



City Council Reports Docket

April 17: Programs & Services, Public Safety & Transportation, Public Facilities Tuesday, April 16, 2019
April 22: Zoning & Planning, Finance Continued
April 30: Land Use Page 417
May 1: Public Facilities 7:45 PM, Newton City Hall
May 2: Public Safety & Transportation To be reported on
Monday, May 6, 2019

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item postponed to a date certain of May 6, 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 30, 2019

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

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.

#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

#564-18(2)

Petition to allow nine-unit multi-family dwelling at 19-31 and 39 Herrick Road

STUART ROTHMAN/HERRICK ROAD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 36' three-story nine-unit multi-family dwelling with accessory parking for nine cars, to allow multi-family residential use on the ground level in a BU1 district, to allow a reduction to one parking stall per unit, to waive 18 stalls on the parcel associated with the multi-family dwelling (Lot 7), to allow off-site parking facilities (Lot 6), to allow parking in the side setback, to allow a reduced minimum aisle width, to waive maneuvering space required of restricted stalls, to allow a retaining wall greater than 4' in a setback, to waive perimeter screening requirements and to waive lighting and surfacing requirements at 39 Herrick Road, Ward 6, on land known as Section 61 Block 36 Lots 6 and 7, in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, 5.1.8.A, 5.1.8.B.6, 5.1.8.C.2, 5.1.9.A, 5.1.10, 5.4.2, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 6-0 (Laredo, Kelley not Voting)

#497-18 **Petition to allow single-family attached dwellings at 10 Pillion Court**
MICHAEL MOSKOWITZ/TEN PILLION, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached dwelling unit to the existing single-family structure, reduce lot area, frontage and lot coverage requirements, to reduce front and side setback requirements and to allow a driveway along the side lot line, requiring an amendment to Variance #99442 at 10 Pillion Court, Ward 2, on land known as Section 22 Block 7 Lot 46, containing approximately 10,559 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal without Prejudice 6-0 (Laredo, Kelley not Voting)

#41-19 **Petition to amend Council Order #288-18 to allow adult use-sales at 24-26 Elliot St**
CYPRESS TREE MANAGEMENT, INC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #288-18 to allow retail marijuana sales in conjunction with as the approved RMD (Registered Medical Dispensary), to waive the 25% façade transparency requirement, to waive minimum stall dimensions, to waive minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements and to waive lighting requirements at 24-26 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 01, containing approximately 25,320 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec 7.3.3, 7.4, 6.10.3.D, 4.4.1, 6.10.3.E.15, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 4-0-3 (Schwartz, Kelley, Auchincloss abstaining, Lipof Recused); Public Hearing Closed 04/30/2019

Referred to Zoning & Planning Committee

Monday, April 22, 2019

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

#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

Referred to Programs & Services Committee

Wednesday, April 17, 2019

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

Referred to Programs & Services, Public Facilities, and Finance Committees

- #102-19 Request to appropriate \$400,000 for NewCAL project**
HER HONOR THE MAYOR requesting authorization to appropriate and expend four hundred thousand dollars (\$400,000) from Free Cash for the purpose of funding the completion of feasibility, schematic design, and site plan approval for the NewCAL project.
Finance to meet
Public Facilities Approved 6-0-1 (Gentile abstaining) with a condition on 04/17/19
Programs & Services Approved 6-0 with condition to update Council after expenditure of first \$150K.

Referred to Public Facilities Committee

Wednesday, April 17, 2019

Present: Councilors Crossley (Chair), Leary, Kelley, Gentile, Danberg, Laredo, Lappin; also present: Councilors Rice, Grossman, Greenberg, Albright, Krintzman, Baker; absent: Councilor Norton

- #132-19 Appointment of Anne Cedrone to the Design Review Committee**
HER HONOR THE MAYOR appointing ANNE CEDRONE, 49 Walker Street, Newtonville, as a community representative member of the DESIGN REVIEW COMMITTEE for the 687 Watertown Street Project for a term to expire upon completion of the building project. (60 days: 5/29/19)
Public Facilities Held 7-0
- #147-19 Appointment of Tom Enselek to the Design Review Committee**
PRESIDENT LAREDO appointing Tom Enselek, 28 Davis Avenue, West Newton, 02465 as a member of the DESIGN REVIEW COMMITTEE for the 687 Watertown Street Project for a term to expire upon completion of the building project.
Public Facilities Approved 7-0

Referred to Programs & Services, Public Facilities, and Finance Committees

- #102-19 Request to appropriate \$400,000 for NewCAL project**
HER HONOR THE MAYOR requesting authorization to appropriate and expend four hundred thousand dollars (\$400,000) from Free Cash for the purpose of funding the completion of feasibility, schematic design, and site plan approval for the NewCAL project.
Finance to meet
Programs & Services Approved 6-0 with a condition on 04/17/19
Public Facilities Approved 6-0-1 with the following condition: that the Public Buildings Department and NewCAL Working Group return to the Council upon completing their evaluation and recommendation of one or more sites, which must be done prior to the expenditure of \$150,000 of the \$400,000 appropriated

Referred to Public Facilities Committee

Wednesday, May 1, 2019

Present: Councilors Crossley (Chair), Leary, Norton, Kelley, Gentile, Danberg, Laredo, Lappin; also
Present: Councilors Albright, Downs, Kalis, Krintzman

#146-19 Eversource petition for a Grant of Location in Walnut Street

EVERSOURCE petitioning for a grant of location to install:

- 30' ± of 4" conduit in FOSTER STREET from Pole #37/1 southeasterly thence turning southerly to Walnut Street,
- 156' ± of 4" conduit in WALNUT STREET from the intersection of Foster Street southerly to a proposed manhole
- 21' of "conduit in WALNUT STREET from proposed Manhole #30684 westerly to the property line of 241 Walnut Street.

Public Facilities Approved 6-0 (Danberg, Norton not Voting)

Referred to Public Facilities and Finance Committees

#153-19 Authorization of a 5-year contract for solid waste collection

HER HONOR THE MAYOR requesting authorization to enter into a contract for solid waste and recycling collection and disposal services for a term of five years.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#159-19 Authorization for the MWRA grant/loan program for sewer improvements

HER HONOR THE MAYOR requesting authorization to accept and expend a grant of three million four hundred thirty-five thousand dollars (\$3,435,000) from the Massachusetts Water Resources Authority (MWRA) and authorization to borrow one million one hundred forty-five thousand dollars (\$1,145,000) as part of the MWRA interest free Phase 12 loan/grant (75%/25%) program for the purpose of funding sewer improvements.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#160-19 Bond authorization for \$2.7 million for water main improvements

HER HONOR THE MAYOR requesting authorization to appropriate the sum of three million two hundred thousand dollars (\$3,200,000) from bonded indebtedness for the purpose of providing funding for the continuation of the implementation of the City's Water Main Improvement Plan.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#155-19

Transfer of \$75,000 for APS signal installation

HER HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from Budget Reserve for the purpose of funding Phase 2 of 3 phases of the citywide APS Installation Project.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#156-19

Transfer of \$75,000 for equipment to paint pavement markings and crosswalks

HER HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from Budget Reserve for the purpose of purchasing capital equipment to enable the Transportation Division of the Department of Public Works to paint crosswalks and various pavement markings in-house.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#157-19

Transfer of \$150,000 for street light repairs

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred fifty thousand dollars (\$150,000) from Budget Reserve for the purpose of funding street light repairs.

Finance to meet

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#154-19

Authorization of a 5-year lease for electric and hybrid vehicles

HER HONOR THE MAYOR requesting authorization to enter into a 5-year lease agreement for electric and hybrid vehicles for the purpose of replacing its aging sedan fleet and to provide reliable transportation to staff, lower maintenance costs, and implement an efficient City Hall vehicle pool program.

Finance to meet

Public Facilities Approved 8-0

Referred to Finance Committee

Monday, April 22, 2019

Present: Councilor Ciccone, Norton, Cote, Gentile, Rice, Noel, Grossman, and Lappin; also present: Councilors Crossley, Downs, and Laredo

- #134-19 Non-resident parking permit fee for Newton Highlands Parking District**
TRAFFIC COUNCIL CHAIR requesting an amendment to Chapter 17 Section 13(j) of the City of Newton Ordinances to add a non-resident parking permit fee for the new Newton Highlands Parking District.
Finance Approved 8-0
- #148-19 Appropriation of \$240,000 for the Rainy Day Stabilization Fund**
HER HONOR THE MAYOR requesting authorization to appropriate two hundred forty thousand dollars (\$240,000) from Free Cash to the Rainy Day Stabilization Fund. This appropriation when combined with interest earned throughout FY 2019 on the funds in this account and \$150,000 appropriated in the FY 2020 Mayor’s proposed budget will allow the City to begin FY 2020 with a full 5% of the operating budget set aside in reserve.
Finance Approved 8-0
- #117-19 Ordinance amendment regarding disposing of renewable energy revenue or credits**
COUNCILORS CROSSLEY, LAREDO & GENTILE proposing an ordinance that would require the mayor to seek City Council approval prior to disposing of renewable energy sourced electricity revenue or credits generated on municipal property for non-municipal purposes.
Finance Approved 8-0