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City Clerk

## City Council Reports Docket

**RECEIVED**

By City Clerk at 11:00 am, Oct 11, 2018

Oct 2: Land Use  
Oct 3: Programs & Services, Public Safety, Public Facilities  
Oct 9: Land Use  
Oct 10: Zoning & Planning

Monday, October 1, 2018  
Continued  
Page 249  
7:45 PM, Newton City Hall  
To be reported on  
**Monday, October 15, 2018**

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

#### Referred to Land Use Committee

Tuesday, October 2, 2018

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

**#464-18**

#### **Petition to allow nine-unit multi-family dwelling at 39 Herrick Road**

STUART ROTHMAN/HERRICK ROAD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 36' three-story nine-unit multi-family dwelling with accessory parking for nine cars, to allow multi-family residential use on the ground level in a BU1 district, to allow a reduction to one parking stall per unit, to allow off-site parking facilities, to allow parking in the side setback, to allow a reduced minimum aisle width, to waive perimeter screening requirements and to waive lighting and surfacing requirements at 39 Herrick Road, Ward 6, on land known as Section 61 Block 36 Lot 7, containing approximately 12,979 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, 5.1.8.A, 5.1.8.C.2, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved Withdrawal without Prejudice 6-0 (Crossley not voting)**

**#479-18**

#### **Special Permit to allow three-story structure and oversized dormer at 63 Cherry Street**

LINO GONCALVES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raise the roof of the existing 2.5-story house and add oversized front and rear dormers to the attic level and creating a third story where 2.5 is allowed at 63 Cherry Street, Ward 3, West Newton, on land known as Section 34 Block 42 Lot 14, containing approximately 7,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3, 7.4, 3.1.3, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Postponed to October 9, 2018**

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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.

**Referred to Land Use and Finance Committees**

#169-18

**Appropriate \$2.5 million in CPA Funds for affordable rental housing for seniors**

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two million five hundred thousand dollars (\$2,500,000) from the Community Preservation Fund to the control of the Planning & Development Department for a grant to the Newton Housing Authority to create 42 one-bedroom units of permanently affordable rental housing for seniors in a new, 55-unit development on John F. Kennedy Circle, as described in the Authority's December 2017 proposal to the Community Preservation Commission and subject to the conditions in the Community Preservation Committee's February 2018 funding recommendation to the City Council.

**Finance Meeting on October 15, 2018****Land Use Voted No Action Necessary 7-0****Referred to Land Use and Finance Committees**

#454-18

**Appropriate \$3 million in CPA Funds for an affordable rental development**

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of three million dollars (\$3,000,000) from the Community Preservation Fund to the Planning & Development Department for a grant to the Newton Housing Authority to create Haywood House, a permanently affordable rental development consisting of 55 one-bedroom units for seniors in a new building to be located on John F. Kennedy Circle, as described in the proposals submitted to the Community Preservation Committee in January and June 2018.

**Finance Meeting on October 15, 2018****Land Use Approved 7-0**

#423-18

**Petition to allow parking in the setback and within 5' of the street at 27 Albion St**

ROBERT AND CRISTINA DeMENTO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow reconfiguration of an existing tandem driveway to allow two side-by-side stalls within 5' of a setback and within 5' of the street on the corner lot at Ward 6, Newton Centre, at 27 Albion Street on land known as Section 62 Block 04 Lot 27, containing approximately 3,377 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-0; Public Hearing Closed 10/02/2018**

#462-18

**Petition to allow Veterinary Hospital in a BU2 district at 858 Walnut Street**

ISAAC MAXMEN/858 WALNUT STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to locate a veterinary hospital in the existing building in the BUSINESS USE 2 district at 858 Walnut Street, Ward 6, on land known as Section 64 Block 5 Lot 04, containing approximately 23,250 sq. ft. of land. Ref: Sec. 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 7-0**

**#463-18** **Petition to exceed FAR and extend non-conforming structure at 58 Rochester Road**  
PHILIP CHASE AND SUSAN VAUGHN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct side and rear additions to create an attached garage, accessory apartment and additional living space, exceeding FAR and extending the non-conforming 3.5 story structure at 58 Rochester Road, Ward 2, on land known as Section 13 Block 20 Lot 44, containing approximately 16,518 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 1.5.4.B, 1.5.4.C, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved Subject to Second Call 6-0-1 (Schwartz abstaining); Public Hearing Closed 10/02/2018**

**#480-18** **Special Permit to exceed FAR and extend non-conforming height at 44 Ballard Street**  
MELISSA FANG AND ANDREW HARGENS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to relocate an existing carriage house and attach it with a breezeway to a new multi-level principal structure addition, extending the nonconforming height and exceeding the FAR where .28 exists, .35 is allowed, and .36 is proposed at 44 Ballard Street, Ward 7, on land known as Section 73 Block 31 Lot 11 containing approximately 16,633 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 10/02/2018**

**Referred to Land Use Committee**

Tuesday, October 9, 2018

Present: Councilors Schwartz (Chair), Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo, and Lipof; also present: Councilors Baker, Ciccone, Grossman, and Lappin

**#420-18** **Petition to allow multi-family dwellings at 424-432 Cherry Street**  
DENNIS CAMERON/CRM MANAGEMENT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing single-family dwelling to a three-story, six residential unit building with ground floor units, to construct a second three-story, three residential unit building with ground floor units, to allow a reduction in the parking requirements to 1.25 per dwelling unit, to allow parking within 5' of a building with residential units, to allow a reduction in the minimum stall width, to waive perimeter landscape screening requirements and to waive lighting requirements in Ward 3, West Newton, at 424-432 Cherry Street, Section 33 Block 11 Lot 2, containing approximately 14,204 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.4.A, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.9.A, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved Withdrawal without Prejudice 7-0 (Crossley not voting)**

- #481-18**      **Special Permit to amend Special Permit #176-16 and extend FAR at 47 Lewis Street**  
KATHERINE GRENZEBACK AND RONAN WOLFSDORF petition for SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE to amend Special Permit #176-16 to allow the addition of dormers to the attic level where 3.5 stories exist and 2.5 stories is allowed at 47 Lewis Street, Ward 1, Newton, on land known as Section 13 Block 02 Lot 20, containing approximately 10,315 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.3, 3.2.11, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0-1 (Crossley abstaining); Public Hearing Closed 10/09/18**
- #479-18**      **Special Permit to allow three-story structure and oversized dormer at 63 Cherry Street**  
LINO GONCALVES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raise the roof of the existing 2.5-story house and add oversized front and rear dormers to the attic level and creating a third story where 2.5 is allowed at 63 Cherry Street, Ward 3, West Newton, on land known as Section 34 Block 42 Lot 14, containing approximately 7,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3, 7.4, 3.1.3, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 8-0; Public Hearing Closed 10/09/18**
- #421-18**      **Special Permit to amend Special Permit for Kessler Woods**  
KESSELER WOODS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #102-06(15) at Kessler Woods to allow off-site relocation of the inclusionary zoning units as well as 24 additional units at 219 Commonwealth Avenue (Section 63 Block 08 Lot 19), containing approximately 10,347 sq. ft. of land in a district zoned MULTI RESIDENCE 1 from the approved site at 200 Estate Drive, Ward 8, on land known as Section 82 Block 37 Lot 95, containing approximately 640,847 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: 7.3, 7.4, 5.11.4, 5.11.6, 7.8.2.C of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Closed 10/09/18**
- #137-18**      **Petition to allow ~~18~~12-unit multi family dwelling at 189-193 Adams St/19 Quirk Ct**  
183-193 ADAMS STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family development in a business district with greater than 20,000 gross floor area, with a ~~four~~three-story structure 41' in height, containing a ~~18~~-unit dwelling with ground floor units, to allow an FAR of 1.31, ~~to allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to allow parking in the setback, to allow parking within 5' of a building containing dwelling units, to waive minimum stall dimension requirements, to allow a reduction in the minimum width of a entrance/exit drive,~~ to allow a reduction in the minimum width of maneuvering aisles, to waive lighting requirements and to waive perimeter landscape screening requirements in Ward, 1, Newton, at 189-193 Adams Court, Section 14 Block 15 Lot 39, Section 14 Block

15 Lot 38 and 19 Quirk Court Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2.Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.8.A.1, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.8.D.1, 5.1.9.A, 5.1.10.A, 5.11.4, 5.11.15, 4.1.2 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved Subject to Second Call 6-0-2 (Markiewicz and Schwartz abstaining); Public Hearing Closed 10/09/18**

**Referred to Zoning & Planning Committee**

Wednesday, October 10, 2018

Present: Councilors Albright (Chair), Krintzman, Danberg, Baker, Downs and Kalis; absent: Councilors Leary and Brousal-Glaser; also present: Councilor Greenberg

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

**#509-18**

**Community Preservation Fund appropriation for services for Webster Woods**

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one hundred thousand dollars (\$100,000) to the control of the Law Department, for professional services related to the protection of open space at 300 Hammond Pond Parkway, as described in the proposal submitted by the Conservation Commission to the Community Preservation Committee in August – September 2018.

**Finance Meeting on October 15, 2018**

**Zoning & Planning Approved 6-0**

**#220-18**

**Discussion relative to the Washington Street Corridor Action Plan**

DIRECTOR OF PLANNING requesting monthly progress discussions on the Washington Street Corridor action plan.

**Zoning & Planning Held 6-0**

**Referred to Programs & Services Committee**

Wednesday, October 3, 2018

Present: Councilors Rice (Chair), Greenberg, Krintzman, Baker, Kalis and Brousal-Glaser; absent: Councilors Albright and Schwartz

**#438-18**

**Reappointment of Ouida Young as acting City Solicitor**

HER HONOR THE MAYOR re-appointing Ouida C.M. Young as acting City Solicitor effective July 3, 2018 until a permanent replacement is hired or until November 5, 2018 when the temporary appointment may be extended with City Council approval, pursuant to section 3-6 of the City Charter.

**Programs & Services Approved 6-0**

**#501-18      Extension of reappointment of Ouida Young as Acting City Solicitor**  
HER HONOR THE MAYOR requesting that the reappointment of Acting City Solicitor, Ouida C. M. Young, be further extended from November 5, 2018 to November 16, 2018 in order to align with her scheduled retirement.

**Programs & Services Approved 6-0**

**#502-18      Resolution to reaffirm public accommodations non-discrimination laws**  
AMY SANGIOLO requesting a Resolution of the City Council reaffirming the City of Newton and Massachusetts non-discrimination laws prohibiting discrimination on places of public accommodation and the basis of gender identity and gender expression.

**Programs & Services Approved as amended 6-0**

**Referred to Public Safety & Transportation Committee**

Wednesday, October 3, 2018

Present: Councilors Ciccone (Chair), Cote, Downs, Noel, Grossman, Auchincloss and Markiewicz;  
 absent: Councilor Lipof; also present: Councilors Brousal-Glaser and Greenberg

**#380-18      Appeal of Traffic Council Decision on Derby Street**  
BRIAN RIORDAN, 32 Talbot Street, Newton appealing the approval of Traffic Council petition TC134-17 on May 31, 2018 for creating a one-way on Derby Street, from Waltham Street to Cherry Street, westbound.

**Public Safety & Transportation Approved 4-2-1 (Noel, Auchincloss opposed, Grossman abstaining)**

**#445-18      Discussion on Lime Bikes**  
COUNCILORS BROUSAL-GLASER AND SCIBELLI GREENBERG, requesting a discussion with the Director of Transportation Planning about the rollout of Lime Bikes in the City of Newton.

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

**Referred to Public Facilities Committee**

Wednesday, October 3, 2018

Present: Councilors Crossley (Chair), Leary, Laredo, Lappin, Danberg, Kelley, Gentile; also Present: Councilors Krintzman, Downs; absent: Councilor Norton

**#449-18      Verizon petition for a grant of location for conduit in Moulton Street**  
VERIZON NEW ENGLAND, INC. petitioning for a grant of location to install 225' ± 2" conduit in Moulton Street from existing Handhole #HH3 located on the easterly side of Moulton Street northerly to existing Handhole #HH4 located on private property on the northerly side of Moulton Street.

**Public Facilities Voted No Action Necessary 7-0**

**#324-18 President Laredo’s appointment of Robert Hnasko to the Design Review Committee**  
Robert Hnasko, 49 Miller Road, Newton Centre, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.  
**Public Facilities Approved 7-0**

**#448-18 Appointment of Tamar Warburg to the Designer Selection Committee**  
PRESIDENT LAREDO appointing TAMAR WARBURG, 102 Herrick Road, Newton Centre, to the DESIGNER SELECTION COMMITTEE for a term to expire December 31, 2019.  
**Public Facilities Approved 7-0**

**#490-18 Mayor’s appointment of Karen Slote to the Solid Waste Commission**  
KAREN SLOTE, 117 Garland Road Newton Centre, appointed as a member of the SOLID WASTE COMMISSION for a term to expire September 30, 2021. (60 days: 11/16/18)  
**Public Facilities Approved 7-0**

**#491-18 Council President’s appointment of Steven Siegal to the Design Review Committee**  
STEVEN SIEGAL, 160 Allen Avenue, Waban, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2019.  
**Public Facilities Held 7-0**

**Referred to Public Facilities and Finance Committees**

**#511-18 Appropriate \$800,000 to replace the roof at Crafts Street Garage**  
HER HONOR THE MAYOR requesting authorization to appropriate eight hundred thousand dollars (\$800,000) from bonded indebtedness for the purpose of funding the replacement of the roof at the Crafts Street Garage.  
**Finance Meeting on October 15, 2018**  
**Public Facilities Approved 6-0 (Kelley not Voting)**

**Referred to Public Facilities and Finance Committees**

**#494-18 \$500,000 bond authorization for air conditioning units at Carr School**  
HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from bonded indebtedness to fund the installation of air conditioning units at the Carr School.  
**Finance Meeting on October 15, 2018**  
**Public Facilities Approved 6-0-1 (Gentile abstaining)**

**#506-18 Discussion with DPW and National Grid regarding steel workers lock out**  
PUBLIC FACILITIES COMMITTEE requesting a discussion with the Department of Public Works and National Grid regarding the status of the lock out and how it is affecting key City projects that require gas connections, emergency repairs and impacts on the Accelerated Roads Program.  
**Public Facilities Held 6-0 (Gentile not Voting)**