



## City Council Reports Docket

January 4: Programs & Services; Public Safety; Public Facilities  
January 9: Finance; Zoning & Planning  
January 10: Land Use  
January 12: Land Use

Tuesday, January 3, 2017  
Continued  
Page 302  
7:45 PM, Newton City Hall  
To be reported on  
**Tuesday, January 17, 2017**

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

#### Unfinished Council Business

*Item Postponed on December 5, 2016 to Date Certain of January 17, 2017:*

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

**#31-15**

**Proposing an ordinance to limit leaf blower use**

PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20 PM]

**Programs & Services Approved as amended 7-0-1 (Kalis abstaining)**

**Finance Approved as Amended 5-0-3 (Blazar, Lappin, Norton abstaining)**

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

Tuesday, January 10, 2017

Present: Councilors Laredo (Chair), Schwartz, Lennon, Auchincloss, Harney, Cote, Crossley, and Lipof;  
also present: Councilors Baker, and Fuller

**#340-16**

**Special Permit Petition to increase nonconforming front setback at 15 Cottage Court**

SEAN ELISEEV AND EVGENIA ELISEEVA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE NONCONFORMING SETBACK AND USE by enclosing the front porch and extending a bathroom on the second floor, adding a new roofline and further extending the front setback, nonconforming residential use and number of stories at 15 Cottage Court, Ward 1, Newton, on land known as SBL 14014 0031, containing approximately 6,000 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.1.3, 7.8.2.C.2, 4.1.2.B.3, 7.8.2.C.2, 4.4, 6.2.2, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing Closed; Land Use Approved 8-0**

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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.

- #308-16**      **Special Permit Petition to further increase nonconforming setback at 79 Kenwood Ave**  
SURRENDRA DUDANI AND SHALINI SEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE THE NONCONFORMING SETBACK by razing the existing 12'x22' detached garage and construct a 22'x22' detached garage, reducing the setback from 16.2' to 6.2' where 25' is required at Kenwood Avenue, Ward 6, Newton Centre, on land known as SBL 64 20 01, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Held 8-0**
- #392-16**      **Special Permit to amend Special Permit #416-12(3) at Modern Barre**  
JULIA WILLIAMSON/WALLY ZAINOUN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit #416-12(3) to allow for more than 3 customers at one time, expanded hours of operation and amend the previously approved site plan at 242-244 Commonwealth Avenue, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 7-0-1 Subject to Second Call (Harney abstaining)**
- # 261-16(2)**      **Special Permit Petition to allow site and building improvements at "The Street"**  
CHESTNUT HILL SHOPPING CENTER LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALTER A NONCONFORMING STRUCTURE to construct new buildings to allow for existing and new commercial uses including banking, office, medical office, theatre, health club, retail, restaurant and parking, to allow buildings in excess of 20,000 sq. ft., allow a building up to 60' in height, site plan review for buildings within 300' of a great pond, allow parking within a setback, extend Farmers Market special permit 230-14, update signage special permit 417-12, allow some parking stalls on portions of the site to be reduced size and in garage to be reduced stall depth, allow reduced parking facility lighting and grant exceptions for parking stall size and interior landscaping requirements at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as SBL 63037 0025, 63037 0026, containing approximately 859,444 sq. ft. in a district zoned BUSINESS USE 4. Ref. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.2, 4.1.2.B.3, 5.6, 5.1.8, 5.1.13, 6.4.22, 5.8.2.C, 5.1.8.B, 5.1.10.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Public Hearing Closed; Land Use Approved 7-0 (Cote not Voting)**
- #432-16**      **Class 1 Auto Dealer License**  
CLAY NISSAN OF NEWTON INC.  
431 Washington Street  
Newton Corner 02458  
**Land Use Approved 7-0 (Cote not Voting)**

- #1-17**            **Class 1 Auto Dealer License**  
MCGOVERN CHRYSLER JEEP DODGE RAM  
777 Washington Street  
Newton, MA. 02460  
**Land Use Approved 7-0 (Cote not Voting)**
- #433-16**        **Class 1 Auto Dealer License**  
VILLAGE MOTORS GROUP, INC.  
d/b/a HONDA VILLAGE  
371 Washington Street  
Newton Corner 02458  
**Land Use Approved 7-0 (Cote not Voting)**
- #434-16**        **Class 2 Auto Dealer License**  
NEW ENGLAND MOTOR MART, INC.  
1221-1229 Washington Street  
West Newton 02465  
**Land Use Approved 7-0 (Cote not Voting)**
- #2-17**            **Class 2 Auto Dealer License**  
MOTORCARS OF BOSTON, INC.  
1191 Washington Street  
Newton, MA. 02465  
**Land Use Approved 7-0 (Cote not Voting)**
- #435-16**        **Class 2 Auto Dealer License**  
JACOB & ASSOCIATES  
1232 Washington Street  
West Newton 02465  
**Land Use Approved 7-0 (Cote not Voting)**
- #436-16**        **Class 2 Auto Dealer License**  
SONOMA CLASSICS LLC.  
1215 Chestnut Street/145 Wells Avenue  
Newton, MA 02466  
**Land Use Approved 7-0 (Cote not Voting)**
- #437-16**        **Class 2 Auto Dealer License**  
R.J.S. SERVICE, INC.  
361 Washington Street  
Newton Corner 02458  
**Land Use Approved 7-0 (Cote not Voting)**

**#408-16**      **Class 2 Auto Dealer License**  
SAM'S AUTO CENTER  
875 Washington Street  
Newtonville 02460  
**Land Use Approved 7-0 (Cote not Voting)**

**#405-16**      **Class 2 Auto Dealer License**  
NTC-NEWTON TRADE CENTER  
103 Adams Street  
Nonantum 02458  
**Land Use Approved 7-0 (Cote not Voting)**

**Referred to Zoning & Planning Committee**

Monday, January 9, 2017

Present: Councilors Hess-Mahan (Chair), Danberg, Kalis, Leary, Yates and Baker; absent: Councilors Sangiolo and Albright

**#53-16(2)**      **Zoning ordinance technical amendments**  
DIRECTOR OF PLANNING requesting technical amendments to the Newton Zoning Ordinance, **Chapter 30**, in order to address edits related to missing or incorrectly transcribed ordinance provisions. [12/13/16 @ 11:15 AM]  
**Hearing Closed; Zoning & Planning Approved as Amended 6-0**

**#415-16**      **Zoning amendment to conform with M.G.L. changes to special permit requirement**  
COUNCILOR HESS-MAHAN requesting to amend Chapter 30, Section 7.3.2.E. to conform with recent amendments to M.G.L. Chapter 40A, Section 9 relative to period of time in which to exercise a special permit. [11/28/16 @ 1:28 PM]  
**Zoning & Planning Voted No Action Necessary 6-0**

**Referred to Programs & Services Committee**

Wednesday, January 4, 2019

Present: Councilors Rice (Chair), Sangiolo, Auchincloss, Schwartz, Leary and Hess-Mahan; absent: Councilors Kalis and Baker

**Referred to Programs & Services, Public Facilities and Finance Committees**

**#388-16**      **Authorize the Library Trustees to apply for grant funds for library renovation**  
HIS HONOR THE MAYOR requesting that the City Council authorize the Board of Library Trustees to apply for any state funds which might be able to make improvements and additions to the Newton Free Library and which will defray all or part of the cost of the design, construction and equipping of the library project; and to authorize the Library

Trustees to accept and expend any such funds when received without further appropriation. [10/31/16 @ 2:05 PM]

**Public Facilities voted No Action Necessary 5-0 on 01/04/17**

**Finance voted No Action Necessary 8-0 on 01/09/17**

**Programs & Services voted No Action Necessary 5-0 (Hess-Mahan not voting)**

**Referred to Public Facilities & Programs and Services Committees**

**#388-16(2) Approval of conceptual library design for grant application**

NEWTON FREE LIBRARY DIRECTOR requesting approval of conceptual designs for renovation and addition to the Newton Free Library as basis for application to the Massachusetts Board of Library Commissioners for a Library Construction Grant. [12/07/2016 @ 3:20 PM]

**Public Facilities voted No Action Necessary 5-0 on 01/04/17**

**Programs & Services voted No Action Necessary 5-0 (Hess-Mahan not voting)**

**Referred To Public Safety & Transportation Committee**

Wednesday, January 4, 2017

Present: Councilors Ciccone (Chair), Blazar, Fuller, Yates, Cote, Harney, Lipof and Norton; also present: Councilors Crossley, Lennon, Lappin, Laredo, Albright, Brousal-Glaser, Hess-Mahan, Rice, Leary, Auchincloss and Sangiolo

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

**#7-17 Request for approval of intersection improvements at Harvard and Washington Sts**

COMMISSIONER OF PUBLIC WORKS requesting approval of the design and installation of intersection improvements including a traffic signal and bump outs at the intersection of Harvard and Washington Street. [12/28/2016 @ 4:35 PM]

**Public Facilities Approved 6-0 on 01/04/17**

**Public Safety & Transportation Approved 8-0**

**#427-16 Accept Sec 193 & 194 of Ch 218 to establish a 25 mph speed limit on certain roadways**

COUNCILORS LENNON and HESS-MAHAN requesting acceptance of Section 193 and 194 of Chapter 218 of the Acts of 2016, authorizing the City Council without further authority, to establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the City on any way that is not a state highway; and to allow for the creation of designated safety zones on, at or near any way in the City which is not a state highway, with the approval of MassDOT if the same is a state highway. Such safety zones would have a posted speed limit of 20 miles per hour. [12/5/2016 @ 9:13 AM]

**Public Safety & Transportation Approved 7-0 (Cote not voting)**

**Referred to Public Facilities Committee**

Wednesday, January 4, 2017

Present: Councilors Crossley (Chair), Albright, Laredo, Lappin, Lennon, Brousal-Glaser; absent: Councilors Danberg, Gentile; also present: Councilors Leary, Hess-Mahan, Fuller, Lipof, Blazar, Yates, Ciccone, Rice, Cote, Harney, Auchincloss, Norton, Sangiolo, Schwartz

**#439-16 National Grid petition for grant of location in Ruane Circle**

NATIONAL GRID petitioning for a grant of location to install and maintain 175' ± of 4" main in Ruane Circle from existing 3" gas main in Ruane Road, easterly to House #12 for new gas service. [(Ward 3) 12/01/2016 @ 1:42 PM]

**Public Facilities Approved 5-0 (Brousal-Glaser not Voting)**

**Referred to Public Safety & Transportation and Public Facilities Committees****#7-17 Request for approval of intersection improvements at Harvard and Washington St**

COMMISSIONER OF PUBLIC WORKS requesting approval of the design and installation of intersection improvements including a traffic signal and bump outs at the intersection of Harvard and Washington Street. [12/28/2016 @ 4:35 PM]

**Public Safety & Transportation Approved 8-0 on 01/04/2017**

**Public Facilities Approved 6-0**

**Referred to Programs & Services, Public Facilities and Finance Committees****#388-16 Authorize the Library Board of Trustees to apply for grant funds for library renovation**

HIS HONOR THE MAYOR requesting that the City Council authorize the Board of Library Trustees to apply for any state funds which might be able to make improvements and additions to the Newton Free Library and which will defray all or part of the cost of the design, construction and equipping of the library project; and to authorize the Library Trustees to accept and expend any such funds when received without further appropriation. [10/31/16 @ 2:05 PM]

**Programs & Services Voted No Action Necessary 5-0 (Hess-Mahan not voting)  
01/04/17**

**Finance Voted No Action Necessary 8-0 on 01/09/17**

**Public Facilities Voted No Action Necessary 5-0 (Lennon not Voting)**

**Referred to Public Facilities & Programs and Services Committees****#388-16(2) Approval of conceptual library design for grant application**

NEWTON FREE LIBRARY DIRECTOR requesting approval of conceptual designs for renovation and addition to the Newton Free Library as basis for application to the Massachusetts Board of Library Commissioners for a Library Construction Grant. [12/07/2016 @ 3:20 PM]

**Programs & Services Voted No Action Necessary 5-0 on 01/04/17**

**Public Facilities Voted No Action Necessary 5-0 (Lennon not Voting)**

**Referred to Finance Committee**

Monday, January 9, 2017

Present: Councilor Gentile, Ciccone, Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin

- #445-16 Recommendation on the appointment of the City Comptroller**  
COUNCILOR GENTILE on behalf of the Comptroller's Search Committee recommending Sue Dzikowski for appointment by the City Council to succeed David Wilkinson as Comptroller of the City of Newton.  
**Finance Approved 8-0**
- #8-17 Temporarily increase the staff in the Comptroller's Office**  
COUNCILOR GENTILE requesting authorization to temporarily increase the authorized full-time complement of Comptroller Office staff by 1 FTE. [12/27/16 @ 11:30 AM]  
**Finance Approved 8-0**
- #9-17 Discussion on Governor's Municipal Modernization Law**  
COMPTROLLER DAVID WILKINSON requesting a discussion with the Finance Committee regarding financial reform measures in Governor's Municipal Modernization Law. [12/16/16 @ 4:10 PM]  
**Finance Voted No Action Necessary 8-0**
- #25-15(2) Increase Investment Advisory Committee membership**  
COUNCILOR GENTILE requesting an amendment to City of Newton Ordinances Chapter 2, Section 142 to increase the Investment Advisory Committee membership to 9 by one by adding an additional member to be appointed by the President of the Council. [11-21-16 @10:32 AM]  
**Finance Voted No Action Necessary 8-0**

**Referred to Programs & Services, Public Facilities and Finance Committees**

- #388-16 Authorize the Library Trustees to apply for grant funds for library renovation**  
HIS HONOR THE MAYOR requesting that the City Council authorize the Board of Library Trustees to apply for any state funds which might be able to make improvements and additions to the Newton Free Library and which will defray all or part of the cost of the design, construction and equipping of the library project; and to authorize the Library Trustees to accept and expend any such funds when received without further appropriation. [10/31/16 @ 2:05 PM]  
**Programs & Services voted No Action Necessary 5-0 on 01/04/17**  
**Public Facilities voted No Action Necessary 5-0 on 01/04/17**  
**Finance voted No Action Necessary 8-0**