

REPORTS DOCKET

Feb. 7: Land Use Continued
Feb. 8: Programs & Services; Public Safety & Transportation; Public Facilities Page 36
Feb. 13: Finance; Zoning & Planning Monday, February 6, 2012
Feb. 14: Land Use 7:45 PM, Newton City Hall
Feb. 15: Zoning & Planning To be reported on
TUESDAY, FEBRUARY 21, 2012

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item Chartered by Ald. Yates on February 6, 2012:

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

The following item was denied by the Board of Aldermen on December 5, 2011. A resolution, #297-11(2), was approved requesting the Mayor consider locating the function in the Inspectional Services Department. In accordance with Article I section 3D of the Rules & Orders of the Board, "No petition addressed to the Board, the subject matter of which has been disposed of during the preceding 12-month period, shall be referred to any committee except by majority vote of the Board. Refusal to refer it shall constitute a denial of the petition on the ground that no further action by the Board is deemed necessary

#297-11(3) **HIS HONOR THE MAYOR** re-submitting a reorganization request pursuant to City Charter §6-2 to change the assignment of responsibility of the Licensing Board of Commissioners Administrative Director/Agent from the Veterans' Services Department to the Department of Health and Human Services (60 days 03/06/12). [01/30/2012 @ 4:18PM]

REFERRED TO LAND USE COMMITTEE

Tuesday, February 14, 2012

Present: Ald. Hess-Mahan (Chairman), Ald. Laredo, Crossley, Fischman, Harney, Schwartz, and Merrill, and Harney; absent: Ald. Albright; also present: Ald. Rice

#388-11 **KOUZINA, INC./DTS TRUST** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive the 9 parking stalls required to increase from 20 to 46 the number of seats in an existing restaurant at 1649 BEACON STREET, Ward 5, Waban, on land known as SBL 53, 29, 2A, containing approximately 54,198 square feet of land in a district zoned BUSINESS 1. Ref: Sec. 30-24, 30-23, 30-19(d)(13), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.
APPROVED 4-0 (Schwartz, Merrill, and Harney not voting)

Public hearings were held on the following items:

#9-12 KUROSH MIZRAHI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate an accessory apartment in an existing detached structure and to waive the required screening for the associated parking at 1099 WALNUT STREET, Ward 6, Newton Highlands, on land known as SBL 52, 9, 11, containing approximately 13,618 square feet of land in a district zoned Single Residence 2. Ref: Sec 30-24, 30-23, 30-8(d)(2), 30-8(d)(1)(h) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; APPROVED 7-0

#10-12 DT-ARCO, LLC/IERACI REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to relocate an existing 2-family dwelling and construct a new structure containing two additional attached dwelling units for a total of four attached dwellings in two structures at 37 ELM STREET, West Newton, Ward 3, on land known as SBL 33, 23, 20, containing approximately 25,000 sq. ft. of land in a district zoned Multi Residence 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a) and b), 30-15 Table 1, 30-15(t) 1-4 of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#105-09(3) YANPING SUN request for an EXTENSION OF TIME IN WHICH TO EXERCISE special permit petition #105-09(2), granted on December 6, 2010 for an accessory apartment in an existing single-family dwelling at 87 WOODWARD STREET, Ward 5, Newton Highlands. Sec 30-24(c)(4) City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; APPROVED 7-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Thursday February 9, 2012

Present: Ald. Johnson (Chairman), Yates, Baker, Danberg, Swiston, Lennon, Kalis; absent: Ald. Sangiolo; also present: Ald. Hess-Mahan, Harney, Crossley

Appointment by His Honor the Mayor:

#390-11(2) WILLIAM MCLAUGHLIN, 117 Hammond Street, Newton, being appointed as a full member of the Zoning Board of Appeals for a term of office, filling the full member position vacated by Selma H. Urman, Esq., to expire on September 30, 2012 (60 days 03/06/12). [01/30/2012 @ 4:34PM]

HELD 7-0

Re-Appointment by His Honor the Mayor:

#399-11(2) JAMES H. MITCHELL, 83 Countryside Road, Newton Centre, being re-appointed as an associate member of the Zoning Board of Appeals for a term to expire 02-01-13.

APPROVED 7-0

#400-11 ALD. GENTILE, HARNEY, SANGIOLO requesting establishment of a Business 5/Riverside Zone: a mixed-use transit-oriented district at the site of the current Riverside MBTA rail station. The proposed new zone shall allow by special permit a single commercial office building not to exceed 225,000 square feet with a maximum height of 9 stories, two residential buildings not to exceed 290 housing units in total, retail space not to exceed 20,000 square feet, along with a multi-use community center. [11/17/11 @3:36 PM]

HELD 7-0

REFERRED TO ZONING & PLANNING COMMITTEE

Wednesday, February 15, 2012

Present: Ald. Johnson (Chairman), Baker, Yates, Sangiolo, Swiston, Danberg, Lennon, Kalis;
also present: Ald. Gentile, Harney, Crossley, Hess-Mahan

#400-11 ALD. GENTILE, HARNEY, SANGIOLO requesting establishment of a Business 5/Riverside Zone: a mixed-use transit-oriented district at the site of the current Riverside MBTA rail station. The proposed new zone shall allow by special permit a single commercial office building not to exceed 225,000 square feet with a maximum height of 9 stories, two residential buildings not to exceed 290 housing units in total, retail space not to exceed 20,000 square feet, along with a multi-use community center. [11/17/11 @3:36 PM]

HELD 8-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday February 8, 2012

Present: Ald. Linsky (Acting Chair), Merrill, Blazar, Fischman, Hess-Mahan, Rice, Baker;
absent: Ald. Sangiolo;
Public Facilities members present: Ald. Salvucci (Chairman), Crossley, Lappin, Danberg,
Lennon, Laredo, Albright; absent: Ald. Gentile

REFERRED TO PROG & SERV, PUB FACIL AND FINANCE COMMITTEES

#40-12 HIS HONOR THE MAYOR requesting the vote of the Board of Aldermen to complement by RESOLUTION the vote of the School Committee to transfer the sum of seven hundred fifty thousand dollars (\$750,000) from health insurance savings to the Angier School Building Fund to fund the costs of a feasibility study of the Angier Elementary School. [01/30/12 @ 4:30 PM]

FINANCE APPROVED 5-0 on 02/13/12

PUB FACIL APPROVED SUBJECT TO SECOND CALL 7-0 on 02/08/12

APPROVED SUBJECT TO SECOND CALL 6-0 (Ald. Baker not voting)

Appointment by His Honor the Mayor:

#28-12 HOLLY RYAN-CAFFRAY, 21 Avery Path, Newton Centre, appointed as a member of the Human Rights Commission for a term of office to expire 01/01/15

APPROVED 7-0

Appointment by His Honor the Mayor:

#32-12 DIANE CHILINGERIAN appointed as a member of the Human Rights Commission for a term of office to expire 01/01/15.

HELD 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#37-12 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of ninety thousand eight hundred sixty-two dollars (\$90,862) from Free Cash and a transfer of sixteen thousand seven hundred fifty thousand dollars (\$16,750) from the Budget Reserve for the purpose of funding costs associated with emergency tree services. [01/30/12 @ 4:19 PM]

FINANCE APPROVED AS AMENDED 4-0-1 (Fuller abstaining) on 2/13/12 APPROVED AS AMENDED 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#38-12 HIS HONOR THE MAYOR requesting authorization to establish three revolving accounts with annual expenditure limits of \$350,000 each for the purpose of receiving funds for 1) Regular Tuition, 2) Special Education Tuition, and 3) English Language Learners Tuition. [01/30/12 @ 4:18 PM]

FINANCE APPROVED 5-0 on 2/13/12 APPROVED 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#39-12 HIS HONOR THE MAYOR requesting authorization to establish a revolving account with an annual expenditure limit of \$2,000,000 for the purpose of receiving funds collected by the Newton Schools Foundation in connection with the sale of naming rights for Newton Public School buildings and facilities and to be distributed for the sole purpose of public school education technology and curriculum purposes. [01/30/12 @ 4:18 PM]

HELD 7-0

#26-12 PRESIDENT LENNON recommending the re-appointment of David Lloyd, 107 Hobart Road, Newton Centre, as an Aldermanic appointee to the Community Education Committee for a term to expire 12/31/13.

APPROVED 7-0

#27-12 PRESIDENT LENNON recommending the re-appointment of Robert Gerst, 52 Claremont Street, Newton, as an Aldermanic appointee to the Community Education Committee for a term to expire 12/31/13.

APPROVED 7-0

Re-appointment by His Honor the Mayor:

#29-12 BRENDA KRASNOW, 71 Stuart Road, Newton Centre, re-appointed as a member of the Human Rights Commission for a term to expire 01/01/15.

APPROVED 7-0

Re-appointment by His Honor the Mayor:

#31-12 PETER BROWN, 79 Washington Street, Newton, re-appointed as a member of the Human Rights Commission for a term to expire 01/01/15.

APPROVED 7-0

Re-appointment by His Honor the Mayor:

#33-12 SHEILA MONDSHEIN, 31 Green Park, Newton, re-appointed as a member of the Human Rights Commission for a term to expire 01/01/15.

APPROVED 7-0

Re-appointment by His Honor the Mayor:

#34-12 JANE BROWN, 104 Atwood Ave, Newtonville, re-appointed as a member of the Human Rights Commission for a term to expire 01/01/15.

APPROVED 7-0

Re-appointment by His Honor the Mayor:

#35-12 SONA PETROSSIAN, 71 E. Quinobequin Rd, Newton Upper Falls, re-appointed as a member of the Human Rights Commission for a term to expire 01/01/15.

APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, February 8, 2012

Present: Ald. Ciccone (Chair), Johnson, Swiston, Harney, Yates, Schwartz, Fuller and Kalis

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#364-10(2) HIS HONOR THE MAYOR requesting an appropriation in the amount of seventy-four thousand five hundred three dollars (\$74,503) from the Capital Stabilization Fund – Designated for Ordinary Capital Funding to provide additional funds to secure the entrance in the Police Department lobby

FINANCE APPROVED 5-0 on 02/13/12

APPROVED 8-0

#278-11 ALD. YATES, requesting a report from His Honor the Mayor on the likely impacts on traffic in Newton from the changes to the Route 9/128 intersection as part of the Add-A-Lane Project. [09/26/11 @ 2:37 PM]

HELD 7-0 (Johnson not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, February 8, 2012

Present: Ald. Salvucci (Chairman), Lennon, Albright, Crossley, Danberg, Laredo and Lappin;
absent: Ald. Gentile;
Programs & Services members present: Ald. Linsky (Acting Chairman), Merrill, Hess-Mahan,
Rice, Blazar, Baker, Fischman: absent: Ald. Sangiolo

REFERRED TO PROG & SERV, PUB FACIL AND FINANCE COMMITTEES

#40-12 HIS HONOR THE MAYOR requesting the vote of the Board of Aldermen to complement by RESOLUTION the vote of the School Committee to transfer the sum of seven hundred fifty thousand dollars (\$750,000) from health insurance savings to the Angier School Building Fund to fund the costs of a feasibility study of the Angier Elementary School. [01/30/12 @ 4:30 PM]
FINANCE APPROVED 5-0 on 02/13/12
PROG & SERV APPROVED SUBJECT TO SECOND CALL 6-0 on 02/8/12
APPROVED SUBJECT TO SECOND CALL 7-0

#239-11 ALD. ALBRIGHT, CROSSLEY & LINSKY requesting a discussion with Public Buildings Department and School Committee regarding modular classrooms that includes the, the location, the age, the condition and the number of modular classrooms. [07-12-10 @ 3:19 PM]
NO ACTION NECESSARY 7-0

REFERRED TO FINANCE COMMITTEE

Monday, February 13, 2012

Present: Ald. Fuller (Acting Chairman), Linsky, Rice, Blazar and Lappin; absent: Ald. Ciccone, Salvucci and Gentile; also present: Ald. Lennon and Danberg

#267-11 COMPTROLLER transmitting the Budgetary Basis Annual Financial Report for fiscal year ending June 30, 2011 for Board of Aldermen review/acceptance. [09/09/11 @ 2:05 PM]
APPROVED 5-0

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#364-10(2) HIS HONOR THE MAYOR requesting an appropriation in the amount of seventy-four thousand five hundred three dollars (\$74,503) from the Capital Stabilization Fund – Designated for Ordinary Capital Funding to provide additional funds to secure the entrance in the Police Department lobby. [01/30/12 @ 4:18 PM]
PUBLIC SAFETY & TRANSPORTATION APPROVED 8-0 on 02/08/12
APPROVED 5-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #37-12 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of ninety thousand eight hundred sixty-two dollars (\$90,862) from Free Cash and a transfer of sixteen thousand seven hundred fifty thousand dollars (\$16,750) from the Budget Reserve for the purpose of funding costs associated with emergency tree services. [01/30/12 @ 4:19 PM]
PROG & SERV APPROVED AS AMENDED 7-0 on 02/08/12
APPROVED AS AMENDED 4-0-1 (Fuller abstaining)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #38-12 HIS HONOR THE MAYOR requesting authorization to establish three revolving accounts with annual expenditure limits of \$350,000 each for the purpose of receiving funds for 1) Regular Tuition, 2) Special Education Tuition, and 3) English Language Learners Tuition. [01/30/12 @ 4:18 PM]
PROG & SERV APPROVED 7-0 on 02/08/12
APPROVED 5-0

REFERRED TO PROG & SERV, PUB FACIL AND FINANCE COMMITTEES

- #40-12 HIS HONOR THE MAYOR requesting the vote of the Board of Aldermen to complement by RESOLUTION the vote of the School Committee to transfer the sum of seven hundred fifty thousand dollars (\$750,000) from health insurance savings to the Angier School Building Fund to fund the costs of a feasibility study of the Angier Elementary School. [01/30/12 @ 4:30 PM]
PROG & SERV APPROVED SUBJECT TO SECOND CALL 6-0 on 02/8/12
PUB FAC APPROVED SUBJECT TO SECOND CALL 7-0 on 02/08/12
APPROVED 5-0

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date