

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, December 16, 2013

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

Absent: Ald. Salvucci & Swiston

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 2 ABSENT (Ald. Salvucci & Swiston) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, December 3, 2013

2014 Auto Dealer Licenses

Class 2

#383-13 **R.S. SERVICE, INC.**
361 Washington Street
Newton Corner 02458
LAND USE APPROVED 6-0

#79-12(2) **REFERRED TO LAND USE AND FINANCE COMMITTEES**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred ten thousand one hundred seventy-nine dollars (\$910,179) from the Community Preservation Fund to the Planning & Development Department for a grant to Myrtle Village, LLC, to create 7 units of permanently affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted in August – October 2013.
[11/06/13 @ 4:08 PM]
FINANCE REFERRED TO 2014-2015 BOARD OF ALDERMEN
LAND USE REFERRED TO 2014-2015 BOARD OF ALDERMEN

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, December 9, 2013

#406-12(3) **ZONING & PLANNING COMMITTEE** requesting a discussion to review City of Newton Zoning Ordinances Chapter 30-20(h)(6) regarding the size and number of campaign signs allowed on lots. [08/15/13 @ 4:37PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0

#260-12 **ALD. YATES** proposing amendments to Sec. 30-19 to increase the vitality of village centers without adverse impacts on the residential neighborhoods around them. [08-17-12 @ 1:01 PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0

- #215-12 ALD. YATES proposing a RESOLUTION requesting that the Planning Department and the Economic Development Commission develop a Main Streets Program following the model of the National Trust for Historic Preservation to revitalize the Newtonville and Newton Centre business districts.
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #48-12 ALD. ALBRIGHT requesting a discussion with the Executive Office and the Planning Department on the creation of a housing trust. [02/10/2012 @ 9:13AM]
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #153-11(2) ALD. DANBERG, ALBRIGHT, HESS-MAHAN, JOHNSON requesting the map changes necessary to establish certain Retail Overlay Districts around selected village centers. [05-10-11@3:16 PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #183-10 ALD. JOHNSON, CROSSLEY AND HESS-MAHAN requesting to amend **Section 30-13(a) Allowed Uses in Mixed Use 1 Districts** by inserting a new subsection (5) as follows: “(5) Dwelling units above the first floor, provided that the first floor is used for an office or research and development use as described above;” and renumbering existing subsection (5) as (6). [06/07/10 @ 12:00 PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #153-10 ALD. JOHNSON, CROSSLEY AND HESS-MAHAN requesting to amend **Section 30-15 Table 1** of the City of Newton Ordinances to allow a reasonable density for dwellings in Mixed Use 1 and 2 districts. [06/01/10 @ 9:25 PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #265-13 ALD. YATES requesting a report from the Law Department on the decision by the U.S. Supreme Court on the *Koontz vs. St. Johns River Water Management District* and its possible impact on the City’s zoning ordinances. [08/05/13 @ 12:28PM]
ZONING & PLANNING NO ACTION NECESSARY 6-0
- #11-12 ALD. HESS-MAHAN & LINSKY requesting discussion on the implementation and enforcement of the provisions of Section 30-5(c)(1) of the Newton Ordinances which requires that “[w]henver the existing contours of the land are altered, the land shall be left in a usable condition, graded in a manner to prevent the erosion of soil and the alteration of the runoff of surface water to or from abutting properties.” [1/11/12 1:01PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

- #152-10 ALD. BAKER, FULLER, SCHNIPPER, SHAPIRO, FISCHMAN, YATES AND DANBERG recommending discussion of possible amendments to **Section 30-19** of the City of Newton Ordinances to clarify parking requirements applicable to colleges and universities. [06/01/10 @ 4:19 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #391-09 ALD. DANBERG, MANSFIELD, VANCE AND HESS-MAHAN requesting an amendment to §30-19 to allow payments-in-lieu of providing required off-street parking spaces when parking spaces are waived as part of a special permit application.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #407-13 HIS HONOR THE MAYOR requesting discussion relative to establishing a Regional Technology Center in Newton under the state's Economic Development Incentive Program. [11/12/13 @ 4:47 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #128-13 ALD. ALBRIGHT, FULLER, CROSSLEY, LAREDO requesting the creation a comprehensive, 10-year strategic plan for Newton's conservation lands which would include a multi-year prioritized list of short-term and long-term projects with appropriate estimated budget. This plan should be finished in time to include high priority item(s) in the FY15 Budget, with any project exceeding \$75,000 added to the Capital Improvement Plan. [03/15/13 @ 10:56 AM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #408-13 ALD. BAKER requesting discussion of potential impacts resulting from recent changes in the National Flood Insurance Program as it may relate to Newton properties. [10/19/13 @ 4:25 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #404-13 NATASHA STALLER et al. requesting a revision to the zoning District boundary Lines so as to transfer from Multi-Residence 1 District to a Single Residence 3 District the following properties:
Assessors' parcels SBL nos. 61-037-0004 through 61-037-0013; 61-042-0007 through 61-042-0023; 65-019-0001; 65-019-0007 through 65-019-0012; 65-019-0014 through 65-019-0022; 65-019-0009A; 65-019-0017B and 65-019-0022A.
Also requesting transfer from a Single Residence 2 District to a Single Residence 3 District SBL no. 65-019-0015A. [11/01/13 @ 12:57 PM]
Public Hearing assigned for January 13, 2014
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

- #296-13 ALD DANBERG proposing amendment to **Sec. 30-24(f) Inclusionary Zoning** by reorganizing and clarifying the provisions regarding purchaser and renter income limits and sale and rental price limits. [08/26/13 @ 12:30PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #294-13 ALD. DANBERG proposing amendment to **Sec.30-24(f) Inclusionary Zoning** to clarify the limitation on use of public funds in constructing inclusionary units and to expand on where the use of public funds for inclusionary units will be allowed. [08/26/13 @ 12:30PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 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.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #267-13 LAND USE COMMITTEE proposing to amend Section 30-21(c) to permit de minimis relief for alternations, enlargements, reconstruction of or extensions to lawfully nonconforming structures in which the nonconformity is due to Floor Area Ratio (FAR) requirements set out in section 30-15(u) Table A, subject to administrative review by the Planning Department.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #266-13 ALD. YATES requesting that the Law Department provide the Zoning & Planning and Land Use Committees and other interested members of the Board with legal advice on what parties have standing to challenge zoning ordinances and the relevant court cases involving uniformity. [08/05/13 @ 12:28PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #263-13 ALD. JOHNSON & ALBRIGHT requesting that the Planning Department document a clear and transparent process for the establishment of housing that complies with Massachusetts Chapter 40B statute so that citizens are knowledgeable of the steps needed, decision making points and decision makers. [07/15/13 @ 2:09PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

- #81-13 DIRECTOR OF PLANNING & DEVELOPMENT on behalf of the Newton Housing Partnership requesting consideration of naturally affordable compact housing opportunities in MR1 zones. [02/22/13 @ 1:13 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #64-13 NEWTON HISTORICAL COMMISSION requesting the creation of an administrative permitting process for converting historic barns and carriage houses into accessory apartments to assist in their preservation. [02/05/13 @ 11:35 AM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #308-12 ALD. HESS-MAHAN & ALBRIGHT requesting a discussion with the Mayor's office and the Planning & Development Department of policies, procedures, and criteria relating to determinations concerning expenditures of Community Development Block Grant (CDBG) funds. [10/09/12 @ 3:59 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #282-12 ALD. JOHNSON, CROSSLEY, DANBERG, SANGIOLO requesting quarterly reports, starting the last month of the quarter beginning December 2012, Re-implementation of *Ramping Up: Planning for a More Accessible Newton*. [09-09-12]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES**
- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer. [09/10/12 @ 1:17 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #61-10 ALD. CICCONE, SWISTON, LINSKY, CROSSLEY AND HESS-MAHAN requesting a discussion relative to various solutions for bringing existing accessory and other apartments that may not meet the legal provisions and requirements of Chapter 30 into compliance. [02/23/10 @ 2:48 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

- #164-09(2) ALD. HESS-MAHAN requesting that the Planning Department study the dimensional requirements for lot and building size for accessory apartments and make recommendations for possible amendments to those dimensional requirements to the board of Aldermen that are consistent with the Newton Comprehensive Plan. [01/07/10 @ 12:00 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #222-13 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, DANBERG, FISCHMAN & JOHNSON proposing to amend the definitions of "Common roof connector", "Common wall connector", and "Dwelling, two-family" in **Chapter 30, Section 30-1** of the City of Newton Zoning Ordinances. [06/07/13 @ 1:31 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #129-13 ALD. HESS-MAHAN proposing to amend and/or clarify definition and provisions for granting a special permit for "attached dwellings" in the City of Newton Zoning Ordinances, **Chapter 30-1, 30-8(b)(13) and 30-9(b)(5)**. [05/25/13 @ 5:14 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #220-12 RECODIFICATION COMMITTEE recommending that the table in Sec. 30-8(b)(10)a) be clarified with respect to "lot width," "lot area," or "lot frontage."
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #219-12 RECODIFICATION COMMITTEE recommending that Sec. 30-5(b)(4) as most recently amended by Ordinance Z-45, dated March 16, 2009, be amended to reconcile the apparent discrepancy relative to the definition of "structure."
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #218-12 RECODIFICATION COMMITTEE recommending that Sec. 30-19(g)(1) be amended to clarify "sideline" distance, which is a reference to an undefined concept.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #217-12 RECODIFICATION COMMITTEE recommending that Secs. 30-19(d)(1) and 30-19(g)(1) relative to the number of tandem parking stalls allowed in the side setback (two) and the number of tandem parking stalls (one) allowed in the setback for parking facilities containing less than five stalls be amended to make the both sections consistent.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

- #216-12 RECODIFICATION COMMITTEE recommending that the definition of “Space, usable open” in Sec. 30-1 be amended by removing the exemption for exterior tennis courts as they are now classified as structures.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #65-11(3) ZONING AND PLANNING COMMITTEE requesting that the terms “flat roof” and “sloped roof” be defined in the zoning ordinance.
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #154-10(2) ZONING AND PLANNING COMMITTEE requesting to amend **Section 30-1 Definitions** by inserting revised definitions for “lot line” and “structure” for clarity. [04-12-11 @11:34AM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #154-10 ALD. JOHNSON, CROSSLEY and HESS-MAHAN requesting to amend **Section 30-1 Definitions**, by inserting a new definition of “lot area” and revising the “setback line” definition for clarity. [06/01/10 @ 9:25 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #264-13 ALD. YATES requesting that the Zoning Reform Group or its successor consider amending City of Newton Zoning Ordinances Chapter 30 to develop additional residential districts reflecting the small lots in older sections of the City and map changes to bring the zones of more residential sections of the City into conformity with the existing land uses. [08/05/13 @ 12:28PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0
- #153-11 ALD. DANBERG, ALBRIGHT, HESS-MAHAN, JOHNSON requesting that Chapter 30 be amended by adding a new Sec. 30-14 creating certain Retail Overlay Districts around selected village centers in order to encourage vibrant pedestrian-oriented streetscapes which would allow certain uses at street level, including but not limited to financial institutions, professional offices, and salons, by special permit only and require minimum transparency standards for street-level windows for all commercial uses within the proposed overlay districts. [05- 10-11 @3:19 PM]
ZONING & PLANNING REFERRED TO 2014-1015 BOARD OF ALDERMEN 6-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, December 4, 2013

- #396-13 ALD. LENNON & LAPPIN, pursuant to Section 2-7 of the City Charter recommending that the 2014 -2015 Board of Aldermen re-appoint David A. Olson as City Clerk/Clerk of the Board; said term will be two years or until a successor is duly qualified. [10/28/13 @ 3:09 pm]
PROGRAMS & SERVICES APPROVED 8-0

REFERRED TO PUBLIC SAFETY AND PROG & SERV COMMITTEES

- #414-13 HIS HONOR THE MAYOR requesting authorization to petition the General Court for Home Rule Legislation to authorize the Mayor, upon recommendation of the chief of Police, to appoint former Newton police officers who have retired for superannuation and who are under age 65 to serve as special police officers for the purpose of performing police details in the City of Newton. [11/25/13 @ 3:26 PM]
PUBLIC SAFETY APPROVED 7-0 on 12/04/13
PROGRAMS & SERVICES APPROVED 8-0

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

- #421-13 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 study and associated schematic design services for the renovation and/or replacement of the Cabot Elementary School. [11/25/13 @ 3:26 PM]
FINANCE APPROVED 4-0 (Lappin, Rice not voting) on 12/09/13
PUBLIC FACILITIES APPROVED 7-0 on 12/04/13
PROGRAMS & SERVICES APPROVED 8-0

- #397-13 ALD. SANGIOLO on behalf of the URBAN TREE COMMISSION, proposing amendments to the Tree Preservation Ordinance. [10/28/13 @ 2:46 PM]
PROGRAMS & SERVICES REFERRED TO 2014-2015 BOARD OF ALDERMEN 8-0

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

- #36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.
 A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
 B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale.
 [01/24/12 @ 8:07 AM]
PUBLIC FACIL REFERRED TO 2014-2015 BOARD OF ALDERMEN

PROGRAMS AND SERVICES REFERRED TO 2014-2015 BOARD OF ALDERMEN 5-2-1 (Sangiolo and Rice opposed; Leary abstaining)

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

#402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]

FINANCE REFERRED TO 2014-2015 BOARD OF ALDERMEN PROGRAMS AND SERVICES REFERRED TO 2014-2015 BOARD OF ALDERMEN 8-0

REFERRED TO PROG. & SERV. AND PUBLIC SAFETY & TRANS COMMITTEES

#410-13 ALD. JOHNSON, ALBRIGHT AND LINSKY requesting discussion with the Parks & Recreation, Police, Fire and Law Departments regarding options to decrease vandalism at the Albemarle Park (Halloran Recreation Complex) before April, 2014 [11/12/13 @ 4:15 PM]

PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN PROGRAMS AND SERVICES REFERRED TO 2014-2015 BOARD OF ALDERMEN 8-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, December 4, 2013

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.

FINANCE VOTED NO ACTION NECESSARY 4-0 (Lappin, Rice not voting) on 12/09/13 PUBLIC SAFETY NO ACTION NECESSARY 7-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#428-12 ALD. CICCONE & FULLER requesting a discussion with the Executive Office and the Police Department regarding police staffing and overtime costs. [12/07/12 @ 1:34 PM]

FINANCE REFERRED TO 2014-2015 BOARD OF ALDERMEN PUBLIC SAFETY NO ACTION NECESSARY 7-0

MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE FINANCE COMMITTEE TO POLL HIS COMMITTEE TO MAKE THEIR REPORT CONSISTENT WITH PUBLIC SAFETY APPROVED BY VOICE VOTE

FINANCE NO ACTION NECESSARY 7-0

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE

- #41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15
PUBLIC FACILITIES VOTED NO ACTION NECESSARY 6-0 on 11/20/13
PUBLIC SAFETY NO ACTION NECESSARY

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #420-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred seventy-five thousand dollars (\$275,000) from the Operating Override Stabilization Fund for the purpose of funding the design for Station 3 (Willow Street) and Fire Headquarters. [11/25/13 @ 3:26 PM]
FINANCE APPROVED 4-0 (Lappin, Rice not voting) on 12/09/13
PUBLIC FACILITIES APPROVED 7-0 on 12/04/13
PUBLIC SAFETY APPROVED 6-0, Fuller not voting

REFERRED TO PUBLIC SAFETY AND PROG & SERV COMMITTEES

- #414-13 HIS HONOR THE MAYOR requesting authorization to petition the General Court for Home Rule Legislation to authorize the Mayor, upon recommendation of the chief of Police, to appoint former Newton police officers who have retired for superannuation and who are under age 65 to serve as special police officers for the purpose of performing police details in the City of Newton. [11/25/13 @ 3:26 PM]
PROGRAMS & SERVICES APPROVED 8-0 on 12/04/13
PUBLIC SAFETY APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANS AND PROG. & SERV. COMMITTEES

- #410-13 ALD. JOHNSON, ALBRIGHT AND LINSKY requesting discussion with the Parks & Recreation, Police, Fire and Law Departments regarding options to decrease vandalism at the Albemarle Park (Halloran Recreation Complex) before April, 2014 [11/12/13 @ 4:15 PM]
PROG & SERVICES REFERRED TO 2014-2015 BOARD OF ALDERMEN
PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN

- #302-13 ALD. FULLER, CICCONE & ALBRIGHT, requesting a presentation and discussion by the Executive Office and Chief of Police on the findings of the recently completed Newton Police Department departmental review. [08/12/13 @ 8:32 PM]
PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN

- #244-13 ALD. SWISTON, on behalf of Beth Birnham, 24 Stanley Road, Waban, requesting the development of a wildlife management plan that may include a communications policy, a citizen group and public education. [06/12/13 @ 2:56 PM]
PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN

#150-13 ALD. JOHNSON, ALBRIGHT & LINSKY, requesting the Planning Department create a traffic and parking management plan for the Education Center, Day Middle School, Horace Mann Elementary School and Carr School neighborhood area by December 2013. [03/29/13 @ 9:11 AM]

PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

#413-11 ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11/17/11 @ 11:07 AM]

PUBLIC FACIL REFERRED TO 2014-2015 BOARD OF ALDERMEN

PUBLIC SAFETY REFERRED TO 2014-2015 BOARD OF ALDERMEN

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, December 4, 2013

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#420-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred seventy-five thousand dollars (\$275,000) from the Operating Override Stabilization Fund for the purpose of funding the design for Station 3 (Willow Street) and Fire Headquarters.

FINANCE APPROVED 4-0 (Lappin, Rice not voting) on 12/09/13

PUBLIC SAFETY APPROVED 6-0 on 12/04/13

PUBLIC FACILITIES APPROVED 7-0

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

#421-13 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 study and associated schematic design services for the renovation and/or replacement of the Cabot Elementary School. 3:26 PM]

FINANCE APPROVED 4-0 (Lappin, Rice not voting) on 12/09/13

PROGRAMS & SERVICES APPROVED 8-0 on 12/04/13

PUBLIC FACILITIES APPROVED 7-0

#253-07 ALD. LINSKY ALBRIGHT, JOHNSON, HARNEY, SANGIOLO, SALVUCCI, MANSFIELD, BURG, SCHNIPPER requesting (1) a review as to how provisions of applicable ordinances, specifically 5-58, were implemented during the course of the Newton North project, and (2) consider proposed revisions of 5-58 including, but not limited to:

- (a) timely provision of documentation by the public building department to the Board of Aldermen and Design Review Committee;
- (b) establishment of liaison committees to facilitate communications and input from neighborhoods affected by projects subject to this ordinance;
- (c) approval of final design plans by the Board of Aldermen of projects subject to this ordinance;

- (d) oversight during the construction phase of projects subject to this ordinance by appropriate Board committee(s) both in respect to approval of change orders as well as design changes; and
- (e) generation of a required record detailing the entire construction process by the public building department to guide present and future oversight of projects subject to this ordinance. [08/07/07 @ 3:12 PM]
- (f) establishment of a committee to provide oversight for public building construction and renovation during all phases of planning, design and construction.

PUBLIC FACILITIES REFERRED TO 2014-2015 BOARD OF ALDERMEN 7-0

REFERRED TO FINANCE COMMITTEE

Monday, December 9, 2013

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #420-13 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred seventy-five thousand dollars (\$275,000) from the Operating Override Stabilization Fund for the purpose of funding the design for Station 3 (Willow Street) and Fire Headquarters. [11/25/13 @ 3:26 PM]
PUBLIC SAFETY & TRANSPORTATION APPROVED 6-0 on 12/09/13
PUBLIC FACILITIES APPROVED 7-0 on 12/09/13
FINANCE APPROVED 4-0 (Rice, Lappin not voting)

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

- #421-13 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 study and associated schematic design services for the renovation and/or replacement of the Cabot Elementary School. [11/25/13 @ 3:26 PM]
PROGRAMS & SERVICES APPROVED 8-0 on 12/09/13
PUBLIC FACILITIES APPROVED 7-0 on 12/09/13
FINANCE APPROVED 4-0 (Rice, Lappin not voting)

- #418-13 HIS HONOR THE MAYOR requesting acceptance and expenditure of a eighty-three thousand five hundred dollar (\$83,500) grant from the Executive Office of Public Safety and Security for the purpose of traffic accident analysis.
FINANCE APPROVED 4-0 (Rice, Lappin not voting)

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

- #422-13 ALD. JOHNSON AND DANBERG requesting an amendment to Section 19-9 of the City of Newton Ordinances to raise the overnight parking fine from \$5 to \$25 effective February 1, 2014. [12/02/13 @ 11:06 AM]
PUBLIC SAFETY REFERRED TO THE 2014-2015 BOARD
FINANCE APPROVED 3-0-1 (Fuller abstaining)

- #419-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thirty-six thousand seven hundred forty-nine dollars from the July 1, 2013 Free Cash to the Newton Public Schools. [11/25/13 @ 3:26 PM]
FINANCE APPROVED 4-0 (Rice, Lappin not voting)

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]
PUBLIC SAFETY VOTED NO ACTION NECESSARY 7-0 on 12/04/13
FINANCE NO ACTION NECESSARY 4-0 (Rice, Lappin not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY, ALBRIGHT & DANBERG requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program.
PROGRAMS & SERVICES APPROVED 6-0 on 07/11/12
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

- #402-13 ALD. FULLER, GENTILE, RICE & LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]
PROGRAMS & SERVICES REFERRED TO 2014-15 BOARD 12/04/13
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]
PUB FACILITIES REFERRED TO 2014-15 BOARD 5-1 (Gentile opposed)
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 3-1 (Gentile opposed)

REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both

sufficient to fund related services provided and simple to administer. [09-10-12 @1:17 PM]

LAND USE REFERRED TO 2014-15 BOARD

ZONING & PLANNING REFERRED TO THE 2014-2015 BOARD

**FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 2-1-1
(Gentile opposed; Blazar abstaining)**

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#257-12

RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

PUBLIC FACILITIES REFERED TO 2014-2015 BOARD

FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

#256-12

ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing and ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

PROGRAMS & SERVICES REFERRED TO 2014-15 BOARD

PUBLIC FACILITIES REFERRED TO 2014-15 BOARD

FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#254-12

ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton. [07/18/12 @4:34 PM]

PUBLIC FACILITIES REFERED TO 2014-2015 BOARD

PROGRAMS & SERVICES REFERRED TO 2014-15 BOARD

FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO LAND USE AND FINANCE COMMITTEES

#79-12(2)

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred ten thousand one hundred seventy-nine dollars (\$910,179) from the Community Preservation Fund to the Planning & Development Department for a grant to Myrtle Village, LLC, to create 7 units of permanently affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted in August – October 2013. [11/06/13 @ 4:08 PM]

LAND USE REFERRED TO THE 2014-2015 BOARD

FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

REFERRED TO LAND USE & FINANCE COMMITTEES

- #276-10 ALD. FULLER, CROSSLEY, DANBERG, LINSKY requesting a review of guidelines for mitigation fund provisions to maximize the use of such funds on behalf of the city together with mechanisms by which the city can better track such funds to ensure they are used in a timely fashion.
LAND USE REFERRED TO THE 2014-2015 BOARD
FINANCE REFERRED TO THE 2014-2015 BOARD OF ALDERMEN 4-0

THE FOLLOWING PUBLIC HEARINGS WERE ASSIGNED AND REFERRED TO THE 2014-2015 BOARD OF ALDERMEN:

Public Hearing assigned for January 14, 2013:

- #422-13 ARTHUR ULLIAN, BENJAMIN ULLIAN TRUST, ARTHUR, DORA & BENJAMIN ULLIAN TRUSTEES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing detached structure at 76 HYDE AVENUE into a ± 600-square-foot accessory apartment connected to the main dwelling by a pergola structure, Ward 7, Newton, on land known as SBL 72, 23, 57, containing approximately 37,405 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 14, 2013:

- #423-13 KEY POINT PARTNERS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a full-service veterinary hospital in an existing retail building at 215 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 8G, containing approximately 70,847 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 03-23, 30-13-(b)(14) of the City of Newton Rev Zoning Ord, 2012, and Special Permit #610-89.

Public Hearing assigned for January 14, 2013:

#424-13 UBC EQUITY PARTNERS, LLC/KS RETAIL MANAGE, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a future potential mixture of office, retail, services, restaurant, and storage uses, which will involve no proposed physical changes, in an existing building and to waive 37 parking stalls or to allow, if necessary, 40 off-site parking stalls in addition to the existing 185 parking stalls at 19-33 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 25B, 25C, 25D, containing approximately 109,396 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-13(b)(1), (3), (4), 30-19(f)(1), (2) *or* 30-19(c)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for January 14, 2013:

#425-13 LISA B. & JEFFREY MILLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct a one-story addition to the kitchen at the rear of an existing single-family dwelling, which will increase the Floor Area Ratio from .43 to .47, where .46 is the maximum allowed by-right and increase the maximum lot coverage from 32% to 35%, where 30% is the maximum, at 183 ADAMS AVENUE, Ward 3, West Newton, on land known as SBL 34, 32, 10, containing approximately 4,414 sf of land in a district zoned SINGLE RESIDENCE 2. 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 re-assigned for January 14, 2014:

#330-13(2) DONNY & RAQUEL SANTANGELO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to connect an existing two-family dwelling to an existing detached garage with living space above, which will increase the Floor Area Ratio from .47 to ~~.54~~ .62 where .48 is the maximum allowed by right, at 3-5 MILTON AVENUE, Ward 4, West Newton, on land known as SBL 44, 14, 70, 71, containing approximately 6,962 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A and 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 2 ABSENT (Ald. Salvucci & Swiston), 1 RECUSED (Ald. Leary) TO TAKE THE FOLLOWING ACTION:

REFERRED TO LAND USE COMMITTEE

#291-13 NEWTON RESTAURANT, LLC./PINKY'S PLACE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE to increase an existing nonconforming restaurant containing 74 seats to 116 seats; to waive the requirement for an additional 16 parking stalls; and to utilize an adjacent parcel to meet a portion of the required parking at 1205 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBA 51, 45, 11, containing approximately 12,012 sf of land in a district

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

(Land Use Approved 5-0 on October 22, 2013; item postponed on November 4 to date certain of November 18, 2013

Item recommitted to Land Use by Board of Aldermen on November 18, 2013:

LAND USE APPROVED 4-0 (Albright not voting; Leary excused)

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 2 ABSENT (Ald. Salvucci & Swiston), 1 RECUSED (Ald. Ciccone) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Class 3
#391-13

ECHO BRIDGE SALVAGE, INC.

16-24 Maguire Court
Newtonville 02460

LAND USE APPROVED 6-0

REFERRED TO LAND USE COMMITTEE

#392-13

SCHIAVONE BROTHERS, INC.

16-24 Maguire Court
Newtonville 02460

LAND USE APPROVED 6-0

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 2 NAYS (ALD. Hess-Mahan & Linsky), 2 ABSENT (Ald. Salvucci & Swiston) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO FINANCE COMMITTEE

#132-13

ALD. HESS-MAHAN & YATES proposing a Resolution to request that the Mayor adopt the provisions of Massachusetts General Laws Chapter 59 Section 5C, which provides for a local property tax exemption of up to 20% of the average assessed value of residential properties, which are the principal residences of taxpayers.

FINANCE NO ACTION NECESSARY 5-1 (Linsky opposed)