



City Council Actions

In City Council

Monday, June 17, 2019

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

Absent: Councilors Baker & Downs

The City Council discussed the following items on Second Call:

Referred to Land Use Committee

#174-19

Petition to allow 6 dwelling units at 180, 184-186 Adams Street

180 ADAMS STREET, LLC/184-186 ADAMS STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing non-conforming single-family and two-family dwellings, combine the lots and construct six dwelling units in two buildings, extending the non-conforming residential use, to allow ground level residential use in the BU2 district, to allow a three-story structure, to allow an FAR of 1.1 in a three-story structure and to extend a non-conforming side setback in Ward 1, Newton at 180, 184-186 Adams Street, also known as Section 14 Block 14 Lots 20 and 22, containing a combined total of 15,355 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0 (Lipof not Voting); Public Hearing Closed 06/11/2019

Approved 21 Yeas, 1 Nay (Councilor Gentile), 2 Absent (Councilors Baker & Downs)

Clerk's Note:

Referred to Public Facilities and Finance Committees

#198-19

Authorization to acquire by purchase 1135 Washington Street from the State

HER HONOR THE MAYOR requesting authorization to acquire by purchase the West Newton Armory building and land located at 1135 Washington Street for affordable housing, and further requesting that the sum of one dollar (\$1) be appropriated from the Municipal Building Maintenance/Building Improvements Account to fund all costs associated with the acquisition of such property.

Public Facilities Approved as Amended 8-0 on 06/05/19

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.

Finance Approved as Amended 5-1 (Noel opposed)

Approved as Amended to request the Mayor start the Real Property Reuse process as quickly as possible in order to form a JAPG 21 Yeas, 1 Nay (Councilor Noel), 2 Absent (Councilors Baker & Downs)

Clerk's Note:

The City Council voted without discussion 22 Yeas, 2 Absent (Councilors Baker & Downs) to Accept the Committee Recommendations on the following items:

Referred to Land Use Committee

Tuesday, June 11, 2019

- #163-19 Special Permit Petition to exceed FAR at 18 Upham Street**
BEN AND SIOBHAN CROSBY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition, creating an FAR of .67 where .48 is allowed and .47 exists at 18 Upham Street, Ward 3, West Newton, on land known as Section 33 Block 34 Lot 67, containing approximately 4,884 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref. 7.3.3, 7.4, 3.1.9, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0-1 (Auchincloss abstaining); Public Hearing Closed 06/11/2019
- #564-18 Petition to allow nine-unit multi-family dwelling at 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 located on the adjacent parcel, to allow off-site parking facilities, ~~to waive~~ 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 the 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 Lot 7, containing approximately 12,979 sq. ft. of land 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.B of the City of Newton Rev Zoning Ord, 2017.
Land Use voted No Action Necessary 8-0
- #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 Approved 8-0; Public Hearing Closed 06/11/2019

Referred to Zoning & Planning Committee

Monday, June 10, 2019

#190-19

Conservation Restriction for 30 Wabasso Street

HER HONOR THE MAYOR requesting approval to grant a conservation restriction at 30 Wabasso Street to the Newton Conservators. This 5,184 square foot parcel of land was acquired by the City in 2007 with Community Preservation Act funds and added to the Flowed Meadow Conservation Area. Any parcels purchased using such funds must be bound by a permanent conservation restriction.

Zoning & Planning Approved 6-0 (Kalis not voting)

Referred to Programs & Services Committee

Wednesday, June 5, 2019

#192-19

Reappointment of Seth Bai as Veterans Services Officer

HER HONOR THE MAYOR reappointing SETH BAI as the City of Newton's VETERANS SERVICES OFFICER for a term to expire May 18, 2020. (60 days: 7/19/19)

Programs & Services Approved 4-0 (Baker and Schwartz not voting)

Referred to Public Safety & Trans. and Programs & Services Committees

#589-18

HRL to allow the Fire Chief to continue beyond the mandatory retirement age

HER HONOR THE MAYOR requesting Home Rule Legislation to allow Fire Chief Bruce Proia to continue employment as the Fire Chief of the City of Newton beyond the mandatory retirement age.

Public Safety & Transportation voted No Action Necessary 5-0 (Grossman not voting) on 6/5/19

Programs & Services voted No Action Necessary (Baker and Schwartz not voting)

Referred to Public Safety & Transportation Committee

Wednesday, June 5, 2019

- #205-19** **Bus Licenses renewals for 128 Business Council**
TRANSACTION CORPORATE SHUTTLES, requesting triennial renewal of the two Needham Shuttle Bus Licenses. There are no changes proposed to last year's license.
Public Safety & Transportation Approved 6-0
- #206-19** **Bus Licenses renewals for Boston College Bus**
BOSTON COACH TRANSPORTATION, requesting annual renewal of the two Boston College Bus Licenses. There are no changes proposed to last year's licenses.
 1) Boston College Law School Routes
 2) Boston College Main Campus to Boston Route
Public Safety & Transportation Approved 6-0
- #207-19** **Bus Licenses renewals for "MASCO"**
PAUL REVERE TRANSPORTATION LLC., request for annual renewal of one bus license for seven vehicles for Medical Academic and Scientific Community Organization, Inc., ("MASCO"). There are no changes proposed to last year's licenses.
Public Safety & Transportation Approved 5-0 (Cote not voting)
- #168-19** **Semi-annual taxi license/public auto inspections**
POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review.
Public Safety & Transportation Approved 5-0 (Cote not voting)

Referred to Public Safety & Trans. and Programs & Services Committees

- #589-18** **HRL to allow the Fire Chief to continue beyond the mandatory retirement age**
HER HONOR THE MAYOR requesting Home Rule Legislation to allow Fire Chief Bruce Proia to continue employment as the Fire Chief of the City of Newton beyond the mandatory retirement age.
Programs & Services No Action Necessary 4-0 (Baker, Schwartz not voting) on 6/5/19.
Public Safety & Transportation No Action Necessary 5-0 (Grossman not voting)

Referred to Public Facilities Committee

Wednesday, June 5, 2019

- #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. (Action date: 06/18/19)

Public Facilities Approved 8-0

Referred to Finance Committee

Monday, June 10, 2019

- #533-18** **Review/Acceptance of the FY 2020 – FY 2024 5-year Financial Forecast**
HER HONOR THE MAYOR submitting the Fiscal Years 2020 to 2024 5-Year Financial Forecast for City Council review/acceptance.
Finance Approved 6-0

A motion to Accept to the Docket and refer to Committee the following four late filed items was Approved by Voice Vote

Referred to Finance Committee

- #232-19** **Request to transfer funds to correct an error related to Utilities Division accounts**
HER HONOR THE MAYOR requesting the following transfers to correct an error that was made in the Fiscal Year 2019 funding of the Water, Sewer and Stormwater Health Benefits Accounts:

<u>From</u>	<u>To Account</u>	<u>Amount</u>
Water Full-time Wages (28A401Z3-511002)	Water Health Insurance (28A401Z3-57HLTH)	\$150,000
Sewer Full-time Wages (27A401Y2-511002)	Sewer Health Insurance (27A401Y2-57HLTH)	\$60,000
Stormwater Full-time Wages 26A401A-511002	Stormwater Health Insurance (26A401A-57HLTH)	\$\$25,000

- #233-19** **Rescind bond authorizations**
HER HONOR THE MAYOR requesting reductions in the amount authorized for the following bond authorizations as a result of cost saving on projects and/or premiums received and applied during the bond sale:

<u>Council Order</u>	<u>Project</u>	<u>Amount</u>
#286-13(2)	Angier Elementary School Construction	\$591,542.29
#227-16	Fire Station #3/HQ Reconstruction	\$14,693.23
#94-17	Traffic Signals and Ped Improvements	\$38,008.85
#145-17	Replace Laundry Brook Culvert	\$11,014.78

#182-17	Dedham/Nahanton/Brookline Intersection	\$10,881.21
#176-17	Replace Mondo Track at NSHS	\$9,285.06
#494-18	Carr School AC Units	\$186,081.00
#511-18	Crafts Street Garage Roof	\$482,000.00
#537-18	2 6-Wheel Dump Trucks	\$124,919.00
	Total	\$1,468,425.42

#234-19 **Transfer to cover overtime costs for the scanning project in ISD**
HER HONOR THE MAYOR requesting authorization to transfer the sum of fifteen thousand dollars (\$15,000) from the Human Resources Full-time Salaries Account to the Inspectional Services Overtime/Special Projects Account to cover costs of the scanning project.

#235-19 **Transfer to rebalance the snow and ice accounts**
HER HONOR THE MAYOR requesting authorization to transfer the sum of seven hundred thousand dollars (\$700,000) from the Snow and Ice Overtime Account to the Snow & Ice Rental Vehicles (Contractors) Account in order to rebalance the actual costs incurred for the removal of snow and ice throughout the Fiscal Year 2019 winter season.

Public Hearings were assigned for the following items:

Public Hearing assigned for July 8, 2019

#23-19(2) **Authorization to amend the lease for Solar Phase III**
HER HONOR THE MAYOR requesting authorization to amend the lease for Brown Middle School to replace the front canopy at the site with two canopies in the rear parking area.

Public hearing assigned for July 10, 2019

#226-19 **National Grid petition for grant of location in Commonwealth/Manet/Ward**
NATIONAL GRID petition for a grant of location to install and maintain:

- 290'+/- of 8" main in from the existing 6" gas main from near Pole #186/58 easterly to the intersection of Manet Road
- from the existing 4" main on Manet Road near Pole #271/10 southerly to a traffic island on Commonwealth Avenue
- from the existing 6" gas main near 233-235 Commonwealth Avenue easterly to the intersection of Manet Road.

This work is needed because of an MWRA 36" water main replacement project.

Public hearing assigned for July 10, 2019

#227-19 **National Grid petition for grant of location in Waverly Avenue**
NATIONAL GRID petition for a grant of location to install and maintain 80'± of 12" main in from the existing 12" gas main at #11 Waverly Avenue southerly to just before the curb cut at #11 Waverly Avenue due to a 20" MWRA gate valve replacement.

Public hearing assigned for July 10, 2019

#228-19 Verizon petition for grant of location on Washington Street

VERIZON petition for a grant of location to relocate one pole (JO Pole 447/222) 13' north of the current location on Washington Street (in the vicinity of 2014-2060 Washington Street) to accommodate a new driveway.

Public hearing assigned for July 10, 2019

#229-19 Eversource petition for a Grant of Location in Upland Avenue

EVERSOURCE petitioning for a grant of location to install 110' ± of conduit from Manhole #19249 (approximately 315' south of Dedham Street) in a southerly direction thence turning easterly to provide new service to 116 Upland Avenue.

Public Hearing assigned for July 23, 2019

#147-15(4) Petition to amend Special Permit Board Order #147-15 at 157 Herrick Road

BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON THEOLOGICAL SCHOOL petition for a Special Permit to amend Special Permit Board Order #147-15 to allow a 35' free-standing sign at 157 Herrick Road, Ward 6, Newton Centre, on land known as Section 65 Block 19 Lot 45, containing approximately 871,960 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3.3, 7.4, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for July 23, 2019

#338-18(2) Petition to amend Special Permit Council Order #338-18 at 22 Beecher Place

BEN BRESSEL/22 BEECHER PLACE REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #338-18 to allow modifications to the site plan for driveway and patio spaces not shown on the approved site plan at 22 Beecher Place, Ward 6, Newton Centre, on land known as Section 81 Block 01 Lot 03 containing approximately 10,146 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

The City Council presented 2019 Anthony J. Salvucci City Council Scholarships to:

Jason Alpert-Wisnia, Newton North
Christopher Maratos, Newton South

The City Council provided Commendations to the following:

Newton South Envirothon Team

For the Team's Significant Accomplishments in 2019

Now Therefore be it Known,

That in recognition of the Newton South Envirothon Team's excellent finish in the Massachusetts Envirothon Competition in 2019, the Honorable City Council, representing the entire City of Newton, congratulates the team members and faculty advisors of the Newton South Envirothon Team for their accomplishments.

Newton North Envirothon Team

For the Team's Outstanding Accomplishments in 2019

Now Therefore be it Known,

That in recognition of the Newton North Envirothon Team's Second Place finish in the Massachusetts Envirothon Competition in 2019, the Honorable City Council, representing the entire City of Newton, congratulates the team members and faculty advisors of the Newton North Envirothon Team for their accomplishments.

Cabot's Ice Cream & Restaurant

In Recognition of its 50th Anniversary

Now Therefore as Cabot's Ice Cream celebrates its 50^h Anniversary this June 2019, the City Council, and the citizens of the City of Newton, honor Cabot's Ice Cream & Restaurant, and the Prestejohn family, for their generous contributions to the City of Newton and wish them continued success and happiness now and in the future.