



## City Council Docket

March 7: Programs & Services  
March 8: Land Use  
March 9: Programs & Services; Public Safety; Public Facilities  
March 14: Finance; Zoning & Planning  
March 15: Land use

Continued  
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**Monday, March 7, 2016**  
7:45 PM, Newton City Hall  
To be reported on  
Monday, March 21, 2016

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

#### Referred to Land Use Committee

**#360-14(2) Extension of time to exercise Special Permit #360-14 for 112 Needham Street**  
112 NEEDHAM STREET, LLC request for an EXTENSION of TIME in which to EXERCISE special permit #360-14, granted on March 16, 2015, to demolish an existing single-story commercial building and construct a new two-story commercial building with a parking facility with 11 stalls, a with approximately 1,400 sf of storage on the first floor, and 5,810 sf of office space on the second floor at 112 NEEDHAM STREET, Ward 8, NEWTON UPPER FALLS, said EXTENSION will run from March 16, 2016 to March 16, 2017. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-19(d)(11), (15), and (m), and 30-19 Table of off-street loading requirements of the City of Newton Rev Zoning Ord, 2012.

#### Other Communications

**#70-16 Filing Rules of the Zoning Board of Appeals**  
ZONING BOARD OF APPEALS filing on February 25, 2016 Rules of the Zoning Board of Appeals, effective February 26, 2016.

**#71-16 Appeal to the Zoning Board of Appeals from a decision of the ISD Commissioner**  
KATHERINE J. WANGH AND LAWRENCE J. WANG filing on February 17, 2016 an appeal to the Zoning Board of Appeals from a decision of the Commissioner 24 Duffield Road Auburndale.

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #72-16 Lasell College filing for Administrative Site Plan Review**  
LASELL COLLEGE filing an application for Administrative Site Plan Review to demolish Wass Hall; renovate and update Wolfe Hall, including the building envelope, interior and adjacent site improvements that will result in a new Academic Center building.
- #73-16 Cost of Living adjustment for retirees**  
NEWTON RETIREMENT BOARD awarding eligible contributory and non-contributory pensioners of the Newton Retirement System a 3% FY2017 cost of living adjustment which is applied to the first \$12,000 of an eligible retirement allowance pursuant to Chapter 32, section 103(i).
- #74-16 Appointment to the Investment Advisory Committee by Mayor**  
DANIEL F. SILVER, 56 Kenwood Avenue, Newton Centre appointed as a member of the Investment Advisory Committee for a term of office to expire on March 31, 2019.
- #75-16 Appointment to the Investment Advisory Committee by Mayor**  
JEFFREY PONTIFF, 27 Waban Hill Road, Chestnut Hill appointed as a member of the Investment Advisory Committee for a term of office to expire on March 31, 2018.

**Referred to Zoning & Planning Committee**

***Public Hearing to be 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.

**Referred to Programs & Services Committee**

- #76-16 Mayor's appointment of Jessica Barton to Urban Tree Commission**  
JESSICA BARTON, 9 Proctor Street, Newton, appointed as a member of the URBAN TREE COMMISSION for a term to expire February 5, 2018 (60 days 5/6/16) [02/10/16 @ 10:00 AM]
- #77-16 Mayor's re-appointment of Julia Malakie to Urban Tree Commission**  
JULIA MALAKIE, 50 Murray Road, Newton, re-appointed as a member of the URBAN TREE COMMISSION for a term to expire February 5, 2019 (60 days 5/6/16) [02/10/16 @ 10:00 AM]
- #78-16 Mayor's re-appointment of Pete Johnson to Parks & Recreation Commission**  
PETE JOHNSON, 121 Fairway Drive, Newton, re-appointed as member of the PARKS & RECREATION COMMISSION for a term to expire February 25, 2019 (60 days 5/6/16) [02/10/16 @ 10:00 AM]

- #79-16**      **Mayor's re-appointment of Donald Fishman to Parks & Recreation Commission**  
DONALD FISHMAN, 68 Littlefield Road, Newton, re-appointed as a member of the PARKS & RECREATION COMMISSION for a term to expire February 25, 2019 (60 days 5/6/16)  
[02/10/16 @ 10:00 AM]

**Referred to Public Safety & Transportation Committee**

- #80-16**      **Discussion on alternative bus routes impacting the closing of the Elliot Street Bridge**  
COUNCILOR YATES, requesting a discussion with the Massachusetts Department of Transportation and Massachusetts Bay Transportation Authority to work with the City to develop alternative routes for bus route 59 that lessen the impact of closing the Elliot Street (Cooks) Bridge. [02/22/16 @ 4:45 PM]

**Referred to Public Facilities Committee**

***Public hearing to be 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 to be 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]

- #83-16**      **Request for a website and e-mail list to provide updates for Elliot St Bridge project**  
COUNCILOR YATES requesting the City of Newton create a website and an e-mail list to inform area merchants, residents, and workers on the status of the closing and rehabilitation of Cook's Bridge. [02/22/16 @ 4:45 PM]

**Referred to Finance Committee**

- #84-16**      **Request for funding to settle a claim for damage to a fence**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend eight thousand two hundred four dollars (\$8,204) from Free Cash for the purpose of settling a claim against the City for damage to a fence. [02/29/16 @ 4:02 PM]

**#85-16 Request for funding to satisfy a reinstatement order**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty-three thousand eight hundred thirty-nine dollars (\$53,839) from the Judgements and Settlements Account and seventy six thousand seven hundred sixty-eight dollars (\$76,768) from Free Cash to satisfy a reinstatement order for a Municipal Employees Association employee. [02/29/16 @ 4:02 PM]

**#86-16 Request to rescind MWRA sewer borrowing authorization balances**  
HIS HONOR THE MAYOR requesting rescission of the following Massachusetts Water Resource Authority (MWRA) sewer borrowing authorization balances that have not and will not be spent, as well as the fractional borrowing authorizations and appropriations:

**Board Orders**

#149-07 Sewer Improvements .....	\$338,655
#361-09 Sewer Improvements .....	\$198,000
#52-14 Station 10/Wires Building .....	\$12,296
#32-15(2) Station 10/Wires Building.....	\$823
#215-15 Library Automation System.....	\$850
#217-15 Fire SCBA Equipment.....	\$750
#216-15 Fire Bucket Truck.....	\$700

[02-29-16 @ 4:03 PM]

**#87-16 Request to appropriate and expend \$253,808.90 to cover bond issuance costs**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-three thousand eight hundred eight dollars and ninety cents (\$253,808.90) from the following accounts to fund bond issuance costs associated with the City's January 2016 bond sale:

**From:**

Free Cash .....	\$154,637.43
Override Capital Stabilization Fund.....	\$78,886.78
Debt Exclusion-Angier Elementary School .....	\$16,531.36
Stormwater Current Year Reserve .....	\$2,418.82
Sewer Fund.....	\$1,334.52

**To:**

Bond Sale Costs .....	\$253,808.90
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[02-29-16 @ 4:02 PM]

**#385-08(3) Expend mitigation funds for Commonwealth Ave landscape maintenance**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty thousand nine hundred dollars from development mitigation funds for planting and beautification purposes on Commonwealth Avenue near the Marriott Hotel per Condition #24 of Special Permit #385-08, approved on February 17, 2009. [02-29-16 @ 4:02 PM]

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

- #88-16 Request to transfer \$223,865 from Snow and Ice Budget Reserve for tree services**  
HIS HONOR THE MAYOR requesting authorization to transfer two hundred twenty-three thousand eight hundred sixty five dollars (\$223,865) from the Budget Reserve – Snow and Ice Removal Account to the following accounts:  
Parks and Recreation Personnel Costs – Overtime  
(0160201-513001).....\$28,280  
Forestry/Tree Services  
(0160201-5243).....\$195,585  
[02/29/16 @ 4:03 PM]

**Referred to Public Facilities and Finance Committees**

- #89-16 Request for \$3,400,000 for the Fire Station 3/Headquarters Project**  
HIS HONOR THE MAYOR requesting authorization to appropriate three million four hundred thousand dollars (\$3,400,000) from bonded indebtedness for the purpose of funding the completion of the next phase of construction of the Fire Station 3/Headquarters Project. [02/29/16 @ 4:03PM]

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

- #90-16 Statement of Interest for Lincoln Eliot Elementary School**  
SUPERINTENDENT FLEISHMAN is 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 16 Statement of Interest no later than April 8, 2016 for the consideration of Lincoln-Eliot Elementary School as a major school Building project after Cabot Elementary School. [02/29/16 @ 4:45 PM]
- #91-16 Request for consulting services for the Human Resources Department**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighty-three thousand one hundred thirty-three dollars (\$83,133) from Free Cash to the Human Resources Department for consulting services to audit the Retiree Drug Receipts Account. [02/29/16 @ 4:03PM]

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

**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]

**Referred to Real Property Reuse Committee**

**#92-16**

**Amendments to the Real Property Reuse Ordinance**

COUNCILORS ALBRIGHT AND KALIS requesting amendments to Chapter 2, Section 7. Sale or lease of city owned real property, of the City of Newton Revised Ordinance, 2012 (The Real Property Reuse Ordinance) to clarify how properties are classified in regards to purpose, use, and ownership; the procedure to handle reused properties; and to address any other changes that might be needed. [02/17/16 @ 12:04 PM]