



## City Council Reports Docket

**RECEIVED**

By City Clerk's Office at 11:49 am, Feb 01, 2018

January 17: Programs & Services; Public Safety; Public Facilities  
January 22: Zoning & Planning; Finance  
January 23: Land Use

Tuesday, January 16, 2018  
Continued  
Page 23  
7:45 PM, Newton City Hall  
To be reported on  
**Monday, February 5, 2018**

### City of Newton In City Council Items to be Acted Upon

#### Referred to Land Use Committee

Tuesday, January 23, 2018

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo; also Present: Councilor Albright

**#72-18**      **Class 2 Auto Dealer License**  
PARAGON EXPORTS  
40 Summit Street  
Newton, MA. 02458  
**Land Use Approved 8-0**

**#73-18**      **Petition for an Extension of Time to Exercise #430-16 at 15 South Gate Park**  
ANTHONY DEPASQUALE request for an EXTENSION of TIME in which to EXERCISE Special Permit #430-16, granted on February 6, 2017 to change a non-conforming clubhouse use to a 3-unit multi-family dwelling, locate parking within a front setback and allow a two way entrance/exit drive less than 20' at 15 South Gate Park, Ward 3, West Newton, said EXTENSION will run from February 27, 2017 to February 27, 2018. Ref: 7.4.5.D, 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 5.1.8.A.1, 5.1.13, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 8-0**

**#24-18**      **Special Permit Petition to extend nonconforming use at 4-6 Middle Street**  
ALFREDO CEDRONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the nonconforming three-family use to allow four units, legalize noncompliant lot area per unit, waive perimeter screening requirements, waive lighting and surface requirements,

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

to allow tandem parking, parking within the side setback, reduced aisle and driveway width at 4-6 Middle Street, Ward 1, Newton, on land known as Section 12, Block 1, Lot 15, containing approximately 11,297 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.2.6, 5.1.8.A.1, 5.1.13, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.D.1, 5.1.8.E.1, 5.1.9, 5.1.10 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 6-0-2 (Auchincloss, Schwartz abstaining)**

**#25-18**

**Special Permit Petition to increase non-conforming FAR at 45 Beethoven Ave**

MATTHEW AND MICHELLE ZISOW petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single story rear addition extending the nonconforming FAR to .43 where .35 is allowed and .41 exists at 45 Beethoven Avenue, Ward 5, Waban, on land known as Section 53, Block, 15, Lot 29, containing approximately 15,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 8-0**

**#27-18**

**Special Permit Petition to extend non-conforming lot coverage at 1771 Washington St**

HENSIN AND SANDY TSAO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story addition with family room and master bedroom, increasing the existing non-conforming lot coverage at 1771 Washington Street, Ward 4, Auburndale, on land known as Section 43, Block 39, Lot 10, containing approximately 15,021 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 7-0 (Lipof not Voting)**

**#23-18**

**Special Permit Petition to allow three-unit multi-family at 19-21 Orchard Street**

DAVID OLIVERI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for a three-unit multi-family dwelling with basement level garage in excess of 700 sq. ft. and waivers to allow parking in the front setback, a driveway width in excess of 20', reduced parking stall depth and a retaining wall greater than 4' in a setback at 19-21 Orchard Street, Ward 1, Newton, on land known as Section 71 Block 16 Lot 1, containing approximately 12,320 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 3.4.2.C.1, 5.1.13, 5.1.7.B.2, 5.1.7.A, 5.1.7.C, 5.4.2.B of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved Subject to Second Call 5-0-1 (Laredo abstaining, Crossley, Markiewicz not Voting)**

**#26-18**

**Special Permit Petition to allow attached dwellings at 20 Dale St/19 Simpson Terr**

SCOTT ROSS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition, creating two attached dwelling units, allowing waivers to the lot area requirements and lot area per unit requirements, to reduce the side setback requirement, to reduce the lot coverage requirement, to allow a driveway within 10' of a side lot line and to allow

parking within 20' of a side lot line at 20 Dale Street/19 Simpson Terrace, Ward 2, Newtonville, on land known as Section 22, Block 14, Lot 03, containing approximately 5,968 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.4, 6.2.3.B.2 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Held 8-0**

**#19-18**

**Special Permit Petition to extend non-conforming use at 307-309 Lexington Street**

LESVOS PROPERTIES LLC./MARIA BANIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the non-conforming use to allow reconfiguration of the existing two-family dwelling into one unit and adding a second two-story attached dwelling unit at 307-309 Lexington Street, Ward 4, Auburndale, on land known as Section 41, Block 30, Lot 36 and Section 41, Block 30, Lot 37, containing approximately 15,216 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed 01/09/2018; Land Use Approved 8-0**

**Referred to Zoning & Planning Committee**

Monday, January 22, 2018

Present: Councilors Albright (Chair), Baker, Brousal-Glaser, Danberg, Downs, Kalis, Krintzman, Leary; also present: Councilors Gentile, Ciccone, Norton, Cote, Rice, Noel, Grossman, Lappin, Crossley, Scibelli Greenberg, and Kelley

**Referred to Zoning & Planning and Finance Committees**

**#85-18**

HER HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the purpose of developing an actionable plan for the Washington Street Corridor that addresses land use, economic development, transportation, fiscal impacts, and other issues that may arise, as well as a new zoning district(s).

**Finance Held 8-0 on 1/22/18**

**Zoning & Planning Held 8-0**

**Referred to Zoning & Planning and Finance Committees**

**#86-18**

**Add a full-time position in the Planning Department**

HER HONOR THE MAYOR requesting authorization of the addition of one full-time employee position in the Planning & Development Department to create a Director of Transportation Planning position.

**Finance Approved 6-0-2 (Ciccone, Lappin abstaining) on 01/22/18**

**Zoning & Planning Approved 7-0-1 (Krintzman abstaining)**

**#74-18 Mayor's appointment of Christopher Steele to the Planning Board**  
CHRISTOPHER STEELE, 254 Elliot Street, Newton, appointed as a member of the PLANNING & DEVELOPMENT BOARD for a term to expire February 1, 2023. (60 days 03/17/18)  
**Zoning & Planning Approved 8-0**

**#77-18 Zoning Amendments for Recreational Marijuana Establishments**  
DIRECTOR OF PLANNING requesting amendments to the City of Newton Zoning Ordinance, **Chapter 30**, to add a definition of recreational marijuana establishment and to create a temporary moratorium on the placement of recreational marijuana establishments in the City of Newton to allow the city adequate time to complete a planning process to consider in what districts and under what conditions recreational marijuana establishments will be allowed.  
**Zoning & Planning Held 8-0**

**#75-18 Discussion relative to the Zoning Redesign Event Series**  
DIRECTOR OF PLANNING requesting discussion of topics, issues, and ideas from the Zoning Redesign Event Series, with Committee feedback leading to staff preparation of the draft policy content outline for the new Zoning Ordinance  
**Zoning & Planning Held 8-0**

**Referred to Programs & Services Committee**

Wednesday, January 17, 2018

Present: Councilors Rice (Chair), Brousal-Glaser, Baker, Krintzman, Kalis, Albright, Greenberg and Schwartz; also present: Councilor Cote

**#33-18 Ordinance amendment regarding City Seal**  
CITY CLERK requesting to amend Chapter 1, Section 8 of the Newton City Ordinances regarding the use of the City seal.  
**Programs & Services Held 8-0**

**#32-18 Ordinance amendment for registering lobbyists**  
COUNCILORS COTE AND NORTON requesting to amend Chapter 4, Section 3 of the Newton City Ordinances to provide additional requirements for registering lobbyists.  
**Programs & Services Held 8-0**

**Referred to Public Safety & Transportation Committee**

January 17, 2018

Present: Councilors Ciccone (Chair), Auchincloss, Cote, Lipof, Downs, Markiewicz, Noel, Grossman; absent: Councilor Lipof

**#36-18** **Appeal of Traffic Council Decision #84-17 Fairway Drive**  
DOUGLAS L. JONES, 81 Waban Avenue, Waban appealing the portion of the approval of Traffic Council Petition TC84-17 applicable to 81 through 113 Waban Avenue. The residents would like amended relief on the north side of Waban Avenue directly in front of 81 to 113 Waban Avenue by designating that section either 1) 2-hour parking, 9 AM to 5PM, Monday through Friday or 2) No Parking School Days, 8 AM to 4 PM except for residents and service vehicles.

**Public Safety & Transportation No Action Necessary 6-0, Cote not voting**

**#38-18** **Amend overtime parking ordinance**  
TRANSPORTATION COORDINATOR requesting an ordinance amendment to **Chapter 19, Section 190 Overtime parking.** to clarify the language and improve enforcement.

**Public Safety & Transportation Held 7-0**

**#39-18** **Submittal of the Traffic Council's annual report**  
CHAIR OF THE TRAFFIC COUNCIL submitting the Annual Report of the work of the Traffic Council for 2017.

**Public Safety & Transportation No Action Necessary 7-0**

**Referred to Public Facilities Committee**

Wednesday, January 17, 2018

Present: Councilors Crossley (Chair), Leary, Norton, Kelley, Gentile, Danberg, Laredo, Lappin also

Present: Councilors Albright, Downs

**Referred to Public Safety and Transportation and Public Facilities Committees**

**#51-18** **West Newton Square Enhancements Project**  
COMMISSIONER OF PUBLIC WORKS, DIRECTOR OF PLANNING & DEVELOPMENT and COUNCILORS COTE, KELLEY, & BROUSAL-GLASER requesting approval pursuant to §26-51 of the City of Newton Ordinances for the West Newton Square Enhancements Project on Washington Street running approximately from Chestnut Street to Lucas Court.

**Public Safety & Transportation to Meet**

**Public Facilities Approved 5-0-3(Councilors Gentile, Lappin, Laredo abstaining)**

**Referred to Public Facilities and Finance Committees**

**#87-18** **Appropriate \$120,000 for design engineering services for West Newton Square**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty thousand dollars (\$120,000) from Free Cash for the purpose of funding additional final design engineering services for the West Newton Square rehabilitation project.

**Finance Approved 7-0-1 (Ciccone abstaining) on 01/22/18**

**Public Facilities Approved 6-0-2(Councilors Gentile, Lappin abstaining)**

**Referred to Public Facilities and Finance Committees**

**#88-18**

**Appropriate \$380,000 for design engineering services for Newtonville**

HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred eighty thousand dollars (\$380,000) from Free Cash for the purpose of funding expanded streetscape design and engineering services for Newtonville Village improvements, including Washington Street at Walnut Street, southerly on Walnut Street to Cabot Street, and Austin Street from Walnut Street to the 28 Austin Street development.

**Public Facilities Held 8-0**

**Referred to Public Facilities and Finance Committees**

**#89-18**

**Transfer of \$2 million for snow and ice removal expenses**

HER HONOR THE MAYOR requesting authorization to transfer the sum of two million dollars (\$2,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles (0140110-5273).....	\$1,400,000
Regular Overtime (0140110-513001).....	\$600,000

**Finance Approved as Amended 8-0 @ \$2,750,000 on 01/22/18**

**Public Facilities Approved 8-0**

**Referred to Finance Committee**

Monday, January 22, 2018

Present: Councilor Gentile, Ciccone, Norton, Cote, Rice, Noel, Grossman, and Lappin  
Also present: Councilor Albright, Baker, Brousal-Glaser, Danberg, Downs, Kalis, Krintzman, Leary, Crossley, Scibelli Greenberg, and Kelley

**Referred to Zoning & Planning and Finance Committees**

**#85-18**

**Appropriate funds to develop an action plan for Washington Street Corridor**

HER HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the purpose of developing an actionable plan for the Washington Street Corridor that addresses land use, economic development, transportation, fiscal impacts, and other issues that may arise, as well as a new zoning district(s).

**Zoning & Planning Held 8-0 on 01/22/18**

**Finance Held 8-0**

**Referred to Zoning & Planning and Finance Committees**

- #86-18**      **Add a full-time position in the Planning Department**  
HER HONOR THE MAYOR requesting authorization of the addition of one full-time employee position in the Planning & Development Department to create a Director of Transportation Planning position.  
**Zoning & Planning Approved 7-0-1 (Krintzman abstaining) on 01/22/18**  
**Finance Approved 6-0-2 (Ciccione, Lappin abstaining)**
- #58-18**      **CPA funding request for \$60,000 to repair a fence at Newton Cemetery**  
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of sixty thousand dollars (\$60,000) from the Community Preservation Fund's historic resources budget reserve and fund balance to the Planning & Development Department for a grant to the Newton Cemetery to restore and rehabilitate the Whipple-Beal cast iron fence, as described in the proposal submitted to the Community Preservation Committee in September 2017.  
**Finance Approved 8-0**
- #84-18**      **Authorization to settle a claim for \$10,000**  
HER HONOR THE MAYOR requesting authorization to settle a claim of ten thousand dollars (\$10,000) funded through the School Department budget as full and final settlement of a claim against the Newton Public Schools and the City of Newton.  
**Finance Approved 8-0**
- #83-18**      **Transfer of \$30,000 to purchase a new van for the IT Department**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from the Information Technology Full-time Salaries Account to the Information Technology Automobiles/Light Trucks Account to enable the Information Technology Department to purchase a new van.  
**Finance Approved 8-0**
- #82-18**      **Acceptance of a grant from the MASS DEP for sustainable materials recovery**  
HER HONOR THE MAYOR requesting authorization to accept and expend the Sustainable Materials Recovery Program Municipal Grant of seven thousand dollars awarded by the Massachusetts Department of Environmental Protection to be used to establish a new municipal swap-shop for household goods.  
**Finance Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#87-18**

**Appropriate \$120,000 for design engineering services for West Newton Square**

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty thousand dollars (\$120,000) from Free Cash for the purpose of funding additional final design engineering services for the West Newton Square rehabilitation project.

**Public Facilities Approved 6-0 (Gentile, Lappin abstaining)**

**Finance Approved 7-0-1 (Ciccione abstaining)**

**Referred to Public Facilities and Finance Committees**

**#89-18**

**Transfer of \$2 million for snow and ice removal expenses**

HER HONOR THE MAYOR requesting authorization to transfer the sum of two million dollars (\$2,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles	
(0140110-5273).....	\$1,400,000
Regular Overtime	
(0140110-513001).....	\$600,000

**Public Facilities Approved 8-0 on 01/17/18**

**Finance Approved as Amended 8-0 @ \$2,750,000**