



City Council Reports Docket

February 22: Programs & Services; Public Facilities
February 27: Zoning & Planning
February 28: Land Use

Tuesday, February 21, 2017
Continued
Page 344
7:45 PM, Newton City Hall
To be reported on
Monday, March 6, 2017

RECEIVED

By *sullivan* at 3:10 pm, Mar 03, 2017

POSTED
City Clerk

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, February 28, 2017

REVISED

3:10 pm, Mar 03, 2017

Present: Laredo (Chair), Schwartz, Lennon, Lipof, Crossley, Harney, Cote, and Auchincloss; also present: Councilors Norton, Brousal-Glaser, and Albright

Referred to Land Use and Finance Committees

#10-17

Appropriate \$2 million for development of housing units at 70 Crescent Street

HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from the November 16, 2016 Overlay Surplus Declaration for the purpose of funding the City's share of the development of market rate and affordable housing units at 70 Crescent Street. {12/28/16 @ 4:48 PM}

Item split into Part A and Part B:

Part A – Balance of City's Funds for Project Construction \$1,701,500 – HELD

Part B - Project Design Funds \$298,500

Land Use Approved Part B 7-0 @ \$298,500 (Cote not voting)

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]

Programs & Services Approved 2-0-2 (Hess-Mahan and Leary abstaining) on 02/22/17

Land Use Approved 7-0 (Cote not voting)

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.

#180-16 (2) MARK NEWTONVILLE, LLC petition for a change of zone to Mixed Use 4 for land located at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street (a/k/a 835-843 Washington Street), 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and an unnumbered lot on Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, Ward 2, currently zoned Business 1, Business 2, and Public Use, further described as follows:

Beginning at a point on the northerly line of Washington Street, running thence;

Along the northerly line of Washington Street, south 89 degrees - 04 minutes - 40 seconds west, a distance of 433.14 feet to a point; thence

Along the easterly line of Washington Terrace north 02 degrees - 03 minutes - 34 seconds west, a distance of 278.34 feet to a point, thence, the following four (4) courses along the existing zone lines of MR-1 and MR-3:

North 86 degrees - 11 minutes - 41 seconds west, a distance of 15.07 feet to a point; thence

North 01 degrees - 52 minutes - 35 seconds west, a distance of 3.01 feet to a point; thence

South 86 degrees - 11 minutes - 41 seconds east, a distance of 85.43 feet to a point; thence

North 88 degrees - 31 minutes - 34 seconds east, a distance of 370.56 feet to a point on the westerly line of Walnut Street; thence

Along the westerly line of Walnut Street, south 04 degrees - 12 minutes - 48 seconds east, a distance of 261.82 feet to a point of curvature; thence

Along a curve to the right having a radius of 17.00 feet, a central angle of 93 degrees - 17 minutes - 28 seconds, an arc length of 27.68 feet, a chord bearing of south 42 degrees - 25 minutes - 56 seconds west, a chord length of 24.72 feet to the point and place of beginning.

Containing 123,765 square feet, or 2.84 acres, more or less.

Note: A request for withdrawal without prejudice was received from the petitioner on February 23, 2017. The request was discussed at the 2/28/17 Land Use Committee meeting and details of the discussion can be found in the Committee report for the meeting on-line at <http://www.newtonma.gov/civicax/filebank/documents/81297/02-28-17%20Land%20Use%20Report.pdf>.

Land Use Held 8-0

#179-16 MARK NEWTONVILLE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use development in excess of 20,000 square feet consisting of three interconnected buildings with building heights not exceeding 60 feet and five stories, total gross floor area not exceeding 235,000 square feet incorporating not more than 163 residential units, not exceeding 45,000 square feet of commercial space, not

exceeding 2,500 square feet of community space, not less than 350 onsite parking stalls outside at grade or within a below-grade garage, and related site improvements; to authorize uses including retail of more than 5,000 square feet, personal service of more than 5,000 square feet, restaurants over 50 seats, standalone ATMs, health club establishments at or above ground floor, animal service, and street level office; to allow FAR of not more than 1.90, lot area per dwelling unit of approximately 775 square feet, reduction of the overall non-residential parking requirement by 1/3, 1.25 parking stalls per residential unit, and free standing signs; to grant waivers of not more than 97 parking stalls and of the height setback and facade transparency and entrance requirements; to grant waivers of certain parking facility design standards including dimensional requirements for parking stalls, parking stall setback requirements, entrance and exit driveways, interior landscaping, interior planting area, tree plantings, bumper overhang, lighting of one foot candle, curbing and surfacing, wheel stops, guard rails, bollards, and maneuvering space for end stalls; and to grant waivers as to number, size, location, and height of signs and number of required loading bays, at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street (a/k/a 835-843 Washington Street), 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and an unnumbered lot on Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, containing approximately 2.84 acres of land in a proposed Mixed Use 4 District. Ref.: Sections 4.2.2.A.2; 4.2.2.B.1; 4.2.3; 4.2.5.A.2; 4.2.5.A.3; 4.2.5.A.4; 4.2.5.A.4.c; 4.2.5.A.6; 4.2.5.A.6a; 4.2.5.A.6.b; 4.4.1; 5.1.4.A; 5.1.4.C; 5.1.8.A; 5.1.8.A.2; 5.1.8.B; 5.1.8.B.1; 5.1.8.B.2; 5.1.8.B.6; 5.1.9.B; 5.1.9.B.1; 5.1.9.B.2; 5.1.9.B.3; 5.1.9.B.4; 5.1.10; 5.1.10.A.1; 5.1.10.B.3; 5.1.10.B.5; 5.1.12; 5.1.13; 5.2.13; 5.2.13.A; 7.3; and 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2015.

Public Hearing Opened on June 7, 2016 and continued to July 12, September 13, October 6, 2016, November 1, 2016, November 29, December 15, 2016, January 12, 2017, January 31, 2017, February 7, 2017 and February 28, 2017.

Note: A request for withdrawal without prejudice was received from the petitioner on February 23, 2017. The request was discussed at the 2/28/17 Land Use Committee meeting and details of the discussion can be found in the Committee report for the meeting on-line at <http://www.newtonma.gov/civicax/filebank/documents/81297/02-28-17%20Land%20Use%20Report.pdf>.

Land Use Held 8-0

Referred to Zoning & Planning Committee

Monday, February 27, 2017

Present: Councilors Hess-Mahan (Chair), Danberg, Albright, Baker, Leary, Yates and Kalis; absent: Councilor Sangiolo; also present: Councilors Lappin, Fuller, Brousal-Glaser, Norton and Crossley
Planning & Development Board: Scott Wolf (Chair) Megan Meirav, Sonia Parisca, Jonathan Yeo

- #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]
Zoning & Planning Approved 7-0
- #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]
Zoning & Planning Approved 5-2 (Kalis and Yates opposed)
- #220-16** **Discussion relative to regulating Airbnb-type companies**
COUNCILORS FULLER, HESS-MAHAN, LAPPIN, COTE AND NORTON requesting a discussion with the Planning, Inspectional Services and Fire Departments regarding appropriate regulations, permits, licensing and/or taxes for residential owners who host short-term guests through house-sharing companies such as Airbnb.[06/06/16 @ 2:19 PM]
Zoning & Planning Held 7-0
- #343-16** **Zoning amendment relative to accessory apartments**
HIS HONOR THE MAYOR, COUNCILOR HESS-MAHAN, ALBRIGHT, CICCONE, CROSSLEY, AND NORTON proposing to amend Chapter 30 Section 6.7.1 Accessory Apartments and Section 5.1.4 Number of Parking Stalls in order to create a new accessory apartment ordinance that expands the availability of accessory apartments. [10/07/16 @ 10:03 AM] **Hearing closed 11/14/16 (90 days 2/12/17)**
Recommitted to Zoning & Planning Committee on 2/6/17
Public Hearing Closed; Zoning & Planning Held 7-0
- #222-13(8)** **Zoning amendment to delay effective date of Garage Ordinance for further study**
COUNCILOR HESS-MAHAN requesting amendments to Ordinance A-78, which amends Chapter 30, Section 3.4.4 of Revised Ordinances, to implement a deferred effective date for the Ordinance of December 31, 2017 or such other appropriate date, for the purpose of allowing the Planning Department to complete a comprehensive study thereof. [11/28/16 @ 5:45PM]
Public Hearing Closed; Zoning & Planning Motion to Approve as Amended to April 1, 2018 Failed to Carry 3-3-1 (Hess-Mahan, Baker and Yates opposed; Leary abstaining)

Referred to Programs & Services Committee

Wednesday, February 22, 2017

Present: Councilors Rice (Chair), Leary, Hess-Mahan and Auchincloss; absent: Councilors Baker, Sangiolo, Kalis and Schwartz; also present: Councilor Norton

- #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]
Programs & Services Approved 4-0

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]
Land Use Approved 7-0 on 02/28/17
Programs & Services Approved 2-0-2 (Hess-Mahan and Leary abstaining)

- #37-16 **Resolution to state officials requesting a carbon fee**
COUNCILOR NORTON requesting a Resolution to state officials calling for a fee on carbon to curb climate change. [01/22/16 @ 10:34 AM]
Programs & Services Approved 3-0-1 (Auchincloss abstaining)

- #36-16 **Resolution to state officials supporting fossil fuel divestment**
COUNCILOR NORTON requesting a Resolution to state officials supporting fossil fuel divestment. [01/22/16 @ 10:34 AM]
Programs & Services Approved 3-0-1 (Auchincloss abstaining)

Referred to Public Facilities Committee

Wednesday, February 22, 2017

Present: Councilors Crossley (Chair), Albright, Lennon, Lappin, Laredo, Danberg, Brousal-Glaser; absent: Councilor Gentile; Councilors also present: Councilors Fuller, Norton, Leary, Yates

- #12-16** **Discussion with the DPW regarding the City's recycling and solid waste programs**
COUNCILOR LEARY, NORTON, KALIS, HESS-MAHAN, ALBRIGHT, AND CROSSLEY requesting an update from and discussion with the Department of Public Works and the Solid Waste Commission on the current status of Newton's solid waste management and recycling program operations and performance objectives, future goals and objectives, staffing, program challenges, and survey data due to be submitted to the Department of Environmental Protection. [12/28/15 @ 8:44 AM]
Public Facilities Held 7-0
- #249-16** **Cellco petition for Grant of Location for wireless communication equipment**
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility poles at the following locations [(Ward 8) 07/01/2016 @11:17 AM]:
- Locations
- ~~Dudley Road (near 530 Dudley Road) at Pole #10-7 (location withdrawn)~~
Hay Road (near 16 Hay Road) at Pole #1368-1
Public Facilities Approved as Amended Subject to Second Call 6-1 (Lennon opposed)
- #281-16** **Cellco petition for Grant of Location for wireless communication equipment**
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing Utility Pole #20-20 at Sargent Street (near the Sargent/Centre intersection). (Ward 7) [07/20/2016 @12:21 PM]
Public Facilities Approved Subject to Second Call 6-1 (Lennon opposed)
- #423-16** **Verizon Grant of Location petition for wireless communication equipment**
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility pole #405/24 adjacent to 93 Sevlard Road. (Ward 8). [11/21/2016 @ 9:44 AM]
Public Facilities Approved Subject to Second Call 6-1 (Lennon opposed)
- #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 grant of location petitions, including 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 requested grants of location.
Public Facilities Held 7-0