



City Council Actions

In City Council

Monday, May 2, 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:

The following item was denied by the City Council on December 21, 2015 and requires a suspension of the Rules to be referred to Committee:

Referred to Public Facilities Committee

Public hearing to be assigned for June 8, 2016

#124-16 National Grid Grant of Location Petition for Old Farm Road

NATIONAL GRID petitioning to install and maintain 200'± of 4" gas main in Old Farm Road from the existing 12" gas main in Brookline Street southerly to 12 Old Farm Road for a new gas service. (Ward 8) [03/22/16 @ 3:09 PM]

City Council Postponed to a Date Certain of May 2, 2016 by Voice Vote

Motion to suspend the rules to accept to the docket and refer to the Public Facilities Committee was approved by Voice Vote.

Clerk's Note: As this item was denied by the City Council within the past year, the Council must suspend its rules to allow its being heard again. The Chair of the Public Facilities Committee noted that the Commissioner of the DPW was in favor of allowing the request to move forward and asked that it be accepted to the docket and referred to Public Facilities Committee.

Referred to Committee of the Whole

#175-16 Authorization to enter into a settlement agreement with National Grid.

HIS HONOR THE MAYOR requesting authorization for the City to enter into a settlement agreement with Boston Gas Company d/b/a National Grid. [04/25/16 @ 6:52 PM]

Motion to refer to a Committee of the Whole was Approved by Voice Vote

Clerk's Note: As this item was a direct referral to a Committee of the Whole, by Council rules the Council needed to vote to accept the referral.

Referred to Zoning & Planning Committee

#55-16 Ordinance to require fair housing statement and HUD logo on certain meeting notices

COUNCILOR HESS-MAHAN requesting an ordinance to require that all notices of public hearings and/or meetings concerning permitting and/or funding of any residential

development contain a brief statement concerning the City's policy regarding fair housing practices pertaining thereto and HUD's Equal Housing Opportunity logo.
[02/03/16 @ 1:51 PM]

Zoning & Planning Approved as Amended 8-0

Item Chartered by Councilor Cote

Clerk's Note: Councilor Cote had some concerns about why this item had to be undertaken now and wanted some more information. He chartered the item. It will be back before the Council on May 16, 2016

Referred to Zoning & Planning Committee

#133-16 Submission of the FY17 Annual Action Plan To HUD

HIS HONOR THE MAYOR requesting City Council authorization, pursuant to the 2013 Revised Citizen Participation Plan, to submit to the US Department of Housing and Urban Development (HUD) the FY2017 Annual Action Plan for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium. These Plans must be submitted to HUD by May 15, 2016. [04/14/16 @ 2:14 pm]

Zoning & Planning Approved 4-0-4 (Yates, Kalis, Baker and Sangiolo abstaining)

Motion to amend to add a Resolution seeking edits to clarify the text of section AP-75 Barriers to affordable housing was Approved by Voice Vote

City Council Approved as Amended 24 yeas.

Resolution Text: To request that the Planning Department make edits consistent with the following clarifications to AP-75 Barriers to affordable housing - 91.420, 91.220(j):

- 1. Describe actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment:**

~~One of the biggest challenges to the development of affordable housing in Newton is the outdated Zoning Ordinance. Particular zoning and other City policies that limit affordable housing include the following:~~

- ~~x Either a special permit or a comprehensive permit under Chapter 40B is typically required to create any multi-family housing (i.e. more than two units). These processes add time and cost to these types of developments that could otherwise more easily create affordable housing units and the process can be political.~~
- ~~x Accessory apartments are often more affordable to rent because they tend to be smaller, but the process for approval of these units is cumbersome and often requires a special permit. It is estimated that there are 1000 illegal accessory apartments in the City all of which have not been properly inspected for compliance with the State Building Code and may pose serious health and safety concerns for occupants. In a step in the right direction, the Ordinance was recently changed to permit some illegal units more easily, which can be proven to be pre-existing from 1999, to be legalized if they can be made code compliant.~~
- ~~x Neighborhood opposition to large scale housing projects has also been a barrier to providing additional~~

~~subsidized units and residential investment.~~ Staff recognizes that there can be legitimate concerns about larger projects, so in July 2013, the City adopted an amendment to its Citizen Participation Plan to better inform the general public and abutters early on in the process of permitting an affordable housing project so that their input can be included in the design at an early stage.

In recognition of these existing barriers to the development of affordable housing, Division staff intend to focus on the following programs and topic areas in the upcoming year.

Zoning Reform

The Department of Planning and Development staff, along with the City Council members, is undertaking an extensive, multi-year, three-phase zoning reform effort to update the City's zoning ordinance, which was last revised in 1987. In Phase 1, a consultant team worked with staff and councilors to reorganize the existing ordinance to improve legibility and clarity, and the updated ordinance became effective November 1, 2015. Phase 2, which will focus on substantial revisions to the ordinance, is scheduled to beginning in the summer of 2016.

Revision to Homeowner Rehabilitation Program

The Newton Homeowner Rehabilitation Program will place greater emphasis on targeting assistance to correct code violations for pre-existing accessory apartments. Rental income from these apartments can help low- and moderate-income owners make mortgage payments and also offer "naturally affordable" small housing units for low- and moderate- income renters that are identified in the Needs Assessment chapter as a means toward encouraging diversity in the City's housing stock.

Fair Housing

Actions anticipated for addressing concerns regarding fair housing include the following:

- x Post a Fair Housing Statement on the City of Newton's website. This statement is also being made available in other City documents and venues related to City-sponsored activities to abutters of pending development, zoning, or other actions affecting housing. ~~The City intends to include that statement in all notice to abutters.~~
- x Provide, in writing, a Fair Housing Statement, with the purpose of informing the public regarding fair housing requirements and the City's responsibility to Affirmatively Further Fair Housing.
- x Provide fair housing and disparate impact education annually to ~~City Councilors,~~ City staff **and others** involved in activities relating to housing, ~~members of the Planning and Development Board, members of the Zoning Board of Appeals, and members of the public.~~
- x Include the US Department of Housing and Urban Development's Fair Housing logo on all housing-related documents.
- x Continue utilization of the discrimination reporting tool on its website, to encourage the nonprofit housing providers in the City to report acts of potential discrimination and to follow appropriate procedures in responding to the reporters of such potential discrimination.
- x Post information on the Department of Planning and Development webpages to guide the public and developers on the process for developing affordable housing projects in Newton. The posting will include information on fair housing and the City's obligation to affirmatively further fair housing. The City will have Division staff review all applicable projects for their inclusion of fair housing goals and note in writing in all applicable project reviews a statement that "the objectives of the City's Consolidated Plan, including fair housing, have been considered in this review."

Clerk's Note: Councilor Hess-Mahan stated that he had filed this item on behalf of the Fair Housing Committee. It was noted that the HUD Action Plan must be submitted by May 15, 2016. The funds discussed in the action plan were established by congress to benefit low to moderate income persons

as well as other services including the Boys and Girls Club and Riverside which helps to prevent youth suicide. A waiver for Newton allows participation in targeted neighborhood improvements including improvements to Farlow Park and accessibility improvements for people with disabilities. A portion of these funds are used for affordable housing to service low to moderate income individuals. Councilor Hess-Mahan expressed concern that if the item is not approved tonight, Newton, as well as the other participating communities in our consortium would lose funds.

A number of Councilors were not comfortable voting the item as some questions appeared unanswered by the Planning Department in the text of the document.

Councilor Laredo explained that he felt the presentation by the Planning Department was as much a political statement as anything else. In his opinion, statements made in the report were unfair. He noted that the report stated that Newton zoning was an impediment. He stated that zoning is always going to be an impediment. If you are a home owner or a developer and there is no zoning code to be bound by, you would be able to build anywhere and in any manner you want. Zoning codes are designed to limit the manner in which people build in a way that the community deems acceptable and appropriate.

Councilor Baker acknowledged that passing this item would be a benefit to the city by providing significant amounts of money that will do a great deal of good for the city. He noted that if the Council doesn't vote tonight then these funds will disappear. However, he moved that a resolution be added to the item. The resolution would recommend the Planning Department to make edits consistent with a set of edits that he offered the Council.

There was some disagreement about the edits offered. One edit of concern was the requirement that all members of public bodies go through an educational process. Councilor Baker felt the educational process should be fully understood before including it in the report. Councilor Hess-Mahan and others noted that training was a good thing and that there was a docket item that is under consideration that addressed this issue regardless of whether it is in the Action Plan.

Councilor Baker's resolution was voted and adopted. The Council unanimously approved the main item with the resolution to the Planning Department to make the indicated edits.

Referred to Land Use Committee

#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.

Land Use Approved 4-0-1 (Laredo Abstaining)

City Council Approved 22 Yeas, 2 Nays (Councilors Gentile and Sangiolo)

Clerk's Note: Councilor Laredo noted that this Special Permit allows for the creation of a garage with four bays in addition to a two bay garage that currently exists on the property. The lot is large and includes approximately 21,000 sq. ft. of land. He noted that there is a fair amount of land and that a limitation of one commercial vehicle in the conditions of the permit limits the ability to turn this location into a de facto commercial use. The building that is going up will have living space above it and the current structures of the garages are available for other forms of living space should some future owner have the desire to do that.

Councilor Laredo noted that he will vote in favor of this, but did put it on second call as he wanted his colleagues to be aware of this. He also hoped that in the future the Zoning and Planning Committee could look at the allowable number of bays on a particular lot. He also wanted to make it clear that by voting for this request it did not mean that he would vote for future petitions with a similar request.

The City Council voted without discussion 22 Yeas, 2 Absent (Councilors Harney and Sangiolo) to take the following actions:

Referred to Land Use Committee

#40-15(2) Request for Extension of Time for Special Permit at 95-97 Elm Street
CURTIS P. O'HARA, JOHN O'HARA & KARL J. O'HARA, TRUSTEES of the BB&G REALTY TRUST petition for an EXTENSION OF TIME to EXERCISE Special Permit #40-15 granted on April 6, 2015 construct additions to the northeast side and to the rear of an existing restaurant, which will increase the existing nonconforming Floor Area Ratio and front and side setbacks, to increase the seating from 116 seats to 146 seats, and to waive 11 parking stalls at 95-97 ELM STREET, Ward 3, West Newton, on land known as SBL 33 13 11, containing approximately 3,506 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-11(d)(9), 30-15 Table 3, 30-19(c)(2)a), 30-19(d)(13), 30-19(m), 30-21(b) of the City of Newton Rev Zoning Ord, 2012.
Land Use Approved 5-0.

Referred to Zoning & Planning Committee

Monday, April 25, 2016

#121-16 Submission of the Economic Development Commission Annual Report
ECONOMIC DEVELOPMENT COMMISSION submitting its 2015 annual report as required by City of Newton Ordinances, **Chapter 22, Section 95**. [03/25/16 @ 2:56 PM]
Zoning & Planning No Action Necessary 8-0

Referred to Programs & Services Committee

Wednesday, April 20, 2016

Referred to Programs & Services and Finance Committees

- #139-16** **Appropriation to pay final installment for a quadrant of veterans graves**
HIS HONOR THE MAYOR requesting authorization to appropriate fifty-six thousand dollars (\$56,000) from Free Cash to the Veterans Department's Veterans Benefits Account to pay the final installment for the purchase of the quadrant of graves located in the Newton Cemetery. [04/11/16 @ 11:27 PM]
Finance Approved 6-0 on 04/25/16
Programs & Services Approved 3-0-1 (Kalis abstaining; Hess-Mahan, Schwartz, Baker and Sangiolo not voting)

Referred to Programs & Services and Finance Committees

- #140-16** **Appropriation from Free Cash for tree services**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thousand dollars (\$300,000) from Free Cash to the Parks and Recreation Department for the purpose of funding the removal of all known dead or dangerous trees. [04/11/16 @ 11:32 AM]
Finance Approved 6-0 on 04/25/16
Programs & Services Approved 7-0 (Baker not voting)

Referred to Public Safety & Transportation Committee

April 20, 2016

- #107-16** **Semi-annual taxi license/public auto inspections.**
POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review. [03/02/16 @ 1:47 PM]
Public Safety & Transportation Approved 6-0 (Harney not voting)

- #197-15** **Discussion on policy or ordinance to deal with the use of drones**
ALD. ALBRIGHT, on behalf of a constituent requesting a discussion with the Chief of Police and the Commissioner of Parks and Recreation on the use of drones in the City of Newton to discuss what means and methods could become policy or ordinances to deal with an increase of privacy complaints as well as uses of more serious consequences. [08/14/15 @ 11:51 AM]
Item Recommended by City Council on 04/04/16
Public Safety & Transportation No Action Necessary 7-0

Referred to Public Facilities Committee

Thursday, April 21, 2016

Referred to Public Facilities and Finance Committees

- #141-16** **Appropriation from Free Cash for operation and maintenance of Aquinas**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred sixty thousand dollars (\$160,000) from Free Cash for the purpose of funding

the costs of operation and maintenance of the Aquinas facility for Fiscal Year 2016.
[04/11/16 @ 11:32 AM]

Finance Approved 6-0 (Brousal-Glaser, Norton not voting) on 04/25/16

Public Facilities Approved 5-0 (Danberg, Lennon not voting)

Referred to Finance Committee

Monday, April 25, 2016

#84-15 Discussion with NCDF on repayment of deferred payments and accrued interest
ALD. GENTILE requesting a discussion with the Newton Community Development Foundation (NCDF) regarding their plans for repayment of the deferred rental payments and accrued interest on their ground lease with the City for the former Warren Junior High School site. [03-03-15 @ 2:57 PM]

Finance Voted No Action Necessary 7-0 (Brousal-Glaser not voting)

#135-16 Transfer of funds for veterans' benefits
HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty thousand dollars [\$20,000] from Veteran Services Full-time Salaries Account to the Veterans' Benefits Account and to appropriate and expend forty-seven thousand five hundred dollars (47,500) from Free Cash to the Veterans' Benefits Account to supplement the account. [04/11/16 @ 11:27 PM]

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

Referred to Programs & Services and Finance Committees

#139-16 Appropriation to pay final installment for a quadrant of veterans graves
HIS HONOR THE MAYOR requesting authorization to appropriate fifty-six thousand dollars (\$56,000) from Free Cash to the Veterans Department's Veterans Benefits Account to pay the final installment for the purchase of the quadrant of graves located in the Newton Cemetery. [04/11/16 @ 11:27 PM]

Programs & Services Approved 3-0-1 (Kalis abstaining) on 04/20/16

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

Referred to Programs & Services and Finance Committees

#140-16 Appropriation from Free Cash for tree services
HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thousand dollars (\$300,000) from Free Cash to the Parks and Recreation Department for the purpose of funding the removal of all known dead or dangerous trees. [04/11/16 @ 11:32 AM]

Programs & Services Approved 7-0 on 04/20/16

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

#137-16 Appropriate funds from Free Cash to the Rainy Day Stabilization Fund

HIS HONOR THE MAYOR requesting authorization to appropriate six hundred fifty-four thousand four hundred thirty-five dollars (\$654,435) from Free Cash to the Rainy Day Stabilization Fund. [04/11/16 @ 11:32 AM]

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

Referred to Public Facilities and Finance Committees

#141-16

Appropriation from Free Cash for operation and maintenance of Aquinas

HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred sixty thousand dollars (\$160,000) from Free Cash for the purpose of funding the costs of operation and maintenance of the Aquinas facility for Fiscal Year 2016. [04/11/16 @ 11:32 AM]

Public Facilities Approved 5-0 (Danberg, Lennon not voting) on 04/21/16

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

Referred to Public Facilities and Finance Committees

#143-16

Funding to supplement DPW accounts for snow and ice removal

HIS HONOR THE MAYOR, requesting authorization to transfer the sum of two hundred seventy six thousand one hundred thirty-five dollars (\$276,135) from Budget Reserve – Snow and Ice Removal Account and to appropriate five hundred thousand dollars (\$500,000) from Free Cash to the following accounts:

Personnel Costs – Overtime

(0140110-513001).....\$276,135

Rental Vehicles

(0140110-5273-5273)\$500,000

[04/11/16 @ 11:32 AM]

Public Facilities to meet on 04/28/16

Finance Approved 6-0 (Brousal-Glaser, Norton not voting)

#136-16

Transfer of FEMA Grant Funds to Inclement Weather Fund

HIS HONOR THE MAYOR requesting authorization to ~~transfer~~ *appropriate* the sum of nine hundred thirty-nine thousand nine hundred eighty-six dollars and sixty-four cents (\$939,986.64) from the January 2015 Federal Emergency Management Agency Grant to ~~a Receipts Reserved for Inclement Weather Fund~~ *the General Fund as a special appropriation for inclement weather.* [04/11/16 @ 11:32 AM]

Finance Approved as Amended 6-0

A Request to Suspend the Rules to allow the Chair of Finance to report on the following two items, which were taken up earlier in the evening, without a Written Report was Approved by Voice Vote

Referred To Finance and Appropriate Committees

#288-15

Submittal of the FY17 Capital Improvement Plan

HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]

Public Hearing Opened and Closed, Committee of the Whole Approved by Voice Vote

Referred to Public Facilities and Finance Committees

#288-15(3)

Recommended Water, Sewer and Stormwater Rates

HIS HONOR THE MAYOR submitting recommended FY2017 Water/Sewer/Storm Water Rates for implementation on July 1, 2016, as follows:

FY 2017 Tiers & Rates for Water and Sewer

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>	<u>Sewer Rate Per HCF</u>
0-10	\$6.45	\$9.45
11-25	\$7.40	\$10.95
26-60	\$8.50	\$11.75
>60	\$10.60	\$13.50
Irrigation	\$11.65	

FY 2017 Storm Water Fees

1-4 family dwellings	\$75.00
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All other properties:

<u>Square feet of impervious surface area</u>	<u>Annual rate</u>
0 – 4,999	\$250.00
5, 000 – 7,499	\$500.00
7,500 – 9,999	\$750.00
10, 000 – 14,999	\$1,000.00
15, 000 – 24,999	\$1,250.00
25, 000 – 49,999	\$1,500.00
50, 000 – 74,999	\$1,750.00
75,000 – 99,999	\$2,000.00
100,000 – 199,999	\$2,500.00
200,000 – 299,999	\$3,000.00
300,000 – 399,999	\$3,500.00
400,000 – 499,999	\$4,000.00
500,000 and greater	\$5,000.00

Committee of the Whole split the item into #288-15(A) - Water & Sewer Rates; and #288-15(B) - Stormwater Rate.

Public Hearing Opened and Closed

Committee of the Whole Approved (A) by Voice Vote

Committee of the Whole Approved (B) by Voice Vote with on No (Lappin)

Public Hearings were assigned for the following Docket Items:

Public hearing to be assigned for May 4, 2016:

- #160-16** **Petition for a grant of location to install conduit and two manholes in Elliot St**
EVERSOURCE petitioning for a grant of location to install a total of 433' ± of conduit and two manholes in ELLIOT STREET, as follows:
- 220' ± of conduit in an easterly direction from the Newton/Needham boundary line and install Manhole #30145 in front of 394-396 Elliot Street.
 - 178' ± of conduit in an easterly direction from the Newton/Needham boundary line and install Manhole #30144 in front of 391 Elliot Street.
 - Install 35' ± of conduit in a westerly direction from Manhole #30144 thence turning and running northwesterly to pole 136/49. [04/21/16 @10:48AM].

Public hearing to be re-assigned for May 10, 2016:

- #127-16** **Special Permit Petition to locate a daycare at 288 Walnut Street**
THE BEANTOWN COMPANIES, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a day care center at 288 Walnut Street, Ward 2, Newtonville, on land known as SBL 22 04 15, containing approximately 21,988 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.4.5, 7.3.3, 5.1.4, 5.1.3.D, 5.1.13, 6.3.4.B.3.a, 6.3.4.B.3.c.

Public hearing to be re-assigned for May 10, 2016:

- #130-16** **Special Permit Petition for 260, 270 & 280 Elliot Street**
THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive 23 parking stalls by increasing the already nonconforming shortfall by 8 where there are currently 126 while 140 is required for combined uses at 260 Elliot Street, Ward 5, Newton Upper Falls, on land known as SBL 51 37 02, 51 37 01A, 51 37 01, containing approximately 106,657 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3, 7.4, 5.4.1, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.9.A, 5.1.9.B, 5.1.10, 5.1.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public hearing to be assigned for June 8, 2016:

- #161-16** **Comcast petition for a Grant of Location for Washington Street**
COMCAST OF MASS petitioning for a grant of location to install 264' ± of 3" pipe from Pole #864/2 on Lenglen Road, southeasterly 199' ± across Washington Street thence turning easterly 65' ± to 580 Washington St. (Ward 2) [04/21/16 @ 9:00 AM]

Public hearing to be assigned for June 8, 2016:

- #162-16** **Verizon Petition for a Grant of Location for Upland Street**
VERIZON NEW ENGLAND, INC. petitioning for a grant of location to install approximately 160' ± of 1¼" conduit in Upland Avenue from an existing manhole (in front of #123) running 125' northerly to a new 2' x 3' handhole in the grass strip in front of #128 Upland Avenue. (Ward 8) [04/20/16 @ 4:37 PM]

Public hearing to be assigned for June 8, 2016

- #124-16 National Grid Grant of Location Petition for Old Farm Road**
NATIONAL GRID petitioning to install and maintain 200'± of 4" gas main in Old Farm Road from the existing 12" gas main in Brookline Street southerly to 12 Old Farm Road for a new gas service. (Ward 8) [03/22/16 @ 3:09 PM]

Public hearing to be assigned for June 14, 2016:

- #145-16 Special Permit Petition to increase the nonconforming use at 226-228 California Street**
KTM PROPERTIES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NON CONFORMING STRUCTURE to construct a 45 sq. ft. bathroom addition to the first floor, further increasing the nonconforming residential structure at 226-228 California Street, Ward 1, Newton, on land known as SBL 11010 0015, containing approximately 6,863 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.4, 6.2.2, 7.8.2.C.2.

A motion to Accept to the Docket and Refer to Committee the following three Late Filed items was Approved by Voice Vote:

Referred to Zoning & Planning Committee

- #159-16 Discussion with HRC and Fair Housing Committee relative to discriminatory practices**
COUNCILOR SANGIOLO requesting a discussion with the Human Rights Commission and Fair Housing Committee regarding Fair Housing complaints and efforts to combat discriminatory practices in the City. [04/27/16 @ 1:39 PM]

Referred to Finance Committee

- #173-16 Interest charges on late payment of utility bills**
COUNCILOR SANGIOLO requesting creation of a policy or ordinance related to interest charges on late payments of utility bills to the City and proportional return of interest charges if or when the utility bill is abated. [04/27/16 @ 1:39 PM]

Referred to Finance Committee

- #174-16 Acceptance of MGL Chapter 60 Section 1 of MGL**
COUNCILOR SANGIOLO AND HARNEY requesting adoption of local option provision in Chapter 60A, Section 1 of Massachusetts General Law that exempts military personnel from paying excise tax if they are deployed outside the state for at least 45 days. [4/27/16 @ 1:39 PM]

The City Council voted without discussion 21 Yeas, 1 Nay (Councilor Norton), 2 Absent (Councilors Harney and Sangiolo) to take the following action:

Referred to Zoning & Planning and Finance Committees

- #115-16 Funding for Zoning Reform Phase 2**
HIS HONOR THE MAYOR requesting authorization to appropriate one hundred twenty five thousand dollars (\$125,000) from Free Cash and authorization to transfer the sum

of two hundred thousand dollars (\$200,000) from the Planning Department's Full-time Salaries Account to ~~the Planning Department's Consultants Account~~ *create a special appropriation fund in the Planning Department* for the purpose of funding Zoning Reform Phase 2. [03/15/16 @ 4:52 PM]

Zoning & Planning Approved 7-0 -1 (Yates abstaining) on 04/11/16

Finance Approved as Amended 5-0-1 (Blazar abstaining)