



City Council Docket

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By City Clerk at 3:25 pm, Aug 04, 2016

August 9: Land Use
August 22: Zoning & Planning

Continued
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Monday, August 8, 2016

7:45 PM, Newton City Hall

To be reported on

Tuesday, September 6, 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 August 9, 2016

#259-16

Special Permit Petition to exceed FAR at 11 Scarsdale Road

PHOEBE AND ED OLHAVA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR by building a two story rear addition, single story rear addition and deck, creating an FAR of .43 where .40 is allowed at 11 Scarsdale Road, Ward 2, Newtonville, on land known as SBL 24029 0015, containing approximately 8,480 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for August 9, 2016

#260-16

Special Permit Petition to increase nonconforming rear setback at 6 Glastonbury Oval

LISA AND ANDREW SILVERMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING USE by adding a second story to a rear addition and constructing a two story rear addition increasing the already nonconforming rear setback at 6 Glastonbury Oval, Ward 5, Waban, on land known as SBL 44023 0006, containing approximately 7,017 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. 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.

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, or 617-796-1253. For Telecommunications Relay Service dial 711.*

Public Hearing to be assigned for August 9, 2016

#215-16(2) Special Permit Petition to construct parking stalls and retaining wall at Dunn Gaherin's
SEANA GAHERIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct six parking stalls in a side setback, waive aisle width requirements, waive screening requirements, waive security lighting requirements and allow a retaining wall greater than 4', modifying special permit #501-94(2) at 342, 342A, 344-346 Elliot Street, Ward 5, Newton Upper Falls, on land known as SBL 51041 0010, 51041 0011, 51041 0012, containing approximately 9,676 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 5.1.8.A.1, 5.1.13, 5.1.8.C.1, 5.1.9.A.1, 5.1.10.A, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 20, 2016

#261-16 Special Permit Petition to allow site and building improvements at "The Street"
CHESTNUT HILL SHOPPING CENTER LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALTER A NONCONFORMING STRUCTURE to construct new buildings for existing and new commercial uses including banking, office, medical office, theatre, health club, retail, restaurant and parking, to allow buildings in excess of 20,000 sq. ft., allow a building up to 60' in height, site plan review for buildings within 300' of a great pond, allow parking within a setback, extend Farmers Market special permit 230-14, update signage special permit 417-12, allow parking stalls in garage to be reduced stall depth, allow reduced parking facility lighting at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as SBL 63037 0025, 63037 0026, containing approximately 859,444 sq. ft. in a district zoned BUSINESS USE 4. Ref. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.2, 4.1.2.B.3, 5.6, 5.1.8, 6.4.22, 5.8.2.C, 5.1.8.B, 5.1.10.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 27, 2016

#262-16 Special Permit Petition to increase nonconforming setback at 112-114 Carlisle Street
MICHAEL VAHEY & MOK JIANG PANG/CARLISLE STREET DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE NONCONFORMING FRONT SETBACK by razing the existing two family dwelling, and construct a new, enlarged two family, further increasing the front setback at 112-114 Carlisle St, Ward 6, Newton Centre, on land known as SBL 65008 0006, containing approximately 9,196 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref 7.3.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for September 27, 2016

#263-16 Special Permit Petition for a rear lot subdivision at 100 Christina Street

IRENE OSTROVSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and subdivide the land, creating a rear lot, to construct a new single family dwelling on each lot at 100 Christina Street, Ward 8, Newton Highlands, on land known as SBL 83030 0006, containing approximately 31,372 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref. 7.3.3, 7.4, 3.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Other Communications

Appeal of ZBA Decision related to 46 Woodman Road

TIMOTHY SPRINGER & CHAFEN LU filing notice of appeal to the Land Court of Zoning Board of Appeals Decision #7-16 rejecting the appeal of the plaintiffs, copy of the complaint filed with the City Clerk on July 19, 2016 pursuant to MGL Chapter 40, Section 17.

Lasell College Administrative Site Plan Review

LASELL COLLEGE filing with the Planning & Development Department an application for Administrative Site Plan Review pursuant to Sec 30-7.5 for use of the boathouse and dock at 11 Riverside Road, Auburndale, Ward 4.

Referred to Zoning & Planning 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 Larking to the Commission on Disability

HIS HONOR THE MAYOR re-appointing ROSEMARY LARKING, 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]

Public Hearing to be assigned for September 26, 2016

- #222-13(3) **Review of Garage Ordinance**
COUNCILOR LENNON, LIPOF, ALBRIGHT, CROSSLEY, LAPPIN, LAREDO, GENTILE AND CICCONE requesting a review of Ordinance A-78, which amends Chapter 30, Section 3.4.4 of the Revised Ordinances, for the purpose of amending, clarifying, and/or interpreting the Ordinance. [08/01/16 @ 4:53 PM]

Public Hearing to be assigned for September 26, 2016

- #222-13(4) **Zoning amendment to defer effective date of Garage Ordinance**
COUNCILOR LENNON, LIPOF, ALBRIGHT, CROSSLEY, LAPPIN, LAREDO, GENTILE AND CICCONE proposing an amendment to Ordinance No. A-78, which amends Chapter 30, Section 3.4.4 of the Revised Ordinances, to implement a deferred effective date for the Ordinance of February 1, 2017. [08/01/16 @ 4:53 PM]

Public Hearing to be assigned for September 26, 2016

- #222-13(5) **Zoning amendment to Garage Ordinance**
COUNCILOR HESS-MAHAN proposing to amend Chapter 30, Section 3.4.4. of Revised Ordinances as amended by Ordinance A-78, as follows: (1) allow front facing garages that are no closer to the front lot line than the longest front facing wall, or a front porch at least 6 feet wide, to be the greater of up to 12 feet wide or 50% of the total length of the building parallel to the street; (2) allow front-facing garages that are closer to the front setback than the rest of the building and at least 24 feet from the front lot line to be up to 40% of the total length of the building parallel to the street; (3) delete Sec.

3.4.4.F "Exemptions"; and (4) add a provision grandfathering permits requested or construction begun on or after the date of the notice of public hearing on Ordinance A-78 [08/01/16 @ 4:58 PM]

Referred to Programs & Services Committee

#264-16 **Ord. requiring Councilor notice of and involvement in street tree waiver requests**
COUNCILORS HESS-MAHAN, NORTON, KALIS, COTE, DANBERG, HARNEY, SANGIOLO, LEARY AND YATES requesting an ordinance requiring that Councilors from each respective ward be given notice and a meaningful opportunity to object to granting a hardship waiver or permit to remove a street tree. [07/21/16 @ 11:40 AM]

Referred to Public Facilities Committee

Public hearing to be assigned for September 7, 2016

#274-16 **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]

Referred to Finance Committee

#265-16 **Request for \$240,850 to fund bond sale costs**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred eight thousand eight dollars (\$208,000) from Fiscal Year 2017 Revenue and transfer the sum of thirty-two thousand eight hundred fifty dollars (\$32,850) from the following account to fund bond issuance costs associated with the City's July 2016 bond sale:

From:

Interest Payments NNHS
0110772-582A51 \$32,850

To:

Bond Sale Costs \$32,850
0110701-5316

[08/01/16 @ 12:50]

#266-16 **Acceptance of a survey and planning grant for an architectural survey**
HIS HONOR THE MAYOR requesting authorization to accept and expend twelve thousand five hundred dollars (\$12,500) from the Massachusetts Historical Commission's Fiscal year 2016 Survey and Planning Grant Program to support the work of the Newton Architectural Survey 1870 to 1915. [08/01/16 @ 12:50]

#267-16 **Transfer of FY 2017 Homeless Transportation Grant Funds to the School Budget**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty-six thousand seventy-seven thousand dollars (\$36,077) from Fiscal Year 2017 revenue from State Homeless Transportation Grant Funds to reimburse the School Department for the Homeless Student Transportation State Reimbursement grant, which was sent as a general fund unrestricted reimbursement in June 2016 from the state rather than an education grant. [08/01/16 @ 12:50]

#268-16 **Accept Mass Department of Environmental Protection EVIP Grant**
HIS HONOR THE MAYOR requesting authorization to accept and expend fifteen thousand dollars (\$15,000) from the Massachusetts Department of Environmental Protection's EVIP Fleet Grant to be used towards the purchase of a 2016 Nissan Leaf to the City's electric vehicle fleet and the purchase and installation of a charging station for electric vehicles. [08/01/16 @ 12:49]

#269-16 **Transfer \$800,000 to fund the recently negotiated Patrolman's Association contract**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of eight hundred thousand dollars (\$800,000) from Fiscal Year 2017 Wage Reserve to fund the Fiscal Year 2015 and Fiscal year 2016 retroactive payments of the recently negotiated contract with the Newton Patrolman's Association, as well as Fiscal Year 2017 current year adjustments. [08/01/16 @ 4:19 PM]

Referred to Zoning & Planning and Finance Committees

#270-16 **Request to Amend Demolition Delay Ordinance**
COUNCILORS HESS-MAHAN, LEARY, SCHWARTZ, AUCHINCLOSS, SANGIOLO, AND BAKER requesting amendments to Chapter 22, Division 2. Demolition Delay, of the Revised Ordinances to increase sanctions for failure to comply with the conditions of a demolition permit and/or demolition of a structure without an appropriate permit. [07/21/16 @11:40 AM]

Referred to Programs & Services and Finance Committees

#271-16 **\$100,000 to fund implementation of early voting procedures**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Budget Reserve to fund the City's compliance with new early voting procedures, which includes the purchase of 15 electronic poll books and associated printers, software licensing, set-up, annual maintenance fee, and funding for poll workers to run the early voting locations, police details, custodial staff and Public Works staff for the early voting days. [08/01/16 @ 12:49 PM]

Referred to Public Safety & Transportation and Finance Committees

- #272-16** **\$700,000 for replacement of the dispatch consoles at the Police Dispatch Center**
HIS HONOR THE MAYOR requesting authorization to appropriate seven hundred thousand dollars (\$700,000) from bonded indebtedness for the purpose of funding the replacement of the dispatch consoles at the Police Dispatch Center. [08/01/16 @ 4:19 PM]

Referred to Public Facilities and Finance Committees

- #273-16** **\$216,000 to purchase a new street sweeper**
HIS HONOR THE MAYOR requesting authorization to appropriate two hundred sixteen thousand dollars (\$216,000) from bonded indebtedness to fund the purchase of a new 2016 Elgin Pelican NP dual street sweeper. [08/01/16 @ 12:50 PM]

Referred to Public Facilities and Finance Committees

- #274-16** **\$250,000 to purchase a new Gradall truck**
HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand dollars (\$250,000) from bonded indebtedness to fund the purchase of a new 2016 Gradall truck. [08/01/16 @ 12:50 PM]

Referred to Public Facilities and Finance Committees

- #275-16** **\$4 million MWRA loan to implement lead service line replacement project**
HIS HONOR THE MAYOR requesting authorization to borrow up to four million dollars (\$4,000,000) in interest free loans from the Massachusetts Water Resources Authority (MWRA) for the purpose of implementing a lead service line replacement program. [08/01/16 @ 12:49 PM]

Referred to Public Facilities and Finance Committees

- #276-16** **\$100,000 transfer for cleanup of 70 Crescent Street site**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Fiscal Year 2017 Budget Reserve to fund the cleanup of the 70 Crescent Street housing project site. [08/01/16 @ 12:50]

Referred to Public Facilities and Finance Committees

- #277-16** **\$530,000 for traffic signal upgrades at Washington and Harvard Streets**
HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thirty thousand dollars (\$530,000) from bonded indebtedness to fund the construction and installation of traffic signal upgrades at the intersection of Washington Street and Harvard Street. [08/01/16 @ 12:50 PM]

Referred to Public Facilities and Finance Committees

#278-16

\$200,000 for design of a section of Laundry Brook culvert by the Cabot School

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred thousand dollars (\$200,000) from the Stormwater Management Fund reserve for the purpose of funding the design of a section of the Laundry Brook culvert adjacent to the Cabot Elementary School. [08/01/16 @ 12:49 PM]

Referred to Public Facilities and Finance Committees

#279-16

\$125,000 for additional funding for Aquinas Window Project

HIS HONOR THE MAYOR requesting authorization to appropriate one hundred twenty-five thousand dollars (\$125,000) from bonded indebtedness for the purpose of providing additional funding for the Aquinas Window/PCB Abatement Project.

Referred to Public Facilities and Finance Committees

#280-16

\$165,000 for additional funding for the Elliot Street Bridge Project

HIS HONOR THE MAYOR requesting authorization to appropriate one hundred sixty-five thousand (\$165,000) from bonded indebtedness for the purpose of providing additional funding for the Elliot Street Bridge Project. [08/01/16 @ 12:50 PM]