

REPORTS DOCKET

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Tuesday, January 19, 2010
Newton City Hall
To be reported on
Monday, February 1, 2010

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, January 25, 2010

Present: Ald. Johnson (Chairman), Baker, Lappin, Lennon, Sangiolo, Shapiro, Swiston and Yates; also present: Ald. Crossley and Hess-Mahan

Appointment by His Honor the Mayor

#410-09 JOHN R. A. PEARS, 102 Parker Street, Newton Centre, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire December 1, 2012 (60 days 2/19/10).
APPROVED 8-0

#164-09 ALD. HESS-MAHAN proposing the following amendments to the accessory apartment ordinances: (1) amend Sections 30-8(d)(1)a) and 30-9(h)(1)a) to explicitly allow the homeowner to live in the accessory apartment; (2) amend Section 30-9(h)(1) to allow accessory apartments in a single family residence located in Multi Residence 1 and Multi Residence 2 zoned districts; and (3) amend the provisions of Sections 30-8(d)(1)b) and 30-9(h)(1)b) to allow accessory apartments in residential buildings built 10 or more years before an application for a permit is submitted; (4) delete the provisions of Sections 30-8(d)(1)(h) and 30-9(h)(1)(h) that require landscape screening for fewer than 5 parking stalls; (5) amend Sections 30-8(d)(1)(d), 20-8(d)(1)(e), 30-8(d)(2)(b) and 30-9(h)(1)(d) to allow exterior alterations and add that any exterior alterations, other than alterations required for safety, are subject to FAR provisions. [06/09/09 @ 4:55 PM]
HELD 8-0

#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]
HELD 8-0

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.
HELD 8-0
- #336-08 ALD. LAPPIN requesting a discussion re the creation of an index for the zoning ordinances. [9/12/08 @10:31 AM]
HELD 8-0
- #237-01 ALD. MANSFIELD proposing to amend Secs. 30-1, 30-11, 30-12, and 30-13 of the Revised Zoning Ordinances to clarify the definitions of and specify the distinctions between restaurants, retail food establishments, fast food establishments, and food processing and preparation as allowed and permissive uses in Business, Manufacturing and Mixed Use Districts.
NO ACTION NECESSARY 8-0

REFERRED TO FINANCE AND ZONING & PLANNING COMMITTEES

Monday, January 25, 2010

Finance Committee members present: Ald. Gentile (Chairman), Linsky, Salvucci, Rice, Danberg, Fuller and Freedman; absent: Ald. Ciccone

Zoning and Planning Committee members present: Ald. Johnson (Chairman), Lennon, Swiston, Sangiolo, Yates, Shapiro, Baker and Lappin; also present: Ald. Crossley and Hess-Mahan

Planning Board members present: Tabetha McCartney (Chair), David Banash, Leslie Burg, Joyce Moss and Doug Sweet

A Public Hearing was held in conjunction with the Planning & Development Board on the following item:

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #412-09 HIS HONOR THE MAYOR requesting approval of an amended 121A Tax Agreement between the City of Newton and the New Falls Associates Limited Partnership ('the owner'), dated November 13, 2009, whereby the City will receive \$2,537,500 in deferred taxes upon the completion of refinancing by the owner and 41 affordable housing units will be extended for an additional 22 years, until 2040.
ZONING & PLANNING APPROVED 8-0
FINANCE APPROVED 7-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, January 20, 2010

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

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #13-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Budget Reserve for the purpose of supplementing the Law Department legal assistance account.
FINANCE APPROVED @100,000 6-1 (Linsky opposed) on 01/25/10
ITEM DIVIDED INTO A AND B:
A: \$50,000 HELD 6-0 (Sangiolo not voting)
B: \$50,000 APPROVED 6-0 (Sangiolo not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #358-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty five thousand dollars (\$55,000) from tax revenue from the local option meals tax to restore funding to the Senior Transportation Program. [10/09/09 @ 5:25 PM]
HELD 6-1 (Sangiolo opposed)

REFERRED TO PUB SAFETY & TRANS AND PROG & SERV COMMITTEES

- #20-10 ALD. HESS-MAHAN AND HARNEY requesting special legislation prohibiting the use of handheld mobile devices to send, read or receive electronic messages while operating a motor vehicle within the City of Newton and in order to protect its citizens and to limit unnecessary motor vehicle accidents, injuries, and fatalities, and that the appropriate committees conduct a public hearing to examine the feasibility thereof. [01/04/10 @ 5:07 PM]
HELD 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #83-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to adopt the proportion of Governors Municipal Partnership that would allow the City to reduce employee health insurance costs by joining the Group Insurance Commission. [02/27/07 @ 10:21 PM]
HELD 6-0 (Sangiolo not voting)
- #82-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to allow the cities and towns to tax all telecommunications facilities in the City (which would yield at least \$1.6 million per year for Newton). [02/27/07 @ 10:21 PM]
HELD 6-0 (Sangiolo not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, January 20, 2010

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

- #19-10 DAVID KOSES, Traffic Council Chair, requesting discussion of a stationary radar sign program. [01/11/10 @ 3:55 PM]
HELD 8-0

ITEM RECOMMITTED TO PUBLIC SAFETY & TRANSPORTATION on 10/19/09

- #196-09 ALD. MANSFIELD AND SANGIOLO requesting rescission of Sec. 19-99 (b), Speed humps of the Revised Ordinances of the City of Newton. [06/17/09 @ 11:24 PM]
HELD 7-0-1(Ciccone abstaining)
- #80-08(3) ALD. DANBERG & SALVUCCI requesting that the City's one-year trial commercial parking permit program (City Ord 19-205) be made permanent, with associated modifications based on the trial results. [01/12/10 @ 4:23 PM]
HELD 6-0 (Freedman and Harney not voting)

REFERRED TO PUB SAFETY & TRANS and PROG & SERV COMMITTEES

- #394-09(2) ALD. BAKER requesting clarification in **Section 19-33** and **Section 19-34** of the City of Newton ordinances, and in the Rules of the Board, relative to appeals from the Traffic Council. [12-29-09 @ 11:16 AM]
PROGRAM AND SERVICES NO ACTION NECESSARY 5-0 on 01/06/10
NO ACTION NECESSARY 6-0 (Freedman and Harney not voting)
- #174-08(3) PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting discussion relative to the siting of additional parking meters citywide as well as segregating meter revenues derived for village improvements where such meters are located, respectively, [12/10/09]
NO ACTION NECESSARY 7-0 (Freedman not voting)
- #11-10 ALD. ALBRIGHT requesting a discussion relative to providing parking during a snow emergency for residents who live in housing without on-site parking. [12/21/09 @ 1:15 PM]
HELD 7-0 (Freedman not voting)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, January 20, 2010

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

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#420-09 **HIS HONOR THE MAYOR** requesting acceptance of and authorization to expend a grant of seven hundred ninety-nine thousand six hundred dollars (\$799,600) from the U.S. Department of Energy to be used to replace the heating system in Cabot, Zervas Elementary Schools and Emerson Community Center; replace the automatic temperature control system in the Newton Free Library and replace the HVAC system in both the Crafts and Elliot Street Garages. [12/15/09 @ 4:05 PM]
FINANCE APPROVED 7-0 on 01-25-10
APPROVED 7-0

#21-10 **ALD. YATES & DANBERG** requesting a report from His Honor the Mayor on the status of the city's application for federal funds to reconstruct Fire Station #7. [01/04/10 @ 8:16 PM]
NO ACTION NECESSARY 7-0

#198-09 **ALD. SWISTON, SANGIOLO, HARNEY, PARKER & JOHNSON** requesting a resolution be submitted to His Honor the Mayor requesting that he provide access to the site of publicly funded projects, like Newton North High School, be it guided or escorted if necessary for safety reasons, to a third party professional photographer for the purpose of providing free public dissemination of information. [07-07-09 @ 11:34 AM]
NO ACTION NECESSARY 7-0

Re-appointment by His Honor the Mayor

#416-09 **IRA KREPCHIN**, 63 Craftsland Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on December 1, 2012 (60 days 2/19/10). [12/04/09 @ 2:05 PM]
NO ACTION NECESSARY 7-0

#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 7-0

REFERRED TO FINANCE COMMITTEE

Monday, January 25, 2010

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

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #13-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Budget Reserve for the purpose of supplementing the Law Department legal assistance account. [12/22/09 @ 10:09 AM]
PROG & SERV HELD \$50,000 AND APPROVED \$50,000 6-0 on 01/20/10
APPROVED \$100,000 6-1 (Linsky opposed)
- #25-10 **ALD. ALBRIGHT, LINSKY & JOHNSON** requesting that the increase in Resident Sticker Parking Fees recently approved through Ordinance Z-48 be postponed for those residents on streets that have the Tiger Parking Permit Program restrictions until the Tiger Parking Permit Program is eliminated. [01/11/10 @ 11:53 AM]
APPROVED 4-2-1 (Freedman, Salvucci opposed; Gentile abstaining)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #420-09 **HIS HONOR THE MAYOR** requesting acceptance of and authorization to expend a grant of seven hundred ninety-nine thousand six hundred dollars (\$799,600) from the U.S. Department of Energy to be used to replace the heating system in Cabot, Zervas Elementary Schools and Emerson Community Center; replace the automatic temperature control system in the Newton Free Library and replace the HVAC system in both the Crafts and Elliot Street Garages. [12/15/09 @ 4:05 PM]
PUBLIC FACILITIES APPROVED 7-0 on 01/20/10
APPROVED 7-0
- #26-10 **HIS HONOR THE MAYOR** requesting a transfer of twenty-five thousand dollars (\$25,000) from the severance budget in the Human Resources Department to the Executive Department for the purpose of covering current year severance expenses. [01/12/10 @ 4:50 PM]
HELD 7-0
- #27-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend one hundred twenty-five thousand dollars (\$125,000) from Budget Reserve for the purpose of supplementing the unemployment account in the Human Resources Department. [01/12/10 @ 4:50 PM]
APPROVED 7-0

REFERRED TO POST AUDIT & OVERSIGHT COMMITTEE

Tuesday, January 26, 2010

Present: Ald. Swiston (Chairman), Shapiro, Johnson and Rice; absent: Ald. Lennon, Sangiolo, Schnipper and Freedman

#30-10 ALD. SWISTON & SHAPIRO requesting a review and discussion of the special legislation that created the Newton Community Development Authority in 1975. [01-12-10 @ 2:27 PM]
NO ACTION NECESSARY 4-0