



City Council Reports Docket

Jan 23: Public Safety & Transportation, Public Facilities
Jan 28: Zoning & Planning, Finance
Jan 29: Land Use

Tuesday, January 22, 2019
Continued
Page 337
7:45 PM, Newton City Hall
To be reported on
Monday, February 4, 2019

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Motion to Reconsider Filed by Councilor Albright on January 23, 2019

Referred to Programs & Services and Finance Committees

#588-18

Amendment to increase income eligibility for clause 41A tax deferral program

HER HONOR THE MAYOR requesting an amendment to Section 27-10 of the City of Newton Revised Ordinance to increase the maximum qualifying gross receipts amount for the purposes of the Tax Deferral Program from \$60,000 to \$72,000 for the fiscal year beginning July 1, 2018 and for all subsequent years.

Programs & Services Approved 4-0 (Schwartz not voting) on 01/09/19

Finance Approved 6-1 (Lappin opposed)

City Council Approved 22 -0 as Amended @ 86,000 (Kalis and Norton absent)

Referred to Land Use Committee

Tuesday, January 29, 2019

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Kelley, Crossley, Laredo; absent: Councilors Markiewicz, Auchincloss

#621-18

Amendment Special Permit Orders #62-01 and 62-01(2) at 105 Temple Street

SCOTT AND URSULA STEELE petition for SPECIAL PERMIT/SITE PLAN APPROVAL 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. Ref: Sec. 7.3., 7.4, 3.1.9, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0; Public Hearing Closed 01/29/2019

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.

- #622-18 Special Permit Petition to increase non-conforming FAR at 48 Billings Park**
MATTHEW DOERINGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-car garage in the footprint of a razed garage with an additional 225 sq. ft, exceeding the allowable FAR of .43 where .51 exists and .53 is proposed at 48 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 14, containing approximately 8,289 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9, 7.8.2.C.2, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0; Public Hearing Closed 01/29/2019

Referred to Zoning & Planning Committee

Monday, January 28, 2019

Present: Councilors Albright (Chair), Danberg, Kalis, Brousal-Glaser, Leary, Downs, Baker and Krintzman;
 also present: Councilors Schwartz, Crossley, Greenberg and Norton

- #631-18 Appointment of Warren Abramson to the Commission on Disability**
HER HONOR THE MAYOR appointing WARREN ABRAMSON, 77 Court Street, Newton, as a member of the COMMISSION ON DISABILITY for a term to expire January 31, 2022. (60 days 02/15/19)
Zoning & Planning Approved 7-0 (Kalis not voting)

- #408-18 Discussion and adoption of Economic Development Strategy Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.
Zoning & Planning Approved as amended 7-0 (Kalis not voting)

- #13-19 Adoption of the Climate Action Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Climate Action Plan as an amendment to the 2007 Comprehensive Plan.
Zoning & Planning Held 7-0 (Kalis not voting)

- #43-19 Discussion of Riverside Vision Plan**
DIRECTOR OF PLANNING requesting regular progress reports on the Riverside Vision Plan.
Zoning & Planning Held 7-0 (Kalis not voting)

- #632-18 Zoning Amendment to allow RMDs and marijuana retailers in MU districts**
COUNCILOR SCHWARTZ, KELLEY, NORTON, AND COTE proposing to amend Chapter 30, **Section 4.4.1. Business, Mixed Use & Manufacturing Districts.** to allow Registered Marijuana Dispensaries and marijuana retailers by special permit in Limited Manufacturing and Manufacturing Districts.
Zoning & Planning Held 7-0 (Krintzman not voting)

#220-18 Discussion relative to the Washington Street Corridor Action Plan
DIRECTOR OF PLANNING requesting monthly progress discussions on the Washington Street Corridor action plan.
Zoning & Planning Held 7-0 (Krintzman not voting)

#518-18 Discussion and review relative to the draft Zoning Ordinance
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Zoning & Planning Held 8-0

Referred to Public Safety & Transportation Committee

Wednesday, January 23, 2019

Present: Councilors Ciccone (Chair), Cote, Downs, Noel, Grossman, Lipof, Auchincloss and Markiewicz;
 also present: Councilors Crossley, Kelley, Danberg, Laredo, Leary, Gentile, Lappin, Norton, Albright and Greenberg

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

#156-18 Ordinance amendments for enforcement and fines for sidewalk clearing violations
COUNCILORS DANBERG, ALBRIGHT, CROSSLEY, NORTON, AND LIPOF, requesting amendments to Chapter 17, Section 3 and Chapter 26 Section 8D of the Revised Ordinances to provide for enforcement and fines for violations of the sidewalk clearing ordinance.
Public Facilities Held 8-0 on 01/23/19
Public Safety & Transportation Held 8-0

Referred to Public Safety & Transportation and Finance Committees

#30-19 Rescind Order #607-18 and appropriate \$95,000 from Free Cash for Fire expenses
HER HONOR THE MAYOR requesting rescission of Council Order #607-18 repurposing \$95,844.51 to address Fire Department needs and requesting authorization to appropriate ninety-five thousand dollars (\$95,000) from Free Cash to the following Fire Department accounts:

| | |
|---|----------|
| Automobiles/Light Trucks | \$60,000 |
| Training Expenses | \$10,000 |
| Housekeeping Equipment | \$15,000 |
| Public Buildings Repair and Maintenance | \$10,000 |

Finance Approved 4-0 (Lappin, Norton, and Rice not voting) on 01/28/19
Public Safety & Transportation Approved 8-0

#577-18 **Appeal of Traffic Council Decision on Ward Street**
CONGREGATION BETH EL-ATERETH ISRAEL, 561 Ward Street, appealing the approval of Traffic Council petition TC62-18 on October 25, 2018 converting Ward Street between Elmore Street and Morseland Avenue from a one-way westbound street into a two-way street, approves a “do not enter” restriction on Ward Street, eastbound, from Morseland Avenue, and installs a new parking restriction at all times on the south side of Ward Street from Morseland Road to a point 165 feet easterly.

Public Safety & Transportation Denied 8-0

#16-19 **Appeal of Traffic Council Decision on Glen Avenue and Elgin Street**
COUNCILORS DANBERG, NOEL AND SCHWARTZ, appealing the denial of Traffic Council petition TC59-18 on November 29, 2018 the stop sign at the intersection of Glen Avenue and Elgin Street to create a 4-way stop with the possible examination of other alternatives for increased safety at this intersection.

Public Safety & Transportation Denied 7-0-1 (Noel abstaining)

#38-18 **Amend overtime parking ordinance**
TRANSPORTATION COORDINATOR, requesting an ordinance amendment to **Chapter 19, Section 190 Overtime parking.** to clarify the language and improve enforcement.

Recommitted to Public Safety & Transportation on 04/02/18

Public Safety & Transportation Approved 8-0

#18-19 **Annual report of the work of Traffic Council for 2018**
DAVID KOSES, TRAFFIC COUNCIL CHAIR, providing the Annual Report of the work of the Traffic Council for 2018.

Public Safety & Transportation No Action Necessary 8-0

Referred to Public Facilities Committee

Wednesday, January 23, 2019

Present: Councilors Crossley (Chair), Leary, Norton, Kelley, Gentile, Danberg, Laredo, Lappin, Ciccone, Cote, Downs, Grossman, Markiewicz, Auchincloss, Albright, Noel, Greenberg, Lipof

#156-18 **Ordinance amendments for enforcement and fines for sidewalk clearing violations**
COUNCILORS DANBERG, ALBRIGHT, CROSSLEY, NORTON, AND LIPOF requesting amendments to Chapter 17, Section 3 and Chapter 26 Section 8D of the Revised Ordinances to provide for enforcement and fines for violations of the sidewalk clearing ordinance.

Public Safety & Transportation Held 8-0 on 01/23/19

Public Facilities Held 8-0

Referred to Public Facilities and Finance Committees

#52-19

Approve a \$500,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

| | |
|---|-----------|
| Rental - Vehicles (0140110-5273)..... | \$350,000 |
| Regular Overtime (0140110-513001)..... | \$150,000 |

Finance Approved 7-0 on 01/28/19

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#51-19

Approve \$3 million for the Pavement Management Program

HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.

Finance Approved 6-0 (Gentile not voting) on 01/28/19

Public Facilities Approved Subject to Second Call 5-0-2 (Gentile, Lappin abstaining)

Referred to Public Facilities and Finance Committees

#50-19

Amend Sewer Use Charge Ordinance

HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: “Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

Finance Approved 4-0 (Lappin, Norton, and Rice not voting) on 01/28/19

Public Facilities Approved Subject to Second Call 7-0 (Norton not Voting)

#23-19

Authorization to enter into lease negotiations for Solar Phase III project sites

HER HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on 18 municipal and school properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits.

Locations:

- Brown Middle School Parking Lot
- Oak Hill Middle School Parking Lot
- Memorial Spaulding Elementary School Parking Lot
- Education Center Parking Lot
- Bigelow Middle School Parking Lot
- Mason Rice Elementary School Parking Lot

Newton North High School Parking Lots
 Newton Free Library Parking Lot
 Fire Station #3 and Headquarters Roof
 FA Day Middle School Roof
 Williams Elementary School Roof
 Carr School Roof

Pleasant Street Parking Lot
 Auburndale Cove Parking Lot
 Zervas Elementary School Roof
 Angier Elementary School Gym Roof
 Cabot Elementary School Gym Roof
 Education Center Roof

Public Facilities Held 8-0

Referred to Finance Committee

Monday, January 28, 2019

Present: Councilors Gentile (Chair), Norton, Cote, Rice, Noel, Grossman, and Lappin; absent: Councilor Ciccone

Referred to Public Safety & Transportation and Finance Committees

#30-19 Rescind Order #607-18 and appropriate \$95,000 from Free Cash for Fire expenses
HER HONOR THE MAYOR requesting rescission of Council Order #607-18 repurposing \$95,844.51 to address Fire Department needs and requesting authorization to appropriate ninety-five thousand dollars (\$95,000) from Free Cash to the following Fire Department accounts:

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| Automobiles/Light Trucks | \$60,000 |
| Training Expenses | \$10,000 |
| Housekeeping Equipment | \$15,000 |
| Public Buildings Repair and Maintenance | \$10,000 |

Public Safety Approved 8-0 on 01/23/19
Finance Approved 4-0 (Lappin, Norton, and Rice not voting)

#48-19 Accept \$20,460 in grant funds from Mass Emergency Management Agency
HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Emergency Management Agency (MEMA) in the amount of twenty thousand four hundred sixty dollars (\$20,460) to purchase equipment for emergency operations management throughout the City.
Finance Approved 5-0 (Lappin and Rice not voting)

Referred to Public Safety & Transportation and Finance Committees

#510-18 Increase non-resident parking permit fees
COUNCILORS DOWNS, AUCHINCLOSS, DANBERG, LEARY, MARKIEWICZ, NOEL, AND RICE requesting an ordinance amendment to increase the non-resident parking permit fee from \$25 to a range which will include a maximum cap, to better cover costs and encourage alternatives to driving in parts of the City where demand is high.
Public Safety Approved 8-0 on 11/07/18
Finance Held 4-0 (Lappin, Norton, and Rice not voting)

#47-19 **Accept \$50,464 in grant funds from Mass Office on Disability for APS**
HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Office on Disability in the amount of fifty thousand four hundred sixty-four dollars (\$50,464) for the purpose of acquiring Accessible Pedestrian Signals.
Finance Approved 6-0 (Gentile not voting)

Referred to Public Facilities and Finance Committees

#50-19 **Amend Sewer Use Charge Ordinance**
HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: “Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.
Public Facilities Approved 7-0 Subject to Second Call on 01/23/19
Finance Approved 4-0 (Lappin, Norton, and Rice not voting)

Referred to Public Facilities and Finance Committees

#52-19 **Approve a \$500,000 for snow and ice removal**
HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

| | |
|---|-----------|
| Rental - Vehicles (0140110-5273)..... | \$350,000 |
| Regular Overtime (0140110-513001)..... | \$150,000 |

Public Facilities Approved 8-0 on 01/23/19
Finance Approved 6-0 (Gentile not voting)

#343-18 **Ordinance amendment to divest of funds from fossil fuel companies**
COUNCILOR NORTON proposing an ordinance amendment to divest the City of direct or indirect holdings in fossil fuel companies.
Finance Held 5-1 (Norton opposed; Gentile not voting)

Referred to Public Facilities and Finance Committees

#51-19 **Approve \$3 million for the Pavement Management Program**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.
Public Facilities Approved 5-0-2 (Lappin Gentile abstaining) Subject to Second Call on 01/23/19
Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#31-19

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Current Year Budget Reserve to the Department of Public Works Processing Recyclables to fund increased costs of processing recyclables due to changes in the recycling market.

Public Facilities Approved 6-0-1 (Leary abstaining) on 01/09/19

Finance Approved 5-1-1 (Noel opposed, Gentile abstaining) on 01/14/19

City Council Recommitted the item to Finance on 01/22/19

Finance voted No Action Necessary 5-0 (Lappin and Rice not voting)

#49-19

Accept a gift of \$10,000 from the Ruderman Family Foundation

HER HONOR THE MAYOR requesting authorization to accept and expend a gift of ten thousand dollars (\$10,000) from the Ruderman Family Foundation for the purpose of funding an accessible pathway at the Hyde Playground.

Finance Approved 7-0

Referred to Zoning & Planning and Finance Committees

#576-18

Discussion of a visioning process for the land surrounding Riverside MBTA station

COUNCILORS KRINTZMAN, GENTILE, MARKIEWICZ, LAREDO AND AUCHINCLOSS requesting a discussion with the Director of Planning on conducting a vision process for the potential development of the land around the Riverside MBTA station.

Zoning & Planning voted No Action Necessary 7-0 on 01/14/19

Finance voted No Action Necessary 7-0