



## City Council Docket

April 19: Public Facilities  
April 24: Finance; Zoning & Planning  
April 26: Programs & Services and Public Safety & Transportation  
April 27: Public Facilities

Continued  
Page 394  
**Tuesday, April 18, 2017**  
7:45 PM, Newton City Hall  
To be reported on  
Monday, May 1, 2017

### City of Newton In City Council to be Accepted and Referred to Committees

#### Referred to Land Use Committee

##### ***Public Hearing to be Assigned for May 2, 2017***

**#95-17**

##### **Change of Zone Petition for Washington Street**

MARK NEWTONVILLE, LLC petition for a change of zone to Mixed Use 4 for (i) all of the land located at 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Terrace, 867 Washington Street, 857-859 Washington Street, 845-855 Washington Street and 245-261 Walnut Street, also identified as Section 21, Block 29, Lots 11, 12, 17, 18, 19A, 20 and 21, Ward 2, currently zoned Business 1 and Business 2, and (ii) a portion of the land located at 16-18 Washington Terrace, 869 Washington Street, 861-865 Washington Street, 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and a private way known as Bailey Place, also identified as Section 21, Block 29, Lots 10, 13, 14, 16, 19, and 22, Ward 2, currently zoned Business 1, Business 2, and Public Use, further described as follows:

Beginning at a point on the northerly line of Washington Street, thence

Along the northerly line of Washington Street, south 89 degrees - 04 minutes - 40 seconds west, a distance of 434.02 feet to a point; thence

Along the easterly line of Washington Terrace, north 01 degrees - 52 minutes - 35 seconds west, a distance of 188.53 feet to a point; thence

North 89 degrees - 04 minutes - 40 seconds east, a distance of 294.98 feet to a point; thence

North 05 degrees - 11 minutes - 33 seconds west, a distance of 52.46 feet to a point; thence

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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.

North 85 degrees - 43 minutes - 30 seconds east, a distance of 150 feet to a point on the westerly line of Walnut Street; thence

Along the westerly line of Walnut Street, south 04 degrees - 12 minutes - 48 seconds east, a distance of 231.99 feet to a point of curvature; thence

Along a curve to the right having a radius of 17.00 feet, a central angle of 93 degrees - 17 minutes - 28 seconds, an arc length of 27.68 feet, a chord bearing of south 42 degrees - 25 minutes - 56 seconds west, a chord length of 24.72 feet to the point and place of beginning.

Containing 92,907 square feet, or 2.13 acres, more or less.

***Public Hearing to be Assigned for May 2, 2017***

**#96-17 Special Permit Petition for Washington Street**

MARK NEWTONVILLE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use development in excess of 20,000 square feet consisting of three interconnected buildings with building heights not exceeding 60 feet and five stories, total gross floor area not exceeding 235,000 square feet incorporating not more than 160 residential units, not exceeding 46,000 square feet of commercial space, not exceeding 2,500 square feet of community space, not less than 350 onsite parking stalls outside at grade or within a below-grade garage, and related site improvements; to authorize uses including retail of more than 5,000 square feet, personal service of more than 5,000 square feet, restaurants over 50 seats, standalone ATMs, health club establishments at or above ground floor, animal services, and street level office; to allow FAR of not more than 2.50, lot area per dwelling unit of approximately 581 square feet, reduction of the overall non-residential parking requirement by 1/3, 1.25 parking stalls per residential unit, and free standing signs; to grant waivers of not more than 97 parking stalls and of the height setback and facade transparency and entrance requirements; to grant waivers of certain parking facility design standards including dimensional requirements for parking stalls, parking stall setback requirements, entrance and exit driveways, interior landscaping, interior planting area, tree plantings, bumper overhang, lighting of one foot candle, curbing and surfacing, wheel stops, guard rails, bollards, and maneuvering space for end stalls; and to grant waivers as to number, size, location, and height of signs and number and dimensions of required loading bays, at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street, 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, an unnumbered lot on Bailey Place, and the private way known as Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, containing approximately 2.84 acres of land part of which is in a proposed Mixed Use 4 District and the remainder of which is in the existing Business 2 and Public Use zones. Ref.: Sections 4.2.2.A.2; 4.2.2.B.1; 4.2.3; 4.2.5.A.2; 4.2.5.A.3; 4.2.5.A.4.c; 4.2.5.A.6.a; 4.2.5.A.6.b; 4.2.5.A.6.c; 4.4.1; 5.1.4.A; 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.D.2; 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; 5.1.10.B.5; 5.1.12; 5.1.13; 5.2.13.A; 7.3; and 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2015.

- #2-15(3)**      **Request for an Extension of Time for Special Permit at 300 Boylston Street**  
ATRIUM WELLNESS CENTER request for an EXTENSION of TIME in which to EXERCISE special permit #2-15, granted on April 6, 2015 to repurpose an existing vacant building into a mixed-use commercial facility including general office, medical office, laboratory, retail uses, and restaurants at 300 BOYLSTON STREET, Ward 7, Newton Centre, said EXTENSION will run from April 6, 2017 to April 6, 2018. Ref: 30-24, 30-23, 30-21, 30-11(b)(3), 30-11(d)(9), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

***Public Hearing to be Assigned for May 9, 2017***

- #97-17**      **Special Permit to EXTEND nonconforming use at 966 Watertown Street**  
BR STONE CORP./STEPHANIE OLIVEIRA DIAS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to use a portion of the legally nonconforming wholesale site to cut and fabricate stone countertops, further extending the nonconforming use to manufacturing at 966 WATERTOWN STREET, Ward 3, West Newton, on land known as SBL 31005 0003, containing approximately 13,408 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing to be Assigned for May 9, 2017***

- #98-17**      **Special Permit to EXTEND nonconforming front setback at 37 Troy Lane**  
DONALD FABRIZIO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single family dwelling, extending the structure vertically within the nonconforming front setback at 37 TROY LANE, Ward 5, Waban, on land known as SBL 53004 0008, containing approximately 5,791 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing to be Assigned for May 9, 2017***

- #99-17**      **Special Permit to EXTEND nonconforming use and FAR at 49-51 Clinton Road**  
RALPH KOHL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition, increasing the nonconforming two-family use and nonconforming FAR at 49-51 CLINTON ROAD, Ward 2, Newton Centre, on land known as SBL 13024 0037, containing approximately 4,050 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing to be Assigned for May 9, 2017***

- #100-17**      **Special Permit for three-family at 62 Walnut Park**  
THOMAS JOSEPH HYNES III petition for SPECIAL PERMIT/SITE PLAN APPROVAL to alter the use of the existing nonconforming detached barn by converting it into a residential unit, creating a three-family in two structures at 62 WALNUT PARK, Ward 1, Newton, on land known as SBL 12005 0024, containing approximately 30,209 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.13, 3.4.3.A.1, 7.8.2.C.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing to be Assigned for May 9, 2017**

**#101-17 Special Permit to extend nonconforming use at 46 Farwell Street**

BRIAN MCDONALD/CONTINUOUS IMPROVEMENT REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing detached truck storage structure into a residential unit and continue the office use in the front structure, constituting two uses on site at 46 FARWELL STREET, Ward 3, Newtonville, on land known as SBL 21001 0014, containing approximately 8,529 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 5.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Other Communications**

**ZBA Decision #01-17 Appeal of the issuance of a building permit**

DEBRA WALLER, 10 Bonaire Circle, filing with the Zoning Board of Appeals an appeal of the issuance of a building permit on December 8, 2016 by the Commissioner of Inspectional Services for the installation of a solar integrated canopy on the top deck of the existing garage at 2014-2060 Washington Street, Newton Lower Falls, Ward 4.

**APPEAL DENIED**

**Mt. Ida College submitting application for approval of subdivision definitive plan**

MT IDA COLLEGE, 777 Dedham Street, petitioning for approval by the Planning Board Acting as Board of Survey of a subdivision definitive plan of land for an approximate 5.5 acre parcel of land off Carlson Avenue, being a portion of the campus of Mount Ida College.

**Lasell College filing for Administrative Site Plan Review**

LASELL COLLEGE filing an application for Administrative Site Plan Review to add lighting to the existing Grellier Field at 1-12/70 Studio Road Auburndale.

**#102-17 Cost of Living adjustment for retirees**

NEWTON RETIREMENT BOARD awarding eligible contributory and non-contributory pensioners of the Newton Retirement System a 3% FY2018 cost of living adjustment which is applied to the first \$12,000 of an eligible retirement allowance pursuant to Chapter 32, section 103(i).

**#103-17 2016 Economic Development Commission Annual Report**

ECONOMIC DEVELOPMENT COMMISSION submitting the 2016 Annual Report of the Economic Development Commission.

**Referred to Zoning & Planning Committee**

***Public Hearing to be assigned for May 8, 2017:***

- #104-17 Recommendation to establish a Newton Highlands Historic District**  
NEWTON HISTORICAL COMMISSION submitting a recommendation, pursuant to MGL Chapter 40C, Section 3, that Article III, Historical Provisions, and Division 1, Commissions and Districts, of the City of Newton Ordinances, be amended by establishing a local historic district in Newton Highlands. [04/10/17 @ 10:45AM]

**Referred to Public Facilities Committee**

***Public hearing to be assigned for April 27, 2017***

- #105-17 Lighttower petition for grant of location in Beacon Street**  
LIGHTTOWER FIBER NETWORKS petition for a grant of location to install approximately 450'± of conduit in BEACON STREET from Pole # 31/172 northwesterly to Pole #469/4 at Windsor Street to provide fiber optic service to a cell site at 1643 Beacon Street. (Ward 5) [04/12/2017 @ 10:07 AM]

***Public hearing to be assigned for April 27, 2017***

- #106-17 National Grid petition for grant of location Old Farm Road**  
NATIONAL GRID petitioning for a grant of location to install and maintain 240'± of 4" gas main in OLD FARM ROAD from the existing gas main near #63 Old Farm Road to #41 Old Farm Road for new services to houses #33 and #41. (Ward 8) [04/04/2017 @ 1:59 PM]

***Public hearing to be assigned for April 27, 2017***

- #107-17 National Grid petition for grant of location**  
NATIONAL GRID petition for a grant of location to install and maintain gas main in the following locations: 23'± of 4" gas main from new gas main in Adams Street to the existing main at Wiltshire Road
- 69'± of 6" gas main from new gas main in Adams Street to the existing main on Lincoln Road in front of house #255
  - 21'± of 8" gas main from new gas main in Adams Street to existing gas main in Middle Street next to #260
  - 40'± of 4" gas main from new gas main in Adams Street to existing gas main in Clinton Street in front of #6
  - 2'± of 4" gas main from new gas main in Adams Street to tie into Quirk Court (Ward 1) [03/16/2017 @ 11:22 AM]

- #108-17 Taking an easement on Mt Ida College property for intersection realignment**  
HIS HONOR THE MAYOR recommending that the City of Newton take an easement on property owned by Mount Ida College at the southeast corner of the Dedham Street and Carlson Avenue intersection in order to realign the Dedham Street/Brookline Street/Carlson Avenue intersection. Mount Ida College supports the taking of the easement. [04/10/17 @ 9:59 AM]

**Referred to Finance Committee**

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

- #109-17 Appropriate \$600,000 from Overlay Surplus to fund revaluation**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend six hundred thousand dollars (\$600,000) from Overlay Surplus to fund revaluation and litigation costs. [04/11/17 @ 1:06 PM]

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

- #110-17 Appropriate \$2 million from Free Cash to the Rainy Day Stabilization Fund**  
HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from Free Cash to the Rainy Day Stabilization Fund. [04/12/17 @ 9:37 PM]

- #111-17 Appropriate \$539,881 to the Rainy Day Stabilization Fund**  
HIS HONOR THE MAYOR requesting authorization to appropriate five hundred thirty-nine thousand eight hundred eighty-seven dollars (\$539,887) from Overlay Surplus to the Rainy Day Stabilization Fund. 04/10/17 @2:42 PM]

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

- #112-17 Appropriate \$185,000 to supplement the Highlands Playground Project budget**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred eighty-five thousand dollars (\$185,000) from Overlay Surplus for the purpose of covering construction administration and contingency costs associated with the Newton Highlands Playground renovation project. [04/10/17 @ 2:42 PM]

**Referred to Public Facilities and Finance Committees**

- #113-17 Appropriate \$528,423 for School Department energy efficiency projects**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend five hundred twenty-eight thousand four hundred twenty-three dollars (\$528,423) from the Energy Stabilization Fund to a dedicated account for the Newton Public Schools' Energy Efficiency Projects. [04/10/17 @ 2:42 PM]

**Referred To Finance and Appropriate Committees**

- #359-16(2) Submittal of the FY 2018 Municipal/School Operating Budget**  
HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY18 Municipal/School Operating Budget totaling \$395,313,737 passage of which shall be concurrent with the FY18-FY22 Capital Improvement Program (#359-16). [04/10/17 @ 2:42 PM]  
**EFFECTIVE DATE OF SUBMISSION 04/18/17; LAST DATE TO PASS THE BUDGET 06/02/17**

*Public Hearing to be assigned for May 1, 2017:*

**Referred to Finance and Appropriate Committees**

- #359-16 Submittal of the FY 2018 to FY 2021 Capital Improvement Plan**  
HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/11/16 @ 11:28 AM]

*Public Hearing to be assigned for May 1, 2017:*

**Referred To Finance and Appropriate Committees**

- #359-16(4) Submittal of the FY 2018 – FY 2022 Supplemental Capital Improvement Plan**  
HIS HONOR THE MAYOR submitting the FY 2018 – FY 2022 Supplemental Capital Improvement Plan. [04/10/17 @ 2:42 PM]

*Public Hearing to be assigned for May 1, 2017:*

**Referred to Public Facilities and Finance Committees**

- #359-16(3) Proposed Water, Sewer and Stormwater Rates**  
HIS HONOR THE MAYOR submitting recommended FY2018 Water/Sewer/Storm Water Rates for implementation on July 1, 2017, as follows:

**FY 2018 Tiers & Rates for Water and Sewer**

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>	<u>Sewer Rate Per HCF</u>
0-10	\$6.60	\$9.85
11-25	\$7.60	\$11.45
26-60	\$8.74	\$12.30
>60	\$10.90	\$14.15
Irrigation	\$12.00	

**FY 2018 Storm Water Fees**

1-4 family dwellings	\$75.00
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All other properties:

<u>Square feet of impervious surface area</u>	<u>Annual rate</u>
0 – 4,999	\$250.00

5,000 – 7,499	\$500.00
7,500 – 9,999	\$750.00
10,000 – 14,999	\$1,000.00
15,000 – 24,999	\$1,250.00
25,000 – 49,999	\$1,500.00
50,000 – 74,999	\$1,750.00
75,000 – 99,999	\$2,000.00
100,000 – 199,999	\$2,500.00
200,000 – 299,999	\$3,000.00
300,000 – 399,999	\$3,500.00
400,000 – 499,999	\$4,000.00
500,000 and greater	\$5,000.00

[04/10/17 @ 2:42 PM]