



**RECEIVED**  
By City Clerk at 10:48 am, Dec 16, 2016

## City Council Reports Docket



December 6: Land Use  
December 7: Programs & Services; Public Safety; Public Facilities  
December 12: Zoning & Planning  
December 13: Land Use  
December 14: Finance  
December 15: Land Use

Monday, December 5, 2016  
Continued  
Page 279  
7:45 PM, Newton City Hall  
To be reported on  
**Monday, December 19, 2016**

**REVISED**

10:48 am, Dec 16, 2016

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

#### Unfinished Council Business

*Item Postponed on November 7 to Date Certain of December 19, 2016:*

**#197-15(2) Pilotless Aircraft Operation**

COUNCILORS ALBRIGHT, BAKER, AND NORTON, proposing an ordinance regulating the operation and registration of pilotless aircraft in the City of Newton. [04/07/16 @ 4:25 PM]

**Finance Approved 5-0-2 (Lappin, Norton abstaining) on 06/13/16)**

**Public Safety Approved As Amended 4-0-1 (Norton abstaining, Blazar not voting) on 11/9/16**

#### Referred to Land Use Committee

Tuesday, December 6, 2016

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

**#147-15(2) Request for an Extension of Time to exercise Special Permit #147-15**

BSL NEWTON DEVELOPMENT LLC request for an EXTENSION of TIME in which to EXERCISE special permit #147-15, granted on December 8, 2015 to rehabilitate Farwell Hall, construct an addition and grant a parking waiver and associated relief from parking lot requirements at 157 Herrick Road, Ward 6, Newton Centre, said EXTENSION will run from December 8, 2016 to December 8, 2017. Ref: 7.4.5.D, of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 4-0 (Lennon, Schwartz, Harney not voting)**

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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.

- #261-16(2) 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 to allow 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 some parking stalls on portions of the site to be reduced size and in garage to be reduced stall depth, allow reduced parking facility lighting and grant exceptions for parking stall size and interior landscaping requirements 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, 5.1.13, 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.

**Land Use Held 7-0**

- #342-16 Special Permit Petition to allow self-storage and retail space at 143 Rumford Avenue**  
SSG DEVELOPMENT, LLC. petition to construct a three-story, 79,746 square foot self-storage facility with a height of 36 feet, increasing the FAR to 1.35 where 1.5 is the maximum allowed by right as well as a waiver of 32 parking stalls and waivers of other parking requirements at 143 Rumford Avenue (211R Lexington Street), Ward 4, Auburndale, on land known as SBL 41031 0006, containing approximately 100,186 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.9.A.1, 5.1.10.A, 4.3.1.B.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 7-0 Subject to Second Call**

**Referred to Land Use Committee**

Tuesday, December 13, 2016

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

- #308-16 Special Permit Petition to further increase nonconforming setback at 79 Kenwood Ave**  
SURRENDRA DUDANI AND SHALINI SEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE THE NONCONFORMING SETBACK by razing the existing 12’x22’ detached garage and construct a 22’x22’ detached garage, reducing the setback from 16.2’ to 6.2’ where 25’ is required at Kenwood Avenue, Ward 6, Newton Centre, on land known as SBL 64 20 01, containing approximately 7,964 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.

**Land Use Approved Extension of Time to February 8, 2017 4-0 (Lennon, Schwartz, Harney not voting)**

- #337-16** **Special Permit Petition to construct accessory apartment and garage at 41 Dorset Rd**  
TIMOTHY LEARY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to CONSTRUCT AN ACCESSORY APARTMENT approximately 846 sq. ft. with dormer wider than 50% of the exterior wall below, above a three car garage at 41 Dorset Road, Ward 5, Waban, on land known as SBL 55010 0045, containing approximately 24,936 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 6.7.1.D, 3.4.3.A.4.c, 3.4.4.E.3, 1.5.4.G.2, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 4-0(Lennon, Schwartz, Harney not voting)**
- #392-16** **Special Permit to amend Special Permit #416-12(3) at Modern Barre**  
JULIA WILLIAMSON/WALLY ZAINOUN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit #416-12(3) to allow for more than 3 customers at one time, expanded hours of operation and amend the previously approved site plan at 242-244 Commonwealth Avenue, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Held 7-0**
- #391-16** **Special Permit to further extend nonconforming 2-family use at 37-39 North Gate Park**  
JOHN & MARGARET SPENCE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a first floor addition and enclose an existing deck, further extending the nonconforming two-family use and FAR at 37-39 North Gate Park, Ward 3, West Newton, on land known as SBL 34028 0008, containing approximately 8,020 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 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 7-0**
- #361-16** **Special Permit Petition to exceed FAR at 642 Centre Street**  
LISA AND JOSH SCHWARZBERG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to CONSTRUCT a 1,087 sq. ft. two-story addition to the front of house, resulting in an FAR of .49 where .38 exists and .39 is allowed at 642 Centre Street, Ward 1, Newton, on land known as SBL 72035 0002, containing approximately 9,600 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 4-0-3 Subject to Second Call (Schwartz, Crossley, Lennon abstaining)**
- #389-16** **Special Permit to establish accessory apartment at 20 Metacomet Road**  
REBECCA MILLER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an approximately 900 sq. ft. accessory apartment in the basement of a single family dwelling on a lot with less than 15,000 sq. ft. at 20 Metacomet Road, Ward 5, Waban, on land known as SBL 55005 0002, containing approximately 12,271 sq. ft. of land in a

district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 6.7.1.D, 6.7.1.F of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed Land Use Approved 7-0**

**#390-16**

**Special Permit to extend nonconforming 3-story structure and FAR at 7 Manet Circle**

DAVID MORTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow three-story single-family structure and exceed FAR by adding side and rear additions at 7 Manet Circle, Ward 7, Chestnut Hill, on land known as SBL 63004 0031, containing approximately 12,706 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 1.5.4.D-F, 3.1.3, 7.8.2.C.2, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 7-0**

**#399-16**

**Special Permit to exceed FAR at 441 Ward Street**

YAKIR AND CHERYL LEVIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add a 415 sq. ft. garage, creating an FAR of .42 where .39 is allowed at 441 Ward Street, Ward 7, Newton Centre, on land known as SBL 73030 0006, containing approximately 9,299 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 7-0**

**2017 Auto Dealer License Renewals**

**Class 2**

**#410-16**

STAN'S AUTOMOTIVE INC.  
249 Centre Street  
Newton Corner 02458

**Land Use Approved 7-0**

**#404-16**

NEWTON CENTRE SHELL, INC.  
1365 Centre Street  
Newton Centre 02459

**Land Use Approved 7-0**

**#401-16**

LIFT THROTTLE AUTOMOTIVE, LLC  
64 Hillside Avenue  
West Newton 02465

**Land Use Approved 7-0**

**#406-16**

OLD TIME GARAGE LTD.  
1960 Washington Street  
Newton Lower Falls 02462

**Land Use Approved 7-0**

- #400-16** AUCTION DIRECT PREOWNED  
1545 Washington Street  
West Newton 02465  
**Land Use Approved 7-0**
- #402-16** MAP DEVELOPMENT & INVESTMENTS  
d/b/a CHRISTIAN TAPIA/MASTER USED  
CARS of WATERTOWN  
175 North Street  
Newtonville 02460  
**Land Use Approved 7-0**
- #409-16** ROBERT'S TOWING, INC.  
926r Boylston Street  
Newton Highlands 02461  
**Land Use Approved 7-0**
- #403-16** NEWTON AUTO GROUP, INC.  
1235 Washington Street  
West Newton 02465  
**Land Use Approved 7-0**
- #407-16** REGANS INC.  
2066 Commonwealth Avenue  
Auburndale 02466  
**Land Use Approved 7-0**
- #411-16** JOHN BORTONE d/b/a ENZO'S AUTO SALES  
10 Hawthorn Street  
Nonantum 02458  
**Land Use Approved 7-0**
- #412-16** JOHN & CATALINA BORTONE  
d/b/a VELOCITY MOTORS  
14 Hawthorn Street  
Nonantum 02458  
**Land Use Approved 7-0**
- #405-16** NTC-NEWTON TRADE CENTER  
103 Adams Street  
Nonantum 02458  
**Land Use Held 7-0**

**#408-16** SAM'S AUTO CENTER  
875 Washington Street  
Newtonville 02460  
**Land Use Held 7-0**

**Class 2 & 3**

**#413-16** ECHO BRIDGE SALVAGE CO.  
16-24 Maguire Court  
Newtonville 02460  
**Land Use Approved 7-0**

**#414-16** SCHIAVONE BROTHERS, INC.  
16-24 Maguire Court  
Newtonville 02460  
**Land Use Approved 7-0**

**Referred to Programs & Services Committee**

Wednesday, December 7, 2016

Present: Councilors Leary (Acting Chair), Kalis, Schwartz and Auchincloss; absent: Councilors Baker, Sangiolo, Hess-Mahan and Rice

**#416-16** **Mayor's Appointment of Michelle Freshman to the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing MICHELLE FRESHMAN, 39 Gray Cliff Road, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2019 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**

**#417-16** **Mayor's Appointment of Asa Fanelli to the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing ASA FINELLI, 8 Kerry Court, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2019 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**

**#418-16** **Mayor's Appointment of Lisa Terrizzi the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing LISA TERRIZZI, 63 Ridge Road, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2019 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**

- #419-16 Mayor's Appointment of Matthew Stafford to the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing MATTHEW STAFFORD, 11 Cragmore Road, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2019 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**
- #420-16 Mayor's Appointment of Bradley Barnes to the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing BRADLEY J. BARNES, 447 Brookline Street, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2020 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**
- #421-16 Mayor's Appointment of Brenda Anders Pring to the Advisory Council of Health**  
HIS HONOR THE MAYOR appointing BRENDA ANDERS, 19 Rowe Street, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2020 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**
- #422-16 Mayor's Re-appointment of Aric Parnes to the Advisory Council of Health**  
HIS HONOR THE MAYOR re-appointing ARIC PARNES 43 Beverly Road, Newton as a member of the ADVISORY COUNCIL OF HEALTH for a term to expire January 1, 2020 (60 days 2/3/17) [11/21/16 @ 1:35 PM]  
**Programs & Services Approved 4-0**

**Referred To Public Safety & Transportation Committee**

Wednesday, December 7, 2016

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

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

- #335-16 Request for Ordinance amendments to require removal of snow from sidewalks**  
COUNCILOR DANBERG, requesting that §26-8 through §26-9 and §20-21 of the City of Newton Rev. Ords., 2012, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers from sidewalks abutting their property and to review and amend enforcement provisions including structure of fines for snow removal violations. [09/27/16 @ 11:36 AM]  
**Finance Voted No Action Necessary 7-0 on 12/14/16**  
**Public Facilities Approved 4-0-1, (Gentile abstaining; Lennon, Lappin not voting) on 11/09/16**  
**Public Safety & Transportation Approved 6-0**

**#394-16(A)&(B) Requesting two (2) new bus licenses for Lasell College**

VPNE Parking Solutions, LLC, requesting **two (2) new bus licenses** for Lasell College.

[11/18/16 @ 10:14 AM]

**Public Safety & Transportation Approved 5-0 (Lipof 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 Held 5-0 (Cote not voting)**

**Referred to Public Facilities Committee**

Wednesday, December 7, 2016

Present: Councilors Crossley (Chair), Albright, Danberg, Lappin, Brousal-Glaser, Lennon, Laredo; also present; Councilors Fuller, Yates.

**#396-16 Comcast petition for a Grant of Location on Winthrop Street**

COMCAST petitioning for a grant of location to install 1-3" pipe from existing vault on Putnam Street heading 175'± northwesterly thence turning southwesterly to existing pole on Winthrop Street.(Ward 3) [11/07/2016 @ 12:00 PM]

**Public Facilities Approved 5-0 (Lennon, Danberg not voting)**

**#395-16 Comcast petition for a Grant of Location on Huntington Road**

COMCAST petitioning for a grant of location to install 340'± of 1-3" conduit from pole 673/7 on Huntington Road to existing vault in front of 75 Huntington Road. (Ward 7) [11/07/2016 @ 4:33 PM]

**Public Facilities Approved 5-0 (Lennon, Danberg not voting)**

**#423-16 Verizon Grant of Location petition 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 #405/24 adjacent to 93 Sevlard Road. (Ward 8). [11/21/2016 @ 9:44 AM]

**Public Facilities Held 7-0**

**#281-16 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]

**Public Facilities Held 7-0**



**#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 Facilities Held 7-0**

**#200-15**      **Update on the strategic plan for street and sidewalk improvements**  
ALD. LAREDO requesting that the Department of Public Works provide an update on the creation of a strategic plan for the improvement of streets and sidewalks in the City. [08/13/15 @ 11:20 AM]

**Public Facilities Held 7-0**

**Referred to Finance Committee**

Wednesday, December 14, 2016

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

**424-16**      **Transfer \$22,190 from Budget Reserve for two parking kiosks**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-two thousand one hundred ninety dollars (\$22,190) from Budget Reserve to the Department of Public Works for the capital costs associated with a pilot program for two parking kiosks at the Austin Street Parking Lot replacing 158 standard coin meters. [11/28/16 @4:00PM]

**Finance Approved 6-0 (Norton not voting)**

**#209-16**      **Discussion of expenditures related to the Complete Streets Grant**  
COUNCILOR FULLER requesting discussion regarding expenditures related to the Complete Streets grant with representatives of the Department of Public Works. [05/26/16 @ 1:11 PM]

**Finance Held 7-0**

**#425-16**      **Transfer \$34,000 from Budget Reserve for an accountant position**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of thirty-four thousand dollars (\$34,000) from Budget Reserve to fund a new full-time accountant position in the Comptroller’s Office effective January 1, 2017 and authorization to increase the authorized full-time positions in the Comptroller’s Office by one position.

**Finance Approved 7-0**

- #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 7-0**

**Referred to Public Safety, Public Facilities and Finance Committees**

- #335-16 Request for Ord. amendments to require removal of snow from sidewalks**  
COUNCILOR DANBERG requesting that §26-8 through §26-9 and §20-21 of the City of Newton Rev. Ords., 2012, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers from sidewalks abutting their property and to review and amend enforcement provisions including structure of fines for snow removal violations. [09/27/16 @ 11:36 AM]  
**Public Facilities Approved 4-0-1 (Gentile abstaining) on 11/09/16**  
**Public Safety Approved 6-0 on 12/07/16**  
**Finance Voted No Action Necessary 7-0**

- #287-15 Submittal by the Mayor of the 5-Year Financial Forecast**  
HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 5-Year Financial Forecast for Board of Aldermen review/acceptance. [10/01/15 @ 1:53 PM]  
**Finance Voted No Action Necessary 7-0**

**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]  
**Zoning & Planning Voted No Action Necessary 7-0 on 10/24/16**  
**Finance Voted No Action Necessary 7-0**