



City Council Docket

November 19: Real Property Reuse
November 20: Programs & Services, Public Facilities,
Public Safety and Transportation
November 21: Land Use
November 25: Zoning & Planning, Finance

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Monday, November 18, 2019

7:00 PM, Newton City Hall
Monday, December 2, 2019

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing to be Assigned for December 3, 2019

#353-19 Petition to extend nonconforming FAR at 38 Fenno Road

MICHAEL ZALIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing deck and construct an addition on the first floor, creating an FAR of .50 where .42 is allowed and .45 exists at 38 Fenno Road, Ward 2, Newton Centre, on land known as Section 64 Block 12 Lot 05, containing 7,413 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 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.

The Rules & Orders of the Council contain a blackout period to avoid scheduling public hearings for Major Projects in November or December in the last year of the Council's term. The following petition was filed with the Clerk of the Council on November 4, 2019 during the blackout period. Criteria for a Major Project classification includes projects that involve a non-residential use that immediately abuts a residential zone. The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders of the City Council to suspend the time restrictions, requiring a three-fourths vote of the Council to be accepted to the docket and referred to Committee.

Public Hearing to be assigned for December 3, 2019

#393-19 Petition to amend Board Order #317-92(5) and change use at 562 Commonwealth Ave

552 COMM AVE, LLC/NIANXIONG GUAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #317-92(5) to convert an existing nonconforming barbershop into a nonconforming retail florist shop at 562 Commonwealth Avenue, Ward 6, Newton Centre, on land known as Section 61 Block 03 Lot 22, containing approximately 13,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

Other Communications

- #394-19 Lateral Grant of Location in Washington Street**
LEVEL 3 petitioning for a lateral grant of location to install 75' ± of conduit in WASHINGTON STREET from Verizon manhole #16/53 to a handhole on private property (300 Washington Street).
Approved by the Commissioner of Public Works
- #395-19 Lateral Grant of Location in Maple Avenue**
EVERSOURCE petitioning for a lateral grant of location to install 21' ± of conduit in MAPLE AVENUE from manhole #29198 in a southwesterly direction to private property at #30-32 Maple Avenue.
Approved by the Commissioner of Public Works
- #396-19 Lateral Grant of Location in Lowell Avenue**
EVERSOURCE petitioning for a lateral grant of location to install 9' ± of conduit in LOWELL AVENUE from manhole #17302 to private property at 25 Lowell Avenue.
Approved by the Commissioner of Public Works

Referred to Zoning & Planning Committee

Public Hearing to be assigned for November 25, 2019

- #327-19 Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting that Chapter 30 of Newton's Zoning ordinance be amended to repeal section 3.4.4 Garages (effective December 31, 2019 after three postponements). Garages will be discussed during Zoning Redesign next term.

Referred to Programs & Services Committee

- #397-19 Reappointment of Michael Kauffman to the Urban Design Commission**
HER HONOR THE MAYOR reappointing MICHAEL KAUFFMAN, 24 Turner Terrace, Newtonville, as a member of the URBAN DESIGN COMMISSION for a term to expire December 31, 2022. (60 days: 01/07/20)
- #398-19 Appointment of Visda Saeyan to the Urban Design Commission**
HER HONOR THE MAYOR appointing Visda Saeyan, 7 Marcellus Drive, Newton Center, as a member of the URBAN DESIGN COMMISSION for a term to expire on December 31, 2022. (60 days: 01/07/20)
- #399-19 Reappointment of David A. Olson as City Clerk**
PRESIDENT LAREDO AND VICE PRESIDENT KALIS, pursuant to Section 2-7 of the City Charter, recommending that the City Council re-appoint David A. Olson as the City Clerk; said term will begin on January 1, 2020 for a term of two years or until a successor is duly qualified.

#400-19 Appointment of Mark Feldhusen to the Parks and Recreation Commission
HER HONOR THE MAYOR appointing Mark Feldhusen, 144 Cherry Street, Newton, as an Alternate member of the PARKS AND RECREATION COMMISSION for a term to expire on December 31, 2022. (60 days: 01/07/20)

#401-19 Appointment of Marguerite Connolly to the Parks and Recreation Commission
HER HONOR THE MAYOR appointing Marguerite Connolly, 289 Cherry Street, Newton, as the Ward 3 member of the PARKS AND RECREATION COMMISSION for a term to expire on December 31, 2022. (60 days: 01/07/20)

Referred to Public Safety & Transportation Committee

#402-19 Requesting renewal of bus license for Lasell University
VPNE Parking Solutions, LLC, requesting **biennial renewal of one (1) bus license** for Lasell University.

#403-19 Requesting new public auto license
Michael Gimmelfarb, 274 Dedham Street, Newton, MA 02461 requesting **one (1) new public auto license** for American Truck & Equipment, LLC.

#404-19 Requesting new public auto license
DHANRAJ MAHASE, 275 Grove Street, 2-400, Newton, MA 02466 requesting **one (1) new public auto license** for Mahase Livery Services, LLC.

#405-19 Requesting renewal of public auto license
DHANRAJ MAHASE, 275 Grove Street, 2-400, Newton, MA 02466 requesting **renewal of one (1) public auto license** for Mahase Livery Services, LLC.

#406-19 Requesting renewal of public auto license
DONALD LAPLANTE, 395 Lexington Street, Apt. 3, Auburndale, MA 02466 requesting **renewal of one (1) public auto license** for Don's Car Service.

#407-19 Requesting renewals of taxi licenses
MICHAEL ANTONELIS, 224 Calvary Street, Waltham, MA 02453, requesting **renewal of thirty-seven (37) taxi licenses** for Veterans Taxi of Newton, LLC.

#408-19 Requesting renewals of taxi licenses
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of one (1) taxi license** for HOLDEN'S TAXI, INC. MEDALLION #60

#409-19 Requesting renewals of taxi licenses
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of two (2) taxi licenses** for NEWTONVILLE CAB CO, INC.

#410-19 Requesting renewals of taxi licenses

GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of one (1) taxi license** for NEWTON TAXI CO.

Referred to Public Facilities Committee**#411-19 Requesting an update on Horace Mann Improvements**

COUNCILOR CROSSLEY on behalf of the Public Facilities committee, requesting an update from the administration and school department on the plans, proposed schedule and any funding needed to correct recently identified deficiencies and improvements to the Horace Mann school at Nevada Street, including addressing classroom space needs, mitigating acoustics, providing sinks for the second floor classrooms, improving proximity of bathrooms to activity areas, etc.,

#412-19 Relocation of sewer and drain easement on Needham Street

HER HONOR THE MAYOR requesting authorization to relocate an easement for sewer and drain purposes on private properties located at 151-153 and 181 Needham Street originally granted on March 19,1951 under Board Order #98789.

Referred to the Finance Committee**#413-19 Rescinding of curb betterments**

HER HONOR THE MAYOR requesting authorization to rescind the assessment of the curb betterments at 77 Pembroke Street and 86 Waban Hill Road dated November 5, 2018, Council Order #532-18

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
77 Pembroke Street	Vitagliano Kenneth & Mccann Vitagliano Nancy	32580/290	72021 0005	\$1,632.50
86 Waban Hill Road	Grossman David M & Sisk Marja J	Certif. 258417 1465/41	63008 0037	\$1,165.00

#414-19 Reappointment of Susan Dzikowski as Comptroller

PRESIDENT LAREDO, VICE PRESIDENT KALIS AND COUNCILOR GENTILE, pursuant to Section 2-7 of the City Charter, recommending that the City Council reappoint Susan Dzikowski as Comptroller; said term will begin on January 1,2020 for a term of two years or until a successor is duly qualified.

Referred to Programs & Services and Finance Committees**#415-19 Transfer \$69,000 for the cost of six months of the City Council's new salary**

HER HONOR THE MAYOR requesting authorization to transfer the sum of \$69,000 from Acct# 0110498-579000 Current Year Budget Reserve to Acct# 0110111-511103 City Council Officials with Benefits to cover the costs of six months of the City Council's new salary.

Referred to Public Facilities and Finance Committees

#416-19

Approve a \$500,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles

(0140123-527301) \$500,000

Referred to Public Facilities and Finance Committees

#417-19

Appropriate \$12,334,366 for renovations for Newton Early Childhood Program

HER HONOR THE MAYOR requesting authorization to appropriate twelve million three hundred thirty-four thousand and three hundred sixty-six dollars (\$12,334,336) from bonded indebtedness for the purpose of funding renovations of the Newton Early Childhood Program, 687 Watertown Street and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.

Referred to Public Facilities and Finance Committees

#418-19

Appropriate \$3,000,000 for the City’s Pavement Management Program

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three million dollars (\$3,000,000) from Certified Free Cash for the purpose of funding the City’s Pavement Management Program.

Referred to Public Facilities and Finance Committees

#419-19

Appropriate \$200,000 for the Comm Ave Carriageway Greening Improvements

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred thousand dollars (\$200,000) from Certified Free Cash to be managed by the Planning Department for the design/engineering of the Commonwealth Ave Carriageway Greening Improvements from Lyons Field west to the Charles River Bridge.

Referred to Public Safety & Transportation and Finance Committees

#420-19

Transfer \$1,900,000 and \$600,000 for the retroactive pay of Newton Police

HER HONOR THE MAYOR requesting authorization to transfer the sum of one million and nine hundred thousand (\$1,900,000) from Prior Year Carry Forward for Wage Reserve and six hundred thousand dollars (\$600,000) from Current Year Wage Reserve to pay for the retroactive salaries and stipends due to the members of Newton Police Superior Officers’ for the period covering July 1, 2014 through FY2020.

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

#421-19 Appropriate \$85,000 to settle a discrepancy

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of eight-five thousand dollars (\$85,000) from Certified Free Cash to settle a discrepancy in the amount of 2017 Massachusetts State Income Taxes paid versus the amount owed.

Referred to Committee of the Whole

Pursuant to the Rules of the Council, items which are within the jurisdiction of the six standing committees which are referred to a Committee of the Whole, must be placed on second call and the decision of the referral shall be subject to a majority vote of the Council.

#379-19(6) Acceptance and Expenditure of \$200,000 from Friends of Webster Woods

HER HONOR THE MAYOR requesting the City Council approve the acceptance and expenditure of a donation of the sum of \$200,000 by members of the Friends of Webster Woods, in accordance with the requirements of G.L. c. 44, sec. 53A, to be used for the purpose of acquiring approximately 17.44 acres of undeveloped wooded land, including trees, waters and structures located on the property, known as Webster Woods (located at the rear of 300 Hammond Pond Parkway). Said amount should be paid to Boston College for acquisition of Webster Woods and returned to the donors should the City not acquire Webster Woods.

The following three items were filed after the close of the docket and require a suspension of the Rules to be referred to Committee.

#379-19(3) CPC Recommendation to appropriate \$725,000 for Legal Fees for Webster Woods

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of seven hundred twenty-five thousand dollars (\$725,000) from the CPC Preservation Fund's Fiscal 2020 Open Space Reserve and restricted fund balance for open space, to the control of the Law Department for legal services and other costs required for the acquisition by the City of Newton of 17.4 acres of undeveloped wooded land, including trees, waters and structures located on the property, at the rear of 300 Hammond Pond Parkway (known as Webster Woods).

#379-19(4) CPC Recommendation to appropriate \$15,000 for costs relative to conservation restriction

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of fifteen thousand dollars (\$15,000) from the CPC Fund's Fiscal 2020 Open Space Reserve to the control of the Planning Department for a grant to the Newton Conservators, Inc. for costs associated with the holding the conservation restriction required by G.L. c. 44B sec. 12. For 17.4 acres of undeveloped wooded land, including trees, waters and structures located on the property, at the rear of 300 Hammond Pond Parkway (known as Webster Woods).

- #379-19(5) CPC Recommendation to appropriate \$15,000,000 for Webster Woods acquisition**
COMMUNITY PRESERVATION COMMITTEE recommending authorization of the City Treasurer to borrow fifteen million dollars (\$15,000,000) for the acquisition of 17.4 acres of undeveloped wooded land, including trees, waters and structures located on the property at the rear of 300 Hammond Pond Parkway (known as Webster Woods) as authorized by G. L. c. 44B, sec. 11, for a period of 30 years, as required by G. L. c. 44, sec. 11, all proceeds from general obligation bonds or notes issued under this authorization shall be deposited in the Community Preservation Fund, any premium received upon the sale of such bonds or notes, less any such premium applied to the payment of insurance costs of the bonds or notes shall be deposited in the CPC Fund's restricted fund balance for open space.