



City Council Reports Docket

RECEIVED
By Tyler Church at 3:16 pm, Nov 02, 2017

Oct 18: Programs & Services; Public Safety & Trans.; Public Facilities
Oct 23: Zoning & Planning; Finance
Oct 24: Land Use

Monday, October 16, 2017
Continued
Page 544
7:45 PM, Newton City Hall
To be reported on
Monday, November 6, 2017

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item Chartered by Councilor Gentile at the 10/16/17 Council Meeting

#216-17

Approval of Building Design and Construction Sustainability Guidelines

HIS HONOR THE MAYOR requesting approval of the "City of Newton – Public Buildings Department – Building Design and Construction Sustainability Guidelines." [07/03/17 @ 12:28 PM]

Public Facilities Approved 6-0

Referred to Land Use Committee

Tuesday, October 24, 2017

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

#228-17

Special Permit to extend non-conforming use at 69-71 Cherry Street

CAPPADONA CHERRY GROUP, LLC/ROSSANA CAMPOS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legalize third unit and non-compliant lot area per unit in the existing non-conforming two-family at 69-71 CHERRY STREET, Ward 3, West Newton, on land known as Section 34, Block 42, Lot 15, containing approximately 23,511 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.3 of the City of Newton Rev Zoning Ord, 2015.

Land Use Held 4-0 (Cote, Crossley, Auchincloss 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.

- #229-17** **Special Permit to allow vehicle sales at 454-458 Watertown Street**
TEE GEE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing auto service business to allow the sale and service of up to ten used cars and waivers to requirements for parking facilities at 454-458 WATERTOWN STREET, Ward 1, Newtonville, on land known as Section 14, Block 16, Lot 35, containing approximately 14,277 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #201-17** **Special Permit to construct three-story building at 386-394 Watertown Street**
JLM REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story building, up to 36' high, allow an FAR of 1.5, waivers to allow parking in the side setback, waiver to allow parking within 5' of a building or structure containing dwelling units, waivers to allow a reduction in the parking requirement to 1.25 per dwelling unit, relief from parking facility landscaping, and a waivers to the lot area per unit in a multifamily dwelling by 25% to allow for an affordable unit at 386-394 Watertown Street, Ward 1, Newton, on land known as Section 14, Block 14, Lots 37-38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Ref: 7.3, 7.4, 4.1.2.B.3, 4.1.3.3, 5.1.4, 5.1.8, 5.1.8.A.2, 5.1.13, 5.1.9, 5.1.1.13, 5.11, 5.11.15.A of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #49-16(2)** **Petition to amend Board Order #49-16 at 103 Court Street (including 15 Wilton Road)**
ALAN AND BARBARA QUEBEC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #49-16 to allow for changes to the site plan at 103 Court Street, Ward 2, on land known as Section 23, Block 16, Lots 36 and 36A containing approximately 22,848 sq. ft. of land in a district zoned MR1. Ref: 7.3.3, 7.4, of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #282-17** **Special Permit to exceed FAR at 45 Chester Street**
JEFFREY AND JUSTINE COHEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing detached garage structure and rear portion of the dwelling and replace it with a two-car attached garage, mudroom, living space and a rear pool, creating an FAR and .33 is allowed at 45 Chester Street, Ward 6, Newton Highlands, on land known as Section 52, Lot 03 Block 08, containing approximately 19,800 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.9 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 3-0-1 (Schwartz abstaining, Cote, Crossley, Auchincloss not Voting)

- #223-17** **Special Permit to amend Board Order #64-02 to allow for a garage at 1080 Walnut St**
MICHAEL E. LIU petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #64-02 to allow for the construction of a detached garage at 1080 WALNUT STREET, Ward 6, Newton Highlands, on land known as Section 52 Block 20 Lot 8, containing approximately 21,331 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #261-17** **Special Permit to exceed FAR at 14 Pond Avenue**
KEVIN FAHEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 1,026 sq. ft. rear addition to the basement, first and second stories, creating an FAR of .67 where .58 is allowed and .44 exists at 14 POND AVENUE, Ward 1, on land known as Section 11, Block 20, Lot 14, containing approximately 4,530 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3, 7.4, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #132-14(2)** **Special Permit Petition to amend Board Order #132-14 at 49 Winchester Street**
THE CREATIVE KIDS STUDIO, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #132-14 to allow parking within the front setback and waive the requirement for outdoor play area screening at 49 Winchester Street, Ward 8, on land known as Section 51, Block 28, Lot 30, containing approximately 79,500 sq. ft. of land in a district zoned MULTI USE 1. Ref: Sec. 7.3.3, 7.4, 5.1.8.A.1, 7.8.2.C.2, 6.3.4.B.3 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #284-17** **Request to Rezone three parcels on Langley Road**
LANGLEY MONTROSE LLC AND LANGLEY FARLOW LLC petition for a change of zone to MR-3 for land located at 392-396 Langley Road(MR-2; Parcel 1), 400 Langley Road (MR-2; Parcel 2), and 402-404 Langley Road (BU-1; Parcel 3), also identified as Section 65, Block 010, Lots 001, 008, 030.
Land Use Held 7-0
- #285-17** **Special Permit to allow multi-family on Langley Road**
LANGLEY MONTROSE LLC AND LANGLEY FARLOW LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to develop 20,000+ sq. ft. of gross square area by razing the existing two-family at 400 Langley and constructing a three-story, 20-unit multi-family apartment building, legitimize a nonconforming deck and setback at 402-404 Langley Road, a reduction of parking to 1.25 stalls per unit or 83 stalls, parking in the side setback, a waiver of dimensional requirements for parking, a waiver for requirements for end stalls, a waiver for the minimum aisle width, a waiver of perimeter screening and interior landscaping requirements, a waiver for lighting and surfacing requirements and a waiver to allow multi-family dwellings in the MR-3 zone, at 392-396, 400, 402-404

Langley Road, Ward 6, containing approximately 79,636 sq. ft. of land in a district zoned MR-2 and BU-1. Ref: 7.3.3, 7.4, 7.3, 5.1.13, 3.4.1, 4.1.2.B.1, 5.1.4, 5.1.8.A, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.2, 5.1.9.A, 5.1.9.B, 5.1.10, and 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

Land Use Held 7-0

Referred to Zoning & Planning Committee

Monday, October 23, 2017

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

#104-17 Recommendation to establish a Newton Highlands Historic District
NEWTON HISTORICAL COMMISSION submitting a recommendation, pursuant to MGL Chapter 40C, Section 3, that Article III, Historical Provisions, and Division 1, Commissions and Districts, of the City of Newton Ordinances, be amended by establishing a local historic district in Newton Highlands. [04/10/17 @ 10:45AM]
Zoning & Planning Voted to Accept Withdrawal without Prejudice 8-0.

#136-17 Recommendation to establish a West Newton Historic District
NEWTON HISTORICAL COMMISSION submitting a recommendation, pursuant to MGL Chapter 40C, Section 3, that Article III, Historical Provisions, and Division 1, Commissions and Districts, of the City of Newton Ordinances, be amended by establishing a local historic district in West Newton. [04/26/17 @ 9:34 AM]
Zoning & Planning Voted to Accept Withdrawal without Prejudice 8-0

Referred to Programs & Services Committee

Wednesday, October 18, 2017

Present: Councilors Rice (Chair), Auchincloss, Leary, Baker, Sangiolo and Schwartz; absent: Councilors Kalis and Hess-Mahan; also Present: Councilors Ciccone, Norton, Cote, Harney, Yates, Blazar, Fuller and Lipof

Referred to Prog & Serv, Pub Safety & Trans, Zoning & Planning & Finance Comms

#140-14 (2) Amend ordinances to add licensing requirements and criteria for lodging houses
ZONING & PLANNING COMMITTEE requesting to amend Chapter 17, City of Newton Ordinances, to establish licensing requirements and criteria for lodging houses.]
Public Safety & Transportation Committee Held 6-0 on 10/18/17
Programs & Services Held 5-0 (Sangiolo not voting)

- #294-17** **Acceptance of MGL to allow cooking facilities in lodging houses**
COUNCILORS CROSSLEY, HESS-MAHAN AND NORTON requesting to accept the provisions of MGL c. 140 Section 22A allowing cooking facilities in Lodging Houses on a limited basis.
Programs & Services Held 6-0
- #194-17** **Rescission of date and time notation on docket items**
CITY CLERK requesting rescission of Council Order #369-06 ALD. JOHNSON requesting that all newly docketed items, when appearing on the new docket, shall include the date and time that the item was received by the Clerk’s office and the name of the clerk who received the item. [06/09/17 @ 4:02PM]
Programs & Services Approved 5-0 (Sangiolo not voting)
- #193-17** **Rules amendment: Referral of business**
CITY CLERK requesting a Rules amendment to Section 3, Referral of business to Committees, Item D by replacing the word “petition” in the first sentence with the words “docket item.” [06/09/17 @ 4:02PM]
Programs & Services Approved 5-0 (Sangiolo not voting)
- #299-17** **Rules change to close docket items at the end of term**
CITY CLERK requesting to amend the City Council Rules to close docket items that have not made their way through the Council by the end of a term, thereby eliminating the creation of a Referral Docket, similar to state and federal legislature’s procedure. [09/11/17 @ 11:42 AM]
Programs & Services Approved 5-0 (Sangiolo not voting)
- #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 voted No Action Necessary 5-0 (Sangiolo not voting)

Referred to Public Safety & Transportation Committee

Wednesday, October 18, 2017

Present: Councilors Ciccone (Chair), Yates, Norton, Blazar, Fuller, Lipof, Harney and Cote; also present: Councilors Rice (Chair), Auchincloss, Baker, Leary, Sangiolo and Schwartz

Referred to Prog & Serv, PS&T, Zoning and Planning, & Finance Committees

- #140-14 (2)** **Amend ordinances to add licensing requirements and criteria for lodging houses**
ZONING & PLANNING COMMITTEE requesting to amend Chapter 17, City of Newton Ordinances, to establish licensing requirements and criteria for lodging houses.
Programs & Services Held 5-0, on 10/18/17 Sangiolo not voting
Public Safety & Transportation Held 6-0, Fuller and Norton not voting

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

- #179-17 Request for parking meter pilot(s)**
COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY, requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. [05/22/17 @ 9:15 AM]
Finance Voted No Action Necessary on 10/23/17
Public Facilities No Action Necessary 6-0, on 10/18/17
Public Safety & Transportation No Action Necessary 5-0, Blazar, Fuller and Norton not voting
- #345-16 Requesting a review, amendment or elimination of the Winter Overnight Parking Ban**
PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting a review and possible amendment or elimination of the winter overnight parking ban. [10/06/16 @ 9:10 AM]
Public Safety & Transportation No Action Necessary 5-0, Blazar, Fuller and Norton not voting

Referred to Programs & Services and Public Safety Committees

- #312-15 Update from Health Department on opiate overdose epidemic**
ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide. [10/19/15 @ 1:30 PM]
Programs & Services to Meet
Public Safety & Transportation No Action Necessary 6-0, Fuller and Norton not voting
- #28-14 Discussion on duplicate street names**
ALD. CICCONE AND FULLER, on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names. [01/09/14 @ 10:57 AM]
Public Safety & Transportation No Action Necessary 6-0, Fuller and Norton not voting

Referred to Public Safety & Transportation and Public Facilities Committees

- #413-11 Updates on the renovations to the City's fire stations**
ALD. CICCONE, SALVUCCI, GENTILE & LENNON, updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11/17/11 @ 11:07 AM]
Public Facilities to Meet
Public Safety & Transportation No Action Necessary 6-0, Fuller and Norton not voting

Referred to Public Facilities Committee

Wednesday, October 18, 2017

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

- #279-17** **Mayor’s appointment of Miles Smith to the Solid Waste Commission**
MILES SMITH, 30 Webster Street, Newton, appointed as a member of the SOLID WASTE COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:19 AM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #316-17** **Mayor’s appointment of Sunwoo Kahng to the Solid Waste Commission**
SUNWOO KAHNG, 60 Garland Road, Newton Centre appointed as a member of the SOLID WASTE COMMISSION for a term to expire November 15, 2020. (60 DAYS 12/01/17) 09/27/17 @ 2:49 PM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #328-17** **Verizon petition for grant of location on Bigelow Road**
VERIZON petition for a grant of location to install 334± of conduit 334’ from an existing handhole (HH1) in front of 133 Bigelow Road in a westerly direction to a proposed handhole (HH2) in front of 111 Bigelow Road to provide service to a new home. [(Ward 2) 10/05/2017 @ 12:00 PM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #329-17** **National Grid petition for grant of location on Broken Tree Road**
NATIONAL GRID petitioning for a grant of location to install and maintain 75’± of 4” gas main in BROKEN TREE ROAD from the existing main at #74 Broken Tree Road northerly to house #82 to provide new service. [(Ward 8) 10/05/2017 @ 12:19 PM]
Public Facilities Approved 7-0
- #326-17** **Request for updates on Newton Power Program**
PUBLIC FACILITIES COMMITTEE requesting an update from the Director of Sustainability and the Administration on the development of a program, known as Newton Power Choice, to aggregate the electricity demand of Newton’s electric customers. [10/05/2017 @ 4:28 PM]
Public Facilities held 6-0 (Gentile not Voting)

Referred To Public Facilities and Finance Committees

#320-17

Request to construct fence around Rumford Avenue solar site

COUNCILORS SANGIOLO, HARNEY AND GENTILE requesting that His Honor the Mayor take the necessary steps to construct a 9½' chain link fence with ivy around the exterior of the Rumford Avenue solar site. [09/29/17 @ 2:18 PM]

Public Facilities held 6-0 (Gentile not Voting)

#327-17

Request for updates on rate case hearings

COUNCILOR CROSSLEY requesting an update from the Director of Sustainability and Public Buildings about the City's involvement in the recent rate case hearings, anticipated results and how this may impact future municipal solar photovoltaic installation. [10/10/2017 @ 11:03 AM]

Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

#166-17

Resolution that the City become 100% renewable by 2027

COUNCILORS SANGIOLO, NORTON & BROUSAL-GLASER requesting a resolution from the City Council urging the Newton Legislative Delegation in the State Legislature to do everything in its power to bring Massachusetts closer to 100% renewable energy by 2027 and ensure that the benefits of renewable energy are realized by Massachusetts residents from all walks of life. The Resolution should also include a statement that the City Council supports a goal of using 100% clean and renewable energy citywide by 2027. [05/19/17 @3:17 PM]

Public Facilities Held 6-0 (Gentile not Voting)

Referred to Public Facilities and Finance Committees

#385-16

Discussion about the Community Solar Share Program

PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]

Finance Voted No Action Necessary 8-0 on 10/23/17

Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

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]

Finance Voted No Action Necessary 8-0 on 10/23/17

Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

- #179-17 Request for parking meter pilot(s)**
COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. 05/22/17 @ 9:15 AM]
Public Safety & Transportation voted No Action Necessary 5-0 on 10/18/17
Finance Voted No Action Necessary 8-0 on 10/23/17
Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

Referred to Finance Committee

Monday, October 23, 2017

Present: Councilor Gentile (Chair), Ciccone, Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin

- #333-17 Mayor's appointment of Allan S. Cohen to the Board Assessors**
ALLAN S. COHEN, 12 Philmore Road, Newton, appointed to the Board of Assessors to fill the unexpired term of Michael Flynn. Term to expire January 31, 2018. (60 days 12/15/17) [10/06/17 @ 8:47 AM]
Finance Approved 5-0 (Ciccone, Norton, and Rice not voting)
- #332-17 Transfer of Homeless Transportation Funds to the School Budget**
HIS HONOR THE MAYOR requesting authorization to appropriate thirty-two thousand two hundred ninety-seven dollars (\$32,297) from general revenue, which the City received from the McKinney-Vento Homeless Assistance Act to the School Department to offset transportation costs. [10/10/17 @ 5:04 PM]
Finance Approved 8-0
- #217-17 Acceptance of MGL to create a special revenue fund for PEG and Cable funds**
COUNCILOR LAPPIN requesting the acceptance of General Laws Chapter 44, Section 53F¾, which establishes a special revenue fund known as the Public, Educational, and Government (PEG) Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2019, which begins on July 1, 2018. [06/13/2017 @ 1:41 PM]
Finance Approved 8-0
- #110-17 Appropriate \$2 million from Free Cash to the Rainy Day Stabilization Fund**
HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from Free Cash to the Rainy Day Stabilization Fund. [04/12/17 @ 9:37 PM]
Finance Voted No Action Necessary 8-0

- #353-16** **Review/Acceptance of the FY 2018 – FY 2022 5-year Financial Forecast**
HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 5-Year Financial Forecast for City Council review/acceptance. [10/11/16 @ 11:28 AM]
Finance Voted No Action Necessary 8-0

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

- #179-17** **Request for parking meter pilot(s)**
COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. 05/22/17 @ 9:15 AM]
Public Safety & Transportation voted No Action Necessary 5-0 on 10/18/17
Public Facilities voted No Action Necessary 6-0 on 10/18/17
Finance Voted No Action Necessary 8-0

Referred to Public Facilities and Finance Committees

- #385-16** **Discussion about the Community Solar Share Program**
PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]
Public Facilities voted No Action Necessary 6-0 on 10/18/17
Finance Voted No Action Necessary 8-0