



## City Council Reports Docket

June 4: Zoning & Planning; Land Use  
June 5: Programs & Services, Public Safety & Transportation, Public Facilities  
June 10: Zoning & Planning, Finance  
June 11: Land Use

Monday, June 3, 2019  
Continued  
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7:45 PM, Newton City Hall  
To be reported on  
**Monday, June 17, 2019**

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

#### Referred to Land Use Committee

Tuesday, June 11, 2019

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo

#### **#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**

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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: [fairley@newtonma.gov](mailto:fairley@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.

- #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**
- #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 8-0; Public Hearing Continued**
- #175-19 Special Permit to allow attached dwelling units at 145 Warren Street**  
145 WARREN STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, to allow reduced side setbacks, to increase the allowed lot coverage, to allow a driveway within ten feet of the side lot line and to allow retaining walls greater than 4' within a setback at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 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, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Closed 06/11/2019**
- #227-17(2) Special Permit to amend Order #227-17 at 2171 Commonwealth Avenue**  
THEODORE VENTOURIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #227-17 to allow changes to the approved site plan at 2171 COMMONWEALTH AVENUE, Ward 4, Auburndale, on land known as Section 41 Block 18 Lot 0032A containing approximately 19,682 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Continued**

- #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**

**Referred to Zoning & Planning Committee**

Tuesday, June 4, 2019

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

- #187-19**      **Zoning amendment from Newton LFIA for Riverside Station**  
LOWER FALLS IMPROVEMENT ASSOCIATION RIVERSIDE COMMITTEE & THE WARD 4 COUNCILORS requesting to amend Chapter 30, City of Newton Zoning Ordinance, Sections 4.2 and 7.3.5 pertaining to the Mixed Use3/Transit-Oriented zoning district.  
**Zoning & Planning Held 8-0; Public Hearing Continued**

- #140-19(3)**      **Zoning amendments for Riverside project**  
RIVERSIDE STATION/355 GROVE STREET AND 399 GROVE STREET requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.3 and 4.2.4 relative to the Mixed Use 3 District.  
**Zoning & Planning Held 8-0; Public Hearing Continued**

**Referred to Zoning & Planning Committee**

Monday, June 10, 2019

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

- #140-19(3)**      **Zoning amendments for Riverside Station**  
RIVERSIDE STATION/355 GROVE STREET AND 399 GROVE STREET requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.3 and 4.2.4 relative to the Mixed Use 3 District.  
**Zoning & Planning Held 6-0 (Kalis not voting); Public Hearing Continued**

- #187-19**      **Zoning amendment from Newton LFIA for Riverside Station**  
LOWER FALLS IMPROVEMENT ASSOCIATION RIVERSIDE COMMITTEE requesting to amend Chapter 30, City of Newton Zoning Ordinance, Sections 4.2 and 7.3.5 pertaining to the Mixed Use3/Transit-Oriented zoning district.  
**Zoning & Planning Held 6-0 (Kalis not voting); Public Hearing Continued**
- #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 5-0 (Kalis and Leary not voting); Public Hearing Closed**
- 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.  
**Public Safety Approved 4-0-1 (Cote abstaining; Grossman not voting) on 06/05/19**  
**Finance Approved 4-0 (Grossman recused) on 06/10/19**  
**Zoning & Planning Held 5-0 (Kalis and Leary not voting)**
- #188-19**      **Zoning amendment for Inclusionary Zoning**  
DIRECTOR OF PLANNING requesting amendments to the Inclusionary Zoning provisions of Chapter 30, Newton Zoning Ordinance, to apply the requirements to any project including seven or more residential units; to increase the required percentage of affordable units for projects of a certain size; 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 fractional cash payments; to waive certain inclusionary zoning requirements for 100% deed-restricted affordable developments; to strengthen the Elder Housing with Services requirements; and to clarify and improve the ordinance with other changes as necessary.  
**Zoning & Planning Held 6-0 (Kalis not voting); Public Hearing Continued**
- #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

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

- #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 Zoning & Planning and Programs & Services Committee**

- #144-19      HER HONOR THE MAYOR requesting amendments to the City of Newton Ordinances, Chapters 3, 7, 10, 13, 17, 18, 20, 21, 22 and 30 to rename the Department of Parks & Recreation to the Department of Parks, Recreation and Culture.**  
**Zoning & Planning to meet**  
**Programs & Services Approved 4-0 (Baker and Schwartz not voting)**

- #543-18      Resolution to replace Columbus Day with Indigenous People’s Day**  
COUNCILORS NORTON AND DANBERG requesting a Resolution to the Mayor and School Committee to require City and School Departments to change all references on City and School documents and calendars from “Columbus Day” to “Indigenous People’s Day”.  
**Programs & Services Held 6-0 (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

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

- #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 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 to Meet**  
**Finance Approved 4-0 (Grossman recused)**  
**Public Safety & Transportation Approved 4-0-1 (Cote abstaining; Grossman 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

Present: Councilors Crossley (Chair), Leary, Norton, Kelley, Gentile, Danberg, Laredo, Lappin; also  
Present: Councilor Grossman

- #194-19**      **5-58 for the Newton Early Childhood Program at 687 Watertown Street**  
DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 687 Watertown Street for the interior renovation of the former Horace Mann school to accommodate the Newton Early Childhood Program and proposed site design that includes a new entry plaza, removal of the existing modular structures to provide an access drive, a school transportation van loading area and emergency access, and landscaping improvements. Additional site improvements include parking improvements and an accessible ramp to new play structures located in the adjacent area north of the building.  
**Public Facilities Held 8-0**

- #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 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.  
**Finance Approved as Amended 5-1 (Noel opposed)**  
**Public Facilities Approved as Amended 8-0**

**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 (Kelley, Norton not Voting)**

**Referred to Finance Committee**

Monday, June 10, 2019

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

**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 to Meet**  
**Public Safety Approved 4-0-1 (Cote abstaining; Grossman not voting) on 06/05/19**  
**Finance Approved 4-0 (Grossman recused; Norton not voting)**

**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 on 06/05/19**  
**Finance Held 6-0**

**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**  
**Finance Approved as Amended 5-1 (Noel opposed)**

- #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**