

DOCKET

June 9: Public Safety & Transportation; Public Facilities
June 14: Finance; Zoning & Planning
June 15: Land Use
June 16: Programs & Services

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Monday, June 7, 2010
7:45 PM, Newton City Hall
To be reported on
Monday, June 21, 2010

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

Application for a Class 2 Auto Dealer License
#150-10 PARAGON GLOBAL PARTNERS, INC.
259 Walnut Street
Newtonville 02460

Public Hearings to be 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.

#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 to be 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.

REFERRED TO ZONING & PLANNING COMMITTEE

- #141-10(2) ZONING & PLANNING COMMITTEE requesting discussion with the Planning Department regarding changes in the City of Newton Ordinances **Section 22-22 Floodplain/watershed protection provisions.** [05/25/10 @ 10:23 AM]

Public Hearing to be 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 to be 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]

- #152-10 ALD. BAKER, FULLER, SCHNIPPER, SHAPIRO, FISCHMAN AND YATES recommending discussion of possible amendments to **Section 30-19** of the City of Newton Ordinances to clarify parking requirements applicable to colleges and universities. [06/01/10 @ 4:19 PM]

- #89-10(2) HIS HONOR THE MAYOR re-appointing CANDACE HAVENS as Interim Director of Planning and Development effective July 1, 2010 until a permanent replacement is hired, but not to exceed 90 days when the temporary appointment may be extended with Board of Aldermen approval pursuant to §3-6 of the City Charter. [06/01/10 @ 6:18 PM]

#153-10 ALD. JOHNSON, CROSSLEY AND HESS-MAHAN requesting to amend **Section 30-15 Table 1** of the City of Newton Ordinances to allow a reasonable density for dwellings in Mixed Use 1 and 2 districts. [06/01/10 @ 9:25 PM]

#154-10 ALD. JOHNSON, CROSSLEY and HESS-MAHAN requesting to amend **Section 30-1 Definitions**, by inserting a new definition of “lot area” and revising the “setback line” definition for clarity. [06/01/10 @ 9:25 PM]

OTHER COMMUNICATIONS

#155-10 ALD. LENNON offering a TESTIMONIAL RESOLUTION honoring the VILLAGE BANK for its 100 years of service to the Newton community.

#156-10 ALD. CROSSLEY, FULLER, HESS-MAHAN, LINSKY, & SANGIOLO offering a TESTIMONIAL RESOLUTION honoring GREEN DECADE NEWTON for its 20 years of environmental leadership.

Appeal to the Zoning Board of Appeals

#157-10 ARKADY DEGTIAROV & IRINA DERESH filing on May 17, 2010 an appeal to the Zoning Board of Appeals from the decision of the Commissioner of Inspectional Services re (a) an illegal dog kennel and (b) an illegal home business located in a residential district at 20 Shute Path, Newton Centre.

#158-10 JAMES M. DiLIELLO & ESTATE OF RICHARD G. DiLIELLO filing on May 21, 2010 an appeal to the Zoning Board of Appeals from the decision of the Commissioner of Inspectional Services re lot nos. 12 and 13 on Allison Street, Nonantum.

#159-10 RALPH ROBART filing on May 21, 2010 an appeal from the denial by the Commissioner of Inspectional Services to issue a building permit for the construction of a two-family dwelling at 32 Williams Street, Newton Upper Falls.

Zoning Board of Appeals Decision, April 27, 2010:

#124-07(2) ZBA #12-06 254 DERBY STREET LLC petition for a one-year extension of time pursuant to 760 C.M.R. 56.05(12)(c) to exercise Comprehensive Permit#12-06, granted on March 27, 2007, to renovate an existing single-family dwelling and construct 7 new dwelling units of which 2 will be low/moderate-income units and 6 will be market rate units at 254 and 262 DERBY STREET, Ward 4, West Newton.

APPROVED

REFERRED TO PROGRAMS & SERVICES COMMITTEE

- #88-10(2) HIS HONOR THE MAYOR appointing ROBERT DERUBEIS as Commissioner of Parks & Recreation, effective June 1, 2010, pursuant to §3-3 of the City Charter. (30 days 7/7/10) [06/01/10 @ 5:19 PM]
- #90-10(2) HIS HONOR THE MAYOR appointing DONNALYN B. LYNCH KAHN as City Solicitor, effective June 1, 2010, pursuant to §3-3 of the City Charter. (30 days 7/7/10) [06/01/10 @ 5:19 PM]
- #91-10(2) HIS HONOR THE MAYOR re-appointing LINDA WALSH Interim Director of Health and Human Services, effective July 1, 2010 until a permanent replacement is hired, but not to exceed 90 days when the temporary appointment may be extended with Board of Aldermen approval pursuant to §3-6 of the City Charter. (30 days 7/7/10) [06/01/10 @ 6:19 PM]
- #10-10(3) HIS HONOR THE MAYOR requesting acceptance of the 2,574 square foot triangle of land in the southeastern portion of 192 Lexington Street to be donated by Parkview Homes, LLC, as required by the terms of their Comprehensive Permit in order to continue use of the footpath thereon. [06/01/10 @ 5:06 PM]

Appointment by his Honor the Mayor

- #172-10 RICHARD KRONISH, 22 Chestnut Terrace, Newton Centre, appointed as the organized labor representative member of the NEWTON HOUSING AUTHORITY for a term to expire June 21, 2015. (60 days 08/07/10) [06/01/10 @ 6:04 PM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

- #160-10 PLANNING DEPARTMENT and 128 Business Council requesting a discussion of proposed new shuttle to serve portions of Waltham and Newton. [05/14/10 @ 10:42AM]
- #161-10 PLANNING DEPARTMENT and 128 Business Council seeking renewal of the Needham Shuttle Bus License. [05/24/10 @ 3:02 PM]
- #162-10 HIS HONOR THE MAYOR appointing LT. HUGH DOWNING, 60 Crescent Avenue, Newton as Civil Defense Director. [06/01/10 @ 5:19 PM]

REFERRED TO PUBLIC FACILITIES COMMITTEE

- #87-10(2) HIS HONOR THE MAYOR re-appointing ARTHUR CABRAL as Interim Commissioner of Public Buildings effective July 1, 2010 until a permanent replacement is hired, but not to exceed 90 days when the temporary appointment may be extended with Board of Aldermen approval pursuant to §3-6 of the City Charter. [06/01/10 @ 6:18 PM]
- #155-06(2) ALD. BLAZAR on behalf of James A. Blackburn, 105 Wood End Road, Newton Highlands petitioning for laying out, grading and acceptance of WOOD END ROAD as a public way from the intersection of Mountfort Road westerly to the intersection of Nantucket Road, a distance of approximately 360 feet to the width of 45 feet. [05/18/10 @ 11:52 AM]

REFERRED TO FINANCE COMMITTEE

- #163-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fifteen thousand dollars (\$15,000) from the Commonwealth Golf Course Mayor's Golf Day Receipts Reserved for Appropriation Fund for youth attending Parks and Recreation camp programs. [6-1-10 @ 5:07 PM]
- #164-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend seven hundred twelve thousand one hundred twenty-six dollars (\$712,126) from Free Cash for the purpose of funding potential prior year collective bargaining requirements for Fiscal Years 2007 through 2009. [06/01/10 @ 5:11 PM]
- #165-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred fifty thousand dollars (\$150,000) from the Riverside Traffic Mitigation Fund (special permit #40-97(2) and board order #155-00) for the purpose of installing traffic calming measures at Grove, Hagar, Concord, and Cornell Streets and Pine Grove Avenue as previously approved by the Board of Aldermen in board order nos. 21-05(5) and 342-08. [06/01/10 @ 5:11 PM]
- #166-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fourteen thousand six hundred dollars (\$14,600) from Free Cash to the Public Buildings Department for the purpose of funding enhanced landscaping related to the renovation project at Fire Station #4 at 195 Crafts Street. [06/01/10 @ 5:10 PM]

#167-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred seventy-three dollars (\$473) from the Receipts Reserved for Appropriation Fund/Fire Prevention Fines, which funds are restricted for fire prevention purposes, to purchase 5 ticket books. [06/01/10 @ 5:10 PM]

#168-10 HIS HONOR THE MAYOR requesting transfers of two thousand dollars (\$2,000) from the postage account and two thousand five hundred dollars (\$2,500) from the printing account in the Health & Human Services Department to establish a Capital Account for the purpose of purchasing 3 laptop computers. [06/01/10 @ 5:08 PM]

#169-10 HIS HONOR THE MAYOR requesting a transfer of \$30,000 from Free Cash to the Planning & Development Department to replace office furniture and supplies that were lost due to flooding from the March 2010 storms. [06/01/10 @ 5:09 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#170-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend (A) seventy nine thousand five hundred dollars (\$79,500) from the Receipts Reserved for Appropriation Fund-Sale of Recyclables to fund the first year of a three-year lease-to-own a new front end loader and (B) eighty five thousand dollars (\$85,000) to purchase a new Allu heavy-duty compost material processing attachment for use in the composting operation at Rumford Avenue. [6/1/10 @ 5:05 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#171-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of sixty two thousand dollars (\$62,000) from DPW Salaries Expense to the Department of Public Works Environmental Affairs to cover the additional cost of residential solid-waste collection from the increased residential debris that resulted from the March 2010 storms. [6/1/10 @ 5:08 PM]