



City Council Actions

In City Council Tuesday, February 18, 2020

Present: Councilors Bowman, Crossley, Downs, Gentile, Greenberg, Humphrey, Kelley, Leary, Lipof, Markiewicz, Noel, Norton, Ryan & Wright

Absent: Councilors Auchincloss, Baker, Ciccone, Danberg, Grossman, Kalis, Krintzman, Laredo, Malakie & Albright

The City Council discussed the following items on Second Call:

Clerk's Note: The Council voted by Voice Vote to postpone the following 5 items to a date certain of March 2, 2020 as there were only 14 Councilors in attendance at the meeting.

Referred to Land Use Committee

#68-20

Petition to allow a free-standing sign at 40 Austin Street

BENLIN PROPERTIES LLC./ROCKLAND BANK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 19.5 sq. ft. free-standing sign on the property located at 40 Austin Street, Ward 2, Newtonville, on land known as Section 24 Block 09 Lot 12, containing approximately 13,420 sq. ft. of land in a district zoned BUSINESS USE 5. Ref: Sec. 7.3.3, 7.4, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0-1 (Councilor Downs abstaining, Councilor Auchincloss not Voting); Public Hearing Closed 02/04/20

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Referred to Land Use Committee

#69-20

Petition to amend Order #284-95 to allow a free-standing sign at 84 Needham Street

CREATIVE BOOKFAIR LLC./CHARLOTTE MAYNARD petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #284-95 to allow a new free-standing sign measuring 7'8.5' (h) by 4'0.5" (w) on the property located at 84 Needham Street, Ward 8, containing approximately 63,416 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3.3, 7.4, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0 (Councilor Auchincloss not Voting); Public Hearing Closed 02/04/20

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Referred to Land Use Committee

- #623-18(2)** **Request for Extension of Time to Exercise Permit #623-18 at 20-22 Circuit Ave**
ARTHUR KALOTKIN petition for a one-year EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL Council Order #623-18 to convert a two-family dwelling into a three-unit multi-family dwelling by converting the existing attic space, allow parking within 5' of residential dwelling units, to waive the minimum aisle width requirements, to waive driveway width, and to waive lighting requirements at 20-22 Circuit Avenue, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 39, containing approximately 12,353 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Said Extension of Time to Run from February 19, 2020 to February 19, 2021. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 5-0 (Councilors Downs and Greenberg not voting)
Voice Vote Unanimously Approves Postponement to March 2, 2020.

Referred to Land Use Committee

- #621-18(2)** **Request for Extension of Time to Exercise Special Permit #621-18 at 105 Temple St**
SCOTT AND URSULA STEELE petition for a one-year EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL Council Order #621-18 to amend Special Permit Board Orders #62-01 and #62-01(2) to further increase the non-conforming FAR by constructing a 191 sq. ft. addition in the existing footprint of the house, further extending the non-conforming three-story structure at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Said Extension of Time to run from February 4, 2020 to February 4, 2021. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 5-0 (Councilors Downs and Greenberg not voting)
Voice Vote Unanimously Approves Postponement to March 2, 2020.

Referred to Finance Committee

- #379-19(7)** **CPC Recommendation to amend funding source for Webster Woods acquisition**
COMMUNITY PRESERVATION COMMITTEE recommending authorization for the City Treasurer to amend the funding source for \$740,000 seven hundred and forty thousand dollars to fund legal and conservation restriction expenses for Webster Woods approved by Council Orders #379-19 (3) and (4) to allow the City to borrow seven hundred and forty thousand dollars (\$740,000) as authorized by G. L. c. 44B, sec. 11, for a period of 30 years, and any expenditures already appropriated from the CPC's Open Space Reserve and Restricted Fund Balance for Open space pursuant to the CPC's original recommendations be reimbursed from the sale of such bonds or notes, and that any premium received upon the sale of such bonds or notes, less any such premium applied to the payment of issuance costs of the

bonds or notes shall be deposited in the Community Preservation Fund's restricted fund balance for open space.

Finance Approved 5-0

Voice Vote Unanimously Approves Postponement to March 2, 2020.

The City Council voted without discussion 14 Yeas, 10 Absent (Councilors Auchincloss, Baker, Ciccone, Danberg, Grossman, Kalis, Krintzman, Laredo, Malakie & Albright) to Accept the Committee Recommendations on the following items:

Referred to Zoning and Planning Committee

Monday, February 10, 2020

- #93-20** **Appointment of Scott Aquilina to the Upper Falls Historic District Commission**
HER HONOR THE MAYOR appointing Scott Aquilina, 1253 Commonwealth Avenue, Newton, as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on June 8, 2021. (60 days: 04/03/20)
Zoning and Planning Approved 8-0
- #94-20** **Appointment of Daphne Romanoff to the Upper Falls Historic District Commission**
HER HONOR THE MAYOR appointing Daphne Romanoff, 36 Canterbury Road, Newton, as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on December 24, 2022. (60 days: 04/03/20)
Zoning and Planning Approved 8-0
- #92-20** **Appointment of Martin Smargiasi to the Auburndale Historic Commission**
HER HONOR THE MAYOR appointing Martin Smargiasi, 20 Fern Street, Auburndale, as an alternate member of the AUBURNDALE HISTORIC DISTRICT COMMISSION for a term to expire on February 28, 2023. (60 days 04/03/20)
Zoning and Planning Approved 8-0
- #96-20** **Reappointment of Dan Brody to the Community Preservation Committee**
HER HONOR THE MAYOR appointing Dan Brody, 15 Brewster Road, Newton Highlands, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire on February 1, 2023. (60 days: 04/03/20)
Zoning and Planning Approved 8-0

Referred to Programs and Services Committee

Wednesday, February 5, 2020

#101-20 **Requesting a discussion on the 2020 Census**
COUNCILORS ALBRIGHT, RYAN, GREENBERG, NOEL, KRINTZMAN, HUMPHREY, AND MALAKIE requesting a discussion with the Complete Count Committee Newton's plans to assure that all Newton residents are counted in the next census. Newton receives a modest allocation of CDBG funds. To assure that Newton can continue to receive these funds to serve underserved people an accurate census is essential.
Programs and Services No Action Necessary 7-0

#103-20 **Request to move the Ward 2 Precinct 1 polling location**
CITY CLERK requesting that the polling location for Ward 2, Precinct 1, which is currently at the old Horace Mann School on the corner of Watertown Street and Albemarle Road, be moved down the street to the Albemarle Field House at 250 Albemarle Road. Construction and the conversion of the Old Horace Mann School to the Newton Early Childhood Program will preclude the space from being used as a Polling Location.
Programs and Services Approved 7-0

Referred to Public Facilities Committee

Wednesday, February 5, 2020

#109-20 **Appointment of Meryl Kessler to the Solid Waste Commission**
HER HONOR THE MAYOR appointing MERYL KESSLER, 147 Prince Street, West Newton, as a member of the SOLID WASTE COMMISSION for a term to expire March 15, 2023. (60 days 04/03/20)
Public Facilities Approved 5-0 (Councilor Kalis not voting)

#110-20 **Appointment of Carl Valente to the Solid Waste Commission**
HER HONOR THE MAYOR appointing CARL VALENTE, 84 Sumner Street, Newton, as a member of the SOLID WASTE COMMISSION for a term to expire March 15, 2023. (60 days: 04/03/20)
Public Facilities Approved 5-0 (Councilor Kalis voting)

Referred to Finance Committee

Monday, February 10, 2020

#115-20 **Authorization to expend a \$43,943 Office of Public Safety and Security Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a forty-three thousand nine hundred and forty-three dollar (\$43,943) grant from the Executive Office of Public Safety and Security for the purpose of funding overtime to have Police Officers monitor high accident locations and conduct traffic enforcement through written warnings and/or citations.
Finance Approved 5-0

- #116-20 Approve a proposed contract for online pay services**
TREASURY DEPARTMENT requesting authorization to approve a proposed five year contract for online payment services with the vendor as chosen by the RFP evaluation committee.
Finance Approved 5-0
- #112-20 Submittal of the CAFR, and external audit reports**
COMPTROLLER transmitting the Comprehensive Annual Financial Report and external audit reports for fiscal year ending June 30, 2019 for City Council review/acceptance.
Finance Approved 5-0
- #111-20 Reappointment of James Shaughnessy to the Board of Assessors**
HER HONOR THE MAYOR reappointing James Shaughnessy, 17 Whirly Circle, Hopkinton, as a member of the Board of Assessors for a term to expire February 1, 2023. (60 days 04/03/20)
Finance Approved 5-0

The following items were filed after the close of the Docket and the Council Approved a Suspension of the Rules to accept them to the Docket and refer them to Committee:

Referred to Programs & Services Committee

- #136-20 Appointment of Nicole Banks as Commissioner of Parks, Recreation & Culture**
HER HONOR THE MAYOR appointing NICOLE BANKS, as COMMISSIONER OF PARKS, RECREATION & CULTURE pursuant to Sec. 3-3 of the City Charter. (30 days: 03/19/20)
- #137-20 Request to petition the General Court for special legislation regarding special police**
HER HONOR THE MAYOR requesting authorization to petition the General Court for special legislation to amend the provisions of the Acts 2014, c. 96 *An Act Relative to the Appointment of Special Police Officers in Newton*, as most recently amended by Acts 2016, c. 266, by raising the age limit for service on the special retiree police detail patrol from age 70 to age 75.
- #138-20 Requesting amendments to rename the Department of Parks & Recreation**
Requesting amendments to the City of Newton Ordinances, Chapters 3, 7, 10, 13, 17, 18, 20, 21, 22 and 30 to rename the Department of Parks & Recreation to the Department of Parks, Recreation and Culture.

Public Hearings were assigned for the following Items:

Public Hearing Assigned for March 10, 2020

#118-20 **Petition to extend nonconforming setback at 112 Grasmere Street**
JEN AND CHRIS MURPHY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND THE NONCONFORMING SETBACK by constructing a covered front porch and entry, decreasing the nonconforming setback from 20.9' to 18.6' where 20.8 is allowed at 112 Grasmere Street, Ward 1, Newton, on land known as Section 71 Block 28 Lot 09, containing approximately 9,254 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for March 25, 2020

#61-20 **Discussion to limit or prohibit the installation of fossil fuel infrastructure**
COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS & HUMPHREY requesting a discussion with the Sustainability Team to create an ordinance to limit or prohibit the installation of fossil fuel infrastructure in new construction and substantially renovated buildings, as well as to clarify the Council's authority to prohibit the extension of gas mains subject to the condition of the existing infrastructure

The City Council voted without discussion 13 Yeas, 1 Recused (Councilor Humphrey), 10 Absent (Councilors Auchincloss, Baker, Ciccone, Danberg, Grossman, Kalis, Krintzman, Laredo, Malakie & Albright) to Accept the Committee Recommendations on the following item:

#95-20 **Reappointment of Chris Steele to the Planning and Development Board**
HER HONOR THE MAYOR reappointing Chris Steele, 254 Elliot Street, Apt. 1, Newton Upper Falls, as a member of the PLANNING AND DEVELOPMENT BOARD for a term to expire on February 1, 2025. (60 days: 04/03/20)
Zoning and Planning Approved 8-0