(2).

OTHER COMMUNICATIONS

#24-13 ALAN FILZER et al. filing with the Zoning Board of Appeals on January 11, 2013 an appeal from a decision by the Commissioner of Inspectional Services re 18 and 26 Goddard Street, Newton Highlands, Ward 8.

REFERRED TO ZONING & PLANNING COMMITTEE

Re-appointment by His Honor the Mayor

#25-13 DANIEL GREEN, 46 Glen Avenue, Newton Centre, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire January 2, 2016. (60 days 03/23/13) [01/03/13 @ 1:59 PM]

Re-appointment by His Honor the Mayor

#26-13 HARVEY CREEM, 110 Huntington Road, Newton, re-appointed as a member of the ZONING BOARD OF APPEALS for a term to expire February 1, 2016. (60 days 03/23/13) [01/11/13 @ 12:46 PM]

Re-appointment by His Honor the Mayor

#27-13 STUART L. SNYDER, 30 Erie Avenue, Newton Highlands, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire December 31, 2013. (60 days 03/23/13) [01/11/13 @ 12:46 PM]

Re-appointment by His Honor the Mayor

#28-13 PETER W. KILBORN, 31 Buswell Park, Newton, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire December 31, 2013. (60 days 03/23/13) [01/11/13 @ 12:46 PM]

Re-appointment by His Honor the Mayor

#29-13 TREFF LaFLECHE, 86 Prince Street, West Newton, re-appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire December 31, 2013. (60 days 03/23/13) [01/11/13 @ 12:46 PM]

Re-appointment by His Honor the Mayor

#30-13 BARBARA HUGGINS, 122 Albemarle Road, Newton, re-appointed as an *associate member* of THE ZONING BOARD OF APPEALS for a term to expire December 31, 2013. (60 days 03/23/13) [01/11/13 @ 12:46 PM]

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Appointment by His Honor the Mayor

#31-13 NANCY LEVINE, 379 Central Street, Auburndale, appointed as a member of the ELECTION COMMISSION for a term to expire March 31, 2015. (60 days 03/23/13) [01/07/13 @ 10:56 AM]

Re-appointment by His Honor the Mayor

#32-13 JULIA MALAKIE, 50 Murray Road, Newton, re-appointed as a member of the URBAN TREE COMMISSION for a term to expire December 13, 2015. (60 days 03/23/13) [01/04/13 @ 2:24 PM]

Re-appointment by His Honor the Mayor

#33-13 KATHLEEN McCARTHY, 524 California Street, Newton, re-appointed as a member of the LICENSING BOARD for a term to expire June 8, 2019. (60 days 03/23/13) [01/11/13 @ 12:47 PM]

#34-13 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

#35-13 ALD. YATES, requesting an update from the Chief of Police on the status of the recommendation of the Police Department on school security in a 2008 report. [01/14/13 @ 1:34 PM]

REFERRED TO PUBLIC FACILITIES COMMITTEE

Re-appointment by the President of the Board of Aldermen

#36-13 ARVIN GRABEL, 259 Otis St., West Newton, re-appointed as a member of the ENERGY COMMISSION for a term to expire December 31, 2015. [01/07/13 @ 2:11 PM]

Appointment by the President of the Board of Aldermen

#37-13 MICHAEL GEVELBER, 166 Melrose Street, Auburndale, appointed as a member of the ENERGY COMMISSION to fill the remaining term of John Bliss, which expires on December 31, 2014. [01/07/13 @ 2:11 PM]

#241-12(2)
#38-13 CLERK of the BOARD of ALDERMEN requesting that the Board of Aldermen re-vote His Honor the Mayor's request for a water main extension through a proposed easement across the private way portion of BOULDER ROAD, which was approved November 19, 2012. A re-vote is necessary because the city did not record the taking order within the 30-days required in GL chapter 70, §3.

REFERRED TO FINANCE COMMITTEE

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

#39-13 HIS HONOR THE MAYOR requesting authorization to increase the previously authorized expenditure (Budget Board Order #383-11(2)) by a sum of fifty-six thousand twenty-four dollars (\$56,024) from the FY12 Housing and Urban Development (HUD) Emergency Solutions Grant for homelessness prevention. [01/16/13 @ 8:58 AM]

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

#40-13 DIRECTOR OF PLANNING requesting amendment to City of Newton Ordinances Chapter 26-30. **Licenses for café furniture on sidewalks.** by replacing the current annual café furniture license fee of \$25 with a fee of \$100 for the initial application and a \$50 annual fee for renewal and giving the Health and Human Services Department the authority to issue the licenses and collect the fees. [01/16/13 @ 3:44 PM]

#41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]

#42-13 HIS HONOR THE MAYOR requesting authorization to expend the sum of twelve thousand eight hundred sixty dollars from the Legal Claims/Settlements Account as full and final settlement of a claim for damage from a city tree to the roof and gutters of a residence on Gralynn Road. [01/14/13 @ 5:33 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#43-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of sixty two thousand dollars (\$62,000) from Free Cash to Parks & Recreation ForestryTree Services for the purpose of removing defective trees. [01/14/13 @ 5:34 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#44-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Reserve for Removal of Snow & Ice to two accounts within the Department of Public Works as follows:

Regular Overtime.....	\$125,000
(0140110-513001)	
Rental Vehicles	\$375,000
(0140110-5273)	

[01/14/13 @ 5:34 PM]

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date