



City Council Reports Docket

Oct 17: Programs & Services, Public Facilities
Oct 22: Zoning & Planning, Finance
Oct 23: Land Use

Monday, October 15, 2018

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7:45 PM, Newton City Hall

To be reported on

Monday, November 5, 2018

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, October 23, 2018

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

- #462-18** **Petition to allow Veterinary Hospital in a BU2 district at 858 Walnut Street**
ISAAC MAXMEN/858 WALNUT STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to locate a veterinary hospital in the existing building and waive up to five parking stalls in the BUSINESS USE 2 district at 858 Walnut Street, Ward 6, on land known as Section 64 Block 5 Lot 04, containing approximately 23,250 sq. ft. of land. Ref: Sec. 7.3.3, 7.4, 4.4.1, 5.1.4.A of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0 (Crossley not Voting); Public Hearing Closed 10/23/2018
- #482-18** **Special Permit to waive 17 parking stalls at 2330 Washington Street**
ARTISAN CHILD CARE/CURTIS HOUSE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in the number of teachers and children in the program by waiving 17 parking stalls at 2330 Washington Street, Ward 4, Newton Lower Falls, on land known as Section 42 Block 31 Lot 18, containing approximately 27,277 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3, 7.4, 5.1.4, 6.3.4.B.3.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0
- #294-18** **Special Permit Petition to allow development at 1314 Washington and 31, 33 Davis St.**
HQ, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story addition in the BU1 district to be used for mixed uses, to allow a building in excess of 20,000 sq. ft., to extend the existing non-conforming structure with regard to height, to

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.

extend the existing non-conforming structure with regard to side setback, to allow a restaurant with more than 50 seats, to waive the requirement of using the A-B+C parking formula, to allow a reduction in the overall parking required by 1/3, to waive 27 parking stalls, to allow parking in the front and side setback, to allow reduced parking stall dimensions, to waive end stall maneuvering space requirements, to allow reduced aisle width, to waive perimeter screening requirements, to waive interior landscaping requirements, to waive requirements for interior planting area, tree planting, and bumper overhang area landscaping, to waive lighting requirements, to waive off-street loading facility requirements in Ward 3, West Newton, at 1314 Washington Street, 31 Davis Street and 33 Davis Street (Section 33 Block 10 Lots 01, 11, 12), containing approximately 30,031 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.1, 7.8.2.C.2, 4.4.1, 6.4.29.C.1, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.C, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.9.A, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.12 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 8-0-1 (Laredo abstaining); Public Hearing Closed 10/23/2018

#483-18

Petition to allow 20-unit multi-family dwelling at 182-184 & 166 California Street

LA&CA, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the expansion of a nonconforming multi-family dwelling use by constructing a three-story multi-family development 32.6' in height in a manufacturing district with greater than 20,000 sq. ft. new gross floor area, allowing a nonconforming front setback, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to waive maneuvering space for restricted parking stalls, to allow tandem parking and to allow retaining walls greater than four feet in height in the setback in Ward 1, Newton, at 182-184 California Street (Section 11 Block 12 Lot 12) and 166 California Street (Section 11 Block 12 Lot 13), containing approximately 18,121 sq. ft. of land in a district zoned MANUFACTURING. Ref: 7.3, 7.4, 4.4.1, 7.8.2.2, 4.3.2.B.1, 4.3.3, 7.8.2.C.2, 4.3.2.B.3, 5.1.4, 5.1.8.B.6, 5.1.13, 5.1.8.E.1, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0

Referred to Zoning & Planning Committee

Monday, October 22, 2018

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

#488-18

Adoption of the Climate Change Vulnerability Assessment and Action Plan

DIRECTOR OF PLANNING & DEVELOPMENT requesting discussion and adoption of the Climate Change Vulnerability Assessment and Action Plan as an amendment to the 2007 Newton Comprehensive Plan.

Zoning & Planning Held 8-0

- #518-18 Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Zoning & Planning Held 8-0

Referred to Programs & Services Committee

Wednesday, October 17, 2018

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

- #519-18 Appointment of Alissa Ocasio Giuliani as City Solicitor**
HER HONOR THE MAYOR appointing ALISSA OCASIO GIULIANI as City Solicitor, pursuant to Section 3-4 of the Newton City Charter, to be effective November 19, 2018. (30 days 11/14/18)
Programs & Services Approved 6-0

- #520-18 Appointment of Lori Yarvis to the Farm Commission**
HER HONOR THE MAYOR appointing LORI YARVIS, 1469 Centre Street, #1, Newton, as a member of the FARM COMMISSION for a term to expire October 31, 2021.
(60 days: 12/14/18)
Programs & Services Approved 6-0

- #521-18 Appointment of Charles Reilly to the Farm Commission**
HER HONOR THE MAYOR appointing CHARLES REILLY, 158 Upland Road, Waban, as a member of the FARM COMMISSION for a term to expire October 31, 2021.
(60 days: 12/14/18)
Programs & Services Approved 6-0

- #522-18 Re-appointment of James Harper to the Farm Commission**
HER HONOR THE MAYOR re-appointing JAMES HARPER, 59 Westminster Road, Newton Centre, as a member of the FARM COMMISSION for a term to expire March 31, 2020.
(60 days: 12/14/18)
Programs & Services Approved 6-0

- #523-18 Re-appointment of Michael Goldman to the Farm Commission**
HER HONOR THE MAYOR re-appointing MICHAEL GOLDMAN, 14 Saxon Terrace, Newton Highlands, as a member of the FARM COMMISSION for a term to expire July 31, 2020.
(60 days: 12/14/18)
Programs & Services Approved 6-0

#524-18 **Re-appointment of Vaunita Schnell to the Farm Commission**
HER HONOR THE MAYOR re-appointing VAUNITA SCHNELL, 68 Stearns Street, Newton Centre, as a member of the FARM COMMISSION for a term to expire March 31, 2020. (60 days: 12/14/18)
Programs & Services Approved 6-0

#503-18 **Discussion of handling of trash and recyclables by private haulers**
COUNCILORS LEARY, CROSSLEY, GREENBERG AND DOWNS requesting discussion and adoption of best practices, including a mandate to separate recyclables from trash and include recycling pick up to meet Massachusetts Waste Ban regulations, 310CMR 19.017, for private haulers doing business in the City of Newton.
Programs & Services Held 5-0 (Baker 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 with in the City.
Programs & Services Held 6-0

Referred to Public Facilities Committee

Wednesday, October 17, 2018

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

#531-18 **Petition for water main extension in a private way off Farwell Street**
STEPHEN VONA, 77 Oldham Road, West Newton, petitioning for a water main extension through a proposed utility easement in a private way off Farwell Street from the existing water main in Farwell Street 150' ± northeasterly thence turning easterly and continuing a distance of 320'± thence turning northeasterly and continuing 30'± to a proposed hydrant in the private way off Farwell Street.
Public Facilities Approved 4-0 (Danberg not Voting)

Referred to Public Facilities and Finance Committees

#536-18 **Appropriate \$500,000 for a wash bay at the Crafts Street Garage**
HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from bonded indebtedness for the purpose of funding the installation of a new wash bay at the Crafts Street Garage.
Finance Approved 6-0 on 10/22/18
Public Facilities Approved 4-0 (Danberg not Voting)

Referred to Public Facilities and Finance Committees

#537-18

Appropriate \$420,000 for two 6-wheel dump trucks

HER HONOR THE MAYOR requesting authorization to appropriate four hundred twenty thousand dollars (\$420,000) from bonded indebtedness for the purpose funding the purchase of two (2) Mack 42FR 6-wheel dump trucks for the Public Works Department.

Finance Approved 6-0 on 10/22/18

Public Facilities Approved 4-0 (Danberg not Voting)

Referred to Public Facilities and Finance Committees

#538-18

Appropriate \$89,600 for engineering services for evaluation of Bullough's Pond Dam

HER HONOR THE MAYOR requesting authorization to appropriate eighty-nine thousand six hundred dollars (\$89,600) from the Stormwater Reserve Fund for consulting engineering services to perform the Phase 2 Dam Safety Engineering Evaluation for the Bullough's Pond Dam, NID No. MA03414.

Finance Approved 6-0 on 10/22/18

Public Facilities Approved 4-0 (Danberg not Voting)

Referred to Public Facilities and Finance Committees

#539-18

Transfer \$100,000 for Audible Pedestrian Signal Installation at intersections in the City

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Budget Reserve for the purpose of funding Phase 1 of 3 of Audible Pedestrian Signal Installation at all remaining intersections throughout the City.

Finance Approved 6-0 on 10/22/18

Public Facilities Approved 4-0 (Danberg not Voting)

Referred to Public Facilities and Finance Committees

#540-18

Authorize acceptance of \$105,103 from the State's Transportation Infrastructure Fund

HER HONOR THE MAYOR requesting authorization to accept, appropriate, and expend one hundred five thousand one hundred three dollars (\$105,103) from the City's FY18 allocation from the Commonwealth Transportation Infrastructure Fund to be used for concept design engineering services for the complete streets design of the Wells-Nahanton Traffic Signalization and Intersection Improvement Project.

Finance Approved 6-0 on 10/22/18

Public Facilities Approved 4-0 (Danberg not Voting)

#118-18

Request for a Public Hearing for Auburndale Square

COUNCILORS GENTILE, KRINTZMAN AND MARKIEWICZ requesting that the Department of Public Works and Police Department Representatives hold a public hearing to obtain feedback from the public on the recently completed improvements to Auburndale Square.

Public Facilities Held 4-0 (Danberg not Voting)

Referred to Finance Committee

Monday, October 22, 2018

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

- #343-18 **Ordinance amendment to divest of funds from fossil fuel companies**
COUNCILOR NORTON proposing an ordinance amendment to divest the City of direct or indirect holdings in fossil fuel companies.
Finance Held 4-0-1 (Norton abstaining)

- #508-18 **Authorization to accept and expend two Assistance to Firefighter Grants**
HER HONOR THE MAYOR requesting authorization to accept and expend two grants from the Federal Emergency Management Agency Assistance to Firefighters Grant program totaling eighty-one thousand eight hundred nineteen dollars with a required 10% match of eight thousand one hundred eighty-one dollars (\$8,181) by the city. The first grant of \$60,000 is for fire officer training and the second grant of \$30,000 is for a firefighter health and wellness program.
Finance Approved 5-0 (Gentile not voting)

- #534-18 **Appropriate \$28,804 for McKinney-Vento Homeless Student Transportation**
SCHOOL COMMITTEE requesting that the City Council approve authorizing the Mayor to appropriate the state reimbursement of twenty-eight thousand eight hundred four dollars (\$28,804) for McKinney-Vento Homeless Student Transportation from the general fund to the School Department.
Finance Approved 5-0 (Gentile not voting)

- #532-18 **Assessment of Curb Betterments**
COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
51 Avalon Road	Rittenhouse Nancy E & Larson Dale N	1226/153	53014 0014	\$5,220.00
25 Ballard Street	Feder Miriam	65077/563	73030 0001	\$4,992.50
36 Brooks Avenue	Denison Sherman F & Susan Trs (Denison Realty Trust)	66381/362	21032 0008	\$2,185.00
33 Duxbury Road	Jennings Bruce E & Sybicki Joan	17325/397	62027 0001	\$2,347.50

77 Pembroke Street	Vitagliano Kenneth & Mccann-Vitagliano Nancy	32580/290	72021 0005	\$1,632.50
65 Rowena Road	Moran Michael J & Farrell Kathleen C	17830/502	62016 0045	\$2,230.00
66 Waban Hill Road	Kiley Manley J Jr & Leahy Mary M	64001/532	63008 0041	\$2,445.00
86 Waban Hill Road	Grossman David M & Sisk Marja J	1465/41	63008 0037	\$1,165.00
101 Waban Hill Road	Varma-Wilson Anisha & Wilson Marcus E	62215/317	63008 0009	\$3,505.00
101 Waban Hill Road	Varma-Wilson Anisha & Wilson Marcus E	62215/317	63008 0009	\$1,625.00
1093 Walnut Street	Brail Leslie H Tr (Trust Agrmt Of Les H Brail)	68706/594	52009 0010	\$3,030.00
208 Auburn Street	Ardini Andrew J & Stacey B	64194/525	43014 0001	\$6,812.50

Finance Approved 5-0 (Gentile not voting) with the exception of 86 Waban Hill Road which was Approved 4-0 (Grossman recused, Gentile not voting)

Referred to Public Facilities and Finance Committees

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Public Facilities Approved 4-0 (Danberg not voting) on 10/17/18

Finance Approved 6-0

Referred to Public Facilities and Finance Committees

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Finance Approved 6-0

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Public Facilities Approved 4-0 (Danberg not voting) on 10/17/18

Finance Approved 6-0