

CITY OF NEWTON

IN BOARD OF ALDERMEN

COMMITTEE ON COMMUNITY PRESERVATION AGENDA

TUESDAY, JANUARY 29, 2008

**6:45 PM Public Hearing**  
**Aldermanic Chamber**

**7:45 PM**  
**Room 202**

*Chairman's Note: There will be a public hearing regarding item #389-07 in the Aldermanic Chamber. The committee will then reconvene in Room 202 to discuss the remaining agenda items.*

**ITEMS TO BE DISCUSSED:**

**REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION**

#389-07      A GROUP PETITION requesting a public hearing regarding the Community Preservation Committee's (CPC) recommendation to the Board on February 16 and May 10, 2006, to appropriate Community Preservation Fund money for the *Stearns Park and Pellegrini Park: Year 1 Improvements*. On September 24, 2007 the Middlesex Superior Court declared the recommendation in violation of Community Preservation Act (Civ. No. 06-1868-C).

The petitioners specifically request the Board:

- (a) to consider and adopt an appropriate measure reproving the Community Preservation Committee(CPC) as constituted on January 11, 2006, when it voted the recommendation;
- (b) to ensure, henceforth, when questions of statutory interpretation and construction are raised by a competent and articulate segment of the public, the CPC shall seek competent legal advice from sources outside of City government, which shall include, without limitation, independent outside counsel and Massachusetts Department of Revenue;
- (c) to amend City's Revised Ordinances Part 2, Article VII, §§2-350-2-352 (Div. 8), to condition the term of the members of the CPC on good behavior and otherwise to provide for suspension, leave, dismissal or other suitable reprove for cause. [11-14-07 @ 9:44 AM]

**REFERRED TO THE COMMITTEE ON COMMUNITY PRESERVATION  
AND FINANCE COMMITTEES**

- #399-07      COMMUNITY PRESERVATION COMMITTEE requesting the sum of \$26,000 be reallocated from the potential subsidies for accessory apartments to program administration for the Accessory Apartment Incentive Program. The Board originally appropriated \$320,550 for this program via Board Order #466-05 on March 6, 2006. No new appropriation is requested. This reallocation will allow the program to run for an additional year beyond its original expiration date of December 31, 2007, offering homeowners slightly modified terms as outlined in the CPC's revised recommendation to the Board. [12-07-07 @ 2:19 PM]

**REFERRED TO THE COMMITTEE ON COMMUNITY PRESERVATION  
AND FINANCE COMMITTEE**

- #383-07      THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$498,500 be appropriated from the FY08 Community Preservation Fund's community housing and general reserves for development and associated legal costs of a community housing project proposed at 29 Coyne Road, Waban, by CAN-DO (Citizens for Affordable Housing in Newton Development Organization). [11-13-07 @ 5:09 PM]

Respectfully Submitted,

Cheryl Lappin, Chairman