

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

Tuesday, February 17, 2009

Present: Ald. Albright, Brandel, Ciccone, Coletti, Danberg, Freedman, Fischman, Hess-Mahan, Johnson, Lappin, Lennon, Linsky, Mansfield, Merrill, Parker, Salvucci, Sangiolo, Schnipper, Swiston, Vance, Yates and Baker.

Absent: Ald. Gentile, Harney

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

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#13-09      **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend three hundred eighty-five thousand dollars (\$385,000) from bonded indebtedness to the Public Works Department for the purpose of replacing both the salt shed and the Quonset hut at Crafts Street. [12-30-08 @ 5:04 PM]

**PUBLIC FACILITIES APPROVED 4-0-2 (Ald. Gentile and Mansfield abstaining) on 01-07-09**

**FINANCE APPROVED 2-1-3 (Ald. Gentile opposed; Ald. Parker, Lennon and Freedman abstaining)**

**MOTION TO RECOMMIT TO FINANCE AND PUBLIC FACILITIES APPROVED BY VOICE VOTE**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 0 NAYS, 2 ABSENT (Ald. Gentile and Harney) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEMS:**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, February 3, 2009

Applications for Class 2 Auto Dealer Licenses

#1-09      JACOB and ASSOCIATES  
1232 Washington Street  
West Newton

**LAND USE APPROVED 7-0 (Sangiolo not voting)**

#409-08 NEWTON AUTO GROUP INC  
1235 WASHINGTON STREET  
WEST NEWTON  
**LAND USE APPROVED 7-0 (Sangiolo not voting)**

#413-08 LOS ANGELES AUTOBODY, INC.  
41 LOS ANGELES STREET  
NONANTUM  
**LAND USE APPROVED 7-0 (Sangiolo not voting)**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, February 10, 2009

#384-08 DAVID CHODRIKER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to eliminate the use of a garage beneath an existing single family home and relocate parking for two vehicles on a new driveway within the front setback at 5 STAFFORD ROAD, Ward 6, NEWTON CENTRE, on land known as Sec 64, Blk 25, Lot 9, containing approx 7,911 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m), and 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.

**APPROVED 4-0-3 (Mansfield, Merrill, Sangiolo abstaining)**

**MOTION TO SUSPEND THE RULES TO ALLOW LAND USE COMMITTEE TO POLL COMMITTEE APPROVED  
LAND USE APPROVED MOTION FOR EXTENSION OF TIME TO  
APRIL 6, 2009 8-0**

**MOTION TO POSTPONE TO MARCH 2, 2009 APPROVED ON  
FIRST CALL.**

Application for a Class 2 Auto Dealer License (renewal)

#406-08 ROBERT LEONE  
14 Beech Street  
Newton 02458  
**APPROVED 7-0**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Monday, February 9, 2009

Reappointment by His Honor the Mayor

#32-09 JAMES H. MITCHELL, 83 Countryside Road, Newton Centre, re-appointed as an associate member of the ZONING BOARD OF APPEALS for a term of office to expire February 1, 2010 (60 days 4/3/09).

**APPROVED 8-0**

#379-08 CONSERVATION COMMISSION requesting an amendment to §22-20 of the City of Newton Revised Ordinances by adding a provision for the appointment of alternate or associate members to the Conservation Commission.

**APPROVED 8-0**

#22-09 DIRECTOR OF PLANNING & DEVELOPMENT recommending various amendments to Chapter 22 of the Revised Ordinances of Newton, 2007, ARTICLE IV, Urban Design and Beautification Commission, including changing the name to *Urban Design Commission*, deleting the Advisory board, and expanding its powers and duties to include special permits.

**APPROVED AS AMENDED 8-0**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Monday, February 9, 2009

**REFERRED TO PUB. SAFETY & TRANS. AND FINANCE COMMITTEES**

#39-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty one thousand one hundred dollars (\$31,100) from Budget Reserve to the Fire Department for the purpose of purchasing a new replacement vehicle for the utility pick-up truck with plow. [01/27/09 @ 6:05 PM]

**FINANCE APPROVED 6-0**

**PUBLIC SAFETY APPROVED 7-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, February 4, 2009

#27-09 NATIONAL GRID petitioning for a grant of location to install and maintain 5' ± of 8" gas main in NORWOOD AVENUE from the existing 4" gas main in Norwood Avenue at 108 Norwood Avenue northerly to the existing 8" gas main in Norwood Avenue.[12/22/08 @ 2:00PM]

**PUBLIC FACILITIES APPROVED 4-0 (Lennon, Mansfield not voting)**

#27-09(a) **The Committee approved an emergency preamble to the above item.**

Appointment by His Honor the Mayor

#34-09 BETH GOLDBAUM, 111 Blake Street, Newton 02458, appointed as a member of the SOLID WASTE COMMISSION for a term of office expiring January 1, 2012. (60-days 04/03/09) [01/21/09 @ 1:09 PM]  
**PUBLIC FACILITIES APPROVED 4-0 (Lennon, Mansfield not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#40-09 HIS HONOR THE MAYOR requesting authorization to transfer funds in the Water and Sewer Enterprise Funds. Transferring the funds from MWRA assessments to utilities as follows: Sewer Fund transfer \$53,000; Water Fund transfer \$38,000. [01/27/09 @ 6:05 PM]  
**FINANCE APPROVED 6-0 on 2-9-09**  
**PUBLIC FACILITIES APPROVED 5-0 (Lennon not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#41-09 HIS HONOR THE MAYOR requesting to appropriate and expend one million dollars (\$1,000,000) from Free Cash for the purpose supplementing the snow and ice budget in the Department of Public Works. [01/27/09 @ 6:05 PM]  
**FINANCE APPROVED 6-0 on 2-9-09**  
**PUBLIC FACILITIES APPROVED 5-0-1 (Lennon abstaining)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#42-09 HIS HONOR THE MAYOR requesting to appropriate and expend two hundred twenty five thousand dollars (\$225,000) from Bonded Indebtedness to the Building Department for the purpose of replacing a boiler at Angier School. [01/27/09 @ 6:04 PM]  
**FINANCE APPROVED 6-0 on 2-9-09**  
**PUBLIC FACILITIES APPROVED 6-0**

**REFERRED TO FINANCE COMMITTEE**

Monday, February 9, 2009

**THE FOLLOWING ITEM WAS TAKEN UP IN A JOINT MEETING OF THE PUBLIC SAFETY & TRANSPORTATION AND FINANCE COMMITTEES:**

**REFERRED TO PUB. SAFETY & TRANS. AND FINANCE COMMITTEES**

#39-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty one thousand one hundred dollars (\$31,100) from Budget Reserve to the Fire Department for the purpose of purchasing a new replacement vehicle for the utility pick-up truck with plow. [01/27/09 @ 6:05 PM]  
**PUBLIC SAFETY & TRANSPORTATION APPROVED 7-0**  
**FINANCE APPROVED 6-0**

- #37-09 HIS HONOR THE MAYOR requesting authorization to transfer twenty five thousand dollars (\$25,000) from payroll to expenses within the Treasury Department for the purpose of paying the MUNIS consultant who provided training on policies and procedures in the Treasury Department. [01/27/09 @ 6:05 PM]  
**FINANCE APPROVED 6-0**
- #35-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirteen thousand eight hundred sixty dollars (\$13,860) from Budget Reserve to the Information Technology Department for the purpose of purchasing software that will enable downloading of data from MUNIS into Microsoft applications. [01/27/09 @ 6:06 PM]  
**FINANCE APPROVED 6-0**
- #36-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighteen thousand eight hundred fifty dollars (\$18,850) from Budget Reserve to the Information Technology Department for the purpose of upgrading the Sungard Pentamation Community Plus Software. [01/27/09 @ 6:06 PM]  
**FINANCE APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #42-09 HIS HONOR THE MAYOR requesting to appropriate and expend two hundred twenty five thousand dollars (\$225,000) from Bonded Indebtedness to the Building Department for the purpose of replacing a boiler at Angier School. [01/27/09 @ 6:04 PM]  
**PUBLIC FACILITIES APPROVED 6-0 on 02-04-09**  
**FINANCE APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #41-09 HIS HONOR THE MAYOR requesting to appropriate and expend one million dollars (\$1,000,000) from Free Cash for the purpose supplementing the snow and ice budget in the Department of Public Works. [01/27/09 @ 6:05 PM]  
**PUBLIC FACILITIES APPROVED 5-0-1 (Lennon abstaining) on 02-04-09**  
**FINANCE APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #40-09 HIS HONOR THE MAYOR requesting authorization to transfer funds in the Water and Sewer Enterprise Funds. Transferring the funds from MWRA assessments to utilities as follows: Sewer Fund transfer \$53,000; Water Fund transfer \$38,000. [01/27/09 @ 6:05 PM]  
**PUBLIC FACILITIES APPROVED 5-0 (Lennon not voting) on 02-04-09**  
**FINANCE APPROVED 6-0**

#38-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred seventy six thousand seven hundred twenty five dollars (\$276,725) from Budget Reserve to various departments to supplement gasoline, diesel and heating oil accounts. [01/27/09 @ 6:05 PM]

**FINANCE APPROVED 6-0**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 2 ABSENT (Ald. Gentile and Harney), 1 EXCUSED (Ald. Fischman), TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEM:**

#385-08 CCMH NEWTON LLC/CHESAPEAKE HOTEL LIMITED PARTNERSHIP petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to convert a approximately 5,000 sf of storage area to meeting rooms/ballroom; convert an outdoor swimming pool and Jacuzzi to a function deck with a seasonal tent; to waive 53 parking spaces and allow stack parking for up to 53 additional spaces with valet parking; to waive various parking facility requirements including interior lighting and landscaping requirements; and to delete and replace condition #3 of special permit #595-67 to allow with provisions changes to the interior building layout without further special permit amendment at 2345 COMMONWEALTH AVENUE, Ward 4, AUBURNDALE, on land known as Sec 41, Blk 23, Lot 18, containing approx 503,158 sf of land in districts zoned BUSINESS 5 and SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-11(i)(5), 30-(5)(b)(4), 30-19(2)(c), 30-19(h)(5)a) and b), 30-19(d), 30-19(k), 30-19(m) of the City of Newton Rev Zoning Ord, 2007, and special permit nos. 537-63 and (1), 680-66, 595-67, 590-84, 491-86, 375-93.

**LAND USE APPROVED 7-0 (Fischman recused)**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 2 ABSENT (Ald. Gentile and Harney), 1 EXCUSED (Ald. Schnipper) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEM:**

#376-08 JAN SPIRO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision in order to construct a new single-family home to the rear of an existing single-family home, including a waiver of the 20-foot driveway requirement and a technical waiver from providing parking on-site, at 296 WARD STREET, Ward 7, Chestnut Hill, on land known as Sec 73, Blk 42, Lot 10, which contains an approximate total of 39,382 sf of land , proposed Lot 1 containing approximately 21,321 sf and proposed lot 2 containing approximately 18,061 sf, in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(r)(2), 30-19(f)(1) and (2), 30-19(h)(4), and 30-19m) of the City of Newton Rev Zoning Ord, 2007 and 30-17 (certification from ISD and/or Engineering re the garage being located below the grade of the sidewalk).  
**LAND USE APPROVED 7-0-1 (Sangiolo abstaining)**