

**IN BOARD OF ALDERMEN**

**BOARD ACTIONS**

Monday, June 17, 2013

Present: Ald. Albright, Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Kalis, Laredo, Linsky, Rice, Salvucci, Sangiolo, Schwartz, Swiston, Yates and Lennon

Absent: Ald. Lappin. 1 Vacancy

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

**COMMITTEE OF THE WHOLE**

**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]  
**COMMITTEE OF THE WHOLE APPROVED 12-0-2 (Fuller and Linsky abstaining)**

**APPROVED AS AMENDED TO \$11,749,118.00 - 22 YEAS, 1 ABSENT (Ald. Lappin), 1 VACANCY**

**Clerk's Note:** The Executive Office provided additional information on the exact amount to be bonded and the bid alternates that would be included. The Chair of the Finance Committee also informed the Board that the information provided at the Committee of the Whole meeting on the \$300,000 for design work did not come out of School Capital money as had been stated, but had been bonded specifically for this project.

**REFERRED TO PROGRAMS & SERVICES COMMITTEE**

#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]  
**PROGRAMS & SERVICES APPROVED 7-0**

**MOTION TO POSTPONE TO JUNE 17, 2013 APPROVED BY VOICE VOTE on June 3, 2013.**

**APPROVED 19 YEAS, 4 ABSENT (Ald. Ciccone, Lappin, Laredo and Swiston), 1 VACANCY**

**Clerk's Note:** The Chair of the Programs & Services Committee presented a revised resolution for Board approval. Concern was raised by several Aldermen that a resolution that focused on National issues was not appropriate for the Board of Aldermen to be spending its time on. Others felt that it was appropriate to take up and vote this item as the implications of a national carbon fee would have local impact.

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 1 ABSENT (Ald. Lappin), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, June 4, 2013

Application for a Class 2 Automobile Dealer License

#121-13      STAN'S AUTOMOTIVE INC./Joseph Kammouj  
249 Centre Street, Newton Corner

**LAND USE APPROVED 4-0 (Harney, Schwartz, Fischman not voting)**

Application for a Class 2 Automobile Dealer License

#159-13      SONOMA CLASSICS LLC/David M. Rosenberg  
1215 Chestnut Street  
Newton Upper Falls 02464

**LAND USE APPROVED 4-0 (Harney, Schwartz, Fischman not voting)**

#211-12(2)      ROBERT & PATRICIA WELBOURN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct several retaining walls greater than four feet in height within a side setback and to waive if necessary the minimum driveway width of 12 feet to accommodate an existing city-owned tree in conjunction with a new single-family dwelling at 24 WILDE ROAD, Waban, Ward 5, on land known as SBL 55, 19, 5, containing approx. 8,446 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-5(b)(4) 30-19(g), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**LAND USE APPROVED 6-0-1 (Schwartz abstaining)**

#176-13      PRESIDENT LENNON in conjunction with Newton Wellesley Hospital recommending the re-appointment/appointment of the following individuals to the Newton Wellesley Hospital Neighborhood Council pursuant to condition 29 of special permit #470-04 for terms concurrent with the 2012-2013 Board of Aldermen:

(A) Theresa Fitzpatrick  
1935 Beacon Street  
Newton 02468

(C) Andree Saulnier  
54 Longfellow Road  
Newton 02462

(B) Katherine Ballou  
261 Dorset Road  
Newton 02462 (new appointee)  
(D) Alderman Jay Harney (Wd 4)  
(E) Alderman John Rice (Wd 5)

**LAND USE APPROVED 7-0**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, June 11, 2013

*Public Hearings were held on the following items:*

- #307-12(2) **WMACH, INC/THE CHEESECAKE FACTORY, INC.** petition to AMEND special permit #307-12, granted on 12/20/12, which permitted three restaurants over 50 seats, waived up to 111 parking stalls, and permitted a sign package which includes secondary signs larger than 50 square feet, in order to construct a 131-square foot enclosed vestibule within the previously permitted 1,118 patio area and to erect two additional secondary signs at 199 BOYLSTON STREET, Ward 7, in a district zoned Business 1. Ref: Sec. 30-24, 30-23, 30-11(k), 30-20(f)(2), 30-20(l), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CLOSED; LAND USE APPROVED 7-0**
- #160-13 **ARTHUR X. DUFFY, TRUSTEE OF SYLVAN AVENUE REALTY TRUST** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a garage of 973 sq. ft. at 44 SYLVAN AVENUE, West Newton, Ward 2, on land known as SBL 32, 53, 51, containing approximately 43,000 sq. ft. of land in a district zoned Single Residence 1. Ref: Sec, 30-24, 30-23, and 30-8(b)(7) of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CLOSED; LAND USE APPROVED 7-0**
- #177-13 **SHARON BURNS, FARMSTEAD TABLE/STEPHEN WEISBERG** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow more than fifty seats in a restaurant and to waive the eight additional parking spaces required by the proposed additional seats at 71 UNION STREET, Ward 6, Newton Centre, on land known as SBL 61, 36, 8, located in a district zoned Business 1. Ref: Sec 30-24, 30-23, 30-11(d)(9), 30-19(d)(13), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CLOSED; LAND USE APPROVED 7-0**
- #178-13 **RIVERSIDE CHILDREN'S CENTER /THE UNION CHURCH OF WABAN** petition to AMEND SITE PLAN APPROVAL #704-83, granted on 12/19/83 for a nursery school for no more than 15 children, to increase the enrollment to a maximum of 55 students and for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 8 parking stalls and for associated waivers including parking within front and side setbacks and within 5' from a street; required dimensions for parking stalls and minimum aisle width; landscape screening and interior landscaping requirements; lighting requirements including waiving barriers at edges of surfaced areas; minimum 3-foot wide curb ramps; bicycle parking facilities at 14 COLLINS ROAD, Ward 5, Waban, on land known as SBL 55, 48, 36 and 37, Ref: Sec 30-24, 30-23, 30-5(a)(3)(d)(iii), 30-19(d)(16), 30-19(h)(1), (2)(a), (2)(b), (3)(a), (i)(1), (i)(1)a, (i)(2), (j)(1)a, (j)(1)b, (j)(2)e, (j)(2)f, (k), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CLOSED**

#179-13 BEECHER TERRACE HOMES, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct single-family attached dwelling(s) containing 5 units and to waive the 10-foot driveway setback requirements and for a retaining wall greater than 4 feet located within a setback at 22 and 26 BEECHER TERRACE, Ward 6, on land known as SBL 65, 8, 46 and 47, containing a total of 32,826 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5), (a), (b), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CLOSED**

#180-13 SURGE CAPITAL CORPORATION petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create garage parking for 2 cars beneath a single-family dwelling currently under construction which will increase the Floor Area Ratio to .48 where .45 is allowed by right at 20 BURRAGE ROAD, Ward 7, on land known as SBL 73, 28, 6, containing approx. 5,771 sf of land in a district zoned SINGLE FAMILY 2. Ref: Sec 30-24, 30-23, 30-15(u) and Table A of the City of Newton Rev Zoning Ord, 2012.  
**PUBLIC HEARING CONTINUED TO DATE TO BE DETERMINED**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Monday, June 10, 2103

Re-appointment by His Honor the Mayor

#195-13 JOHN PEARS, 102 Parker Street, Newton Centre, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2016 (60 days 08/02/13) [05/15/13 @ 4:59 PM]  
**ZONING & PLANNING APPROVED 5-0 (Yates not voting)**

Re-appointment by His Honor the Mayor

#196-13 CHRISTOPHER STEELE, 702 Chestnut Street, Waban, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2016 (60 days 08/02/13) [05/16/13 @ 10:10 AM]  
**ZONING & PLANNING APPROVED 5-0 (Yates not voting)**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, June 5, 2013

#201-13 128 BUSINESS COUNCIL, requesting renewal of the Needham Shuttle Bus License, which includes revisions to add Forest Street and Columbus Street.  
**PUBLIC SAFETY APPROVED 4-0 (Schwartz and Swiston not voting)**

**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

- #209-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from a Health and Human Services salaries account and appropriate the sum of one hundred thousand dollars (\$100,000) from Free Cash to fund projected Police overtime costs. [05/28/13 @ 3:50 PM]  
**FINANCE APPROVED 6-0 (Blazar not voting) on 6/10/13**  
**PUBLIC SAFETY APPROVED 4-0-1 (Fuller abstaining, Swiston not voting)**

**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

- #210-13 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred seventy-five thousand dollars (\$175,000) from Free Cash to fund the purchase of computers for police vehicles. [05/28/13 @ 3:50 PM]  
**FINANCE APPROVED 6-0 (Blazar not voting) on 6/10/13**  
**PUBLIC SAFETY APPROVED AS AMENDED 6-0**
- MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PUBLIC SAFETY COMMITTEE TO POLL HIS COMMITTEE TO ACCEPT THE REPORT OF THE FINANCE AS THE REPORT OF PUBLIC SAFETY WAS APPROVED BY VOICE VOTE**
- PUBLIC SAFETY APPROVED 7-0**

- #189-13 POLICE DEPARTMENT, submitting for review reports of semi-annual taxi license/public auto inspections.  
**PUBLIC SAFETY APPROVED 6-0**

- #125-12 ALD. YATES, HARNEY, SANGIOLO & GENTILE, requesting the Transportation Advisory Group (TAG) to work with the Town of Wellesley, MetroWest Regional Transit Authority, Mass Bay Community College, Wellesley College and other institutions that provide bus service to the MBTA and Newton Wellesley Hospital to operate their vehicles along Route 16 and request they pick-up and discharge passengers in Lower Falls. [04/20/12 @ 1:55 PM]  
**PUBLIC SAFETY NO ACTION NECESSARY 6-0**

- #391-12 ALD. LENNON, filing on 11/14/12 an appeal from TC36-12, which requested parking spaces on Richardson Street, which are currently reserved for Parks & Recreation Employees on weekdays, be changed back to metered parking spaces (Ward 1), approved as amended by Traffic Council on October 25, 2012.  
**PUBLIC SAFETY APPEAL APPROVED AS AMENDED 6-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, June 5, 2013

- #190-13 HPC WIRELESS petitioning for a grant of location to install 4" fiber optic cable duct bank in WEBSTER STREET from an existing pole to the Massachusetts Turnpike Property. (Ward 3) [05-01-13 @ 10:07]  
**PUBLIC FACILITIES APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #211-13 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred seventy-five thousand dollars (\$275,000) from bonded indebtedness to fund accessibility improvements at the Lower Falls Community Center. 05/28/13 @ 3:51 PM]  
**FINANCE APPROVED 6-0 (Blazar not voting) on 6/10/13**  
**PUBLIC FACILITIES APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #212-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of sixty-five thousand dollars (\$65,000) from the Public Buildings Department Full-time Salaries Account and appropriate the sum of thirty-five thousand dollars from Free Cash to fund the purchase of vehicles for the Public Buildings Department. [05/28/13 @ 3:50 PM]  
**FINANCE APPROVED 6-0 (Blazar not voting) on 6/10/13**  
**PUBLIC FACILITIES APPROVED 6-0**

**REFERRED TO FINANCE COMMITTEE**

Monday, June 10, 2013

Appointment by His Honor the Mayor

- #203-13 MICHAEL CARAMANICA, 14 Emerald Street, Newton appointed as a Constable for the City of Newton for a term of office to expire May 13, 2016. [05/15/13 @ 4:59PM]  
**FINANCE APPROVED 6-0 (Rice not voting)**

Appointment by His Honor the Mayor

- #213-13 MALCOLM SALTER, 20 Monadnock Road, Chestnut Hill, appointed as a member of the OTHER POST-EMPLOYMENT BENEFITS TRUST FUND for a term to expire June 30, 2016 (60 days 08/02/13) [06-03-13 @ 5:47 PM]  
**FINANCE APPROVED 6-0 (Rice not voting)**

- #205-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty thousand one hundred dollars (\$40,100) from the Fire Department Overtime Account to various Fire Department utility accounts. [05/28/13 @ 3:50 PM]  
**FINANCE APPROVED 6-0 (Rice not voting)**

- #208-13 HIS HONOR THE MAYOR requesting authorization to expend a grant from the Massachusetts Emergency Management Agency in the amount of twenty-seven thousand five hundred dollars (\$27,500) to purchase equipment for the Emergency Operations Center. [05/28/13 @ 3:51 PM]  
**FINANCE APPROVED 6-0 (Rice not voting)**

**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

- #209-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from a Health and Human Services salaries

account and appropriate the sum of one hundred thousand dollars (\$100,000) from Free Cash to fund projected Police overtime costs. [05/28/13 @ 3:50 PM]

**PUBLIC SAFETY & TRANS 4-0-1 (Fuller abstaining) on 06/05/13**

**FINANCE APPROVED 6-0 (Blazar not voting)**

**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

#210-13 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred seventy-five thousand dollars (\$175,000) from Free Cash to fund the purchase of computers for police vehicles. [05/28/13 @ 3:50 PM]

**PUBLIC SAFETY & TRANS APPROVED AS AMENDED 6-0 on 06/05/13**

**FINANCE APPROVED 6-0 (Blazar not voting)**

#207-13 HIS HONOR THE MAYOR requesting authorization to accept and appropriate the sum of thirty-four thousand seven hundred eighty-nine dollars and fifty cents (\$34,789.50) from interagency agreements executed between the City of Newton and agencies of the Brookline-Newton-Waltham-Watertown Homelessness Consortium Continuum of Care for services provided by the City of Newton as the lead agency for this program. [05/28/13 @ 3:51]

**FINANCE APPROVED 6-0 (Blazar not voting)**

#204-13 COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

	<b>Property Owner</b>	<b>Property Address/ S-B-L</b>	<b>Book / Page</b>	<b>Betterment Amount</b>
1.	Sara Einis	12 Ardmore Road/ 32-0180-002700	51076 / 110	\$1,600.00
2.	Diane R. Fingold and Paul A. Howard	15 Ardmore Road/ 32-0170-000500	25532 / 25	\$2,117.50
3.	David E. Stein and Amy L. Stein	9 Crescent Avenue/ 64-0270-000100	30722 / 587	\$3,607.50
4.	Robert J. Kaler, Jr. and Liri H. Kaler	47 Kenmore Street/ 62-0030-000100	39387 / 55	\$1,790.00
5.	Barry Cohen and Nancy Cohen	116 Old Farm Road/ 82-0200-000400	57909 / 65	\$6,720.00
6.	Judith J. Miller, Trustee of Allshar Realty Trust	21-23 Pleasant Street/ 64-0300-000300	21549 / 89	\$2,120.48
7.	Judith J. Miller, Trustee of Allshar Realty Trust	31 Pleasant Street/ 64-0300-000500	21549 / 84	\$2,207.02
8.	Kathleen A. Kelley	42 Pleasant Street/ 64-0290-0005B0	29008 / 78	\$1,457.50
9.	Daniel Rabinowitz	Unit 57, 57-59 Pleasant Street/ 64-0300-000800	45411 / 77	\$ 733.75
10.	Jack Z. Gilad and	106 Pleasant Street/	37413 / 386	\$1,157.50

	Douglas D. Hauer	64-0260-001300		
11.	Margery C. Bennett	112 Pleasant Street/ 64-0260-001200	24886 / 182	\$2,287.50
12.	Gary I. Fertig and Cheryl S. Fertig	120 Pleasant Street/ 64-0260-001100	13003 / 312	\$1,210.00
13.	Nigel T. Poole and Nancy E. Poole	66 Prospect Street/ 32-0120-002300	29154 / 379	\$1,187.50
14.	Kevin J. Gulley and Melissa B. Gulley	78 Prospect Street/ 32-0120-002100	47533 / 248	\$1,987.50
15.	Alfonso Webb and Patricia G. Webb	Unit 30, 30-32 Shaw Street/ 32-0130-000500	27975 / 207	\$1,265.00

**FINANCE APPROVED 6-0 (Blazar not voting)**

**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.

**PUBLIC FACILITIES APPROVED 6-0 on 05/22/13**

**FINANCE APPROVED 6-0 (Blazar not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #211-13 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred seventy-five thousand dollars (\$275,000) from bonded indebtedness to fund accessibility improvements at the Lower Falls Community Center. 05/28/13 @ 3:51 PM]

**PUBLIC FACILITIES APPROVED 6-0 on 06/05/13**

**FINANCE APPROVED 6-0 (Blazar not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #212-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of sixty-five thousand dollars (\$65,000) from the Public Buildings Department Full-time Salaries Account and appropriate the sum of thirty-five thousand dollars from Free Cash to fund the purchase of vehicles for the Public Buildings Department.

**PUBLIC FACILITIES APPROVED 6-0 on 06/05/13**

**FINANCE APPROVED 6-0 (Blazar not voting)**

- #206-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) to the Rainy Day Stabilization Fund from the following accounts:

Employee Benefits – Various Municipal Departments \$750,000

Health Benefits – Newton Public Schools \$250,000

[05/28/13 @ 3:50 PM]

**FINANCE APPROVED 7-0**



#191-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) to the Rainy Day Stabilization Fund from the following accounts:

Employee Benefits – Various Municipal Departments	\$600,000
Snow & Ice Removal Costs – Various DPW Accounts	\$350,000
Human Resources – Unemployment Benefits	\$50,000

[05/13/13 @6:08 PM]

**FINANCE APPROVED 7-0**

#323-12(2) HIS HONOR THE MAYOR requesting amendments to Chapter 27 TAXATION of the City of Newton Revised Ordinances 2012 to create a Veteran's Tax Work-Off Program Ordinance and to Chapter 27 Section 20 of Article II SENIOR CITIZEN VOLUNTEER PROGRAM. (NB The Board of Aldermen accepted Massachusetts General Law Chapter 59, Section 5N to establish a Veteran's Tax Work-Off Program on December 3, 2012) [04/29/13 @ 6:06 PM]

**FINANCE APPROVED 7-0**

#192-13 HIS HONOR THE MAYOR requesting the following year-end housekeeping items:

- A. Rescind the sum of \$2,528,000 voted under Board Order #118-08 for Water Meter Replacement
- B. Authorize the transfer of \$128,009.46 from Water Full-time Wages to fund the final costs of the Water Replacement Project.
- C. Rescind the sum of \$18,919 voted under Board Order #59-09 and #59-09(2) for energy audits at various public buildings
- D. Appropriate the sum of \$2,331 from the Energy Stabilization Account to fund the final costs incurred under the aforementioned Board Order
- E. Rescind the sum of \$436 voted under Board Order #160-12 for sewer inflow and infiltration removal projects. [05/13/13 @6:08 PM]

**FINANCE APPROVED 7-0**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 1 ABSENT (Ald. Lappin), 1 RECUSED (Ald. Ciccone), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

**REFERRED TO LAND USE COMMITTEE**

Application for a Class 2 Automobile Dealer License

#366-12 CICCONE MOTORS

75 Adams Street

Newtonville 02458

**LAND USE APPROVED 4-0 (Harney, Schwartz, Fischman not voting)**

**REFERRED TO LAND USE COMMITTEE**

Application for a Class 3 Automobile Dealer License

#388-12 TODY'S SERVICES, INC.

1362 Washington Street

West Newton 02465

**LAND USE APPROVED 4-0 (Harney, Schwartz, Fischman not voting)**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 1 ABSENT (Ald. Lappin), 1 RECUSED (Ald. Kalis), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

#188-13 BOSTON COACH TRANSPORTATION request for annual renewal of the Boston College Bus Licenses, which includes the addition of the Newton Centre Shuttle Route. [05/10/13 @ 4:14 PM]

**PUBLIC SAFETY APPROVED AS AMENDED SUBJECT TO SECOND CALL 3-0-1 (Kalis recused, Swartz and Swiston not voting)**

**MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF PUBLIC SAFETY TO POLL HIS COMMITTEE WAS APPROVED BY VOICE VOTE**

**PUBLIC SAFETY APPROVED THE ITEM TO BE REPORTED ON FIRST CALL 6-0-1 RECUSED (Ald. Kalis)**

**A MOTION TO SUSPEND THE RULES TO ACCEPT AND REFER THE FOLLOWING LATE FILED ITEM WAS APPROVED BY VOICE VOTE**

**REFERRED TO FINANCE COMMITTEE**

*Appointment by President Lennon*

#213-13(2) ALDERMAN RUTHANNE FULLER appointed pursuant to the City of Newton Other Post-Employment Benefits Trust Agreement (OPED) established in #209-10(4) as the Board of Aldermen representative to the OPEB Trust Fund for a term of office to expire June 30, 2015. [06-13-13 @5:03 PM]

**PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:**

*Public Hearing assigned for July 9, 2013:*

#325-06(3) RUSSIAN SCHOOL OF MATHEMATICS/RJ WELLS MANAGEMENT, LLC, petition to AMEND Special Permit/Site Plan Approval #325-06, granted on 12/18/06 for a for-profit education use, a waiver of parking provisions, and two free-standing signs, in order to increase the class size from 10 to 15 students; increase the number of classes at a time from 10 to 17; allow up to 28 employees on-site at a time; allow a revised parking, drop-off, and pick-up plan with a new driveway; and a revised lighting plan and a revised directional and signage

package at 200 WELLS AVENUE, Ward 8. Ref: Sec 30-24, 30-23 of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#416-12(3) MAIN GATE REALTY petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12, granted on 2/10/13 for retail and/or office uses, to allow a massage therapy business at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b)(1) of the City of Newton Rev Zoning Ord, 2012

*Public Hearing assigned for July 9, 2013:*

#214-13 LINDA J. HEFFNER petition for Special Permit/Site Plan Approval for an accessory apartment in the loft of an existing detached carriage house and for exterior alterations (reconfiguring existing dormers) at 15 FARLOW ROAD, Ward 7, Newton, on land known as SBL 72, 37, 01, containing approximately 28,913 sq. ft. of land, in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 30-24, 30-23, 30-8(d)(2) and (d)(2)(b) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#215-13 CHRISTINA & JOHN HENNESSEY petition for Special Permit/Site Plan Approval to use 594 sq. ft. of the existing basement as an accessory apartment at 45 BRAE BURN ROAD, Ward 4, Auburndale, on land known as SBL 43, 4, 1, containing approximately 14,739 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-22, 30-8(d)(1), and 30-8 Table of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#216-13 PATRICIA FLATELY petition for Special Permit/Site Plan Approval to exceed the by-right Floor Area Ratio of .30 to .32 in order to construct a new single-family dwelling at 80 DARTMOUTH STREET, Ward 3, West Newton, on land known as SBL 32, 34, 11, containing approximately 19,371 sq. ft. of land, in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(u), (u)(2), 30-15 Table A of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#217-13 JEAN TEILLON, CHUNGDAHM READWRITE/DAN WOOLEY & JOHN FINLEY, III, TRUSTEES c/o CREATIVE DEVELOPMENT CO., LLC. petition for a Special Permit/Site Plan Approval for a for-profit educational use formerly occupied by the non-profit Newton Community Service Center at 1254 CHESTNUT STREET/70 LINDEN STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 35 and 35, 1 and 2, containing approximately 93,480 sq. ft., in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23, 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#300-10(2) WALTER ENRIGHT d/b/a SIGN RIGHT/BURKE & BLACKINGTON FUNERAL HOME petition for a Special Permit/Site Plan Approval for a free-standing sign at 1479 WASHINGTON STREET, Ward 3, West Newton, on land known as SBL 33, 5, 4, containing approximately 8,990 sq. ft. in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-20(f)(9) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#218-13 FALLON DEVELOPMENT INC. petition for a Special Permit/Site Plan Approval for a rear lot subdivision in order to construct two single-family dwellings at 131 OTIS STREET, Ward 2, Newtonville, on land known as SBL 24, 12, 16, containing approximately 48,677 sq. ft. of land, in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(r) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#219-13 ELINOR MODY & DAVID LERNER petition for a Special Permit/Site Plan Approval to Extend a Nonconforming Structure to fill in an area of approximately 22 sq. ft. to allow an expansion of the kitchen, which will increase the Floor Area Ratio from .46 to .47 where .43 is allowed by right, at 15 RICE STREET, Ward 6, Newton Centre; on land known as SBL 61, 1, 3, containing approximately 6,944 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30, 24, 30-23, 30-15Table A, 30-15(u), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for July 9, 2013:*

#220-13 SONYA MEAD & ALEX WHITING petition for a Special Permit/Site Plan Approval to Extend a Nonconforming Structure for a first-floor addition of approximately 170 sq. ft. to replace an existing deck in order to expand the kitchen, which will increase the Floor Area Ratio from .65 to .71, where .46 is allowed by right, at 42 BRAELAND AVENUE, Ward 6, Newton Centre, on land known as SBL 61, 37, 15, containing approximately 4,767 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

*Public hearing assigned for June 19, 2013:*

#224-13 COMCAST OF NEW ENGLAND petitioning for a grant of location to install 204' ± of conduit in WALNUT STREET from existing Pole # V2 437/23 to 823-833 Washington Street. (Ward 2) [05/22/13 @ 2:57 PM]

*Public hearing assigned for June 19, 2013:*

#225-13 CHRIS UTANO, 295 Upland Avenue, Newton Highlands, petitioning for a main drain extension in NOD HILL ROAD to a proposed manhole at the intersection of Upland Avenue 220' ± in a northeasterly direction to a proposed manhole in Nod Hill Road. (Ward 8) [05/28/13 @ 2:05 PM]  
**PETITIONER TO PAY ENTIRE COST**