

REPORTS DOCKET

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Monday, March 7, 2011
Newton City Hall
To be reported on
Monday, March 21, 2011

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item postponed on March 7 to date certain of March 21, 2011:

#38-11 SHERYL DePAOLO et al. requesting the Board of Aldermen to establish by resolution a Newton Upper Falls Area Council pursuant to Article 9, Section 9-3, of the City Charter. [01-14-11 @ 11:17am]
PROGRAMS & SERVICES APPROVED 6-0 (Baker not voting) SUBJECT TO 2nd CALL on 2/28/11

REFERRED TO LAND USE COMMITTEE

Tuesday, March 15, 2011

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

Public Hearings were held on the following items after which petition nos. 47-11 and 48-11 were taken up in working session:

#7-11 CHARLES RIVER COUNTRY CLUB, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND A NON CONFORMING USE to create a short game practice area for its members and guests in a currently unimproved portion of an existing golf course (no buildings or structures are involved) at 483 DEDHAM STREET, Ward 8, on land known as SBL 83, 36, 4, containing ≈6,446,022 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a) of the City of Newton Rev Ord, 2007, and special permit board order #261-96.

HEARING CLOSED

#46-11 122 SHORNECLIFFE ROAD LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct two retaining walls greater than four feet in order to construct a new by-right garage below grade outside the front setback, (to replace an existing legally nonconforming garage located within the front setback) at 122 SHORNECLIFFE ROAD, Ward 7, Newton, on land known as SBL 72, 34, 2, containing ≈10,702 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#47-11 CHARLES L. WEST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to bump out the kitchen into the side yard and extend a porch from the rear entrance to improve access for persons with disabilities, which would increase the Floor Area Ratio from .27 to .28; decrease the rear yard setback from 15.4' to 12.5' and increase the maximum lot coverage from 20.3% to 20.8% at 95 FOUNTAIN STREET, Ward 3. West Newton, on land known as SBL 32, 44, 5, containing ≈11,355 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED; APPROVED 8-0

#48-11 DOUGLAS GENTILE/TEEGEE LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to legalize an existing garage repair shop at 441 WATERTOWN STREET, Ward 1, Nonantum on land known as SBL 14, 8, 7, containing ≈10,543 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-11(g) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED; APPROVED 8-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, March 14, 2011

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

Also present: Ald. Crossley

Item Recommended by Full Board on 2/22/11

#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
(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]
(B) Approved 7-0-1 (Lennon abstaining) on 2/14/11
(C) Approved 6-2 (Lennon and Lappin opposed) on 2/14/11
HELD 7-0

Item Recommended by Full Board on 8/14/06

#294-03 ALD. BAKER, YATES, JOHNSON AND MANSFIELD requesting analysis and discussion of possible remedies for demolition of modest housing and replacement with oversized structures out of character with the surrounding neighborhood, including examining the experience of other communities, including those out of state, who have worked to address this problem.
NO ACTION NECESSARY 7-0

#365-06 ALD. YATES requesting the establishment of an education program for realtors concerning properties in historic districts.

HELD 7-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday March 9, 2011

Present: Ald. Sangiolo (Chairman), Fischman, Hess-Mahan, Linsky, Rice, Blazar, Merrill; absent: Ald. Baker; also present: Ald. Johnson, Freedman

Appointment by His Honor the Mayor

#66-11 JEFFREY HERRMANN, 111 Exeter Street, West Newton, appointed to the Board of Trustees of the Newton Free Library for a term of office to expire on June 30, 2014. [02-22-11 @6:06PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#67-11 DANA HANSON, 64 Kingswood Road, Auburndale, appointed to the Board of Trustees of the Newton Free Library to fill an unexpired term of office through June 30, 2011 and then re-appointed for a full term of office beginning July 1, 2011, which term will expire on June 30, 2016. [02-22-11 @6:06PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#68-11 JOHN LOJEK, Commissioner of Inspectional Services, appointed to the Commission on Disabilities as established by Ordinance Z-74, dated January 18, 2011, for a term of office to expire on June 30, 2012. [02-28-11 @12:23PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#69-11 JANE BROWN, 104 Atwood Avenue, Newtonville, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2012.

APPROVED 7-0

Appointment by His Honor the Mayor

#70-11 SUSAN ROBERTS, 250 Hammond Pond Parkway, 404 South, Chestnut Hill, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2012. [02-28-11 @12:33PM]

HELD 7-0

Appointment by His Honor the Mayor

#71-11 ROSEMARY LARKING, 1600 Washington Street, Unit 117, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013 [02-28-11 @12:33PM]

HELD 7-0

Appointment by His Honor the Mayor

#72-11 JINI FAIRLY, 80 Rowena Road, Newton Centre, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013. [02-28-11 @12:33PM]

HELD 7-0

Appointment by His Honor the Mayor

#73-11 BARBARA LISCHINSKY, 1942 Washington Street, Unit 124, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013. [02-28-11 @12:33PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#74-11 ROB CARUSO, 237C Watertown Street, Nonantum, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#75-11 LUCIE CHANSKY, 259 Jackson Street, Newton Centre, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

APPROVED 7-0

Appointment by His Honor the Mayor

#76-11 GERARD PLANTE, 58 Ash Street, Unit A, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

APPROVED 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#360-09(2) PROGRAM & SERVICES COMMITTEE requesting a discussion to explore possible sources of revenue to fund an off leash dog park system in the City. [11/06/09 @ 10:44 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

NO ACTION NECESSARY 7-0

#129-08 ALD. JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen stating that any new item submitted but not yet approved or accepted by the Full Board of Aldermen is prohibited from any formal or informal discussion by any formal, informal or special committee of the Board. [03-24-08 @ 9:11 AM]

APPROVED 5-0-1(Fischman abstaining, Hess-Mahan not voting)

REFERRED TO PUBLIC FACILITIES, PROG&SERV AND FINANCE COMMITTEES

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10-27-10 @ 11:07 AM]
HELD 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters: "Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?" [05/21/08 @ 12:58 PM]
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
APPROVED 4-3 (Fischman, Rice, Blazar opposed)

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]
APPROVED 7-0
(PUBLIC FACILITIES TO MEET)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, March 9, 2011

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Crossley, Danberg and Lappin; absent: Ald. Gentile; also present: Ald. Freedman, Fuller, Hess-Mahan, and Yates

#40-11 ALD. ALBRIGHT AND CROSSLEY requesting discussion regarding the possibility of changes to Newton's trash program to charge for the removal of white and bulky goods. [01/21/11 @ 1:42 PM]
HELD 7-0

#55-11 ALD. FULLER, CROSSLEY, ALBRIGHT, DANBERG, FREEDMAN, HESS-MAHAN recommending that Section 29-67A of the City of Newton Revised Ordinances 2007 regarding sewer clean-out fees be updated either to increase the fee from \$25 during normal hours (\$75 during overtime hours) to a fee more closely representing the full cost of service of cleaning a privately-owned building sewer lateral or, alternatively, eliminating the service. [02/14/11 @ 5:25 PM]
HELD 7-0

REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

- #271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources.
PROG & SERV VOTED NO ACTION NECESSARY 7-0 on 11/17/10
NO ACTION NECESSARY 7-0

Item Recommended by Full Board on 02/17/09

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #13-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred eighty-five thousand dollars (\$385,000) from bonded indebtedness to the Public Works Department for the purpose of replacing both the salt shed and the Quonset hut at Crafts Street. [12/30/08 @ 5:04 PM]
FINANCE VOTED NO ACTION NECESSARY 7-0 on 03/08/10
NO ACTION NECESSARY 7-0
- #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 7-0

REFERRED TO FINANCE COMMITTEE

Monday, March 14, 2011

Finance Members Present: Ald. Gentile (Chairman), Ciccone, Linsky, Salvucci, Rice, Danberg, and Freedman; also present: Ald. Shapiro

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #365-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred ninety-five thousand dollars (\$395,000) from the FY 2011 Overlay Surplus Reserve Account for the purpose of funding a Comprehensive Citywide Capital Assessment. [11/29/10 @ 3:23 PM]
PUBLIC FACILITIES APPROVED 5-0-1 (Gentile abstaining) on 12/08/10
APPROVED 7-0-1 (Linsky abstaining)

REFERRED TO CMTE ON COMMUNITY PRES & FINANCE COMMITTEES

- #32-11 COMMUNITY PRESERVATION COMMITTEE recommending that \$37,500 be appropriated from the fiscal 2011 historic resources reserve of the Community Preservation Fund to create or update under the direction and control of the Planning & Development Department the Massachusetts Historical Commission survey forms for the city's approximately 140 buildings constructed between 1830 and 1840. [01-11-11 @ 3:35 PM]
COMMITTEE ON COMMUNITY PRESERVATION APPROVED 6-0 on 03/01/11
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 APPROVAL AS AMENDED FAILED TO CARRY 3-3 (Gentile, Lappin, Lennon opposed) on 01/19/11
PS&T APPROVAL AS AMENDED FAILED TO CARRY 2-3-1 (Cicccone, Shapiro, Swiston opposed; Harney abstaining) on 01/19/11
APPROVED 5-3 (Cicccone, Gentile, Salvucci opposed)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #264-10 ALD. CROSSLEY, SCHNIPPER & FULLER requesting a discussion of the status of new water meter installations, and to consider payment mechanisms to help customers if they receive an extraordinary, one-time, water bill from an accurate accounting of past usage over an extended period of time. [09/16/10 @ 11:59 am]
PUBLIC FACILITIES VOTED NO ACTION NECESSARY 8-0 on 09/22/10
NO ACTION NECESSARY 8-0

REFERRED TO COMMITTEES ON COMMUNITY PRESERVATION & FINANCE

JOINT MEETING

Monday, March 14, 2011

Finance members present: Ald. Gentile (Chairman), Cicccone, Linsky, Salvucci, Rice, Danberg, and Freedman

Committee on Community Preservation members present: Ald. Albright (Chairman), Cicccone, Yates, Blazar, Fuller, and Lappin; absent: Ald. Hess-Mahan and Harney

Also present: Ald. Crossley, Merrill and Shapiro

REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION AND FINANCE

- #365-10(2) COMMITTEE ON COMMUNITY PRESERVATION recommending that the sum of \$98,780 be appropriated from the fiscal 2011 historic reserve of the Community Preservation Fund to the control of the Commissioner of Public Buildings, to assess and prioritize the preservation needs of the most historically significant City buildings, as detailed in the Committee's funding recommendation to the Board of Aldermen. This study will be a component of the Comprehensive Citywide Capital Assessment docketed as #365-10.
COMMITTEE ON COMMUNITY PRES. APPROVED 6-0
FINANCE APPROVED 8-0

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.