



## City Council Reports Docket

May 7: Land Use  
May 8: Programs & Services, Public Facilities  
May 9: Zoning & Planning  
May 13: Zoning & Planning, Finance  
May 14: Land Use

Monday, May 6, 2019  
Continued  
Page 429  
7:00 PM, Newton City Hall  
To be reported on  
**Monday, May 20, 2019**

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

#### Referred to Land Use Committee

Tuesday, May 7, 2019

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

**#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.

**Land Use Held 7-0**

**#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.

**Land Use Approved 7-0; Public Hearing Closed 05/07/2019**

---

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](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.

- #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.  
**Land Use Approved 6-1-0 (Kelley opposed)**
- #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.  
**Land Use Approved 7-0; Public Hearing Closed 05/07/2019**
- #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.  
**Land Use Approved 7-0; Public Hearing Closed 05/07/2019**
- #138-19 Petition to amend Special Permit to allow paved parking area at 206 Waltham Street**  
SCANDINAVIAN CHARITABLE SOCIETY OF GREATER BOSTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #61-91 to modify the site plan to allow paving of a parking area at the front of the site at 206 Waltham Street, Ward 3, West Newton, on land known as Section 31 Block 28 Lot 80, containing approximately 125,512 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 05/07/2019**
- #139-19 Special Permit to extend nonconforming side and rear setbacks at 11 Avon Place**  
RUI GUAN ZHANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the front of the house and raise the roof to create 2.5 stories where 2 stories exist, vertically extending the nonconforming side and rear setbacks at 11 Avon Place, Ward 1, Newton, on land known as Section 12 Block 09 Lot 04, containing approximately 3,183 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 05/07/2019**

**Referred to Land Use Committee**

Tuesday, May 14, 2019

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

- #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 7-0; 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 7-0; Public Hearing Continued**
- #140-19(4)      Extension of time to open public hearing for Petition #140-19(2)**  
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY agrees to an EXTENSION OF TIME until JUNE 5, 2019 to open the public hearing on Petition #140-19(2) to construct a mixed use, transit oriented development at 355 and 399 GROVE STREET on land known

as Section 42 Block 11 Lots 3 and 4, containing approximately 14.4 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (apportion to be rezoned to MU3), BU5 (to be rezoned to MU3).

**Land Use Approved 7-0**

**Referred to Zoning & Planning Committee**

Thursday, May 9, 2019

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

- #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, May 13, 2019

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

**Referred to Zoning & Planning and Finance Committees**

- #149-19**      **Appropriation of \$100,000 for consulting services for the Planning Department**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Free Cash for the purpose of funding consulting services for the Planning Department to enable the department to hire subject matter expert for projects.  
**Finance to meet**  
**Zoning & Planning Approved 6-0-2 (Kalis, Krintzman abstaining)**

- #91-19**      **Adoption of Hazard Mitigation Plan**  
DIRECTOR OF PLANNING requesting discussion and adoption of the Hazard Mitigation Plan.  
**Zoning & Planning voted No Action Necessary 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**

- #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**

**Referred to Programs & Services Committee**

**Wednesday, May 8, 2019**

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

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

- #150-19      Transfer of \$100,000 to the Law Department's Claims & Settlements Account**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from the Law Department's Full-time Salaries Account to the Law Department's Claims & Settlements Account for future claims settlements.  
**Finance Approved 6-0 on 05/13/19**  
**Programs & Services Approved 8-0**

**Referred to Public Facilities Committee**

**Wednesday, May 8, 2019**

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

- #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 Recommended Approval 3-0 (Kelley, Leary, Norton not Voting)**

- #131-19**      **Appointment of John Mulligan to the Design Review Committee**  
HER HONOR THE MAYOR appointing JOHN MULLIGAN, 115 Waban Street Newton, as a community representative member of the DESIGN REVIEW COMMITTEE for the 150 Jackson Road Project for a term to expire upon completion of the building project. (60 days: 5/29/19)  
**Public Facilities Approved 5-0 (Norton 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 5-0 (Norton not Voting)**
- Referred to Public Facilities and Finance Committees**
- #158-19**      **Appropriation of \$250,000 for design of library parking lot**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars from Free Cash for the purpose of funding the architectural and engineering design of a “new” Newton Free Library parking lot.  
**Finance to Meet**  
**Public Facilities Approved 4-1-1 (Laredo abstaining, Gentile opposed)**
- Referred to Public Facilities and Finance Committees**
- #162-19**      **Appropriation of \$3 million for the Accelerated Road Repair Program**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend three million dollars (\$3,000,000) from Free Cash for the purpose of funding the City’s Accelerated Road Repair Program.  
**Finance Approved 6-0 on 05/13/19**  
**Public Facilities Approved 6-0**
- Referred to Public Facilities and Finance Committees**
- #161-19**      **Appropriation of \$2 million for design of the Washington Street corridor**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend two million dollars (\$2,000,000) from Free Cash for the purpose of developing 25% conceptual design of the Washington Street corridor in order to make the improvements to the corridor eligible for the State’s Transportation Improvement Program (TIP) funding.  
**Public Facilities Held 6-0**

**Referred to Finance Committee**

Monday, May 13, 2019

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

- #172-19      Appropriate \$766,961 to the Retirement System**  
HER HONOR THE MAYOR requesting authorization to appropriate seven hundred sixty-six thousand nine hundred sixty-one dollars (\$766,961) from Free Cash to the Newton Contributory Retirement System's Pension Contribution as a one-time infusion of cash to maintain the current pension funding schedule for full funding in Fiscal Year 2030.  
**Finance Approved 6-0**

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

- #150-19      Transfer of \$100,000 to the Law Department's Claims & Settlements Account**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from the Law Department's Full-time Salaries Account to the Law Department's Claims & Settlements Account for future claims settlements.  
**Programs & Services Approved 8-0 on 05/08/19**  
**Finance Approved 6-0**

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

- #151-19      Appropriation of \$300,000 for FY19 overtime expenditures in the Fire Department**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thousand dollars (\$300,000) from Free Cash for the purpose of funding Fiscal Year 2019 overtime expenditure in the Fire Department.  
**Public Safety Approved 7-0 on 05/02/19**  
**Finance Approved 6-0**

- #173-19      Appropriate \$5,600 for fire prevention education, fire code books and tools**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend five thousand six hundred dollars (\$5,600) in fire prevention fine revenue for the purpose of funding enforcement, training and education of fire prevention officers in accordance with MGL Ch. 148A, Section 5.  
**Finance Approved 6-0**

**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.  
**Public Facilities Approved 8-0 on 05/01/19**  
**Finance Approved 6-0**

**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.

**Public Facilities Approved 8-0 on 05/01/19**

**Finance Approved 6-0**

**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.

**Public Facilities Approved 8-0 on 05/01/19**

**Finance Approved 6-0**

**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.

**Public Facilities Approved 8-0 on 05/01/19**

**Finance Approved 6-0**

**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.

**Public Facilities Approved 8-0 on 05/01/19**

**Finance Approved 6-0**

**Referred to Public Facilities and Finance Committees**

#162-19

**Appropriation of \$3 million for the Accelerated Road Repair Program**

HER HONOR THE MAYOR requesting authorization to appropriate and expend three million dollars (\$3,000,000) from Free Cash for the purpose of funding the City's Accelerated Road Repair Program.

**Public Facilities Approved 6-0 on 05/08/19**

**Finance Approved 6-0**



- #171-19**      **Rescind \$2.2 million bond authorization and appropriate funds from Sewer Surplus**  
HER HONOR THE MAYOR requesting rescission of Board Order #459-18 authorizing the Administration to bond two million two hundred thousand dollars (\$2,200,000) for Sewer System Inflow and Infiltration 2018 Project Area 6, and authorizing the appropriation of two million two hundred thousand dollars (\$2,200,000) from Sewer Fund Surplus-Available for Appropriation as the new funding source for the project.  
**Finance Approved 6-0**

**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.  
**Public Facilities Approved 8-0 on 05/01/19**  
**Finance Approved 6-0**

**Referred to Public Facilities and Finance Committees**

- #160-19**      **Bond authorization for \$3.2 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.  
**Public Facilities Approved 8-0 on 05/01/19**  
**Finance Approved 6-0**