

CITY OF NEWTON
IN BOARD OF ALDERMEN
BOARD ACTIONS

Monday, March 15, 2010

Present: Ald. Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Lappin, Linsky, Merrill, Rice, Salvucci, Sangiolo, Schnipper, Shapiro, Swiston, Yates, and Lennon.

Absent: Ald. Albright, & Freedman

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

- #15-10 **STEVEN E. & MERLE WINER** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached garage to an existing single-family residence at 1 BILLINGS PARK, Ward 7, NEWTON, on land known as Sec 72, Blk 8, Lot 21, containing approx 8,496 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(a)(2)b, 30-21(b) of the City of Newton Rev Zoning Ord, 2007.
LAND USE APPROVED 7-0 on 2/2310
ITEM POSTPONED ON 3/1/10 TO DATE CERTAIN OF 3/15/10
APPROVED 22 YEAS, 2 ABSENT (Ald. Albright & Freedman)

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

REFERRED TO LAND USE COMMITTEE

Tuesday, March 9, 2010

Public Hearings were held on the following items:

- #42-10 **JOHN J. & DIANE P. LANAHAN** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an EXTENSION OF A NON-CONFORMING STRUCTURE to demolish an existing one-story garage and construct a two-story addition onto an existing single-family dwelling, which will increase the existing Floor Area Ratio from .32 to .46, at 8 RIDGEWAY TERRACE, Ward 5, NEWTON HIGHLANDS, on land known as Sec 54, Blk 46, Lot 15, containing approx 5,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b, 30-21(b), 30-15(u)(4) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED; ITEM APPROVED 7-0 (Merrill not voting)

- #43-10 FENG HUA CHOW/BLOOMINGDALE'S, INC./FEDERATED DEPARTMENT STORES, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a waiver of 11 parking spaces in order to convert approximately 2500 sf of existing space in Bloomingdales Department Store into a 50-seat Japanese restaurant at 225 BOYLSTON STREET, Ward 7, CHESTNUT HILL, on land known as Sec 65, Blk 8, Lot 99B, containing approx 190,368 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED
- #44-10 SIGN DESIGN/GPH WEST NEWTON, LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a free-standing sign at the Golden Living Center at 25 ARMORY STREET, Ward 3, WEST NEWTON, on land known as Sec 31, Blk 7, Lot 23, containing approx 60,726 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-20(f)(1) and (9) of the City of Newton Rev Zoning Ord, 2007 and special permit nos. 741-67, 264-68, and 16-90.
HEARING CLOSED
- #45-10 DELUXE STATION DINER/AMERICAN COMPANIES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a 90-seat restaurant and waive 18 parking spaces at 70 UNION STREET, Ward 6, NEWTON CENTRE, on land known as Sec 61, Blk 36 Lot 11A , in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d), (d)(9), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, March 3, 2010

REFERRED TO CMTE ON COMM PRES, PUB. FAC, AND FIN COMMITTEES

- #41-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$569,000, including \$1,000 for City of Newton legal costs, be appropriated from the FY10 historic resources, open space, and general reserves of the Community Preservation Fund to be expended under the direction and control of the Public Buildings Department for the purpose of rehabilitating the interior of the barn at Angino Farm. [01/25/10 @ 2: 22 PM]
CCP APPROVED AS AMENDED @\$568,000 7-0 on 02/18/10
FINANCE APPROVED AS AMENDED @\$568,000 7-0 on 03/08/10
PUBLIC FACILITIES APPROVED AS AMENDED @\$568,000 5-0-1
(Salvucci abstaining; Danberg not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #72-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend one hundred eleven thousand five hundred twenty-four dollars (\$111,524) from Free Cash for the purpose of supplementing the Public Buildings Department budget for contractual maintenance of City buildings.[02/23/10 @ 7:21 PM]
FINANCE APPROVED 7-0 on 03/08/10
PUBLIC FACILITIES APPROVED 6-0 (Danberg not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #73-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend sixty thousand dollars (\$60,000) from Free Cash for the purpose of paying for Licensed Site Professional (LSP) services and costs associated with the continued clean up and Department of Environmental Protection oversight at the following locations:
Cabot Elementary School\$10,000
Horace Mann Elementary School\$30,000
Newton South High School\$10,000
Elliot Street DPW Yard\$10,000
[02/23/10 @ 7:20 PM]
FINANCE APPROVED 7-0 on 03/08/10
PUBLIC FACILITIES APPROVED 6-0 (Danberg not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #53-10 **ALD. FULLER, SCHNIPPER, CROSSLEY & BAKER** requesting a Resolution to His Honor the Mayor requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins. [02/09/10 @ 12:43 PM]
Item Divided into: (A) a Resolution requesting that the pay station for the Cypress Street Municipal Lot be installed within 120 days; and (B) a Resolution requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins
FINANCE HELD (B) on 03/10/10
PUBLIC FACILITIES (B) HELD 7-0
FINANCE APPROVED (A) on 03/10/10
PUBLIC FACILITIES APPROVED (A) 7-0

REFERRED TO FINANCE COMMITTEE

Monday, March 8, 2010

- #81-08(3) **PUBLIC WORKS COMMISSIONER**, in accordance with Ordinance Sec.26-49, **Street Betterments**, paragraph (a)(1) requesting approval of the following list of betterment assessments for the completed project for Bencliffe Circle: [02/11/10 @ 10:18 AM]

<u>PROPERTY OWNER</u>	<u>LOCATION/SBL</u>	<u>BK/PG</u>	<u>AMOUNT</u>
1. Gabriel G. Setian	5 Bencliffe Circle 41028 0020	28195/532	\$5,951.18
2. Raymond E. Desautels, Jr. & Lisa L. Desautels	11 Bencliffe Circle 42028 0021	1331/34	\$11,067.91
3. Alan M. Katz	19 Bencliffe Circle 48028 0022	1003/114	\$9,948.68
4. George & Evaggelia Chakalis	25-27 Bencliffe Circle 48028 0023	838/127	\$13,056.40
5. Grace J. Vigorito	33 Bencliffe Circle 48028 0024	1193/162	\$10,260.82
6. Dmitriy Lyubarskiy	39 Bencliffe Circle 48028 0025	1168/47	\$9,948.68
7. Dina Goldin	45 Bencliffe Circle 48028 0026	1129/162	\$9,948.68
8. Peter Fong	51 Bencliffe Circle 48028 0027	1225/38	\$10,903.76
9. Claire R. Gerstein & Estate of Esther R. Gerstein T/C	57 Bencliffe Circle 48028 0028	1264/200	\$9,948.68
10. Eugene E. Wong & Holly Soto Wong	63 Bencliffe Circle 48028 0029	1261/116	\$9,948.68
11. Abram Blekhmann & Marika Blekhmann	62 Bencliffe Circle 48028 0030	1208/176	\$9,948.68
12. Cynthia Fong	56 Bencliffe Circle 48028 0031	1016/70	\$9,292.07
13. Marcia E. Mann	40 Bencliffe Circle, Unit 1 48028 0032	30/70	\$13,521.50
14. Alexander & Yuliya Shulman	40 Bencliffe Circle, Unit 2 48028 0032A	72/167	\$13,521.50
15. John Giannaros & Panagiota Giannaros	24 Bencliffe Circle 48028 0033	1295/37	\$16,481.24
16. Scott A. Lewis & Janelle R. Winston	12 Bencliffe Circle 48028 0034	1311/118	\$11,062.93
17. John W. Pine & Deborah A. Pine	25-27 Chaske Avenue 48028 0035	24453/8	\$5,951.18

FINANCE APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #53-10 ALD. FULLER, SCHNIPPER, CROSSLEY & BAKER requesting a Resolution to His Honor the Mayor requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins. [02/09/10 @ 12:43 PM]
Item Divided into: (A) a Resolution requesting that the pay station for the Cypress Street Municipal Lot be installed within 120 days; and (B) a Resolution requesting the implementation of new parking meter payment methods and/or parking meter systems to eliminate the sole use of coins
PUBLIC FACILITIES (B) HELD 7-0
FINANCE HELD (B)
PUBLIC FACILITIES APPROVED (A) 7-0
FINANCE APPROVED (A)

REFERRED TO CMTE ON COMMUNITY PRES AND FINANCE COMMITTEES

- #40-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$37,045, including \$500 for City of Newton legal costs, be appropriated from the FY10 historic resources and general reserves of the Community Preservation Fund to be expended under the direction and control of the Newton Free Library, for the purpose of preserving and providing improved public access to certain archival materials held by the Library, City Clerk, and Jackson Homestead/Newton History Museum. [01/25/10 @ 2:22 PM]
CCP APPROVED AS AMENDED @\$36,545 SUBJECT TO SECOND CALL 5-0-2 Harney & Yates abstaining on 02/18/10
FINANCE APPROVED 7-0 AS AMENDED @\$36,545

REFERRED TO CMTE ON COMM PRES, PUB. FAC, AND FIN COMMITTEES

- #41-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$569,000, including \$1,000 for City of Newton legal costs, be appropriated from the FY10 historic resources, open space, and general reserves of the Community Preservation Fund to be expended under the direction and control of the Public Buildings Department for the purpose of rehabilitating the interior of the barn at Angino Farm. [01/25/10 @ 2:22 PM]
CCP APPROVED AS AMENDED @\$568,000 7-0 on 2-18-10
PUBLIC FACILITIES APPROVED AS AMENDED @\$568,000 5-0-1 (Salvucci abstaining) on 03/03/10
FINANCE APPROVED 7-0 AS AMENDED @\$568,000

- #69-10 HIS HONOR THE MAYOR requesting authorization to accept and expend a grant of ninety-six thousand five hundred forty-six dollars and fifty cents (\$96,546.50) from the Massachusetts Renewable Energy Trust for the purpose of purchasing eleven solar trash compactors and install two solar energy systems at the Oak Hill and Bigelow Middle Schools. [02/23/10 @ 7:22 PM]
FINANCE APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #72-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred eleven thousand five hundred twenty-four dollars (\$111,524) from Free Cash for the purpose of supplementing the Public Buildings Department budget for contractual maintenance of City buildings.[02/23/10 @ 7:21 PM]
PUBLIC FACILITIES APPROVED 6-0 (Danberg not voting) on 03/03/10
FINANCE APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #73-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend sixty thousand dollars (\$60,000) from Free Cash for the purpose of paying for Licensed Site Professional (LSP) services and costs associated with the continued clean up and Department of Environmental Protection oversight at the following locations:
- Cabot Elementary School\$10,000
 - Horace Mann Elementary School\$30,000
 - Newton South High School\$10,000
 - Elliot Street DPW Yard\$10,000
- PUBLIC FACILITIES APPROVED 6-0 (Danberg not voting) on 03/03/10**
FINANCE APPROVED 7-0

- #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]
FINANCE NO ACTION NECESSARY 7-0

- #348-08 ALD. COLETTI requesting discussion on the Executive Department submission of a new 5-year forecast for FY2010 budget preparation. [09-30-08 @ 1:54 PM]
FINANCE NO ACTION NECESSARY 7-0

- #29-06 ALD. JOHNSON AND PARKER requesting creation of a Citizen Financial Advisory Committee to work with city officials and staff to facilitate bench markers, strategic planning, and other initiatives to improve the financial operation of the City.
(President's Note: While not formally referred to the Long Range Planning Committee, this item might usefully be discussed there in light of prior discussions of similar issues.)
FINANCE REFERRED TO LONG RANGE PLANNING 7-0

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 19 YEAS, 3 NAYS (Ald. Ciccone, Gentile, Lennon), 2 ABSENT (Ald. Albright & Freedman) TO ACCEPT ITS COMMITTEES' RECOMMENDATION ON THE FOLLOWING ITEM:

- #368-08 ALD. LINSKY requesting approval of the Board of Aldermen of the design for improvements affecting the area where Walnut Street, Lowell Avenue and Watertown Street intersect including a traffic island, curb extensions and the dead ending of Lowell Avenue. [10/14/08 @ 12:53 PM]
- A) Board of Aldermen approved curb extensions and traffic island @ the intersection of Walnut Street & Lowell Avenue on 11/16/09**
- B) On 11/18/09 the Public Facilities Committee approved a request for trial of one- way on Lowell Avenue from Walnut Street to Watertown Street. On 12/07/09 the Board of Aldermen denied the request for a trial.**
- B) Public Facilities Committee Approved 5-1 Closure Of Lowell Avenue @ Watertown Street (Lennon opposed) on 02/03/10. Board of Aldermen referred (B) to Finance Committee on 02/16/10. FINANCE APPROVED 6-1 (Gentile opposed)**

The Board assigned a public hearing on the following item for April 13, 2010.

- #74-10 JOHN A. VITTI/MARION T. VITTI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to legalize an existing third unit in a two-family dwelling at 826 WATERTOWN STREET, Ward 3, WEST NEWTON, on land known as Sec 31, Blk 10, Lot, containing approx 15,474 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

The Board suspended its rules by Voice Vote to accept the following late filed item to the docket, and assigned a public hearing for the item for April 13, 2010.

- #75-10 CALEB P. NELSON & SANDRA J BLISS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON-CONFORMING STRUCTURE to demolish and existing deck and screened porch and add a 3-story addition onto the back of an existing 3-story single-family dwelling at 39 DEVONSHIRE ROAD, Ward 5, Waban, on land known as Sec 55, Blk 40, Lot 3 containing approx 10,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 3021(a)(2)b), (b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2007.