

Public Hearings were opened and closed on the following items:

#350-10 PR REALTY TRUST, PEGGI ROBART, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF A NONCONFORMING STRUCTURE to expand an existing two-family dwelling into a three-family dwelling; to waive one parking space; and, to waive the required driveway access of 12 feet at 175 ALLERTON ROAD, Ward 6, on land known as SBL 52, 24, 6, containing ≈8,530 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. REF: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-19(d)(2), (g)(3) and (m) of the City of Newton Rev Zoning Ord.

HEARING CLOSED; ITEM APPROVED 6-0 (Harney not voting)

#268-02(2) DANIEL HAVERTY/KENMORE REALTY CORPORATION petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a restaurant having over 50 seats (increase from 48 to 76 seats) and to waive the additional number of parking spaces (3) required for a restaurant located at 1349 WASHINGTON STREET, Ward 3, on land known as SBL 33, 12, 1, in a district zoned Business 1. (Ref: Sec 30-24, 30-23, 30-11(d)(9), 30-19(c)(2), (3), and (d), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#351-10 JON B. HOLLINGSWORTH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to permit a 2-story detached garage of more than 700 sq. ft (982 sq. ft.) and allow 2 dormers to be located two feet from the vertical plane of the side wall of the garage at 373 LEXINGTON STREET, Ward 4, on land known as SBL 41, 17, 12, containing ≈10,030 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(m)(5)c), (t)(3), (m)(3) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, January 10, 2011

Present: Ald. Johnson (Chairman), Baker, Yates, Sangiolo, Swiston, Shapiro, Lennon, Lappin

Also present: Ald. Hess-Mahan, Crossley, Fuller, Danberg

Planning & Development Board members: David Banash, Scott Wolf, Howard Haywood, Joyce Moss

#18-11 HIS HONOR THE MAYOR requesting the confirmation of Candace Havens as the Director of Planning and Development, effective January 1, 2011 pursuant to Section 3-3 of the City Charter. [12/23/2010 @ 4:49PM]

APPROVED 8-0

A public hearing was held on the following item:

#142-09(6) INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT requesting to amend Chapter 30, §30-15(u) and TABLE 1 regarding Floor Area Ratio (FAR) to institute a new method of calculating maximum FAR for single and two family structures in residential districts based on a sliding scale tied to lot size and zoning district; to amend § 30-1 definitions of “gross floor area” and “floor area ratio” to include additional building features, accessory structures, and mass below first story; to amend § 30-1 to add definitions of “carport”, “porch,” “enclosed porch”, and “mass below first story”; to delete the reference to §30-15 Table 1 contained in §30-21(c) and replace it with a reference to §30-15(u); to determine a date, between six (6) and twelve (12) months from date of passage, that the above amendments will become effective; and to extend the expiration dates of §30-15(u) paragraphs 1, 2, and 3 so they remain in effect until such date that the above amendments become effective. [12/15/10 @ 4:37PM] (90 days to expire on 04/08/11)

HEARING CLOSED

#235-10 ALD. BAKER & YATES on behalf of the Newton Historical Commission requesting updates to §22-50, **Demolition of historically significant buildings or structures.**, to minimize inconveniences to homeowners proposing modest changes and to enhance protections for historic structures proposed for demolition, with specific amendments designed to (1) reduce the number of applications filed and allow smaller projects to occur without review; (2) establish a minimum period of delay for full demolition if the structure is found to be preferably preserved; and (3) extend the existing period of delay, as has occurred in other communities, for structures proposed for full demolition if the structure is found to be preferably preserved. [8/30/10 @ 3:19PM]

HELD 8-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, January 5, 2011

Present: Ald. Sangiolo (Chairman), Merrill, Hess-Mahan, Linsky, Blazar, Baker, Rice; absent: Ald. Fischman; also present: Ald. Gentile, Yates, Schnipper, Albright, Crossley, Danberg, Lappin

REFERRED TO PROG. AND SERVICES AND PUB. FACILITIES COMMITTEES

#372-10 SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the superintendent of schools to refresh the current statements of interest for 2011 to the Massachusetts School Building Authority by January 26, 2011 for the following schools: Angier, Bigelow, Burr, Cabot, Brown, Countryside, FA Day, Franklin, Horace Mann, Ward, Lincoln-Elliot, Mason-Rice, Pierce, Underwood, and Zervas. [12/09/10 @ 4:26PM]

**PUBLIC FACILITIES APPROVED 6-0 SUBJECT TO SECOND CALL
APPROVED 7-0 SUBJECT TO SECOND CALL**

- #372-10(2) SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the superintendent of schools to refresh the current statement of interest for 2011 to the Massachusetts School Building Authority by January 26, 2011 designating Angier Elementary School as the top priority school for the City of Newton.
PUBLIC FACILITIES APPROVED 6-0 SUBJECT TO SECOND CALL APPROVED 7-0 SUBJECT TO SECOND CALL

Re-appointment by His Honor the Mayor:

- #91-10(4) HIS HONOR THE MAYOR requesting an extension of Linda Walsh as the Interim Commissioner of Health and Human Services effective January 1, 2011 pursuant to Section 3-6 of the City Charter. [12/23/2010 @ 4:49PM]
APPROVED 7-0

- #370-10 EXECUTIVE SECRETARY OF ELECTION COMMISSION requesting Board of Aldermen approval for the Municipal Election Calendar for 2011 which includes preliminary and general election dates and times, nomination paper filing and petition filing deadlines, dates, and times. [12/13/10 @ 12:29pm]
APPROVED 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #362-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty thousand dollars from the FY11 Budget Reserve for the purpose of supplementing the unemployment account in the Human Resources Department. [11/29/10 @ 3:23 PM]
REFERRED TO FINANCE 7-0; SEE PAGE 12

- #371-10 HIS HONOR THE MAYOR requesting that the Board of Aldermen accept the Massachusetts General Laws, Chapter 40, section 8J, and establish by ordinance a Commission on Disabilities in the City of Newton. [12/13/2010 @ 5:13PM]
APPROVED 7-0

REFERRED TO PROG. AND SERVICES AND FINANCE COMMITTEES

- #373-10 ALD. GENTILE, HARNEY, SANGIOLO requesting amendment to §20-13, *Noise Control*, of the City of Newton Revised Ordinances to prohibit outdoor athletic events from starting before 7 AM and increase the maximum fine to \$300. [12-10-10 @ 12:53 PM]
HELD 6-0 (Sangiolo not voting)

- #329-05(3) ALD. YATES requesting a discussion relative to amending the noise control ordinance to (A) prohibit the cumulative noise level from multiple pieces of equipment operating simultaneously on the same site to exceed the maximum noise levels allowed when measured at the nearest lot line and (B) to eliminate various exemptions in residential districts.
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, January 5, 2011

Present: Ald. Ciccone (Chairman), Johnson, Swiston, Yates, Shapiro, Fuller and Freedman;
absent: Ald. Harney; also Present: Ald. Albright and Sangiolo,

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #364-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred eighteen thousand five hundred dollars (\$118,500) from the Reserve for Debt Funded Projects for the purpose of creating a secure entrance in the Police Department lobby. [11/29/10 @ 3:23 PM]
FINANCE APPROVED 7-0 on 1/10/11
APPROVED 5-0-1 (Freedman abstaining, Yates not voting)
- #371-10 ALD. CICCONE on behalf of Annette Kaplan, 2 Washington Street, Newton Corner, requesting amendment to Section 19-309, *Requirements as to vehicles generally*, of the City of Newton Revised Ordinances to require taxi companies to display the company name, telephone number, and medallion number in all vehicles, visible from the back seat. [12/13/10 @ 4:10 PM]
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #363-10 ALD. ALBRIGHT & DANBERG, proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [11/15/10 @ 6:30 PM]
HELD 5-0 (Yates and Swiston not voting)
- #22-11 JIM DANILA, TRAFFIC COUNCIL CHAIR providing the 2010 Annual Report on the work of the Traffic Council during 2010. [12/16/10 @ 9:57 PM]
APPROVED 7-0
- #135-10 The WARD 4 ALDERMEN appealing denial of Traffic Council Decision TC42-09 voted on April 29, 2010: ALD, HARNEY, SANGIOLO AND GENTILE requesting **a)** a study for possible traffic calming measures to regulate speed on the following streets: West Pine Street and Melrose Avenue near the Auburndale Cove playground and parking lot and **b)** request turning restrictions from Lexington Street onto Staniford Street during rush hour or any other means to reduce cut-through commuter traffic on the surrounding streets – Staniford, West Pine and Melrose Streets. (Ward 4) (Appeal filed on 04/30/10 @ 11:46 AM)
HELD 6-0, Approved a 60-day trial on 06/09/10, No Right Turn, 7:00 a.m. to 9:00 a.m., Monday through Friday, Lexington Street onto Staniford Street.
A) NO ACTION NECESSARY 6-0, Ald. Yates not voting
B) TRIAL APPROVED 3-2-1 (Fuller and Freedman opposed, Shapiro abstaining, Yates not voting)

- #11-10 ALD. ALBRIGHT requesting a discussion relative to providing parking during a snow emergency for residents who live in housing without on-site parking. [12/21/09 @ 1:15 PM]
HELD 5-0 (Swiston and Yates not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, January 5, 2010

Present: Ald. Schnipper (Chairman), Albright, Gentile, Crossley, Danberg, and Lappin; absent: Ald. Lennon and Salvucci; also present: Ald. Baker, Blazar, Hess-Mahan, Linsky, Merrill, Rice, Sangiolo, and Yates

REFERRED TO PROG. AND SERVICES AND PUB. FACILITIES COMMITTEES

- #372-10 SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the superintendent of schools to refresh the current statements of interest for 2011 to the Massachusetts School Building Authority by January 26, 2011 for the following schools: Angier, Bigelow, Burr, Cabot, Brown, Countryside, FA Day, Franklin, Horace Mann, Ward, Lincoln-Elliott, Mason-Rice, Pierce, Underwood, and Zervas. [12/09/10 @ 4:26 PM]
PROG & SERV APPROVED 7-0 SUBJECT TO SECOND CALL on 1/5/11 APPROVED 6-0 SUBJECT TO SECOND CALL

- #372-10(2) SUPERINTENDENT FLEISCHMAN requesting the vote of the Board of Aldermen to complement the vote of the School Committee to authorize the superintendent of schools to refresh the current statement of interest for 2011 to the Massachusetts School Building Authority by January 26, 2011 designating Angier Elementary School as the top priority school for the City of Newton.
PROG & SERV APPROVED 7-0 SUBJECT TO SECOND CALL on 1/5/11 APPROVED 6-0 SUBJECT TO SECOND CALL

- #214-10(3) COMMISSIONER OF PUBLIC WORKS, in accordance with Massachusetts General Law Ch. 40, Sec. 15, requesting abandonment of certain City water and drain utility easements located on the property at 200 – 230 Boylston Street (Chestnut Hill Square) as well as relocation of water and drain utilities, utility lines and acceptance of related water and drain utility easements. [12-10-10 @ 1:17 PM]
HELD 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #311-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows:
- (A) Architectural Design and Engineering/ Next Scheduled Fire Station \$400,000
 (A-2) \$270,000 for final design bidding and construction admin HELD on 12/08/10
- (C) City Hall Windows – Repair/Replacement \$125,000
- FINANCE APPROVED 7-0 on 1/10/11**
APPROVED 5-0 (Albright not voting)
- (D) Purchase of Heavy Vehicle Equipment – DPW \$300,000
- FINANCE APPROVED AS AMENDED 6-0-1 @ \$265,000 (Linsky abstaining) on 1/10/11**
APPROVED 5-0 (Albright & Gentile not voting)
- (E) Newton Public Schools – Roof Repairs \$810,000
 (F) Newton Public Schools – Masonry Repairs \$450,000
 (G) Newton Public Schools – Boiler Replacements \$350,000
 (H) Newton Public Schools – Roof Top & Exhaust Unit Replacements \$100,000
 (I) Newton Public Schools – Window and Door Replacements \$500,000
- FINANCE APPROVED 6-0 (Freedman not voting) on 1/10/11**
APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #366-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of five hundred thousand dollars (\$500,000) from the Parking Meter Receipts Reserve Fund for the purpose of supplementing the City’s annual Chapter 90 Highway Funding Allocation. [11/29/10 @ 3:23 PM]
FINANCE APPROVED 7-0 on 1/5/11
APPROVED 6-0
- #204-10 Commissioner of Public Works, on behalf of NSTAR, petitioning for a grant of location to relocate pole 128/6 to the opposite side of ELM ROAD, a distance of 50' +/- westerly from existing pole location. (Ward 2) [06/21/10 @ 5:13 PM]
NO ACTION NECESSARY 5-1 (Albright opposed)
- #385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11/21/07 @ 10:23 AM]
HELD 6-0

REFERRED TO FINANCE COMMITTEE

Monday, January 10, 2011

Present: Ald. Gentile (Chairman), Ciccone, Linsky, Rice, Danberg, Fuller, and Freedman;
absent: Ald. Salvucci

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #362-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty thousand dollars from the FY11 Budget Reserve for the purpose of supplementing the unemployment account in the Human Resources Department. [11/29/10 @ 3:23 PM]
PROGRAMS & SERVICES REFERRED TO FINANCE on 01/05/10
APPROVED 5-0-1 (Linsky abstaining; Freedman not voting)

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #364-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred eighteen thousand five hundred dollars (\$118,500) from the Reserve for Debt Funded Projects for the purpose of creating a secure entrance in the Police Department lobby. [11/29/10 @ 3:23 PM]
PS&T APPROVED 5-0-1 (Freedman abstaining on 01/05/10
APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #366-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of five hundred thousand dollars (\$500,000) from the Parking Meter Receipts Reserve Fund for the purpose of supplementing the City's annual Chapter 90 Highway Funding Allocation. [11/29/10 @ 3:23 PM]
PUBLIC FACILITIES APPROVED 6-0 on 01/05/10
APPROVED 7-0

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- #311-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows:
- (A) Architectural Design and Engineering/Next Scheduled Fire Station \$400,000
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 - (C) City Hall Windows – Repair/Replacement \$125,000
- PUBLIC FACILITIES APPROVED 5-0 (Albright not voting)**
APPROVED 7-0

(D) Purchase of Heavy Vehicle Equipment – DPW \$300,000

PUBLIC FACILITIES APPROVED 4-0 (Albright & Gentile not voting)

APPROVED AS AMENDED 6-0-1 @\$265,000 (Linsky abstaining)

(E) Newton Public Schools – Roof Repairs \$810,000

(F) Newton Public Schools – Masonry Repairs \$450,000

(G) Newton Public Schools – Boiler Replacements \$350,000

(H) Newton Public Schools – Roof Top & Exhaust Unit Replacements \$100,000

(I) Newton Public Schools – Window and Door Replacements \$500,000

PUBLIC FACILITIES APPROVED 6-0 on 01/05/10

APPROVED 8-0 (Freedman not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#363-09 ALD. SANGIOLO requesting a discussion to increase the tobacco seller license fee. [09/13/09 @ 1:07 PM]

PROGRAMS & SERVICES NO ACTION NECESSARY 7-0 on 11/17/10

NO ACTION NECESSARY 6-0 (Freedman 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 Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.