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City Clerk

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## City Council Reports Docket

May 22: Zoning & Planning; Finance  
May 23: Land Use  
May 30: Land Use

Monday, May 15, 2017  
Continued  
Page 424  
7:45 PM, Newton City Hall  
To be reported on  
**Monday, June 5, 2017**

### City of Newton In City Council Items to be Acted Upon

#### Referred to Land Use Committee

Tuesday, May 23, 2017

Present: Councilors Laredo (Chair), Schwartz, Crossley, Auchincloss, Lennon, Cote, Lipof, Harney; also present: Councilor Baker

**#63-17**

#### **Special Permit to allow six-unit multi-family at 16-26 Dalby Street**

DALBY DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct six dwelling units with shared underground parking by combining three lots at 16-26 Dalby Street, Ward 1, Newton, on land known as SBL 11007 0046, 11007 0045, 11007 0044, containing approximately 23,400 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved Subject to Second Call 7-0-1 (Laredo abstaining); Public Hearing Closed May 23, 2017**

**#60-17**

#### **Request to Rezone Hovey Street parcels**

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for a change of zone to Business Use 2 for land located at 29 Hovey Street, also identified as Section 12, Block 006, Lot 004, and an unnumbered lot on Hovey Street, also identified as Section 12, Block 006, Lot 003, containing approximately 34,361 sq. ft. of land in a district zoned MULTI RESIDENCE 2, further described as follows:

Beginning at a point on the Westerly side of Hovey Street, said point being N 21°00'54" W and a distance of one hundred twenty-six and no hundredths (126.00) feet from a bound at the Northwesterly intersection of Hovey and Washington Streets being the Southeast corner of the parcel herein described; thence

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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](mailto: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.

S 69°15'05" W	A distance of seventy-three and forty hundredths (73.40) feet to a point; thence
S 69°07'43" W	A distance of one hundred forty-five and no hundredths (145.00) feet to a point; thence
N 20°20'22" W	A distance of forty-five and fifty hundredths (45.50) feet to a point; thence
N 18°34' 11" E	A distance of sixty-one and forty-seven hundredths (61.47) feet to a point; thence
N 21°09'23" E	A distance of two and forty-one hundredths (2.41) feet and on the same bearing a distance of thirty-six and eight hundredths (36.08) feet to a point; thence
N 21°31'11" E	A distance of one hundred sixteen and eighty-eight hundredths (116.88) feet to a point; thence
N 28°57'55" E	A distance of twelve and seventy hundredths (12.70) feet to a point; thence
N 71°07'46" E	A distance of sixty-four and fifteen hundredths (64.15) feet to a point; thence
S 21°00'54" E	A distance of one hundred thirty-one and no hundredths (131.00) feet and on the same bearing a distance of eighty-three and no hundredths (83.00) feet by the Westerly sideline of Hovey Street to the point of beginning.

Said parcel containing 34,361 square feet or 0.789 acres, more or less.

The request for a change of zone and associated plans and documents are on file with the City Clerk's office at Newton City Hall.

**Land Use Held 8-0**

#61-17

**Special Permit Petition to construct elderly housing on Washington Street**

SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct elderly housing with services in excess of 20,000 sq. ft. of gross floor area, consisting of 85 living units in a four-story structure not to exceed 48' in height and Floor Area Ratio not to exceed 2.0, extending the existing nonconforming front setback and constructing a retaining wall greater than 4' in a setback at 431 Washington Street, 29 Hovey Street, and the adjacent unnumbered lot to the north on Hovey Street, on land known as Section 12 Block 006 Lots 003, 004, and 005, containing approximately 66,909 sq. ft. of land in districts zoned BUSINESS 2 AND MULTI-RESIDENCE 2. Ref.: 7.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 4.4.1, 5.1.13, 5.4.2.B, 5.11.11, 6.2.10, 6.2.10.B, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Held 8-0**

**#114-17**

**Request to amend Special Permit for the Atrium Wellness Center**

ATRIUM WELLNESS CENTER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #2-15 to allow a 1/3 reduction in the number of required parking stalls or a waiver for 386 stalls, dimensional relief to allow conformance with the existing parking facility and waivers with regard to the number, size, location and/or height of signs at 300 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 82, Block 002, Lot 0001, containing approximately 125,771 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: 7.3, 7.4, 5.1.4.A, 5.1.13, 5.1.4.C, 5.1.13, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 8-0; Public Hearing Closed May 23, 2017**

**Referred to Land Use Committee**

Tuesday, May 30, 2017

Present: Councilors Laredo (Chair), Schwartz, Lennon, Crossley, Lipof, Harney, Auchincloss, Cote; also present: Councilors Yates, Norton, Albright, Sangiolo

**#95-17**

**Change of Zone Petition for Washington Street**

MARK NEWTONVILLE, LLC petition for a change of zone to Mixed Use 4 for (i) all of the land located at 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Terrace, 867 Washington Street, 857-859 Washington Street, 845-855 Washington Street and 245-261 Walnut Street, also identified as Section 21, Block 29, Lots 11, 12, 17, 18, 19A, 20 and 21, Ward 2, currently zoned Business 1 and Business 2, and (ii) a portion of the land located at 16-18 Washington Terrace, 869 Washington Street, 861-865 Washington Street, 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and a private way known as Bailey Place, also identified as Section 21, Block 29, Lots 10, 13, 14, 16, 19, and 22, 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, thence

Along the northerly line of Washington Street, south 89 degrees - 04 minutes - 40 seconds west, a distance of 434.02 feet to a point; thence

Along the easterly line of Washington Terrace, north 01 degrees - 52 minutes - 35 seconds west, a distance of 188.53 feet to a point; thence

North 89 degrees - 04 minutes - 40 seconds east, a distance of 294.98 feet to a point; thence

North 05 degrees - 11 minutes - 33 seconds west, a distance of 52.46 feet to a point; thence

North 85 degrees - 43 minutes - 30 seconds east, a distance of 150 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 231.99 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 92,907 square feet, or 2.13 acres, more or less.

**Land Use Approved 6-1-1 (Harney Opposed, Cote abstaining); Public Hearing Closed May 30, 2017**

**#96-17**

**Special Permit Petition for Washington Street**

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 160 residential units, not exceeding 46,000 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 services, and street level office; to allow FAR of not more than 2.50, lot area per dwelling unit of approximately 581 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 and dimensions 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, 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, an unnumbered lot on Bailey Place, and the private way known as 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 part of which is in a proposed Mixed Use 4 District and the remainder of which is in the existing Business 2 and Public Use zones. 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.c; 4.2.5.A.6.a; 4.2.5.A.6.b; 4.2.5.A.6.c; 4.4.1; 5.1.4.A; 5.1.4.C; 5.1.8.A.1; 5.1.8.A.2; 5.1.8.B.2; 5.1.8.B.6; 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.5; 5.1.12; 5.1.13; 5.2.13.A; 7.3; and 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2015.

**Action:** **Land Use Approved 5-1-2 (Harney Opposed, Cote, Schwartz abstaining); Public Hearing Closed May 30, 2017 (90 days – 08/28/17)**

### **Referred to Zoning & Planning Committee**

Monday, May 22, 2017

Present: Councilors Hess-Mahan (Chair), Danberg, Leary, Kalis, Albright, Yates, Sangiolo and Baker;  
also present: Councilors Auchincloss and Crossley

**#116-17** **Submission of the FY18 Annual Action Plan To HUD**  
HIS HONOR THE MAYOR requesting City Council authorization, pursuant to the 2017 Revised Citizen Participation Plan, to submit the FY18 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium. [04/26/17 @3:52 PM]

**Zoning & Planning Approved 8-0**

**#360-16(2)** **Zoning amendment to rezone 160 R Stanton Avenue**  
DIRECTOR OF PLANNING AND DEVELOPMENT requesting to rezone land known as Section 43, Block 45, Lot 33 located at 160 R Stanton Avenue from PUBLIC USE to MULTI RESIDENCE 3 in order to prepare the site for multi-family affordable housing development. [03/23/17 @ 11:44 AM]

**Zoning & Planning Approved 8-0**

**#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 8-0**

### **Zoning & Planning and Finance Committees**

**#89-17** **Transfer of \$125,000 to create a citywide economic development strategy**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from the Planning Department Full-time Salaries Account and fifty thousand dollars (\$50,000) from the Economic Development Full-time Salaries

Account to a specific project account to be established for the purpose of funding the creation of a citywide economic development strategy. [03/27/17 @2:20 PM]

**Finance Approved 5-0-1 (Blazar abstaining) on 5/22/17**

**Zoning & Planning Approved 6-0-2 (Baker and Kalis abstaining)**

**Referred to Public Facilities Committee**

Monday, May 22, 2017

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

**Referred to Public Facilities and Finance Committees**

**#144-17 Request to bond \$2.7 million for water main improvements**

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million seven hundred thousand dollars (\$2,700,000) from bonded indebtedness for the purpose of providing additional funding for the continuation of the implementation of the City's Water Main Improvement Plan. [05/08/17 @ 6:49 PM]

**Finance Approved 6-0 on 05/22/17**

**Public Facilities Approved 5-0**

**Referred to Public Facilities and Finance Committees**

**#145-17 Request to bond \$2.6 million for repair of a portion of the Laundry Brook culvert**

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million six hundred thousand dollars (\$2,600,000) from bonded indebtedness for the purpose of funding the removal and replacement of the Laundry Brook culvert adjacent to the proposed Cabot School. [05/08/17 @ 6:49 PM]

**Finance Approved 6-0 on 05/22/17**

**Public Facilities Approved 5-0**

**Referred to Finance Committee**

Monday, May 22, 2017

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

**#141-17 Claim Settlement for damage from snow clearing**

HIS HONOR THE MAYOR requesting authorization to appropriate ten thousand five hundred forty-seven dollars and twenty-five cents (\$10,547.25) from the Law Department's Legal Claims/Settlements Account for full and final settlement of claim against the City resulting from damage to a storefront during snow clearing operations. [05/08/17 @ 6:50 PM]

**Finance Approved 6-0**

**Referred to Public Facilities and Finance Committees**

**#144-17**

**Request to bond \$2.7 million for water main improvements**

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million seven hundred thousand dollars (\$2,700,000) from bonded indebtedness for the purpose of providing additional funding for the continuation of the implementation of the City's Water Main Improvement Plan. [05/08/17 @ 6:49 PM]

**Public Facilities Approved 5-0 on 05/22/17**

**Finance Approved 6-0**

**Referred to Public Facilities and Finance Committees**

**#145-17**

**Request to bond \$2.6 million for repair of a portion of the Laundry Brook culvert**

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two million six hundred thousand dollars (\$2,600,000) from bonded indebtedness for the purpose of funding the removal and replacement of the Laundry Brook culvert adjacent to the proposed Cabot School. [05/08/17 @ 6:49 PM]

**Public Facilities Approved 5-0 on 05/22/17**

**Finance Approved 6-0**

**#142-17**

**Funding for a Public Information Plan for site clean-up at the Horace Mann School**

HIS HONOR THE MAYOR requesting authorization to transfer the sum of fifteen thousand dollars (\$15,000) from the following accounts to the Public Building Department for the development of a public information plan regarding the site clean-up at the Horace Mann School for an oil leak that occurred in 1998. [05/08/17 @ 6:49 PM]

Comptroller Wage & Salary Reserve (0110498-5197)	\$5,375
Comptroller Budget Reserve (0110498-5790)	\$3,810
Free Cash (01-3497)	\$5,815

**Finance Held 6-0**

**#143-17**

**Acceptance of a \$22,400 MEMA Grant**

HIS HONOR THE MAYOR requesting authorization to accept and expend the sum of twenty-two thousand four hundred dollars (\$22,400) from a Massachusetts Emergency Management Grant for the purpose of purchasing equipment and related items for the new Emergency Operations Center. [05/08/17 @ 6:49 PM]

**Finance Approved 6-0**



**Referred to Zoning & Planning and Finance Committees**

#89-17

**Transfer of \$125,000 to create a citywide economic development strategy**

HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from the Planning Department Full-time Salaries Account and fifty thousand dollars (\$50,000) from the Economic Development Full-time Salaries Account to a specific project account to be established for the purpose of funding the creation of a citywide economic development strategy. [03/27/17 @2:20 PM]

**Zoning & Planning Approved 6-0-2 (Baker and Kalis abstaining) on 05/22/17**

**Finance Approved 5-0-1 (Blazar abstaining)**

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

#387-16

**Appropriate \$250,000 for renovation of 1<sup>st</sup> Floor of the Ed Center**

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Override Capital Stabilization Fund for the purpose of renovating the space on the 1<sup>st</sup> floor of the Ed Center which has been vacated by the relocation of the Pre-K Program to the Aquinas site to house the Central High School Program, additional professional development meeting space, and general office space. [10/31/16 @ 2:05 PM]

**Programs & Services Approved 4-0 on 11/09/16**

**Public Facilities Held on 11/09/16**

**Finance Voted No Action Necessary 6-0**