



City Council Actions

In City Council

Monday, April 1, 2019

Present: Councilors Albright, Auchincloss, Baker, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Kalis, Kelley, Krintzman, Lappin, Leary, Lipof, Markiewicz, Noel, Norton, Rice, Schwartz and Laredo

The City Council discussed the following item on Second Call:

Referred to Programs & Services Committee

#76-19 Home Rule Legislation to amend City Charter

PROGRAMS & SERVICES COMMITTEE requesting that the City Council seek Home Rule Legislation to amend the City Charter based on a review of the 2019 recommendations of the Charter Subcommittee of the Programs & Services Committee except for those relating to City Council composition and term limits for the Council and the Mayor.

Programs & Services Approved as amended 7-0

Motion to Postpone to April 16, 2019 was Approved by Voice Vote

Clerk's Note: The Chair of the Programs & Services Committee, Councilor Rice, reported on the item and stated that there will be a motion at the end of his report to move postponement of the item to a date certain of April 16, 2019, the next full Council meeting, to allow time for review and questions to be answered. He reported that the Programs & Services Committee was charged with evaluating the recommendations of the Charter Commission and to report back with recommendations to the full City Council. Since this was such a large undertaking, it was decided to create a sub-committee for the Charter. The Sub-Committee consisted of four members: two City Councilors who supported the Charter recommendations, and two City Councilors who were opposed. The sub-committee was chaired by Councilor Baker, and included Councilor Kalis, Councilor Krintzman, and Councilor Albright. There were a number of meetings of the Charter Sub-committee which presented its recommendations to the Programs & Services Committee. The Programs & Services Committee also held several meetings which included public comment regarding the recommended changes. Following feedback, it was concluded that Area Councilors would not be included in the changes to the Charter.

There were other controversial items discussed in the Programs & Services Committee. The Charter Commission had recommended that the City Council should be able to hire its own Counsel on controversial items and the Charter Sub-committee agreed with this. The Law Department and the Executive Offices addressed this saying that the Law Department represents the City of Newton and there should not be separate Counsel for the Executive Department versus the City Council. The Programs & Services Committee did not agree and kept it in.

There was also a recommendation from the Charter Commission that on a Referendum vote at least 20% of voters would have to participate in the election to make that referendum valid. The Programs & Services Committee changed that recommendation and made it 15%.

Major changes like the size of the City Council, and term limits for City Council were not tackled at this time. It was decided to separate those completely from the sub-committee and deal with them in the future. It was noted that there is a separate docket item to discuss a plan for eight at large and eight ward councilors. Chair Rice noted that if the full City Council approves these changes, they still must have the Mayor's approval before they are sent to the State Legislature.

The Chair of the Charter sub-committee, Councilor Baker, said a great deal of work was done to look through aspects of the Charter Commission's recommendations and to forward those that make sense for the city such as:

The Charter Commission reorganized some of the material in the Charter to make it easier to follow and understand.

The current provision for Special Elections says the election must be held forthwith. The recommended language provides more explicit detail.

The Charter Commission recommended that there be counsel to the Council. This would be legal counsel which would be used in an extraordinary situation when it was important to get independent advice. There are some technical corrections on how to deal with notifications.

Adding the powers of the School Committee to the Charter was included. Although they are set by state law, it was felt important to enumerate those. The Law Department was not enthusiastic about that.

The section on referendum were modified to include a requirement for more signatures than in the past and a required turnout for the election as a whole of at least 15% of the registered voters rather than 20% which was the Charter Commission recommendation.

Both the School Committee and City Council would have expenses reimbursed under a process to be set by ordinance.

A motion to postpone to April 16th was made and Approved

The City Council voted without discussion 24 Yeas to Accept the Committee Recommendations on the following items:

Referred to Land Use Committee

Tuesday, March 26, 2019

- #87-19** **Special Permit Petition to allow increased FAR at 370 Linwood Avenue**
MATTHEW HAAG AND LAUREN NICHOLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached two-car garage and second floor master suite, creating an FAR of .63 where .53 is allowed and .43 exists at 370 Linwood Avenue, Ward 2, Newtonville, on land known as Section 21 Block 24 Lot 05, containing approximately 7,219 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. 7.3.3, 7.4, 3.2.3, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal without Prejudice 7-0
- #86-19** **Temporary license to hold Nonantum Village Day**
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 6(k) of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 2, 2019.
Land Use Approved 7-0

Referred to Zoning & Planning Committee

Monday, March 25, 2019

- #89-19** **Appointment of David Kayserman to Auburndale Historic District Commission**
HER HONOR THE MAYOR appointing DAVID KAYSERMAN, 33 Hancock Street, Auburndale, as a member of the AUBURNDALE HISTORIC DISTRICT COMMISSION to complete Patricia Bottomley's term which expires on May 31, 2019. (60 days: 05/03/19)
Zoning & Planning Approved 6-0 (Brousal-Glaser not voting)
- #90-19** **Reappointment of David Kayserman to Auburndale Historic District Comm**
HER HONOR THE MAYOR reappointing DAVID KAYSERMAN, 33 Hancock Street, Auburndale, as a member of the AUBURNDALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2022. (60 days: 05/03/19)
Zoning & Planning Approved 6-0 (Brousal-Glaser not voting)
- #110-19** **Appointment of Kathryn Cade to Conservation Commission**
HER HONOR THE MAYOR appointing KATHRYN CADE, 195 Islington Road, Auburndale, as a member of the CONSERVATION COMMISSION to complete IRA Wallach's term which expires on May 31, 2020. (60 days: 05/17/19)
Zoning & Planning Approved 6-0 (Brousal-Glaser not voting)
- #111-19** **Technical amendments to the Zoning Ordinance**
DIRECTOR OF PLANNING requesting technical amendments to the Newton Zoning Ordinance, Chapter 30, which became effective November 1, 2015, in order to address clarifications, corrections, and edits related to missing or incorrectly transcribed ordinance provisions in the following sections:

- Sec. 4.4.1
- Sec. 1.3.1
- Sec. 5.1.4.A
- Sec. 5.11.4.B

Public Hearing closed; Zoning & Planning Approved 7-0

Referred to Programs & Services Committee

Wednesday, March 20, 2019

- #112-19** **Appointment of Albert Cecchinelli to Parks and Recreation Commission**
HER HONOR THE MAYOR appointing ALBERT CECCHINELLI, 224 Chapel Street, Newton, as the Ward 1 member of the PARKS & RECREATION COMMISSION to complete ~~Patricia Bottomley's~~ Bethel Charkoudian's term which expires on September 30, 2020. (60 days: 05/03/19)
Programs & Services Approved 7-0
- #113-19** **Approval of 2019 Preliminary Election date**
THE NEWTON ELECTION COMMISSIONERS recommending the City Council approve the date of Tuesday, September 10, 2019 as the date for the 2019 Preliminary Election, if needed.
Programs & Services Approved 7-0

Referred to Public Safety & Transportation Committee

Wednesday, March 20, 2019

- #59-19** **Discussion on Washington Street Vision Plan's Impact on Transportation**
COUNCILORS GROSSMAN AND AUCHINCLOSS requesting a discussion with the Principle Group and city representatives from Planning & Development, Transportation Planning, and Transportation Operations regarding the "Hello Washington Street" vision for transportation on the corridor, specifically in regards to multi-modal mobility and the prospect of reducing lanes from four to three.
Public Safety & Transportation No Action Necessary 6-0, (Cote not voting)

Referred to Public Facilities Committee

Wednesday, March 20, 2019

- #94-19** **National Grid petition for grant of location in College Road**
NATIONAL GRID petition for a grant of location to install and maintain 115'+/- of 8" main in College Road from the existing 8" gas main in front of #66 College Road in a northerly

direction to house #72. The proposed service is part of an MWRA 36" water main replacement project. (Ward 7)

Public Facilities Approved 5-0

#122-19 Request for changes in traffic flow at five intersections

HER HONOR THE MAYOR requesting approval of proposed design changes to the below intersections that result in changes to traffic flow to improve pedestrian and bicycle safety in accordance with the complete streets initiative:

- Crafts Street at Walnut Street – bump out and elimination of slip lane
- Walnut Street at Minot Place – bump out
- Walnut Street at Lowell Avenue – bump out and elimination of slip lane
- Waltham Street at Derby and Fairway Drive – bump outs and median island
- Elliot Street at Linden Street – two median islands

Public Facilities Approved 5-0

The following item was filed after the close of the Docket and a motion to suspend the rules to accept the item to the Docket and refer it to Committee was approved by voice vote:

Referred to Public Safety & Transportation Committee

#137-19 Request for one (1) new van license for Garden Remedies

LAZ Parking Limited, LLC requesting **one (1) new van license** for Garden Remedies, Inc.

Public Hearings were assigned for the following items:

Public Hearing Assigned for April 22, 2019

#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.

Public Hearing Reassigned for May 7, 2019

#88-19 Petition to allow a rear-lot subdivision at 41 Washington Street

JANE O'CONNOR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision to create two lots, abandon the two-family use in the existing structure and creating a second single-family on the rear lot, extending the existing non-conforming side setback at 41 Washington Street, Ward 1, Newton, on land known as Section 71 Block 29 Lot 07, containing approximately 25,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.5, 3.1.10, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 7, 2019

#123-19 Petition to establish accessory apartment at 35 Cherry Street

SWAATHI JOSEPH AND SUNEETH JOHN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALLOW AN ACCESSORY APARTMENT in existing space in a dwelling constructed less than four years ago at 35 Cherry Street, Ward 3, West Newton, on land known as Section 34 Block 37 Lot 86, containing approximately 7,575 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 6.7.1.C.5 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 7, 2019

#124-19 Petition to extend non-conforming three-story structure at 150 Collins Road

SARAH AND ROBERT BUCKLEY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish a portion of the rear dwelling and construct a new rear addition and two-car attached garage, extending the non-conforming 3.5-story structure at 150 Collins Road, Ward 5, Waban, on land known as Section 55 Block 48 Lot 17, containing approximately 22,619 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 1.5.4.B, 1.5.4.C, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 7, 2019

#397-18(2) Petition to amend Council Order #397-18 at 47 Rokeby Road

DARBY AND RANDI LEIGH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #397-18 to modify the approved site plan to allow for a paved driveway at 47 Rokeby Road, Ward 5, Waban, on land known as Section 55 Block 39 Lot 29, containing approximately 9,280 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing assigned for May 7, 2019

#125-19 Special Permit Petition to increase non-conforming FAR at 85 Gate House Road

HILARY GROVE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add five dormers to existing attic space, increasing the non-conforming FAR to .37 where .27 exists and .36 is allowed at 85 Gate House Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 27 Lot 16, containing approximately 22,152 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Testimonial Commendations were given to the following groups:

Newton South High School Girls Gymnastics Team - For the team's outstanding accomplishments in 2019.

Newton North & South High School Boys Gymnastics Team - For the team's outstanding accomplishments in 2019.

Newton North High School Boys Varsity Basketball Team - For the team's outstanding accomplishments in 2019.