

## REPORTS DOCKET

May 21: Land Use Continued  
May 22: Programs&Services; Public Safety&Transportation; Public Facilities Page 118  
May 29: Finance; Zoning & Planning Monday, May 20, 2013  
7:00 PM, Newton City Hall  
To be reported on  
**MONDAY, JUNE 3, 2013**

### CITY OF NEWTON

#### IN BOARD OF ALDERMEN

#### REFERRED TO LAND USE COMMITTEE

Tuesday, May 21, 2013

Present: Ald. Hess-Mahan (Chairman), Ald. Albright, Laredo, Crossley, Harney, Schwartz, and Fischman; 1 vacancy; also present: Ald. Gentile

#542-03(4) HIS HONOR THE MAYOR requesting that the Telecommunication Specialist position within the Law Department be designated as the Remediation Fund Administrator as established in condition 2.H. of special permit #542-03 granted on November 1, 2005 to Clear Channel et al. for five radio transmission towers with ancillary equipment at 750 Saw Mill Brook Parkway.

**APPROVED 5-0 (Harney, Schwartz, Fischman not voting)**

#258-12(2) BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit oriented development including an office building of approximately 225,000 sq. ft., a residential building containing 290 apartments with 5,000 sq. ft. of retail space, a three story building containing approximately 15,000 sq. ft. of retail space and approximately 8,000 sq. ft. of community space, and related site improvements; to permit office use on the ground floor, medical office use, retail and personal establishments of more than 5,000 sq. ft., eating and drinking establishments of more than 5,000 sq. ft., retail banking and financial services, and health club establishments on the ground floor; and reduced minimum setbacks of side setback of office building, and front setback of retail/community building; parking facility design standards including stall width, stall depth, maneuvering space for end stalls, minimum width for entrance and exit driveways, tandem stalls, number of required off-street loading facilities and design standards of same, landscape screening requirements, surfacing and curbing requirements and one foot candle lighting 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. Ref: Sec 30-13(f), Table A Footnote ; 30-13(g); 30-15(v)(1); 30-15,

Table 3; 30-19(d)(22); 30-19(h); 30-19(h)(2)a); 30-19(h)(2)b); 30-19(h)(2)e); 30-19(h)(4)a); 30-19(h)(5)a); 30-19(i); 30-19(i)(1)a); 30-19(j); 30-19(j)(1)a); 30-19(j)(2)d); 30-19(l); 30-19(l)(2); 30-19(l)(3); 30-19(m); 30-23; 30-24; 30-24(i)(7) of the City of Newton Revised Zoning Ord, 2012. *(The public hearing, opened on 10/16/12, continued on 11/27/12, was closed on 12/18/12.)* **90-Days 6/20/13**

**HELD 7-0**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Wednesday, May 29, 2013

Present: Ald. Johnson (Chairman), Danberg, Kalis, Lennon, Yates and Sangiolo; Absent: Ald. Baker and Swiston; Also Present: Ald. Gentile, Hess-Mahan and Blazar  
Planning and Development Board: Joyce Moss (Chairman), Candace Havens, Roger Wyner, Doug Sweet, Scott Wolf

#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]

**HEARING CLOSED; APPROVED 6-0**

#146-13 THE ZONING & PLANNING COMMITTEE requesting information from the Planning Department concerning the nature and character of vacant lots that were confirmed as unbuildable by the Mauri Appeals Court decision.

[04/01/13 @ 9:44 AM]

**NO ACTION NECESSARY 6-0**

#214-12 ALD. DANBERG, BLAZAR, SCHWARTZ proposing an ordinance which would enable the city to respond to properties which are so inadequately cared for, often by absentee owners, as to constitute a nuisance, not only to properties nearby but also to the public at large, with the understanding that timely intervention may help prevent the loss of such properties to severe neglect, excess accumulation of trash or unsightly collectables, inside or out, or even eventual abandonment.

[07-09-12]

**HELD 6-0**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday, May 22, 2013

Present: Ald. Sangiolo, Rice, Blazar, Linsky, Fischman, Hess-Mahan and Baker; 1 vacancy; also present: Ald. Johnson and Lappin

**REFERRED TO PUB. FACIL., PROG. & SERV. AND FINANCE COMMITTEES**

- #138-13 HIS HONOR THE MAYOR requesting authorization to appropriate an amount that is yet to be determined from bonded indebtedness for the purpose of funding the Carr School renovation project. [03/25/13 @ 3:58 PM]  
**HELD 6-0 (Baker not voting)**
- #187-13 DAVID A. OLSON on behalf of BEAUTIFUL NEWTONVILLE seeking approval from the Board of Aldermen as required by the City Charter, Article 9, Section 7(b), of the date of October 1, 2013 as the official election day for the Newtonville Area Council, and to allow early voting on September 29 and 30, to coincide with Newtonville Village Day. [05-06-13]  
**APPROVED 6-0 (Baker not voting)**
- #335-12 DAVID OLSON requesting a discussion of Mayor Warren's Executive Order #1 which authorizes the use of remote participation for City Boards and Commissions as it relates to and effects the Board of Aldermen's Committee and Full Board meetings, and to make any necessary changes to the Board Rules to allow and regulate remote participation should it be deemed acceptable. [10/3/12 @ 4:56PM]  
**HELD 6-0 (Baker not voting)**
- #111-13 CLERK OF THE BOARD requesting a change in the Board of Aldermen Rules & Orders to define which committee Community Preservation Committee appointments should be referred. [03/05/13 @ 12:46 PM]  
**HELD 6-0 (Baker not voting)**
- #130-13 ALD. JOHNSON & LAPPIN requesting a change to the Board Rules, Article I, Section 3. Referral of business to Committees, paragraph D., to increase the majority vote to a greater than majority vote. [03/18/13 @ 9:39 PM]  
**HELD 5-1 (Fischman opposed; Baker not voting)**
- #49-13 ALD. SANGIOLO, on behalf of Gary Rucinski, 40 Clearwater Road, Newton Lower Falls, requesting discussion and consideration of a letter of support to Congress for Carbon Fees. [01/30/13 @ 10:31 AM]  
**APPROVED 7-0**

**REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES**

- #315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process. [10/02/12 @ 3:37PM]  
**HELD 7-0**

**REFERRED TO FINANCE AND PROGRAMS AND SERVICES COMMITTEES**

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue,

expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.

**FINANCE VOTED NO ACTION NECESSARY ON 3/8/10**  
**NO ACTION NECESSARY 7-0**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]  
**FINANCE VOTED NO ACTION NECESSARY on 3/8/10**  
**NO ACTION NECESSARY 7-0**

**REFERRED PUBLIC FACILITIES COMMITTEE**

Wednesday, May 22, 2013

Present: Ald. Salvucci (Chairman), Lennon, Albright, Gentile, Danberg, Laredo, and Lappin;  
 absent: Ald. Crossley; also present: Ald. Harney and Sangiolo

- #52-13 ALD. GENTILE, SANGIOLO AND HARNEY requesting a discussion on the status of Moulton Street and Colgate Circle that were built by the City of Newton through the Newton Redevelopment Authority as part of the Lower Falls Urban Renewal Project. (Ward 4) [01/28/13 @ 10:53 PM]  
**APPROVED 7-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #173-13 HIS HONOR THE MAYOR requesting the sum of two hundred eighty-two thousand dollars (\$282,000) be appropriated from bonded indebtedness for the purpose of purchasing a street sweeper and backhoe for the Department of Public Works in accordance with the Fiscal Year 2014 Capital Improvement Plan. [04/29/13 @ 6:05 PM]  
**APPROVED 6-0 (Lennon not voting)**  
**FINANCE TO MEET**

**REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES**

- #315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process. [10-02-12 @ 3:37PM]  
**HELD 7-0**

#418-11      ALD. CROSSLEY, HESS-MAHAN, LINSKY AND SALVUCCI requesting a report from the administration on the status of a strategy to meet the City's obligation as a Department of Energy Resources Green Community to reduce municipal energy consumption by 20% over five years, and how that strategy is incorporated into the capital improvement plan. [12/08/11 @ 4:09 PM]  
**NO ACTION NECESSARY 7-0**

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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](mailto:TGuditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.