

## REPORTS DOCKET

May 18: Committee of the Whole Continued  
May 19: Land Use Page 121  
May 20: Prog. & Serv.; Public Safety & Trans.; Public Facilities Monday, May 18, 2009  
May 26: Real Property Reuse; Committee on Community Preservation Newton City Hall  
To be reported on  
**Monday, June 1, 2009**

### CITY OF NEWTON

#### IN BOARD OF ALDERMEN

#### REFERRED TO LAND USE COMMITTEE

Tuesday, May 19, 2009

Present: Ald. Mansfield (Chairman), Ald. Vance, Sangiolo, Fischman, Hess-Mahan, Merrill, Brandel, and Albright; also present: Ald. Linsky, Johnson, and Baker

*A Public Hearing was opened on the following item:*

#120-09 WILLIAM S. & GILLIAN B. PIERCE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXPAND A NONCONFORMING STRUCTURE to demolish an existing first-floor porch and to add a small two-story addition onto the south side of an existing single-family dwelling that is legally nonconforming with respect to floor area ratio at 19 GLEN ROAD, Ward 7, Newton Centre on land known as Sec 65, Lot 5, Blk, 7, containing 6,795 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)(b), 30-21(b) of the City of Newton Rev Zoning Ord, 2007.  
**HEARING CLOSED; ITEM APPROVED 7-0 (Merrill not voting)**

*Public Hearing continued from April 7, 2009*

#75-09 DONALD A. & JILL L. EURICH petition for a Special Permit/Site Plan Approve to Expand a Non-conforming Structure and Use to add an addition of less than 200 sf to an existing detached barn to be used for a home office and to waive the requirement for two parking spaces at 7 WALNUT STREET, NEWTONVILLE, Ward 2, on land known as Sec 21, Blk 22, Lot 4, containing approx 32,716 sf of land in a district zoned SINGLE RESIDENCE 3.  
**WITHDRWAL WITHOUT PREJUDICE APPROVED 7-0 (Merrill not voting)**

#134-09 NEWTON HIGHLANDS NEIGHBORHOOD AREA COUNCIL requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold its 34th annual VILLAGE DAY on Sunday, June 14, 2009.  
**APPROVED 7-0 (Merrill not voting)**

***A Public Hearing was opened on the following item:***

#102-09 VIDEOLINK/DIV WASHINGTON STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to install a satellite antenna on an existing parking garage at 1210-1230 WASHINGTON STREET, WEST NEWTON, on land known as Sec 31, Blk 4, Lots 13 and 15, containing approx 79,093 and 14,089 sf, respectively, in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-18(a)(e)(5) and (f) of the City of Newton Rev Zoning Ord, 2007.

**HEARING CONTINUED TO JUNE 16, 2009**

***A Public Hearing was opened on the following item:***

#121-09 CONGREGATION SHAAREI TEFILLAH, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and to EXPAND A NONCONFORMING USE to add approximately 8,000 square feet to an existing Orthodox Synagogue to increase the number to a total of 405 seats and to waive the required number of parking stalls; locate a parking stall in the front setback; and to waive landscaping and lighting requirements for parking facilities for five or more stalls at 29-31 and 35 MORSELAND AVENUE, Ward 2, NEWTON CENTRE on land known as Sec 13, Blk 30, Lots 11A and 11B, containing a combined total of 31,300 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-19(h)(1), 30-19(i), (j), and (m) of the City of Newton Rev Zoning Ord, 2007, and special permit #47-87, condition nos. 3 and 5.

**HEARING CLOSED**

**REFERRED TO PROGRAMS & SERVICES COMMITTEE**

Wednesday, May 20, 2009

Present: Ald. Johnson (Chairman), Baker, Brandel, Freedman, Hess-Mahan, Merrill, Parker and Sangiolo; also present: Ald. Harney

Re-appointment by His Honor the Mayor

#107-09 JUDI MacKENZIE, 9 Oak Vale Road, Waban, re-appointed as a member of the NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on June 30, 2011 (60 days: 6/20/09)

**APPROVED 6-0 (Freedman and Merrill not voting)**

#125-09 THE POST AUDIT & OVERSIGHT COMMITTEE requesting creation of a public tree protection ordinance and amendment of the current tree ordinance as recommended in the Tree Preservation Ordinance Report. [04-17-09 @ 9:14 PM]

**HELD 7-0 (Merrill not voting)**

- #124-09 ALD. HARNEY requesting to amend the Rules and Orders of the Board of Aldermen to place a term limit on the President of the Board to two consecutive terms. [04-27-09 @ 10:38 PM]  
**HELD 8-0**
- #50-09 CLERK OF THE BOARD requesting that Article IX, Section 2 of the Rules of the Board be updated to reflect the use of the most current version of Robert's Rules Newly Revised 10<sup>th</sup> Edition (Cambridge, Mass; Perseus Publishing, 2000) [02/05/09 @ 12:21 PM]  
**APPROVED 5-0 (Freedman, Parker and Sangiolo not voting)**
- #33-09 ALD. LAPPIN requesting an amendment to the Rules of the Board of Aldermen so that appointments requiring confirmation to the Farm Commission be referred to the Committee on Community Preservation. [01/22/09 @ 9:03 AM]  
**APPROVED 5-0 (Freedman, Parker and Sangiolo not voting)**
- #154-08 ALD. JOHNSON requesting to establish a definition and appropriate usage of the Committee of the Whole of the Board of Aldermen as are all committees of the Board. [4/10/08 @ 9:09 AM]  
**APPROVED 6-0-2 (Parker, Merrill abstaining)**
- #153-08 ALD. JOHNSON requesting to establish a definition and appropriate usage of the Long Range Planning Committee of the Board of Aldermen as are all committees of the Board. [4/10/08 @ 9:09AM]  
**NO ACTION NECESSARY 7-1 (Sangiolo opposed)**
- #130-08 ALD JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen requiring that referral of any and all new business, communications, petitions and orders docketed before the Board of Aldermen be restricted to one or more of the standing committees of the Board of Aldermen: Land Use, Programs and Services, Public Safety and Transportation, Zoning and Planning, Finance, Real Property Reuse, Post Audit and Oversight, Public Facilities and Committee on Community Preservation. [03/24/08 @ 9:11 AM]  
**APPROVED 7-1 (Parker opposed)**
- #129-08 ALD. JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen stating that any new item submitted but not yet approved or accepted by the Full Board of Aldermen is prohibited from any formal or informal discussion by any formal, informal or special committee of the Board. [03/24/08 @ 9:11 AM]  
**HELD 7-0 (Freedman not voting)**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, May 20, 2009

Present: Ald. Linsky (Chairman), Ciccone, Harney, Danberg, Vance and Fischman;  
absent: Ald. Coletti and Swiston; also present: Ald. Sangiolo

#110-09 BOSTON COACH TRANSPORTATION request for annual renewal of the Boston College Bus Licenses. There are no changes proposed to last year's licenses. [04/02/09 @ 10:30 AM]

**APPROVED 6-0**

#109-09 PLANNING DEPARTMENT Planning Department and 128 Business Council requesting a discussion of proposed new shuttle to serve portions of Waltham and Newton. [04/03/09 @ 2:26 PM]

**HELD 5-0 (Danberg not voting)**

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

#117-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighty-eight thousand dollars (\$88,000) from Free Cash for the purpose of supplementing the Fire Department overtime account. [04/14/09 @ 5:33 PM]

**APPROVED 6-0**

**FINANCE TO MEET**

#81-09 ALD. DANBERG, LINSKY, CICCONE, SWISTON, HARNEY, COLETTI, VANCE, FISCHMAN AND SALVUCCI requesting an informational discussion with Traffic Engineer and the Public Safety & Transportation Committee on the Manual of Uniform Traffic Control Devices and how it shapes traffic control decisions on the municipal level. [03-06-09 @ 9:09 AM]

**HELD 4-0 (Danberg and Harney not voting)**

#147-09 ALD. VANCE, HESS-MAHAN AND DANBERG requesting discussion with members of the Administration of such possible adoption by Newton's city government of a program such as Zipcar's Fast Fleet vehicle-sharing and management system as a means of reducing the costs of vehicle usage by city employees and the impact of such usage on the environment. [05/11/09 @ 9:58 AM]

**HELD 4-0 (Danberg and Harney not voting)**

#66-09 ALD. HARNEY at the request of local residents, a discussion of Sec. 3-29, Removal and disposal of canine waste, with recommendations on how the ordinance can be enforced and whether or not the fines are appropriate. [02-24-09 @ 7:33 PM]

**HELD 5-0 (Danberg not voting)**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, May 20, 2009

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

- #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 5-0 (Lennon and Yates not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #36-08(2)      HIS HONOR THE MAYOR requesting to amend docket item #36-08 by appropriating an additional one hundred nine-thousand six hundred twenty-seven dollars (\$109,627) from Budget Reserve for the fuel tank replacements at the Elliot Street DPW yard. [04/28/09 @ 6:02 PM]  
**APPROVED 5-0-2 (Gentile and Lennon abstaining)**  
**FINANCE TO MEET**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #131-09      HIS HONOR THE MAYOR requesting authorization to appropriate and expend from Budget Reserve the sum of eighty thousand dollars (\$80,000) for the purpose of upgrading the automatic temperature control system at the library. [04/28/2009 @ 6:04 PM]  
*Note: A letter from His Honor the Mayor was received on 5/12/09 requesting that the funding source be changed from budget reserve to capital stabilization.*  
**APPROVED 7-0**  
**FINANCE TO MEET**

- #127-09      IRA KRONITZ requesting that the Board of Alderman rescind Board Order #289-03(4) dated November 20, 2006, relating to roadway modification plans for curb-line geometry changes to calm traffic at the intersection of Daniel and Jackson Streets. [04-28-09 3:48]  
**HELD 7-0**

- #289-03(5)      JOHN S. MAYPOLE proposing a Resolution to the Commissioner of Public Works to install curb-line geometry at the intersection of Daniel and Jackson Streets as originally designed by the Traffic Engineer and approved by the Board of Aldermen on November 20, 2006.  
**HELD 7-0**

**REFERRED TO REAL PROPERTY REUSE COMMITTEE**

Tuesday, May 26, 2009

Present: Ald. Merrill (Chairman), Ald. Salvucci, Johnson, Danberg, Brandel, Fischman, and Gentile; absent: Ald. Baker; also present: Ald. Linsky and Albright

#150-09      DIRECTOR OF PLANNING & DEVELOPMENT requesting a discussion re the potential redevelopment of the Austin Street municipal parking lot in Newtonville for mixed-use development, including affordable housing.

**HELD 7-0**

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION**

Tuesday, May 26, 2009

Present: Ald. Lappin (Chairman), Parker, Linsky, Hess-Mahan, Yates, Sangiolo and Ciccone; absent: Ald. Vance; also present: Ald. Gentile and Harney

**REFERRED TO CMTE. ON COMM. PRES. & FINANCE COMMITTEE**

#91-09      COMMUNITY PRESERVATION COMMITTEE recommending to appropriate and expend \$37,750, including \$750 for legal costs, from the FY09 Community Preservation Fund's historic resources and general reserves, to survey undocumented archaeological resources throughout the City including a ground-penetrating radar survey of the East Parish Burying Ground, and produce a report of the findings. [03/06/09 @ 2:20 PM]

**APPROVED 5-0-1 (Parker abstaining; Ciccone not voting)**

**FINANCE TO MEET**

**REFERRED TO CMTE. ON COMM. PRES. & FINANCE COMMITTEE**

#151-09      THE COMMUNITY PRESERVATION COMMITTEE recommending that two million forty-six thousand dollars (\$2,046,000) be appropriated and expended from the Community Preservation Fund's community housing and general reserves to create ten permanently affordable homeownership units of community housing at 192 Lexington Street. [05-11-09 @ 2:04 PM]

**HELD 7-0**

**REFERRED TO CMTE. ON COMM. PRES. & FINANCE COMMITTEE**

#132-09      THE COMMUNITY PRESERVATION COMMITTEE recommending that one million eighty-two thousand five hundred dollars (\$1,082,500) be appropriated and expended from the Community Preservation Fund's historic and general reserves for the preservation and rehabilitation of Warren House. [04/27/09 @ 9:04 AM]

**APPROVED 7-0**

**FINANCE TO MEET**

**REFERRED TO COMMITTEE OF THE WHOLE**

Monday, May 18, 2009

#70-09(4) Resolution 10 - ALD. LAPPIN proposing a resolution requesting that His Honor the Mayor fund \$53,200 for senior transportation services including medical visits within two miles of the city, visits to houses of worship and visits to long-term care facilities.

**APPROVED BY VOICE VOTE**