

REPORTS DOCKET

Nov. 22: Land Use
Nov. 28: Finance; Zoning & Planning
Nov. 29: Real Property Reuse; Community Preservation

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Monday, November 21, 2011
Newton City Hall
To be reported on
Monday, December 5, 2011

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

Item Chartered by Alderman Sangiolo on November 21, 2011:

#297-11 HIS HONOR THE MAYOR submitting a reorganization plan pursuant to City Charter §6-2 to change the assignment of responsibility of the Licensing Board of Commissioners Administrative Director/Agent from the Veterans' Services Department to the Department of Health and Human Services. [10-11-11@4:40PM] *Public Hearing opened and Closed on November 9, 2011.*
PROGRAMS & SERVICES APPROVED 7-0 on NOVEMBER 9, 2011

REFERRED TO LAND USE COMMITTEE

November 22, 2011

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

A public hearing was held on the following item:

#148-11(3) CONSTANTINE TALEAS, TRUSTEE OF the BORDER TRUST 06 u/d/t dated May 1, 2006 and CONSTANTINE TALEAS, TRUSTEE of the ELM TRUST 06 u/d/t dated November 20, 1996 petition for a Special Permit/Site Plan Approval to waive ten (10) parking stalls in conjunction with special permit petition #148-11(2), which was the subject of a public hearing on October 11, 2011 *Ref: Sec 30-24, 30-19(d) and (m), of the City of Newton Rev Zoning Ord, 2007.*
HEARING CLOSED; APPROVED 6-0

#148-11(2) CONSTANTINE TALEAS, TRUSTEE OF the BORDER TRUST 06 u/d/t dated May 1, 2006, Et al. petition for a Special Permit/Site Plan Approval and to extend a Non-Conforming Structure to combine 3 legally nonconforming lots into one conforming lot and to extend the legally nonconforming structure at 115-119 ELM STREET by attaching a 3-story mixed- use building with commercial space on the first floor and 4 dwelling units on the second and third floors, which will increase both the Floor Area Ratio, height, and number of stories, and to waive certain dimensional parking, screening, ~~and lighting~~ requirements at 8 BORDER STREET and 111 and 115-119 ELM STREET, Ward 3, West Newton, on land known as Sec 33, Blk 15, Lots 29, 30, 31, containing a total of ≈11, 044 sq. ft. of land in a district zoned Business 1. Ref: Sec 30-24, 30-24(f), 30-23, 30-21(b), 30-19(d), (h)(3), ~~(i)(4)~~; (j), and (m), and 30-15 Table 3 of the City of Newton Rev Zoning Ord, 2007.

APPROVED 6-0; WITHDRAWAL WITHOUT PREJUDICE TO WAIVE LIGHTING REQUIREMENTS FOR OUTDOOR PARKING FACILITY APPROVED 6-0

#282-11 RICHARD D. SEWALL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four attached dwellings in two buildings; to waive the side setback requirement; and to allow a lot coverage of more than 25% at 87-89 WABAN STREET, Ward 1, on land known as SBL 12, 4, 27, containing approximately 20,082 sq. ft. of land in a district zoned MR 1

WITHDRAWAL WITHOUT PREJUDICE APPROVED 6-0

2012 Class 2 Auto Dealer License

#311-11 NEW ENGLAND MOTOR MART, INC.

1221-1229 Washington Street

West Newton 02465

APPROVED 6-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, November 28, 2011

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

Also present: Ald. Crossley, Hess-Mahan, and Ciccone

Planning Board: Joyce Moss, Doug Sweet, David Banash, Eunice Kim, Leslie Burg

Public hearing held on 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.

APPROVED 7-0-1 (Ald. Lennon abstaining)

- #164-09(2) ALD. HESS-MAHAN requesting that the Planning Department study the dimensional requirements for lot and building size for accessory apartments and make recommendations for possible amendments to those dimensional requirements to the board of Aldermen that are consistent with the Newton Comprehensive Plan. [01/07/10 @ 12:00 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #48-06 ALD. HESS-MAHAN, BURG, JOHNSON, DANBERG, PARKER & WEISBUCH proposing that the city provide financial incentives to rent accessory apartments to low- to moderate-income households at affordable rates that can serve housing affordability goals.
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
NO ACTION NECESSARY 8-0

- #61-10 ALD. CICCONE, SWISTON, LINSKY, CROSSLEY AND HESS-MAHAN requesting a discussion relative to various solutions for bringing existing accessory and other apartments that may not meet the legal provisions and requirements of Chapter 30 into compliance. [02/23/10 @ 2:48 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN

REFERRED TO FINANCE COMMITTEE

Monday, November 28, 2011

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

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]
PUBLIC FACILITIES APPROVED 6-0 (Gentile not voting) on 11/16/11
APPROVED 8-0

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]
PROG & SERV APPROVED 7-0 (Baker not voting) on 11/16/11
APPROVED 8-0

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]
PROG & SERV APPROVED 7-0 (Baker not voting) on 11/16/11
PUBLIC FACILITIES APPROVED 6-0 (Gentile not voting) on 11/16/11

- #406-11 HIS HONOR THE MAYOR requesting acceptance, appropriation, and expenditure of a reimbursable grant in the amount of fifty-three thousand ninety-five dollars and eleven cents (\$53,095.11) awarded by the Massachusetts Executive Office of Public Safety and Security to be used for specialized police services directed at traffic safety education, crime reduction and criminal investigations. [11/14/11 @ 4:56 PM]
APPROVED 8-0

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]
PROG & SERV APPROVED AS AMENDED 8-0 on 11/16/11
APPROVED AS AMENDED 7-0 (Linsky not voting)

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]
PUBLIC FACILITIES APPROVED 6-0 (Crossley not voting) on 11/16/11
APPROVED 7-0 (Linsky not voting)

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]
PUBLIC FACILITIES APPROVED 5-0-1 (Gentile abstaining; Crossley not voting) on 11/16/11
APPROVED 8-0

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]
PUBLIC FACILITIES REFERRED TO 2012-2013 BOARD on 11/16/11
REFERRED TO 2012-2013 BOARD OF ALDERMEN

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]
PUBLIC FACILITIES APPROVED 6-0 (Crossley not voting) on 11/16/11 APPROVED 8-0

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]
PUBLIC FACILITIES APPROVED 6-0-1 (Gentile abstaining) on 11/16/11 APPROVED 8-0

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]
PUBLIC FACILITIES APPROVED 7-0 on 11/16/11 APPROVED 7-0 (Ciccone not voting)

REFERRED TO REAL PROPERTY REUSE COMMITTEE

Tuesday, November 29, 2011

Present: Ald. Danberg (Chairman), Ald. Merrill, Crossley, Linsky, Gentile, and Baker; absent: Ald. Fischman and Salvucci; also present: Ald. Sangiolo, Harney, and Yates

- #287-11 DIRECTOR OF PLANNING & DEVELOPMENT submitting on October 3, 2011 a letter stating that the building and land at 1294 Centre Street, declared surplus by the COMMISSIONER OF HEALTH & HUMAN SERVICES on September 21, 2011, should be declared unnecessary for all municipal purposes pursuant to Section 2-7.

REFERRED TO 2012-2013 BOARD OF ALDERMEN

- #384-11 COMMISSIONER OF PARKS & RECREATION declaring surplus on October 19, 2011 the building and property at 70 Crescent Street with the exception of the piece designated as the Reverend Ford Playground and subsequently the DIRECTOR OF PLANNING & DEVELOPMENT on October 31, 2011 recommending to the Clerk of the Board that after soliciting all city departments the property be declared unnecessary for municipal purposes pursuant to Ordinance Section 2-7.

REFERRED TO 2012-2013 BOARD OF ALDERMEN

#160-09 DIRECTOR OF PLANNING & DEVELOPMENT requesting discussion of potential redevelopment of a block of land bounded by Willow, Centre and Lyman Streets, to include the existing 60,850 sq. ft. Fire Department headquarters and Station #3 site.

REFERRED TO 2012-2013 BOARD OF ALDERMEN

#212-08 ALD. YATES proposing that Section 2-7 be amended by requiring that branch libraries funded in whole or in part by neighborhood contributions be only made available to the original donor neighborhood association, its successor organization, or similar organization serving the same needs.

REFERRED TO 2012-2013 BOARD OF ALDERMEN

REFERRED TO THE COMMITTEE ON COMMUNITY PRESERVATION

Tuesday November 29, 2011

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

#144-05(2) ALD. YATES requesting a report on the status of the Historic Preservation of the Civil War Memorial in the Newton Cemetery for which a study has been completed. [05-02-11 @ 10:51 PM]

RESOLUTION APPROVED 8-0

#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.

NO ACTION NECESSARY 8-0

#408-11 COMMITTEE ON COMMUNITY PRESERVATION requesting a discussion with the members of the CIP team including Bob Rooney, Maureen Lemieux, and Stephanie Gilman to talk about project management regarding potential CPA-eligible projects listed in the CIP. Recognizing that project management has been difficult in prior CPA funded projects, the conversation will revolve around how things will be different with respect to project management in the future.

[11/14/11 @ 1:58PM]

NO ACTION NECESSARY 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 Trisha Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.