

**IN BOARD OF ALDERMEN**

**BOARD ACTIONS**

Monday, September 16, 2013

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

1 Vacancy

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, September 10, 2013

*The public hearing opened on August 13 was continued on the following item:*

#237-13 SEVENTY FIVE to SEVENTY SEVEN AUBURN ST. TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to reconfigure an existing two-family dwelling into three units with a 2-car garage and to construct two additional attached dwelling units with 2-car garages at the rear for a total of five units at 75-77 AUBURN STREET, Ward 3, Auburndale, on land known as SBL 33, 6, 42, containing approximately 31,437 square feet of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-9(b)(5), (b)(5)(a) and (b)(5)(b), of the City of Newton Rev Zoning Ord, 2012.  
**HEARING CLOSED**

*Public Hearings were opened on the following items:*

#141-13(2) ZION YEHOASHUA & NIKZUN GORDON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to re-grade an existing driveway to make it less steep by rebuilding existing retaining walls within the setback at a maximum height of 12 feet and to provide 2 parking spaces within the front setback at 74 NEWTONVILLE AVENUE, Newton, Ward 1, on land known as SBL 12, 21, 25 containing approx. 10,021 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.  
**HEARING CLOSED**

#259-13 CYPRESS DEVELOPMENT, LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON-CONFORMING USE/STRUCTURE to allow the expansion of a legal nonconforming thee-family dwelling and to locate 4-one-parking stall 6 feet from the side lot line at 43-45 HIGH STREET, Newton Upper Falls, Ward 5, on land known as SBL 51, 8, 5, containing approximately 25,618 square feet of land in a district zoned MULTI RESIDENCE

1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a), 30-21(b), 30-9(b)(5)a) and b), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CLOSED**

#260-13 COREPOWER YOGA/TAURAU ONE NEWTON PLACE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a parking waiver for 9 parking stalls for a yoga studio with locker room facilities at 275 WASHINGTON/284-291 CENTRE STREET, Ward 1, NEWTON CORNER on land known as SBL 61, 13, 11, containing approximately 78,813 square feet of land in a district zone BUSINESS 1. Ref: 30-24, 30-23, 30-19(d)(21), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CONTINUED TO OCTOBER 15, 2013**

*The following items were discussed in working session:*

#231-13 JAMES KOERT, CU, INC. d/b/a/ MyGym/DAN WOOLEY & JOHN FINLEY III, TRUSTEES c/o CREATIVE DEVELOPMENT CO., LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a for-profit physical educational use for children at 30 OSSIPEE ROAD/70 LINDEN STREET, Ward 5, Newton Upper Falls, on land known as Sec. 51, Blocks 34 and 35, Lots 1 and 2 in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23 and 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.

**LAND USE APPROVED 5-0 (Harney not voting)**

#148-11(5) REQUEST FOR AN EXTENSION OF TIME in which to EXERCISE Special Permit/Site Plan Approvals #148-11(2) and #148-11(3) granted to Constantine Taleas, Trustee of Border Trust and Elm Trust on December 5, 2011 for an addition to an existing nonconforming structure consisting of a three-story mixed-use building with commercial space on the first floor and four dwelling units on the second and third floors at 8 BORDER STREET and 115-119 ELM STREET, West Newton, Ward 3; said EXTENSION will run from December 5, 2012 to December 5, 2013. Ref: Sec. 30-24(c)(4) of the City of Newton Rev Zoning Ord, 2012.

**LAND USE APPROVED 5-0 (Harney not voting)**

#218-13(2) FALLON DEVELOPMENT INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision to construct two single-family dwellings, including if necessary relief to locate the proposed rear house further away from the proposed rear lot line 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), 30-15(r) Table 4 Footnote 3 of the City of Newton Rev Zoning Ord, 2012.

**LAND USE APPROVED 5-0 (Harney not voting)**

#236-13 CHARLES RIVER COUNTRY CLUB petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to expand the existing clubhouse loggia by approximately 427 sf; to add a Bag Room (approximately 1,080 sf) adjacent to the 1<sup>st</sup> fairway; to expand the props shop

(approximately 43 sf), to expand the second floor Pub over the props shop by approximately 951 sf, and to fill in on each of three levels at the left of the building (approximately 819 sf), all of which proposed changes will bring the building interior up to current regulations and codes, making it more accessible, and define separation of users and service providers at 483 DEDHAM STREET, Ward 8, on land known as Sec 83 and 84, Blocks 34, 35, 36, Lots 1 and 4, containing approximately 6,466,022 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a, 30-21(b), 30-8(b)(5) of the City of Newton Rev Zoning Ord, 2012 and special permit nos.136-10, 261-96, 48-87, 36-74, and #108006.

**LAND USE APPROVED 5-0 (Harney not voting)**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Monday, September 9, 2013

Appointment by His Honor the Mayor

#268-13 BERI GILFIX, 121 Cherry Street, Newton, appointed as a member of THE COMMUNITY PRESERVATION COMMISSION for a term to expire July 10, 2016. (60 days 10/11/13) [07/16/13 @ 4:49PM]

**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Appointment by His Honor the Mayor

#269-13 JANICE CAILLET, 104 Eldredge Street, Newton, appointed as a member of THE ECONOMIC DEVELOPMENT COMMISSION for a term to expire June 28, 2016. (60 days 10/11/13) [07/16/13 @ 4:49PM]

**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Appointment by His Honor the Mayor

#273-13 JEAN FULKERSON, 51 Middlesex Road, Newton, appointed as a member of THE NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2016. (60 days 10/11/13) [07/16/13 @ 4:48PM]

**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Appointment by His Honor the Mayor

#274-13 MARK ARMSTRONG, 61 Vaughn Avenue, Newton, appointed as an architect member of THE NEWTON HISTORICAL COMMISSION for a term to expire July 23, 2016. (60 days 10/11/13) [07/26/13 @ 2:14PM]

**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Appointment by His Honor the Mayor

#275-13 LAURA FITZMAURICE, 67 Fisher Avenue, Newton, appointed as an *alternate member* of THE NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2015. (60 days 10/11/13) [07/16/13 @ 4:48PM]

**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Appointment by His Honor the Mayor

#276-13 ELLEN KLAPPER, 46 Cochituate Road, Newton, appointed as an *alternate member* of THE NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2015. (60 days 10/11/13) [07/16/13 @ 4:48PM]  
**ZONING & PLANNING APPROVED 7-0 (Lennon not voting)**

Re-appointment by His Honor the Mayor

#277-13 NANCY GRISSOM, 7 Orris Street, Newton, re-appointed as a member of THE NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2016. (60 days 10/11/13) [07/16/13 @ 4:50PM]  
**ZONING & PLANNING APPROVED 7-0-1 (Lennon abstaining)**

Re-appointment by His Honor the Mayor

#278-13 DONALD LANG, 1643 Beacon Street, Newton, re-appointed as a member of THE NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2016. (60 days 10/11/13) [07/16/13 @ 4:50PM]  
**ZONING & PLANNING APPROVED 7-0-1 (Lennon abstaining)**

Re-appointment by His Honor the Mayor

#270-13 NORMAN RICHARDSON, 372 Waltham Street, Newton, re-appointed as a member of THE CONSERVATION COMMISSION for a term to expire July 10, 2016. (60 days 10/11/13) [07/16/13 @ 4:50PM]  
**ZONING & PLANNING APPROVED 7-0-1 (Yates abstaining)**

Re-appointment by His Honor the Mayor

#271-13 JANE BROWN, 104 Atwood Avenue, Newton, re-appointed as a member of THE NEWTON COMMISSION ON DISABILITY for a term to expire on June 30, 2014. (60 days 10/11/13) [07/16/13 @ 4:50PM]  
**ZONING & PLANNING APPROVED 8-0**

Re-appointment by His Honor the Mayor

#272-13 ROSEMARY LARKING, 1600 Washington Street, Newton, re-appointed as a member of THE NEWTON COMMISSION ON DISABILITY for a term to expire June 30, 2015. (60 days 10/11/13) [07/16/13 @ 4:48PM]  
**ZONING & PLANNING APPROVED 8-0**

### **REFERRED TO PROGRAMS AND SERVICES COMMITTEE AGENDA**

Wednesday, September 11, 2013

Appointment by His Honor the Mayor

#197-13(2) BYRON DUNKER, 10 Southwick Road, Newton, appointed as a member of THE PARKS AND RECREATION COMMISSION for a term to expire August 6, 2016. (60 days 11/4/13) [08/21/13 @ 4:05PM]  
**PROGRAMS & SERVICES APPROVED 7-0**

Appointment by His Honor the Mayor

#240-13(2) HOLLY GUNNER, 49 Janet Road, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire August 6, 2016. (60 days 11/4/13) [08/21/13 @ 4:05PM]  
**PROGRAMS & SERVICES APPROVED 7-0**

Appointment by His Honor the Mayor

#241-13(2) CAROL ANN SHEA, 24 Milo Street, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire August 6, 2016. (60 days 11/4/13 @ 8:45AM]  
**PROGRAMS & SERVICES APPROVED 7-0**

Appointment by His Honor the Mayor

#243-13(2) DIANE SOSTEK, 44 Alderwood Road, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire August 6, 2016. (60 days 11/4/13) [08/21/13 @ 4:05PM]  
**PROGRAMS & SERVICES APPROVED 7-0**

Appointment by His Honor the Mayor

#197-13 BYRON DUNKER, 10 Southwick Road, Waban, appointed as a member of THE PARKS AND RECREATION COMMISSION for a term to expire April 29, 2016 (60 days 08/02/13) [05/15/13 @ 4:59 PM]  
**PROGRAMS & SERVICES NO ACTION NECESSARY 7-0**

Appointment by His Honor the Mayor

#240-13 HOLLY GUNNER, 49 Janet Road, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire June 1, 2016. (60 days 09/06/13) [06/12/13 @ 9:02 AM]  
**PROGRAMS & SERVICES NO ACTION NECESSARY 7-0**

Appointment by His Honor the Mayor

#241-13 CAROL ANN SHEA, 24 Milo Street, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire June 1, 2016. (60 days 09/06/13) [06/12/13 @ 9:02 AM]  
**PROGRAMS & SERVICES NO ACTION NECESSARY 7-0**

Appointment by His Honor the Mayor

#243-13 DIANE SOSTEK, 44 Alderwood Road, Newton, appointed as a member of THE NEWTON COUNCIL ON AGING for a term to expire June 1, 2016. (60 days 09/06/13) [06/12/13 @ 9:01 AM]  
**PROGRAMS & SERVICES NO ACTION NECESSARY 7-0**

Re-appointment by His Honor the Mayor

#279-13 KENNETH REISMAN, 34 Roosevelt Road, Newton, re-appointed as a member of THE NEWTON COMMONWEALTH FOUNDATION for a term to expire June 27, 2016. (60 days 10/11/13) [07/16/13 @ 4:48PM]  
**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#280-13 THOMAS ELKIND, 29 Wamesit Road, Newton, re-appointed as a member of THE NEWTON COMMONWEALTH FOUNDATION for a term to expire June 28, 2016. (60 days 10/11/13) [07/16/13 @ 4:48PM]

**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#297-13 LYNNE SULLIVAN, 74 Fountain Street, West Newton, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2016. (60 days 11/2/13) [08/23/13 @ 4:12PM]

**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#298-13 JOHN MORGANTI, 26 Lewis Street, Newton, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2015. (60 days 11/2/13) [08/23/13 @ 4:12PM]

**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#299-13 KAREN HAYWOOD, 69 Walker Street, Newtonville, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2016. (60 days 11/2/13) [08/23/13 @ 4:12PM]

**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#300-13 PAUL ELDRENKAMP, 667 Saw Mill Brook Parkway, Newton Centre, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2016. (60 days 11/2/13)

**PROGRAMS & SERVICES APPROVED 7-0**

Re-appointment by His Honor the Mayor

#301-13 HARRY LOHR, 157 Cherry Street, West Newton, re-appointed as a member of THE BOARD OF TRUSTEES OF THE JACKSON HOMESTEAD for a term to expire February 1, 2015. (60 days 11/2/13) [08/23/13 @ 4:12PM]

**PROGRAMS & SERVICES APPROVED 7-0**

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]

**PROGRAMS & SERVICES NO ACTION NECESSARY 7-0**

#198-13(2) THE WABAN AREA COUNCIL requesting that the election for officers to the Waban Area Council be held on November 5, 2013 at the Zervas School in conjunction with the municipal elections. [07/26/13 @ 11:01AM]

**PROGRAMS & SERVICES APPROVED 7-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, September 11, 2013

- #283-13 NSTAR ELECTRIC petitioning for a grant of location to install 368' ± of conduit in SPIERS ROAD from an existing manhole 68' ± in a westerly direction thence turning onto TOCCI PATH continuing 300' ± in a northwesterly direction and to install Manhole #MH29679 in Tocci Path. (Ward 8) [08/02/13 @ 11:27 AM]  
**PUBLIC FACILITIES APPROVED 5-0 (Gentile, Lennon not voting)**
- #284-13 NSTAR ELECTRIC petitioning for a grant of location to install 332' ± of conduit in SPIERS ROAD from an existing manhole 50' ± in a westerly direction thence turning onto AVERY PATH continuing 282' ± in a northwesterly direction and to install Manhole #MH29680 in Avery Path. (Ward 8) [08/05/13 @ 10:24 AM]  
**PUBLIC FACILITIES APPROVED 5-0 (Gentile, Lennon not voting)**
- #285-13 NSTAR ELECTRIC petitioning for a grant of location to install 334' ± of conduit in SPIERS ROAD from an existing manhole 50' ± in a northerly direction thence turning onto CAVANAUGH PATH continuing 284' ± in a northwesterly direction and to install Manhole #MH29678 in Cavanaugh Path. (Ward 8) [08/05/13 @ 10:24 AM]  
**PUBLIC FACILITIES APPROVED 5-0 (Gentile, Lennon not voting)**
- #303-13 NSTAR ELECTRIC COMPANY petitioning for a grant of location to relocate Pole #466/5 on the northwesterly side of SALISBURY ROAD 296' ± northeast of Cabot Street. (Ward 2) [08/12/13 @ 4:40 PM]  
**PUBLIC FACILITIES APPROVED 5-0 (Gentile, Lennon not voting)**
- #232-10(2) COMMISSIONER OF PUBLIC WORKS requesting the relocation of an easement from the Trustees of Boston College to the City of Newton for drain and sewer lines in Section 63, Block 9, Lot 2 (Boston College Middle Campus) originally granted in 1917 and relocated in 2010 under Board Order # 232-10 to conform to the actual location of the sewer and drain lines.  
**PUBLIC FACILITIES APPROVED 6-0 (Lennon not voting)**

**REFERRED TO FINANCE COMMITTEE**

Monday, September 9, 2013

- #12-13 ALD. YATES requesting that the City's Treasurer/Collector accept credit cards as a method of payment for municipal bills.  
**FINANCE NO ACTION NECESSARY 8-0**
- #304-13 HIS HONOR THE MAYOR requesting approval of a settlement of workers' compensation claims against the City of Newton in the amount of twenty-five

thousand (\$25,000) relevant to injuries sustained by an employee in 2006 and 2007. [09/03/13 @ 4:56 PM]

**FINANCE APPROVED 7-0 (Linsky not voting)**

#7-13(2) HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from the Fiscal Year 2014 Budget Contingency Account to the Executive Office Engineering Services Account for the purpose of funding an engineering study regarding the Waban Hill Reservoir and embankment on Manet Road in Chestnut Hill.

**FINANCE APPROVED ~~SUBJECT TO SECOND CALL 8-0~~**

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

**FINANCE APPROVED 8-0**

**Clerk's Note:** The Finance Committee had approved this item subject to second call in committee in order to ask the Mayor's Office to find out if there was some type of liability insurance or bond that could be provided by the engineering firm. A response to this inquiry was provided to the Board by Maureen Lemieux in the Mayor's Office which went out in the Board's packet on Friday and the committee voted to allow the item to go through on first call.

#412-12 HIS HONOR THE MAYOR requesting a discussion regarding updating the City's departmental fees and fines. [11/27/12 @ 12:45 PM]

**FINANCE NO ACTION NECESSARY 8-0**

**A MOTION TO SUSPEND THE RULES TO ALLOW THE VICE CHAIR OF THE LAND USE COMMITTEE TO POLL HIS COMMITTEE AND REPORT THE VOTE WITHOUT A WRITTEN REPORT ON THE FOLLOWING ITEM WAS APPROVED BY VOICE VOTE**

**REFERRED TO LAND USE COMMITTEE**

*Request for Withdrawal without Prejudice:*

#142-13 ELIZABETH & PETER NURCZYNSKI petition for 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, Ward 2, on land known as SBL 22, 23, 8, containing approx. 7,434 of land in a district zoned MULTI RESIDENCE 1. (90 days: 9/24/13)

**WITHDRAWAL WITHOUT PREJUDICE LAND USE APPROVED 6-0**



**MOTIONS TO SUSPEND THE RULES TO ACCEPT THE FOLLOWING FOUR LATE FILED ITEMS TO THE DOCKET AND REFER THEM TO COMMITTEE WERE APPROVED BY VOICE VOITE**

**REFERRED TO ZONING & PLANNING COMMITTEE**

#309-13 DEPT. HEADS HAVENS AND ZALEZNIK requesting amendments to the City Of Newton Zoning Ordinance, **Chapter 30**, as needed to add a definition of Medical Marijuana Treatment Center and to establish parameters regarding what districts and under what conditions Medical Marijuana Treatment Centers will be allowed within the City of Newton. [09/11/13 @ 4:12PM]

**REFERRED TO ZONING & PLANNING COMMITTEE**

#309-13(2) DEPT. HEADS HAVENS AND ZALEZNIK requesting amendments to the City Of Newton Zoning Ordinance, **Chapter 30**, as needed to add a definition of Medical Marijuana Treatment Center and to create a temporary moratorium on the placement of Medical Marijuana Treatment Centers in the City of Newton to allow the City adequate time to complete a planning process to consider in what districts and under what conditions Medical Marijuana Treatment Centers will be allowed. [09/11/13 @ 4:12PM]

**REFERRED TO PROGRAMS & SERVICES COMMITTEE**

#95-13(2) THE PROGRAMS & SERVICES COMMITTEE requesting an update from the Health Care Advisory Committee. [09/12/13 @ 9:49AM]

**REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES**

#314-13 NEWTON POLICE DEPARTMENT, proposing that **Sec. 19-336(a). License plates or medallions; fee for same; transfer to new vehicle.** be increased from \$50 to \$100, effective 2014. [09/12/13 @ 11:21 AM]

**THE FOLLOWING PUBLIC HEARINGS WERE ASSIGNED.**

*Public Hearing to be assigned for September 18, 2013:*

#312-13 SUMNER ROSOFF, 62 Stanley Road, petitioning for the extension of a main to be constructed in STANLEY ROAD from the existing drainage manhole at 86 Stanley Road 100' ± in a southwesterly direction to a proposed drainage manhole. (Ward 5) [08/13/13 @ 2:50 PM]  
**PETITIONER TO PAY ENTIRE COST**

*Public Hearing assigned for October 15, 2013:*

#305-13 JESSICA O'ROURKE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing detached garage and construct a new garage with an accessory apartment on the second floor at 305 ALBEMARLE ROAD, Ward 3, NEWTONVILLE, on land known as SBL 31, 28, 17, containing approximately 10,345 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-8(d)(2), (2)(b), and (7) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for October 15, 2013:*

#306-13 THOMAS ROHRER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTEND A NONCONFORMING STRUCTURE exceeding 700 square feet to demolish an existing detached two-car garage containing a playroom and tool room and to construct a new detached two-car garage and recreation room at 93 HOMER STREET, Ward 6, NEWTON CENTRE, on land known as SBL 64, 38, 12, containing approximately 33,097 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b) and 30-15(m)(4) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for October 15, 2013:*

#307-13 CHARLES WEITZ & ISABAL CHIU petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTEND A NONCONFORMING STRUCTURE to demolish an existing detached garage and replace it with a new garage, which will increase the Floor Area Ratio from .37 to .38, where .34 is the maximum allowed, at 71 MONTVALE ROAD, Ward 7, NEWTON CENTRE, on land known as SBL 61, 5, 22, containing approximately 12,000 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15Table A, 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

*Public Hearing assigned for October 15, 2013:*

#308-13 CHAUNCY S. PERRY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to legalize an existing three-family residence at 432 NEWTONVILLE AVENUE, Ward 2, NEWTONVILLE, on land known as SBL 22, 5, 24, containing approximately 16,632 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(c)(1), 30-19(h)(4)a), (i), (j), and (m) of the City of Newton Rev Zoning Ord, 2012 and special permit #609-89.

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 1 EXCUSED (ALD. LAREDO), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

## Re-appointment by His Honor the Mayor

#281-13 STEPHEN FAUTEUX, 71 Elmhurst Road, Newton, re-appointed as a member of THE NEWTON COMMONWEALTH FOUNDATION for a term to expire June 27, 2016. (60 days 10/11/13) [07/16/13 @ 4:48PM]  
**PROGRAMS & SERVICES APPROVED 7-0**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 1 NAY (ALD. LINSKY), 1 VACANCY TO TAKE THE FOLLOWING ACTIONS:**

#14-13(2) HIS HONOR THE MAYOR requesting amendment of the Municipal Whistleblower Policy, which was approved by the Board of Aldermen on February 4, 2013, to provide a more consistent policy. [03/11/13 @ 5:43 PM]  
**FINANCE NO ACTION NECESSARY 7-0-1 (Linsky abstaining)**