



## City Council Reports Docket

April 2: Land Use

April 3: Programs & Services, Public Safety & Transportation, Public Facilities

April 4: Zoning & Planning

April 8: Zoning & Planning, Finance

April 9, Land Use

Monday, April 1, 2019

Continued

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7:45 PM, Newton City Hall

To be reported on

**Tuesday, April 16, 2019**

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

#### Unfinished Council Business

**Item postponed to a date certain of April 16, 2019**

**#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 on March 20, 2019**

#### Referred to Land Use Committee

**Tuesday, April 2, 2019**

Present: Councilors Lipof (Acting Chair), Laredo, Auchincloss, Markiewicz, Kelley, Greenberg, and Crossley, absent: Councilor Schwartz; also present: Councilor Leary

**#105-19**

**Petition to grant 11 parking waivers at 2345 Commonwealth Avenue (Marriot Hotel)**

CHSP TRS Newton, LLC d/b/a Marriott Newton petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #385-08 to allow restructuring of the parking layout, eliminating 14 parking stalls and requiring a waiver of 11 stalls at 2345 Commonwealth Avenue, Ward 4, Auburndale, on land known as Section 02 Block 30 Lot 18, containing approximately 11.4 acres of land in a district zoned BUSINESS USE 5. Ref. Sec. 7.3.3, 7.4, 5.1.4.A of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-0; Public Hearing Closed April 2, 2019**

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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.

- #104-19**      **Special Permit to allow attached dwelling units at 499 Winchester Street**  
ARTHUR ARBETTER AND GERRY WELCH/MARY AND DUANE HILLIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, allowing single-family attached dwellings with three stories and to allow retaining walls greater than 4' within a setback at 499 Winchester Street, Ward 8, Newton Highlands, on land known as Section 83 Block 35 Lot 08, containing approximately 43,567 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.1.4, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 6-0; Public Hearing Continued**

**Referred to Land Use Committee**

**Tuesday, April 9, 2019**

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, and Laredo; also present: Councilors Leary, Norton, Albright, Krintzman, Danberg, Baker, Kalis, Rice, and Downs

- #425-18**      **Request to Rezone three parcels for Northland Development**  
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.  
**Land Use Held 8-0; Public Hearing Continued**

- #426-18**      **Special Permit to allow mixed use development**  
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28

Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**#177-18(2) Request for Extension of Time to Exercise Special Permit at 36 Cummings Road**

ANNAMARIA MARIANI/BILL FABRIZIO petition for an EXTENSION OF TIME to EXERCISE Special Permit Council Order #177-18 to construct a two-story addition to the rear and side of the house, extending the existing non-conforming structure at 36 Cummings Road, Ward 2, Newton Centre, on land known as Section 64 Block 03 Lot 47, containing approximately 18,866 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017. Said extension will run from April 17, 2019 to April 17, 2020.

**Land Use Approved 8-0**

**#88-19(2) Extension of Time to Open a Public Hearing at 41 Washington Street**

JANE O'CONNOR agrees to an EXTENSION OF TIME to open the public hearing until May 14, 2019 for Special Permit #88-19 for a 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.

**Land Use Approved 8-0**

**Referred to Zoning & Planning Committee**

**Thursday, April 4, 2019**

Present: Councilors Albright (Chair), Kalis, Krintzman, Brousal-Glaser, Downs, Leary and Danberg;  
absent: Councilor Baker; also present: Councilors Gentile, Laredo, Greenberg, Cote, Auchincloss, Kelley, Grossman, Markiewicz and Crossley

**#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**

**Referred to Zoning & Planning Committee**

**Monday, April 8, 2019**

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

- #127-19      Submission of the FY20 Annual Action Plan To HUD**  
HER HONOR THE MAYOR requesting City Council authorization, pursuant to the 2019 Revised Citizen Participation Plan, to submit the FY20 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium.  
**Zoning & Planning Approved 8-0**
- #187-18      Zoning Amendment for Inclusionary Zoning**  
DIRECTOR OF PLANNING requesting amendments to the Inclusionary Housing provisions of Chapter 30, Newton Zoning Ordinance, to increase the required percentage of affordable units; to require that some affordable units be designated for middle income households; to create a new formula for calculating payments in lieu of affordable units; and to clarify and improve the ordinance with other changes as necessary.  
**Zoning & Planning Held 8-0**
- #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 8-0**
- #128-19      Zoning Amendment for short-term rentals**  
DIRECTOR OF PLANNING proposing to amend Chapter 30, City of Newton Zoning Ordinances, in order to create a short-term rental ordinance that defines the short-term rental and bed & breakfast uses, identifies what zoning districts they would be allowed in and under what criteria, conditions, limitations and permitting process.  
**Zoning & Planning Held 8-0**
- Referred to Zoning & Planning, Public Safety, and Finance Committees**

**#136-19      Short-term rental ordinance with fees**  
DIRECTOR OF PLANNING proposing amendments to Chapter 20 and 17 of the Revised Ordinances of the City of Newton to create a short-term rental ordinance with fees that would require registration of short-term rentals with the City's Inspectional Services Department and fire inspections to protect public health and safety.  
**Zoning & Planning Held 8-0**

- #43-19 Discussion of Riverside Vision Plan**  
DIRECTOR OF PLANNING requesting regular progress reports on the Riverside Vision Plan.  
**Zoning & Planning Held 8-0**

**Referred to Programs & Services Committee**

**Wednesday, April 3, 2019**

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

- #129-19 Appointment of Yasodhara Paruchuru to Urban Tree Commission**  
HER HONOR THE MAYOR appointing YASODHARA PARUCHURU to the URBAN TREE COMMISSION for a term to expire April 30, 2022. (60 days: 5/29/19)  
**Programs & Services Approved 4-0 (Kalis and Krintzman not voting)**

- #130-19 Appointment of Michele Fortez-Cruz to Urban Tree Commission**  
HER HONOR THE MAYOR appointing MICHELE FORTEZ-CRUZ to the URBAN TREE COMMISSION for a term to expire April 30, 2022. (60 days: 5/29/19)  
**Programs & Services Approved 4-0 (Kalis and Krintzman not voting)**

- #78-19 Resolution to the federal government to adopt a new nuclear policy**  
COUNCILOR LEARY requesting a Resolution to the federal government to freeze plans to spend over a trillion dollars rebuilding the US nuclear arsenal and instead to adopt a new nuclear policy based on the active pursuit of a verifiable, enforceable agreement among nuclear armed states to eliminate their nuclear arsenals.  
**Programs & Services Approved 5-0-1 (Kalis abstaining)**

**Referred to Programs & Services and Finance Committees**

- #127-18 Prohibition on polystyrene-based disposable food or beverage containers**  
COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments with in the City.  
**Finance Approved 8-0 on 04/08/19**  
**Programs & Services Approved 5-0 (Krintzman not voting)**

**Referred to Public Safety & Transportation Committee**

**Wednesday, April 3, 2019**

Present: Councilors Ciccone (Chair), Cote, Downs, Grossman, Noel, Auchincloss and Markiewicz; absent: Councilor Lipof; also present: Councilors Krintzman, Danberg, Schwartz and Leary

**#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 Safety & Transportation Approved Withdrawal Without Prejudice 7-0**

**#22-19 Update and discussion on the implementation of the Passport Parking Application**  
COUNCILORS KRINTZMAN, DOWNS, ALBRIGHT, KELLEY, AUCHINCLOSS AND NOEL,  
 requesting an update and discussion with the Director of Transportation from the  
 Department of Public Works on the implementation of the Passport Application for  
 parking. The discussion should also include an analysis of potential billing discrepancies  
 between cash payments and payments made through the Passport Application as well as  
 possible future modifications.  
**Public Safety & Transportation voted No Action Necessary 7-0**

**#19-19 Discussion on painting bike lanes**  
COUNCILORS DANBERG, DOWNS, SCHWARTZ, NORTON AND KALIS requesting discussion  
 and possible action on painting bike lanes on certain major arterials: Beacon Street,  
 Brookline Street and Dedham Street.  
**Public Safety & Transportation Held 6-0 (Auchincloss not voting)**

**Referred to Public Safety & Transportation and Finance Committees**

**#82-19 Authorize the Director of Planning to set the fees for parking meter spaces**  
COUNCILORS AUCHINCLOSS, DOWNS, LEARY, KRINTZMAN, RICE, NOEL, DANBERG,  
GROSSMAN, MARKIEWICZ, CROSSLEY, SCHWARTZ AND THE DIRECTOR OF PLANNING &  
DEVELOPMENT requesting amendment to Section 19-191. **Parking meter fees.** of the City  
 of Newton Ordinances which sets the specific fees for parking meters be deleted and  
 replaced with the following text: The fees for parking in a parking meter space during the  
 days and hours designated for parking meters will be set by the Director of Planning and  
 Development, in consultation with the Commissioner of Public Works.  
**Finance to Meet**  
**Public Safety & Trans. Approved as Amended 5-0-2 (Cote and Ciccone abstaining)**

**Referred to Public Facilities Committee**

Wednesday, April 3, 2019

Present: Councilors Crossley (Chair), Kelley, Gentile, Danberg, and Laredo; absent: Councilors Leary,  
 Norton, and Lappin

**#114-19 ExteNet Systems petition for wireless grant of location on Adams Street**  
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless  
 facility on an existing utility pole located in the right-of-way in the vicinity of 132 Adams  
 Street. The installation will include an antenna, radio equipment, an electric meter, and  
 cabling for fiber and power to enhance wireless coverage in the area. (60-day action date:  
 05/04/19)  
**Public Facilities Approved 4-0 (Danberg not voting)**

- #115-19**      **ExteNet Systems petition for wireless grant of location on Beacon Street**  
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing utility pole located in the right-of-way in the vicinity of 262 Beacon Street. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)  
**Public Facilities Held 4-0 (Danberg not voting)**
- #116-19**      **ExteNet Systems petition for wireless grant of location on Commonwealth Avenue**  
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing city-owned streetlight pole located in the right-of-way in the vicinity of 140 Commonwealth Avenue. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)  
**Public Facilities Held 4-0 (Danberg not voting)**
- #279-18**      **Petition for Drain Extension in Staniford Street**  
JAMES BARBERIO, 49 STANIFORD STREET, ET AL petition for main drain extensions in STANIFORD STREET from the property at 65 Staniford Street 450'± easterly to the existing sewer manhole at the intersection of Staniford Street and Freeman Street and from the property at 68 Staniford Street 700'± to the existing sewer manhole at the intersection of Staniford Street and West Pine Street.  
**Public Facilities Approved 4-0 (Danberg not voting)**
- Referred to Public Facilities and Finance Committees**
- #118-19**      **Funding for a sewer main extension in Staniford Street**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Sewer Fund Reserve for the purpose of funding the Staniford Street Sewer Extension.  
**Action:**      **Public Facilities Approved 4-0 (Danberg not voting)**
- #133-19**      **Partial easement relocation on Boston College Middle Campus**  
COMMISSIONER OF PUBLIC WORKS requesting the relocation of a portion of an easement from the Trustees of Boston College to the City of Newton for drain lines in Section 63, Block 9, Lot 2 (Boston College Middle Campus) originally granted in 1917 and partially relocated in 2010 and 2013 under Board Orders # 232-10 and #232-10(2) and again in 2018 under Council Order #357-18 to reroute a portion of the existing City storm drain beyond the footprint of the planned Integrated Science Building. There will be no cost to the City.  
**Public Facilities Approved 4-0 (Danberg not voting)**

**Referred to Finance Committee**

Monday, April 8, 2019

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

**Referred to Public Safety & Trans., Public Facilities, and Finance Committees**

**#103-19 Request to bond \$5.6 million for the West Newton Square Project**  
HER HONOR THE MAYOR requesting authorization to appropriate five million six hundred thousand dollars (\$5,600,000) from bonded indebtedness for the purpose of funding the construction of the West Newton Square, which includes street and pedestrian improvements, traffic flow upgrades, signal upgrades, parking upgrades, and the addition of bike lanes.  
**Public Safety & Transportation Approved 6-0 on 03/06/19**  
**Public Facilities Approved 6-0-1 (Gentile abstaining) on 03/06/19**  
**Finance Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#119-19 Appropriation to fund a sewer connection at Rumford Avenue transfer station**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty-nine thousand dollars (\$129,000) from the Sewer Reserve Fund to install a sewer connection to the Rumford Avenue transfer station for an office trailer at the site.  
**Public Facilities Approved 5-0 on 03/20/19**  
**Finance Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#118-19 Funding for a sewer main extension in Staniford Road**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Sewer Fund Reserve for the purpose of funding the Staniford Street Sewer Extension.  
**Public Facilities Approved 4-0 (Danberg not voting) on 04/03/19**  
**Finance Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#120-19 Approve appropriation of \$500,000 for snow and ice removal**  
HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from Free Cash to the following accounts:

Rental - Vehicles	
(0140110-5273).....	\$250,000
Regular Overtime	
(0140110-513001).....	\$250,000

**Public Facilities Approved as Amended 5-0 @ \$750,000 on 03/20/19**  
**Finance Approved as Amended 8-0 @ \$750,000**



**Referred to Public Facilities and Finance Committees**

**#121-19**

**Funding for the South Meadow Brook Culvert at 170 Needham Street**

HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Stormwater Management Fund Surplus Account for the cleaning, inspection, and assessment for 230 linear feet of 5' x 16' concrete box culvert located adjacent to 170 Needham Street that conveys stormwater from the South Meadow Brook drainage basin.

**Public Facilities Approved 5-0 on 03/20/19**

**Finance Approved 8-0**

**Referred to Programs & Services and Finance Committees**

**#127-18**

**Prohibition on polystyrene-based disposable food or beverage containers**

COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments with in the City.

**Programs & Services Approved 5-0 (Krintzman not voting)**

**Finance Approved 8-0**

**#95-19**

**Mayor's reappointment of Emma Watkins to the Taxation Aid Committee**

HER HONOR THE MAYOR reappointing EMMA WATKINS, 17 Otis Street, Newtonville as a member of the Newton Taxation Aid Committee for a term of office to expire March 1, 2022. (60 days: 05/03/19)

**Finance Approved 8-0**