

REPORTS DOCKET

Jan. 19: Programs & Services; Public Safety & Trans.; Public Facilities Continued
Jan. 20: Land Use Page 17
Jan. 24: Finance; Zoning & Planning Monday, January 19, 2011
Jan. 25: Post Audit Newton City Hall
To be reported on
Monday, February 7, 2011

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE

Thursday, January 20, 2011

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

- #300-10 1479 WASHINGTON STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE and STRUCTURE to expand an existing funeral home use; construct a retaining wall greater than 4 feet in the side and rear setback, ~~to waive 38 parking stalls~~; and, to locate a parking stall in the front setback and closer than 5 feet to the street at 1479 WASHINGTON STREET, Ward 3, West Newton, on land known as SBL 33, 5, 4, containing ≈8,990 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-19(d)(6), (g)(1), and (m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.
WAIVER FOR 38 PARKING STALLS WITHDRAWN WITHOUT PREDJUDICE 4-0
ITEM APPROVED 4-0
- #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.
APPROVED 4-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday January 24, 2011

Present: Ald. Johnson (Chairman), Sangiolo, Lappin, Baker, Lennon, Shapiro, Yates, Swiston
Planning and Development Board: Joyce Moss, Howard Haywood, and David Banash

#26-11 HIS HONOR THE MAYOR submitting in accordance with Section 7-2 of the City Charter an amendment to the 2007 Newton Comprehensive Plan to include a Mixed-Use Centers Element [01-07-11 @ 4:20 PM]

REFERRED TO PLANNING AND DEVELOPMENT BOARD (to be reported back by April 1, 2011)

Appointment by His Honor the Mayor

#19-11 RONALD C. LIPOF, 10 Hammond Pond Parkway, #101, Chestnut Hill, appointed as a member of the Economic Development Commission for a term of office to expire December 31, 2013. [12/28/2010 @ 9:47PM]

APPROVED 6-0 (Lappin not voting)

Appointment by His Honor the Mayor

#20-11 JOYCE MOSS, 229 Franklin Street, Newton, appointed to the Economic Development Commission for a term to expire December 31, 2013. [12/28/2010 @ 9:47PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#21-11 DARRYL SETTLES, 52 Hood Street, Newton, appointed to the Economic Development Commission for a term of office to expire December 31, 2013. [12/28/2010 @ 9:47PM]

APPROVED 7-0

#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)

APPROVED AS AMENDED 6-1-1 (Lappin opposed; Sangiolo abstaining)

- #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
- (A) reduce the number of applications filed and allow smaller projects to occur without review;
 - (B) establish a minimum period of delay for full demolition if the structure is found to be preferably preserved; and
 - (C) 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]
- 235-10(A) APPROVED 7-0**
235-10(B), (C) HELD 7-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, January 19, 2011

Present: Ald. Sangiolo (Chairman), Rice, Linsky, Hess-Mahan, Blazar, Baker, Merrill
Absent: Ald. Fischman

- #95-09(2) PROGRAMS & SERVICE COMMITTEE requesting establishment of an Advisory Committee to review processes of the Board of Aldermen and report recommended efficiency improvements to the Board of Aldermen. Members of the Advisory Committee shall be appointed by the Chairman and Vice Chairman of the Programs & Services Committee and the President of the Board. [11/16/09 @3:59 PM]
HELD 7-0

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #307-10 PROGRAMS AND SERVICES COMMITTEE proposing a RESOLUTION to the Interim Director of Health and Human Services to increase the tobacco seller's license fee. [10/25/210 @ 4:34pm]
FINANCE TO MEET
NO ACTION NECESSARY 6-0 (Merrill not voting)

- #357-10(2) ALD. YATES proposing a change in the proposed rule to eliminate the Committee on Community Preservation: community preservation items relating to housing and recreation shall be referred to the Programs and Services Committee; items relating to historic preservation and open space shall be referred to the Zoning and Planning Committee; all items shall then be referred to the Finance Committee. [12/6/2010 @ 10:57PM]
REFERRED TO RULES SUBCOMMITTEE 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEES AND PROG AND SERV

- #8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, January 19, 2011

Present: Ald. Ciccone (Chairman), Swiston, Harney, Yates, Shapiro, and Fuller; absent: Ald. Johnson and Freedman; also present: Ald. Gentile, Lennon, Albright, Crossley, Danberg, Blazar, Hess-Mahan, Linsky, Merrill and Sangiolo

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

- #310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations. [10/25/10 @ 4:39 PM]
FINANCE HELD 8-0 ON 01/24/11
PUBLIC FACILITIES MOTION TO APPROVE AS AMENDED FAILED TO CARRY 3-3 (Gentile, Lappin, Lennon opposed)
MOTION TO APPROVE AS AMENDED FAILED TO CARRY 2-3-1 (Ciccone, Shapiro, Swiston opposed; Harney abstaining)

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

- #30-11 HIS HONOR THE MAYOR requesting that \$150,000 be transferred from Budget Reserve to Police Department Overtime. [01/10/11 @ 6:06 PM]
FINANCE APPROVED 6-0 (Ciccone, Freedman not voting) on 01/24/11
APPROVED 6-0
- #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]
NO ACTION NECESSARY 6-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, January 19, 2010

Present: Ald. Gentile (Acting Chairman), Lennon, Lappin Albright, Crossley and Danberg;
absent: Ald. Salvucci and Schnipper; also present: Ald. Blazar, Ciccone, Fuller, Harney, Hess-
Mahan, Linsky, Merrill, Sangiolo, Shapiro, Swiston, and Yates

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

#310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations. [10/25/10 @ 4:39 PM]

FINANCE HELD 8-0 ON 01/24/11

PS&T MOTION TO APPROVE AS AMENDED FAILED TO CARRY 2-3-1 (Ciccone, Shapiro, Swiston opposed; Harney abstaining)

MOTION TO APPROVE AS AMENDED FAILED TO CARRY 3-3 (Gentile, Lappin, Lennon opposed)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#31-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,065,000 from Free Cash to the Department of Public Works – Snow and Ice Removal Account. [01/10/11 @6:07 PM]

FINANCE APPROVED 8-0 on 01/24/11

APPROVED 6-0

#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 24, 2011

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

Re-appointment by His Honor the Mayor

#27-11 JAMES E. SHAUGHNESSY, 12 Northgate Road, Chelmsford, re-appointed to the City of Newton Board of Assessors for a term to expire February 1, 2014. (01-10-11 @6:05PM]

APPROVED 5-0 (Ciccone, Freedman, Linsky not voting)

#28-11 HIS HONOR THE MAYOR requesting that \$12,750 be transferred from FY2011 Budget Reserve to the Fire Department for the purpose of purchasing two sets of air bags, one set each for Ladder 3 and Tower 2. [01-10-11 @6:06 PM]
APPROVED 7-0 (Freedman not voting)

#29-11 HIS HONOR THE MAYOR requesting a transfer of funds to purchase a new copier with scanning, network, and fax capabilities for the Purchasing Department as follows:

From: FY2011 Printing Account
 #0110503-5313 – Temporary Staffing \$5,000
 To: Purchasing Account #0110501-58514 \$5,000

[01-10-11 @6:07PM]

APPROVED 7-0 (Freedman not voting)

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#30-11 HIS HONOR THE MAYOR requesting that \$150,000 be transferred from Budget Reserve to Police Department Overtime. [01/10/11 @6:06 PM]

PS&T APPROVED 6-0 on 01/19/11

APPROVED 6-0 (Cicccone, Freedman not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#31-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,065,000 from Free Cash to the Department of Public Works – Snow and Ice Removal Account. [01/10/11 @6:07 PM]

PUBLIC FACILITIES APPROVED 6-0 on 01/19/11

APPROVED 8-0

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

#310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations. [10/25/10 @ 4:39 PM]

PUBLIC FACILITIES MOTION TO APPROVE AS AMENDED FAILED TO CARRY 3-3 (Gentile, Lappin, Lennon opposed) on 01/19/11

PS&T MOTION TO APPROVE AS AMENDED FAILED TO CARRY 2-3-1 (Cicccone, Shapiro, Swiston opposed; Harney abstaining) on 01/19/11

HELD 8-0

REFERRED TO POST AUDIT & OVERSIGHT COMMITTEE

Tuesday, January 25, 2011

Present: Ald. Swiston (Chair), Lennon, Rice and Shapiro; absent: Ald. Johnson, Sangiolo, Schnipper and Freedman; also present: Ald. Yates

#323-10 ALD. YATES requesting a report from the Newton Housing Authority (NHA) on the posting of names and contact information of members of the Board of the NHA on bulletin boards in the community centers of NHA developments and on the website of the NHA. [11/01/10 @ 9:44 PM]

HELD 4-0

REFERRED TO POST AUDIT AND PUBLIC FACILITIES COMMITTEE

#107-10 ALD. YATES, LAPPIN, FREEDMAN, FISCHMAN AND HESS-MAHAN requesting an update on the Newton South High School athletic field drainage project. [03/15/10 @ 12:09 PM]

**PUBLIC FACILITIES NO ACTION NECESSARY 6-0 (Ald. Gentile not:
NO ACTION NECESSARY 4-0**

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 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.