



City Council Actions

In City Council

Monday, November 6, 2017

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

Absent: Councilors Leary & Lennon

The City Council discussed the following item on Second Call:

Referred to Public Facilities Committee

#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]

Public Facilities Approved 6-0

Item Chartered by Councilor Gentile at the 10/16/17 Council Meeting

Motion to Postpone to a Date certain of November 20, 2017 was approved by Voice Vote

Clerk's Note: As some additional wordsmithing was needed to be done on the Guidelines, the Chair of the Public Facilities Committee asked that the item be postponed to a date certain of November 20, 2017 which was approved by voice vote.

The City Council voted without discussion 22 Yeas, 2 Absent (Councilors Leary & Lennon) to take the following actions:

Referred to Land Use Committee

Tuesday, October 24, 2017

#229-17

Special Permit to allow vehicle sales at 454-458 Watertown Street

TEE GEE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing auto service business to allow the sale and service of up to ten used cars and waivers to requirements for parking facilities at 454-458 WATERTOWN STREET, Ward 1, Newtonville, on land known as Section 14, Block 16, Lot 35, containing approximately 14,277 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3, 7.4, 4.4.1, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)

- #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 allow parking in the side setback, waiver to allow parking within 5' of a building or structure containing dwelling units, waivers to allow a reduction in the parking requirement to 1.25 per dwelling unit, relief from parking facility landscaping, and a waivers to the lot area per unit in a multifamily dwelling by 25% to allow for an affordable unit 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, 4.1.3.3, 5.1.4, 5.1.8, 5.1.8.A.2, 5.1.13, 5.1.9, 5.1.1.13, 5.11, 5.11.15.A of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 09/07/2017; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #49-16(2)** **Petition to amend Board Order #49-16 at 103 Court Street (including 15 Wilton Road)**
ALAN AND BARBARA QUEBEC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #49-16 to allow for changes to the site plan at 103 Court Street, Ward 2, on land known as Section 23, Block 16, Lots 36 and 36A containing approximately 22,848 sq. ft. of land in a district zoned MR1. Ref: 7.3.3, 7.4, of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)
- #282-17** **Special Permit to exceed FAR at 45 Chester Street**
JEFFREY AND JUSTINE COHEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing detached garage structure and rear portion of the dwelling and replace it with a two-car attached garage, mudroom, living space and a rear pool, creating an FAR of .37 where .21 exists and .33 is allowed at 45 Chester Street, Ward 6, Newton Highlands, on land known as Section 52, Lot 03 Block 08, containing approximately 19,800 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.9 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 3-0-1 (Schwartz abstaining, Cote, Crossley, Auchincloss not Voting)
- #223-17** **Special Permit to amend Board Order #64-02 to allow for a garage at 1080 Walnut St**
MICHAEL E. LIU petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #64-02 to allow for the construction of a detached garage at 1080 WALNUT STREET, Ward 6, Newton Highlands, on land known as Section 52 Block 20 Lot 8, containing approximately 21,331 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)

#261-17 **Special Permit to exceed FAR at 14 Pond Avenue**
KEVIN FAHEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 1,026 sq. ft. rear addition to the basement, first and second stories, creating an FAR of .67 where .58 is allowed and .44 exists at 14 POND AVENUE, Ward 1, on land known as Section 11, Block 20, Lot 14, containing approximately 4,530 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3, 7.4, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)

#132-14(2) **Special Permit Petition to amend Board Order #132-14 at 49 Winchester Street**
THE CREATIVE KIDS STUDIO, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #132-14 to allow parking within the front setback and waive the requirement for outdoor play area screening at 49 Winchester Street, Ward 8, on land known as Section 51, Block 28, Lot 30, containing approximately 79,500 sq. ft. of land in a district zoned MULTI USE 1. Ref: Sec. 7.3.3, 7.4, 5.1.8.A.1, 7.8.2.C.2, 6.3.4.B.3 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed; Land Use Approved 4-0 (Cote, Crossley, Auchincloss not Voting)

Referred to Zoning & Planning Committee

Monday, October 23, 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]
Zoning & Planning Voted to Accept Withdrawal without Prejudice 8-0.

#136-17 **Recommendation to establish a West Newton 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 West Newton. [04/26/17 @ 9:34 AM]
Zoning & Planning Voted to Accept Withdrawal without Prejudice 8-0

Referred to Programs & Services Committee

Wednesday, October 18, 2017

#194-17 **Rescission of date and time notation on docket items**
CITY CLERK requesting rescission of Council Order #369-06 ALD. JOHNSON requesting that all newly docketed items, when appearing on the new docket, shall include the date and time that the item was received by the Clerk's office and the name of the clerk who received the item. [06/09/17 @ 4:02PM]
Programs & Services Approved 5-0 (Sangiolo not voting)

- #193-17 Rules amendment: Referral of business**
CITY CLERK requesting a Rules amendment to Section 3, Referral of business to Committees, Item D by replacing the word “petition” in the first sentence with the words “docket item.” [06/09/17 @ 4:02PM]
Programs & Services Approved 5-0 (Sangiolo not voting)
- #299-17 Rules change to close docket items at the end of term**
CITY CLERK requesting to amend the City Council Rules to close docket items that have not made their way through the Council by the end of a term, thereby eliminating the creation of a Referral Docket, similar to state and federal legislature’s procedure.
 [09/11/17 @ 11:42 AM]
Programs & Services Approved 5-0 (Sangiolo not voting)
- #300-16 Ordinance to register lobbyists**
COUNCILORS COTE, NORTON AND HARNEY proposing an ordinance to register lobbyists in the City of Newton. [08/10/16 @ 3:11 AM]
Programs & Services voted No Action Necessary 5-0 (Sangiolo not voting)

Referred to Public Safety & Transportation Committee

Wednesday, October 18, 2017

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

- #179-17 Request for parking meter pilot(s)**
COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY, requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment.
 [05/22/17 @ 9:15 AM]
Finance Voted No Action Necessary on 10/23/17
Public Facilities No Action Necessary 6-0, on 10/18/17
Public Safety & Transportation No Action Necessary 5-0, Blazar, Fuller and Norton not voting
- #345-16 Requesting a review, amendment or elimination of the Winter Overnight Parking Ban**
PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting a review and possible amendment or elimination of the winter overnight parking ban. [10/06/16 @ 9:10 AM]
Public Safety & Transportation No Action Necessary 5-0, Blazar, Fuller and Norton not voting
- #28-14 Discussion on duplicate street names**
ALD. CICCONE AND FULLER, on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names. [01/09/14 @ 10:57 AM]
Public Safety & Transportation No Action Necessary 6-0, Fuller and Norton not voting

Referred to Public Facilities Committee

Wednesday, October 18, 2017

- #279-17 Mayor's appointment of Miles Smith to the Solid Waste Commission**
MILES SMITH, 30 Webster Street, Newton, appointed as a member of the SOLID WASTE COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:19 AM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #316-17 Mayor's appointment of Sunwoo Kahng to the Solid Waste Commission**
SUNWOO KAHNG, 60 Garland Road, Newton Centre appointed as a member of the SOLID WASTE COMMISSION for a term to expire November 15, 2020. (60 DAYS 12/01/17) 09/27/17 @ 2:49 PM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #328-17 Verizon petition for grant of location on Bigelow Road**
VERIZON petition for a grant of location to install 334± of conduit 334' from an existing handhole (HH1) in front of 133 Bigelow Road in a westerly direction to a proposed handhole (HH2) in front of 111 Bigelow Road to provide service to a new home. [(Ward 2) 10/05/2017 @ 12:00 PM]
Public Facilities Approved 6-0 (Gentile not Voting)
- #329-17 National Grid petition for grant of location on Broken Tree Road**
NATIONAL GRID petitioning for a grant of location to install and maintain 75'± of 4" gas main in BROKEN TREE ROAD from the existing main at #74 Broken Tree Road northerly to house #82 to provide new service. [(Ward 8) 10/05/2017 @ 12:19 PM]
Public Facilities Approved 7-0
- #327-17 Request for updates on rate case hearings**
COUNCILOR CROSSLEY requesting an update from the Director of Sustainability and Public Buildings about the City's involvement in the recent rate case hearings, anticipated results and how this may impact future municipal solar photovoltaic installation. [10/10/2017 @ 11:03 AM]
Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)
- Referred to Public Facilities and Finance Committees**
- #385-16 Discussion about the Community Solar Share Program**
PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]
Finance Voted No Action Necessary 8-0 on 10/23/17
Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

Referred to Public Facilities and Finance Committees

#56-17

Request to increase the Public Works Department by one full-time position

HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Public Works Department to manage all detail requests submitted to the Police Detail Coordinator. [02/27/17 @ 2:42 PM]

Finance Voted No Action Necessary 8-0 on 10/23/17

Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

#179-17

Request for parking meter pilot(s)

COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. 05/22/17 @ 9:15 AM]

Public Safety & Transportation voted No Action Necessary 5-0 on 10/18/17

Finance Voted No Action Necessary 8-0 on 10/23/17

Public Facilities Voted No Action Necessary 6-0 (Gentile not Voting)

Referred to Finance Committee

Monday, October 23, 2017

#332-17

Transfer of Homeless Transportation Funds to the School Budget

HIS HONOR THE MAYOR requesting authorization to appropriate thirty-two thousand two hundred ninety-seven dollars (\$32,297) from general revenue, which the City received from the McKinney-Vento Homeless Assistance Act to the School Department to offset transportation costs. [10/10/17 @ 5:04 PM]

Finance Approved 8-0

#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]

Finance Approved 8-0

#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]

Finance Voted No Action Necessary 8-0

- #353-16** **Review/Acceptance of the FY 2018 – FY 2022 5-year Financial Forecast**
HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 5-Year Financial Forecast for City Council review/acceptance. [10/11/16 @ 11:28 AM]
Finance Voted No Action Necessary 8-0

Referred to Public Safety & Transportation, Public Facilities, and Finance Committees

- #179-17** **Request for parking meter pilot(s)**
COUNCILORS ALBRIGHT, KALIS, LAREDO AND LEARY requesting a parking meter pilot or multiple pilots in Fiscal Year 2018 using the latest technology, which allows payment by credit card and other features, such as monitoring meter usage, providing feedback to administrators, information to drivers, and allowing time-based fee adjustment. 05/22/17 @ 9:15 AM]
Public Safety & Transportation voted No Action Necessary 5-0 on 10/18/17
Public Facilities voted No Action Necessary 6-0 on 10/18/17
Finance Voted No Action Necessary 8-0

Referred to Public Facilities and Finance Committees

- #385-16** **Discussion about the Community Solar Share Program**
PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]
Public Facilities voted No Action Necessary 6-0 on 10/18/17
Finance Voted No Action Necessary 8-0

Motions to suspend the rules to accept and refer to committee the following two items were approved by Voice Vote:

Referred to Zoning & Planning Committee

- #109-15(2)** **Zoning amendment to increase inclusionary zoning units from 15% to 25%**
HIS HONOR THE MAYOR requesting consideration of changes to the inclusionary housing provisions of the Zoning Ordinance to increase the required percentage of affordable units to 25% for larger projects; require that some affordable units be designated for middle income households; and to create a new formula for calculating payments in lieu of affordable units. [10/31/17 @ 4:42 PM]

Referred to Public Facilities Committee

- #341-17** **5-58 for the Crescent Street Housing and Ford Playground Redevelopment Project**
DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec 5-58, for schematic design and site plan approval at 70 Crescent Street for the creation of mixed-use housing, redevelopment of the Reverend Ford Playground, and expand open space by at least

20,000 square feet in accordance with Board Order #384-11(4) dated November 16, 2015.

Public Hearings were assigned for the following Docket Items:

Public hearing assigned for December 6, 2017

#337-17 **Citizens Petition requesting an ordinance mandating NPS curriculum transparency**
CHARLES JACOBS ET AL. submitting a petition, pursuant to Section 10, Section 2 of the City of Newton Charter, requesting an ordinance mandating the Newton Public School system to publicize on the internet all curricular materials, sources, syllabi, teacher and student workshops, as well as school calendars publicizing invited guest speakers and/or organizations and designated student field trips in each of the grades from K-12. [10/31/17 @ 11:34 AM]

Public hearing assigned for November 29, 2017

#341-17 **5-58 for the Crescent Street Housing and Ford Playground Redevelopment Project**
DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec 5-58, for schematic design and site plan approval at 70 Crescent Street for the creation of mixed-use housing, redevelopment of the Reverend Ford Playground, and expand open space by at least 20,000 square feet in accordance with Board Order #384-11(4) dated November 16, 2015.

The City Council voted without discussion 21 Yeas, 1 Recused (Councilor Laredo), 2 Absent (Councilors Leary & Lennon) to take the following action:

Referred to the Finance Committee

#333-17 **Mayor's appointment of Allan S. Cohen to the Board Assessors**
ALLAN S. COHEN, 12 Philmore Road, Newton, appointed to the Board of Assessors to fill the unexpired term of Michael Flynn. Term to expire January 31, 2018. (60 days 12/15/17) [10/06/17 @ 8:47 AM]
Finance Approved 5-0 (Cicccone, Norton, and Rice not voting)