



City Council Actions

In City Council

Monday, March 7, 2016

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

Absent: Councilors Laredo, Lipof and Sangiolo

The City Council discussed the following item on Second Call:

#480-14(4) Petition to expand Turtle Lane Playhouse and construct second building for a mixed-use project

STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change one nonconforming use to another by restoring and expanding an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed-use building with an addition containing 4 dwelling units at street level and above and a second building containing a 16-unit multi-family dwelling with a below grade parking garage for 27 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land currently zoned MULTI-RESIDENCE 1 *or in the alternative in a proposed MIXED USE 4 DISTRICT*. Ref: Sec. 7.3, 7.4, 7.8.2.C, 4.4.1, 4.2.2.B.1, 4.2.5.A.1, 4.2.5.A.6.b, 5.4.2, 5.1.4, 5.1.13, 5.1.4.C, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing opened on January 12 and continued to February 2, 2016, and continued to February 23, 2016.

Public Hearing Closed 7-1 (Harney opposed); Land Use APPROVED 5-0-3 (Harney, Lennon, Schwartz)

Item Chartered by Councilor Gentile

Clerk's Note: The Vice-Chair of the Land Use Committee gave a brief report on the history of the development of the Special Permit as discussions between area residents and the developer have taken place and as it has worked its way through the Land Use Committee process. Councilor Gentile stated that there was still some work that needed to be done in regards to the open space setback in front of the original building. To provide some more time to work on this issue Councilor Gentile Chartered the Item. It will be again before the Council on March 21, 2016.

The City Council voted without discussion 21 Yeas, 3 Absent (Councilors Laredo, Lipof and Sangiolo) to take the following actions:

Referred to Land Use Committee

Tuesday, February 23, 2016

- #50-16** **Temporary license for Nonantum Village Day**
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 5, 2016.
Land Use APPROVED 8-0
- #15-16** **Special permit petition for an accessory apartment at 126 Cornell Street**
SCOTT TIMMINS petition for an accessory apartment in a detached carriage house at 126 Cornell Street, Ward 4, Newton Lower Falls, on land known as SBL 42, 32, 72, containing approximately 12,682 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3, 7.4, 6.7.1.D of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing opened on February 9 and continued to February 23, 2016.
Public Hearing Closed 8-0, Land Use APPROVED 8-0
- #326-15** **Petition to Increase seating at Bertucci's Restaurant**
BERTUCCI'S RESTAURANT CORPORATION/KNAPP FOOD INC. to AMEND Special Permit/Site Plan Approval #573-88 to increase the seating capacity from 129 to 170 seats and to waive up to three parking stalls at 275 CENTRE STREET, Ward 1, Newton Corner, on land known as SBL 71, 2, 1, 2, and 4, containing a total of 58,248 sf of land in districts zoned BUSINESS 1 and BUSINESS 2. Ref: Sec. 6.4.29.C.1, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing opened on January 12 and continued to February 23, 2016
Public Hearing Closed 8-0; Land Use APPROVED 8-0

Referred to Zoning & Planning Committee

Monday, February 22, 2016

- #46-16** **Resolution supporting House and Senate bills to increase number of housing courts**
COUNCILOR HESS-MAHAN requesting a Resolution by the City Council to support House Bill H. 1656 and Senate Bill S. 901 for expansion of housing courts in the Commonwealth that would allow the City of Newton to pursue housing matters in a specialized court designed to specifically deal with housing issues and better protect its residents and more swiftly resolve violations. [01/29/16 @ 9:39 AM]
Zoning & Planning Approved 7-0

Referred to Public Safety & Transportation Committee

Wednesday, February 17, 2016

Referred to Public Safety & Transportation and Finance Committees

#65-16

Transfer of \$106,676.39 to the Fire Department to install amplifying cable.

HIS HONOR THE MAYOR, requesting authorization to transfer the sum of one hundred six thousand six hundred seventy-six dollars and thirty-nine cents (\$106,676.39) from Free Cash to a Fire Department Capital Account to fund the installation of bi-directional amplifying cable for Police and Fire Department radio coverage inside Newton South High School. [02/09/16 @ 2:47 PM]

Finance Approved 4-0 on 02/22/16

Public Safety & Transportation Approved 6-0

Referred to Public Facilities Committee

Wednesday, February 17, 2016

Present: Councilors Crossley (Chair), Lennon, Albright, Brousal-Glaser, Danberg, Laredo and Lappin;
absent: Councilor Gentile; also present: Councilor Fuller

#38-16

National Grid GOL petition for Eastside Parkway

NATIONAL GRID petitioning for a grant of location to install and maintain 70' ± of 6" gas main in East Side Parkway from the existing 6" gas main at 82 East Side Parkway to 76-78 East Side Parkway. (Ward 2) [01/20/16 @ 6:43 PM]

Public Facilities Approved 6-0 (Lennon not voting)

#57-16

Verizon and Eversource petition for grant of location in Saw Mill Brook Parkway

VERIZON NEW ENGLAND INC. & EVERSOURCE petitioning for a grant of location to install and maintain a new stub pole and anchor in Sawmill Brook Parkway at Fredette Road in front of 552 Saw Mill Brook Parkway. (Ward 8) [01/25/16 @ 4:16 PM]

Public Facilities Approved 6-0 (Lennon not voting)

#187-15(2)

National Grid petition to revise grant of location for Centre Street

NATIONAL GRID petitioning to revise a grant of location for Centre Street approved by the Board of Aldermen on September 21, 2015 by installing 38' ± of 12" gas main in Centre Street near the intersection of Franklin Street easterly to the proposed 12" gas main at 334 Centre Street, installing 417' ± of 12" gas main southerly to the proposed 12" gas main at Centre Street and Buswell Park, and installing 29' ± of 12" gas main westerly to the previously approved 12" gas main in Centre Street near Bennington Street. (Ward 1) [02/02/2016 @ 9:51 AM]

Public Facilities Approved 6-0 (Lennon not voting)

Referred to Public Facilities and Finance Committees

#67-16

Transfer within the Utilities Division to repair a section of drain on Adams St

HIS HONOR THE MAYOR requesting authorization to transfer the sum of ninety four thousand five hundred dollars (\$94,500) from the Storm Water Management Cleaning-Catch Basins Account and thirty seven thousand seven hundred sixty dollars (\$37,760) from the Storm Water Management Consultants Account to a Storm Water Fund Capital Outlay Account for the purpose of repairing a section of storm drain in Adams Street.

Finance Approved 4-0 on 02/22/16

Public Facilities Approved 6-0 (Lennon not voting)

Referred To Public Facilities and Finance Committee

#68-16

Transfer from budget reserve to DPW for snow removal

HIS HONOR THE MAYOR, requesting authorization to transfer the sum of one million dollars (\$1,000,000) from Budget Reserve – Snow and Ice Removal Account to the following accounts:

Personnel Costs – Overtime

(0140110-513001)..... \$ 300,000

Rental Vehicles

(0140110-5273-5273)\$700,000

[02/10/16 @ 10:26 AM]

Finance Approved 4-0 on 02/22/16

Public Facilities Approved 6-0 (Lennon not voting)

Referred to Finance Committee

Monday, February 22, 2016

#58-16

Appointment to the Investment Advisory Committee by City Council President

JAMES P. MNOOKIN, 40 Woodchester Drive, Chestnut Hill appointed as a member of the Investment Advisory Committee for a term of office to expire on April 1, 2018.

[02/10/16 @ 10:34 AM]

Finance Approved 4-0

#59-16

Appointment to the Investment Advisory Committee by City Council President

WENHUA ZHANG, 78 Waban Avenue, Waban appointed as a member of the Investment Advisory Committee for a term of office to expire on April 1, 2019. [02/10/16 @ 10:34 AM]

Finance Approved 4-0

#61-16

Transfer of \$20,000 within the Law Department’s budget

HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty thousand dollars (\$20,000) from the Law Department’s Full-time Salary Account to the

Law Department’s Legal Assistance Account in order to pay for outside legal counsel related to cable license renewals. [02/09/16 @ 2:47 PM]

Finance Approved 4-0

Referred to Public Safety & Transportation and Finance Committees

#65-16

Transfer of \$106,676.39 to the Fire Department to install amplifying cable.

HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred six thousand six hundred seventy-six dollars and thirty-nine cents (\$106,676.39) from Free Cash to a Fire Department Capital Account to fund the installation of bi-directional amplifying cable for Police and Fire Department radio coverage inside Newton South High School. [02/09/16 @ 2:47 PM]

Public Safety & Transportation approved 6-0 on 02/17/16

Finance Approved 4-0

#63-16

Acceptance of a gift of \$70,000 from the Horace Mann PTO

HIS HONOR THE MAYOR requesting authorization to accept and expend a gift of sixty ~~seventy~~ thousand dollars (\$60,000) (~~\$70,000~~) from the Horace Mann PTO for the sole purpose of purchasing playground apparatus and/or playground surfacing at the Horace Mann/Halloran Sports Complex site. [02/09/16 @ 2:47 PM]

Finance Approved 4-0 As Amended at \$60,000

#259-14(4)

Betterment assessment for 71 Studio Road

HIS HONOR THE MAYOR requesting approval of the following Order and Schedule of Sewer Assessments for completed Common Sewer Extensions in Aspen Avenue, Studio Road and Hawthorne Avenue:

<u>SBL</u>	<u>Names & Address of Owner</u>	<u>BK/PG</u>	<u>Amount</u>
43-37-15	Wood Michael & Karin 71 Studio Road	46047/403	\$6,476 \$420

Finance Approved 4-0 as amended at \$420

Referred To Public Facilities And Finance Committee

#68-16

Transfer from budget reserve to DPW for snow removal

HIS HONOR THE MAYOR, requesting authorization to transfer the sum of one million dollars (\$1,000,000) from Budget Reserve – Snow and Ice Removal Account to the following accounts:

Personnel Costs – Overtime
(0140110-513001)..... \$ 300,000
Rental Vehicles
(0140110-5273-5273) \$700,000

[02/10/16 @ 10:26 AM]

Public Facilities approved 6-0 on 02/17/16

Finance Approved 4-0**Referred to Public Facilities and Finance Committees**

#67-16

Transfer within the Utilities Division to repair a section of drain on Adams St

HIS HONOR THE MAYOR requesting authorization to transfer the sum of ninety four thousand five hundred dollars (\$94,500) from the Storm Water Management Cleaning - Catch Basins Account and thirty seven thousand seven hundred sixty dollars (\$37,760) from the Storm Water Management Consultants Account to a Storm Water Fund Capital Outlay Account for the purpose of repairing a section of storm drain in Adams Street.

Public Facilities approved 6-0 on 02/17/16**Finance Approved 4-0**

#60-16

Transfer of \$12,000 within the Public Works Department's budget

HIS HONOR THE MAYOR requesting authorization to transfer the sum of twelve thousand dollars (\$12,000) from the Public Works Department's Transportation Division Full-time Salary Account to a Transportation Division Expense Account in order to fund the part-time salary for a temporary administrative/finance position in the Transportation Division. [02/09/16 @ 2:47 PM]

Finance Approved 4-0**Referred to Public Facilities and Finance Committees****Discussed in a Committee of the Whole****Monday, February 22, 2016****Referred to Public Facilities and Finance Committees**

#66-16

Authorization to purchase 23 Parkview Avenue for school use

HIS HONOR THE MAYOR requesting authorization to purchase 23 Parkview Avenue, including trees and structures on the property, for the purpose of school use and further requesting authorization to one million ten thousand dollars (\$1,010,000) from bonded indebtedness for the Cabot School project to be used to fund the purchase of the property and associated recording fees. [02/09/16 @ 2:46 PM]

Committee of the Whole Approved 15-0-3 (Hess-Mahan, Schwartz, Yates abstaining)

A motion to accept the following late filed item to the docket and refer it to the appropriate committees was Approved by voice vote.

Referred to Public Facilities and Finance Committees

#224-15(2)

Inter-municipal agreement with Needham for repair of Elliot St Bridge

HIS HONOR THE MAYOR requesting authorization to enter into an Inter-Municipal Agreement with the Town of Needham detailing Needham's obligation to fund half of

the construction contract costs associated with repairs to the jointly owned Elliot Street/Central Avenue Bridge and to potentially authorize additional funds for an additional scope of work required by the Newton Upper Falls Historic Commission, which is excluded from the agreement. [03/03/16 @ 1:48 PM]

Public Hearings were assigned for the following two items:

Public hearing assigned for March 9, 2016:

#81-16 Eversource petition for a Grant of Location for Parkview Avenue
EVERSOURCE ENERGY petitioning for a grant of location to install a new pole and anchor on the easterly side of PARKVIEW AVENUE 35' east of Norwood Avenue. (Ward 2)
[02/10/16 @ 3:17 PM]

Public hearing assigned for March 9, 2016:

#82-16 Eversource petition for a Grant of Location for Crescent Street
EVERSOURCE ENERGY petitioning for a grant of location to install a new pole and anchor on the southeasterly side of Crescent Street 8' east of Rowe Street. (Ward 4) [02/10/16 @ 3:17 PM]

Public Hearing assigned for March 14, 2016:

#54-16(2) Zoning ordinance amendment relative to Health Club Use; other districts
ACTING DIRECTOR OF PLANNING proposing to amend the Newton Zoning Ordinance, Chapter 30, which became effective November 1, 2015 to allow the "Health Club" use in Manufacturing, Limited Manufacturing, Mixed Use 1 and Mixed Use 1 districts.