

DOCKET

March 5: Land Use Continued
March 6: Programs&Services; Public Safety& Transportation; Public Facilities Page 48
March 11:Finance; Zoning&Planning Monday, March 4, 2013
7:45 PM, Newton City Hall
To be reported on
MONDAY, MARCH 18, 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

- #258-12(3) AGREEMENT TO AN EXTENSION OF TIME in which to ACT on petition #258-12(2) BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY request for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit oriented development at 327 GROVE STREET, Ward 4, on land known as SBL 42, 11, 3A containing approx. 9.4 acres of land in a proposed Mixed Use 3 Transit Oriented Zoned district; said EXTENSION will run from March 18, 2013 to May 21, 2013..
- #272-12(4) AGREEMENT TO AN EXTENSION OF TIME in which to ACT on petitions #272-12 and #272-12(3) BH NORMANDY OWNER, LLC requests for a SPECIAL PERMIT/SITE PLAN APPROVAL for several improvements to be completed over two phases at Hotel Indigo at 399 GROVE STREET, Ward 4; said EXTENSION will run from March 18, 2013 to May 21, 2013.
- Request for Withdrawal without Prejudice:*
- #259-12 NINE RIPLEY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add an attached dwelling to an existing dwelling and to construct two additional attached dwellings for a total of four dwellings; to waive the setback requirements; allow a driveway 5 feet from a side lot line, construct a retaining wall greater than 4 feet in height within a required setback; and, to allow parking within the required side setbacks at 9 RIPLEY STREET, Ward 6, Newton Centre, on land known as SBL 65, 19, 20, containing approx. 19,367 sq. ft. of land in a district zoned MULTI RESIDENCE 1.

Public Hearing to be assigned for April 9, 2013:

#259-12(4) NINE RIPLEY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add an attached dwelling to an existing dwelling and to construct two additional attached dwellings for a total of four dwellings; to waive the side and rear setback requirements; allow a driveway 7.2 feet from a side lot line, and, to allow parking within the required side setback at 9 RIPLEY STREET, Ward 6, Newton Centre, on land known as SBL 65, 19, 20, containing approx. 19,367 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a and b), 30-15 Table 1, 30-19(g)(1), and (m) of the City of Newton Rev Zoning Ord, 2012.

OTHER COMMUNICATIONS

#76-13 ALD. HARNEY & LINSKY offering a *Testimonial Resolution* to honor “Regal Queen of the Blues” SHIRLEY LEWIS, who recently celebrated her 76th birthday and to join His Honor the Mayor in declaring March 4th *Shirley Lewis Day* in the City of Newton.

REFERRED TO ZONING & PLANNING COMMITTEE

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

#77-13 ALD. GENTILE & HARNEY requesting that the Board of Aldermen amend the **City of Newton Zoning Ordinances** so that any properties that have been built and purchased that may now be considered non-compliant due to the recent court decision in the Mauri/Chansky case, be considered valid non-conforming properties. [02/27/13 @ 3:06 PM]

Appointment by His Honor the Mayor

#78-13 MICHAEL ROSSI, 20 Rose Drive, West Newton, appointed as an *associate member* of the ZONING BOARD OF APPEALS for a term to expire on February 6, 2014. (60 days 05/03/13) [02/19/13 @ 5:43 PM]

Re-appointment by His Honor the Mayor

#79-13 PETER KILBORN, 31 Buswell Park, Newton, re-appointed as a member of the ZONING BOARD OF APPEALS for a term to expire on February 7, 2016. (60 days 05/03/13) [02/19/13 @ 5:43 PM]

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

#81-13 DIRECTOR OF PLANNING & DEVELOPMENT on behalf of the Newton Housing Partnership requesting consideration of naturally affordable compact housing opportunities in MR1 zones. [02/22/13 @ 1:13 PM]

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Appointment by His Honor the Mayor

#82-13 ELEANOR SOEFFING, Halcyon Road, Newton Centre, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2014. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by His Honor the Mayor

#83-13 DEAN HASHIMOTO, 153 Westchester Road, Newton, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2015. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by His Honor the Mayor

#84-13 BRUCE LANDON, 40 Olde Field Road, Newton Centre, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2015. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by His Honor the Mayor

#85-13 KRISTEN APGAR, 92 Cotton Street, Newton Centre, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2016. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by His Honor the Mayor

#86-13 ELIZABETH CAPSTICK, 77 Lakewood Road, Newton Highlands, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2016. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by the President of the Board

#87-13 PETER NEUMANN, 163 Plymouth Road, Newton Highlands, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2014 (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by the President of the Board

#88-13 DANIEL SANDS, 56 Solon Street, Newton Highlands, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2014. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by the President of the Board

#89-13 JOHN FREEDMAN, 390 Dedham Street, Newton Centre, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2015. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by the President of the Board

#90-13 VINAY MEHRA, 217 Bellevue Street, Newton, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2015. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Appointment by the President of the Board

#91-13 MARK WENNEKER, 223 Upland Road, Newtonville, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2016. (60 days 05/03/13) [02/25/13 @ 5:06 PM]

Re-appointment by His Honor the Mayor

#92-13 JOEL FEINBERG, 121 Eastbourne Rd., Newton Centre, re-appointed as a member of THE COMMUNITY PRESERVATION COMMITTEE representing Affordable Housing, for a term to expire February 12, 2016. (60 days 05/03/13) [02/19/13 @ 5:43 PM]

Re-appointment by His Honor the Mayor

#93-13 MICHAEL CLARKE, 38 Halcyon Road, Newton Centre, re-appointed as a member of THE COMMUNITY PRESERVATION COMMITTEE representing Open Space, for a term to expire February 12, 2016. (60 days 05/03/13) [02/19/13 @ 5:43 PM]

#94-13 ALD. LAPPIN requesting a Resolution from the Board of Aldermen to allow the City Clerk/Clerk of the Board to act as the interim Executive Secretary of Elections until June 30, 2013. P02/21/13 @ 9:01 AM]

#95-13 HIS HONOR THE MAYOR, SETTI WARREN AND BOARD PRESIDENT, SCOTT LENNON seeking an amendment to Chapter 12, Section 68 of the Newton City Ordinances to increase the number of members of the Health Care Advisory Committee if there are any concerns relative to the composition of the committee. [02/25/13 @ 2:24 PM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

#96-13 CLERK OF THE BOARD, requesting that the fines provided in Chapter 19, Section 199(d) be deleted as new fines for the violation of Section 199 have been added to Chapter 19, Section 9 by Ordinance A-2 which was passed by the Board on July 9, 2012. [02/12/2013 @ 3:17 PM]

REFERRED TO PUBLIC FACILITIES COMMITTEE

Public hearing to be assigned for March 20, 2013:

#97-13 BOSTON COLLEGE petitioning for a grant of location to install seven ornamental light poles and fixtures on the east side of COLLEGE ROAD at the following locations:

- 150' ± northeast of the College Road and Hammond Street intersection
- 370' ± northeast of the College Road and Hammond Street intersection, between 36 College Road and 4 Quincy Road
- 80' ± northeast of the College Road and Quincy Road intersection, near 50 College Road
- 250' ± northeast of the College Road and Quincy Road intersection, between 66 and 72 College Road.
- 430' ± northeast of the College Road and Quincy Road intersection, near 84 College Road.
- 500' ± south of the College Road and Commonwealth Avenue intersection, between 110 and 116 College Road. (Ward 7) [02/15/13 @ 3:17 PM]

Appointment by the President of the Board of Aldermen

#98-13 ANDREW COPELOTTI, 63 Broken Tree Road, Newton Centre appointed as a member of the Design Review Committee for a term to expire on December 31, 2013. [02/12/13 @4:40 PM]

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

REFERRED TO PROG. AND SERVICES AND PUB. FACILITIES COMMITTEES

#99-13 SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) the Statement of Interest that will be submitted to the MSBA no later than April 10, 2013 for the consideration in Fiscal Year 2013 for the Cabot Elementary School. [02/26/13 @ 2:03 PM]

REFERRED TO FINANCE COMMITTEE

#100-13 HIS HONOR THE MAYOR requesting authorization to award a contract term exceeding three years, including any renewal, extension, or option pursuant to Mass General Law Chapter 30B, Section 12 in order to issue a request for proposals for fund management services for the John C. Chaffin Fund with a contract term of three years and an option to renew for two additional three year terms. [02/25/13 @ 6:32 PM]

#101-13 HIS HONOR THE MAYOR requesting authorization to transfer and expend the sum of one thousand five hundred fifty three dollars (\$1,553.12) as follows:

FROM: Receipts Reserved Fund
 (14K101IV-5901)\$509.92
 Federal Grant Fund
 19V1142013-5901\$1,043.20

TO: Bicycle Racks
 (C114015-58529).....\$1,553.12

[02/25/13 @ 6:32 PM]

#102-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of ten thousand dollars (\$10,000) from the Sewer Fund Expenses account to the Sewer Fund Debt account in order to rectify an error in the preparation of the Fiscal Year 2013 Sewer Fund Budget. [02/25/13 @ 6:32 PM]

#103-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six hundred twenty thousand dollars (\$620,000) from 2012 Free Cash to the School Department for the purpose of funding additional appropriations in the School Department. The request reflects the amount the City received in Fiscal Year 2012 Net Unanticipated Revenue as a result of a change in the Medicaid Direct Services reimbursements. [02/25/13 @ 6:32 PM]

#209-10(4) HIS HONOR THE MAYOR requesting that the Board of Aldermen establish an irrevocable Other Post Employment Benefits Trust Agreement. [02/25/13 @ 6:32 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#104-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from Free Cash to the Public Works Snow/Ice Removal Account. [02/25/13 @ 6:32 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