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City Council Docket

March 4: Programs & Services, Public Safety & Transportation
Public Facilities
March 5: Land Use
March 9: Zoning & Planning, Finance
March 10: Land Use

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Monday, March 2, 2020
7:45 PM, Newton City Hall
To be reported on
Monday, March 16, 2020

City of Newton

In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

- #139-20** **Reappointment of Elizabeth Smith to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing 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, 2021.
- #140-20** **Reappointment of Meghan Smith to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing 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, 2021.
- #141-20** **Reappointment of Wayne Koch to the Washington Place Liaison Committee**
PRESIDENT ALBRIGHT reappointing 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, 2021.
- #142-20** **Petition to amend Deed Restriction at 180 Wells Ave**
180 WELLS AVENUE, LLC requesting an amendment to the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments including 469-93(2) be further amended to allow an increase in Floor Area Ratio (FAR) from .268 to .277 for the construction of an addition to the school building at 125 Wells Avenue, Ward 8, Newton Centre. *NOTE: Public Hearing not required.*

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, or 617-796-1253.* For Telecommunications Relay Service dial 711.

#41-19(3) Extension of Time to Exercise Special Permit #41-19 at 24-26 Elliot St

CYPRESS TREE MANAGEMENT, INC requests a two-year EXTENSION OF TIME to EXERCISE Special Permit petition #41-19 for a SPECIAL PERMIT/SITE PLAN APPROVAL which amended Special Permit Council Order #288-18 to allow retail marijuana sales in conjunction with as the approved RMD (Registered Medical Dispensary) at 24-26 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 01, containing approximately 25,320 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 6.10.3.E.15, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.10, 7.3.2.E of the City of Newton Rev Zoning Ord, 2017. Said EXTENSION OF TIME will run from May 6, 2020 to May 6, 2022.

Public Hearing to be assigned

#143-20 **Petition to allow an accessory structure greater than 700 sq. ft. at 99 Pine Ridge Road**
JOHN AND ANNE AUNINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing detached garage structure and replace it with a two-car detached garage and covered porch with a total ground floor area of 796 sq. ft. at 99 Pine Ridge Road, Ward 5, Waban, on land known as Section 53 Block 19 Lot 23 containing approximately 12,000 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be assigned

#144-20 **Petition to extend the nonconforming rear setback at 16 Crehore Drive**
ANDERS AND HILARY BIALEK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze one bay in the existing (two-car) detached garage on the property line and construct an attached two-story two-car addition, extending the nonconforming rear setback from 12' to 8.7' where 15' is allowed at 16 Crehore Drive, Ward 4, Lower Falls, on land known as Section 42 Block 20 Lot 06, containing approximately 7,389 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be assigned

#145-20 **Petition to allow accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue**
TIM DOWD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert space on the third floor of the existing two-family structure to allow an interior accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue, Ward 1, Newton, on land known as Section 71 Block 32 Lot 01, containing approximately 9,568 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.D.2 of the City of Newton Rev Zoning Ord, 2017.

Other Communications

#146-20 Lateral Grant of Location in Newtonville Avenue
EVERSOURCE ENERGY petitioning for a lateral grant of location to install 8' ± of conduit in NEWTONVILLE AVENUE NORTHERLY FROM Pole 24/32 to the property line at 281 Newtonville Avenue to upgrade existing service.
Commissioner of Public Works Approved

#147-20 Grant of Location for a lateral crossing in Tamworth Road
EVERSOURCE ENERGY petitioning for a grant of location to install 11'± of conduit in TAMWORTH ROAD easterly from pole 702/4 to private property at 46 Tamworth Road.
Commissioner of Public Works Approved

Referred to Zoning & Planning Committee

#148-20 Request to amend Chapter 30 to eliminate parking minimums
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS, GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing, and support the climate action goals.

#149-20 Reappointment of David Morton to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing David Morton, 148 Edinboro Street, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2021. (60 days: 05/01/20)

#150-20 Reappointment of Jim Gross to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing Jim Gross, 80 Highland Avenue, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2023. (60 days: 05/01/20)

#151-20 Reappointment of John Martin to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing John Martin, 12 Simpson Terrace, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2023. (60 days: 05/01/20)

#152-20 Reappointment of Nancy Grissom to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing Nancy Grissom, 7 Orris Street, Auburndale, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2021. (60 days: 05/01/20)

- #153-20** **Reappointment of Barbara Wales to the Newtonville Historic District Commission**
HER HONOR THE MAYOR reappointing Barbara Wales, 5 Rotherwood Road, Newton Centre, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2022. (60 days: 05/01/20)

Referred to Programs & Services Committee

- #154-20** **Appointment of Silka Rothschild to the Newton Community Education Commission**
COUNCILOR ALBRIGHT requesting the appointment of Silka Rothschild, 46 Alderwood Road, Newton, as a member of the NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on December 31, 2021. (60 days: 05/01/20)

- #155-20** **Appointment of John R. Oliver to the Newton Community Education Commission**
COUNCILOR ALBRIGHT requesting the appointment of John R. Oliver, 14 Wyoming Road, Newton, as a member of the NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on December 31, 2021. (60 days: 05/01/20)

Referred to Public Safety & Transportation Committee

- #158-20** **Requesting ordinance amendment to procedure for obtaining licenses for vans**
CAPTAIN ANASTASIA, NEWTON POLICE DEPARTMENT requesting an amendment to **Chapter 19-339 (g) Van licenses. Procedure for renewal of van licenses:** in the following sentence: ...The committee shall forward its recommendations for approval or denial to the full city council during the month of ~~January~~ December of each year.

Referred to Public Facilities Committee

Public Hearing to be assigned for March 18, 2020

- #159-20** **Eversource Energy petition for a Grant of Location on Harvard Street**
EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #1515/2) to the southerly side of Farquhar Road in front of #20 Harvard Street (Ward 2).

- #160-20** **Reappointment of Carol Schein to the Design Review Committee**
PRESIDENT ALBRIGHT reappointing CAROL SCHEIN, 82 Garland Road, Newton Centre, to the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.

- #161-20** **Reappointment of Peter Barrer to the Design Review Committee**
PRESIDENT ALBRIGHT reappointing PETER BARRER, 60 Endicott Street, Newton, to the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.

#162-20 Reappointment of David Gillespie to the Design Review Committee
PRESIDENT ALBRIGHT reappointing DAVID GILLESPIE, 41 Woodlawn Drive, Chestnut Hill, to the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.

#163-20 Reappointment of Robert Hnasko to the Design Review Committee
PRESIDENT ALBRIGHT reappointing ROBERT HNASKO, 49 Miller Road, Newton, to the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2020.

Referred to Finance Committee

#164-20 Approval of an Intermunicipal Agreement for brine making equipment
HER HONOR THE MAYOR requesting the approval of an Intermunicipal Agreement for brine making equipment with the Town of Brookline, which is allowed under the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws.

Referred to Land Use and Finance Committees

#165-20 Requesting CPA funding be awarded to the Newton Housing Authority
COMMUNITY PRESERVATION COMMITTEE requesting that one million one hundred and five thousand (\$1,105,000) in CPA funding for the support of Community Housing be awarded to the Newton Housing Authority for the acquisition of the CAN-DO Housing Portfolio.

Referred to Programs & Services and Finance Committees

#156-20 Request for comparison of dog license fines
COUNCILOR ALBRIGHT requesting a comparison of Newton's fine for failure to license a dog to other communities. In addition, requesting an increase in the fine for failure to license a dog.

Referred to Programs & Services and Finance Committees

#157-20 Request for review and changes to off-leash dog ordinance
COUNCILOR ALBRIGHT requesting a review and possible changes to the off-leash dog ordinance to include:

- a) raising fees required by dog walking companies in order to better maintain sites heavily used by dog walkers; and
- b) requiring background checks on dog walkers to assure safety of dog owners and dogs; and
- c) requesting the development of regulations for dog walking and dog daycare companies to assure appropriate care for dogs.

Referred to Public Facilities and Finance Committees

#166-20

Requesting ordinance amendments for enforcement of sidewalk obstruction

HER HONOR THE MAYOR requesting an amendment to Chapter 17, Section 23; Chapter 25, Section 3 and Chapter 26, Section 14 of the Revised City of Newton Ordinances to add defining language, provide enforcement and establish fines for violations of the sidewalk obstruction ordinance.

Referred to Programs & Services, Public Facilities, and Finance Committees

#167-20

Authorization to submit an SOI to the MSBA for Countryside School

SUPERINTENDENT OF SCHOOLS requesting authorization to submit a Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA) for consideration of funding for a renovation/addition of Countryside Elementary School, designated as the highest priority for a major project before Franklin Elementary School designated as the second highest priority.