

**CITY OF NEWTON**  
**IN BOARD OF ALDERMEN**  
**BOARD ACTIONS**

Monday, June 7, 2010

Present: Ald. Albright, Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Fuller, Freedman, Gentile, Harney, Hess-Mahan, Johnson, Lappin, Linsky, Merrill, Rice, Salvucci, Schnipper, Shapiro, Swiston, and Yates.

Absent: Ald. Sangiolo, and Lennon

**THE BOARD OF ALDERMEN DISCUSSED AND VOTED THE FOLLOWING ITEMS ON SECOND CALL:**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #106-10      HIS HONOR THE MAYOR proposing amendments to Chapter 11, Recycling and Trash, of the City of Newton Revised Ordinances 2007. [03/30/10 @ 4:08 PM]  
**PUBLIC FACILITIES APPROVED 5-0-1 (Albright abstaining) on 04-21-10**  
**APPROVED SUBJECT TO SECOND CALL 4-0-2 (Freedman and Fuller abstaining; Danberg not voting)**  
**MOTION TO RECOMMIT TO FINANCE WAS APPROVED BY VOICE VOTE**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 0 NAYS, 4 ABSENT (Ald. Merrill, Sangiolo, Swiston, Lennon) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEMS:**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, May 18, 2010

- #122-10      HOSSEIN VAHEDI TRUSTEE 33-35 HIGHLAND AVENUE REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of NONCONFORMING STRUCTURE/USE to AMEND special permit/site plan #127-87(2) to relocate two parking spaces, to waive minimum parking stall dimensions, to allow parking in the setback, and to decrease the legally conforming minimum open space at 35 HIGHLAND AVENUE. Ward 2, NEWTONVILLE, on land known as Sec 24, Blk 9, Lot 28 containing approx 8,133 square feet of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-

21(a)(2)(b), 30-21(b), 30-19(h)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

**LAND USE HEARING CONTINUED TO JUNE 22, 2010**

- #42-10(2) JOHN J. & DIANE P. LANAHAN petition to AMEND Special Permit/Site Plan Approval/Extension of a nonconforming Structure #42-10, granted on 3/15/10, to demolish an existing one-story garage and construct a two-story addition onto an existing single-family dwelling. The proposed increase to the first-floor addition will further increase the Floor Area Ratio from .46 (approved in special permit #42-10) to .49 at 8 RIDGEWAY TERRACE, Ward 5, NEWTON HIGHLANDS, on land known as Sec 54, Blk 46, Lot 15, containing approx 5,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-15(u)(4) of the City of Newton Rev Zoning Ord, **LAND USE HEARING CLOSED; ITEM APPROVED 7-0**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Monday, May 24, 2010

- #141-10 INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT requesting revision of **Section 22-22 Floodplain/watershed protection provisions** of the City of Newton Ordinances in order to comply with updated FEMA (Federal Emergency Management Agency) requirements. [05/11/10 @ 10 39 AM]  
**ZONING & PLANNING APPROVED 7-0-1 (Sangiolo abstaining)**

**REFERRED TO FINANCE COMMITTEE**

Monday, May 24, 2010

- #55-10(2) HIS HONOR THE MAYOR requesting that board order #55-10 be amended by rescinding a balance of \$125 that remains authorized but unissued debt for bond authorization to replace the emergency generator at the Newton Public Schools Education Center. Since bonds are sold in \$1,000 increments, this fractional balance was not funded in the bond sale and needs to be rescinded by June 30, 2010. [5-11-10 @3:10 PM]  
**FINANCE APPROVED 5-0 (Freedman and Linsky not voting)**
- #196-07(6) HIS HONOR THE MAYOR requesting that board order #196-07(5) be amended by rescinding a balance of \$400 that remains authorized but unissued debt for bond authorization to repair Fire Station #4. Since bonds are sold in \$1,000 increments, this fractional balance was not funded in the bond sale and needs to be rescinded by June 30, 2010. [5-11-10 @3:10 PM]  
**FINANCE APPROVED 6-0 (Linsky not voting)**

- #146-10      HIS HONOR THE MAYOR requesting authorization to appropriate and expend \$20,000 from Free Cash to fully fund Parking Ticket Collections, which is contractually obligated but underfunded in the FY10 budget. [05-11-10 @3:10 PM]  
**FINANCE APPROVED 6-0 (Linsky not voting)**
- #147-10      HIS HONOR THE MAYOR requesting a transfer of \$6,000 from the Health Insurance line item to the Fulltime Salaries line item in the Treasury Department's budget to replenish funds used to cover sick and vacation buy back for two individuals who recently retired from that department. [5-11-10 @3:11 PM]  
**FINANCE APPROVED 6-0 (Linsky not voting)**
- #148-10      HIS HONOR THE MAYOR requesting a transfer of \$8,000 from the Health Insurance line item to the Banking Services line item in the Treasury Department's budget to cover fee increases in such services and fees associated with one month of collection/counting of parking meter coins. [5-11-10 @3:11 PM]  
**FINANCE APPROVED 6-0 Linsky not voting)**
- #149-10      HIS HONOR THE MAYOR requesting an appropriation of one hundred fifteen thousand two hundred forty-two dollars and sixty-nine cents (\$115,242.69) from the Capital Stabilization Fund to the Treasury Department for the purpose of paying issuance costs related to the sale of bonds in April 2010. [5-11-10 @3:11 PM]  
**FINANCE APPROVED 6-0 (Linsky not voting)**

**REFERRED TO POST AUDIT & OVERSIGHT COMMITTEE**

Tuesday, May 25, 2010

- #31-10      ALD. SWISTON & SHAPIRO requesting a review of ordinance **Sec. 26-30. Licenses for cafe furniture on sidewalks.** [01/12/10 @ 4:37 PM]  
**POST AUDIT NO ACTION NECESSARY 5-0 (Ald. Shapiro not voting)**

**PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:**

**Public Hearing assigned for June 22, 2010:**

- #282-06(2)      CLEAR WIRELESS, LLC. /HAMMOND POND TRUST petition to AMEND Special Permit/Site Plan Approval #282-06(2), granted on 11/6/06 for the installation of wireless communication equipment, in order to replace one panel antenna and to add two panel and two dish

antennas at 20 HAMMOND POND PARKWAY, Ward 7, CHESTNUT HILL, on land also known as Sec 82, 2, 21A1, containing approximately 175,950 sq ft of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 30-24, 30-23, and 30-18A(e)(6) of the City of Newton Rev Zoning Ord, 2007.

**Public Hearing assigned for June 22, 2010:**

#19-98(2) CLEAR WIRELESS, LLC./LASELL COLLEGE petition to AMEND Special Permit/Site Plan Approval #19-98, granted on 3/16/98 for wireless telecommunication equipment, in order to replace three panel antennas and to add two dish antennas at 216 WOODLAND ROAD, Ward 4, AUBURNDALE, on land also known as Sec 43, Blk 10, Lot 9, containing approx 282,705 sq ft of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 30-24, 30-23, 30-18A(e)(6) of the City of Newton Rev. Zoning Ord, 2007.

**Public Hearing assigned for June 28, 2010:**

#142-09(3) ZONING & PLANNING COMMITTEE proposing that subsection 30-15(u) of Chapter 30 relative to floor area ratio, as established by Ordinance Z-51, dated August 10, 2009, be amended by extending the provisions of paragraph nos. 1. 2. and 3. from July 30, 2010 to October 31, 2010. [05/11/10 @ 10:10 AM]

**Public Hearing assigned for June 28, 2010:**

#93-10 ALD. JOHNSON AND SANGIOLO requesting revision of **Section 30-27** of the City of Newton Ordinances governing membership of the Zoning Board of Appeals by providing selection criteria guidance and process so that the level of expertise in related areas, or the equivalent combination of experience and/or education is present in order to enhance the ability of the Board to increase its level of service to Newton. [03/26/10 @ 12:31 PM]

**Public Hearing assigned for July 13, 2010:**

#151-10 PIE PIE LLC d/b/a CONTINENTAL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 9 parking spaces in order to expand an existing 24-seat café to a 48-seat restaurant at 796 BEACON STREET, Ward 6, Newton Centre, on land also known as Sec 61, Blk 36, Lot 2, containing approx 3,945 sq ft of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 39-19(d)(13), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.