



## City Council Reports Docket

April 18: Public Safety & Trans., Programs & Services, Public Facilities  
April 23: Zoning & Planning, Finance  
April 24: Finance  
April 26: Public Facilities  
May 1: Land Use  
May 3: Public Facilities

Tuesday, April 17, 2018  
Continued  
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7:45 PM, Newton City Hall  
To be reported on  
**Monday, May 7, 2018**

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

#### Referred to Land Use Committee

Tuesday, April 3, 2018

Present: Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, and Laredo; also present: Councilors Ciccone, Leary, and Krintzman

#### **#136-18      Petition to exceed FAR at 2 Terrace Avenue**

BHARAT BHUSHAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additional space over a two-car garage, exceeding the maximum allowable FAR of .41 where .43 is proposed and .41 exists at 2 Terrace Avenue, Ward 6, Newton Highlands, on land known as Section 54 Block 29 Lot 03, containing approximately 8,216 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 5-1-2 (Auchincloss opposed, Laredo, Schwartz abstaining); Public Hearing Closed 04/03/2018**

**Land Use Voted 5-0 to Postponed Reporting Out this Item until May 7, 2018**

#### Referred to Land Use Committee

Tuesday, April 10, 2018

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

#### **#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

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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: [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.

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.

**Land Use Approved 7-0-1 (Laredo abstaining); Public Hearing Closed 04/10/2018**

**Land Use Voted 5-0 to Postponed Reporting Out this Item until May 7, 2018**

### **Referred to Land Use Committee**

Tuesday, May 1, 2018

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

#### **#200-18 Update on the Special Permit for the Station at Riverside**

COUNCILOR GENTILE requesting an update on Special Permit Board Order #258-12(2), the Special Permit for The Station at Riverside, including the status of the lease and lease payments between the MBTA and BH Normandy Riverside LLC and to discuss a petition from the City to MassDOT and the MBTA to issue a new RFP for a ground lease at the Riverside MBTA Station. This new RFP to be developed in consultation with the LFIA, LNA & the ACA consistent with the previous RFQ/RFP.

**Land Use Held 8-0**

#### **#91-18 Petition to Amend Special Permits #273-14(2) & #40-07 on Elm Street**

NICORE CONSTRUCTION CORP./ANTONIO BONADIO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #273-14(2) and #40-07 to allow for the location of a new driveway, requiring an amendment to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton, on land known as Section 33 Block 23 Lot and Section 33 Block 23 Lot 16, containing approximately 26,320 sq. ft. of land in a district zoned MR2 and MR1. Ref: Sec. 7.3, 7.4, 6.2.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015

**Land Use Held 8-0; Public Hearing Closed 03/06/2018**

#### **#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.

**Land Use Held 8-0; Public Hearing Continued**

- #210-18** **Special Permit Petition to amend Special Permit Board Order #129-16 at 23 Howe Rd**  
MARIA SANTOS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #129-16 to amend the site plan approved in 2016 to allow for the removal of dormers, redistribution of living space and enclosing a portion of a patio, resulting in a reduced FAR of .59 where .62 was approved and .44 is allowed at 23 Howe Road, Ward 8, Newton Centre, on land known as Section 81, Block 11A, Lot 37, containing approximately 6,591 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 7-0 (Auchincloss not voting) Public Hearing Closed 05/01/2018**
- #209-18** **Special Permit Petition to exceed FAR at 138 Arnold Road**  
LOUS FRANCHI/JAMS REALTY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR by allowing additional attic space above an attached garage, creating an FAR of .35 where .33 is allowed at 138 Arnold Road, Ward 8, Newton Centre, on land known as Section 81, Block 01, Lot 03, containing approximately 15,250 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 6-0 (Auchincloss, Laredo not voting) Public Hearing Closed 05/01/2018**
- #211-18** **Special Permit Petition to further increase nonconforming FAR at 48 Cotton Street**  
ROBERTA AND PHILIP LEVY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mudroom and half bath, connecting an attached garage ,as well as a basement addition for improved exterior access, extending the existing nonconforming FAR to .48 where .39 is allowed and .45 exists 48 Cotton Street, Ward 7, Newton, on land known as Section 73, block 22, Lot 02, containing approximately 9,153 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 7-0 (Auchincloss not voting) Public Hearing Closed 05/01/2018**
- #212-18** **Petition to amend Board Orders #91-15 and #182-09(2) at 180 Needham Street**  
C P NEEDHAM STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #91-15 and #182-09(2) to allow a for-profit learning center in the second-floor office space at 180 Needham Street, Ward 8, Newton Upper Falls, on land known as Section 83, Block 28, Lot 01, containing approximately 8,960 sq. ft. of land in a district zoned MULTI USE 1. Ref: 7.3, 7.4, 4.4.1, 6.3.14 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 7-0 (Auchincloss not voting) Public Hearing Closed 05/01/2018**

**Referred to Zoning & Planning Committee**

Monday, April 23, 2018

Present: Councilors Albright (Chair), Krintzman, Downs, Leary and Baker; absent: Councilors Kalis and Brousal-Glaser; also present: Councilors Scibelli Greenberg, Schwartz 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 6-0**

**Referred to Programs & Services Committee**

Wednesday, April 18, 2018

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

**#221-18 Appointment of Leland Fisher to Jackson Homestead**

HER HONOR THE MAYOR appointing LELAND P. FISHER, 954 Chestnut Street, Newton Upper Falls, as a Trustee of the JACKSON HOMESTEAD for a term to expire April 30, 2021. (60 days: 6/16/18)

**Programs & Services Held 5-0 (Albright not voting)**

**#222-18 Re-Appointment of Aric Parnes to the Biosafety Committee**

PRESIDENT LAREDO re-appointing ARIC PARNES, 43 Beverly Road, Newton Highlands, as a member of the BIOSAFETY COMMITTEE for a term to expire April 1, 2021. (60 days: 6/16/18)

**Programs & Services Approved 5-0 (Albright not voting)**

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

**#127-18 Prohibition on polystyrene-based disposable food or beverage containers**

COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City.

**Programs & Services Held 5-0 (Albright not voting)**

**Referred to Programs & Services Committee**

Wednesday, April 25, 2018

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

- #221-18      Appointment of Leland Fisher to Jackson Homestead**  
HER HONOR THE MAYOR appointing LELAND P. FISHER, 954 Chestnut Street, Newton Upper Falls, as a Trustee of the JACKSON HOMESTEAD for a term to expire April 30, 2021. (60 days: 6/16/18)  
**Programs & Services Approved 4-0 (Kalis, Schwartz not voting)**

**Referred to Public Safety & Transportation Committee**

Wednesday, April 18, 2018

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

- #224-18      128 Business Council Bus License Amendment**  
128 BUSINESS COUNCIL, requesting an amendment to Council Order #185-16 of the Needham Shuttle Bus License.  
**Public Safety & Transportation Approved 4-0, Downs not voting**
- #225-18      Discussion on crash trends in the city**  
COUNCILORS DOWNS, CICCONE, COTE, DANBERG AND NOEL, requesting updates from the Chief of Police or his designee on crash trends in the city.  
**Public Safety & Transportation No Action Necessary 5-0**
- #37-18      Discussion on how community policing works**  
COUNCILOR ALBRIGHT requesting a discussion with the Chief of Police and/or members of his department to explain to the City Council how “community policing” works in Newton, how it differs from traditional policing, how staffing differs from traditional departments, and how it benefits Newton.  
**Public Safety & Transportation No Action Necessary 4-0, Downs not voting**
- #164-18      Discussion on Tactical Readiness**  
COUNCILORS DANBERG, CICCONE, LIPOF, NORTON, NOEL, COTE, GROSSMAN AND GREENBERG, requesting a discussion by Police of Tactical Readiness in today’s world including communications protocol to/for the public during such times.  
**Public Safety & Transportation No Action Necessary 5-0**

**Referred to Public Facilities Committee**

Wednesday, April 18, 2018

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

- #204-18**      **Verizon petition for grant of location on Walnut Street**  
VERIZON petition for a grant of location to install 215'± of conduit from existing Manhole #16/182 in a southeasterly direction to ~~227~~ 241 Walnut Street to provide new service. (Ward 2)  
**Public Facilities Approved as Amended 5-0 (Danberg not Voting)**
  
- #226-18**      **National Grid petition for grant of location in Karen Road**  
NATIONAL GRID petition for a grant of location to install 220'+/- of 4" main in Karen Road from existing gas main at #40 Karen Road trenching in a southerly direction to houses #50 and #60 for new gas service. (Ward 5)  
**Public Facilities Approved 5-0 (Danberg not Voting)**
  
- #227-18**      **National Grid Petition for a Grant of Location in Brookside Avenue**  
NATIONAL GRID petition for a grant of location to install and maintain approximately 40'± of 8" gas main in Brookside Avenue from the existing 12" gas main at #85 Brookside Avenue in a southwesterly direction to a proposed regulator station thence turning in a southeasterly direction to the existing 12" gas main approximately 300'± at the intersection of Brookside Avenue/Washington Street. (Ward 3)  
**Public Facilities Approved 6-0**
  
- #228-18**      **Mayor's appointment of Robin Maltz to the Solid Waste Commission**  
ROBIN MALTZ, 20 Chatham Road, Newton Highlands, appointed as a member of the SOLID WASTE COMMISSION for a term to expire May 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 6-0**
  
- #229-18**      **Mayor's appointment of Claudine Ellyin to the Solid Waste Commission**  
CLAUDINE ELLYIN, 35 Cloverdale Road, Newton Highlands, appointed as a member of the SOLID WASTE COMMISSION for a term to expire May 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**
  
- #235-18**      **Mayor's appointment of Amy MacKrell to the Design Review Committee**  
AMY MACKRELL, 12 Dexter Road, Newtonville, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 6-0**

**#236-18 Mayor's appointment of Stephanie K. Gilman to the Design Review Committee**  
STEPHANIE K. GILMAN, 16 Lewis Street, Newton, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 6-0**

**#46-18 Discussion with DPW regarding sewer extension billing**  
COUNCILOR GENTILE requesting a discussion on how the City currently bills residents for sewer extensions.  
**Public Facilities Held 6-0**

**Referred to Public Facilities and Public Safety and Transportation Committees**

**#52-18 Discussion/ Review on the Street Design Guide**  
COUNCILORS CROSSLEY AND ALBRIGHT requesting a discussion and review of the Street Design Guide, and how it will inform the Accelerated Roads Program.  
**Public Facilities Held 6-0**

**#230-18 Mayor's reappointment of Kenneth White to the Designer Selection Committee**  
KENNETH WHITE, 30 Murray Road, West Newton, reappointed as a member of the DESIGNER SELECTION COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**

**#231-18 Mayor's reappointment of James Powers to the Designer Selection Committee**  
JAMES POWERS, 11 Star Road, West Newton, reappointed as a member of the DESIGNER SELECTION COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**

**#232-18 Mayor's reappointment of Benjamin Tucker to the Designer Selection Committee**  
BENJAMIN TUCKER, 12 Nathan Road, Newton Centre, reappointed as a member of the DESIGNER SELECTION COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**

**#233-18 Mayor's reappointment of Marc Resnick to the Design Review Committee**  
MARC RESNICK, 1925 Commonwealth Avenue, Auburndale, reappointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**

- #234-18 Mayor's reappointment of Jonathan Kantar to the Design Review Committee**  
JONATHAN KANTAR, 672 Chestnut Street, Waban, reappointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021. (60 days: 6/16/18)  
**Public Facilities Approved 5-0 (Danberg not Voting)**

**Referred to Public Facilities Committee**

Thursday, April 26, 2018

Present: Councilors Crossley (Chair), Leary, Kelley, Gentile, Danberg, Lappin; also Present: Councilors Albright, Grossman, Greenberg, Downs, and Krintzman

**Referred to Public Facilities and Finance Committees**

- #247-18 Transfer \$650,000 from Capital Stabilization to replace the Lincoln Elliot HVAC System**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of six hundred fifty thousand dollars (\$650,000) from the Capital Stabilization fund to the Public buildings Department for the purpose of funding the Lincoln Elliot HVAC System and other weatherization improvements.  
**Public Facilities Approved 5-0 (Gentile not Voting)**

**Referred to Finance Committee**

Monday, April 23, 2018

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

- #241-18 Appropriate \$350,000 from Free Cash to the Rainy Day Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred fifty thousand dollars (\$350,000) from Free Cash to the Rainy Day Stabilization Fund. This appropriation when combined with interest earned throughout FY 2018 and \$150,000 appropriated in the FY 2019 Mayor's proposed budget will allow the City to begin FY 2019 with a full 5% of the operating budget set aside in reserve.  
**Finance Approved 5-0 (Cote not voting)**

- #195-18 Investment Policy for the Rainy Day Stabilization Fund**  
COUNCILOR GENTILE, on behalf of the Investment Advisory Committee, submitting its recommendation for an investment policy for the Rainy Day Stabilization Fund.  
**Finance Held 6-0**



- #153-18**      **Discussion with Procurement Officer on criteria for bidding contracts**  
COUNCILORS GENTILE, MARKIEWICZ, AND NORTON requesting a discussion with the Chief Procurement Officer regarding the City’s process for hiring consultants. Discussion should focus in particular on 1) the criteria which determines whether a consulting contract is put out for public bid; and 2) when there is no bid process, what criteria are used to choose consultants.  
**Finance Held 5-0 (Cote not voting)**
- #242-18**      **Rescind Order #178-17A and transfer \$75,000 to the Library Consultants Account**  
HER HONOR THE MAYOR requesting rescission of Council Order #178-17A authorizing a bond issuance in the amount of seventy-five thousand dollars (\$75,000) for the purpose of funding library renovations and authorization of the transfer of the sum of seventy five thousand dollars (\$75,000) from the Main Library Full-time Salaries Account to the Library Consultants Account as the new funding source for this initiative.  
**Finance Approved 6-0**
- #237-18**      **Reappointment of James Mnookin to the Investment Advisory Committee**  
PRESIDENT LAREDO re-appointing JAMES P. MNOOKIN, 40 Woodchester Drive, Chestnut Hill as a member of the INVESTMENT ADVISORY COMMITTEE for a term of office to expire April 1, 2020.  
**Finance Approved 6-0**
- #238-18**      **Appointment of Councilor Markiewicz to the Twombly House Fund**  
PRESIDENT LAREDO appointing Councilor Christopher Markiewicz, 382 Wolcott Street, Auburndale as a Trustee of the TWOMBLY HOUSE TRUST FUND for a term of office to expire December 31, 2019.  
**Finance Approved 6-0**

**Referred to Finance Committee**

Tuesday, April 24, 2018

Present: Councilors Norton, Cote, Rice, Noel, Grossman, and Lappin; absent: Councilor Ciccone and Gentile

- #206-18**      **Appropriate \$100,000 from Free Cash to the School Department’s Budget**  
HER HONOR THE MAYOR requesting authorization to appropriate one hundred thousand dollars (\$100,000) from Free Cash to supplement the School Department’s FY 18 Budget. The FY 18 State Budget, which was approved after the City’s FY 18 budget included an additional \$125,636 in State funding for Newton.  
**Finance Held 6-0**