



City Council Actions

In City Council

Monday, March 20, 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, Sangiolo, Schwartz, and Yates.

The City Council discussed the following item on Second Call:

- #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)
Item Chartered by Councilor Norton on 03/06/17
Approved 18 Yeas, 6 Nays (Councilors Cote, Harney, Kalis, Norton, Sangiolo, and Yates)

Clerk's Note: Many Councilors felt that Mr. Sisson was an excellent candidate who could be an effective member of the Historical Commission. There was some concern that he did not appear to have a strong history background and there might be individuals with a stronger track record in historic preservation. It was noted that he chaired the Newton Corner Library Joint Advisory Committee which recommended preserving the historic integrity of the building.

Concern was also raised about the process that was used to select the candidate. It was hoped by some that the process would have been more open and that more individuals from across the City would have been considered. That did not happen in this case, the candidate was recommended by a staff member.

The City Council voted without discussion 24 Yeas to take the following actions:

Referred to Land Use Committee

Tuesday, March 7, 2017

- #40-17** **Temporary license to hold Nonantum Village Day**
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 2.3.3 of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 4, 2017. [02/14/17 @ 2:58 PM]
Land Use Approved 4-0 (Lipof, Schwartz, Harney, Crossley not voting)

#17-17 **Special Permit to further extend nonconforming structure at 14 Llewellyn Road**
SINEAD AND JOHN EVANS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the nonconforming rear setback to 8' where 15' is allowed by adding a 483 sq. ft. rear addition at 14 Llewellyn Road, Ward 3, West Newton, on land known as SBL 34026 0001, containing approximately 7,350 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. 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.

Public Hearing Closed; Land Use Approved 6-0 (Schwartz, Harney not voting)

#18-17 **Special Permit to further increase nonconforming FAR at 26 Sterling Street**
CHRISTOPHER DUVAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition with enclosed mudroom and covered porch, further increasing the nonconforming FAR to .35 where .34 exists and .33 is allowed at 26 Sterling Street, Ward 3, West Newton, on land known as SBL 32011 0016, containing approximately 10,663 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Closed; Land Use Approved 6-0 (Schwartz, Harney not voting)

Referred to Zoning & Planning Committee

Monday, March 13, 2017

Referred to Finance and Appropriate Committees

#257-12 **Review of fees in Chapter 17 and Chapter 20**
RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

Finance Voted No Action Necessary 7-0 on 12/14/15

PS&T Voted No Action Necessary 7-0 on 01/20/2016

Programs & Services Voted No Action Necessary 6-0 on 02/08/2017

Public Facilities Voted No Action Necessary 7-0 (Laredo not Voting) on 03/08/17

Zoning & Planning Voted No Action Necessary 5-0

Referred to Programs & Services Committee

Wednesday, March 8, 2017

Referred to Programs & Services, Public Facilities and Finance Committees

#58-17 **Authorize submittal of Lincoln Eliot statement of interest to the MSBA**
SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to

the Massachusetts School Building Authority (MSBA) they FY 17 Statement of Interest no later than April 7, 2017 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02/17/17 @ 9:29 AM]

Public Facilities Approved 7-0-1 (Gentile abstaining) on 03/08/17

Finance Approved 4-0 on 03/13/17

Programs & Services Approved 4-0-2 (Baker and Hess-Mahan abstaining)

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]

Finance Approved 4-0 on 03/13/17

Programs & Services Approved 6-0

Referred to Programs & Services and Finance Committees

#54-17

Request to increase the Parks & Recreation Department by one full-time position

HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Parks and Recreation Department. The position will be involved extensively in the administration of camps. [02/27/17 @ 2:42 PM]

Finance Approved 4-0

Programs & Services Approved 6-0

Referred to Programs & Services, Public Facilities and Finance Committees

#312-10

Update on plans to address space needs in schools

ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]

Finance voted No Action Necessary 10/12/11

Public Facilities voted No Action Necessary 11/16/11

Programs & Services voted No Action Necessary 5-0 (Schwartz not voting)

Referred To Public Safety & Transportation Committee

Wednesday, March 8, 2017

#366-16

Requesting a review and update on Traffic Council responsibilities

COUNCILORS NORTON, SCHWARTZ AND AUCHINCLOSS, requesting a review and update on Traffic Council responsibilities by shifting certain areas to the executive branch, including the installation of stop signs and safety upgrades. [10/17/16 @ 9:15 AM]

Public Safety & Transportation No Action Necessary 6-0

- #137-11** **Possible changes to long-term meter fees to discourage short-term use**
ALD. DANBERG AND FULLER, requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]
Public Safety & Transportation No Action Necessary 6-0
- #240-12** **Request Chapter 19 Motor Vehicles & Traffic be amended, Sec. 19-224 and 19-226**
RECODIFICATION COMMITTEE, requesting that **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to determine who has jurisdiction for parking on municipal land, the owning department as described in **Sec. 19-224. Parking prohibited on city grounds.** or the Traffic Council as described in **Sec. 19-26. Authority and role of Traffic Council.**
Public Safety & Transportation No Action Necessary 6-0

Referred to Public Facilities Committee

Tuesday, March 8, 2017

Referred to Public Facilities and Finance Committees

- #42-17** **Request to authorize a contract(s) to aggregate the electricity load**
COUNCILORS CROSSLEY, ALBRIGHT, BROUSAL-GLASER, LEARY AND NORTON requesting the City Council authorize the Administration to direct the appropriate City departments to research, develop, and participate in a contract or contracts to aggregate the electricity load of residents and businesses in the City of Newton, and for the other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents to accomplish the same. [02/13/17 @ 4:53 PM]
Finance Approved 4-0 on 03/13/17
Public Facilities Approved 8-0

Referred to Programs & Services, Public Facilities and Finance Committees

- #58-17** **Authorize submittal of Lincoln Eliot statement of interest to the MSBA**
SUPERINTENDENT FLEISHMAN requesting a vote of the City Council to complement the vote of the School Committee to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority (MSBA) they FY 17 Statement of Interest no later than April 7, 2017 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02-17-17 @ 9:29 AM]
Finance Approved 4-0 on 03/13/17
Programs and Services Approved 3-0-2 (Baker, Hess-Mahan abstaining)
Public Facilities Approved 7-0-1 (Gentile abstaining)

Referred to Public Facilities and Finance Committees

- #57-17** **Appropriate \$400,000 for design of street improvements along Newtonville corridor**
HIS HONOR THE MAYOR requesting authorization to appropriate four hundred thousand dollars (\$400,000) from Free Cash for the purpose of designing streetscape improvements to the Walnut Street/Newtonville corridor. [02/27/17 @ 2:42 PM]
Finance Approved 4-0 on 03/13/17
Public Facilities Approved 8-0

Referred to Finance and Appropriate Committees

- #257-12** **Review of Fees, Civil Fines/Non-criminal Disposition in Chapter 17 of the ordinances**
RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.
Finance Voted No Action Necessary 7-0 on 12/14/15
PS&T Voted No Action Necessary 7-0 on 01/20/2016
Programs & Services Voted No Action Necessary 6-0 on 02/08/2017
Zoning & Planning Voted No Action Necessary 5-0 on 03/13/17
Public Facilities Voted No Action Necessary 7-0 (Laredo not Voting)

- #100-15** **Discussion on pursuing municipal aggregation of energy purchasing**
ALD. NORTON, SANGIOLO, LEARY, AND ALBRIGHT requesting that the Administration pursue municipal aggregation of energy purchasing with the goals of reducing and/or stabilizing electricity costs for resident, businesses and the City; and requiring the purchase of Class 1 RECs at some percentage above the level required by the Massachusetts Renewable Portfolio Standard. [04/06/15 @ 9:12 AM]
Public Facilities Voted No Action Necessary 7-0 (Laredo not voting)

Referred to Finance Committee

Monday, March 13, 2017

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Programs & Services Approved 4-0-2 (Baker, Hess-Mahan) on 03/08/17
Public Facilities Approved 7-0-1 (Gentile) on 03/08/17
Finance Approved 4-0

Referred to Programs & Services and Finance Committees

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Programs & Services Approved 6-0 on 03/08/17**Finance Approved 4-0****Referred to Programs & Services and Finance Committees**

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Programs & Services Approved 6-0 on 03/08/17**Finance Approved 4-0****Referred to Public Facilities and Finance Committees**

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Public Facilities Approved 8-0 on 03/08/17**Finance Approved 4-0****Referred to Public Facilities and Finance Committees**

#42-17

Request to authorize contract(s) to aggregate the electricity load

COUNCILORS CROSSLEY, ALBRIGHT, BROUSAL-GLASER, LEARY AND NORTON requesting the City Council authorize the Administration to direct the appropriate City departments to research, develop, and participate in a contract or contracts to aggregate the electricity load of residents and businesses in the City of Newton, and for the other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents to accomplish the same. [02/13/17 @ 4:53 PM]

Public Facilities Approved 8-0 on 03/08/17**Finance Approved 4-0 with a recommendation to form a working group**

#53-17

Appropriate \$48,984 from Cable Television Franchise Fees to NewTV

HIS HONOR THE MAYOR requesting authorization to appropriate forty-eight thousand nine hundred eighty-four dollars (\$48,984) from Cable Television Franchise Fees-Capital to Newton Communications Access Center, Inc. (NewTV) for the purpose of upgrading the video equipment in the City Council Chamber from Standard Definition (SD) to High Definition (HD). [02/27/17 @ 2:42 PM]

Finance Approved 4-0

Public Hearings were assigned for the following Docket Items:

Public Hearing assigned for March 22, 2017

#73-17 **Eversource petition for grant of location at Osborne Path/Van Roosen Road**
EVERSOURCE ENERGY petition for a grant of location to install conduit from a proposed manhole in front of 112 Osborne Path in a southwesterly direction to pole 352/4 a distance of 145'± in Van Roosen Road. [(Ward 8) 02/27/2017 @ 2:54 PM]

Public hearing assigned for March 22, 2017

#72-17 **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 [02/08/2017 @3:01 PM]:

Locations

Commonwealth Ave (at intersection of Boylston/Chestnut St) at Eversource Pole #102/200
Albemarle Rd (adjacent to 250 Albemarle) at Eversource Pole #2X

Public Hearing assigned for March 22, 2017

#74-17 **Eversource petition for grant of location at Chinian Path**
EVERSOURCE ENERGY petition for a grant of location to install one manhole 3' easterly to Chinian Path in a westerly direction 397± to a second proposed manhole in front of #49 Chinian Path continuing in a westerly direction 45'± to pole 232/22 in Wiswall Road. [(Ward 8) 02/06/16 @ 11:03 AM]

Public Hearing assigned for April 4, 2017

#61-17 **Special Permit Petition to construct elderly housing on Washington Street**
SUNRISE DEVELOPMENT, INC./431 WASHINGTON STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct elderly housing with services in excess of 20,000 sq. ft. of gross floor area, consisting of 85 living units in a four-story structure not to exceed 48' in height and Floor Area Ratio not to exceed 2.0, extending the existing nonconforming front setback and constructing a retaining wall greater than 4' in a setback at 431 Washington Street, 29 Hovey Street, and the adjacent unnumbered lot to the north on Hovey Street, on land known as Section 12 Block 006 Lots 003, 004, and 005, containing approximately 66,909 sq. ft. of land in districts zoned BUSINESS 2 AND MULTI-RESIDENCE 2. Ref.: 7.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 4.4.1, 5.1.13, 5.4.2.B, 5.11.11, 6.2.10, 6.2.10.B, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for April 13, 2017

#62-17 **Special Permit to extend nonconforming use at 489-491 Commonwealth Ave**
RONALD GOLD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze and replace the existing nonconforming two-family dwelling with attached garage, further extending the extending the nonconforming front and side setbacks at 489-491 Commonwealth Avenue, Ward 7, Newton Centre, on land known as SBL 73043 0001, containing approximately 20,136 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 assigned for April 13, 2017

#63-17 **Special Permit to allow six-unit multi-family at 16-26 Dalby Street**
DALBY DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct two three unit dwellings with shared underground parking by combining three lots at 16-26 Dalby Street, Ward 1, Newton, on land known as SBL 11007 0046, 11007 0045, 11007 0044, containing approximately 23,400 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.