

REPORTS DOCKET

June 5: Land Use Continued
June 6: Programs&Services; Public Safety&Transportation; Public Facilities Page 135
June 11: Finance; Zoning&Planning Monday, June 4, 2012
June 12: Land Use 7:45 PM, Newton City Hall
To be reported on
MONDAY, JUNE 18, 2012

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item laid on the table on June 4, 2012:

#173-12 AD HOC COMMITTEE on RE-CODIFICATION transmitting for Aldermanic approval and acceptance the re-codified text of the City of Newton Revised Ordinances, 2012.

APPROVED 2-0

REFERRED TO LAND USE COMMITTEE

Tuesday, June 5, 2012

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

The following petition was approved 5-1 (Hess-Mahan) in Committee on May 22; however, subsequent to the meeting the petitioner proposed slight revisions to the proposed dwelling and the item was held in committee at the June 4 Board of Aldermen meeting:

#93-12 TIMOTHY ADLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new single-family dwelling with a Floor Area Ratio of .45 where .39 is allowed by right at 35 NORWOOD AVENUE, Ward 6, Newton Centre, on land known as SBL 62, 1, 28, containing approximately 9,573 sq. ft. of land in a district zoned Single Residence 2. Ref: 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2007.

APPROVED AS AMENDED 4-1 (Hess-Mahan) @.42 FAR

The public hearing on the following item was opened on May 15 and continued to June 5:

#92-12 GOLDEN DEVELOPMENT CORP./JEAN E. GREER REVOCABLE TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision and to increase the Floor Area Ratio requirement from the maximum of .24 to .36 to construct two single-family dwellings at 112-116 DEDHAM STREET, Ward 5, Newton Highlands, on land known as SBL 83, 5, 17, containing approximately 38,075 sq. ft. of land in a district zoned Single Residence 3. Ref: Sec. 30-24, 30-23, 30-15(r), of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; HELD 6-0

REFERRED TO LAND USE COMMITTEE

Tuesday, June 12, 2012

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

Public hearings were held on the following petitions:

#91-12 **PHILLIP E. KRET & PINAR KILICCI-KRET/WILLIAM S. ALBERT & MONICA MITRA** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON-CONFORMING USE and STRUCTURE to construct a rear addition, increasing the Floor Area Ratio from .72 to .76; maximum lot coverage from 32.5% to 33.4%; decreasing open space from 49% to 48%, on an existing two-unit condominium at 111 PLEASANT STREET, Ward 6, Newton Centre, on land known as SBL 64, 30, 16 and 16A, containing approximately 5,628 sq. ft. of land in a district zoned Single Residence 2. Ref: 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

#91-12(2) **PHILLIP E. KRET & PINAR KILICCI-KRET/WILLIAM S. ALBERT & MONICA MITRA** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON-CONFORMING USE and STRUCTURE to construct a rear addition at 111 PLEASANT STREET, Ward 6, Newton Centre, which requires in addition to the relief requested in petition #91-12, for which a public hearing was opened and continued on May 15, 2012 to June 12, 2012, relief from the side yard setback requirements. Ref: Sec 30-21(a)b, 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; APPROVED 5-0 (Merrill not voting)

#118-12 **ZORI & INBAL ROBINOVITZ** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new single-family dwelling with a Floor Area Ratio of .28 where .26 is allowed by-right at 150 COUNTRYSIDE ROAD, Ward 8, on land known as SBL 83, 36, 39, containing approximately 25,000 sq. ft. of land in a district zoned Single Residence 1. Ref: Sec 30-24, 30-23, 30-15(u) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#134-12 **DAVID PUNCH/B&E BEACON REALTY, LLC** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 11 parking stalls required for a proposed 48-seat restaurant at 753A-755 BEACON STREET, Ward 6, on land known as SBL 61, 27, 20, 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.

HEARING CLOSED; APPROVED 5-0 (Merrill not voting)

#136-12 TERRY O'REILLY'S PUB, LLC & MIDDLE EAST FOOD SERVICES, LLC/PICCLANG, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXPAND A NONCONFORMING USE to increase the number of seats in an existing restaurant to 99 seats and to waive the 19 parking stalls required at 47-61 LANGLEY ROAD, Ward 6, Newton Centre, on land known as SBL 61, 36, 6, containing approximately 10,037 sq. ft. of land in a district zoned BUSINESS 1. Ref: Special Permit #167-02 and Sec 30-24, 30-23, 30-19(c)(2), (d)(13), and 30-19(m) and 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; APPROVED 5-0 (Merrill not voting)

#135-12 DINO ROSSI/MARY VISCO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE along the frontage, but not closer to the lot line, and increase the Floor Area Ratio from .31 to .57, where .48 is allowed by-right, to enlarge a two family dwelling at 258 NEVADA STREET, Ward 1, on land known as SBL 14, 8, 16, containing approximately 11,122 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, June 11, 2012

Present: Ald. Johnson, Danberg, Baker, Yates, Sangiolo, Swiston, Kalis, Lennon; also present: Ald. Hess-Mahan, Fuller, Fischman, Linsky, Albright

#150-09(3) ALD. ALBRIGHT, JOHNSON, LINSKY proposing that a parcel of land located in Newtonville identified as Section 24, Block 9, Lot 15, containing approximately 74,536 square feet of land, known as the Austin Street Municipal Parking Lot, currently zoned Public Use, be rezoned to Business 4. [12/10/10 @9:21AM]

HELD 8-0

#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]

HELD 7-0 (Lennon not voting)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, June 6, 2012

Present: Ald. Sangiolo, Baker, Merrill, Blazar, Fischman, Linsky; absent: Ald. Hess-Mahan, Rice; Also present: Ald. Danberg, Lappin, Lennon

Appointment by his honor the Mayor:

#124-12 **MARJORIE BUTLER**, 33 Andrew Street, Newton Highlands, appointed as a member of the Election Commission for a term of office to expire March 31 2013. [04-30-2012 @ 6:43PM]
APPROVED 6-0

Public hearing was opened on May 23, 2012 and continued to June 6:

#123-12 **CAROLYN WONG** et al. filing with the City Clerk on April 24, 2012 a Neighborhood Area Council Petition, with 255 qualified signatures, pursuant to article 9-3 of the City Charter, requesting the Board of Aldermen to hold a public hearing to establish a Newton Centre Neighborhood Area Council. [04-24-12 @ 2:33PM]
WITHDRAWN BY PETITIONERS

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]
APPROVED 5-0-1 (Linsky abstaining; Merrill not voting;)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, June 6, 2012

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

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

#172-12 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of fifty-five thousand dollars (\$55,000) from Fire/Rescue Overtime for the purpose of funding the purchase of workforce scheduling, communications-based software for the Fire Department. [05/29/12 @ 5:20 PM]
FINANCE APPROVED 8-0 on 06/11/12
APPROVED 6-0

#417-11 **ALD. JOHNSON** requesting a discussion with the Department of Transportation regarding sound barriers along the Turnpike. [12/07/11 @ 9:29 PM]
HELD 6-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, June 6, 2012

Present: Ald. Salvucci (Chairman), Lennon, Gentile, Crossley, Danberg, Laredo and Lappin;
absent: Ald. Albright

NOTE: The Committee approved the following item with an emergency preamble pursuant to Sec. 2-9 of the City of Newton Charter, which requires a separate two-thirds vote by the Board.
Public Hearing

#149-12 JANE MADDOX petitioning for a sewer main extension to be constructed in DUFFIELD ROAD from an existing sewer manhole located in Duffield Road 195'+ southerly to a proposed sewer manhole in Duffield Road. (Ward 4) [05-15-12 @ 4:22 PM]

PETITIONER TO PAY ENTIRE COST

APPROVED 7-0

Public Hearing

#126-12 HIS HONOR THE MAYOR requesting that a portion of CHRISTINA STREET be laid out, graded, and accepted as a PUBLIC WAY from Needham Street to the property line at 90 Christina Street, (a distance of 1,020') to be the width of 40'. (Ward 8) [04-30-12 @ 5:09 PM]

APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#144-05(3) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one hundred thirty-four thousand dollars (\$134,000) to the Department of Public Works for specifications and construction to restore the City-owned Civil War Monument located in Newton Cemetery, as described in the proposal submitted by the Department of Public Works Engineering Division and the Planning and Development Department. [04/30/12 @ 11:53 AM]

FINANCE APPROVED 7-0 (Linsky not voting) on 06/11/12

APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#160-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four million two hundred thirty-nine thousand eight hundred seventy-eight dollars (\$4,239,878) from bonded indebtedness for the purpose of funding Phase 1 (Project Area 1) of the proposed 11-year Underground Infrastructure Strategic Improvement Plan as prepared by the Utilities Division. [05/14/12 @ 4:05 PM]

FINANCE APPROVED 7-0 (Linsky not voting) on 06/11/12

APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#133-12 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of sixty-seven thousand one hundred thirty-six dollars (\$67,136) from the Water Enterprise Funds to the Mass Water Resource Authority Assessment as follows:

- \$40,000 from Work by Other Departments
- \$20,000 from Hydrants & Hydrant Parts
- \$7,136 from Current Year Reserve [04/30/12 @ 5:08 PM]

FINANCE APPROVED 7-0 (Linsky not voting) on 06/11/12
APPROVED 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Monday, June 11, 2012

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#115-12 **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of six million seven hundred fifty thousand dollars (\$6,750,000) from bonded indebtedness for the purpose of funding construction and administration of renovations and additions to F.A. Day Middle School. [04-09-12 @ 3:40 PM]

FINANCE APPROVED 8-0 on 06-11-12
APPROVED 7-0 (Danberg not voting)

REFERRED TO FINANCE COMMITTEE

Monday June 11, 2012

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

#171-12 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Fire Department Full Time Salaries to Computer Server Hardware for the purpose of purchasing hardware associated with the Fire Department scheduling software. [05/29/12 @ 5:20 PM]

APPROVED AS AMENDED 8-0

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

#172-12 **HIS HONOR THE MAYOR** requesting authorization to transfer the sum of fifty-five thousand dollars (\$55,000) from Fire/Rescue Overtime for the purpose of funding the purchase of workforce scheduling, communications-based software for the Fire Department. [05/29/12 @ 5:20 PM]

PUBLIC SAFETY APPROVED 6-0 on 06/06/12
APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #115-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of six million seven hundred fifty thousand dollars (\$6,750,000) from bonded indebtedness for the purpose of funding construction and administration of renovations and additions to F.A. Day Middle School. [04-09-12 @ 3:40 PM]
PUBLIC FACILITIES APPROVED 7-0 (Danberg not voting) on 06/11/12
APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #144-05(3) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one hundred thirty-four thousand dollars (\$134,000) to the Department of Public Works for specifications and construction to restore the City-owned Civil War Monument located in Newton Cemetery, as described in the proposal submitted by the Department of Public Works Engineering Division and the Planning and Development Department. [04/30/12 @ 11:53 AM]
PUBLIC FACILITIES APPROVED 7-0 on 06/06/12
APPROVED 7-0 (Linsky not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #160-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four million two hundred thirty-nine thousand eight hundred seventy-eight dollars (\$4,239,878) from bonded indebtedness for the purpose of funding Phase 1 (Project Area 1) of the proposed 11-year Underground Infrastructure Strategic Improvement Plan as prepared by the Utilities Division. [05/14/12 @ 4:05 PM]
PUBLIC FACILITIES APPROVED 7-0 on 06/06/12
APPROVED 7-0 (Linsky not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #133-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of sixty-seven thousand one hundred thirty-six dollars (\$67,136) from the Water Enterprise Funds to the Mass Water Resource Authority Assessment as follows:
- \$40,000 from Work by Other Departments
 - \$20,000 from Hydrants & Hydrant Parts
 - \$7,136 from Current Year Reserve [04/30/12 @ 5:08 PM]
- PUBLIC FACILITIES APPROVED 7-0 on 06/06/12**
APPROVED 7-0 (Linsky 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 APPROVED 7-0 on 06/06/12
HELD 7-0 (Linsky not voting)

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