

REPORTS DOCKET

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Tuesday, April 21, 2009
Newton City Hall
To be reported on
Monday, May 4, 2009

CITY OF NEWTON

IN BOARD OF ALDERMEN

UNFINISHED BOARD BUSINESS

MOTION TO RECONSIDER VOTE OF 4/21/09 FILED BY ALD. VANCE 4/22/09:
#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. **(90 days 5/21/09)**

ZONING & PLANNING APPROVED AS AMENDED 6-1 (Lappin) on 4/13/09

APPROVAL FAILED TO CARRY 10-12 (Albright, Brandel, Coletti, Fredman, Gentile, Hess-Mahan, Lappin, Mansfield, Parker, Salvucci, Schnipper, Vance) 2 absent Harney, Sangiolo) on 4/21/09

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, April 27, 2009

Present: Ald. Yates (Chairman), Ald. Baker, Lappin, Danberg, Swiston, Ciccone, Harney, and Linsky; also present: Ald. Sangiolo and Brandel

Planning Board members: Tabitha McCartney (Chairman), Joyce Moss, Scott Wolf, Leslie Burg, David Banash, and Douglas Sweet

Appointment by His Honor the Mayor

#93-09 ED ZIELINSKI, 128 Gibbs Street, Newton Centre, appointed as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term of office to expire January 1, 2012 (60 days: 6/5/09).

APPROVED 5-0 (Linsky, Harney, Ciccone not voting)

#46-09 DIRECTOR OF PLANNING & DEVELOPMENT recommending that Chapter 30 of the Revised Ordinances of Newton, Massachusetts, 2007, be amended by allowing the board of aldermen to grant a special permit for a Planned Multi-Use Business Development in any Mixed Use 1 District; by adding to Section 30-1, Definitions, a definition for Overlay Zone; by modifying certain minimum criteria and additional special permit criteria for a Planned Multi-Use Business Development in Section 30-15(s), Planned Multi-Use Business Development; by modifying certain density and dimensional requirements for Planned Multi-Use Business Development in Table A of Section 30-15(s), Planned Multi-Use Business Development; by renumbering, in Section 30-11(d), subparagraph (12) as (13) and adding a new subparagraph (12); by renumbering, in Section 30-13(b), subparagraph (16) as (17) and adding a new subparagraph (16); by adding to Section 30-13, Mixed Use Districts, a new subsection 30-13(h), special permits for Planned Multi-Use Business Development; and by adding to Section 30-19(1), Off-Street Loading Requirements, a new subsection 30-19(1)(4) and the table of off-street loading requirements new provisions for buildings containing a mix of commercial and residential uses in a Planned Multi-Use Business Development and included as part of this amendment as Exhibit A.

A public hearing was opened on March 23, continued to April 13 and continued to April 27:

NO ACTION NECESSARY 7-0 (Lappin not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Thursday, April 30, 2009

Present: Ald. Linsky (Chair), Ciccone, Harney, Coletti, Danberg and Vance; absent: Ald. Swiston and Fischman; also present: Ald. Hess-Mahan and Lennon

- #108-09 **ALD. HESS-MAHAN, ALBRIGHT, CICCONE, DANBERG, FISCHMAN, FREEDMAN, LAPPIN AND LINSKY** requesting a discussion of the possibility of using a “non-transporting ambulance” equipped with safety equipment for routine emergency calls in lieu of a fire truck in order to save costs. [04/14/09 @ 1:56 PM]
HELD 6-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, April 22, 2009

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Mansfield and Lappin; absent: Ald. Yates; also present: Ald. Linsky

- #83-09 **HIS HONOR THE MAYOR** requesting authorization to lease space on and around Fire Station #10 and/or lease space on and around the water tank off Ober Road for wireless communication equipment.
HELD 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #118-09 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend from parking meter receipts the sum of forty thousand dollars (\$40,000) for the purpose of purchasing streetlight equipment for the Farlow Hill neighborhood. [04/14/09 @5:32 PM]
FINANCE TO MEET
APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #100-09 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend sixty thousand five hundred twenty seven dollars (\$60,527) from Budget Reserve for the purpose of supplementing the Building Department FY09 budget for fuel costs. [03/31/09 @6:11 PM]
FINANCE TO MEET
APPROVED 3-0-4 (Albright, Lappin, Lennon and Mansfield abstaining)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #99-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty eight thousand two hundred sixty-one dollars (\$38,261) from Budget Reserve for the purpose of supplementing the Building Department FY09 budget for HVAC repairs. [03/31/09 @ 6:12 PM]
FINANCE TO MEET
APPROVED 7-0

REFERRED TO CMTE ON COMM PRES. PUB. FACIL & FIN. COMMITTEES

- #90-09 COMMUNITY PRESERVATION COMMITTEE requesting to appropriate and expend \$138,244, including \$2,000 for legal costs, from the FY09 Community Preservation Fund's historic resources and general reserves, to preserve and rehabilitate the exterior of the Jackson Homestead. [03/06/09 @ 2:20 PM]
COMMUNITY PRESERVATION APPROVED 4-0 on 03/24/09
APPROVED 7-0
FINANCE TO MEET
- #83-06 ALD. SCHNIPPER & GENTILE requesting discussion with NStar regarding frequent power outages in the Newton Lower Falls area in particular Grayson Lane.
NO ACTION NECESSARY 7-0
- #457-08 ALD. LAPPIN AND SALVUCCI requesting discussion with NStar regarding the timely repair of City streetlights and the development of a standard response timeframe. [11-20-08 @ 12:51 PM]
HELD 7-0
- #379-07 ALD. LINSKY requesting review of how gas and electric utilities inform their customers as to work that is scheduled to be performed so that such customers are provided adequate notice to adjust or mitigate any disruption caused as a result of such work. [10-31-07 @ 10:15A.M.]
NO ACTION NECESSARY 7-0
- #350-07 ALD. LINSKY requesting discussion with the utility companies regarding rectification of utility wires that are not mounted high enough on utility poles to avoid being torn down, thereby causing damage to persons and/or property. [10-17-07 @ 10:33 AM]
NO ACTION NECESSARY 7-0
- #385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11-21-07 @ 10:23 AM]
HELD 7-0