

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, June 15, 2015

Present: Ald. Albright, Baker, Blazar, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Kalis, Lappin, Laredo, Leary, Lipof, Norton, Rice, Sangiolo, Schwartz and Yates

Absent: Ald. Lennon

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

REFERRED TO ZONING & PLANNING COMMITTEE
#376-14 **PLANNING & DEVELOPMENT DEPARTMENT** requesting that **Chapter 30 ZONING** be deleted in its entirety and replaced with the Zoning Reform Phase 1 Zoning Ordinance. [10/22/14 @ 7:48PM]
HEARING CLOSED; ZONING & PLANNING APPROVED 3-0-1 as amended to correct typographical and other minor errors (Yates abstaining; Baker not voting) on May 11, 2015
ITEM POSTPONED ON MAY 18 TO DATE CERTAIN OF JUNE 15, 2015
MOTION TO POSTPONE TO A DATE CERTAIN OF JULY 13, 2015
APPROVED BY VOICE VOTE

Clerk's Note: A request to postpone this item until the next full board meeting in July was made. Concern was raised that some existing ordinance provisions had not been carried over in the way that they should have been in the new draft. Some modifications were not made and there were been some omissions. It was asked that any change should be clearly red-lined so the public, as well as the Board, will be able to understand.

A request was made that the Clerk's office be given the opportunity to review the draft in conjunction with the Law Department. A process of double checking requires reading the old against the new and there was concern that the process be done well and done right and having the Clerk's office review the draft will do that.

It was felt that the Board was close to pulling together the changes and there could be a vote in July. Some Aldermen, however, were anxious to see this approved and did not understand the need for delay.

REFERRED TO PROG & SERV, PUB FACILITIES, AND FINANCE COMMITTEES

#118-15 **HIS HONOR THE MAYOR** requesting authorization to acquire real property for municipal purposes at 15 Walnut Park, Newton more commonly referred to as Lot 1B, as shown on a subdivision plan dated August 30, 2010 and recorded in Middlesex County Registry of Deeds as Plan No. 746 of 2010, and for authorization to appropriate and expend fifteen million seven hundred fifty thousand dollars (\$15,750,000) from bonded indebtedness for the purpose of purchasing the property. [04/29/15 @ 12:01PM]

PROGRAMS & SERVICES APPROVED 6-0 on 05/06/15; PUBLIC FACILITIES APPROVED 7-0 on 05/06/15;

FINANCE APPROVED 6-0 ON 05/27/15

FULL BOARD RECOMMITTED TO FINANCE ON 06/01/15

FINANCE APPROVED 7-0-1 (Brousal-Glaser abstaining)

MOTION TO AMEND TOTAL TO \$17, 350,000 WAS APPROVED BY VOICE VOTE

APPROVED AS AMENDED 23 YEAS, 1 ABSENT (Ald. Lennon)

Clerk's Note: The Chair of the Finance Committee reported that this item was recommitted by the Full Board back to Finance. Michael Feeney of the Department of Public Health was present for the Finance Committee discussion. There was also a representative from GZA, the environmental consulting firm. The first part of the discussion was on PCB's and possible contamination. Window caulking was discussed and it was noted that for the most part the caulking was on the exterior of the windows lessening the possibility of air contamination. Light fixtures and ballasts were discussed and all light fixtures will be examined and replaced where necessary. The hydraulic fluid in the elevator will be tested and if PCB's are present, the oil will be changed out which has been done in other school buildings. The interior of the windows has had testing and the glazing on the interior was found to have asbestos. It was noted that to try to abate the asbestos from the glazing would not make sense and that the most efficient way of dealing with this issue was the need to replace all of the windows. The plan has been to ultimately do a major renovation on Aquinas. Before placing children in the building, replacement of all windows would be done. There was some discussion regarding soil contamination. There was concern that the PCB's could possibly leech down into the soil. A possible remediation would be to carve up an area of dirt around the building, three feet in width and three feet in depth and remove soil and replace. It was decided to withdraw the motion for the additional million and motion was made to approve the money for the acquisition. The motion passed seven in favor, with one abstention. Since that time there have been additional discussions with the sellers through their attorney and the sellers have agreed to two major changes. One is to reduce the sale price by \$400,000 and the second to agree to language in the purchase and sale agreement that will limit the soil remediation and limit the exposure to the city by instituting a cap of \$100,000. The soils will be tested and if there are contaminated soils, they will be removed. The exposure will be limited to \$100,000. The new amended sale price is \$15,350,000. The Mayor's office has requested an increase in the bond authorization for an additional \$2,000,000 which would be used primarily for the window replacements. There will be a request to increase the bond authorization from \$15,750,000 that was approved in Finance to \$17,350,000. Ald. Ciccone moved the amended figure.

It was asked that the progress of the testing be made available as it is done.

It was noted that across the country there have been many problems with PCBs, however, the project should move forward and work to have the building safe, decent, and inhabitable for both teachers and students should be undertaken.

A request for information about budget for the next few years as well as scheduling was made.

Chief Financial Officer Maureen Lemieux addressed the Board and said that it is known that the rest rooms will have to be rehabbed. Aquinas will not be opened on September 1st. It is not yet known how long the necessary work will take. It is questionable regarding moving Pre-K students in the middle of the year. If the extra two million dollars is approved, work will start right away. She reminded the Board that the whole purchase price and renovations would be bonded.

The Rules & Orders of the Board contain a blackout period to avoid scheduling public hearings for Major Projects in July or August. The following petition, filed with the clerk of the board on June 3 after the June 1 to July 20 blackout period, involves the construction of 20,000 or more square feet in gross floor area, one of the criteria for a Major Project classification. The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders (3/4 vote) of the Board of Aldermen to suspend the time restrictions to allow the petition to be assigned a public hearing for July 14, 2015.

#148-15 **INTRUM COPORATION** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second 60,565 square-foot building to be connected to an existing office building, as well as a one-story parking deck, and to redesign existing parking facilities increasing the number of parking stalls from 215 to 379 at 180 WELLS AVENUE, Ward 8, on land known as SBL 84, 34A, 3, containing approximately 220,097 square feet of land in a district zoned LIMITED MANUFACTURING. Ref: 30-12(g)(2) of the City of Newton Rev Zoning Ord, 2012 and Board Order nos. 276-68(3), 761-69, 734-72 (884-71). NOTE: Accompanying the petition is a request to amend the Deed Restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended or waived to increase the Floor Area Ratio from .25 to .53, which exceeds the maximum of .25, to waive the minimum 40% open space requirement, and to allow a greater percentage of square footage in the office park to be dedicated to office space.

MOTION TO SUSPEND THE RULES TO REMOVE THE BLACK OUT PERIOD AND ACCEPT AND ASSIGN A PUBLIC HEARING WAS DENIED 23 NAYS, 1 ABSENT (Ald. Lennon)

Clerk's Note: Concern was raised over taking up a major project over the summer when residents might not be able to attend due to summer vacation schedules.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 3 ABSENT (Ald. Albright, Fuller and Lennon) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, June 2, 2015

A Public Hearing was opened on the following item:

#119-15 AUSTIN STREET PARTNERS, LLC/CITY OF NEWTON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to redevelop an existing municipal parking lot, declared surplus by the Board of Aldermen on February 6, 2012, into a mixed use residential building providing 68 units of housing, approximately 5,000 sf of commercial space, approximately 90 underground parking spaces appurtenant to the proposed residences and commercial space and 127 public parking spaces at grade at 28 AUSTIN STREET, Ward 2, Newtonville, on land known as SBL 24, 9, 15, containing approximately 74,480 sf of land in a district zoned MIXED USE 4. Ref: Sec. 30-24, 30-23, 30-21(b), 30-15(w)(2), (w)(4)b), 30-15 Table 3, 30-13(h), (h)(2) Table B, 30-13(j)(1), (2), and (3), 30-19(d)(2), (10), (11), (12), and (13), 30-19(e), 30-19(h)(1), (2)a) and b), 30-19(i)(1) and (2), 30-19 (j)(1), 30-19 (k); 30-19 (l) Table 3, and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO JUNE 9, 2015

REFERRED TO LAND USE COMMITTEE

Tuesday, June 9, 2015

#129-14(2) MICHAEL & MARTHA GANGEMI request for an EXTENSION OF TIME in which to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL #129-14, granted on May 19, 2014, to replace an existing detached garage with a new detached garage at the rear of an existing single-family home, which will increase the nonconforming Floor Area Ratio from .36 to .37, where .29 is the maximum allowed by right, at 96 LENOX STREET, Ward 2, West Newton; said EXTENSION will run from May 19, 2015 to May 19, 2016. Ref: Sec 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

EXTENSION OF TIME LAND USE APPROVED 5-0 (Harney, Lipof, and Lennon not voting)

A Public Hearing opened on June 2 was continued:

#119-15 AUSTIN STREET PARTNERS, LLC/CITY OF NEWTON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to redevelop an existing municipal parking lot, declared surplus by the Board of Aldermen on February 6, 2012, into a mixed use residential building providing 68 units of housing, approximately 5,000 sf of commercial space, approximately 90 underground parking spaces appurtenant to the proposed residences and commercial space and 127 public parking spaces at grade at 28 AUSTIN STREET, Ward 2, Newtonville, on land known as SBL 24, 9, 15, containing approximately 74,480 sf of land in a district

zoned MIXED USE 4. Ref: Sec. 30-24, 30-23, 30-21(b), 30-15(w)(2), (w)(4)b), 30-15 Table 3, 30-13(h), (h)(2) Table B, 30-13(j)(1), (2), and (3), 30-19(d)(2), (10), (11), (12), and (13), 30-19(e), 30-19(h)(1), (2)a and b), 30-19(i)(1) and (2), 30-19 (j)(1), 30-19 (k); 30-19 (l) Table 3, and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

HEARING CONTINUED TO DATE TO BE DETERMINED

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, June 8, 2015

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#103-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million fifty-seven thousand dollars (\$1,057,000) from the Community Preservation Fund to the control of the Director of Planning & Development, to create additional units of permanently affordable housing through the Newton Homebuyer Assistance Program, as described in the proposal submitted in March 2015. 04/13/15 @ 10:18 AM]

FINANCE APPROVED 6-0-2 (Blazar, Norton abstaining) abstaining) on 06/08/15

ZONING & PLANNING APPROVED 4-0-2 (Sangiolo, Danberg abstaining; Kalis, Baker not voting)

#23-15 ACTING DIRECTOR OF PLANNING & DEVELOPMENT requesting amendments to the official zoning map in order to correct discrepancies between Board of Aldermen actions and the boundaries of zoning districts as shown on the map and to better align zoning district boundaries with property lines and other features to reduce the number of split lots and other map anomalies. [01/09/15 @ 10:09AM]

ZONING & PLANNING APPROVED AS AMENDED 6-0-2 (Sangiolo, Yates abstaining)

REFERRED TO PROGRAMS & SERVICES COMMITTEE

#137-15 THE NEWTON ELECTION COMMISSIONERS requesting that the Board of Aldermen move the polling locations currently located at the Memorial Spaulding, Countryside, and Bowen Schools to the Newton South High School Gym; and that the polling location currently at Fire Station #1 be moved to the Grace Episcopal Church. This request is being made to provide better voting locations for Newton's voters. [05/19/15 @ 3:53PM]

(A) Newton South – PROGRAMS & SERVICES HELD 4-0 (Rice, Leary, Kalis, Blazar not voting)

(B) Grace Episcopal Church – PROGRAMS & SERVICES APPROVED 7-0 (Blazar not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, June 3, 2015

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #130-15 HIS HONOR THE MAYOR, requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash for the purpose of improving traffic signalization at several intersections throughout the City.
[05/11/15 @ 5:00 PM]
FINANCE APPROVED 8-0 on June 8, 2015
PUBLIC SAFETY APPROVED 6-0-1, Schwartz abstaining

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #129-15 HIS HONOR THE MAYOR, requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
[05/11/15 @ 5:00 PM]
FINANCE COMMITTEE SPLIT THE ITEM INTO PART A AND B
(A) \$1.2 MILLION FOR AUBURNDALE TRAFFIC IMPROVEMENT PLAN - FINANCE HELD and REFERRED TO PUBLIC FACILITIES COMMITTEE 8-0 on 06/08/15
(B) \$800,000 FOR TRAFFIC IMPROVEMENTS AT VARIOUS LOCATIONS WITHIN THE CITY - FINANCE APPROVED 7-0-1 (Fuller abstaining) on 06/08/15
PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining)

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #130-15 HIS HONOR THE MAYOR, requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash for the purpose of improving traffic signalization at several intersections throughout the City.
[05/11/15 @ 5:00 PM]
FINANCE APPROVED 8-0 on June 8, 2015
PUBLIC SAFETY APPROVED 6-0-1, Schwartz abstaining

- #201-13(3) 128 BUSINESS COUNCIL, requesting an amendment to board order #201-13(2) of the Needham Shuttle Bus License, which includes revisions and approval to change bus operator and vehicle specifications. [05/08/15 @ 9:21 AM]
PUBLIC SAFETY APPROVED 6-0-1 (Yates abstaining)

- #138-15 TRIP ADVISOR, requesting **four (4) new bus licenses** to provide employee-only shuttle service. [05/26/15 @ 10:37 AM]
PUBLIC SAFETY APPROVED 6-0-1 (Yates abstaining)

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, June 3, 2015

#111-15 STEPHEN & KAJAL VICINELLI, 82 Lenox Street, West Newton petitioning for a main drain extension in LENOX STREET from the existing main drain in front of 96 Lenox Street northerly 112' ± to a proposed manhole in Lenox Street. (Ward 3) [04/21/15@ 1:31 PM]
PETITIONER TO PAY ENTIRE COST
PUBLIC FACILITIES APPROVED 4-0 (Danberg, Gentile, Laredo not voting)

#139-15 HIS HONOR THE MAYOR requesting approval of the City's acquisition of a public way easement from Boston College for the relocation of a portion of the sidewalk on Commonwealth Avenue. In order to relocate the Boston College shuttle bus stop near the Boston College Middle Campus gate and the abutting sidewalk to create an adequate turn-out area for the shuttle bus, Boston College will provide a permanent easement on 367' ± of its land for the relocation of the City sidewalk.
PUBLIC FACILITIES APPROVED 5-0-1 (Danberg abstaining; Gentile not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#144-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of four hundred thousand dollars (\$400,000) from the Community Preservation Fund to the control of the Public Buildings Department, to complete the Museum Archives, Accessibility and Fire Suppression project, as described in the supplemental funding request submitted in April 2015. [05/18/15 @ 3:51 PM]
FINANCE APPROVED AS AMENDED TO \$306,509 8-0 on 06/08/15
PUBLIC FACILITIES APPROVED 5-0-2 (Gentile and Lappin abstaining)
MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PUBLIC FACILITIES COMMITTEE TO POLL HER COMMITTEE TO ACCEPT THE REPORT OF THE FINANCE COMMITTEE WAS APPROVED BY VOICE VOTE
PUBLIC FACILITIES APPROVED AS AMENDED TO \$306,509 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#131-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from the Public Works Snow Overtime Account to the Public Works Vehicle Repairs Account for the purpose of funding additional repair work required due to the historic amount of snow this past winter. [05/11/15 @ 4:18 PM]
FINANCE APPROVED 8-0 on 06/08/15
PUBLIC FACILITIES APPROVED 6-0 (Gentile not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #132-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of two hundred thousand dollars (\$200,000) from the Public Works Full Time Wages/Street Maintenance Account to the Public Works Electrical Equipment Account for the purpose of funding additional repair work required this year. [05/11/15 @ 4:18 PM]
FINANCE APPROVED 8-0 on 06/08/15
PUBLIC FACILITIES APPROVED 7-0
- MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE COMMITTEE TO POLL HER COMMITTEE TO AMEND THE AMOUNT TO \$115,000 WAS APPROVED**
- PUBLIC FACILITIES APPROVED AS AMENDED TO \$115,000 6-0**

REFERRED TO FINANCE COMMITTEE

Monday, June 8, 2015

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #144-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of four hundred thousand dollars (\$400,000) from the Community Preservation Fund to the control of the Public Buildings Department, to complete the Museum Archives, Accessibility and Fire Suppression project, as described in the supplemental funding request submitted in April 2015. [05/18/15 @ 3:51 PM]
PUBLIC FACILITIES APPROVED 5-0-2 (Gentile and Lappin abstaining)
on 06/03/15
FINANCE APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #132-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of two hundred thousand dollars (\$200,000) from the Public Works Full Time Wages/Street Maintenance Account to the Public Works Electrical Equipment Account for the purpose of funding additional repair work required this year. [05/11/15 @ 4:18 PM]
PUBLIC FACILITIES APPROVED 7-0 on 06/03/15
FINANCE APPROVED 8-0
- MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE COMMITTEE TO POLL HIS COMMITTEE TO AMEND THE AMOUNT TO \$115,000 WAS APPROVED**
- FINANCE APPROVED AS AMENDED TO \$115,000 7-0**

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #131-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from the Public Works Snow Overtime

Account to the Public Works Vehicle Repairs Account for the purpose of funding additional repair work required due to the historic amount of snow this past winter. [05/11/15 @ 4:18 PM]

PUBLIC FACILITIES APPROVED 6-0 (Gentile not voting) on 06/03/15
FINANCE APPROVED 8-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #130-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash for the purpose of improving traffic signalization at several intersections throughout the City.
PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining) on 06/03/15
FINANCE APPROVED 8-0

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #129-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million dollars (\$2,000,000) from bonded indebtedness for the purpose of improving the traffic signals at several intersections in Auburndale and traffic improvements in Nonantum and Oak Hill, as well as other areas of the City.
05/11/15 @ 5:00 PM]
PUBLIC SAFETY APPROVED 6-0-1 (Schwartz abstaining) on 06/03/15
FINANCE COMMITTEE SPLIT THE ITEM INTO PART A AND B
(A) \$1.2 MILLION FOR AUBURNDALE TRAFFIC IMPROVEMENT
PLAN and REFERRED TO PUBLIC FACILITIES COMMITTEE
FINANCE HELD 8-0
(B) \$800,000 FOR TRAFFIC IMPROVEMENTS AT VARIOUS
LOCATIONS WITHIN THE CITY
FINANCE APPROVED 7-0-1 (Fuller abstaining)

- #128-15 HIS HONOR THE MAYOR requesting authorization to enter into a five-year contract for the curbside collection of solid waste and recyclables. [05/11/15 @ 4:30 PM]
FINANCE APPROVED 6-0-2 (Gentile and Lappin abstaining)

- #142-15 HIS HONOR THE MAYOR requesting authorization to accept and expend the Edward J. Byrne Memorial Justice Assistance Grant in the amount of twenty-nine thousand nine hundred fourteen dollars and ten cents (\$29,914.10) for the purpose of purchasing law enforcement equipment. [05/27/15 @ 2:01 PM]
FINANCE APPROVED 8-0

- #143-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of twenty thousand dollars (\$20,000) from Free Cash for fees relating to the transport and disposal of railroad ties in order to expedite the completion of the "Rail Trail Project." [05/27/15 @ 2:00 PM]
FINANCE APPROVED 7-0-1 (Ciccone abstaining)

- #145-15 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred twelve thousand nine hundred seventy-six dollars and sixty-one cents (\$112,976.61) from E-Rate Reimbursements Funds collected through May 2015 for the purpose of school technology purchases. [04/30/12 @ 5:08 PM]
FINANCE APPROVED 7-0 (Brousal-Glaser not voting)

A MOTION TO ACCEPT THE FOLLOWING NINE (9) LATE FILED ITEMS TO THE DOCKET AND REFER TO COMMITTEE WAS APPROVED BY VOICE VOTE

REFERRED TO FINANCE COMMITTEE

- #129-15(2) COMMISSIONER OF PUBLIC WORKS requesting approval of the addition of a left turning lane from Winchester Street onto Nahanton Street. [06/11/15 @ 12:56 PM]

REFERRED TO FINANCE COMMITTEE

- #158-15 HIS HONOR THE MAYOR requesting an increase in the Fiscal Year 2016 annual expenditure limit of the Newtonville Area Council revolving fund from \$2,500 to \$10,000 in order cover the funds and expenses related to Newtonville Village Day. [06/10/15 @ 2:23 PM]

REFERRED TO FINANCE COMMITTEE

- #142-15(2) HIS HONOR THE MAYOR requesting authorization to accept and expend the Edward J. Byrne Memorial Justice Assistance Grant in the amount of ninety-nine thousand six hundred thirty-three dollars and sixty cents (\$99,633.60) for the purpose of funding a ride-along social worker. [06/10/15 @ 2:23 PM]

REFERRED TO THE FINANCE COMMITTEE

- #160-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of nine thousand dollars (\$9,000) from the Inspectional Services Salaries Account to the Inspection Services Expenses Account for the purpose of hiring temporary administrative help in the Inspectional Service Department. [06/15/15 @ 3:30 PM]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #161-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of two hundred ten thousand dollars (\$210,000) from the Planning & Development Department Salaries Account to the Planning & Development Department Consultants Account for the purpose of funding \$10,000 for the Newton Center Parking Study with the remaining amount to be available for consultants in Fiscal Year 2016. [06/15/15 @ 3:30 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #162-15 HIS HONOR THE MAYOR requesting authorization to transfer fifty-nine thousand thirty-two dollars (\$59,032) from Free Cash to the following account in

the Parks and Recreation Department to cover costs associated with water, electricity, and repairs to fences damaged in winter storms:

Public Property Repair and Maintenance (0160210-52409).....	\$20,000
Electricity (0160209-5210).....	\$10,000
Water (0160209-5230.....	\$29,032

[06/15/15 @ 3:30 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#163-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from the Comptroller’s Department Staffing and Project Reserve to the Public Buildings Department Municipal Maintenance Account in order to fund Fiscal Year 2015 costs for the City Hall Elevator Project and the removal of a storage tank at Fire Station #3. [06/15/15 @ 3:30 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#164-15 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one million four hundred sixteen thousand two hundred fifty eight dollars (\$1,416,258) to continue projects in City owned buildings under Phase 2 of the energy efficiency program. Funding from the following sources is requested:

Energy Stabilization Fund.....	\$804,380
Green Communities Grant	\$236,878
Utility Rebates to be Deposited	\$375,000

Into the Energy Stabilization Fund

REFERRED TO PUBLIC FACILITIES COMMITTEE

#157-15 COMCAST petitioning for a grant of location to install conduit and vaults in NAHANTON STREET AND WELLS AVENUE as follows:

- A) 2,528’± of conduit in Nahanton Street in a westerly direction from Pole #28 to Wells Avenue
 - B) Two 2’ x 3’ vaults in Nahanton Street
 - C) 4,377’ of conduit in Wells Avenue from the entrance to Wells Avenue to 160 Wells Avenue
 - D) 3 x 3 manhole in Wells Avenue at 1 Wells Avenue
 - E) Three 2’ x 3’ vaults in Wells Avenue at the following locations: 2 Wells Avenue, 200 Wells Avenue, and 160 Wells Avenue. (Ward 8)
- [06/10/15 @ 1:02 PM]

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:*Public Hearing assigned for July 14, 2015:*

#149-15 JOAN DEVINE, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in Floor Area Ratio from .45 to .58 for a customized modular home that was permitted at 14 CHARLEMONT STREET, Ward 8, Newton Highlands, on land known as SBL 83, 33, 18, containing approximately 8,251 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for July 14, 2015:

#416-12(4) MAIN GATE REALTY LLC petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013 which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses, in order to allow office and storage space in the basement and to re-stripe an existing parking lot to create five parking stalls, where four currently exist, and to waive the dimensional requirements for the parking stalls at 243-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(h)(2)a) and (m) of the City of Newton Rev Zoning Ord.

Public Hearing assigned for July 14, 2015:

#150-15 ANTHONY DePASQUALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change an existing nonconforming use to another nonconforming use in order to convert an existing clubhouse to a multi-family dwelling with five units and to waive one parking stall and to allow parking within the front setback at 15 SOUTH GATE PARK, Ward 3, West Newton, on land known as SBL 33, 31, 9, containing approximately 14,120 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(d)(2), (g)(1), and (m) and 30-24(f) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing assigned for June 17, 2015:

#156-15 NATIONAL GRID petitioning for a grant of location to install and maintain 60' ± of 6" gas main in BEECHER PLACE from the existing 6" gas main at 50 Beecher Place easterly for a new gas service at 6 Beecher Terrace. [06/02/15 @ 1:12 PM]

Public Hearing assigned for June 17, 2015:

#157-15 COMCAST petitioning for a grant of location to install conduit and vaults in NAHANTON STREET AND WELLS AVENUE as follows:

- F) 2,528' ± of conduit in Nahanton Street in a westerly direction from Pole #28 to Wells Avenue
- G) Two 2' x 3' vaults in Nahanton Street
- H) 4,377' of conduit in Wells Avenue from the entrance to Wells

- Avenue to 160 Wells Avenue
 I) 3 x 3 manhole in Wells Avenue at 1 Wells Avenue
 J) Three 2' x 3' vaults in Wells Avenue at the following locations: 2
 Wells Avenue, 200 Wells Avenue, and 160 Wells Avenue. (Ward 8)
 [06/10/15 @ 1:02 PM]

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 1 NAY (Ald. Hess-Mahan), 3 ABSENT (Ald. Albright, Fuller & Lennon) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

- #366-14 ARMAN CHITCHIAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition and reconfigure an existing two-family dwelling to two side-by-side attached dwellings, which will increase the Floor Area Ratio from .24 to .42, 41 where ~~.36~~ .38 (with the 2% bonus) is allowed, at 143 LINCOLN STREET, Ward 5, NEWTON HIGHLANDS, on land known as SBL 52, 1, 18, containing approximately 11,775 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012. *A public hearing was opened and continued on 12/9/2014, continued to February 10, 2015; continued on March 17 Hearing closed; Approved as Amended 6-0-1 on March 31, 2015*
Item recommitted by Board of Aldermen on April 6, 2015; Postponed on May 18 to Date Certain of June 1.
LAND USE COMMITTEE APPROVED 7-0-1 (Harney abstaining) on May 5, 2015 (90 days: 6-29-15)
ITEM POSTPONED ON JUNE 1 TO DATE CERTAIN OF JUNE 15
MOTION TO SUSPEND THE RULES TO ACCEPT AN EXTENSION OF TIME AND REFER THE ITEM BACK TO COMMITTEE WAS APPROVED BY VOICE VOTE

- #366-14(2) Agreement to an extension of time to act on the Special Permit to Thursday, July, 16, 2015.

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 1 NAY (Ald. Norton), 3 ABSENT (Ald. Albright, Fuller & Lennon) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #103-15 COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million fifty-seven thousand dollars (\$1,057,000) from the Community Preservation Fund to the control of the Director of Planning & Development, to create additional units of permanently affordable housing through the Newton Homebuyer Assistance Program, as described in the proposal submitted in March 2015. 04/13/15 @ 10:18 AM]

**ZONING & PLANNING APPROVED 4-0-2 (Danberg, Sangiolo abstaining;
Baker, Kalis not voting) on 06/08/15**
FINANCE APPROVED 6-0-2 (Blazar, Norton abstaining)

**THE FOLLOWING ITEM WAS WITHDRAWN BY THE PETITIONER FOR
REFILING AFTER THE BLACK OUT PERIOD**

REFERRED TO LAND USE COMMITTEE

The Rules & Orders of the Board contain a blackout period to avoid scheduling public hearings for Major Projects in July or August. Although the following petition was filed with the clerk of the board on May 29, 2015 prior to the June 1 to July 20 blackout period, two of the criteria for a Major Project classification involve a waiver of more than five (5) parking stalls and projects that exceed six (6) residential units and trigger the Inclusionary Zoning Ordinance

The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders (3/4 vote) of the Board of Aldermen to suspend the time restrictions to allow the petition to be assigned a public hearing for July 14, 2015.

#147-15 **BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON
THEOLOGICAL SCHOOL** petition for a SPECIAL PERMIT/ SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to renovate the top two floors of an existing dormitory (Farwell Hall) to include 12 reconfigured dormitory rooms and to use the bottom three floors and a proposed new attached structure for a 51-unit assisted living facility and to waive 28 parking stalls and various dimensional requirements of Sec 30-19 at 157 HERRICK ROAD, Ward 6, Newton Centre, on land known as SBL 65, 19, 45, containing approximately 871,960 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-9(b)(2), 30-5(b)(2), 30-19(d)(4), (d)(5), (h)(1), (2)a and b), (h)(3), (h)(4), (i)(1), (j)(l), (k), and (m) of the City of Newton Rev Zoning Ord, 2012.