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City Council Reports Docket

January 22: Programs & Services, Public Safety
& Transportation, Public Facilities
January 27: Zoning & Planning
January 28: Land Use
January 29: Finance

Page 30
7:45 PM, Newton City Hall
To be reported on
Tuesday, February 3, 2020

City of Newton In City Council Items to be Acted Upon

The President of the City Council will be requesting a roll call vote to go into Executive Session in accordance with the Provisions of Chapter 30A, sec 21(a) to hear from Legal Council on an Open Meeting Law Complaint filed against the City Council.

Unfinished Council Business

- #16-20** **Petition to allow parking waiver and restaurant with more than 50 seats at Piccadilly Sq.**
FIRST GENERAL REALTY GROUP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with more than 50 seats and a parking waiver of 478 parking stalls in Ward 6, Newton Centre, at 93-105 Union Street, (containing approximately 31455 sq. ft. of land) on land known as Section 61 Block 36 Lot 09, 1280 Centre Street (containing approximately 27,560 sq. ft. of land) on land known as Section 61 Block 36 Lot 05, 47-61 Langley Road (containing approximately 10,037 sq. ft. of land) on land known as Section 61 Block 36 Lot 06, 49-63 Union Street (containing approximately 8,735 sq. ft. of land) on land known as Section 61 Block 36 Lot 07 and 790-794 Beacon Street (containing approximately 7,400 sq. ft. of land) on land known as Section 61 Block 36 Lot 03, all zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 5.1.4.A, 5.1.13, 4.4.1, 6.4.29 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0 (Laredo Recused); Public Hearing Closed 01/14/2020
Item Chartered by Councilor Gentile on January 21, 2020

Referred to Land Use Committee

Tuesday, January 28, 2020

Present: Councilors Lipof (Chair), Greenberg, Auchincloss, Kelley, Markiewicz, Downs and Bowman;
also Present: Councilors Albright, Humphrey, Gentile, Crossley, Krintzman, Norton, Leary, Wright, Malakie; absent: Councilor Laredo

- #66-20** **Class 2 Auto Dealer License**
PARAGON EXPORTS
40 Summit Street
Newton, MA. 02458
Land Use Approved 7-0

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#27-20

Petition to allow Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development of residential units, office, retail, personal services, restaurant, hotel, and related commercial uses not to exceed 1,025,000 square feet of gross floor area, with residential uses comprising not less than 60% of the total gross floor area with a residential density of not less than 800 square feet per unit with not less than 560 units nor more than 620 units with special permit relief and/or waivers as follows: as to dimensional standards, a development of more than 20,000 square feet of gross floor area, building height of up to 170 feet, buildings up to 11 stories, Floor Area Ratio of up to 2.5, beneficial open space of not less than 15%, increase of height of certain buildings with the Grove Street Area Corridor (to the extent necessary), and reduction in setback from Grove Street for certain buildings within the Grove Street Corridor Area (to the extent necessary); as to design standards, waiver of the sustainable development design standards and placement of a retaining wall greater than 4 feet in height located in a setback; as to uses, for-profit educational use, retail sales of over 5,000 square feet, restaurant with more than 5,000 square feet of gross floor area, personal service use of over 5,000 square feet, place of amusement, health club on ground floor, animal services, hotel, bank up to and over 5,000 square feet, theatre/hall, laboratory/research facility, parking facility, accessory, multi-level, parking facility, non-accessory, single level; as to parking, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, and waiver of parking stalls not to exceed 685 stalls, above and beyond the reductions specified above; as to parking facilities, waivers of the parking stall dimension requirements, the end stall maneuvering space requirements, the driveway entrance and exit requirements, the 5% interior landscaping requirements, the interior planting area requirements, the tree requirements, the bumper overhang requirements, the one-foot candle lighting requirement, the parking stall striping requirements (to the extent necessary), the curbing, wheel stop, guard rail, or bollard requirements, and the number of off-street loading facilities requirements; and as to signage, waiver of the number, size, type, location, and design requirements, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 4.2.2.B.1, 4.2.2.B.3, 4.2.3, 4.2.4, 4.2.4.A.4, 4.2.4.B.3, 4.2.4.G.2, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.12.B.4, 5.1.13, 5.2, 5.2.13, 5.4.2.B, 5.12, 6.4.29.C.5, 7.3.3, 7.3.5, 7.4 of the City of Newton Revised Zoning Ordinance, 2017. Additionally, as to infiltration and inflow mitigation, an abatement of the infiltration/inflow mitigation fee pursuant to Section 29-170 of the City of Newton Revised Zoning Ordinance, 2017.

Land Use Held 7-0; Public Hearing Continued

#26-20 Request to Rezone Approximately 4.4 acres to MU-3 to Create a Contiguous MU-3 Zone
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3, 4, and 4A, abutting the existing MU-3 Zone.
Land Use Held 7-0; Public Hearing Continued

#14-20 Petition for parking facility waivers at 287-289 Newtonville Avenue
POFCO, Inc. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow parking design criteria including waivers to; interior landscaping requirements, lighting requirements, to allow parking accessory to a manufacturing use in a residential district and to allow parking in the front and side setback at 287-289 Newtonville Avenue, Ward, 2 Newtonville, on land known as Section 22 Block 01 Lots 17 and 13, containing approximately 72,643 sq. ft. of land in a district zoned MANUFACTURING and MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 5.1.6.C, 3.2.3, 5.1.8.A.1, 5.1.13, 5.1.9.B, 5.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 4-0-3 (Councilors Auchincloss, Bowman, Kelley abstaining); Public Hearing Closed 01/07/2020

Referred to Zoning and Planning Committee

Monday, January 27, 2020

Present: Councilors Crossley (Chair), Danberg, Albright, Krintzman, Baker, Wright, Leary; absent: Councilor Ryan; also present: Councilors Norton, Kelley, Bowman, Downs, Malakie, Greenberg, Gentile, and Kalis

Referred to Zoning & Planning Committee

#37-20 Amend ordinances by creating a temporary suspension on landmark designation
COUNCILORS ALBRIGHT, AUCHINCLOSS, CROSSLEY, DOWNS, KELLEY, LIPOF, GREENBERG, KRINTZMAN, NOEL, LEARY, AND DANBERG proposing an amendment to Chapter 22 of the Revised Ordinances of the City of Newton, 2017 to temporarily suspend nominations made by the Historical Commission and the City Council for landmark designations of any land, buildings and structures in the City of Newton in order to allow the City adequate time to review the landmark ordinance and consider what revisions are appropriate. The temporary suspension will prevent and suspend the processing, and approval of any property currently under consideration for landmark designation and will temporarily suspend future landmark designations made by the Historical Commission and the City Council. Landmark nominations made by the Mayor, Director of Planning of Development and the Commissioner of Inspectional Services shall not be affected. This temporary suspension shall end no later than ~~December 31, 2020~~ June 30, 2020.
Zoning and Planning Approved as Amended 5-2. (Councilors Baker and Wright opposed); The temporary suspension shall end no later than June 30, 2020 with a condition that an interim report is provided to the Committee within 3 months of the effective date.

- #31-20** **Amend zoning ordinance special permit criteria related to energy conservation**
COUNCILORS CROSSLEY AND ALBRIGHT seeking a review and possible amendments to Section 7.3.3.C.5 of Chapter 30, Newton Zoning Ordinance, to:
a) further inform the objectives of reducing energy consumption and limiting use of natural resources, and b) consider reducing the threshold for compliance to apply the requirement to buildings 10,000 sq. ft. and larger.
Zoning and Planning Held 7-0

Referred to Zoning & Planning Committee

- #88-20** **Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Zoning and Planning Held 7-0

Referred to Programs and Services Committee

Wednesday, January 22, 2020

Present: Councilors Krintzman (Chair), Albright, Humphrey, Greenberg, Ryan, Baker; absent: Councilors Wright, Noel

- #41-20** **Appointment of Anna Kusiak to the Youth Commission**
HER HONOR THE MAYOR appointing Anna Kusiak of Newton North High School, Newtonville as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 days: 02/14/20)
Programs and Services Approved 6-0

- #42-20** **Appointment of Anabel Marré to the Youth Commission**
HER HONOR THE MAYOR appointing Anabel Marré of Newton North High School, Newtonville as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 days: 02/14/20)
Programs and Services Approved 6-0

- #43-20** **Appointment of Andrew Li to the Youth Commission**
HER HONOR THE MAYOR appointing Andrew Li of Newton South High School, Newton as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 days: 02/14/20)
Programs and Services Approved 6-0

- #44-20 Appointment of Shiv Sawhney to the Youth Commission**
HER HONOR THE MAYOR appointing Shiv Sawhney of Newton South High School, Newton as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 days: 02/14/20)
Programs and Services Approved 6-0
- #46-20 Appointment of Sue Rasala to the Council on Aging**
HER HONOR THE MAYOR appointing Sue Rasala, 285 Tremont Street, Newton, as a member of the COUNCIL ON AGING for a term to expire on January 31, 2023. (60 days: 02/16/20)
Programs and Services Approved 6-0
- #45-20 Reappointment of Elizabeth Dugan to the Council on Aging**
HER HONOR THE MAYOR reappointing Elizabeth Dugan, 62 Woodcliff Road, Newton, as a member of the COUNCIL ON AGING for a term to expire on September 15, 2022. (60 days: 02/16/20)
Programs and Services Approved 5-0 (Councilor Baker not voting)

Referred to Public Safety and Transportation Committee

Wednesday, January 22, 2020

Present: Councilors Auchincloss (Chair), Malakie, Downs, Bowman and Markiewicz; absent: Councilors Grossman, Ciccone and Lipof; also present: Councilors Leary (Chair), Kelley, Danberg, Laredo, Crossley, Norton, Kalis and Gentile

Referred to Public Safety & Transportation and Finance Committees

- #87-20 Appropriate \$900,000 for Fire Rescue Full Time Salaries**
HER HONOR THE MAYOR requesting authorization to appropriate and expend nine hundred thousand dollars (\$900,000) from June 30, 2019 Certified Free Cash to Acct# 0121022-511001 Fire Rescue Full Time Salaries.
Finance Approved 6-0 on 01/29/2020
Public Safety & Transportation Approved 5-0

Referred to Public Facilities and Public Safety & Transportation Committees

- #81-20 Discussion on transportation priorities and public works**
PUBLIC FACILITIES COMMITTEE, PUBLIC SAFETY & TRANSPORTATION COMMITTEE AND COUNCILOR LEARY requesting a discussion with the administration and school officials on transportation priorities and public works/streets/sidewalks etc.
Public Facilities Held 7-0 (Councilor Kelley not voting)
Public Safety & Transportation Held 5-0

Referred to Public Facilities Committee

Wednesday, January 22, 2020

Present: Councilors Leary (Chair), Kelley, Danberg, Laredo, Crossley, Norton, Kalis and Gentile; also Present: Councilor Wright, Bowman, Humphrey, Ryan, Downs, Greenberg, Malakie, Markiewicz, Auchincloss and Markiewicz

Referred to Public Facilities and Finance Committees

#85-20 Approve a \$1,000,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

DPW Overtime, Snow & Ice Removal (0140123-513010)	\$250,000
DPW Rental Vehicles/Subcontractors (0140123-527301)	\$750,000

Finance Approved 5-0 on 01/29/2020 (Councilor Malakie not voting)
Public Facilities Approved 5-0 (Councilor Kelley, Norton and Danberg not voting)

#76-20 Eversource Energy petition for a Grant of Location on Claflin Place

EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #513/1) approximately 22.1’ northerly from its existing location in front of 3-5 Claflin Place to the south side of Claflin Place.

Public Facilities Approved 7-0 (Councilor Kelley not voting)

#77-20 National Grid petition for grant of location in Jackson Street.

NATIONAL GRID petition for a grant of location to install and maintain 300’ +/- of 16” gas main in Jackson Street from the 10” gas main at #30 Jackson Street 240’ easterly to the intersection of Boylston Street (Route 9), to cross Boylston Street at #335 and extend easterly to Florence Street and 30’ on Florence Street from the intersection of Route 9 to the existing regulator.

Public Facilities Approved 7-0 (Councilor Kelley not voting)

#78-20 National Grid petition for grant of location in Sargent Street.

NATIONAL GRID petition for a grant of location to install and maintain 621’ +/- of 8” gas main in Sargent Street from the 4” gas main at the intersection of Park Avenue westerly to existing 8’ gas main at the intersection of Hyde Avenue and 609’ +/- of 4” gas main in Jameson Road from the new 8 inch gas main in Sargent Street to the end of main at #48 Jameson Road. This is to replace and abandon the existing 4’ gas main in Sargent Street and the existing 6’ gas main in Jameson Road.

Public Facilities Approved 7-0 (Councilor Kelley not voting)

#79-20 National Grid petition for grant of location in David Road.
NATIONAL GRID petition for a grant of location to install and maintain 250' +/- of 4" gas main in David Road from the 4" gas main at #28 David Road northwesterly to the end of the main at #11 David Road.
Public Facilities Approved 7-0 (Councilor Kelley not voting)

Referred to Public Facilities and Public Safety & Transportation Committees

#81-20 Discussion on transportation priorities and public works
PUBLIC FACILITES COMMITTEE, PUBLIC SAFETY & TRANSPORTATION COMMITTEE AND COUNCILOR LEARY requesting a discussion with the administration and school officials on transportation priorities and public works/streets/sidewalks etc.
Public Safety & Transportation Held 5-0
Public Facilities Held 7-0 (Councilor Kelley not voting)

Referred to Finance Committee

Wednesday, January 29, 2020

Present: Councilors Grossman (Chair), Malakie, Humphrey, Noel, Kalis, and Norton; absent: Councilors Gentle and Ciccone

Referred to Public Facilities and Finance Committees

#85-20 Approve \$1,000,000 for snow and ice removal
HER HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

DPW Overtime, Snow & Ice Removal (0140123-513010)	\$250,000
DPW Rental Vehicles/Subcontractors (0140123-527301)	\$750,000

Public Facilities Approved 5-0 on 01/22/2020 (Councilor Kelley, Norton and Danberg not voting)
Finance Approved 5-0 (Councilor Malakie not voting)

Referred to Public Safety & Transportation and Finance Committees

#87-20 Appropriate \$900,000 for Fire Rescue Full Time Salaries
HER HONOR THE MAYOR requesting authorization to appropriate and expend nine hundred thousand dollars (\$900,000) from June 30,2019 Certified Free Cash to Acct# 0121022-511001 Fire Rescue Full Time Salaries.
Public Safety & Transportation Approved 5-0 on 01/22/2020
Finance Approved 6-0

#82-20 **Appropriate \$41,869 from E-Rate Funds to fund technology enhancements**
HER HONOR THE MAYOR requesting authorization to appropriate and expend forty-one thousand eight hundred and sixty-nine dollars (\$41,869) from E-Rate reimbursement funds to purchase the conversion of the phone system at Williams Elementary School to Voice Over Internet Protocol (VoIP)
Finance Approved as Amended to the Burr School 6-0

#83-20 **Authorization to expend a ~~\$3,000~~ \$6,000 US Food and Drug Administration Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a ~~three~~ six thousand dollar (~~\$3,000~~ \$6000) grant from the United States Food and Drug Administration for Environmental Health Specialist training.
Finance Approved as Amended 6-0 to \$6000

#84-20 **Authorization to expend a \$200,000 Housing Choice Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred thousand dollar (\$200,000) Housing Choice Grant from the Department of Housing and Community Development to study the possibility of converting the West Newton Armory into affordable housing.
Finance Approved 6-0

Referred to Real Property Reuse Committee

Thursday, January 23, 2020

Present: Councilors Danberg (Chair) Greenberg, Albright, Kelley, Markiewicz, Laredo, Kalis; absent: Councilor Downs

Referred to the Real Property Reuse Committee

#65-20 **Reuse of the West Newton National Guard Armory (295-19)**
DIRECTOR OF PLANNING & DEVELOPMENT submitting on August 7, 2016 a letter recommending that the West Newton Armory located at 1135 Washington Street be evaluated for the purpose of leasing the property for redevelopment as 100% affordable housing or for municipal uses pursuant to Ordinance Section 2-7.
Real Property Reuse Held 7-0; Public Hearing Closed