

DOCKET

Sept. 13: Finance; Zoning & Planning

Continued

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Monday, September 7, 2010

7:45 PM, Newton City Hall

To be reported on

Monday, September 20, 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

Public Hearing to be assigned for October 12, 2010:

- #215-10 CLEAR WIRELESS, LLC/CAPASSO ASSOCIATES LIMITED PARTNERSHIP
petition to install 3 panel antennas and 2 wireless backhaul dishes within a stealth chimney on the roof of an existing apartment building at 199 LEXINGTON STREET, Ward 4, Auburndale, on land known as SBL 41, 31, 18A, containing approx 40,189 sf of land in a district zoned MULTI RESIDENCE 2. (Ref: Sec 30-24, 30-23, 30-18(A)(f) of the City of Newton Rev Zoning Ord, 2007.

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

Public Hearing to be assigned for October 5, 2010:

- #234-10 WOODLAND GOLF CLUB of AUBURNDALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of A NONCONFORMING USE and STRUCTURE to construct a new pool house building; new food service building; new patio deck and to expand an existing pool deck and replace an existing kiddie pool at 1897 WASHINGTON STREET, Ward 4, Auburndale, on land known as SBL 43, 36, 11 containing approx. 2,291,142 sf of land in a district zoned SINGLE RESIDENCE 1 and 2. Ref: 30-24, 30-23, 30-21(a)(2)a) and b), 30-21(b)(2), 30-15(m) of the City of Newton Rev Zoning Ord, 2007 and special permit nos. 101-87 and 517-83.

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 Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

REFERRED TO ZONING & PLANNING COMMITTEE

- #235-10 ALD. BAKER & YATES on behalf of the Newton Historical Commission requesting updates to §22-50, **Demolition of historically significant buildings or structures.**, to minimize inconveniences to homeowners proposing modest changes and to enhance protections for historic structures proposed for demolition, with specific amendments designed to (1) reduce the number of applications filed and allow smaller projects to occur without review; (2) establish a minimum period of delay for full demolition if the structure is found to be preferably preserved; and (3) extend the existing period of delay, as has occurred in other communities, for structures proposed for full demolition if the structure is found to be preferably preserved. [8/30/10 @3:19PM]

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

- #89-10(3) HIS HONOR THE MAYOR re-appointing CANDACE HAVENS Interim Director of Planning and Development effective October 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. [9/01/10 @4:48 PM]

OTHER COMMUNICATIONS

- #236-10 NEWTON POLICE DEPARTMENT accepting from Mr. Jay Hirshberg, 1428 Commonwealth Avenue, a new Dell Computer Service TAG D944MMI as a gift of Tangible Property without restrictions pursuant to §2-10 of the City of Newton Ordinances to be placed in the Range and Armory office area in Police Headquarters to enhance classroom operations and to facilitate weapons and defensive tactics training
- #237-10 HIS HONOR THE MAYOR appointing ROSITHA DURHAM Interim Chief Procurement Officer pursuant to §3-6 of the City Charter, effective August 30, 2010, until formal confirmation by the Board of Aldermen.

Zoning Board of Appeals Decisions, June 29, 2010:

- #157-10 ZBA #4-10 ARKADY DEGTIAROV & IRINA DERESH appealing a decision of the Commissioner of Inspectional Services re an illegal dog kennel and an illegal home business located in a residential district at 20 Shute Path, Newton Centre.

APPEAL DENIED

- #158-10 ZBA #5-10 JAMES M. DiLIELLO & ESTATE OF RICHARD G. DiLIELLO appealing a decision of the Commissioner of Inspectional Services determining that

Sec 11, Blk 10, Lot 24/12 is a not a buildable lot separate from adjacent 83 Allison Street Lot 25/13, Nonantum.

APPEAL DENIED

#158-10(2) ZBA #6-10 JAMES M. DiLIELLO & ESTATE OF RICHARD D. DiLIELLO petition for variances from frontage, lot area and lot area per dwelling requirement in order to create two separate lots, Section 11, Block10, Lots 12/13, on Allison Street, Nonantum.

APPROVED AS AMENDED

#238-10 ZBA #7-10 VENERANDA SANTONASTASO petition for a variance from the 18-foot height limitation for an accessory building (a garage) at 148 Chapel Street, Nonantum.

DENIED

#159-10 ZBA #8-10 RALPH ROBART appealing a decision of the Commissioner of Inspectional Services to deny a building permit for the construction of a two-family dwelling at 32 Williams Street, Newton Upper Falls.

APPEAL DENIED

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Appointment by His Honor the Mayor

#239-10 CAROL KELLY, 44 Walker Street, Newtonville, appointed as a member of the HUMAN RIGHTS COMMISSION for a term of office to expire September 7, 2013 (60 days 10/6/10). [8/30/10 @5:14PM]

Appointment by His Honor the Mayor

#240-10 KAREN LISCHINSKY, 230 Walnut Street, Newtonville, appointed as a member of the YOUTH COMMISSION for a term of office to expire September 7, 2013 (60 days 10/6/10). [8/30/10 @5:14 PM]

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

#91-10(3) HIS HONOR THE MAYOR re-appointing LINDA WALSH Interim Director of Health and Human Services, effective October 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. [09/01/10 @4:38 PM]

REFERRED TO PUBLIC FACILITIES COMMITTEE

Public Hearing to be assigned for September 20, 2010

#241-10 NATIONAL GRID petitioning for a grant of location to install and maintain 229' ± of 4" gas main in WARREN ROAD from the existing 12" gas main in Beacon Street northerly to 17 Warren Road. WARD 5 [08/10/10 @ 2:39 PM]

Public Hearing to be assigned for September 22, 2010

#242-10 NATIONAL GRID petitioning for a grant of location to install and maintain 60' ± of 6" gas main in HARWICH ROAD from the existing 6" gas main in Harwich Road at House No. 149 southerly to House No. 156. WARD 8 [08/10/10 @ 2:38 PM]

Public Hearing to be assigned for September 22, 2010

#243-10 NATIONAL GRID petitioning for a grant of location to install and maintain 89' ± of 4" gas main in OLD FARM ROAD from the existing 4" gas main in Fairhaven Street southeasterly to 203 Old Farm Road. WARD 8 [08/26/10 @ 11:22 AM]

#244-10 ALD. SALVUCCI requesting discussion with the Utilities Director and the Public Works Commissioner regarding the possibility of installing second water meters for outside irrigation. [08/17/10 @ 12:18 PM]

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

#245-10 ALD. SCHNIPPER requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]

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

#246-10 HIS HONOR THE MAYOR appointing Stephanie Gilman as COMMISSIONER OF PUBLIC BUILDINGS pursuant to Sec. 3-3(a) of the City Charter, effective September 13, 2010 (30-day Board action date 10/7/10). [09/01/10 @ 4:38 PM]

REFERRED TO FINANCE COMMITTEE

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

#219-10(2) HIS HONOR THE MAYOR appointing Rositha Durham as CHIEF PROCUREMENT OFFICER, pursuant to Sec. 3-3(a) of the City Charter, effective August 30, 2010 (30-day Board action date 10/7/10). [09/01/10 @ 4:38 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#247-10 HIS HONOR THE MAYOR requesting that the budget for the Newton North High School construction project be amended by transferring funds from the Phase I accounts to Phase II accounts in the sum of one million twenty-five thousand nine hundred ninety-four dollars (\$1,025,994) to focus resources on demolition phase of the project, as follows:

Funds from Phase I

Construction Manager at Risk

\$1,025,994

Funds to Phase II

Consultant (Testing, Abatement, Landscaping)	\$290,000
Architectural Services	\$460,000
Construction Project Management	\$150,522
Unallocated Contingency	\$125,472
Total:	\$1,025,994

REFERRED TO CMTE. ON COMM. PRESERV. & FINANCE COMMITTEE

#88-07(4) COMMUNITY PRESERVATION COMMITTEE recommending that the sum of four hundred fifty two thousand dollars (\$452,000) be appropriated from the fiscal 2011 general reserve of the Community Preservation Fund and expended under the direction and control of the Director of Planning and Development, to satisfy a court judgment adjusting the price paid in 2007 for 20 Rogers Street as an addition to public recreation land at Crystal Lake. [08/23/10 @ 3:21 PM]