



City Council Actions

In City Council

Monday, March 21, 2016

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 items on Second Call:

Referred to Land Use Committee

#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 March 7, 2016

Motion to Recommit to the Land Use Committee FAILED TO CARRY 9 Yeas (Councilors Baker, Blazar, Ciccone, Danberg, Gentile, Norton, Rice, Yates & Lennon), 15 Nays

Motion to substitute revised council Order titled "Revised 3/29/16 re: 3rd floor office FAILED TO CARRY 8 Yeas (Councilors Baker, Blazar, Ciccone, Danberg, Gentile, Norton, Yates & Lennon) 16 Nays

Motion to Approve Special Permit Board Order presented on 03-18-16 APPROVED 18 Yeas, 5 Nays (Councilors Baker, Gentile, Norton, Yates & Lennon), 1 absent (Councilor Ciccone)

Clerk's Note:

Referred to Public Facilities and Finance Committees

#133-15

Authorization to negotiate leases for install of solar panels on city properties

HIS HONOR THE MAYOR requesting authorization to enter into negotiations for the potential lease on city properties for purposes of third-party construction, ownership, and operation of on-site renewable solar energy generation from which the City will purchase electric output and/or net metering credits. [05/11/15 @ 5:00 PM]

ITEM SPLIT INTO PART A AND PART B; PART A – APPROVED on 11/16/15

PART B – *Solar panels mounted on new carport structures at Newton South High School and solar panels mounted on new carport structures at the Library.*

Public Facilities split Part B into Part B1 (Newton South High School) and Part B2 (Library); Finance Approved Part B1 7-0 on 03/14/16 ; Finance Approved Part B2 5-1-1 (Gentile opposed; Blazar abstaining) on 03/14/16

Public Facilities Approved Part B1 6-0-1 (Gentile abstaining)

Public Facilities Approved Part B2 5-1-1 (Gentile opposed, Laredo abstaining)

133-15 B1 (NSHS) APPROVED 23 Yeas, 1 Nay (Councilor Schwartz)

133-15 B2 (Library) Chartered by Councilor Cote

Clerk's Note:

Referred to Zoning & Planning Committee

#54-16

Zoning ordinance amendment relative to Health Club use

ACTING DIRECTOR OF PLANNING proposing amendments to the Newton Zoning Ordinance to allow the "Health Club" use in Business 1, Business 2 and Business 4 districts; and to clarify the definition of "Personal Service" as it relates to health and fitness uses. [02/09/16 @ 4:24 PM]

ITEM SPLIT INTO PART A AND PART B: PART A – To allow Health Club use in BU1, BU2 and BU4; PART B – To clarify the definition of Personal Services as it relates to health and fitness issues.

Zoning & Planning Approved Part A 6-0; Held Part B 6-0

Postponed to Date Certain of April 4, 2016 by Voice Vote

Clerk's Note:

Referred to Zoning & Planning Committee

#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.

Zoning & Planning Approved 6-0

Postponed to Date Certain of April 4, 2016 by Voice Vote

Clerk's Note:

Referred to Zoning & Planning Committee

#53-16

Zoning ordinance technical amendments

ACTING DIRECTOR OF PLANNING requesting technical amendments to the recently adopted reformatted Newton Zoning Ordinance to address edits related to missing or incorrectly transcribed ordinance provisions. [02/09/16 @ 4:24 PM]

Zoning & Planning Approved 6-0

Postponed to Date Certain of April 4, 2016 by Voice Vote

Clerk's Note:

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]

Public Facilities Approved 6-0 on 03/09/16

Finance Approved Subject to Second Call 5-0-2 (Blazar, Fuller abstaining)

Motion to refer back to Public Facilities Approved by Voice Vote

Clerk's Note:

Referred to Land Use Committee

#49-16

Special permit petition for 103 Court Street

ALAN W AND BARBARA J QUEBEC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision to construct a two-family dwelling on a 12,084 sf lot, while maintaining the existing two-family dwelling on a 10,699 sf lot at 103 COURT STREET, Ward 2, Newtonville, on land known as SBL 23, 16, 36 containing approximately 22,738 sf of land in a district zoned MULTI RESIDENCE 1. Ref: 3.2.12, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened & Closed 6-0, Land Use Approved 4-0-2 (Lennon & Schwartz)

Postponed to Date Certain of April 4, 2016 by Voice Vote

Clerk's Note:

Referred to Zoning & Planning Committee

#266-14

Request to restart demolition delay time period with transfer of ownership

ALD. BLAZAR, YATES AND DANBERG requesting:

1. to amend Section 22-50 to require that in the event there is a transfer of legal or beneficial ownership of a preferably preserved property during the demolition

delay period, the full demolition delay period will restart from the date of the transfer of ownership;

2. and further requesting to amend Section 22-50 to require that in the event a transfer of legal or beneficial ownership of a preferably preserved property occurs after the expiration of a demolition delay period but prior to the issuance of a demolition permit, no demolition permit shall issue until the new owner complies with the procedures of Section 22-50(c)(5). [7/07/14 @ 12:35 PM]

Zoning & Planning Approved as Amended to add effective date 6-0

Postponed to Date Certain of April 4, 2016 by Voice Vote

Clerk's Note:

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 Facilities Approved Subject to Second Call 4-0-2 (Gentile, Lappin abstaining; Danberg not voting) on 03/09/16

Finance Approved Subject to Second Call 7-0

Postponed to Date Certain of April 4, 2016 by Voice Vote

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

Referred to Land Use Committee

Tuesday, March 15, 2016

#360-14(2) Request for an Extension of Time for Special Permit at 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.

Land Use Approved 5-0

#31-16 Special permit petition for 147 Newtonville Avenue
BECKY SEARLES & SEAN McNALLY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NON-CONFORMING STRUCTURE to remove an existing sunroom and replace it with a larger room with finished space above and additional basement space in an existing 3½-story nonconforming single-family dwelling with a nonconforming front setback at 147 NEWTONVILLE AVENUE, Ward 2, NEWTONVILLE, on land known as SBL 12-17-19, containing approx. 16,748 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 7.3, 7.4, 7.8.2.C.2, 3.2.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened & Closed 6-0, Land Use Approved 6-0

#32-16(2) Special permit petition for 150 Newtonville Avenue
MARIANNE GERARD & CHRISTINE L. KANE ROBERTSON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate parking within 5’ of the street as the petitioners are constructing a detached garage located .25’ from the street for which they have received a variance at 150 NEWTONVILLE AVENUE, Ward 1, Newton, on land known as SBL 12, 22, 20, containing approximately 10,404 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 5.1.7, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened & Closed 6-0, Land Use Approved 6-0

#92-15(2) Petition to amend special permit #92-15 for 131 Charlesbank Road
ANDREW CONSIGLI, 131 CHARLESBANK ROAD LLC petition to amend Special Permit #92-15, which allowed the construction of a four-unit multi-family townhouse style dwelling, in order to construct a retaining wall of more than four feet and to reflect the dwelling as built , which is one square foot larger than what was approved as part of the site plan at 131 CHARLESBANK ROAD, Ward 1, Newton, on land known as SBL 71, 7, 25 containing 14,080 sf of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord. 2015.

Public Hearing Opened & Closed 6-0, Land Use Approved 6-0

Referred to Programs & Services Committee

Wednesday, March 9, 2016

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]

Finance Approved 6-0 (Rice not voting)

Programs & Services Approved 7-0

#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]

Programs & Services Approved 7-0

#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]

Programs & Services Approved 7-0

#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]

Programs & Services Approved 7-0

Referred to Public Facilities Committee

Wednesday, 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 Facilities Approved 6-0 (Laredo not voting)

#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 Facilities Approved 6-0 (Laredo not voting)

Referred to Public Facilities and Finance Committees

#455-14

Ordinance Amendment to create a storm water rate fee structure

HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater use charge.** of the City of Newton Ordinances to create a storm water rate fee structure based upon square footage of impervious surface area.

Finance Approved 6-1 (Lappin opposed) on 03/14/16

Public Facilities Approved 5-1-1 (Lappin opposed; Albright abstaining)

Referred to Finance Committee

Monday, March 14, 2016

- #62-16 Acceptance of a National Grid Grant of up to \$55,000**
HIS HONOR THE MAYOR requesting authorization to accept and expend a grant of up to fifty-five thousand dollars (\$55,000) awarded by National Grid for the purpose of strengthening energy management programs in municipal and public school buildings, as well as funding a climate change vulnerability assessment. [02/09/16 @ 2:47 PM]
Finance Approved 6-0 (Rice not voting)
- #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]
Finance Approved 6-0 (Rice not voting)
- #69-16 Funding for research and public outreach by the Charter Commission**
HIS HONOR THE MAYOR requesting a discussion of the request from the Newton Charter Commission to appropriate forty-five thousand five hundred dollars (\$45,500) to the following accounts:
 Consulting
 (C108004-5301) \$30,000
 Part-time Salaries
 (C108004-211101) \$4,500
 Printing
 (C108004-5342) \$10,000
 Office Supplies
 (C108004-5420) \$1,000
 [02/11/16 @ 4:24 PM]
No Action Necessary 6-0 (Rice not voting)
- #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 (\$20,900) 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]
Finance Approved 6-0 (Rice not voting)

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

Programs & Services Approved 7-0 on 03/09/16

Finance Approved 6-0 (Rice not voting)

#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]

Finance Approved 7-0

#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

Finance Approved 7-0

#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 \$95,418.14
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

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

Finance Approved as Amended 7-0

Public Hearings were assigned for the following items:

Public hearing assigned for March 28, 2016:

#222-13(2) Request to amend zoning ordinance to regulate front facing garages

THE ZONING AND PLANNING COMMITTEE proposing to amend **Chapter 30**, City of Newton Zoning Ordinances, to regulate the dimensions and setbacks of front facing garages in residential zoning districts. [08/03/15 @ 10:15AM]

Public hearing assigned for April 6, 2016:

#108-16 Eversource Grant of Location petition for conduit in Franklin Street

EVERSOURCE ENERGY petitioning for a grant of location to install 350' ± of conduit in FRANKLIN STREET from existing Manhole #MH4210 at the intersection of Beechcroft Road easterly to 100 Franklin Street. (Ward 7) [02/26/16 @ 8:27 AM]

Public hearing assigned for April 6, 2016:

#109-16 Verizon Grant of Location petition for conduit in Franklin Street

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:

Cabot Street (near corner of Cabot and Centre Streets) at Pole # 60

Grove Street (near corner of Grove and Washington Streets) at Pole #185/79

Wheeler Road (near Shuman Circle) at Pole # VZ3

Dedham Street (near Carleton Avenue) at Pole # 177/87

Parker Street (near 270 Parker Street) at Pole #340/29

Derby Street (near 114 Derby Street) at pole # 120/14

Crafts Street (near 542 Crafts Street) at Pole # 108/65A

Highland Street (near 200 Highland Street) at Pole # 208/22

Needham Street (near Charlemont Street) at Pole #113/26

Crafts Street (near 224 Crafts Street) at Pole # 108/30

[03/09/16 @ 10:00 AM]

Public Hearing assigned for April 12, 2016

#93-16 Special permit petition for 413 Hammond Street

DIANA M. BAILEY/ELISABETH M. BATTINELLI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build additions to the rear and side of the existing structure on the basement and first floor levels, and enclose a porch to create living space, which will further increase the non-conforming floor area ratio from .47 to .50, where .31 is the maximum allowed by right, and to regrade the property, which will further increase the

nonconforming height of the existing structure from 37.4' to 37.7', where 36' is the maximum allowed by right at 413 Hammond Street, Ward 7, Chestnut Hill, on land known as SBL 63, 26, 14 containing approximately 15,307 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 7.8.2.C.2, 3.1.9, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for April 12, 2016

#94-16

Special Permit Petition for 2171 Commonwealth Avenue

PHILIP HRESKO/THEODOROS VENTOURIS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to build a two story garage/barn style addition to the rear of an existing structure to allow a private garage with a footprint of 1,169 square feet with provisions for four cars where 700 sq. ft. and three cars is allowed by right at 2171 Commonwealth Avenue, Ward 4, Auburndale on land known as SBL 41, 18, 32A containing approximately 20,952 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3.3, 7.4, 3.4.2.C.1 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing assigned for April 12, 2016

#95-16

Special Permit Petition for 37 Westbourne Road

JOYCE ZAKIM & PETER GREENSPAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing detached garage and construct a new wider garage connected to the principle structure which exceeds nonconforming FAR, and variances from side and front setback and lot coverage requirements to make the home accessible for wheelchair use at 37 Westbourne Road, Ward 7, Chestnut Hill on land known as SBL 73 45 09 containing approximately 8,090 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 3.1.9, 7.8.2.C.2, 7.3.3, 7.4 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing assigned for April 12, 2016

#96-16

Special Permit Petition for 1573 Beacon Street

RICHARD LEVY/RBL ARCHITECTS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to further increase nonconforming FAR by expanding the front of a garage at 1573 Beacon Street, Ward 5, Waban on land known as SBL 53 32 04 containing approximately 13,555 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 3.1.9, 7.8.2.c.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing assigned for April 12, 2016

#97-16

Special Permit Petition for 27 Waverley Avenue

ALICE SCHAEFER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an association of persons in a common dwelling where inhabitants will share common living spaces at 27 Waverley Avenue, Ward 1, Newton Corner on land known as SBL 71 36 09 containing approximately 10,480 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 3.4.1, 5.1.4, 5.1.13, 5.1.7.A, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing assigned for April 12, 2016

#98-16

Special Permit Petition for 99 Oxford Road

CHRISTINE CORONA AND JOSEPH MALARNEY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to further increase the nonconforming FAR by adding a second story rear addition over an existing room at 99 Oxford Road, Ward 6, Newton Centre on land known as 62 13 30 containing approximately 5,930 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 3.1.9, 7.8.2.C.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

Public Hearing assigned for April 12, 2016

#99-16

Special Permit Petition for 360 Ward Street

BENYAMIN BER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a non-conforming structure with respect to the front setback, FAR, lot coverage and open space at 360 Ward Street, Ward 7, Chestnut Hill on land known as SBL 73 45 01A containing approximately 3,220 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec. 3.1.3, 7.8.C.2, 3.1.9.A.2, 5.4.2.B, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.

A motion to suspend the rules to accept to the Docket and refer to committee the following two late filed items was Approved by Voice Vote

Referred to Finance Committee

#110-16

Funding for the Charter Commission

HIS HONOR THE MAYOR requesting authorization to appropriate forty-five thousand five hundred dollars (\$4,500) from Free Cash to the below accounts for the purpose of enabling the Charter Commission to hire a consultant, a clerk and have access to funds for expenses:

Consulting	
(C108004-5301)	\$30,000
Part-time Salaries	
(C108004-211101)	\$4,500
Printing	
(C108004-5342)	\$10,000
Office Supplies	
(C108004-5420)	\$1,000

[02/11/16 @ 4:24 PM]

Referred to Zoning & Planning Committee

#103-16

Petition to rezone lots on Glen Avenue from MR1 to SR2

COUNCILORS DANBERG, BLAZAR, SCHWARTZ, SANGIOLO AND YATES petitioning to rezone land known as Section 61, Block 39, Lots 01, 02, 03 and 04 located at 41, 45, 47 and 51 Glen Avenue from MULTI RESIDENCE 1 to SINGLE RESIDENCE 2 [03/17/16 @ 1:50 PM]

The City Council voted without discussion 22 Yeas, 2 Nays (Councilors Auchincloss & Gentile) to take the following action:

#85-16 Request for funding to satisfy a reinstatement order

HIS HONOR THE MAYOR requesting authorization *to settle a claim and 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) one hundred thirty thousand six hundred eight dollars and seventy five cents (\$130,608.75) from Free Cash to satisfy a reinstatement order for a Municipal Employees Association employee.* [02/29/16 @ 4:02 PM]

Finance Approved as Amended 3-1-2 (Gentile opposed; Blazar, Brousal-Glaser abstaining; Rice not voting)

The City Council voted without discussion 23 Yeas, 1 Nay (Councilor Lappin) to take the following action:

Referred to Public Facilities and Finance Committees

#455-14 Ordinance amendment request to create a storm water rate fee structure

HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater use charge.** to create a storm water rate fee structure based upon square footage of impervious surface area.

Public Facilities Approved 5-1-1 (Lappin opposed; Albright abstaining)

Finance Approved 6-1 (Lappin opposed)