



## City Council Docket

July 11: Land Use  
July 12: Public Facilities  
July 17: Zoning & Planning

Continued

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**Monday, July 10, 2017**

7:45 PM, Newton City Hall

To be reported on

Monday, August 14, 2017

### City of Newton

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

### Referred to Land Use Committee

*The Rules & Orders of the Council contain a blackout period to avoid scheduling public hearings for Major Projects in July or August. The following petition was filed with the Clerk of the Council on June 12, 2017 during the June 1 to July 20 blackout period, the criteria for a Major Project classification involve a project that exceed six (6) residential units and trigger the Inclusionary Zoning Ordinance. The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders (3/4 vote) of the City Council to suspend the time restrictions to allow the petition to be assigned a public hearing for August 8, 2017.*

#### **#201-17 Special Permit to construct three-story building at 386-394 Watertown Street**

JLM REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story building, up to 36' high, allow an FAR of 1.5, waivers to parking and waivers to the lot area per unit in a multifamily dwelling at 386-394 WATERTOWN STREET, Ward 1, Newton, on land known as Section 14, Block 14, Lots 37-38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Ref: 7.3, 7.4, 4.1.2.B.3, 4.1.3, 5.1.4, 5.11, 5.11.15.A of the City of Newton Rev Zoning Ord, 2015.

### Other Communications

#### **Administrative Site Plan 1151 Walnut Street**

HAPPY MUNCHKINS DAY SCHOOL, 1151 Walnut Street, Newton Highlands, filing an application for Administrative Site Plan Review to designate on-site parking spaces for parent pick-up and drop-off as well as for staff parking for the daycare center.

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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: [fairley@newtonma.gov](mailto:fairley@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.

**Administrative Site Plan 1615 Beacon Street**

SUZUKI MUSIC SCHOOL and PRE-SCHOOL, 1615 Beacon Street, Waban, filing an application for Administrative Site Plan Review to establish a non-profit music school as well a non-profit integrated arts preschool and a non-profit preschool program at 1615 Beacon Street, Waban.

**#202-17**

**Lateral Crossing Grant of Location for Beacon Street by Collins Road**

EVERSOURCE ENERGY petitioning for a grant of location to install approximately 48' ± of conduit in BEACON STREET northerly from Manhole #18339 located approximately 223' northeast of Collins Road.

**Commissioner of Public Works Approved**

**Referred to Zoning & Planning Committee**

**#203-17**

**Mayor's appointment of Kathryn Cade to the Conservation Commission**

KATHRYN CADE, 195 Islington Road, Auburndale, appointed as an alternate member of the CONERVATION COMMISSION for a term to expire July 31, 2020. (60 days 09/08/17) [06/21/17 @ 12:16 AM]

*Public Hearing to be assigned for July 17, 2017:*

**#204-17**

**Zoning ordinance technical amendment**

DIRECTOR OF PLANNING & DEVELOPMENT requesting a technical amendment to the Newton Zoning Ordinance, Chapter 30, Section 5.11.15 Incentives, to restore the reference to Sections 4.1 and Section 4.2 for density bonus incentives related to an increase in inclusionary units for residential use in Business and Mixed Use districts which was inadvertently omitted from the ordinance. [06/19/17 @ 5:19 PM]

**Referred to Programs & Services Committee**

**#205-17**

**Mayor's re-appointment of Jan Huffman to the Election Commission**

JAN HUFFMAN, 27 Indiana Terrace, Newton Upper Falls, re-appointed as a member of the Election Commission for a term to expire March 31, 2021. (60 days 09/08/17) [07/03/17 @ 12:28 PM]

**#206-17**

**Mayor's re-appointment of Marjorie Butler to the Election Commission**

Marjorie Butler, 33 Andrew Street, Newton Highlands, re-appointed as a member of the Election Commission for a term to expire March 31, 2021. (60 days 09/08/17) [07/03/17 @ 12:28 PM]

**#207-17**

**President Lennon's re-appointment of Carl Cohen to the Biosafety Committee**

CARL COHEN, 15 Magnolia Avenue, Newton, re-appointed as a member of the Biosafety Committee for a term to expire December 31, 2017. (60 days 09/08/17) [06/29/17]

**#138-17(2) Request to place question of new Charter on the November ballot**  
CITY CLERK requesting the City Council, as required by MGL 43B, Section 11, order the Newton Charter Commission's proposed new charter to be submitted to the voters of the City of Newton for their approval on the November 7, 2017 municipal ballot. The ballot question to read: "Shall the City of Newton approve the new home rule charter recommended by the Charter Commission as summarized below: Yes. No." [06/14/17 @ 2:42PM]

**#208-17 Proposal to place a nonbinding advisory question on the ballot**  
PETER HARRINGTON, ET AL., requesting that the following non-binding question be placed on the November 7, 2017 municipal ballot: "Do you support rezoning village centers to allow four- and five-story mixed-use buildings near public transit with retail on the first floor and apartments above, as the City is recommending to update Newton's Zoning Ordinance for future growth?" [07/03/17 @ 2:59 PM]

**Referred to Public Safety & Transportation Committee**

**#209-17 Appeal of Traffic Council Decision #12-17 Fairway Drive**  
WILLIAM DILWORTH, 34 Fairway Drive, West Newton appealing the denial of Traffic Council petition TC12-17 on June 22, 2017 for a four-way stop sign at the intersection of Fairway Drive and Bunker Lane in West Newton. (Ward 3) [06-29-17 @ 11:40 AM]

**Referred to Public Facilities Committee**

***Public hearing to be assigned for August 14, 2017***

**#210-17 Verizon petition for grant of location on Christina Street**  
VERIZON petitioning for a grant of location to install and maintain 120'± of conduit from Pole #604/01 in a westerly direction to Needham Street. (Ward 8) [06/23/17 @ 11:17 AM]

***Public hearing to be assigned for July 12, 2017***

**#211-17 Eversource petition for grant of location on Centre Street**  
EVERSOURCE ENERGY petition for a grant of location to install one pole in front of #559 Centre Street and one anchor guy 100'± in a northerly direction to upgrade existing service. [(Ward 1) 07/03/17 @ 11:16 AM]

***Public hearing to be assigned for July 12, 2017***

**#212-17 Eversource petition for grant of location in Bigelow Road**  
EVERSOURCE ENERGY petition for a grant of location to install 60'± of conduit from manhole 9423 in a westerly direction to provide new service to house #111 Bigelow Road. [(Ward 2) 06/21/17 @ 9:57 AM]

***Public hearing to be assigned for July 12, 2017***

**#213-17 Eversource petition for grant of location in Austin Street**

EVERSOURCE ENERGY petition for a grant of location to install 37'± of conduit in Walnut Street from manhole #3386 in a westerly direction onto Austin Street, continuing in a westerly direction 874'±, terminating at a proposed manhole in front of Philip Bram Way. [(Ward 2) 06/27/17 @ 8:46 AM]

***Public hearing to be assigned for July 12, 2017***

**#214-17 Eversource petition for grant of location in Austin Street**

EVERSOURCE ENERGY petition for a grant of location to relocate pole #311/4 approximately 57'± westerly as part of the undergrounding of existing service. [(Ward 2) 06/27/17 @ 8:46 AM]

**#215-17 Taking of a non-exclusive easement at 19-33 Needham Street**

HIS HONOR THE MAYOR requesting authorization to take a non-exclusive easement from UBC Equity Partners, LLCC, over and upon a portion of the property known and numbered 19-33 Needham Street, Newton for the purpose of providing passage consistent with the use of the Upper Falls Greenway as a rail-trail, as defined by Massachusetts law, for pedestrians, bicycles, and other types of non-motorized transportation and wheelchairs or similar devices for disabled persons, whether motorized or not, and for emergency vehicles. The request further includes the taking of a temporary construction easement from the same party for the purpose of making, constructing, installing, placing and inspecting improvements in the portion of the Greenway that abuts the land to be taken for easement purposed. [07/03/17 @12:28 PM]

**#216-17 Approval of Building Design and Construction Sustainability Guidelines**

HIS HONOR THE MAYOR requesting approval of the "City of Newton – Public Buildings Department – Building Design and Construction Sustainability Guidelines." [07/03/17 @ 12:28 PM]

**Referred to Finance Committee**

**#217-17 Acceptance of MGL to create a special revenue fund for PEG and Cable funds**

COUNCILOR LAPPIN requesting the acceptance of General Laws Chapter 44, Section 53F¾, which establishes a special revenue fund known as the Public, Educational, and Government (PEG) Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2019, which begins on July 1, 2018. [06/13/2017 @ 1:41 PM]

**#218-17**      **Acceptance and expenditure of the Assistance to Firefighters' Grant**  
HIS HONOR THE MAYOR requesting authorization to accept and expend the Assistance to Firefighters' grant, which is a 90/10 reimbursable grant in the amount of seventy-six thousand ninety-one dollars (\$76,091) for the purchase of Personal Safety/Bailout systems. [07/03/17 @ 12:28 PM]

**#219-17**      **Acceptance and expenditure of the Green Communities Grant**  
HIS HONOR THE MAYOR requesting authorization to accept and expend the Green Communities Grant in the amount of one hundred ninety-six thousand one hundred fifty-seven dollars (\$196,157) for energy efficiency improvements to the Franklin, Underwood, Williams, and Memorial Spaulding Elementary Schools. [07/03/17 @ 12:28 PM]

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

**#220-17**      **Transfer \$6,400 from Budget Reserve to mail Charter Commission Report**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of six thousand four hundred dollars (\$6,400) from Budget Reserve to supplement funds previously appropriated to the Charter Commission in order to distribute a printed copy of the Charter Commission's final report to all voter households, as required by Massachusetts state law. [07/06/17 @ 9:03 AM]

**Referred to Land Use and Finance Committees**

**#221-17**      **\$977,000 for CAN-DO to create 8-units of affordable housing at 236 Auburn Street**  
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of three hundred thousand dollars (\$300,000) for historic rehabilitation and six hundred seventy-seven thousand seven hundred dollars (\$677,700) for affordable housing for a total of nine hundred seventy-seven thousand dollars (\$977,000) from the Community Preservation Fund, to the Planning & Development in Newton (CAN-DO), to create 8 units of permanently affordable rental housing at 236 Auburn Street, Auburndale, including 5 units in a congregate home to be owned and operated by the Barry L. Price Rehabilitation Center, as described in CAN-DO's proposal submitted to the Community Preservation Committee in May 2017. [06/19/17 @ 5:19 PM]