

CITY OF NEWTON

IN BOARD OF ALDERMEN

BOARD ACTIONS

Tuesday, April 17, 2012

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

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, April 10, 2012

Public Hearings were held on the following petitions:

- #57-12 DOMENANCY, LLC. request for a SPECIAL PERMIT/SITE PLAN APPROVAL to create a third unit containing one-bedroom in a portion of an existing two-family dwelling ~~and to locate two parking stalls in the side setback;~~ locate one stall closer than 5 feet to a dwelling, and to waive various requirements for a parking facility containing more than 5 stalls at 39-41 JACKSON STREET, Ward 6, Newton Centre on land known as SBL 65, 19, 67A, containing approx. 16,700 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(c)(1), 30-19(h)(1), (h)(2)(c), (i), (j)(1), (2), (3), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.
LAND USE APPROVED 7-0
- #57-12(2) REQUEST TO WITHDRAW WITHOUT PREJUDICE the request for relief for parking in the setback.
LAND USE COMMITTEE POLLED AND APPROVED WITHDRAWAL 6-0
- #62-12 CHARLOTTE N. DUHAMEL & GREGORY P. LICHOLAI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by adding a 3^{1/2} story addition to the rear of an existing single-family dwelling, increasing the Floor Area Ratio from a legally nonconforming .54 to .66, where .41 is allowed by-right, at 43 HILLSIDE ROAD, Ward 3, West Newton, on land known as SBL 52, 10, 4, containing approximately 8,365 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2007.
LAND USE APPROVED 7-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday April 9, 2012

- #400-11 ALD. GENTILE, HARNEY, SANGIOLO requesting amendment to Section 30-13 to establish a Mixed-Use 3/Transit Oriented District (MU3/TOD) including a list of permitted uses and a requirement for all development greater than 20,000 square feet of gross floor area to obtain a “mixed-use development” special permit. The mixed-use development special permit shall require the creation of a development parcel governed by an organization of owners and limit development to no more than 225,000 square feet of office in one building, no more than 290 dwelling units in up to two buildings, and 20,000 square feet of retail and other commercial uses with a requirement for residential, office, and retail uses. Amend Section 30-15 to create a new Subsection (v) and revised Table 3 providing dimensional standards for development in the MU3/TOD. Section 30-15(v) shall include required setbacks from public ways of one half building height with exceptions for setbacks along public highways and rail yards, a requirement for a minimum of 15% beneficial open space, a maximum height of 135 feet for buildings, and a maximum FAR of 2.4. Amend Section 30-24 to include, but not be limited to, standards for project phasing; require pre-construction and post-construction studies of road and traffic impacts, water, sewer, and storm water impacts, and net fiscal impacts; incorporate additional criteria for the granting of a special permit; and set additional special permit filing requirements. Amend Section 30-19 to create new parking standards for this mixed-use development, which incorporates a shared-parking study. Amend the definitions in Section 30-1 for key terms related to the above provisions. Amend Section 30-5 to allow those public uses described in Section 30-6 in all zoning districts.

ZONING & PLANNING PPROVED AS AMENDED 7-0-1 (Sangiolo abstaining)

- #400-11(2) PLANNING DEPARTMENT requesting in the event that #400-11 is adopted, to amend Section 30-15(v) and Table 3 to allow up to 250,000 square feet of additional gross floor area and a maximum FAR of 3.0 for providing direct access to and from Route 128.

ZONING & PLANNING NO ACTION NECESSARY 7-0-1 (Sangiolo abstaining)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday April 12, 2012

- #114-11(2) ALD. HESS-MAHAN & ALD. SALVUCCI requesting a discussion on the definition of “tot lot” in the ordinance and whether there are other play areas/structures which should be protected from the presence of dogs.

PROGRAMS & SERVICES NO ACTION NECESSARY 5-0 (Rice not voting)

#37-12(2) PROGRAMS AND SERVICES COMMITTEE requesting a discussion to consider the creation of a three-man tree crew to be under the control of the Parks and Recreation Department. [02/09/2012 @ 11:02AM]

PROGRAMS & SERVICES NO ACTION NECESSARY 5-0 (Rice not voting)

#84-12 HIS HONOR THE MAYOR requesting that the Board accept G.L. c. 138 §33B to allow the Board of License Commissioners to grant the sale of alcoholic beverages on Sundays starting at 10:00 a.m. [03/26/2012 @ 4:37PM].

PROGRAMS & SERVICES HELD 5-0 (Rice not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#85-12 ALD. LENNON & LAPPIN requesting a review and possible ordinance amendment to review and adjust the salary of the Clerk Clerk/Clerk of the Board of Aldermen pursuant to Article XI of the *Rules and Orders of the Board of Aldermen 2012-2013* [03/26/12 @ 10:25 PM]

PROGRAMS & SERVICES HELD 6-0

#68-12 ALD. YATES, MERRILL asking that the Executive Department develop a detailed plan for the storage of the veterans archives currently housed in the War Memorial that allows for proper access to the records by veterans, their families, and historians, both amateur and professional. [03-05-12 @ 9:40 PM]

PROGRAMS & SERVICES HELD 6-0

#68-12(2) ALD. YATES requesting that a detailed inventory of the more than 100 photographs, paintings, drawings and other images of the Civil War, World War I, World War II in the office section of the War Memorial Hall be prepared and a plan be developed for their public display in whole or in part before or during the city's observance of the 150th anniversary of the Civil War through 2015 and the centennial of World War I from 2014-2015. [03/23/12 @ 1:43PM]

PROGRAMS & SERVICES HELD 6-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, April 11, 2012

#70-12 HIS HONOR THE MAYOR, requesting to increase the full time complement of personnel in Police Dispatch by 1 FTE for the period beginning April 1, 2012 through December 31, 2012. Currently, a full time employee is out on extended medial leave on a "no pay" status. This request enables the department to cover the dispatch center with a technician as opposed to paying overtime to a sworn officer. [03/12/12 @ 4:09 PM]

PUBLIC SAFETY & TRANSPORTATION NO ACTION NECESSARY 5-0 (Fuller not voting)

#86-12 ALD. CICCONE, requesting possible changes to City Ordinance 19-30(a), Procedures for Traffic Council, to require all Traffic Council meetings be held in the evening. [03/16/12 @ 1:44 PM]

PUBLIC SAFETY & TRANSPORTATION HELD 6-0

#87-12 ALD. SALVUCCI, requesting the establishment of a permit parking program for the Melrose Avenue Municipal Parking Lot in Auburndale to assist abutting businesses with parking for their employees. [03/23/12 @ 12:52 PM]

PUBLIC SAFETY & TRANSPORTATION HELD 6-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, April 11, 2012

Public Hearing:

#71-12 BOSTON COLLEGE petitioning for a grant of location to remove Pole #s 404/1 through 404/15, a total of 15 utility poles, along the east side of COLLEGE ROAD and install the following:

- a) 1,150' ± duct bank within COLLEGE ROAD from the intersection of Hammond Street and College Road northerly thence turning easterly to an existing manhole on private property.
- b) 300' ± of duct bank in HAMMOND STREET from the intersection of College Road and Hammond Street northwesterly to Pole # 195/23
- c) Three telecommunication handholes in HAMMOND STREET at Poles 192/23, 192/24, and 192/25
- d) five 6'x6' manholes in COLLEGE ROAD at the following locations: the intersection of College Road and Hammond Street, 200' ± north of the intersection, 400' ± north of the intersection, 550' ± north of the intersection, and 750' ± north of the intersection.

PUBLIC FACILITIES APPROVED WITH CONDITION 8-0

Public Hearing:

#71-12(2) BOSTON COLLEGE petitioning for a grant of location to install 8 ornamental light poles and fixtures in the east side of COLLEGE ROAD at the following locations:

- 50' ± northeast of the College Road and Beacon Street intersection
- 250' ± northeast of the College Road and Beacon Street intersection
- At the intersection of College Road and Quincy Road
- 150' ± northeast of the College Road and Quincy Road, near 58 College Road
- 350' ± northeast of the College Road and Quincy Road intersection, between 72 and 78 College Road
- 550' ± northeast of the College Road and Quincy Road intersection, near 90 College Road
- 400' ± south of the College Road and Commonwealth Avenue intersection, near 102 College Road
- 200' ± south of the College Road and Commonwealth Avenue intersection, between 116 and 122 College Road [03-27-12 @ 9:37 AM]

PUBLIC FACILITIES APPROVED 8-0; ON 04/17/12 PUBLIC FACILITIES APPROVED AS AMENDED 7-0 WITH CONDITION

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #90-12 HIS HONOR THE MAYOR a discussion regarding a revised stormwater fee structure that would meet the purpose of the stormwater fee by providing a more equitable structure that takes into account the size of the property and its resultant impact on the City's drainage system. [04-02-12 @ 4:15 PM]
PUBLIC FACILITIES HELD 7-0 (Albright not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #374-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-five thousand dollars (\$25,000) from FY11 Free Cash for the purpose of repairing/replacing a broken jail cell door and track at Police Headquarters.
FINANCE TO MEET
PUBLIC FACILITIES NO ACTION NECESSARY 8-0

REFERRED TO FINANCE COMMITTEE

Monday, April 9, 2012

Public hearing

- #77-12 HIS HONOR THE MAYOR proposing pursuant to Sec. 6-2 an amendment to Chapter 9 of the City of Newton Revised Ordinances, 2007 by creating Article II to establish a Financial Information Systems Department. [03/12/12 @ 4:09 PM]
N. B. The Board shall not more than 30 days from 03/19/12 hold a public hearing on the proposed new city agency and shall report no later than the second regular meeting of the Board of Aldermen following the hearing either that it approves or that it disapproves of the plan; said reorganization shall become effective ninety days after the date it is received by the Board unless the Board has prior to that date voted to disapprove the plan or unless a later effective date is specified in the plan.
FINANCE APPROVED 8-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #297-11(4) PROGRAMS & SERVICES COMMITTEE approving a RESOLUTION to His Honor the Mayor that should the Board of Aldermen approve docket #297-11(3), assigning the Licensing Board of Commissioners to the Department of Health and Human Services, the administration retain former licensing administrative assistant Patricia Sweeney to provide additional training to the staff taking over her duties .
PROGRAMS & SERVICES APPROVED 8-0 on 03/31/12; ON 04/17/12 VOTED TO SUBSTITUTE FINANCE COMMITTEE REPORT
FINANCE APPROVED AS AMENDED 8-0

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

- #130-11 PAUL COLETTI, ALD. SANGIOLO, DANBERG, & JOHNSON requesting Home Rule Legislation to create a Capital Preservation Fund for the City of Newton modeled on the Community Preservation Fund to address the capital needs of the City. [04/11/11 @9:42 PM]
PUBLIC FACILITIES VOTED NO ACTION NECESSARY 6-0 on 10/19/11
PROGRAMS & SERVICES APPROVED & REFERRED TO FINANCE 5-0-3 (Fischman, Baker, Blazar abstaining) on 03/21/12
FINANCE HELD 6-1-1 (Salvucci opposed, Ciccone abstaining)
- #130-11(A) PROGRAMS & SERVICES COMMITTEE requesting the Finance Committee review alternate proposed Home Rule Legislation language related to the creation of a Capital Preservation Fund.
PROGRAMS & SERVICES APPROVED 7-0-1 (Blazar abstaining) on 03/21/12
FINANCE HELD 6-1-1 (Salvucci opposed, Ciccone abstaining)
- #76-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from the March 12, 2012 Declaration of Overlay Surplus as declared by the Chairman of the Board of Assessors to the Assessing Department Revaluation Account to support expert services required for such items as utility valuation and testimony for cases before the Appellate Tax Board. [03/12/12 4:09 PM]
FINANCE APPROVED 8-0
- #88-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of thirty six thousand dollars (\$36,000) from Free Cash for the purpose of replacing 48 expired, or soon to be expired, bullet resistant body armor vests currently worn by Newton Police Officers. [03-26-12 @ 4:37 PM]
FINANCE APPROVED 8-0