

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, October 7, 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:

REFERRED TO LAND USE COMMITTEE

#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. *(Public hearing opened on 10/16/12, continued on 11/27/12, closed on 12/18/12; 90 days 10/31/13)*
LAND USE APPROVED 6-0 on September 30, 2013

ITEM POSTPONED ON OCTOBER 2, 2013 TO DATE CERTAIN OF OCTOBER 7, 2013

MOTION TO AMEND CONDITION 20 AS FOLLOWS:

Condition 20, substitute the following language for Condition 20(o)(v) dealing with construction truck routes and access:

v. Construction truck route(s) for both the Project buildings and the MBTA Intermodal Commuter Facility that minimize, to the maximum extent feasible, travel on local streets. Construction truck access to the Site for both the Project buildings and the MBTA Intermodal Commuter Facility shall not be through the Grove Street driveway entrance, but shall be limited to access either from the Recreation Road, or from the C-D connector road.

AMENDMENT APPROVED BY VOICE VOTE

MOTION TO AMEND CONDITION 11 AS FOLLOWS:

Condition 11, Add the following paragraphs after the 2nd paragraph:

The retail/community use building shall be built and its certificate of occupancy issued no later than 24 months from the issuance of any certificate of occupancy for either the residential building or the office building. The Petitioner shall commence construction of the retail/community use building within six months of the date of issuance of final certificate of occupancy for the earliest to be constructed of the office building or the residential building. The Petitioner shall complete construction of the retail/community use building within eighteen months of the issuance of a building permit for the same. The Petitioner shall deposit \$3,000,000 with the City of Newton as follows: \$1,500,000 at the time a building permit issued for the first to be built of either the residential building or the office building, and \$1,500,000 at the time a certificate of occupancy is issued for such building.

Upon the issuance of a building permit and commencement of construction of the retail/community use building, the City shall release the \$3,000,000 to the petitioner in four equal payments of \$750,000 each at the 25%, 50%, 75% and 100% completion points. The City shall not be required to pay interest on the \$3,000,000 while it holds the same.

If the Petitioner fails to commence and complete construction of the retail/community use building within 24 months as outlined in this condition and the plans referenced in Exhibit A, the \$3,000,000 deposit shall be forfeited to the City and be subject to appropriation by the City.

The petitioner has estimated the cost of the community center to be \$1.8 million. The Petitioner has agreed to escrow \$3 million in order to furnish additional security to the City. However, in doing so, the City acknowledges that the Petitioner is not required to construct more than is referenced in the plan and in this Board Order.

AMENDMENT APPROVED BY VOICE VOTE

MOTION TO AMEND CONDITION 6 AS FOLLOWS:

Amendment to Condition 6; Traffic and Neighborhood Improvement Allocations: Delete the words "fire and safety equipment" in the first sentence.

AMENDMENT FAILS 12 NAYS, 9 YEAS (Ald. Ciccone, Gentile, Harney, Linsky, Rice, Salvucci, Swiston, Yates & Lennon, 1 ABSENT (Ald. Lappin), 1 RECUSED (Ald. Sangiolo), 1 VACANCY

**APPROVED AS AMENDED 21 YEAS, 1 ABSENT (Ald. Lappin), 1
RECUSED (Ald. Sangiolo), 1 VACANCY**

MOTION TO RECONSIDER DENIED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

#258-12

BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY

TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 327 Grove Street, also identified as Section 42, Block 11, Lot 3A currently zoned Public Use.

(Public hearing opened on 10/16/12, continued to 11/27/12; continued to 12/18/12; closed 7/16/13; 90 days 10/14/13)

LAND USE APPROVED 6-0 on September 30, 2013

**ITEM POSTPONED ON OCTOBER 2, 2013 TO DATE CERTAIN OF
OCTOBER 7, 2013**

**APPROVED 21 YEAS, 1 ABSENT (Ald. Lappin), 1 RECUSED (Ald.
Sangiolo), 1 VACANCY**

MOTION TO RECONSIDER DENIED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

#272-12

BH NORMANDY OWNER, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for several improvements to be completed over two phases. The first phase requires a special permit to (1) amend the current site plan by adding a pool deck awning; reconfiguring the delivery and trash pick-up area at the front of the hotel; reconfiguring the existing parking areas; reflecting existing and proposed signage; and reflecting existing wireless communications equipment; (2) extend a nonconforming structure by adding a pool deck awning; (3) obtain waivers for number of parking stalls and parking facility design standards including stall width, stall depth, handicap stall depth, maneuvering space for end stalls, maneuvering space for aisles, maximum width for entrance and exit driveways, landscape screening, interior landscaping, surfacing and curbing, one foot candle lighting, number of bicycle parking spaces, and design of loading facilities; and (4) authorize existing and proposed signage at 399 GROVE STREET, Ward 4.. The second phase anticipates that a portion of the applicant's lot will be conveyed or taken to provide rear access/egress to the proposed Riverside Development. This taking or conveyance would require special permit relief to (6) authorize an FAR greater than 1.0; (7) extend the existing nonconforming lot coverage; (8) obtain relief for the existing nonconforming building (i.e., height, number of stories and loading facility) as the building may be affected by a reduction in lot area; and (9) obtain a waiver for number of required parking stalls; all on land known as Section 42, Block 11, Lot 4 containing approximately 116,650 square feet of land in a Business 5 Zoned district. Ref: Sections 30-15, Table 3; 30-19(d)(3); 30-19(d)(13); 30-19(h); 30-19(h)(2)a; 30-19(h)(2)b; 30-19(h)(2)c; 30-19(h)(2)e; 30-19(h)(3)b; 30-19(h)(4)b; 30-19(i); 30-19(i)(1); 30-19(i)(2); 30-19(j); 30-19(j)(1)a; 30-19(j)(2)e; 30-19(k)(1); 30-19(l); 30-19(m); 30-20(f)(1); 30-20(f)(2); 30-20(f)(9); 30-20(l); 30-21(b); 30-23; 30-24; and 30-26(a)(1) of the

City of Newton Revised Zoning Ordinances, 2012. (*Public hearing opened on 10/09/12, continued on 11/27/12, closed on 12/18/12; 90 days 10/31/13*)

LAND USE APPROVED 6-0 on September 30, 2013

ITEM POSTPONED ON OCTOBER 2, 2013 TO DATE CERTAIN OF OCTOBER 7, 2013

MOTION TO AMEND CONDITIONS 7 AND 23 AS FOLLOWS:

Add to Condition #7:

The petitioner shall narrow the curb cut on Grove Street by approximately eight feet and maintain landscape screening consistent with plans listed in Condition 1. The trunks and roots of existing mature trees on Grove street in front of Hotel Indigo shall be protected during construction with means approved by the Director of Planning and Development in consultation with the Tree Warden. Any such tree that fails to survive during the year immediately following construction along this frontage shall be replaced with like-type tree(s) with the capacity to achieve the stature of existing trees, and in no event shall be less than 5 caliper inches.

Add to Condition #23

No building permit shall be issued pursuant to "Phase 1" ... until the petitioner has:

e. submitted a final landscape plan for review and approval by the Director of Planning and Development and the City's Tree Warden, which shows .all existing trees, trees to be removed and trees to be planted in order to maintain or replace what is existing.

AMENDMENT APPROVED BY VOICE VOTE

APPROVED AS AMENDED 21 YEAS, 2 ABSENT (Ald. Lappin & Sangiolo), 1 VACANCY

MOTION TO RECONSIDER DENIED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

#272-12(3)

BH NORMANDY OWNER, LLC petition to AMEND Special Permit/Site Plan Approval application #272-12, for which a public hearing was opened on October 9, 2012, with respect to EXTENDING a NONCONFORMING STRUCTURE to allow construction of a ramp on the easterly side of the Hotel Indigo at 399 Grove Street, Newton Lower Falls. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012. (*Public hearing 10/31/13.*)

LAND USE APPROVED 6-0 on September 30, 2013

ITEM POSTPONED ON OCTOBER 2, 2013 TO DATE CERTAIN OF OCTOBER 7, 2013

APPROVED 21 YEAS, 2 ABSENT (Ald. Lappin & Sangiolo), 1 VACANCY

MOTION TO RECONSIDER DENIED BY VOICE VOTE

REFERRED TO LAND USE COMMITTEE

#272-12(2) **BH NORMANDY OWNER, LLC** petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 399 GROVE STREET, also identified as Section 42, Block 11, Lot 4, currently zoned Business 5.
(Public Hearing opened on 10/09/12, continued to 11/27/12; continued to 12/18/12; closed 7/16/13; 90 days 10/14/13)

LAND USE APPROVED 6-0 on September 30, 2013

ITEM POSTPONED ON OCTOBER 2, 2013 TO DATE CERTAIN OF OCTOBER 7, 2013

APPROVED 21 YEAS, 2 ABSENT (Ald. Lappin & Sangiolo), 1 VACANCY

MOTION TO RECONSIDER DENIED BY VOICE VOTE

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

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, October 24, 2013

A Public hearing was held on the following item:

#406-12(2) **ALD. JOHNSON** requesting that the existing provisions of Sec. 30-20(h)(6) *Election signs*. be deleted and that the following provisions be inserted in place thereof: "Election signs may be erected no earlier than forty-five (45) days before an election and shall be removed within seven (7) days after the election."

ZONING & PLANNING APPROVED 5-0 (Swiston not voting)

#406-12 **ALD. JOHNSON** requesting a discussion to review City of Newton Zoning Ordinances Chapter 30-20(h)(6) regarding campaign signs, and the failure of candidates to comply with current removal requirements. [11/19/12 @ 9:24AM]

ZONING & PLANNING NO ACTION NECESSARY (Swiston not voting)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, September 18, 2013

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

#286-13(2) **HIS HONOR THEY MAYOR** requesting authorization to appropriate the sum of thirty-seven million five hundred thousand dollars (\$37,500,000) from bonded indebtedness for the purpose of funding the replacement of the A.E. Angier Elementary School. [09/09/13 @ 2:03 PM]

PUBLIC FACILITIES APPROVED 5-0 on 09/18/13

FINANCE APPROVED AS AMENDED 8-0 @ \$36,750,000 on 09/23/13

PROGRAMS & SERVICES APPROVED 6-0-1 (Sangiolo abstaining)

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

PROGRAMS & SERVICES AMENDED AND APPROVED AT \$36,750,000
7-0

Appointment by His Honor the Mayor

#242-13(2) CAROL ROSE, 865 Boylston 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) [08/21/13 @ 4:05PM]

PROGRAMS & SERVICES APPROVED 7-0

Appointment by His Honor the Mayor

#242-13 CAROL ROSE, 865 Boylston 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 @ 9:01 AM]

PROGRAMS & SERVICES NO ACTION NECESSARY 7-0

#198-13(3) THE WABAN AREA COUNCIL requesting that early voting for officers to the Waban Area Council be held on October 31, November 1, and November 4, 2013, in the Elections Office at Newton City Hall. [09/03/13 @ 11:46AM]

PROGRAMS & SERVICES APPROVED 7-0

#223-13 ALD. HESS-MAHAN proposing an amendment to the City of Newton Charter, **Section 2-5 Filling of Vacancies**, to delete the requirement that “the Board of Aldermen *shall forthwith* call a special election to fill a vacancy” and replace it with “the Board of Aldermen *may* call a special election to fill a vacancy.”

[06/07/13 @ 1:31 PM]

AMENDED ON 9/11/13 TO INCLUDE SECTION 4-6 FILLING OF VACANCIES FOR SCHOOL COMMITTEE

PROGRAMS & SERVICES APPROVED AS AMENDED 6-0 (Linsky not voting)

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

PROGRAMS & SERVICES APPROVED TO HOLD IN COMMITTEE

Clerk’s Note: The Committee changed its vote to hold to allow members of the School Committee to discuss and vote on whether they would like the text for calling of special elections to fill vacancies in the school committee to remain the same or to also change the wording to may.

#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]

PROGRAMS & SERVICES APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, September 18, 2013

REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES

#281-12 HARRY SANDERS requesting creation of an ordinance to allow pawnbrokers in the City of Newton pursuant to G.L. c. 140 section 70 with potential for non-fixed location of business. Secured property storage would not entail retail walk-in; model would entail possible satellite locations enabling the possibility of integrating Newton students. [08/31/12 @ 12:25 PM]

FINANCE VOTED NO ACTION NECESSARY 8-0 on 09/18/13**PUBLIC SAFETY NO ACTION NECESSARY 7-0 (Schwartz not voting)**

#232-12 FRANK TERRIO on behalf of NEWTON YELLOW CAB requesting either an exemption from **Sec. 19-309. Requirements as to vehicles generally - c), no vehicle shall be approved for use as a taxicab or public automobile or van in the city when the vehicle is ten (10) years old or older, the age of each vehicle to be determined from the year of manufacture to the year for which the vehicle license is to issue.** or an amendment to allow a vehicle to be used as a taxicab, public auto or van when the vehicle is over ten years old if it passes Police Department inspection

PUBLIC SAFETY NO ACTION NECESSARY 6-0 (Schwartz and Harney not voting)**REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

#267-12 ALD. CICCONE, proposing that **Sec. 19-309. Requirements as to vehicles generally. and 19-332. Procedure for obtaining licenses.** be amended to include limousines and that **Sec. 19-338 Limousine Permits** be amended to include an annual inspection and fee of \$25. [08/21/12 @ 10:29 AM]

FINANCE APPROVED 8-0 on 09/23/13**PUBLIC SAFETY APPROVED 7-0 (Schwartz not voting)****REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES**

#194-12 ALD. CICCONE proposing that **Sec. 19-309. Requirements as to vehicles generally. and 19-332. Procedure for obtaining licenses.** be amended to include vans and that **Sec. 17-3. Fees for certain licenses and permits.** be amended to include a \$25 annual fee for vans. [06/21/12 @ 11:28AM]

FINANCE APPROVED 8-0 on 09/23/13**PUBLIC SAFETY APPROVED 7-0 (Schwartz not voting)****REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, September 18, 2013

#312-13 SUMNER ROSOFF, 62 Stanley Road, petition for the extension of a main in STANLEY ROAD from the existing drainage manhole at 86 Stanley Road 100' ± in a southwesterly direction to a proposed drainage manhole. (Ward 5)

PETITIONER TO PAY ENTIRE COST**PUBLIC FACILITIES APPROVED 5-0**

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

- #286-13(2) HIS HONOR THEY MAYOR requesting authorization to appropriate the sum of thirty-seven million five hundred thousand dollars (\$37,500,000) from bonded indebtedness for the purpose of funding a new Angier Elementary School.
PROG & SERV APPROVED 6-0-1 (Sangiolo abstaining) on 09/18/13
FINANCE APPROVED AS AMENDED 8-0 @\$36,750,000 on 09/23/13
PUBLIC FACILITIES APPROVED 5-0

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

PUBLIC FACILITIES AMENDED AND APPROVED AT \$36,750,000 7-0

- #286-13 DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec 5-58, for site plan approval of a new 75,000 SF elementary school to be located on the existing Angier Elementary School site at 1697 Beacon Street. [08/05/13 @ 2:21 PM]
PUBLIC FACILITIES APPROVED 5-0

- #163-12 ALD. CROSSLEY AND SALVUCCI requesting discussion with the Department of Public Works to review prioritization of snow and brush storage sites across the city and to remove the Nahanton Park site from the list in order to facilitate location of the temporary fire station while Station #10 (Dedham Street) is under construction. [04/25/13 @ 4:30 PM]
PUBLIC FACILITIES NO ACTION NECESSARY SUBJECT TO 2ND CALL 4-0 (Danberg not voting)

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

MOTION IN PUBLIC FACILITIES TO ALLOW THE ITEM TO BE VOTED ON FIRST CALL WAS APPROVED 7-0

Clerk's Note: The information that the Committee was looking for was provided in the Friday Packet, so the committee voted to allow the item to be voted on first call.

- #152-13 ALD. ALBRIGHT requesting a discussion with the Department of Public Works regarding the new LED streetlight pilot. [04/01/13 @ 8:53 AM]
PUBLIC FACILITIES NO ACTION NECESSARY 4-0 (Danberg not voting)

REFERRED TO FINANCE COMMITTEE

Monday, September 23, 2013

- #313-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five thousand dollars (\$5,000) from the Pedestrian Safety Grant Program offered by the Executive Office of Public Safety and Security for the purpose of enhancing effective pedestrian, and bicycle related enforcement. [09/09/13 @ 2:03 PM]
FINANCE APPROVED 8-0

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

- #267-12 ALD. CICCONE, proposing that **Sec. 19-309. Requirements as to vehicles generally. and 19-332. Procedure for obtaining licenses.** be amended to include limousines and that **Sec. 19-338 Limousine Permits** be amended to include an annual fee of \$25 and an annual inspection. [08/21/12 @ 10:29 AM]
PS & T APPROVED 7-0 (Schwartz not voting) on 09/18/13
FINANCE APPROVED 8-0

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

- #194-12 ALD. CICCONE proposing that **Sec. 19-309. Requirements as to vehicles generally. and 19-332. Procedure for obtaining licenses.** be amended to include vans and that **Sec. 17-3. Fees for certain licenses and permits.** be amended to include a \$25 annual fee for vans. [06/21/12 @ 11:28AM]
PS & T APPROVED 7-0 (Schwartz not voting) on 09/18/13
FINANCE APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #83-10(2) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of six hundred forty-one thousand dollars (\$641,000) from the Community Preservation Fund to the Public Buildings Department to complete the revised Museum Archives, Accessibility, and Fire Suppression project, as described in the Committee's July 2013 recommendation, in addition to the \$101,345 appropriated for the project through Board Orders # 147-08 and #83-10.
PUBLIC FACILITIES APPROVED 7-0 on 09/11/13
FINANCE APPROVED 8-0

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #316-12(2) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of four hundred seventy-five thousand dollars (\$475,000) to the Planning and Development Department to continue the Newton Homebuyer Assistance Program as described in the proposal amended in December 2012.
 (#55-13)
ZONING & PLANNING APPROVED 6-0 ON 02/11/13
FINANCE APPROVED 8-0

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

- #286-13(2) HIS HONOR THEY MAYOR requesting authorization to appropriate the sum of thirty-seven million five hundred thousand dollars (\$37,500,000) from bonded indebtedness for the purpose of funding the replacement of the A.E. Angier Elementary School. [09/09/13 @ 2:03 PM]
PROG & SERV APPROVED 6-0-1 (Sangiolo abstaining; 1 vacancy) on 09/18/13
PUBLIC FACILITIES APPROVED 8-0 on 09/18/13
FINANCE APPROVED AS AMENDED 8-0 @ \$36,750,000

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #322-12(4) HIS HONOR THE MAYOR requesting authorization to amend the Fiscal Year 2014 Budget Board Order #322-12(2) for the Public Buildings Department by reducing the Municipal Building Maintenance – Building Improvements line item by one hundred fifty thousand dollars (\$150,000) and increasing the Municipal Building Maintenance – Public Buildings R&M by one hundred fifty thousand dollars (\$150,000) in order to create a non-lapsing account for small capital projects. [08/05/13 @ 1:59 PM]
PUBLIC FACILITIES APPROVED 8-0 on 09/11/13
FINANCE APPROVED 8-0

REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES

- #281-12 HARRY SANDERS requesting creation of an ordinance to allow pawnbrokers in the City of Newton pursuant to G.L. c. 140 section 70 with potential for non-fixed location of business. Secured property storage would not entail retail walk-in; model would entail possible satellite locations enabling the possibility of integrating Newton students. [08-31-12 @ 12:25 PM]
PUBLIC SAFETY VOTED NO ACTION NECESSARY 7-0 on 09/18/13
FINANCE NO ACTION NECESSARY 8-0

THE FOLLOWING PUBLIC HEARINGS WERE ASSIGNED.

Public Hearing assigned for November 12, 2013:

- #315-13 CHRIS MURPHY & MARY DURR petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a retaining wall of more than four feet in the front setback and to provide 2 parking stalls, where one is allowed by right in the front setback, at 36-38 HIGH STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 6, 7, containing approximately 3,810 sf in a district zoned MULTI RESIDENCE 1. Ref: Sec. 30-24, 30-23, 30-19(g)(1) and (m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for October 16, 2013:

- #309-13(3) DEPT. HEADS HAVENS AND ZALEZNIK requesting amendments to the City of Newton Zoning Ordinance, Chapter 30, as needed to add a definition of “registered marijuana dispensary” and to create a temporary moratorium on the use of land, buildings and structures for registered marijuana dispensaries in the City of Newton in order to allow the City adequate time to complete a planning process to consider in what districts and under what conditions registered marijuana dispensaries will be allowed. [09/25/13 @ 9:21 AM]

Public hearing assigned for October 9, 2013:

- #326-13 NSTAR ELECTRIC petitioning for a grant of location to install 295' ± of conduit in HYDE STREET in a southeasterly direction from 51 Hyde Street to proposed Manhole #MH29704 in Hyde Street and continuing 30' ± into the intersection of LAKE AVENUE to an existing manhole. [09/04/13 @ 11:13 PM]

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

REFERRED TO LAND USE COMMITTEE

Monday, September 30, 2013

REFERRED TO LAND USE & FINANCE COMMITTEES

#193-13

ALD. HESS-MAHAN proposed that the annual fee for an auto dealer license be increased from \$100 to \$200 per G.L. chapter 140 sec. 59.

FINANCE APPROVED 6-0-1 (Fuller abstaining; Ciccone recused) on 9/9/13

LAND USE APPROVED 4-0 (Laredo and Schwartz not voting)