



City Council Reports Docket

March 7: Land Use Monday, March 6, 2017
March 8: Programs & Services; Public Safety & Transportation; Public Facilities Continued
March 13: Finance; Zoning & Planning Page 354
March 14: Land Use 7:45 PM, Newton City Hall
To be reported on
Monday, March 20, 2017

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item Chartered by Councilor Norton on 03/06/17

#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)

Referred to Land Use Committee

Tuesday, March 7, 2017

Present: Councilors Laredo, Schwartz, Lennon, Lipof, Crossley, Harney, Auchincloss, Cote; also Present: Councilors Albright, Brousal-Glaser

#40-17 Temporary license to hold Nonantum Village Day
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 2.3.3 of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 4, 2017. [02/14/17 @ 2:58 PM]
Land Use Approved 4-0 (Lipof, Schwartz, Harney, Crossley not voting)

#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

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.

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 Closed; Land Use Approved 6-0 (Schwartz, Harney not voting)

#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 Closed; Land Use Approved (Schwartz, Harney not voting)

#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 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.

Land Use Held 8-0

#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.

Land Use Held 8-0

Referred to Zoning & Planning Committee

Monday, March 13, 2017

Present: Councilors Hess-Mahan (Chair), Albright, Yates, Kalis and Leary; absent: Councilors Baker, Danberg and Sangiolo

#80-13

Updates on the zoning reform project

THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]

Zoning & Planning Held 5-0

- #140-14 Zoning amendment for lodging house ordinance**
ALD. CROSSLEY AND HESS-MAHAN requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to include a "lodging house" ordinance to promulgate rules requiring annual fire, safety and health inspections and licensing of buildings providing single room occupancy and/or congregate living arrangements.
Zoning & Planning Held 5-0

Referred to Finance and Appropriate Committees

- #257-12 Review of fees in Chapter 17 and Chapter 20**
RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.
Finance Voted No Action Necessary 7-0 on 12/14/15
PS&T Voted No Action Necessary 7-0 on 01/20/2016
Programs & Services Voted No Action Necessary 6-0 on 02/08/2017
Public Facilities Voted No Action Necessary 7-0 (Laredo not Voting) on 03/08/17
Zoning & Planning Voted No Action Necessary 5-0

Referred to Programs & Services Committee

Wednesday, March 8, 2017

Present: Councilors Rice (Chair), Schwartz, Kalis, Leary, Hess-Mahan and Baker; absent: Councilor Sangiolo and Auchincloss; also present: Councilors Crossley, Brousal-Glaser, Danberg, Gentile, Lappin, Lennon, Laredo, Albright and Fuller

Referred to Programs & Services, Public Facilities and Finance Committees

- #57-17 Authorize submittal of Lincoln Eliot statement of interest to the MSBA**
SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 17 Statement of Interest no later than April 7, 2017 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02/17/17 @ 9:29 AM]
Public Facilities Approved 7-0-1 (Gentile abstaining) on 03/08/17
Finance Approved 4-0 on 03/13/17
Programs & Services Approved 4-0-2 (Baker and Hess-Mahan abstaining)

Referred to Programs & Services and Finance Committees

- #55-17** **Appropriate \$200,000 for repairs to the Gath Pool**
HIS HONOR THE MAYOR requesting authorization to appropriate two hundred thousand dollars (\$200,000) from Overlay Surplus for the purpose of funding repairs to the Gath Pool. (03/02/17 @ 9:55 AM)
Finance Approved 4-0 on 03/13/17
Programs & Services Approved 6-0

Referred to Programs & Services and Finance Committees

- #54-17** **Request to increase the Parks & Recreation Department by one full-time position**
HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Parks and Recreation Department. The position will be involved extensively in the administration of camps. [02/27/17 @ 2:42 PM]
Programs & Services Approved 6-0

- #300-16** **Ordinance to register lobbyists**
COUNCILORS COTE, NORTON AND HARNEY proposing an ordinance to register lobbyists in the City of Newton. [08/10/16 @ 3:11 AM]
Programs & Services Held 5-0 (Schwartz not voting)

Referred to Programs & Services, Public Facilities and Finance Committees

- #312-10** **Update on plans to address space needs in schools**
ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]
Finance voted No Action Necessary 10/12/11
Public Facilities voted No Action Necessary 11/16/11
Programs & Services voted No Action Necessary 5-0 (Schwartz not voting)

Referred to Public Facil, Programs & Services and Public Safety & Trans Committees

- #46-15** **Discussion of parking options and permits at municipal & school parking lots**
ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @1:35 PM]
Public Facilities to Meet
Public Safety and Transportation voted No Action Necessary 6-0 on 03/08/17
Programs & Services voted No Action Necessary 5-0 (Schwartz not voting)

Referred To Public Safety & Transportation Committee

Wednesday, March 8, 2017

Present: Councilors Ciccone (Chair), Blazar, Harney, Lipof, Yates and Cote; absent: Councilors Fuller and Norton

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

- #59-17** **Appropriate \$350,000 for construction of a Parks & Recreation/Police building**
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02/17/17 @ 9:29 AM]
Public Safety & Transportation Held 5-0, (Yates not voting)
- #366-16** **Requesting a review and update on Traffic Council responsibilities**
COUNCILORS NORTON, SCHWARTZ AND AUCHINCLOSS, requesting a review and update on Traffic Council responsibilities by shifting certain areas to the executive branch, including the installation of stop signs and safety upgrades. [10/17/16 @ 9:15 AM]
Public Safety & Transportation No Action Necessary 6-0
- #41-17** **Resolution requesting the speed limit on Quinobequin Road be reduced to 25 mph.**
COUNCILOR YATES, requesting that the Mass Department of Conservation and Recreation reduce the speed limit on all sections of Quinobequin Road to 25 mph in conformity with the speed limit in the City. [02/09/17 @ 9:28 PM]
Public Safety & Transportation Held 6-0
- #137-11** **Possible changes to long-term meter fees to discourage short-term use**
ALD. DANBERG AND FULLER, requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]
Public Safety & Transportation No Action Necessary 6-0
- Referred to Public Facilities, Programs & Services, and PS&T Committees**
- #46-15** **Discussion of parking options and permits at municipal and school parking lots**
ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
Public Facilities to meet
Programs & Services voted No Action Necessary 5-0 (Schwartz not voting) on 03/08/17
Public Safety and Transportation voted No Action Necessary 6-0

- #240-12** **Request Chapter 19 Motor Vehicles & Traffic be amended, Sec. 19-224 and 19-226**
RECODIFICATION COMMITTEE, requesting that **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to determine who has jurisdiction for parking on municipal land, the owning department as described in **Sec. 19-224. Parking prohibited on city grounds.** or the Traffic Council as described in **Sec. 19-26. Authority and role of Traffic Council.**
Public Safety & Transportation No Action Necessary 6-0

Referred to Public Facilities Committee

Tuesday, March 8, 2017

Present: Councilors Crossley (Chair), Albright, Laredo, Brousal-Glaser, Gentile, Lappin, Lennon, Danberg; also Present: Councilors Fuller, Leary Rice, Harney, Cote, Hess-Mahan, Kalis, Norton, Schwartz, Baker

Referred to Public Facilities and Finance Committees

- #42-17** **Request to authorize a contract(s) to aggregate the electricity load**
COUNCILORS CROSSLEY, ALBRIGHT, BROUSAL-GLASER, LEARY AND NORTON requesting the City Council authorize the Administration to direct the appropriate City departments to research, develop, and participate in a contract or contracts to aggregate the electricity load of residents and businesses in the City of Newton, and for the other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents to accomplish the same. [02/13/17 @ 4:53 PM]
Finance Approved 4-0 on 03/13/17
Public Facilities Approved 8-0

Referred to Programs & Services, Public Facilities and Finance Committees

- #58-17** **Authorize submittal of Lincoln Eliot statement of interest to the MSBA**
SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 17 Statement of Interest no later than April 7, 2017 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02-17-17 @ 9:29 AM]
Finance Approved 4-0 on 03/13/17
Programs and Services Approved 3-0-2 (Baker, Hess-Mahan abstaining)
Public Facilities Approved 7-0-1 (Gentile abstaining)

Referred to Public Facilities and Finance Committees

#57-17

Appropriate \$400,000 for design of street improvements along Newtonville corridor
HIS HONOR THE MAYOR requesting authorization to appropriate four hundred thousand dollars (\$400,000) from Free Cash for the purpose of designing streetscape improvements to the Walnut Street/Newtonville corridor. [02/27/17 @ 2:42 PM]

Finance Approved 4-0 on 03/13/17

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#56-17

Request to increase the Public Works Department by one full-time position

HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Public Works Department to manage all detail requests submitted to the Police Detail Coordinator. [02/27/17 @ 2:42 PM]

Public Facilities Held 7-0 (Laredo not voting)

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

#59-17

Appropriate \$350,000 for construction of a Parks & Recreation/Police building

HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02-17-17 @ 9:29 AM]

Public Facilities Held 7-0 (Laredo not voting)

Referred to Finance and Appropriate Committees

#257-12

Review of Fees, Civil Fines/Non-criminal Disposition in Chapter 17 of the ordinances

RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

Finance Voted No Action Necessary 7-0 on 12/14/15

PS&T Voted No Action Necessary 7-0 on 01/20/2016

Programs & Services Voted No Action Necessary 6-0 on 02/08/2017

Zoning & Planning Voted No Action Necessary 5-0 on 03/13/17

Public Facilities Voted No Action Necessary 7-0 (Laredo not Voting)

- #100-15 Discussion on pursuing municipal aggregation of energy purchasing**
ALD. NORTON, SANGIOLO, LEARY, AND ALBRIGHT requesting that the Administration pursue municipal aggregation of energy purchasing with the goals of reducing and/or stabilizing electricity costs for resident, businesses and the City; and requiring the purchase of Class 1 RECs at some percentage above the level required by the Massachusetts Renewable Portfolio Standard. [04/06/15 @ 9:12 AM]
Public Facilities Voted No Action Necessary 7-0 (Laredo not voting)

Referred to Finance Committee

Monday, March 13, 2017

Present: Councilors Gentile (Chair), Norton, Brousal-Glaser, and Lappin; absent: Councilors Ciccone, Rice, Blazar, and Fuller; also present: Councilor Crossley

Referred to Programs & Services, Public Facilities and Finance Committees

- #58-17 Authorize submittal of Lincoln Eliot statement of interest to the MSBA**
SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 17 Statement of Interest no later than April 7, 2017 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02-17-17 @ 9:29 AM]
Programs & Services Approved 4-0-2 (Baker, Hess-Mahan) on 03/08/17
Public Facilities Approved 7-0-1 (Gentile) on 03/08/17
Finance Approved 4-0

- #397-16 Discussion w School Administration re \$1.2 million budget deficit**
COUNCILOR GENTILE requesting a discussion with the School Department and members of the School Committee regarding the \$1.2 million deficit in the School Department budget as outlined in the 2017 Fiscal and Operational Update Memo dated October 24, 2016. [11/16/16 @ 10:48 AM]
Finance Held 4-0

Referred to Programs & Services and Finance Committees

- #54-17 Request to increase the Parks & Recreation Department by 1 full-time position**
HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Parks and Recreation Department. The position will be involved extensively in the administration of camps. [02/27/17 @ 2:42 PM]
Programs & Services Approved 6-0 on 03/08/17
Finance Approved 4-0

Referred to Programs & Services and Finance Committees

#55-17

Appropriate \$200,000 for repairs to the Gath Pool

HIS HONOR THE MAYOR requesting authorization to appropriate two hundred thousand dollars (\$200,000) from Overlay Surplus for the purpose of funding repairs to the Gath Pool. (03/02/17 @ 9:55 AM]

Programs & Services Approved 6-0 on 03/08/17

Finance Approved 4-0

Referred to Public Facilities and Finance Committees

#57-17

Appropriate \$400,000 for design of street improvements-Newtonville corridor

HIS HONOR THE MAYOR requesting authorization to appropriate four hundred thousand dollars (\$400,000) from Free Cash for the purpose of designing streetscape improvements to the Walnut Street/Newtonville corridor. [02/27/17 @ 2:42 PM]

Public Facilities Approved 8-0 on 03/08/17

Finance Approved 4-0

Referred to Public Facilities and Finance Committees

#42-17

Request to authorize contract(s) to aggregate the electricity load

COUNCILORS CROSSLEY, ALBRIGHT, BROUSAL-GLASER, LEARY AND NORTON requesting the City Council authorize the Administration to direct the appropriate City departments to research, develop, and participate in a contract or contracts to aggregate the electricity load of residents and businesses in the City of Newton, and for the other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents to accomplish the same. [02/13/17 @ 4:53 PM]

Public Facilities Approved 8-0 on 03/08/17

Finance Approved 4-0 with a recommendation to form a working group

#53-17

Appropriate \$48,984 from Cable Television Franchise Fees to NewTV

HIS HONOR THE MAYOR requesting authorization to appropriate forty-eight thousand nine hundred eighty-four dollars (\$48,984) from Cable Television Franchise Fees-Capital to Newton Communications Access Center, Inc. (NewTV) for the purpose of upgrading the video equipment in the City Council Chamber from Standard Definition (SD) to High Definition (HD). [02/27/17 @ 2:42 PM]

Finance Approved 4-0