

## REPORTS DOCKET

Sept. 21: Programs&Services; Public Safety&Transportation; Public Facilities Continued  
Sept. 26: Finance; Zoning & Planning Page 179  
Sept. 27: Real Property Reuse; Post Audit ; Monday, September 19, 2011  
Community Preservation Newton City Hall  
To be reported on  
**Monday, October 3, 2011**

### CITY OF NEWTON

#### IN BOARD OF ALDERMEN

- I. Communications from His Honor the Mayor and other City Boards, Agencies, and Commissions.

#### REFERRED TO ZONING AND PLANNING COMMITTEE

Monday September 26, 2011

Present: Ald. Johnson (Chairman), Sangiolo, Lappin, Baker, Swiston, Yates; absent: Ald. Lennon, Shapiro; Also Present: Ald. Hess-Mahan, Crossley, Fischman, Danberg

Planning Board members: Joyce Moss (Chairman), Doug Sweet, Scott Wolf, David Banash, and Leslie Burg,

*Public hearings were opened and closed on the following items:*

#94-11(2) ALD. HESS-MAHAN proposing amendments to Chapter 30, Section 30-1, clarifying that an accessory apartment is an accessory and subordinate use to the principal dwelling on a lot; to Sections 30-8 and 30-9 clarifying that no accessory unit may be held in separate ownership from the principal dwelling and to require that any special permit for an accessory apartment automatically include a condition that the two dwellings may not be held in separate ownership; and to Section 30-22, requiring that a RAAP report Certificate of Occupancy include language clarifying that the accessory apartment must be held in common ownership with the principal dwelling unit and that the owner must dwell in one of the two units.

**APPROVED 6-0**

#26-11(2) PLANNING AND DEVELOPMENT BOARD submitting in accordance with Section 7-2 of the City Charter an amendment to the 2007 Newton Comprehensive Plan to create a new Mixed Use Centers Element to be numbered section 3.A in the Comprehensive Plan and to include a vision and guidance for the development or redevelopment of large mixed-use centers.

**HELD 6-0**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday, September 21, 2011

Present: Ald. Sangiolo (Chairman), Rice, Merrill, Blazar, Fischman, Linsky, Baker, Hess-Mahan; also present: Ald. Harney, Johnson, Yates, Shapiro, and Fuller

*A public hearing was held on the following item:*

- #220-11 DEBORAH FOGEL et al. filing with the City Clerk on July 26, 2011 a Group Petition with 52 qualified voter signatures, pursuant to Sec. 10-2 of the City Charter, requesting the Board of Aldermen hold a public hearing “to allow regulated but unsupervised swimming at Cronin’s Cove on Crystal Lake.”  
***NB: Board action shall be taken not later than three months from the date the petition was filed with the City Clerk [October 23, 2011].***  
**RESOLUTION APPROVED 8-0** (to request that the Parks and Recreation department revisit this issue)

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]  
**FINANCE VOTED NO ACTION NECESSARY ON 3/8/10**  
**HELD 8-0**
- #355-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Real Property & Reuse Committee. Issues regarding reuse of public buildings to be referred to the Public Facilities Committee and issues regarding reuse of City owned land would be referred to the Land Use Committee. Effective date of this change will be January 1, 2012. [11/26/2010 @ 11:59 AM]  
**REPORTED BACK TO PROG/SERV FROM RULES ON 6/8/2011**  
**HELD 8-0**
- #356-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Post-Audit Committee. All post audit/follow-up items will be discussed in the substantive committee that originally heard the item. Effective date of this change will be January 1, 2012.[11/26/2010 @ 11:59 AM]  
**REPORTED BACK TO PROG/SERV FROM RULES ON 6/8/2011**  
**HELD 8-0**

#357-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Committee on Community Preservation. All Community Preservation items will be referred to the Finance Committee. Effective date of this change will be January 1, 2012. [11/26/2010 @ 11:59 AM]  
**REPORTED BACK TO PROG/SERV FROM RULES ON 6/8/2011**  
**HELD 8-0**

#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]  
**REPORTED BACK TO PROG/SERV FROM RULES ON 6/8/2011**  
**HELD 8-0**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, September 21, 2011

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

#254-11 NANCY BRAUDIS, 57 Theodore Road, filing on August 15, 2011 an appeal from the decision of the Traffic Council on July 28, 2011 to deny TC30-10 as follows: *Requesting a pedestrian warning beacon with a crosswalk at Theodore Road and Parker Street. (Ward 8)*  
**APPEAL APPROVED 6-0**

#147-09 ALD. VANCE, HESS-MAHAN AND DANBERG requesting discussion with members of the Administration of such possible adoption by Newton's city government of a program such as Zipcar's Fast Fleet vehicle-sharing and management system as a means of reducing the costs of vehicle usage by city employees and the impact of such usage on the environment. [05/11/09 @ 9:58 AM]  
**NO ACTION NECESSARY 6-0**

#65-10 ALD. YATES, SHAPIRO, JOHNSON, SWISTON AND HARNEY asking the MBTA to provide safer access to bus route 52 for residents of Nahanton Woods, and employees and students of Mount Ida College. [2/17/10 @ 10:29 PM]  
**NO ACTION NECESSARY 6-0**

**REFERRED TO PUB. FACILITIES AND PUBLIC SAFETY & TRAN. COMMITTEES**

#255-11 ALD. BAKER, GENTILE, SCHNIPPER, CICCONE, FULLER, SHAPIRO requesting discussion of preparation for, response during, and follow up after, Tropical Storm Irene by the City of Newton, including co-ordination by the Mayor's office and the various City Departments involved. [08/29/11 @ 2:09 PM]  
**HELD 6-0**

**REFERRED TO PUB. FACILITIES AND PUBLIC SAFETY & TRAN. COMMITTEES**

#256-11 ALD. SHAPIRO, CICCONE, BAKER requesting a discussion how the City uses information systems as well as people to collect and process information from residents impacted by a storm or other emergency event, and ways to establish or improve the manner in which triage is performed and prioritized to increase public safety with the appropriate response. [08/29/11 @ 9:25 PM]  
**HELD 6-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, September 21, 2011

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Crossley, and Danberg; absent: Ald. Lappin

#257-11 NSTAR ELECTRIC petitioning for a grant of location to install 37' ± of conduit in PINE STREET at Pole 354/3 opposite Evergreen Circle in a southeasterly direction. (Ward 4) [08/22/11 @ 11:22 AM]  
**APPROVED 6-0 (Gentile not voting)**

#258-11 NATIONAL GRID petitioning for a grant of location to install and maintain 95' ± of 6" gas main in WITHINGTON ROAD from the existing 6" gas main at #122 Withington Road southerly to #137 Withington Road for new gas service. (Ward 2) 07/31/11 @ 12:50 PM]  
**APPROVED 7-0**

#259-11 NextG NETWORKS OF NY, INC. petitioning for a grant of location to install 295' ± of underground conduit in SUMNER STREET on the easterly side approximately 58' from Alden Street in a southerly direction to the intersection of Rice Street and attach aerial fiber and related equipment to existing utility poles at the following locations:

Aerial Locations

Centre Street - 2,140' of aerial fiber attachment to exiting poles  
 Alden Street - 485' of aerial fiber attachment to existing poles  
 Sumner Street - 2,460' of aerial fiber attachment to existing poles  
 Ward Street - 1,050' of aerial fiber attachment to existing poles

Westbourne Road – 790’ of aerial fiber attachment to existing poles  
 Everett Street 935’ of aerial fiber attachment to existing poles  
 Dalton Road – 435’ of aerial fiber attachment to existing poles  
 Grant Avenue – 530’ of aerial fiber attachment to existing poles  
 Beacon Street – 1,925’ of aerial fiber attachment to existing poles  
 Langley Road – 530’ of aerial fiber attachment to existing poles  
 Braeland Avenue - 1.095’ of aerial fiber attachment to existing poles  
 Cypress Street – 410’ of aerial fiber attachment to existing poles  
 [07/28/11 @ 3:36 PM]

**PUBLIC HEARING CONTINUED**

**REFERRED TO PUB. SAF. & TRANS. AND PUBLIC FACILITIES COMMITTEES**

#255-11 ALD. BAKER, GENTILE, SCHNIPPER, CICCONE, FULLER, SHAPIRO requesting discussion of preparation for, response during, and follow up after, Tropical Storm Irene by the City of Newton, including co-ordination by the Mayor’s office and the various City Departments involved. [08/29/11 @ 2:09 PM]

**HELD 7-0**

**REFERRED TO PUB. SAF. & TRANS. AND PUBLIC FACILITIES COMMITTEES**

#256-11 ALD. SHAPIRO, CICCONE, BAKER requesting a discussion how the City uses information systems as well as people to collect and process information from residents impacted by a storm or other emergency event, and ways to establish or improve the manner in which triage is performed and prioritized to increase public safety with the appropriate response. [08/29/11 @ 9:25 PM]

**HELD 7-0**

**REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES**

#38-10(3) HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred four thousand eight hundred twenty six dollars (\$104,826) from the Energy Improvement Capital Stabilization Fund to provide additional funding for costs associated with building envelope improvements at the Newton Lower Falls Community Center. [08/01/11 @ 2:23 PM]

**FINANCE APPROVED 8-0 on 09-26-11**

**APPROVED 6-0 (Gentile 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 (Gentile not voting)**

**REFERRED TO FINANCE COMMITTEE**

Monday, September 26, 2011

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

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #38-10(3) HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred four thousand eight hundred twenty six dollars (\$104,826) from the Energy Improvement Capital Stabilization Fund to provide additional funding for costs associated with building envelope improvements at the Newton Lower Falls Community Center. [08/01/11 @ 2:23 PM]  
**PUBLIC FACILITIES APPROVED 6-0 (Gentile not voting) on 09/21/11 APPROVED 8-0**
- #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 8-0**
- #259-10 COMPTROLLER transmitting Annual Financial Report for the audit of fiscal year ending June 30, 2010 for Board of Aldermen review/acceptance. [09/13/10 @ 12:26 PM]  
**NO ACTION NECESSARY 5-0 (Freedman, Linsky, Rice not voting)**

*Recommitted to Finance on July 12, 2010*

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #87-09 ALD. SANGIOLO, BRANDEL, FREEDMAN AND HESS-MAHAN requesting a Home Rule Petition to allow the City of Newton to require elected officials to contribute a higher percentage rate for health insurance benefits than is required for other employee groups. [03-10-09 @ 9:17 AM]  
**PROGRAM & SERVICES APPROVED 5-1-1 (Baker opposed; Merrill abstaining; Parker not voting) on 4/15/09 NO ACTION NECESSARY 8-0**

**REFERRED TO REAL PROPERTY REUSE COMMITTEE**

Tuesday, September 27, 2011

Present: Ald. Danberg (Chairman), Ald. Merrill, Linsky, Crossley, Fischman, and Baker; absent: Ald. Gentile and Salvucci; also present: Ald. Johnson, Shapiro, and Albright

*A public hearing was held on the following item:*

#150-09(6) **JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT** filing their separate reports pursuant to Ordinance Sec. 2-7(2)b) identifying alternatives for the future use of the Austin Street municipal parking lot at 28 Austin Street, on land known as SBL 24, 9, 15, containing approximately 74,536 sq. ft. of land, in Newtonville, which was declared surplus by the Commissioner of Public Works on December 1, 2010.

**HELD 6-0**

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION**

Tuesday September 27, 2011

Present: Ald. Albright (Chairman), Harney, Hess-Mahan, Yates, Blazar, Fuller, Lappin; Absent: Ald. Ciccone

#270-11 **COMMUNITY PRESERVATION COMMITTEE** requesting a brief discussion of Newton's overall policy goals and funding options for affordable housing with the Aldermanic Committee on Community Preservation and any other interested members of the Board. [08-31-11 @ 3:02PM]

**NO ACTION NECESSARY 7-0**

#39-05(2) **ALD. YATES** requesting a report from the Parks & Recreation Department and the Newton History Museum on the status of Phase IIA of the historic preservation of the historic burying grounds as previously approved by the Board of Aldermen for Community Preservation Act funding.

**HELD 7-0**

#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.

**NO ACTION NECESSARY 7-0**