

REPORTS DOCKET

Feb. 18 Public Safety & Transportation

Feb. 23: Finance; Zoning & Planning

Continued

Page 57

Tuesday, February 17, 2009

Newton City Hall

To be reported on

Monday, March 2, 2009

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

ITEM POSTPONED 2/17/09 to DATE CERTAIN of 3/2/09:

#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.

LAND USE APPROVED 4-0-3 (Mansfield, Merrill, Sangiolo abstaining) on 2/10/09

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, February 23, 2009

Present: Ald. Yates (Chairman), Ald. Lappin, Swiston, Harney, Baker, Danberg, and Linsky; absent: Ald. Ciccone; also present: Ald. Merrill, Sangiolo, Hess-Mahan, Parker, Coletti, Johnson, and Freedman

Planning Board members: David Banash (Chairman), Joyce Moss, Leslie Burg, and Michael Kruse

Appointment by His Honor the Mayor

#47-09 DOUGLAS SWEET, 281 Lexington Street, Auburndale, appointed as a member of the PLANNING & DEVELOPMENT BOARD for a term to expire February 1, 2014 (60 days 4/18/09).

APPROVED 4-0 (Harney, Baker, Danberg, Linsky not voting)

Public Hearings in conjunction with the Planning & Development Board were held on the following items:

- #108-07(2) DIRECTOR OF PLANNING & DEVELOPMENT recommending that Chapter 30 of the Revised Zoning Ordinances, 2007, as amended, be further amended by deleting in Section 30-15, Table 1, Footnote 7 in its entirety.
HEARING CLOSED
- #109-07(2) DIRECTOR OF PLANNING & DEVELOPMENT recommending that Chapter 30 of the revised Ordinances of Newton, 2007, be amended by deleting in the existing language of §30-5(b)(4) and replacing it with language requiring special permits for retaining walls exceeding four (4) feet in height; by adding in §30-5(c) a requirement for the City Engineer's technical review and approval; and, by adding to §30-1 new definitions for retaining wall and berm, and amending the existing definition for *structure* to include *retaining walls*.
HEARING CLOSED
- #94-08 PLANNING & DEVELOPMENT BOARD, ALD. JOHNSON & LINSKY recommending the deletion of certain provisions and the addition of new provisions to regulate home businesses by amending Section 30-1, Definitions; Section 30-8, Use Regulations for Single Residence Districts; Section 30-8(b) and (c), Special Permits in Single Residence Districts; Section 30-9(b), Special Permits in Multi Residence Districts; Section 30-19(d), Number of Parking Stalls; and Section 30-20(e), Regulation of Signs in Residence Districts. The proposed amendments would revise or remove specific home occupations in the current definition of home businesses; modify the definition of home business; institute a registration requirement for some home businesses; allow multiple home businesses at the same residence provided that all home businesses combined do not exceed the limitations in the ordinance; revise the number of clients and employees non-resident to the business allowed on site at a given time without a special permit; amend and clarify limitations on storage, signage, and sale of merchandise; revise the list of prohibited neighborhood impacts; allow businesses in accessory apartments under certain circumstances; set a limit on the number of trips that may begin or end at a home business and the number of parking stalls demanded or utilized by the business without a special permit; revise the limit on the percentage of a dwelling unit that may be used for a home business without a special permit; require a special permit for home businesses involving the care and keeping of more than three animals; and revise the number of parking stalls required by a home business.
HEARING CLOSED

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, February 18, 2009

Present: Ald. Linsky (Chair), Swiston, Danberg, Vance and Fischman; absent: Ald. Coletti, Ciccone and Harney

#3-09 ALD. DANBERG requesting removal of the taxi stand located on Braeland Avenue near the steps to the MBTA station following the creation of approximately four adjacent spaces for live parking in the same location. [12-10-08 @ 4:45 PM]

APPROVED 5-0

#25-09 TRAFFIC COUNCIL CHAIR, David Koses providing the Committee with a summary of Traffic Council actions during the calendar year 2008. [01/05/09 @ 1:56 PM]

NO ACTION NECESSARY 5-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#250-01(6) HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifteen thousand four hundred seventy-two dollars (\$15,472) from Receipts Reserve for the purpose of installing a pedestrian activated signal near the end of Langley Road. These funds result from a special permit (Board Order #250-01) and will revert to the petitioner if not encumbered or spent by March 16, 2009. [02-10-09 @4:41 PM]

FINANCE APPROVED AS AMENDED 3-1-2 (Johnson opposed; Schnipper, Freedman abstaining, Parker not voting) @\$15,471.85 on 2/23/09 Subject to 2nd call to expend the funds for pedestrian improvements on Langley Road at or near Langley Path intersection. APPROVED AS AMENDED 5-0 @\$15,471.85 for pedestrian improvements on Langley Road at or near Langley Path intersection.

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#56-09 SGT. NORCROSS AND CHIEF CUMMINGS requesting that Chapter 19, §19-200, **Resident sticker and visitor permit; municipal parking lot program**, be amended by implementing a fee for a municipal lot sticker and that §19-201, **Resident sticker and visitor parking permit**, be amended by increasing the fees for a resident parking sticker and replacement sticker. [02-04-09 @4:01 PM]

HELD 5-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #57-09 ALD. LINSKY AND DANBERG requesting an amendment to Chapter 19, §19-9, **Penalty for parking violations**, to impose a fine of \$100.00 per violation for vehicles parked in bus stops in accordance with Chapter 465 of the Acts of 2008 as of April 7, 2009. [02-10-09 @7:07 PM]
FINANCE HELD 7-0 on 2/23/09
APPROVED 5-0

REFERRED TO PUB. SAFETY & TRANS. AND FINANCE COMMITTEES

- #174-08(2) PUBLIC SAFETY/TRANSPORTATION COMMITTEE proposing changes to the rate structure and/or enforcement hours for parking meters as well as installation of additional meters citywide.[06-18-08 @ 8:00 PM]
HELD 4-1 (Vance opposed)
- #134-08 ALD. LINSKY & DANBERG proposing that Ordinance Sections 19-194 and 19-195 be amended to standardize days and hours of enforcement of parking meters on-street and in municipal lots between the hours of 8:00 AM and 8:00 PM, Monday through Saturday. [4-08-08 @ 5:17 PM]
HELD 4-1 (Vance opposed)
- #30-08 (2) ALD. COLETTI proposing a RESOLUTION to the Public Safety & Transportation Committee requesting the Fire and Police Departments submit Personal Action Request Forms to the Human Resources Department in order to fill current vacancies in their departments before the end of the Fiscal Year. [01/21/09 @ 9:10 PM]
APPROVED 5-0

REFERRED TO FINANCE COMMITTEE

Monday, February 23, 2009

Present: Ald. Coletti, Salvucci, Gentile, Schnipper, Johnson, Parker and Freedman;
 absent: Ald. Lennon; also present: Ald. Linsky

Re-appointment by His Honor the Mayor

- #28-09 MICHAEL P. FLYNN, 23 Thelma Road, Dorchester, re-appointed to the Board of Assessors for a term expiring February 1, 2012. (60 days: 03-19-09) [01-06-09 @ 2:49 PM]
APPROVED 7-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #57-09 ALD. LINSKY AND DANBERG requesting an amendment to Chapter 19, §19-9, **Penalty for parking violations**, to impose a fine of \$100.00 per violation for vehicles parked in bus stops in accordance with Chapter 465 of the Acts of 2008 as of April 7, 2009. [02-10-09 @7:07 PM]
PUB. SAF. & TRANS. APPROVED AS AMENDED 5-0 on 02-18-09
HELD 7-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#250-01(6) HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifteen thousand four hundred seventy-two dollars (\$15,472) from Receipts Reserve for the purpose of installing a pedestrian activated signal near the end of Langley Road. These funds result from a special permit (Board Order #250-01) and will revert to the petitioner if not encumbered or spent by March 16, 2009. [02-10-09 @4:41 PM]

PUBLIC SAFETY & TRANSPORTATION APPROVED AS AMENDED 5-0 @\$15,471.85 on 02-18-09 for pedestrian improvements on Langley Road at or near Langley Path intersection APPROVED AS AMENDED 3-1-2 (Johnson opposed; Schnipper, Freedman abstaining, Parker not voting) @\$15,471.85 for pedestrian improvements on Langley Road at or near Langley Path intersection, subject to 2nd call

#54-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend ten thousand five hundred dollars (\$10,500) from Budget Reserve to the Information Technology Department for the purpose of purchasing a software upgrade to the Pentamation software. [02-10-09 @4:42 PM]

APPROVED 5-0 (Parker and Johnson not voting)

#55-09 HIS HONOR THE MAYOR requesting a transfer of forty-five thousand dollars (\$45,000) from the Retirement Board expenses to Budget Reserve. Retirement board released these funds following the completion of the office renovation. [02-10-09 @4:42 PM]

APPROVED 4-0 (Freedman, Johnson and Parker not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#61-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend forty five thousand dollars (\$45,000) from Utilities Division's Water Surplus account for the purpose of reimbursing the Treasury Department's Treasury Expenses account for the consultant costs related to year-end reconciliation of water receivables. [02/10/09 @4:42 PM]

APPROVED 4-0 (Freedman, Johnson and Parker not voting)

#352-08 ALD. COLETTI requesting discussion monthly reports from the Chief Budget Officer and Comptroller on the status of the Health Insurance Trust Fund. [09-30-08 @ 1:54 PM]

HELD 4-0 (Freedman, Johnson and Parker not voting)

- #207-07(2) ALD. COLETTI proposing that the city's Financial Management Guidelines adopted under board order #207-07 be amended, effective FY10, as follows:
- (A) total resources devoted to all forms of employee compensation shall not exceed the estimated growth in total general fund revenue for the following fiscal year;
 - (B) funds for salary and wage adjustments shall not exceed the difference between total estimated revenue growth and resources needed to fund growth in health/dental and life insurance benefits and growth in the actuarial required contribution for the city's retirement system for each fiscal year;
 - (C) if collective bargaining contracts are not resolved at the time of budget submission, funds budgeted for such contracts shall be held in "municipal and compensation" reserve. [7-2-08 @ 12:12 PM]
- HELD 5-0 (Parker and Johnson not voting)**