



City Council Reports Docket

February 21: Programs & Services; Public Facilities
February 26: Zoning & Planning
February 27: Land Use

Tuesday, February 20, 2018
Continued
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7:45 PM, Newton City Hall
To be reported on
Monday, March 5, 2018

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item postponed to a date certain of March 5, 2018:

#67-18 **Petition to allow single-family dwelling in MR-1 at 336 Newtonville Avenue**
336 NEWTONVILLE AVE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to relocate an existing dwelling, add a unit to the rear of the dwelling and construct two additional single-family attached dwellings in an MR-1 district, requiring a special permit at 336 Newtonville Avenue, Ward 2, Newtonville, on land known as Section 22, Block 07, Lot 19, containing approximately 29,896 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed on 02/06/18; Land Use Approved 5-0 -1 (Laredo abstaining)

Item postponed to a date certain of March 5, 2018:

#77-18 **Zoning Amendments for Recreational Marijuana Establishments**
DIRECTOR OF PLANNING requesting amendments to the City of Newton Zoning Ordinance, **Chapter 30**, to add a definition of recreational marijuana establishment and to create a temporary moratorium on the placement of recreational marijuana establishments in the City of Newton to allow the city adequate time to complete a planning process to consider in what districts and under what conditions recreational marijuana establishments will be allowed.
Public Hearing closed on 02/12/18; Zoning & Planning Approved 4-3-1 (Albright, Leary, Krintzman opposed; Downs abstaining)

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.

Referred to Land Use Committee

Tuesday, February 27, 2018

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

#65-18 **Petition to amend Board Order #152-14 at 1186 Chestnut Street/Indiana Court**
SEYED A ZEKAVAT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #152-14 to allow for the construction of a second driveway at the rear of the property to be accessed from Indiana Court, Ward 5, Newton Upper Falls, on land known as Section 51, Block 40, Lot 23, containing approximately 5,383 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved Withdrawal without Prejudice 8-0

#68-18 **Petition to allow for profit educational use at 227 Washington Street**
EUI CHOI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit learning center in the existing day care at 227 Washington Street, Ward 1, Newton, on land known as Section 71, Block 07, Lot 01, containing approximately 5,553 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Continued; Land Use Held 8-0

#18-18 **Special Permit Petition to allow oversized dormer at 165 Harvard Street**
DIEGO TEBALDI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow dormer greater than 50% of the exterior wall below it at 165 Harvard Street, Ward 2, Newtonville, on land known as Section 22, Block 23, Lot 2, containing approximately 9,273 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2015.

Public Hearing closed on 02/27/18; Land Use Approved 6-0-2 (Crossley, Kelley abstaining)

#71-18 **Petition to amend Special Permit #515-61 at JFK Circle**
NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing lots at 83-127 and 106-128 JFK Circle to develop 55 affordable elderly housing units, requiring a Comprehensive Permit, to extend non-conforming front setbacks and for waivers relative to parking at 83-127 John F Kennedy Circle and 106-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2, 5.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Continued; Land Use Held 8-0

- #130-18** **Class 2 Auto Dealer License**
 CICCONE MOTORS
 22 West Street
 Newton, MA. 02458.
Land Use Approved 8-0
- #131-18** **Temporary license to hold Nonantum Village Day**
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 2.3.3 of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 3, 2018.
Land Use Approved 8-0
- #132-18** **President’s Appointment of Councilor Rice to the NWH Neighborhood Council**
PRESIDENT LAREDO re-appointing Councilor John Rice, 9 Selden Street, Waban, as the Ward 5 Council Representative, to the Newton-Wellesley Neighborhood Council pursuant to Condition #29 of Special Permit #470-04 for a term of office to expire on December 31, 2019. (60 days: 04/16/18)
Land Use Approved 8-0
- #102-18** **President’s Appointment of Councilor Auchincloss to the Austin St Liaison Committee**
PRESIDENT LAREDO appointing Councilor Jake Auchincloss as the Ward 2 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #103-18** **President’s Appointment of Councilor Leary to the Austin Street Liaison Committee**
PRESIDENT LAREDO appointing Councilor Alison Leary as the Ward 1 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #104-18** **President’s Appointment of Stephen Logowitz to the Austin Street Liaison Committee**
PRESIDENT LAREDO appointing Stephen Logowitz, 28 Clyde Street, Newtonville, as a Newtonville Resident Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0

- #105-18** **President's Appointment of Bill Honeycutt to the Austin Street Liaison Committee**
PRESIDENT LAREDO appointing Bill Honeycutt as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.
Land Use Approved 8-0
- #106-18** **President's Appointment of Brian Shaw to the Austin Street Liaison Committee**
PRESIDENT LAREDO appointing Brian Shaw as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.
Land Use Approved 8-0
- #107-18** **President's Appointment of Michael Tucci to the Austin Street Liaison Committee**
PRESIDENT LAREDO appointing Michael Tucci, 191 Jackson Road, Newton as the Jackson Road Area Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.
Land Use Approved 8-0
- #99-18** **Appointment of Councilor Kalis to the Chabad Neighborhood Council**
PRESIDENT LAREDO appointing Councilor David Kalis as the Ward 8 Council Representative to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019.
Land Use Approved 8-0
- #100-18** **President's Appointment of David Yu to the Chabad Neighborhood Council**
PRESIDENT LAREDO appointing David Yu, 22 Rachel Road, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019.)
Land Use Approved 8-0
- #101-18** **President's Appointment of Elyse Friedman to the Chabad Neighborhood Council**
PRESIDENT LAREDO appointing Elyse Friedman, 370 Dedham Street, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #97-18** **Appointment of Councilor Baker to the Boston College Neighborhood Council**
PRESIDENT LAREDO appointing Councilor R. Lisle Baker as the Ward 7 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019.
Land Use Approved 8-0

- #98-18** **Appointment of Councilor Norton to the Boston College Neighborhood Council**
PRESIDENT LAREDO appointing Councilor Emily Norton as the Ward 2 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #93-18** **Appointment of Elizabeth Smith to the Washington Place Liaison Committee**
PRESIDENT LAREDO appointing Elizabeth Smith, 40 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #94-18** **Appointment of Meghan Smith to the Washington Place Liaison Committee**
PRESIDENT LAREDO appointing Meghan Smith, 34 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #95-18** **Appointment of Wayne Koch to the Washington Place Liaison Committee**
PRESIDENT LAREDO appointing Wayne Koch, 64 Greylock Road, West Newton, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0
- #96-18** **Appointment of Robert Fitzpatrick to the Washington Place Liaison Committee**
PRESIDENT LAREDO appointing Robert Fitzpatrick, 167 Lowell Avenue #1, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)
Land Use Approved 8-0

Referred to Zoning & Planning Committee

Monday, February 26, 2018

Present: Councilors Albright (Chair), Danberg, Kalis, Baker, Krintzman, Downs and Brousal-Glaser;
 absent: Councilor Leary; also present: Councilors Laredo and Crossley

- #75-18** **Discussion relative to the Zoning Redesign Event Series**
DIRECTOR OF PLANNING requesting discussion of topics, issues, and ideas from the Zoning Redesign Event Series, with Committee feedback leading to staff preparation of the draft policy content outline for the new Zoning Ordinance
Zoning & Planning Held 7-0

Public Hearing assigned for March 12, 2018:

#143-18 Zoning amendment to delay effective date of garage ordinance

DIRECTOR OF PLANNING proposing to further amend Chapter 30, Section 3.4.4 of the Revised Ordinances as amended by Ordinance A-78, to implement a deferred effective date for the ordinance of December 1, 2019 or such other appropriate date, for the purpose of allowing the Planning Department to complete a comprehensive study thereof

Zoning & Planning Held 7-0

#144-18 Zoning amendment relative to parking facilities

ALAN SCHLESINGER, on behalf of Northland Development LLC, requesting to amend Newton Zoning Ordinance, Chapter 30, Section 4.4.1 to allow parking facilities, accessory and non-accessory, single and multi-level in the Mixed Use 1 District by special permit.

Zoning & Planning Held 7-0

Referred to Programs & Services, Zoning & Planning and Finance Committees

#59-18 Ordinance amendment for licensing and criteria for lodging houses

COUNCILORS CROSSLEY, ALBRIGHT, NORTON, DANBERG, LEARY, KALIS, AND BAKER requesting amendments to Chapters 17 and 20 of the City of Newton Ordinances to establish criteria, licensing requirements, and fees for lodging house owners and resident supervising agents.

Programs & Services Held 4-0 on 2/21/18

Zoning & Planning voted No Action Necessary 7-0

Referred to Programs & Services Committee

Wednesday, February 21, 2018

Present: Councilors Rice (Chair), Baker, Albright and Greenberg; absent: Councilors Kalis, Brousal-Glaser, Krintzman and Schwartz

Referred to Programs & Services, Zoning & Planning and Finance Committees

#59-18 Ordinance amendment for licensing and criteria for lodging houses

COUNCILORS CROSSLEY, ALBRIGHT, NORTON, DANBERG, LEARY, KALIS, AND BAKER requesting amendments to Chapters 17 and 20 of the City of Newton Ordinances to establish criteria, licensing requirements, and fees for lodging house owners and resident supervising agents.

Programs & Services Held 4-0

- #145-18 **Re-appointment of William Dietrich to the Biosafety Committee**
PRESIDENT LAREDO re-appointing WILLIAM DIETRICH, 29 Osborne Path, Newton Centre as a member of the BIOSAFETY COMMITTEE for a term to expire April 1, 2019.
Programs & Services Approved 4-0

- #146-18 **Re-appointment of Patrick Costello to the Farm Commission**
PRESIDENT LAREDO re-appointing PATRICK COSTELLO, 392 Wolcott Street, Auburndale, to the FARM COMMISSION for a term to expire June 30, 2021.
Programs & Services Approved 4-0

- #147-18 **Re-appointment of Sydra Schnipper to the Community Education Commission**
PRESIDENT LAREDO re-appointing SYDRA SCHNIPPER, 273 Ward Street, Newton Centre, to the COMMUNITY EDUCATION COMMISSION for a term to expire March 31, 2020.
Programs & Services Approved 4-0

- #148-18 **Council Rules amendment relative to Robert’s Rules**
CITY CLERK requesting to amend the 2018-2019 Council Rules by replacing the reference to Robert’s Rules Newly Revised 10th Edition with the current edition of Robert’s Rules of Order.
Programs & Services Approved 4-0

Referred to Public Facilities Committee

Wednesday, February 21, 2018

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

Referred to Public Facilities and Finance Committees

- #155-18 **Appropriate \$500,000 for snow and ice removal expenses**
HER HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash to supplement the Department of Public Works’ snow and ice operations budget.

Personnel Costs – Overtime	
(0140110-513001).....	\$150,000
Rental Vehicles	
(0140110-5273-5273)	\$350,000

Finance to Meet
Public Facilities Approved 5-0 (Councilor Norton not Voting)

- #42-18** **Review of City Council regulations governing petitions for wireless communications**
COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a review of proposed City Council regulations pursuant to City Code Sec. 23-20, governing petitions for permission to install wireless communications facilities and new poles proposed for wireless communications use in the public ways of the City. Such rules would cover petitions that are subject to review under G.L. c. 166, §22 and 47 U.S.C. §332(c) (7) and petitions that are subject to review under 47 U.S.C. §1455 (“Eligible Facilities Requests”).
Public Facilities Held 6-0
- #41-18** **Review of City code governing petitions for wireless communications**
COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a review of proposed City Code Sec. 23-20, authorizing the adoption of City Council regulations governing petitions for permission to install wireless communications facilities and new poles proposed for wireless communications use in the public ways of the City. Such rules would cover petitions that are subject to review under G.L. c. 166, §22 and 47 U.S.C. §332(c) (7) and petitions that are subject to limited review under 47 U.S.C. §1455 (“Eligible Facilities Requests”).
Public Facilities Approved 6-0
- Referred to Public Facilities and Finance Committees**
- #60-18** **Review of filing fee for grant of location petitions**
COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a review of proposed amendment to City Code Sec. 17-3(19), governing filing fee(s) for grant of location petitions for placement of wireless communications facilities and poles constructed primarily for wireless communications purposes
Public Facilities Approved 6-0