



## City Council Actions

### In City Council

Monday, March 6, 2017

**Present:** Councilors Albright, Auchincloss, Baker, Blazar, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Fuller, Gentile, Harney, Hess-Mahan, Kalis, Lappin, Laredo, Leary, Lennon, Lipof, Norton, Rice, Schwartz and Yates.

Absent: Councilor Sangiolo

**The City Council discussed the following items on Second Call:**

#### Referred to Zoning & Planning Committee

- #222-13(8) Zoning amendment to delay effective date of Garage Ordinance for further study**  
COUNCILOR HESS-MAHAN requesting amendments to Ordinance A-78, which amends Chapter 30, Section 3.4.4 of Revised Ordinances, to implement a deferred effective date for the Ordinance of December 31, 2017 or such other appropriate date, for the purpose of allowing the Planning Department to complete a comprehensive study thereof. [11/28/16 @ 5:45PM]  
**Public Hearing Closed; Zoning & Planning Motion to Approve as Amended to April 1, 2018 Failed to Carry 3-3-1 (Hess-Mahan, Baker and Yates opposed; Leary abstaining)**  
**Approved**  
**Motion to amend the effective date to April 1, 2018 was Approved by Voice Vote**  
**Motion to Approve as Amended was Approved 20 Yeas, 3 Nays (Councilors Baker, Hess-Mahan & Yates), 1 Absent (Councilor Sangiolo)**

**Clerk's Note:** A motion was made to approve the item as amended to a start date of April 1, 2018. It was stated that although there are a number of items to amend the Garage Ordinance, they have not been taken up yet and it was felt that delaying the implementation of the ordinance was best until the problems with it could be sorted out.

It was stated that there are a number of perfectly fine houses with garages in the front that would not have been able to be built if the Garage Ordinance was in effect. It was hoped that looking at the garage ordinance could be part of zoning reform.

It was noted that that the wording of the ordinance was taken from communities that had more land. In Newton, with so many old and small lots, it will be impossible to create an adequate garage as the Garage Ordinance is currently written.

Some Councilors felt that the original ordinance should be implemented and not delayed any longer.

There was support for the date of April 1, 2018 as it was felt that there needed to be more time to discuss potential changes.

**Referred to Zoning & Planning Committee**

**#23-17**

**Mayor's appointment of John Sisson to the Newton Historical Commission**

JOHN SISSON, 45 Greenlawn Avenue, Newton, appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire February 1, 2020 (60 days 04/07/17) [01/26/17 @ 2:03PM]

**Zoning & Planning Approved 5-2 (Kalis and Yates opposed)**

**Chartered by Councilor Norton**

**Clerk's Note:** Councilor Norton stated that she would like Councilor Sangiolo to be present for this discussion and Chartered the item.

**Referred to Programs & Services Committee**

**#37-16**

**Resolution to state officials requesting a carbon fee**

COUNCILOR NORTON requesting a Resolution to state officials calling for a fee on carbon to curb climate change. [01/22/16 @ 10:34 AM]

**Programs & Services Approved 3-0-1 (Auchincloss abstaining)**

**Approved by Voice Vote**

**Clerk's Note:** Councilor Cote placed the item on Second Call, stating that this was a topic that did not have anything to do with municipal government and that it was not an appropriate item for the Council.

Those in favor of the resolution stated that the resolution set the tone for the City and that climate change is one of the most critical issues facing the nation and passing a resolution showing commitment is critically important.

**Referred to Programs & Services Committee**

**#36-16**

**Resolution to state officials supporting fossil fuel divestment**

COUNCILOR NORTON requesting a Resolution to state officials supporting fossil fuel divestment. [01/22/16 @ 10:34 AM]

**Programs & Services Approved 3-0-1 (Auchincloss abstaining)**

**Approved 21 Yeas, 1 Nay (Councilor Cote), 2 Absent (Councilors Kalis & Sangiolo)**

**Clerk's Note:** Councilor Cote placed this item on Second Call and reiterated that it was not the responsibility of the Council to take up this item. It is incumbent upon the population and residents to go to officials at the state level.

It was noted that most people understand that consumption of fossil fuels and man-made activity have contributed to climate change. It is a very serious issue and fossil fuels contribute to problems. Other kinds of energy should be pursued.

It was also felt that a resolution like this is not telling the state how to spend its money. It is taking just a few minutes of our time to support what is a growing and enormous issue. The resolution is a small but very important step.

It was also noted that this was the right thing to do as millions of dollars in Newton's pension money is invested by the State. This is not just a state issue.

**The City Council voted without discussion 23 Yeas, 1 Absent (Councilor Sangiolo) to take the following actions:**

**Referred to Zoning & Planning Committee**

Monday, February 27, 2017

**21-17**

**Mayor's appointment of Dan Brody to the Community Preservation Committee**

DAN BRODY, 15 Brewster Road, Newton Highlands, appointed as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to February 1, 2020 (60 days 04/07/17) [01/26/17 @ 2:03PM]

**Zoning & Planning Approved 7-0**

**Referred to Programs & Services Committee**

Wednesday, February 22, 2017

**#24-17**

**Recommendation to approve 2017 Preliminary Election date**

THE NEWTON ELECTION COMMISSIONERS recommending the City Council approve the date of Tuesday, September 12, 2017 as the date for the 2017 Preliminary Election, if needed. [01/30/17 @ 1:28PM]

**Programs & Services Approved 4-0**

**A motion to Accept the following two late filed items to the Docket and Refer them to Committees was Approved by Voice Vote**

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

**#55-17**

**Appropriate \$200,000 for repairs to the Gath Pool**

HIS HONOR THE MAYOR requesting authorization to appropriate two hundred thousand dollars (\$200,000) from Overlay Surplus for the purpose of funding repairs to the Gath Pool. (03/02/17 @ 9:55 AM)

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

- #59-17**      **Appropriate \$350,000 for construction of a Parks & Recreation/Police building**  
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02-17-17 @ 9:29 AM]

**Public Hearings were assigned for the following Docket Items:*****Public Hearing assigned for March 22, 2017***

- #47-17**      **Petition for grant of location at Washington Street**  
EVERSOURCE ENERGY petition for a grant of location to install  $\pm$  673 feet of conduit from Manhole #3383 approximately 43' south of Walnut Street. [(Ward 2) 01/26/16 @ 12:31 PM]

***Public Hearing assigned for March 22, 2017***

- #48-17**      **Petition for grant of location at Washington Street**  
EVERSOURCE ENERGY petition for a grant of location to install one hip guy at pole #447/94 approximately 180' $\pm$  east of Lowell Avenue [(Ward 2) 01/26/16 @ 12:31 PM]

***Public Hearing assigned for March 22, 2017***

- #49-17**      **Petition for grant of location at Caldon Path**  
EVERSOURCE ENERGY petition for a grant of location to install  $\pm$  39' of conduit southerly to pole 359/12 (adjacent to 44 Caldon Path), headed in a southwesterly direction  $\pm$  501' to two proposed manholes. [(Ward 8) 02/06/16 @ 11:07 AM]

***Public Hearing assigned for March 22, 2017***

- #50-17**      **Petition for grant of location at O'Rourke Path/Hanson Road/Callahan Path**  
EVERSOURCE ENERGY petition for a grant of location to install conduit westerly from pole 359/9 a distance of 24' $\pm$  in a southwesterly direction to one proposed manhole a distance of 466' $\pm$  continuing southwesterly 12' $\pm$  to a second proposed manhole in Callahan Path. [(Ward 8) 02/06/16 @ 11:02 AM]

***Public Hearing assigned for March 22, 2017***

- #51-17**      **Petition for grant of location at Timson Path/Saw Mill Brook Parkway**  
EVERSOURCE ENERGY petition for a grant of location to install conduit westerly from pole 366/8 in Saw Mill Brook Parkway a distance of 430' $\pm$  in a northerly direction to a proposed manhole in front of 15 Timson Path continuing northeasterly to a second proposed manhole in front of 27 Timson Path. [(Ward 8) 02/06/16 @ 11:04 AM]

**Public Hearing assigned for March 22, 2017****#52-17 Petition for a grant of location at Spiers Road/Shute Path**

EVERSOURCE ENERGY petition for a grant of location to install 141'± of conduit northwesterly from pole 371/16 on Spiers Road in a northwesterly direction to a proposed manhole in front of 147 Shute Path. [(Ward 8) 02/08/16 @ 2:55 PM]

**Public Hearing assigned for March 28, 2017****#43-17 Special Permit to extend non-conforming two-family use at 893 Watertown Street**

JAMES AND CAROL HOOPEs petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story rear addition extending the existing non-conforming two-family use at 893 Watertown Street, Ward 3, West Newton, on land known as SBL 31014 0005, containing approximately 19,560 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing assigned for April 5, 2017****#31-15(5) Citizens Petition to amend the noise ordinance relative to leaf blowers**

PHILIP JEPSEN ET AL. submitting a 50-signature citizen petition, pursuant to Article 10, Section 2 of the City of Newton Charter, to amend Section 20-13, Noise Control, in the City of Newton Ordinances as it relates to dates and hours of operation of leaf blowers and types of leaf blowers allowed. **Note:** Council action must be taken within 90 days. [02/21/17 @ 8:37 AM]

**The City Council voted without discussion 21 Yeas, 2 Nays (Councilors Gentile & Lennon), 1 Absent (Councilor Sangiolo) to take the following actions:**

**Referred to Public Facilities Committee****#249-16 Cellco petition for Grant of Location for wireless communication equipment**

CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility poles at the following locations [(Ward 8) 07/01/2016 @11:17 AM]:

Locations

~~Dudley Road (near 530 Dudley Road) at Pole #10-7 (location withdrawn)~~

Hay Road (near 16 Hay Road) at Pole #1368-1

**Public Facilities Approved as Amended Subject to Second Call 6-1 (Lennon opposed)**

**Referred to Public Facilities Committee**

- #281-16** **Cellco petition for Grant of Location for wireless communication equipment**  
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing Utility Pole #20-20 at Sargent Street (near the Sargent/Centre intersection). (Ward 7) [07/20/2016 @12:21 PM]  
**Public Facilities Approved Subject to Second Call 6-1 (Lennon opposed)**

**Referred to Public Facilities Committee**

- #423-16** **Verizon Grant of Location petition for wireless communication equipment**  
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility pole #405/24 adjacent to 93 Sevlard Road. (Ward 8). [11/21/2016 @ 9:44 AM]  
**Public Facilities Approved Subject to Second Call 6-1 (Lennon opposed)**

**The City Council voted without discussion 22 Yeas, 1 Recused (Councilor Leary), 1 Absent (Councilor Sangiolo) to take the following actions:**

**A Motion to Suspend the Rules to allow the Chair of the Finance Committee to report the following two items, which were taken up earlier in the evening, without a written report was Approved by Voice Vote**

**Referred to Programs & Services, Land Use and Finance Committees**

- #35-17** **Appropriation of CPA funds for design of the Crescent Street Project**  
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of two hundred sixty thousand dollars (\$260,000) from the Community Preservation Fund to the Public Buildings Department for feasibility and design work on affordable housing and playground expansion and improvements at 70 Crescent Street, as envisioned by Council Order #384-11(4) and as described in the December 2016 proposal to the Community Preservation Committee and the Community Preservation Committee's detailed funding recommendation. [01/23/17 @ 5:19 PM]  
**Programs & Services Approved 2-0-2 (Hess-Mahan and Leary abstaining) on 02/22/17**  
**Land Use Approved 7-0 (Cote not voting)**  
**Finance Approved 8-0**

**Referred to Land Use and Finance Committees**

- #10-17** **Appropriate \$2 million for development of housing units at 70 Crescent Street**  
HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from the November 16, 2016 Overlay Surplus Declaration for the purpose of funding the City's share of the development of market rate and affordable housing units at 70 Crescent Street. {12/28/16 @ 4:48 PM]  
**Item split into Part A and Part B:**  
**Part A – Balance of City's Funds for Project Construction \$1,701,500 – HELD**

**Part B - Project Design Funds \$298,500**

**Land Use Approved Part B 7-0 @ \$298,500 (Cote not voting)**

**Finance Approved Part B @ \$298,500 8-0**