



City Council Actions

In City Council

Monday, December 17, 2018

Present: Councilors Albright, Auchincloss, Baker, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Kalis, Kelley, Krintzman, Lappin, Leary, Lipof, Norton, Rice, Schwartz and Laredo.

Absent: Councilors Markiewicz & Noel

The City Council discussed the following items on Second Call:

#578-18 **Shorten the duration of the winter parking ban**
COUNCILORS ALBRIGHT, COTE, KELLEY, GREENBERG, CICCONE, LIPOF, AUCHINCLOSS, RICE, DOWNS, KRINTZMAN, NOEL, AND NORTON, requesting to shorten the duration of the winter parking ban to begin on December 15 (instead of November 15) and end on April 1 (instead of April 15).

Public Safety & Transportation Approved 7-0-1 (Grossman abstaining)

Motion to Postpone was Approved 20 Yeas, 2 Nays (Councilors Kelley and Krintzman), 2 Absent (Councilors Markiewicz and Noel)

Clerk's Note: The Chair of the Public Safety & Transportation Committee presented the item. He noted that the Committee approved shortening the ban from December 15th to April 1st. Councilor Grossman moved to amend the start date of the ban to December 1st rather than December 15th. She noted that snow and ice are often in the first part of December and a December 1st milestone would be simpler to remember and follow. A December 1st start date would not interfere with people coming home and visiting for the Thanksgiving holiday. She noted that there is still a second docket item pending before Public Safety & Transportation Committee which is exploring exceptions to this ordinance. There have been creative ideas that are being studied and those ideas will be discussed and debated at the appropriate time. The December 1st to April 1st dates are straight forward.

Councilor Albright proposed that this item be postponed to a date certain. She noted that an issue that was not mentioned was that with a December 15th start date, college students might feel they can park until the end of the semester. She would like the Ward 7 folks to have a chance to meet with David Koses to discuss a parking plan that would allow control for this issue, like they have in other areas of the city. She noted that there are residents in this city that have a serious problem because of this overnight parking ban. She would like another meeting, either the first or second meeting in January, to give the opportunity for discussion to see if a parking plan for those neighborhoods afflicted by student parking could be dealt with in another way. There was support both for and against the amendment.

The motion to amend was withdrawn in favor of the motion to postpone.

- #587-18** **Accept a \$100,000 gift and establish the Margorie D. Moerschner Fund for the Poor**
HER HONOR THE MAYOR requesting authorization to accept a gift of one hundred thousand dollars (\$100,000) from the Estate of Margorie D. Moerschner and to amend Section 18 of the Revised Ordinance of the City of Newton for the purpose of establishing the Marjorie D. Moerschner Fund for the Poor. The Trustees of the Horace Cousens Fund will oversee and serve as trustees of the Marjorie D. Moerschner Fund for the Poor.
Finance Approved Subject to Second Call 5-0 (Gentile not voting)
Approved 22 Yeas, 2 Absent (Councilors Markiewicz and Noel)

Clerk's Note: The Vice Chair of Finance presented the item which was approved in Committee subject to Second Call. At the time of the Committee vote the Committee had some questions regarding the application process and who would oversee it as it would now be part of the Cousens Fund. She noted that there was a letter from Maura O'Keefe, Assistant City Solicitor, explaining that it would be the Cousens Fund Trustees decision as to which application to use. The ordinance permits comingling the funds in the Cousens Fund. She was comfortable with the answers. There was no further discussion.

The City Council voted without discussion 22 Yeas, 2 Absent (Councilors Markiewicz and Noel) to Approve the Committee recommendations on the following items:

Referred to Land Use Committee

Tuesday, December 4, 2018

Referred to Land Use and Finance Committee

- #559-18** **Appropriation of \$3,250,000 from CPA funds for affordable housing**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of three million two hundred fifty thousand dollars(3,250,000) from the Community Preservation Fund to the Planning & Development Department, for a grant to Jewish Community Housing for the Elderly to create 60 units of permanently affordable, deed-restricted housing for seniors and chronically homeless individuals with disabilities at 160 Stanton Avenue (Golda Meir House), as described in the proposal submitted to the Community Preservation Committee in September-October 2018.
Finance Approved 6-0 on 12/10/18 Subject to Approval of the Community Preservation Committee
Land Use Approved Subject to Second Call 7-0
The Chair of Land Use requested a Suspension of the Rules to allow him to poll his committee to approve this item on first call which was Approved by Voice Vote.
Land Use Approved 7-0
- #591-18** **Class 2 Auto Dealers License**
 NEWTON AUTO GROUP, INC.
 1235 Washington Street
 West Newton, MA. 02465
Land Use Approved 7-0

#592-18 **Class 2 Auto Dealers License**
CITY OF NEWTON
1000 Commonwealth Avenue
Newton Centre MA 02459
Land Use Approved 7-0

Referred to Zoning & Planning Committee

Monday, December 10, 2018

#572-18 **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 B-6, to implement a deferred effective date for the Ordinance of December 31, 2019 or such other appropriate date, for the purpose of allowing the Planning Department to complete a comprehensive study thereof.
Zoning & Planning Approved 7-0; Public Hearing Closed

#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 Approved as Amended 8-0 by approving only the Climate Change Vulnerability Assessment and redocketing the Climate Action Plan; Public Hearing Closed

Referred to Public Safety & Transportation Committee

Wednesday, December 5, 2018

#580-18 **Requesting new public auto license**
DONALD LAPLANTE, 395 Lexington Street, Apt. 3, Auburndale, MA 02466 requesting **one (1) new public auto license** for Don's Car Service.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

#579-18 **Requesting renewal of bus license for Lasell College**
VPNE Parking Solutions, LLC, requesting **renewal of one (1) bus license** for Lasell College.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

#581-18 **Requesting renewal of public auto license**
DHANRAJ MAHASE, 60 Solon Street, Newton, MA 02461 requesting **renewal of one (1) public auto license** for Mahase Livery Services, LLC.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

- #582-18 **Requesting renewals of taxi licenses**
MICHAEL ANTONELIS, 224 Calvary Street, Waltham, MA 02453, requesting **renewal of thirty-eight (38) taxi licenses** for Veterans Taxi of Newton, LLC.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

- #583-18 **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.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

- #584-18 **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.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

- #585-18 **Requesting renewals of taxi licenses**
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting **renewal of three (3) taxi licenses** for Newton Taxi Co.
Public Safety & Transportation Approved 7-0 (Grossman not voting)

- #598-18 **Requesting ordinance amendments regarding resident sticker and visitor permit date**
CAPTAIN ANASTASIA, requesting the following ordinance amendments: ***Sec. 19-200. Resident sticker and visitor permit; municipal lot parking program and Sec. 19-201. Resident sticker and visitor permit parking program.*** By DELETING: Resident and visitor parking permits expire December 31 of each year and INSERTING: Resident and visitor parking permits are valid from July 1 to June 30 of each year.
Public Safety & Transportation Approved as Amended 7-0 (Grossman not voting)

Referred to Public Safety & Transportation and Finance Committees

#607-18 HER HONOR THE MAYOR requesting authorization to transfer the sum of ninety-five thousand eight hundred forty-four dollars and fifty-one cents (\$95,844.51) from the Fire Pumper Replacement Account to the Following Fire Department accounts:

Automobiles/Light Trucks	\$60,000
Training Expenses	\$10,000 10,844.51
Housekeeping Equipment	\$15,000
Public Buildings Repair and Maintenance	\$10,000

Finance Approved 6-0
Public Safety & Transportation Approved 6-0-1 (Downs abstaining; Grossman not voting)

Referred to Finance Committee**Monday, December 10, 2018**

- #601-18** **Appointment of Jonathan Lewis as a trustee of the Chaffin Educational Fund**
HER HONOR THE MAYOR appointing JONATHAN LEWIS, 133 Beaumont Avenue, Newtonville, as a trustee of the JONATHAN C. CHAFFIN EDUCATIONAL FUND.
Finance Approved 5-0 (Gentile not voting)
- #586-18** **Appointment of Lucia Panichella as Trustee of the Horace Cousens Industrial Fund**
HER HONOR THE MAYOR appointing LUCIA PANICHELLA, 53 Anthony Circle, Newtonville, as a trustee of the HORACE COUSENS INDUSTRIAL FUND for a term to expire June 1, 2021 (60 days: 1/18/19)
Finance Approved 5-0 (Gentile not voting)
- #603-18** **Authorization to issue an RFP for food services**
ASSISTANT SCHOOL SUPERINTENDENT HURLEY requesting a vote of the City Council to complement the vote of the School Committee to authorize the School Department to issue a Request for Proposals (RFP) for food services for a period of one year with four renewable one-year terms.
Finance Approved 6-0
- #606-18** **Transfer of \$7,000 to fund Operation Access Enforcement**
HER HONOR THE MAYOR requesting authorization to transfer the sum of seven thousand dollars (\$7,000) from HP Fines – Disability Commission to the Operations Access Account to fund “Operation Access Enforcement”, a special police detail, enforcing the accessible HP parking regulations during this holiday period.
Finance Approved 6-0

Referred to Land Use and Finance Committee

- #559-18** **Appropriation of \$3,250,000 from CPA funds for affordable housing**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of three million two hundred fifty thousand dollars(3,250,000) from the Community Preservation Fund to the Planning & Development Department, for a grant to Jewish Community Housing for the Elderly to create 60 units of permanently affordable, deed-restricted housing for seniors and chronically homeless individuals with disabilities at 160 Stanton Avenue (Golda Meir House), as described in the proposal submitted to the Community Preservation Committee in September-October 2018.
Land Use Approved Subject to Second Call 7-0 on 12/04/18
Finance Approved Subject to Approval by Community Preservation Committee 6-0
Land Use Approved 7-0

#590-18 **Transfer of \$350K to fund the FY 19 MOA ratified by the IAFF**
HER HONOR THE MAYOR requesting authorization to transfer the sum of three hundred fifty thousand dollars (\$350,000) from Wage Reserve to the Fire Department’s Full-time Salaries Fire Rescue account to supplement funding required for the settlement of the FY 2019 Memorandum of Agreement that was recently ratified by the International Association of Fire Fighters.
Finance Approved 6-0

Referred to Public Safety & Transportation and Finance Committees

#607-18 HER HONOR THE MAYOR requesting authorization to transfer the sum of ninety-five thousand eight hundred forty-four dollars and fifty-one cents (\$95,844.51) from the Fire Pumper Replacement Account to the Following Fire Department accounts:

Automobiles/Light Trucks	\$60,000
Training Expenses	10,000 \$10,844.51
Housekeeping Equipment	\$15,000
Public Buildings Repair and Maintenance	\$10,000

Public Safety Approved 6-0-1 (Downs abstaining) on 12/05/18
Finance Approved 6-0

#602-18 **Municipal Energy Technical Grant Acceptance**
HER HONOR THE MAYOR requesting authorization to accept and expend a grant in the amount of four thousand nine hundred ninety-nine dollars (\$4,999) from the State Department of Energy Resources to evaluate the feasibility of microgrid at Newton North High School.
Finance Approved Subject to Second Call 6-0

Motion to Suspend the Rules to Accept to the Docket and Refer to Committees the following late filed docket item was Approved by Voice Vote.

Referred to Public Facilities and Finance Committees

#641-18 **Request to transfer \$60,000 to replace two trash compactors at Rumford Avenue**
HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Free Cash to the Department of Public Works’ Sustainable Materials Management Equipment & Machinery account to fund the replacement of two trash compactors located at 115 Rumford Avenue.

Public Hearings were assigned for the following items:

Public hearing reassigned for January 8, 2019

#464-18 **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.

Public Hearing assigned for January 8, 2019

#620-18 Amendment to Special Permit Orders #213-12(1) and (2) at 71 Needham Street
BEAL NEVADA SERVICE CORPORATION/NEEDHAM STREET VILLAGE SHOPS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #213-12(1) and #213-12(2) to allow a bank use at 71 Needham Street, Ward 5, Newton Highlands, on land known as Section 51, Block 28, Lot 20, containing approximately 58,875 sq. ft. of land in a district zoned MU1. Ref: 7.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Public hearing assigned for January 22, 2019:

Referred to Public Facilities and Finance Committees

#541-18 Amendments to the Stormwater Use Charge Ordinance
HER HONOR THE MAYOR requesting Chapter 29, Section 120 (a) **Stormwater Use Charge** of the City of Newton Revised Ordinance, 2017 be amended by deleting the current rate structure and replacing it with the following effective July 1, 2019:

Every owner of property in the city shall pay a charge for use of public main drains and stormwater facilities, which shall be based on the following annual rates. Such charge shall be billed quarterly:

1. 1-4 family dwellings \$100.00
2. All other properties: \$0.0425 per square foot of impervious surface area, except that if the square footage charge multiplied by the total impervious area of the parcel equals a sum less than \$150.00, then the annual fee shall be \$150.00.

Public hearing assigned for January 29, 2019

#621-18 Amendment Special Permit Orders #62-01 and 62-01(2) at 105 Temple Street
SCOTT AND URSULA STEELE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend

Special Permit Board Orders #62-01 and #62-01(2) to further increase the non-conforming FAR by constructing a 191 sq. ft. addition in the existing footprint of the house, further extending the non-conforming three-story structure at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3., 7.4, 3.1.9, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing assigned for January 29, 2019

#622-18 **Special Permit Petition to increase non-conforming FAR at 48 Billings Park**
MATTHEW DOERINGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-car garage in the footprint of a razed garage with an additional 225 sq. ft, exceeding the allowable FAR of .43 where .51 exists and .53 is proposed at 48 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 14, containing approximately 8,289 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9, 7.8.2.C.2, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing assigned for February 5, 2019

#623-18 **Special Permit Petition to allow multi-family dwelling at 20-22 Circuit Avenue**
ARTHUR KALOTKIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert a two-family dwelling into a three-unit multi-family dwelling by converting the existing attic space, allow parking within 5' of residential dwelling units, to waive the minimum aisle width requirements, to waive driveway width, and to waive lighting requirements at 20-22 Circuit Avenue, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 39, containing approximately 12,353 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3., 7.4, 3.4.1, 5.1.8.A.2, 5.1.13, 5.1.8.C.2, 5.1.8.C.2, 5.1.10.A, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.