

CITY OF NEWTON

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, April 4, 2011

Present: Ald. Albright, Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Freedman, Fuller, Harney, Hess-Mahan, Johnson, Lappin, Linsky, Merrill, Rice, Salvucci, Sangiolo, Schnipper, Shapiro, Swiston, Yates, and Lennon

Absent: Ald. Gentile

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 0 NAYS, 1 ABSENT (Ald. Gentile) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEMS:

REFERRED TO LAND USE COMMITTEE

March 22, 2011

#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.

APPROVED 7-0

#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. *90 days: 4/5/11*

DORMERS APPROVED 5-0-2 (Albright and Blazar abstaining)

GARAGE OF MORE THAN 700 SQ.FT. DENIED 5-0-2 (Albright and Blazar abstaining)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, March 23, 2011

- #54-11 ALD. DANBERG & SALVUCCI requesting a report from Public Works and Police Departments regarding the Community Parking Permit Program and changes to City Ordinance 19-205 for the upcoming permit year, which begins June 1, 2011. [02/03/11 @ 9:16 AM]
RESCIND ORDINANCE Z-63, DATED 5/3/10, SUBJECT TO 2ND CALL
A MOTION TO SUSPEND THE RULES TO ALLOW THE COMMITTEE CHAIR TO POLL HIS COMMITTEE WAS APPROVED BY VOICE VOTE
PUBLIC SAFETY COMMITTEE APPROVED RESCINDING ORDINANCE Z-63 ON FIRST CALL 8-0

Clerk's Note: The Committee received the information they had requested from the Law Department regarding the effect of rescinding the ordinance on two special permits. The rescission would have no effect.

- #477-04 ALD. LENNON, GERST, MERRILL AND VANCE requesting traffic study/safety analysis of ST. JAMES STREET and CHARLESBANK ROAD, from the Mass Pike on-ramp at exit 17 to NONANTUM ROAD, Newton Corner. Analysis should include traffic improvements/safety enhancements to provide for increased pedestrian and vehicle safety in this very busy, densely populated area. Said study should also include review (and possible upgrade) of the traffic island and lights the intersection of ST. JAMES STREET/ST.JAMES TERRACE/CHARLESBANK ROAD as well as possible capital improvements for increased vehicular safety at the intersection of CHARLESBANK ROAD/NONANTUM ROAD.
NO ACTION NECESSARY 4-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, March 23, 2011

- #77-11 DAN MATLOFF, 21 Studio Road, Auburndale petitioning for construction of a common sewer in WOODLAND ROAD and STUDIO ROAD from an existing sewer main in Woodland Road northwesterly 59' ± thence turning westerly 20' ± to a proposed sewer manhole in Studio Road (Ward 4). [02-25-11 @11:22 PM]
APPROVED 6-0 (Crossley, Gentile not voting)

REFERRED TO FINANCE COMMITTEE

Monday, March 28, 2011

Appointment by His Honor the Mayor

#87-11 MATTHEW CHAO, 48 Hollis Street, Newton Corner, appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire May 1, 2012 (60 days 5/20/11). [03-14-11 @5:30 PM]
APPROVED 5-0 (Cicccone, Freedman not voting)

Re-appointment by His Honor the Mayor

#88-11 ROSEMARY LARKING, 1600 Washington Street, West Newton, re-appointed as a member of the NEWTON TAXATION AID COMMITTEE for a term of office to expire May 1, 2013 (60 days 5/20/11). [03-14-11 @5:40 PM]
APPROVED 5-0 (Cicccone, Freedman not voting)

#110-03(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Dedham Street and Meadowbrook Road. [03/10/11 @ 8:54 AM]

<u>S-B-L</u>	<u>OWNER/ADDRESS</u>	<u>BK./PG.</u>	<u>AMT</u>
81-1-11	Thomas F. & Louise L. Weiner 580 Dedham St	27204/150	\$3,367.25
81-1-12	Denning E. Dahl & Debra J. Small 572 Dedham St	30372/526	\$3,278.06
81-1-13	Alan C. & Gail E. Epstein 564 Dedham St	12961/707	\$3,184.42
81-1-14	Lawrence T. Perera Kurt F. Somerville, Trs. 146 Beverley Rd Trust 556 Dedham St	30689/509	\$3,384.57
83-36-4	Charles River Country Club Inc. 483-655 Dedham St	4445/44 LC	\$16,139.00
81-1-1A	Leon Sheinfield, Tr. MLS Trust 7 Meadowbrook Rd	12542/084	\$217.46
81-10-7	Richard S. & Lynn H. Raisman Raisman Realty Trust 8 Meadowbrook Rd	33289/239	\$99.98

APPROVED 7-0

#111-03(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in Hancock Street and Grove Street. [03/10/11 @ 8:54 AM]

S-B-L	OWNER/ADDRESS	BK./PG.	AMT
43-28-12	David S. Delorie & Joyce Boudreau 153 Hancock St	19181/125	\$2,905.00
43-28-13	John M. & Karen E. Reilly 191 Grove St	28841/102	\$80.00

APPROVED 7-0

#236-09(2) CITY ENGINEER requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extension in California Street. [03/10/11 @ 8:54 AM]

S-B-L	OWNER/ADDRESS	BK./PG.	AMT
11-05-16	John Fantasia 337 California St	11715/369	\$2,748
11-05-17	Edward & Karen Bianchi 345 California St	19975/07	\$1,422
11-05-18	John Purcell 349 California St	23278/304	\$1,290
11-05-19	Paul & Clarissa Ferolito 355 California St	16620/362	\$1,169

APPROVED 7-0

#78-11 HIS HONOR THE MAYOR requesting authorization to accept and appropriate a gift of \$50,000 for the creation and maintenance of off-leash dog areas. [02/28/11 @6:47 PM]

APPROVED SUBJECT TO 2nd CALL 6-0-1 (Gentile abstaining)

A MOTION TO SUSPEND THE RULES TO ALLOW THE COMMITTEE VICE CHAIR TO POLL HIS COMMITTEE WAS APPROVED BY VOICE VOTE

FINANCE COMMITTEE APPROVED ON FIRST CALL 7-0

Clerk's Note: The Committee received information from the Leveen Family Trust that the trust authorized the Off-Leash Working Group to make the determination and approval on the use of the donated funds.

REFERRED TO REAL PROPERTY REUSE COMMITTEE

Tuesday, March 29, 2011

A public hearing was held on the following item:

- #33-11 COMMISSIONER OF PUBLIC WORKS declaring surplus for sale or lease a city-owned right-of-way located at 145-147 Chapel Street, Nonantum.
WAIVER OF FORMATION OF JOINT ADVISORY GROUP APPROVED
5-0
ITEM HELD 5-0

REFERRED TO POST AUDIT & OVERSIGHT COMMITTEE

Tuesday, March 29, 2011

- #178-04(3) ALD. LAPPIN requesting a report from the Commissioner of Public Buildings regarding why no progress has been made on the implementation of the construction project database approved by the Board of Aldermen on April 20, 2004. [01/03/06 @ 1:34 PM]
RECOMMEND NO ACTION NECESSARY 3-0
- #375-09(2) COMMITTEE ON COMMUNITY PRESERVATION requesting explanations from the Inspectional Services and Fire Department regarding requests for changes in the Brigham House Rehabilitation Project from the Project Plan that they had previously approved that resulted in increased project costs. [11/30/09 @ 10:33 AM]
RECOMMEND NO ACTION NECESSARY 3-0

THE BOARD OF ALDERMEN APPROVED BY VOICE VOTE THE ACCEPTANCE AND REFERRAL OF THE FOLLOWING LATE FILED DOCKET ITEMS:

- REFERRED TO ZONING & PLANNING COMMITTEE**
#17-11(2) TERRENCE P. MORRIS et. al., proposing amendments to Section 30-1 of the Zoning Ordinance which would institute a length-weighted mean approach for calculating grade plane by revising the current definition of grade plane; and by inserting a new definition of average grade containing a method for a length-weighted mean grade plane calculation. [03-30-11 @ 4:12PM]
- REFERRED TO ZONING & PLANNING COMMITTEE**
#65-11(2) TERRENCE P. MORRIS & JOSEPH PORTER proposing amendments to the Zoning Ordinance to revise the definition of "height" in Section 30-1 so as to calculate building height as the distance from grade plane to the peak of the roof; to revise clause (b) in the definition of "height, contextual" in Section 30-1 (relating to Section 30-15(s) Planned Multi-Use Business Developments) so as to calculate vertical distance using the peak of the roof; to increase the height limits

in residential districts contained in Section 30-15, Density/Dimensional Controls, Tables 1 and 4; to increase the height limit contained in Section 30-15(m) for accessory structures; and to add a provision in Section 30-15(m) to allow accessory structure height limits to be waived by special permit. [03-30-11 @ 4:12PM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

- #98-11 HIS HONOR THE MAYOR requesting the creation of a full time police officer position to raise the complement of officers from 139 to 140 officers from May 1, 2011 to July of 2011 to address the deployment of a police officer to Afghanistan. [03-29-11 @ 5:40 PM]

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public hearing assigned for April 25, 2011

- #17-11(2) TERRENCE P. MORRIS et. al., proposing amendments to Section 30-1 of the Zoning Ordinance which would institute a length-weighted mean approach for calculating grade plane by revising the current definition of grade plane; and by inserting a new definition of average grade containing a method for a length-weighted mean grade plane calculation. [03-30-11 @ 4:12PM]

Public hearing assigned for April 25, 2011

- #65-11(2) TERRENCE P. MORRIS & JOSEPH PORTER proposing amendments to the Zoning Ordinance to revise the definition of "height" in Section 30-1 so as to calculate building height as the distance from grade plane to the peak of the roof; to revise clause (b) in the definition of "height, contextual" in Section 30-1 (relating to Section 30-15(s) Planned Multi-Use Business Developments) so as to calculate vertical distance using the peak of the roof; to increase the height limits in residential districts contained in Section 30-15, Density/Dimensional Controls, Tables 1 and 4; to increase the height limit contained in Section 30-15(m) for accessory structures; and to add a provision in Section 30-15(m) to allow accessory structure height limits to be waived by special permit. [03-30-11 @ 4:12PM]