

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, July 15, 2013

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

Absent: Ald. Danberg, Fischman and Linsky 1 Vacancy

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

REFERRED TO PROG & SERV, PUBLIC FACIL, AND FINANCE COMMITTEES

#255-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one million dollars (\$1,000,000) from bonded indebtedness for the purpose of funding the feasibility/environmental studies and associated schematic design services for the renovation or replacement of the Zervas Elementary School.
[07/01/13 @ 1:06 PM]

PUBLIC FACILITIES APPROVED 5-0 (Salvucci abstaining)

FINANCE APPROVED 5-0-2 (Linsky and Salvucci abstaining)

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PROGRAMS & SERVICES COMMITTEE TO REPORT THE VOTE OF THE COMMITTEE WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE

PROGRAMS & SERVICES APPROVED 2-0 3 (Sangiolo, Hess-Mahan and Blazar abstaining)

APPROVED 19 YEAS, 1 NAY (Ald. Salvucci), 3 ABSENT (Ald. Danberg, Fischman and Linsky), 1 VACANCY

Clerk's Notes: Concern was raised about bonding for a feasibility study. This seemed unusual to several Aldermen who wondered why it was not just being paid for from cash. It was noted that the feasibility study is needed to answer some key questions about the target number of students for the school as well as if the current site of the Zervas School is the appropriate site. The bonding request includes not just the feasibility study, but also the schematic design phase – approximately the first 18 months of the project. The Chair of the Finance Committee noted that the timeliness of this item is extremely important and raised concerns about drawing down money from free cash. He noted that the City has bonded feasibility studies in the past and that the decision to bond has not been finally made yet. It is important that the CFO have the flexibility to bond if that was the correct way to go. There is concern that rising interest rates may push the City in another direction. The Executive Office has said they will come back when they have made the decision, and an item has already been docketed for an update from them.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 3 ABSENT (Ald. Danberg, Fischman and Linsky), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, 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.
HEARING CLOSED; APPROVED 7-0
- #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.
HEARING CLOSED; APPROVED 7-0
- #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.
HEARING CLOSED; APPROVED 7-0
- #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
REQUEST FOR WITHDRAWAL APPROVED 4-0 (Harney, Schwartz, Fischman not voting)
- #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.

HEARING CLOSED

- #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

HEARING CLOSED

- #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.

HEARING CLOSED

- #216-13 PATRICIA FLATLY 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.

HEARING CLOSED

- #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 34, 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.

HEARING CLOSED

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF LAND USE TO POLL HIS COMMITTEE AND REPORT THE VOTE OF THE FOLLOWING ITEM WAS APPROVED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

- #142-13(2) AGREEMENT TO AN EXTENSION OF TIME IN WHICH TO ACT on ELIZABETH & PETER NURCZYNSKI petition #142-13 for a Special Permit/Site Plan Approval to Extend a Nonconforming Structure to construct a 510 sf addition to the first floor unit of an existing 2-family dwelling, which will increase the Floor Area Ratio from .56 to .65, where .54 is allowed by right, at 99-101 ATWOOD AVENUE, Newtonville; said EXTENSION will run from AUGUST 12, 2013 to SEPTEMBER 24, 2013.
LAND USE APPROVED 6-0

REFERRED TO PUBLIC FACILITIES

Wednesday, July 10, 2013

- #245-13 NSTAR ELECTRIC petitioning for a grant of location to install:
- 279' ± of conduit in ROYCE ROAD from a proposed manhole (MH28599) at the intersection of Morton Road and Royce Road in an easterly direction to Manhole # MH8531.
 - 392' ± of conduit in MORTON STREET from Manhole #MH8531 in a southerly direction to a proposed manhole (MH27976) at the intersection of Morton Street and Morton Road.
 - 747' ± of conduit in MORTON ROAD from the proposed manhole at the intersection of Morton Street and Morton Road in a westerly direction thence turning in a northerly direction at a proposed manhole (MH27975) continuing 120' ± to a proposed manhole (MH28603) thence continuing in a northerly direction to the intersection of Morton Road and Royce Road. (Ward 2)
[06/18/13 @ 12:09 PM]
- PUBLIC FACILITIES APPROVED 5-0 (Crossley not voting)**
- #246-13 NATIONAL GRID petitioning for a grant of location to install and maintain 50' ± of 4" gas main in LARKIN ROAD from the existing 4" gas main at 31 Larkin Road westerly to 25 Larkin Road. (Ward 3) [06/19/13 @ 10:35 AM]
PUBLIC FACILITIES APPROVED 5-0 (Crossley not voting)
- #247-13 NATIONAL GRID petitioning for a grant of location to install and maintain 225' ± of 4" gas main UPLAND AVENUE from the existing 4" gas main in Rachel Road northerly to 355 Upland Avenue. (Ward 8) [06/27/13 @ 12:59 PM]
PUBLIC FACILITIES APPROVED 6-0
- #248-13 NATIONAL GRID petitioning for a grant of location to install and maintain 35' ± of 4" gas main in MAYNARD STREET from the existing 4" gas main in Emmons Street westerly to 66 MAYNARD STREET. (Ward 3) [06/27/13 @ 12:59 PM]
PUBLIC FACILITIES APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #251-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred thousand dollars (\$400,000) from bonded indebtedness for the purpose of funding the design and construction of a single salt shed at the Crafts Street Department of Public Works Yard. [07/01/13 @ 1:06 PM]
FINANCE APPROVED AS AMENDED 6-0 @ \$500K (Linsky not voting)
PUBLIC FACILITIES APPROVED AS AMENDED 6-0 @ \$500K

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #252-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred sixteen thousand dollars (\$416,000) from bonded indebtedness for the purpose of funding the remaining design funds for the Station 10/Wires Division Project. [07/01/13 @ 1:06 PM]
FINANCE APPROVED 4-0-2 (Blazar, Ciccone abstaining; Linsky not voting)
PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #253-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eighty five thousand one hundred forty-six dollars (\$85,146) within the FA Day Middle School Project Board Order from the Board of Aldermen's Contingency Account to the Mayor's Contingency Account. [07/01/13 @ 1:06 PM]
FINANCE APPROVED 6-0 (Linsky not voting)
PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #254-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million three hundred twenty-eight thousand eight hundred fifty-eight dollars (\$2,328,858) from the MSBA Final Newton North High School Reimbursement Fund Balance to a one-time lump sum payment towards the Massachusetts School Building Authority Loan for the Newton North High School Project. [07/01/13 @ 1:06 PM]
FINANCE APPROVED 6-0 (Linsky not voting)
PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)

REFERRED TO FINANCE COMMITTEE

Wednesday, July 10, 2013

Reappointment by His Honor the Mayor

- #249-13 JAMES A. PELLEGRINE, 60 Clinton Street, Newton, re-appointed as a Constable for the City of Newton for a term of office to expire June 25, 2016. (60 days) 09/06/13 @ 10:42 AM]
FINANCE APPROVED 7-0

Reappointment by His Honor the Mayor

#250-13 SHAWN MURPHY, 11 Morrill Street, West Newton, re-appointed as a Constable for the City of Newton for a term of office to expire June 25, 2016. (60 days)
09/06/13 @ 10:42 AM]
FINANCE APPROVED 7-0

#256-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of two thousand five hundred dollars (\$2,500) from the Inspectional Services Part-time Salaries Account to the Inspectional Services Temporary Staffing Account. [07-08-13 @ 10:33 AM]
FINANCE APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#251-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred thousand dollars (\$400,000) from bonded indebtedness for the purpose of funding the design and construction of a single salt shed at the Crafts Street Department of Public Works Yard. [07/01/13 @ 1:06 PM]
PUBLIC FACILITIES APPROVED AS AMENDED 6-0 @ \$500K
FINANCE APPROVED AS AMENDED 6-0 @ \$500K (Linsky not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

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PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)
FINANCE APPROVED 4-0-2 (Blazar and Ciccone abstaining; Linsky not voting)

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PUBLIC FACILITIES APPROVED 6-0
FINANCE APPROVED 6-0 (Linsky not voting)

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PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)
FINANCE APPROVED 6-0 (Linsky not voting)

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 19 YEAS, 3 ABSENT (Ald. Danberg, Fischman and Linsky), 1 RECUSED (Ald. Laredo), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:

#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.

HEARING CLOSED; APPROVED 6-0 (Laredo recused)