

REPORTS DOCKET

June 21: Land Use Continued
June 22: Programs&Services; Public Safety&Transportation; PublicFacilities Page 138
June 27: Finance; Zoning&Planning June 20, 2011
June 28: Committee on Community Preservation Newton City Hall
To be reported on
Monday, July 11, 2011

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, June 21, 2011

Present: Ald. Ted Hess-Mahan (Chairman), Ald. Schnipper, Fischman, Crossley, Blazar, Albright, Harney, and Merrill; also present: Ald. Fuller and Yates
Planning Board members: Joyce Moss (Chairman), Leslie Burg, Stuart Snyder, Eunice Kim, David Banash, and Douglas Sweet

Public hearings were held on the following items and in the case of petition nos. 161-11 and 161-11(3), which are proposed zoning map changes, in conjunction with the Planning & Development Board:

#161-11 W/S DEVELOPMENT ASSOCIATES LLC petition for a CHANGE of ZONE from BUSINESS 1 to BUSINESS 4 for land shown as a cross-hatched area on a plan entitled "Plan of Zoning Change Chestnut Hill Shopping Center, Newton Mass.," by Feldman Land Surveyors, dated May 23, 2011 and known as Sec 63, Blk 37, Lots 18A, 22, 25, 26, and 27, containing ≈20 acres of land at 1-55 BOYLSTON STREET, Ward 7, Chestnut Hill.

HEARING CLOSED IN LAND USE; PLANNING BOARD CONTINUED TO JULY 11, 2011

#161-11(2) W/S DEVELOPMENT ASSOCIATES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXTEND a NONCONFORMING USE/STRUCTURE to replace an existing 1-story retail portion of a building at 33 BOYLSTON STREET, Ward 7, Chestnut Hill, with a 3-story building and related site improvements including sidewalks, landscaping and parking; allowance for restaurants greater than 50 seats; parking and coordinated improvements to the Frontage Road/Carriage Way contiguous to the site for sidewalk, crosswalk, parking, lighting, access, and landscaping improvements, on land known as Sec 63, Blk 37, Lots 18A, 22, 25, 26, and 27, containing ≈20 acres of land in proposed BUSINESS 4 district. Ref: 30-11I, 30-11(d)(9), 30-11(d)(12), 30-11(j), 30-11(k); 30-15 Table 3; 30-19I(2), 30-19I(3), 30-19(d)(18), 30-19(f), 30-19(h), 30-19(i), 30-19(j), 30-19(l), 30-19(m); 30-20(f), 30-20(l); 30-21(a)(2), 30-21(b); 30-23, 30-24, of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#161-11(3) CHESTHILL SHOPPING CENTER LLC petition for a CHANGE of ZONE from PUBLIC USE to BUSINESS 4 for land containing ≈1.72 acres of land, located in Ward 7 in Chestnut Hill, shown as Parcels A and B on a plan entitled “Zoning Change Chestnut Hill Shopping Center, Newton, Mass” by Feldman Land Surveyors, dated May 23, 2011.
HEARING CLOSED IN LAND USE; PLANNING BOARD CONTINUED TO JULY 11, 2011

#161-11(4) CHESTHILL SHOPPING CENTER LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for improvements to sidewalks and to Frontage Road/Carriage Way landscaping, parking layout, lighting and access for the Frontage Road/Carriage Way, a portion of Boylston Street along the frontage of the Chestnut Hill Shopping Center, on land shown as Parcels A and B on “Plan of Zoning Change Chestnut Hill Shopping Center, Newton, Mass.” By Feldman Land Surveyors dated May 23, 2011 in a proposed BUSINESS 4 district. Ref: Sec 30-19(m), 30-23, and 30-24 of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday June 27, 2011

Present: Ald. Lappin (Acting Chairman), Sangiolo, Shapiro, Yates, Lennon; absent: Ald. Johnson, Baker, Swiston; also present: Ald. Danberg, Merrill

#163-11 BARBARA HUGGINS of 122 Albemarle Road, Newtonville, appointed as an alternate member of the Conservation Commission for a term of office to expire on May 31, 2014 (60 days 08-05-11). [05/23/11 @ 3:47 PM]
APPROVED AS AMENDED (term to expire June 30, 2012) 5-0

#164-11 ROBERT UNSWORTH, 34 Bradford Road, Newton Highlands, appointed as an alternate member of the Conservation Commission for a term of office to expire May 31, 2014 (60 days 08-05-11) [05/23-11. @ 3:47PM]
NO ACTION NECESSARY 5-0

#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] (Planning Board report submitted April 5, 2011).
HELD 5-0

#150-08 ALD. GENTILE proposing that Chapter 30 be amended to clarify that for a commercial vehicle to be parked legally at a residential property, it must be registered to the owner/occupant of that residential property.
HELD 5-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, June 22, 2011

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

Appointment by His Honor the Mayor:

#167-11 JOHN MCDERMOTT, 7A Washburn Street, Newton Corner, appointed to the Election Commission for a term of office to expire March 31, 2015 (60 days 08-05-11 [05/23/11 @ 3:47PM]).

APPROVED 6-0

Re-appointment by His Honor the Mayor:

#168-11 RICHARD LIPOF, 105 Baldpate Hill Road, Newton Center, re-appointed to the Election Commission for a term of office to expire on March 31, 2015. [05/23/11 @ 3:49PM]

APPROVED 6-0

#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

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

#367-10 HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:

(B) Installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]

367-10(B) WAS SPLIT INTO B1 AND B2

367-10(B2) – \$4,001,625 for renovations to the core of F.A. Day Middle School and sprinkler systems

PUBLIC FACILITIES HELD 7-0 ON 6/22/2011

HELD 6-0

367-10(B1) - \$923,375 for installation of one modular classroom at Burr Elementary School, one modular classroom at Horace-Mann Elementary School, and two modular classrooms at Zervas Elementary School

PUBLIC FACILITIES APPROVED 7-0 ON 7/22/2011

FINANCE APPROVED 4-0 on 06-27-11

APPROVED 4-0-2 (Linsky and Sangiolo abstaining)

- #367-10(3) PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEE
 proposing a RESOLUTION to His Honor the Mayor requesting that the funding
 for the modular classrooms at Burr, Horace-Mann and Zervas Elementary Schools
 be increased by \$87,500 to include green features in all four modular classrooms.
 [06/22/11 @ 9:30 PM]
PUBLIC FACILITIES APPROVED 7-0 on 6/22/2011
APPROVED 5-0-1 (Linsky abstaining)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, June 22, 2011

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

- #201-11 DONALD LaPLANTE, 395 Lexington Street, Auburndale, requesting **(one)**
public auto license for Don's Car Service. [06/02/11 @ 3:37 PM]
APPROVED 5-0
- #19-10 DAVID KOSES, Traffic Council Chair, requesting discussion of a stationary
 radar sign program. [01/11/10 @ 3:55 PM]
NO ACTION NECESSARY 5-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, June 22, 2011

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

- #171-11 NATIONAL GRID petitioning for a grant of location to install and maintain 70' ±
 of 6" gas main in CYNTHIA ROAD from the existing 6" gas main at 49 Cynthia
 Road southerly to 51 Cynthia Road. (Ward 8) [05/24/11 @ 12:01]
APPROVED 7-0
- #367-10(2) DESIGN REVIEW COMMITTEE in accordance with §5-58 of the City of
 Newton Ordinances petitioning for site plan approval for the installation of two
 (2) modular classrooms with associated connectors at Zervas Elementary School,
 one (1) modular classroom with associated connectors at Burr Elementary School
 and one (1) modular classroom with associated connectors at Horace Mann
 Elementary School. [06/02/11 @ 5:16 PM]
APPROVED 7-0

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

- #367-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:
 (B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]
Note: Seventy-five thousand dollars (\$75,000) of the \$5 million was approved on December 20, 2010 for site plan design work for modular classrooms at Horace Mann, Zervas, and Burr Elementary Schools.
367-10(B) WAS SPLIT INTO B1 AND B2
367-10(B2) – \$4,001,625 for renovations to the core of F.A. Day Middle School and sprinkler systems
PROGRAMS & SERVICES HELD 6-0 on 06/22/11
HELD 7-0
367-10(B1) - \$923,375 for installation of one modular classroom at Burr Elementary School, one modular classroom at Horace-Mann Elementary School, and two modular classrooms at Zervas Elementary School
PROGRAMS & SERVICES APPROVED 4-0-2 (Linsky and Sangiolo abstaining) on 06/22/11
FINANCE APPROVED 4-0 on 06-27-11
APPROVED 7-0
- #367-10(3) **PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEE** proposing a RESOLUTION to His Honor the Mayor requesting that the funding for the modular classrooms at Burr, Horace-Mann and Zervas Elementary Schools be increased by \$87,500 to include green features in all four modular classrooms. [06/22/11 @ 9:30 PM]
PROGRAMS & SERVICES APPROVED 5-0-1 (Linsky abstaining) on 06/22/11
APPROVED 7-0
- #138-11 **ALD. CROSSLEY AND SCHNIPPER** requesting a report from the Department of Public Works regarding the energy use and maintenance costs for the City's streetlights and gaslights and costs/payback associated with recommended energy efficiency measures. [04-21-11 9:08 AM]
HELD 6-0 (Salvucci not voting)
- #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 (Salvucci not voting)

REFERRED TO FINANCE COMMITTEE

Monday, June 27, 2011

Present: Ald. Gentile (Chairman), Ciccone, Salvucci, and Danberg; absent: Ald. Linsky, Rice, Fuller, and Freedman; also present: Ald. Hess-Mahan and Yates

- #185-11 HIS HONOR THE MAYOR requesting that the Board of Aldermen accept and authorize the expenditure of \$15,000 from the Massachusetts Historical Commission as part of a 50% match of a reimbursable grant to fund the creation of an updated design guidelines booklet for historic buildings and districts.
APPROVED 3-1 (Salvucci opposed)

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]
ZONING & PLANNING APPROVED 7-0 on 06/13/11
HELD 4-0

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 condominium conversion. [03-29-11 @ 4:55PM]
ZONING & PLANNING APPROVED 7-0 on 06/13/11
HELD 4-0

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

- #367-10 HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:
(B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]
367-10(B) WAS SPLIT INTO B1 AND B2
367-10(B2) – \$4,001,625 for renovations to the core of F.A. Day Middle School and sprinkler systems
PROGRAMS & SERVICES HELD 6-0 on 06/22/11
PUBLIC FACILITIES HELD 6-0 on 06/22/11
HELD 4-0
367-10(B1) - \$923,375 for installation of one modular classroom at Burr Elementary School, one modular classroom at Horace-Mann Elementary School, and two modular classrooms at Zervas Elementary School
PROGRAMS & SERVICES APPROVED 4-0-2 (Linsky and Sangiolo abstaining) on 06/22/11
PUBLIC FACILITIES APPROVED 7-0 on 06/22/11
APPROVED 4-0

- #214-10(5) HIS HONOR THE MAYOR requesting the approval of the Economic Development Proposal for the Chestnut Hill Square Project and authorization of the final joint City of Newton and New England Development Corporation application for funding through the Infrastructure Investment Incentive Program (I-Cubed) of the Economic Development Proposal once the developer has received preliminary approval and settled all outstanding issues. [06/13/11 @ 6:05 PM]
HELD 4-0

REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION

Tuesday, June 28, 2011

Present: Ald. Albright (Chairman), Hess-Mahan, Lappin, Yates, Blazar; absent: Ald. Harney, Ciccone, Fuller; Also Present: Ald. Crossley, Fischman, Shapiro.

REFERRED TO COMMITTEES ON COMMUNITY PRESERVATION & FINANCE

- #192-11 COMMUNITY PRESERVATION COMMITTEE recommending that \$4,000 be appropriated from the open space reserves of the Community Preservation Fund to the control of the Planning and Development Department, for consulting services to speed completion of Newton's next 5-year *Open Space and Recreation Plan*, as detailed in the CPC's funding recommendation to the Board of Aldermen. [05-26-11 @ 11:39AM]
APPROVED 5-0
FINANCE TO MEET

REFERRED TO COMMITTEES ON COMMUNITY PRESERVATION & FINANCE

- #103-11 COMMUNITY PRESERVATION COMMITTEE recommending that \$1,103,500 be appropriated from the fiscal 2011 housing & general reserves of the Community Preservation Fund to the control of the Director of Planning & Development, for a grant to create 4 units of affordable ownership housing in a mixed-income development at 112-116 Dedham Street, as detailed in the Committee's funding recommendation to the Board of Aldermen.
MOTION TO APPROVE FAILS TO CARRY 2-2-1 (Lappin and Yates opposed; Blazar abstaining)
FINANCE TO MEET

- #193-11 COMMUNITY PRESERVATION COMMITTEE, in conjunction with the Aldermanic Committee on Community Preservation, requesting a discussion of the program goals in the published FY12 CPC budget.
HELD 5-0

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.