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City Council Docket

February 7: Land Use Continued
February 8: Programs & Services; Public Safety & Transportation; Public Facilities Page 324
February 13: Finance; Zoning & Planning **Monday, February 6, 2017**
February 14: Land Use 7:45 PM, Newton City Hall
To be reported on
Tuesday, February 21, 2017

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public hearing to be assigned for March 7, 2017

#17-17 **Special Permit to further extend nonconforming structure at 14 Llewellyn Road**
SINEAD AND JOHN EVANS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the nonconforming rear setback to 8' where 15' is allowed by adding a 483 sq. ft. rear addition at 14 Llewellyn Road, Ward 3, West Newton, on land known as SBL 34026 0001, containing approximately 7,350 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public hearing to be assigned for March 7, 2017

#18-17 **Special Permit to further increase nonconforming FAR at 26 Sterling Street**
CHRISTOPHER DUVAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition with enclosed mudroom and covered porch, further increasing the nonconforming FAR to .35 where .34 exists and .33 is allowed at 26 Sterling Street, Ward 3, West Newton, on land known as SBL 32011 0016, containing approximately 10,663 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public hearing to be assigned for March 7, 2017

#19-17 **Special Permit to rectify already constructed garage at 129 Cabot Street**
MICHAEL MENDIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rectify the building permit issued in error due to a garage with an oversized dormer on the half-story above the first level at 129 Cabot Street, Ward 2, Newton, on land known as SBL

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.

13008 0010, containing approximately 8,793 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public hearing to be assigned for March 7, 2017

#20-17

Special Permit to extend nonconforming use and FAR at 85 Fuller Terrace

D&L REMODELING, INC/ANDREW DIPASQUALE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing two-family residence to a single dwelling unit and construct an 1,840 sq. ft. second dwelling addition with two car garage, extending the nonconforming two-family use and exceeding the maximum FAR at .43 where .41 is allowed and .19 exists at 85 Fuller Terrace, Ward 3, West Newton, on land known as SBL 34016 0039, containing approximately 10,097 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, 3.1.9, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Referred to Zoning & Planning Committee

#21-17

Mayor's appointment of Dan Brody to the Community Preservation Committee

DAN BRODY, 15 Brewster Road, Newton Highlands, appointed as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to February 1, 2020 (60 days 04/07/17) [01/26/17 @ 2:03PM]

#22-17

Zoning amendment to further define village commercial centers

COUNCILORS ALBRIGHT AND AUCHINCLOSS proposing to amend **Chapter 30**, Section 4.2.1.C. which states the purpose of the Multi Use 4 (MU4) district, to further define "Newton's village commercial centers" as found in this section. The definition would include criteria to guide land use decisions to rezone an area to MU4. The purpose of this definition is to give guidance to both developers and residents concerning areas appropriate to be rezoned as "village commercial centers" and therefore appropriate to become an MU4 zone. [01/22/17 @ 10:35PM]

#23-17

Mayor's appointment of John Sisson to the Newton Historical Commission

JOHN SISSON, 45 Greenlawn Avenue, Newton, appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire February 1, 2020 (60 days 04/07/17) [01/26/17 @ 2:03PM]

Referred to Programs & Services Committee

#24-17

Recommendation to approve 2017 Preliminary Election date

THE NEWTON ELECTION COMMISSIONERS recommending the City Council approve the date of Tuesday, September 12, 2017 as the date for the 2017 Preliminary Election, if needed. [01/30/17 @ 1:28PM]

Referred to Public Safety & Transportation Committee

- #25-17** **Resolution requesting MBTA repair the pedestrian bridge near the Elliot MBTA station**
COUNCILORS YATES, RICE AND CROSSLEY, requesting that the MBTA repair the pedestrian bridge from the south side of Route 9 to the Elliot MBTA station. [01/23/17 @ 1:41 PM]

Referred to Public Facilities Committee

- #26-17** **Ordinance Amendment to allow City to shut water to allow access**
COMMISSIONER OF PUBLIC WORKS proposing revisions to Article II Sec. 29-26 Inspection of water taker's premises to include language to allow the City to shut water off to properties with proper notice in order to allow for the City to inspect, repair or replace Water Meters. [01/30/2017 @ 3:39 PM]
- #36-17** **Ordinance amendment to require peer review of wires communication attachments**
COUNCILOR CROSSLEY, ALBRIGHT AND LAPPIN requesting an Ordinance, pursuant to Mass. General laws Chapter 166, Section 22 and Chapter 44, Section 53G, the adoption of which would enable the City Council to require peer review of proposed wireless communications equipment attachments to poles or structures in the public way (and on public lands), at the petitioner's expense, to assist the Council in deciding grants of location requested for such equipment relative to providing adequate service needs while respecting public safety and aesthetic standards.

Referred to Finance Committee

- #27-17** **Mayor's reappointment James Shaughnessy to the Board Assessors**
JAMES E. SHAUGHNESSY, 17 Whirly Cirle, Hopkinton, reappointed to the Board of Assessors for a term of office to expire on February 1, 2020. (60 days 04/07/17) [01-30-17 @ 12:46 PM]
- #28-17** **Grant Acceptance to support the operations of the City Council**
CITY CLERK/CLERK OF THE COUNCIL requesting the acceptance of a grant of two thousand nine hundred forty-seven dollars (\$2,947) from the Amelia Sillman Rockwell and Carlos Perry Rockwell Charities Fund to support the operations of the City Council.
- #114-16(2)** **Amendment to a previously approved Betterment Council Order**
CITY CLERK/CLERK OF THE COUNCIL requesting that the City Council revoke the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction. **Note:** Council Order #114-16 was approved on April 4, 2016 but since that date, the Law Department made the Clerk's Office aware of some

required amendments are needed before the Order could be registered with the Registry of Deeds, which requires a revote of the item.

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1790 Commonwealth Ave	Holland Ward, III & Christine H. Ward	59610/426	43008 0001	\$3,237.50
76 Annawan Road	Steven D. Weatherhead & Sarah M. Weatherhead	59840/001	55041 0004	\$3,237.50
88 Annawan Road	William & Stacia Baker	35754/0494	55041 0003	\$2,705.00
98 Annawan Road	Terrance F. McGowan and Mark C. Divincenzo	49883/308	55041 0002	\$2,932.50
16 Balcarres Road	Jaqueline L. Wolf & David M. Perlman	18594/151	32050 0011	\$2,745.00
19 Balcarres Road	John G. & Mary Ruggie	32712/228	32050 0007	\$2,445.00
28 Balcarres Road	Robert & Cherise Bransfield	36599/119	32050 0010	\$2,900.00
28 Lenox Street	Jane E. Obbagy & Sheldon E. Ratnofsky	23803/516	32050 0004	\$2,055.00
98 Baldpate Hill Road	William C. Hahn & Ivana K. Kim	1454/0056 Cert. 256812	82026 0011	\$5,272.50
105 Baldpate Hill Road	Janice P. Lipof	1177/196 Cert. 238389	82025 0058	\$3,745.00
30 Berwick Road	Philip E. & R. Heather Palmer, Trustees	50134/0279	52017 0001	\$2,522.50
290 Central Street	Terence P. Farmer	36493/409	43023 0015	\$2,055.00
295 Central Street	Leslie David Whitham & Donna Cahaly Whitham	26726/573	43029 0011	\$2,055.00
315 Central Street	Neritan Mustafa & Mimoza Mustafa	62468/082	43029 0013	\$2,477.50
321 Central Street	Melissa H. Parente & Gregg H. Nelson	68358/576	43029 0013A	\$3,400.00
330 Central Street	James E. & Louise Kennedy Corrigan	31297/420	43024 0002	\$2,172.50
347 Central Street	Wendy R. Woodruff & Jeffrey Pike	35169/526	43029 0015	\$3,615.00
348 Central Street	Joel Shames & Janet K. Linder	22103/426	43025 0004	\$2,587.50

29 Fern Street	Dennis Howard	63271/410	43025 0008	\$2,867.50
51 Lake Ave	Marc H. Fogel & Deborah R. Fogel, Trs.	46206/501	62008 0009	\$2,587.50
7 Leewood Road	Jed M. Roberts & Suzanne Szescila	1074/024 Cert. 188774	83022 0001	\$3,120.00
12 Leewood Road	Richard Green Tr., Richard Green 1996 Revocable Trust & Esme H. Green, Tr., Esme H. Green 1996 Revocable Trust	1430/079 Cert. 253301	83023 0009	\$5,467.50
15 Leewood Road	Eugene L. Pogany & Judith Bond Pogany Trs., Pogany Family Revocable Living Trust	1449/0086 Cert. 256107	83022 0002	\$2,900.00
24 Leewood Road	Arthur T. Noonan III & Kathryn M. Noonan	857/075 Cert. 145245	83023 0007	\$2,770.00
274 Otis Street	Mary E. Kirsch	22239/298	32050 0006	\$5,817.50
70 Varick Road	Susan R Heyman & Kenneth E. Heyman	15190/447	55025 0018	\$2,347.50
362 Waban Ave	Steven M. Smith & Sarah Prager Smith	49962/367	42008 0002	\$3,505.00

#29-17**Appropriation of \$164,166 to cover costs associated with the bond sale**

HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred sixty-four thousand one hundred sixty-six dollars (\$164,166) from Bond Premium Receipts Reserved for Appropriation to Treasury Expenses to fund bond issuance costs associated with the City's January 2017 bond sale. [01/30/17 @ 12:46 PM]

#30-17**Increase the staff at the Newton Free Library**

HIS HONOR THE MAYOR requesting authorization to increase the authorized number of full-time employees at the Newton Free Library by one full-time employee as the part-time archivist position is being increased to a full-time position. [01-23-17 @ 5:17 PM]

Referred to Public Facilities and Finance Committees**#31-17****Ordinance Amendment to eliminate sewer cleaning fees**

HIS HONOR THE MAYOR proposing an ordinance amendment to remove Section 29-67A, Sewer cleaning fees from the City of Newton Revised Ordinance, 2012. [01/30/17 @ 3:39 PM]

Referred to Public Facilities and Finance Committees

#32-17 HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifty-five thousand dollars (\$55,000) from the Department of Public Works Engineering Full-time Salaries Account to the Department of Public Works Engineering, Engineering Services Account to hire engineering consultants to prepare final engineering design services for the Newton Corner ADA Ramp and Sidewalk Improvements Project. [01/30/17 @ 3:39 PM]

Referred to Public Facilities and Finance Committees

#33-17 HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty-one thousand dollars (\$121,000) from Free Cash for the purpose of funding additional design engineering services for the West Newton Square Rehabilitation Project. [01/30/17 @ 3:39 PM]

Referred to Public Facilities and Finance Committees

#34-17 **Transfer \$1 million for snow and ice removal expenses**

HIS 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:

Personnel Costs – Overtime

(0140110-513001) \$300,000

Sand & Salt

(0110410-5532) \$700,000

[01/23/17 @ 5:17 PM]

Referred to Programs & Services, Land Use and Finance Committees

#35-17 **Appropriation of CPA funds for design of the Crescent Street Project**

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two hundred sixty thousand dollars (\$260,000) from the Community Preservation Fund to the Public Buildings Department for feasibility and design work on affordable housing and playground expansion and improvements at 70 Crescent Street, as envisioned by Council Order #384-11(4) and as described in the December 2016 proposal to the Community Preservation Committee and the Community Preservation Committee’s detailed funding recommendation. [01/23/17 @ 5:19 PM]-