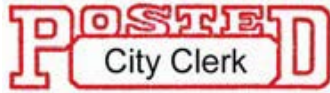




## City Council Docket



**RECEIVED**

By City Clerk at 3:42 pm, Jul 07, 2016

July 12: Land Use  
July 13: Public Facilities  
July 18: Zoning and Planning  
July 26: Land use

Continued  
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**Monday, July 11, 2016**

7:45 PM, Newton City Hall

To be reported on

Monday, August 8, 2016

### City of Newton

## In City Council to be Accepted and Referred to Committees

### Referred to Land Use Committee

#### ***Public hearing to be assigned for July 12, 2016:***

#### **#219-16 Special Permit Petition to increase FAR at 21 Orient Avenue**

LOUISA SYLVIA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further EXTEND NONCONFORMING FAR by removing an existing porch and constructing a 575 sq. ft. single story garage and mudroom and portico over existing front porch at 21 Orient Avenue, Ward 6, Newton Centre, on land known as SBL 64022 0001, containing approximately 10, 018 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

#### ***Public hearing to be assigned for July 26, 2016:***

#### **#233-16 Special Permit Petition to increase FAR & nonconforming use at 45-47 Noble Street**

ANNA RUMSHISKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add a rear dormer to the attic level to finish the attic for livable space, expanding the nonconforming two-family use and FAR to .57 at 45-47 Noble Street, Ward 3, West Newton, on land known as SBL 44004 0013, containing approximately 6,278 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref. 7.3.3, 7.4, 3.1.9, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

### Other Communications

**#234-16 Appeal to ZBA for denial of a request for enforcement at 46 Woodman Rd**  
TIMOTHY A. SPRINGER AND CHAFEN LU, filing on April 21, 2016 an appeal of the Commissioner of Inspectional Services' denial of a request for enforcement dated April 17, 2016 relative to a building permit on November 9, 2015 to construct an addition to 46 Woodman Road, Ward 7, Chestnut Hill.

**#235-16 Retirement Board election results for the Second Elected Member**  
NEWTON RETIREMENT BOARD on July 6, 2016 determined that since incumbent Paul Bianchi was the only candidate nominated for the Second Elected Member of the Newton Retirement Board, he was declared elected as that member in accordance with MGL chapter 32, 840 CMR 7.00, for a term to commence on September 9, 2016 and expire on September 9, 2019.

**#236-16 Lateral Crossing Grant of Location**  
NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY petitioning for a grant of location to install 13 ± of conduit northeasterly in BEETHOVEN AVENUE from existing Pole # 170/21 to provide service to the Zervas Elementary School.  
**Approved by the Commissioner of Public Works on July 6, 2016**

### Referred to Zoning & Planning Committee

**#237-16 Mayor's appointment of Peter Sargent to the Community Preservation Committee**  
HIS HONOR THE MAYOR appointing Peter Sargent, 33 Avondale Road, Newton as a member of the Community Preservation Committee for a term to expire July 31, 2019. (60 days 09/09/16) [07/01/16 @ 2:26 PM]

**#238-16 Zoning amendment for exempt lots definition**  
COUNCILOR HESS-MAHAN proposing to amend Chapter 30: Zoning Ordinance, Section 7.8.4.C by amending the definition of "exempt lots" to include lots changed in size or shape as a result of an adverse possession claim. [06/30/16 @ 4:12 PM]

### Referred to Programs & Services Committee

**#239-16 Mayor's appointment of Kathleen Eutsler to the Commission on Disability**  
HIS HONOR THE MAYOR appointing KATHLEEN EUTSLER, 34 Beecher Place, Newton, as a member of the Commission on Disability for a term to expire July 31, 2017 (60 days 09/09/16) [06/29/16 @ 9:28 AM]

- #240-16 Mayor's re-appointment of Barbara Lischinsky to the Commission on Disability**  
HIS HONOR THE MAYOR re appointing BARBARA LISCHINSKY, 1942 Washington Street, Newton, as a member of the Commission on Disability for a term to expire July 31, 2017 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #241-16 Mayor's re-appointment of Rosemary Larkin to the Commission on Disability**  
HIS HONOR THE MAYOR re-appointing ROSEMARY LARKIN, 1600 Washington Street, Newton, as a member of the Commission on Disability for a term to expire July 31, 2018 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #242-16 Mayor's re-appointment of Girard A. Plante to the Commission on Disability**  
HIS HONOR THE MAYOR re-appointing GIRARD A. PLANTE, 58A Ash Street, Newton, as a member of the Commission on Disability for a term to expire July 31, 2019 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #243-16 Mayor's re-appointment of Jane Brown to the Commission on Disability**  
HIS HONOR THE MAYOR re-appointing JANE BROWN, 104 Atwood Avenue, Newton to expire July 31, 2019 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #244-16 Mayor's re-appointment of Lucille Chansky to the Commission on Disability**  
HIS HONOR THE MAYOR re-appointing LUCILLE CHANSKY, 259 Jackson Street, Newton Centre, as a member of the Commission on Disability for a term to expire July 31, 2018 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #245-16 Mayor's re-appointment of Robert Caruso to the Commission on Disability**  
HIS HONOR THE MAYOR re-appointing ROBERT CARUSO, 237C Watertown Street, Newton, as a member of the Commission on Disability for a term to expire July 31, 2019 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #246-16 Mayor's re-appointment of John McDermott to the Election Commission**  
HIS HONOR THE MAYOR re-appointing JOHN MCDERMOTT, 7A Washburn Street, Newton Corner, as an Election Commissioner for a term to expire March 31, 2019 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #247-16 Mayor's re-appointment of Nancy Levine to the Election Commission**  
HIS HONOR THE MAYOR re-appointing NANCY LEVINE, 379 Central Avenue, Auburndale, as an Election Commissioner for a term to expire March 31, 2019 (60 days 09/09/16) [06/29/16 @ 9:28 AM]
- #248-16 Request to recognize September as Childhood Cancer Awareness Month**  
COUNCILOR SANGIOLO requesting the City Council and the City recognize September as Childhood Cancer Awareness Month. [06/23/16 @ 2:45 PM]

**Referred to Public Facilities Committee**

***Public hearing to be assigned for July 13, 2016:***

**#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  
Hay Road (near 16 Hay Road) at Pole #1368-1

***Public hearing to be assigned for July 13, 2016:***

**#250-16 Comcast petition for a Grant of Location on Washington Street**  
COMCAST petitioning for a grant of location to install 250'+/- of conduit in Washington Street in existing vault trench heading Westerly to the property line at 612 Washington Street. [(Ward 2) 06/27/2016 @ 3:03 PM]

***Public hearing to be assigned for July 13, 2016:***

**#251-16 National Grid petition for grant of location in Deforest Road**  
NATIONAL GRID petitioning for a grant of location to install 50'+/- of 4" main in DEFOREST ROAD from existing gas main at #36 Deforest trenching in a southerly direction to house #45 for new gas service. (Ward 4) [06/16/2016 @ 12:26 PM]

***Public hearing to be assigned for July 13, 2016:***

**#252-16 Verizon petition for grant of location on Franklin Street**  
VERIZON petitioning for a grant of location to install 402'+/- of conduit starting at Pole #1100/15 in front of 133 Franklin Street, trenching across Franklin Street in an easterly direction to a new proposed hand hole in front of #100 Franklin Street. (Ward 7) [07/05/2016 @ 8:37 AM]

***Public hearing to be assigned for July 13, 2016:***

**#253-16 Lighttower Fiber Networks petition for grant of location in Wells Ave**  
Lighttower Fiber Networks petitioning for a grant of location to install 540' +/- of 4" conduit from Verizon Manhole 47/237 in front of 160 Wells Ave westerly to 180 Wells Ave. (Ward 8) [06/21/2016 @ 1:39 PM]

***Public hearing to be assigned for July 13, 2016:***

**#254-16 Verizon petition for grant of location on Elliot Street Bridge**  
VERIZON petition for a grant of location to relocate pole #136/50 approximately 28' easterly and pole #49 3' southerly as part of the Elliot Street Bridge reconstruction. [(Ward 5) [07/05/2016 @ 4:33 PM]

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

- #255-16**      **5-58 waiver for relocation of modular classrooms**  
COMMISSIONER OF PUBLIC BUILDINGS requesting a waiver of the City of Newton Ordinance Sec. 5-58. Site plan approval for construction or modification of municipal buildings and facilities. For the relocation of the existing modular classrooms from the Zervas Elementary School to the Brown Middle School and Newton South High School. [07/06/2016 @ 11:51 AM]

**Referred to Finance Committee**

- #165-16(2)**    **Mayor's appointment of Michael Engel as a trustee of the Chaffin Fund**  
MICHAEL S. ENGEL, 83 Staniford Street, Unit #7, Auburndale, appointed as a lifetime trustee of the Chaffin Fund/Fig Newton Scholarship replacing Charlotte Kaitz. (60 days 09/09/16) [06/24/16 @ 3:06 PM]

**Referred to Zoning & Planning, Programs & Services and Finance Committees**

- #256-16**      **Request to extend notification area of notice for special permit petitions**  
COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300' required by Massachusetts General Law Chapter 40A to also include property owners within 600' of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300' will be entitled to the rights conferred by Massachusetts General Law Chapter 40A. [07/01/16 @2:09 PM]

**Referred to Public Facilities and Finance Committees**

- #257-16**      **Delegation of quinquennial perambulation to the City Engineer and GIS Administrator**  
CITY CLERK requesting that the City Council officially delegate the responsibility of Quinquennial Boundary Line Perambulation to the City Engineer and the City GIS Administrator as required by Massachusetts General Law Chapter 42, Section 2, which states that "the boundary markers of every town shall be located, the marks thereon renewed, and the year located marked upon the face thereof which bears the letter of the town locating its boundary, once every five years, by at least two of the selectmen of the town or by two substitutes designated by them in writing." [06/22/16 @ 11:35 AM]

**Referred to Real Property Reuse Committee**

**#258-16**

**Discussion of the proper use of city owned land at 38 Elliot Street**

COUNCILOR YATES requesting a discussion of the proper use of city-owned property at 38 Elliot Street. [07/01/2016 @ 2:57 PM]