



## City Council Docket

**POSTED**  
City Clerk

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By City Clerk's Office at 12:40 pm, Feb 01, 2018

Feb. 6: Land Use

Continued

Feb. 7: Programs & Services, Public Safety & Transportation; Public Facilities

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Feb. 11: Zoning & Planning; Finance

**Monday, February 5, 2018**

12:00 PM, Newton City Hall

To be reported on

Tuesday, February 20, 2018

### City of Newton

## In City Council to be Accepted and Referred to Committees

### Referred to Land Use Committee

#### ***Public Hearing to be reassigned for February 13, 2018***

**#71-18**

#### **Petition to amend Special Permit #515-61 at JFK Circle**

NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing lots at 83-127 and 106-128 JFK Circle to develop 55 affordable elderly housing units, requiring a Comprehensive Permit, to extend non-conforming front setbacks and for waivers relative to parking at 83-127 John F Kennedy Circle and 106-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.1 of the City of Newton Rev Zoning Ord, 2015.

#### **Public Hearing to be assigned for March 6, 2018**

**#90-18**

#### **Petition to amend Special Permit #45-10 at 70-80 and 93 Union Street**

80 UNION STREET, LLC/DOUBLE J HOSPITALITY, LLC/AMERICAN COMPANIES, INC/UNION REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend prior Board Order #45-10 relating to 70-80 Union Street, Ward 6, Section 61 Block 36 Lot 11A, Newton Centre, containing approximately 2,842 sq. ft. of land in a district zoned BUSINESS 1, to eliminate the requirement for four off-site parking stalls at 93 Union Street, Ward 6, Section 61 Block 36 Lot 09, Newton Centre, containing approximately 31,455 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

**Public Hearing to be assigned for March 6, 2018**

**#91-18      Petition to Amend Special Permits #273-14(2) & #40-07 on Elm Street**

NICORE CONSTRUCTION CORP./ANTONIO BONADIO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #273-14(2) and #40-07 to allow for the location of a new driveway, requiring an amendment to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton, on land known as Section 33 Block 23 Lot and Section 33 Block 23 Lot 16, containing approximately 26,320 sq. ft. of land in a district zoned MR2 and MR1. Ref: Sec. 7.3, 7.4, 6.2.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

**Public Hearing to be assigned for March 6, 2018**

**#92-18      Petition to amend Special Permit #131-16 at 37 Westbourne Road**

JOYCE ZAKIM petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #131-16 to alter an existing nonconforming front and side setback at 37 Westbourne Road, Ward 7, Chestnut Hill on land known as Section 73 Block 45 Lot 09 containing approximately 8,090 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 3.1.3, 7.8.2.C.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

**#93-18      Appointment of Elizabeth Smith to the Washington Place Liaison Committee**

PRESIDENT LAREDO appointing Elizabeth Smith, 40 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

**#94-18      Appointment of Meghan Smith to the Washington Place Liaison Committee**

PRESIDENT LAREDO appointing Meghan Smith, 34 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

**#95-18      Appointment of Wayne Koch to the Washington Place Liaison Committee**

PRESIDENT LAREDO appointing Wayne Koch, 64 Greylock Road, West Newton, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

**#96-18      Appointment of Robert Fitzpatrick to the Washington Place Liaison Committee**

PRESIDENT LAREDO appointing Robert Fitzpatrick, 167 Lowell Avenue #1, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)

- #97-18 Appointment of Councilor Baker to the Boston College Neighborhood Council**  
PRESIDENT LAREDO appointing Councilor R. Lisle Baker as the Ward 7 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)
- #98-19 Appointment of Councilor Norton to the Boston College Neighborhood Council**  
PRESIDENT LAREDO appointing Councilor Emily Norton as the Ward 2 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)
- #99-18 Appointment of Councilor Kalis to the Chabad Neighborhood Council**  
PRESIDENT LAREDO appointing Councilor David Kalis as the Ward 8 Council Representative to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #100-18 President's Appointment of David Yu to the Chabad Neighborhood Council**  
PRESIDENT LAREDO appointing David Yu, 22 Rachel Road, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #101-18 President's Appointment of Elyse Friedman to the Chabad Neighborhood Council**  
PRESIDENT LAREDO appointing Elyse Friedman, 370 Dedham Street, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #102-18 President's Appointment of Councilor Auchincloss to the Austin St Liaison Committee**  
PRESIDENT LAREDO appointing Councilor Jake Auchincloss as the Ward 2 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #103-18 President's Appointment of Councilor Leary to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Councilor Alison Leary as the Ward 1 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

- #104-18**      **President's Appointment of Stephen Logowitz to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Stephen Logowitz, 28 Clyde Street, Newtonville, as a Newtonville Resident Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #105-18**      **President's Appointment of Bill Honeycutt to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Bill Honeycutt as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #106-18**      **President's Appointment of Brian Shaw to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Brian Shaw as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
- #107-18**      **President's Appointment of Michael Tucci to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Michael Tucci, 191 Jackson Road, Newton as the Jackson Road Area Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

### **Other Communications**

- #108-18**      **Mayoral appointment of Anthony Logalbo to the Retirement Board**  
ANTHONY LOGALBO, 55 Herrick Road, Newton Centre, appointed as the Mayoral Appointee to the Newton Retirement Board for a three-year term of office effective January 1, 2018.
- #109-18**      **MAPC Decision on Lasell College**  
DECISION OF MAPC REVIEW PANEL after review of two decisions of the Auburndale Historic District Commission regarding property at 70 Studio Road, Auburndale, pursuant to MGL Ch. 40C, Sec. 12. The panel voted unanimously that the Certificate of Hardship was constructively granted.
- #110-18**      **Pitsick LLC and Stephen Pitrowski seeking a declaratory judgement**  
PITSICK LLIC AND STEPHEN T PITROWSKI, pursuant to General Law Ch. 240, Sec. 14A, seek a declaratory judgement for determination as to the effect of Secs. 1.5, 3.1, and 7.8 of the City of Newton Zoning Ordinance in regard to the plaintiffs' present or future use, enjoyment, improvement, or development of 18 and 26 Goddard Street.

**#111-18 Waban Area Council filing its 2017 annual report**  
WABAN AREA COUNCIL submitting pursuant to Sec. 9-10 of the Charter its Annual Report of its activities for calendar year 2017.

**#112-18 Newton Upper Falls Area Council filing its 2017 annual report**  
NEWTON UPPER FALLS AREA COUNCIL submitting pursuant to Sec. 9-10 of the Charter its Annual Report of its activities for calendar year 2017.

**Referred to Zoning & Planning Committee**

**Public Hearing to be assigned for February 12, 2018**

**#113-18 Zoning Ordinance technical amendments**  
DIRECTOR OF PLANNING requesting technical amendments to the Newton Zoning Ordinance, Chapter 30, in order to address edits related to missing or incorrectly transcribed ordinance provisions.

**Referred to Programs & Services Committee**

**#114-18 Amendment to City Charter to change composition of City Council**  
COUNCILOR LIPOF requesting that the City Council seek Home Rule Legislation to amend the City Charter to change the composition of the City Council from 16 Councilors-at-Large and 8 Ward Councilors, to 8 Councilors-at-Large and 8 Ward Councilors.

**#115-18 Discussion with Senior Services on outreach to elderly residents**  
COUNCILOR ALBRIGHT requesting a discussion with the Department of Senior Services regarding outreach and services to the growing number of Newton residents who are 85 and older yet living alone. Discussion should focus on the City's ability to assess needs through outreach and available resources to provide needed services.

**Referred to Public Facilities Committee**

**Public Hearing to be assigned for February 7, 2018**

**#116-18 5-58 for the Crescent Street Housing and Ford Playground Redevelopment Project**  
COUNCILOR GENTILE on behalf of the CRESCENT STREET WORKING GROUP redocketing the DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 70 Crescent Street for the creation of mixed-use housing, redevelopment of the Reverend Ford Playground and expand open space by at least 20,000 square feet in accordance with Board Order #384-11(4) dated November 16, 2015.

**#117-18 President's Appointment of Howard Goldberg to the Designer Selection Committee**  
PRESIDENT LAREDO appointing Howard Goldberg, 27 Theodore Road to the DESIGNER SELECTION COMMITTEE for a term to expire on December 31, 2019. (60 days: 04/06/18)

- #118-18 Request for a Public Hearing for Auburndale Square**  
COUNCILORS GENTILE, KRINTZMAN AND MARKIEWICZ requesting that the Department of Public Works and Police Department Representatives hold a public hearing to obtain feedback from the public on the recently completed improvements to Auburndale Square.

**Referred to Finance Committee**

- #119-18 Council President's appointment to the Anthony Salvucci Scholarship Fund**  
COUNCILOR BARBARA BROUSAL-GLASER appointed as the representative of Wards 1-4 to the ANTHONY SALVUCCI CITY COUNCIL SCHOLARSHIP FUND for a term to expire on December 31, 2019. (60 days: 04/06/18)
- #120-18 Council President's appointment to the Anthony Salvucci Scholarship Fund**  
COUNCILOR R. LISLE BAKER appointed as the representative of Wards 5-8 to the ANTHONY SALVUCCI CITY COUNCIL SCHOLARSHIP FUND for a term to expire on December 31, 2019. (60 days: 04/06/18)
- #121-18 Council President's appointment to the Financial Audit Advisory Committee**  
JASON CHOW, 6 O'Connell Road, Oak Hill, appointed as a citizen representative on the FINANCIAL AUDIT ADVISORY COMMITTEE for a term of office to expire on January 31, 2021. (60 days 04/06/18)
- #122-18 Council President's appointment to the Financial Audit Advisory Committee**  
TERRENCE FINN, 32 Lenox Street, West Newton, appointed as a citizen representative on the FINANCIAL AUDIT ADVISORY COMMITTEE for a term of office to expire on January 31, 2021. (60 days 04/06/18)
- #123-18 President's appointment to the Emerson Community Center Board of Trustees**  
COUNCILOR JOHN RICE appointed as the Ward Five Council representative to the EMERSON COMMUNITY CENTER BOARD OF TRUSTEES for a term of office to expire on December 31, 2019.
- #124-18 Accept Mass Department of Environmental Protection EVIP Grant**  
HER HONOR THE MAYOR requesting authorization to accept and expend twenty-two thousand five hundred dollars (\$22,500) from the Massachusetts Department of Environmental Protection's EVIP Fleet Grant Program to be used towards the purchase of three Nissan Leafs for the City's electric vehicle fleet.

**#125-18**      **Accept Executive Office of Energy and Environmental Affairs Grant**  
HER HONOR THE MAYOR requesting authorization to accept and expend twenty-five thousand dollars (\$25,000) from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Grant Program to supplement the existing \$75,000 contract for the Street Design Guide. The grant will address stormwater management issues highlighted in the City’s Vulnerability Analysis and improve the final product.

**Referred to Programs & Services and Finance Committees**

**#126-18**      **Request to increase the salary of the City Clerk/Clerk of the Council**  
COUNCILORS LAREDO AND KALIS requesting an increase in the salary of the City Clerk/Clerk of the City Council for Fiscal Year (FY) 2018 to match the percentage increase included in the FY 2018 budget for H-grade employees.

**Referred to Programs & Services and Finance Committees**

**#127-18**      **Prohibition on polystyrene-based disposable food or beverage containers**  
COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments with in the City.

**Referred to Public Facilities and Finance Committees**

**#128-18**      **Appropriate \$500,000 for snow and ice removal expenses**  
HER HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash to supplement the Department of Public Works’ snow and ice operations budget.

Personnel Costs – Overtime	
(0140110-513001).....	\$150,000
Rental Vehicles	
(0140110-5273-5273) .....	\$350,000

**Referred to the Committee of the Whole**

**#129-18**      **Authorization to submit a statement of interest to the MSBA**  
SCHOOL SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to authorize the superintendent of Schools to submit a request to the Massachusetts School building Authority (MSBA) for consideration of funding for boiler replacement project(s).