

**DOCKET**

Nov. 9: Programs&Services; Public Safety/Transportation; Public Facilities     Continued  
Nov. 14: Finance; Zoning&Planning     Page 212  
Nov. 15: Land Use     Monday, November 7, 2011  
Nov. 16: Joint Public Safety&Transportation/Public Facilities     Newton City Hall  
To be reported on  
**Monday, November 21, 2011**

**CITY OF NEWTON**

**IN BOARD OF ALDERMEN**

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

**REFERRED TO LAND USE COMMITTEE**

**REQUEST TO WITHDRAW WITHOUT PREJUDICE**

#271-11     NEWTON COMMUNITY SERVICE CENTER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 19 parking spaces in order to convert its current use to office space in anticipation of the sale of its building at 429 CHERRY STREET, Ward 3, West Newton, on land known as SBL 33, 12, 12, containing approximately 13,398 sq. ft. of land in district zoned Business 1. Ref: Sec 30-24, 30-23, 30-19(d)(11), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

#277-10(2)     REQUEST FOR A ONE-YEAR EXTENSION OF TIME in which to EXERCISE Special Permit #277-10 granted on December 20, 2010 to JENNIE MARIE ONE LLC/JENNIE MARIE TWO LLC to demolish an existing single-family dwelling and construct a mixed-use development containing 5 two-bedroom dwelling units over 2, 997 sq. ft. of retail space with a 21-space rear-yard parking lot (accessed by Cottage Court) at 152 ADAMS STREET, Ward 1, Nonantum. Ref: Sec. 30-24(c)(4) of the City of Newton Rev. Zoning Ord, 2007.

*2012 Auto Renewals*

Class 1

#298-11     BAYSTATE CHRYSLER JEEP DODGE RAM  
777 Washington Street  
Newtonville 02460  
#299-11     CLAY NISSAN OF NEWTON, INC.  
431 Washington Street  
Newton Corner 02458

- #300-11 VILLAGE MOTORS GROUP, INC.  
d/b/a HONDA VILLAGE  
371 Washington Street  
Newton Corner 02458
- Class 2
- #301-11 AUBURNDALE SERVICE CENTER, LLC d/b/a AUBURNDALE MOBIL  
2105 Commonwealth Avenue  
Auburndale 02466
- #302-11 AUTO ANNEX, INC.  
249 Centre Street  
Newton Corner 02458
- #303-11 AUTO EUROPA, INC.  
38 Ramsdell Street  
Newton Highlands 02461
- #304-11 CICCONE MOTORS  
75 Adams Street  
Newtonville 02458
- #305-11 ENZO'S AUTO SALES  
10 Hawthorn Street  
Nonantum 02458
- #306-11 GLOBAL VENTURES GROUP  
d/b/a LUX AUTO PLUS  
1197-1201 Washington Street  
West Newton 02465
- #307-11 JACOB & ASSOCIATES  
1232 Washington Street  
West Newton 02465
- #308-11 L. A. AUTO BODY, INC.  
41 Los Angeles Street  
Nonantum 02458
- #309-11 LIFT THROTTLE AUTOMOTIVE  
26 Shepherd Park  
Waban 02468
- #310-11 MAP DEVELOPMENT & INVESTMENTS  
d/b/a ALBEMARLE MOTORS INC.  
175 North Street  
Newtonville 02460
- #311-11 NEW ENGLAND MOTOR MART, INC.  
1221-1229 Washington Street  
West Newton 02465
- #312-11 NEWTON AUTO GROUP, INC.  
1235 Washington Street  
West Newton 02465

- #313-11      NEWTON CENTRE SHELL, INC.  
1365 Centre Street  
Newton Centre 02459
- #314-11      NEWTON TRADE CENTER  
103 Adams Street  
Nonantum 02458
- #315-11      OLD TIME GARAGE LTD.  
1960 Washington Street  
Newton Lower Falls 02462
- #316-11      PARAGON GLOBAL PARTNERS, INC.  
259 Walnut Street  
Newtonville 02460
- #317-11      R.S. SERVICE, INC.  
361 Washington Street  
Newton Corner 02458
- #318-11      REGAN'S INC.  
2066 Commonwealth Avenue  
Auburndale 02466
- #319-11      ROBERT'S TOWING, INC.  
926r Boylston Street  
Newton Highlands 02461
- #320-11      THE TRAVIS CORPORATION  
d/b/a THE CAR STORE  
19 rolling lane  
Chestnut Hill 02467
- #321-11      VELOCITY MOTORS, INC.  
14 Hawthorn Street  
Nonantum 02458
- #322-11      WASHINGTON STREET SUNOCO  
875 Washington Street  
Newtonville 02460
- #323-11      CITY OF NEWTON  
1000 Commonwealth Avenue 02459
- Class 2 & 3
- #324-11      ECHO BRIDGE SALVAGE, INC.  
16-24 Maguire Court  
Newtonville 02460
- #325-11      SCHIAVONE BROTHERS, INC.  
16-24 Maguire Court  
Newtonville 02460
- #326-11      TODAY'S SERVICES, INC.  
1362 Washington Street  
West Newton 02465

New Class 2

#327-11 NEWTON COLLISION, INC. d/b/a GM AUTO BODY  
64 Crafts Street  
Newtonville 02460

**REFERRED TO ZONING AND PLANNING COMMITTEE**

*Public hearing to be assigned for November 28, 2011:*

#64-11(2) HIS HONOR THE MAYOR, in coordination with the Director of Planning and Development, requesting to amend Section 30-15(u) to exclude dwellings on rear lots created under the provisions of section 30-15(r); to amend section 30-15(r) and Section 30-15 Table 4 to allow the FAR limits of Section 30-15, Table 4, to be waived by special permit; and to amend the footnotes of section 30-15 Table 4 to be consistent with the changes above.

**OTHER COMMUNICATIONS**

#328-11 HIS HONOR THE MAYOR accepting from Cataldo Ambulance Service, Inc. as a gift of Tangible Property without restrictions pursuant to §2-10 of the City of Newton Ordinances a 2004 Ford Ambulance for use as a utility vehicle for the Newton Fire Department Communications Division.

*Zoning Board of Appeals Decisions, September 27, 2011:*

#329-11 ZBA #15-11 DAVID E. OLIPHANT & JOAN M. BRANDMAHL petition for a variance from the rear yard setback requirements for an accessory building in order to legalize a prefabricated shed at 16 Adella Avenue, West Newton,

**APPROVED**

#330-11 ZBA #16-11 CHERYLL & EDWARD GETMAN petition for a variance from the front yard setback requirement in order to construct a front porch at 82 Miller Road, West Newton.

**APPROVED**

#331-11 ZBA #17-11 JAN STEFAN KACZMAREK & ALANA LAURIE KACZMAREK petition for a variance from the front yard setback requirement along Glenwood Avenue and along Ridge Avenue in order to construct a new front porch at 12 Glenwood Avenue, Newton Centre.

**APPROVED**

#332-11 ZBA #18-11 ABBIE & FREDERICK MEYER petition for a variance from the front yard setback requirement in order to construct a rear deck at 24 Shuman Circle, Newton Centre.

**APPROVED**

- #333-11 ZBA #19-11 ERIC R. & MICHELLE I. LAMBI petition for a variance from the front yard setback requirements in order to construct an attached or detached garage at 1820 Washington Street, Auburndale.  
**APPROVED ATTACHED GARAGE**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

- #334-11 ALD. LENNON & LAPPIN requesting that Article 1 Section 3(6)(d) of the Rules of the Board of Aldermen be amended to raise the limit on budget transfers or appropriations that need only be referred to finance from \$20,000 to \$50,000 and to add language to allow referral of all requests for changes to a funding source for previously discussed items to be referred only to finance.

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

- #335-11 ALD. JOHNSON, ALBRIGHT & LINSKY, filing on October 19, 2011 an appeal from the decision of Traffic Council on October 13, 2011 to approve TC51-11 as follows:

*The following streets were approved to be designated TIGER Permit areas:  
Beaumont Avenue between Hull Street and Prospect Avenue, Blithedale Street, Bolton Road, Calvin Road, Clyde Street, Dexter Road, Fairfield Street, Gay Street, Highland Avenue between Lowell Avenue and Walnut Street, Kimball Terrace, Lowell Avenue between Craigie Terrace and Highland Street, Lowell Avenue between Calvin Road and Highland Avenue, Otis Street between Walden and Walnut, Pulsifer Street, public portion of Trowbridge Avenue, Walden Street.*

- #336-11 ALD. JOHNSON, ALBRIGHT & LINSKY, filing on October 19, 2011 an appeal from the decision of Traffic Council on October 13, 2001 to approve TC52-11(h) as follows:

*(h) no more than 70 permits will be issued to students that will allow them to override existing time limits and resident parking restrictions and park on public ways that are approved by TC51-11 between the hours of 7:00 a.m. and 4:00 p.m. on school days, provided the following: (1) students can only be assigned to one side of each street approved by TC51-11, and (2) the maximum number of permits issued to students per street cannot exceed the number of houses that have frontage along the TIGER Permit designated side of the street.*

- #337-11 IGOR PORTNOY, PO Box 42, 90 Oak Street, 4<sup>th</sup> floor, Newton, MA 02464 requesting renewal of **one (1) public auto license** for Beantown Carriage, LLC

- #338-11 DOROTHY W. DUNDAS, 15 Moreland Avenue, Newton Centre, MA 02459 requesting renewal of **one (1) public auto license** for CRYSTAL LAKE EXPRESS.

- #339-11 HAMDI TLILI, 155 Lexington Street, Newton, MA 02466, requesting renewal of **two (2) public auto licenses** for Newton Car Service.

- #340-11 WILLIAM R. TURNER, 25 Curve Street, West Newton, MA 02465, requesting renewal of **one (1) public auto license** for Bill's Nice Ride, Inc.
- #341-11 JERRY ROBBINS, 253 Riverview Avenue, Newton, MA 02466, requesting renewal of **four (4) public auto licenses** for WELDON EXECUTIVE COACH.
- #342-11 DAVID NEWCOMB, 275 Grove Street, Suite 2-400, Auburndale, MA 02466, requesting renewal of **one (1) public auto license** for NEWTON COACH, INC.
- #343-11 MICHAEL ANTONELLIS, 224 Calvary Street, Waltham, MA 02453, requesting renewal of **four (4) public auto licenses, forty-nine (49) taxi licenses, and twelve (12) designated taxi stands** for VETERANS TAXI of NEWTON, LLC.
- #344-11 GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **two (2) taxi licenses** for NEWTONVILLE CAB CO., INC.
- #345-11 GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **three (3) taxi licenses** for NEWTON TAXI CO.
- #346-11 GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **three (3) taxi licenses and two (2) designated taxi stands** for HOLDEN'S TAXI INC.
- #347-11 RICHARD E. JOHNSTON, 25 Border Street, West Newton, MA 02465 requesting renewal of **twenty (20) taxi licenses and two (2) designated taxi stands** for NEWTON YELLOW CAB, INC.
- #348-11 ANIS LAHIANI, 4 Cedar Street, Suite 405, Wellesley, MA 02481, requesting renewal of **one (1) taxi license** to operate in Newton as NEWTON TOWN TAXI.
- #349-11 AHCENE TOURI, 31 Irving Street, #A-8, Watertown, MA 02472, requesting renewal of **one (1) taxi license** for Newton Metro Cab.
- #350-11 MOHAMED SAIDI, 77 Cedar Street, Boston, MA 02119, requesting renewal of **one (1) taxi license** for Newton Luxury Cab.
- #351-11 MEDHI HAOULANI, 72 Beaver Street, Waltham, MA 02453, requesting renewal of **three (3) taxi licenses** for NEWTON CAB.

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

- #352-11 ALD. JOHNSON & SCHNIPPER requesting a discussion with the Utilities Department regarding the City of Newton's current water billing practices. [10/14/11 @ 2:31 PM]

*Appointment by His Honor the Mayor*

- #353-11 JONATHAN KANTAR, 672 Chestnut Street, Newton Upper Falls, appointed to the Design Review Committee for a term of office to expire December 31, 2013. (60 days 01/06/12) [10-31-11 @ 10:16 AM]

*Public hearing to be assigned for November 16, 2011:*

- #354-11 NATIONAL GRID petitioning for a grant of location to install 160' ± of 12" gas main in OAK STREET from the proposed regulator station at 81 Oak Street easterly to the existing 12" gas main at Needham Street.

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

#288-09(2) HIS HONOR THE MAYOR requesting that Board Order #288-09 be amended to reflect the subsequent decision to undertake additional classroom space at F. A. Day Middle School instead of modular class rooms as originally requested in a letter from the Executive Department dated September 15, 2009. [11-01-11 @ 2:11 PM]

**REFERRED TO FINANCE COMMITTEE**

#355-11 HIS HONOR THE MAYOR submitting the FY13 – FY17 Five-Year Financial Forecast for Board of Aldermen review/acceptance. [10-31-11 @ 3:12 PM]

#356-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fifteen thousand dollars (\$15,000) from FY11 Free Cash for the purchase of a vehicle for an Environmental Health Inspector in the Health and Human Service Department. [10-31-11 @ 2:49 PM]

#357-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six thousand three hundred ninety-nine dollars (\$6,399) from FY11 Free Cash for the purpose of purchasing a gear dryer for Fire Station #4 on Crafts Street. [10-31-11 @ 2:49 PM]

#358-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fifty thousand dollars (\$50,000) from FY11 Free Cash for the purpose of upgrading the City Hall uninterrupted power supply to protect the City's electronic data. [10-31-11 @ 2:49 PM]

#359-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty thousand dollars (\$30,000) from FY11 Free Cash for the purpose of upgrading network equipment in the City Hall computer room to gigabit speed. [10-31-11 @ 2:49 PM]

#360-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of thirty five thousand dollars (\$35,000) from the Worker's Compensation Lump Sum Account for the purpose of settling a worker's compensation claim. [10-31-11 @ 2:48 PM]

#361-11 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred seventy-five thousand dollars (\$175,000) from FY11 Free Cash to provide additional funding of the Other Post-Employment Benefits Liability Trust Fund. [10-31-11 @ 2:48 PM]

- #362-11 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from FY11 Free Cash to provide additional funding of the Rainy Day Stabilization Fund. [10/31/11 @2:48 PM]

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

- #363-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred thousand dollars (\$100,000) from bonded indebtedness for the purpose of funding the mechanical and electrical repairs to the Gath Pool. [10/31/11 @ 2:48 PM]

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

- #364-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred fifty thousand dollars (\$150,000) from bonded indebtedness for the purpose of funding improvements to the Bobby Braceland Playground in Newton Upper Falls. [10/31/11 @ 2:48 PM]

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee(s):*

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

- #365-11 HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty-two thousand dollars (\$32,000) from the Health and Human Services Consultant Account to the Health and Human Services Part-time Work Account. [11-01-11 @2:12 PM]

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #366-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-three thousand dollars (\$23,000) from FY11 Free Cash for the purpose of purchasing eleven Automatic Emergency Defibrillators for the Police Department. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #367-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of thirty-nine thousand one hundred sixty dollars (\$39,160) from FY11 Free Cash for the purpose of purchasing and installing "on-spot" chains for fire apparatus. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #368-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred twenty thousand dollars (\$120,000) from FY11 Free Cash for the purpose of purchasing and installing mobile data terminals for incident communications with GPS for all 9 front-line fire apparatus, the spare vehicle and two chiefs' vehicles. [10/31/11 @ 2:49 PM]



**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #369-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six hundred thousand dollars (\$600,000) from bonded indebtedness for the purpose of purchasing a new fire engine. [10/31/11 @ 2:48 PM]

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee(s):*

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #370-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seventy two thousand nine hundred eighty eight dollars (\$72,988) from FY11 Free Cash for the purpose of purchasing two Fire Department replacement vehicles: a Ford Expedition to be utilized by the Fire Alarm Division and a fire mechanical utility/maintenance truck. [11-03-11 12:08PM]

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee(s):*

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #371-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of thirty-three thousand two hundred fifty dollars from FY12 Budget Reserve to the Public Buildings Department for the purpose of funding the costs of the boiler replacement at the Senior Center and for repair of the emergency generator at the Main Library. [11-01-11 @2:12 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #372-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of sixty thousand dollars (\$60,000) from FY11 Free Cash for the purpose of installing snow guards on the roofs at the Main Library and the Crafts Street Highway Stable. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #373-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-three thousand two hundred forty-six dollars (\$23,246) from FY11 Free Cash for the purpose of providing an exhaust system in the Police Garage area to meet code requirements. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #374-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-five thousand dollars (\$25,000) from FY11 Free Cash for the purpose of repairing/replacing a broken jail cell door and track at Police Headquarters. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #375-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of forty thousand dollars (\$40,000) from FY11 Free Cash for the purpose of replacing the staircase at the Elliot Street Highway Operations Building. [10/31/11 @ 2:49 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #376-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred thousand dollars (\$300,000) from bonded indebtedness for the purpose of funding accessibility upgrades in various schools. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #377-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred thousand dollars (\$200,000) from bonded indebtedness for the purpose of funding electrical upgrades in various schools. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #378-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred fifteen thousand dollars (\$315,000) from bonded indebtedness for the purpose of funding the emergency generator upgrades at various schools. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #379-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of four hundred fifty thousand dollars (\$450,000) from bonded indebtedness for the purpose of funding mechanical upgrades at various schools. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #380-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of four hundred eighty-five thousand dollars (\$485,000) from bonded indebtedness for the purpose of funding masonry repairs at various schools. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #381-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred thousand dollars (\$300,000) from bonded indebtedness for the purpose of purchasing heavy vehicle Equipment for the Department of Public Works. [10/31/11 @ 2:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #382-11 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred thousand dollars (\$300,000) from bonded indebtedness for the purpose of funding improvements to City Hall. [10/31/11 @ 2:48 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #383-11 HIS HONOR THE MAYOR submitting the FY13-FY17 Capital Improvement Program, totaling pursuant to section 5-3 of the Newton City Charter and the FY12 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/31/11 @ 3:12 PM]

**REFERRED TO REAL PROPERTY REUSE COMMITTEE**

- #384-11 COMMISSIONER OF PARKS & RECREATION declaring surplus on October 19, 2011 the building and property at 70 Crescent Street and the DIRECTOR OF PLANNING & DEVELOPMENT declaring on October 31, 2011 that after soliciting all city departments the property be declared unnecessary for municipal purposes pursuant to Ordinance Section 2-7.

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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 Trisha Guditz, 617-796-1156, via email at [TGuditz@newtonma.gov](mailto:TGuditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.