



City Council Reports Docket

May 3: Land Use
May 4: Programs & Services, Public Facilities
May 5: Public Safety
May 9: Finance; Zoning & Planning
May 10: Land Use

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Monday, May 2, 2016
7:00 PM, Newton City Hall
To be reported on
Monday, May 16, 2016

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

#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 on 04-25-16
Item chartered by Councilor Cote on 05/02/16

Referred to Land Use Committee

Tuesday, May 3, 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 Opened April 12, 2016 and Continued to May 24, 2016.
Land Use Held 7-0 (Auchincloss not voting)

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, or 617-796-1253. For Telecommunications Relay Service dial 711.

#351-15 **Petition for 4 attached dwelling units in an existing 2-family house at 1110 Chestnut St**
CHARLES ZAMMUTTO/DOUGLAS & MAGDALENA TURCOTTE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to create four attached dwelling units in an existing two-family dwelling including waivers from the height and number of stories, the side setback, and to locate parking and a driveway within a setback at 1110 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 41, 2, containing approximately 22,800 sf of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec 7.3, 7.4, 2.4.1, 3.2.4, 5.4.2, 6.2.3B.2, 5.1.7.A, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 7-0, Land Use Approved 7-0 (Lennon abstaining)

#48-16 **Special permit petition for 255-257 Newtonville Avenue**
STORAGE DEVELOPMENT PARTNERS, LLC/NORCROSS TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story, 113,187 square foot self-storage facility with a building height of 36 feet which will increase the Floor Area Ratio to 1.5, where 1.0 is the maximum allowed by right as well as a waiver of 36 parking stalls and waivers of other parking requirements at 255-257 NEWTONVILLE AVENUE, Ward 2, Newtonville, on land known as SBL 12, 16, 8, containing approximately 75,634 sf of land in a district zoned MANUFACTURING. Ref: 7.3.3, 7.4, 4.3.1.B.1, 4.3.2.B.3, 4.3.3, 5.1.4, 5.1.8.A.1, 5.1.8.B.3, 5.1.9.A.1, 5.1.10.A, 5.1.13, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Opened on April 5, 2016 and Continued to May 24, 2016.
Land Use Committee Held 8-0.

Referred to Land Use Committee

Tuesday, May 10, 2016

#146-16 **WABAN NEIGHBORHOOD AREA COUNCIL/THERESA FITZPATRICK** requesting a temporary one-day license pursuant to Sec. 30-2.3.3 of the City of Newton Ordinances to hold the 12TH ANNUAL WABAN VILLAGE DAY on Sunday, May 22, 2016.
Land Use Approved 6-0 (Lennon, Laredo not voting).

#128-16 **Special Permit Petition to create an accessory apartment at 9-11 Bridge Street**
IULIA PIRVU petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create a 970 sq. ft. accessory apartment in the basement level of the unit at 11 Bridge Street, Ward 1, Newton, on land known as SBL 14 02 29, containing approximately 10,633 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 6.7.1.D of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 6-0, Land Use Approved 6-0 (Lennon, Laredo not voting)

- #129-16** **Special Permit Petition to exceed FAR at 23 Howe Road**
RICHARD SEVERINI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to exceed the Floor Area Ratio to .64 at 23 Howe Road where .46 is the maximum allowable at 23 Howe Street, Ward 8, Newton Centre, on land known as SBL 81 11A 37, containing approximately 6, 591 sq. ft. of land in a district zoned SINGLE RESIDENCE 2 . Ref: 7.3., 7.4, 3.1.9.
Public Hearing Closed 7-0, Land Use Approved 4-0-3 (Lennon, Crossley, Auchincloss abstaining).
- #131-16** **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 Closed 6-0, Land Use Approved 8-0.
- #132-16** **Special permit petition to increase the number of stories at 45 Perkins Street**
RICH & JAN TORMEY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct an addition by adding a two-car garage on the first level, a kitchen above the garage and to expand the existing third floor to add a master suite which will increase the Floor Area Ratio from .33 to .48 where .40 is the maximum allowed by right at 45 Perkins Street, Ward 3, West Newton, on land known as SBL 32012 0035, containing approximately 9,988 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 1.5.4.D, 3.1.3, 7.8.2.C.2, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 8-0, Land Use Approved 8-0
- #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 Closed 7-0, Land Use Held 7-0 (Laredo not voting)
- #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 Closed 7-0, Land Use Approved 8-0.

Referred to Zoning & Planning Committee

Monday, May 9, 2016

Present: Councilors Hess-Mahan (Chair), Danberg, Leary, Yates, Sangiolo, Albright and Baker; absent: Councilor Kalis

- #148-16 **Mayor's appointment of Groot Gregory to the Economic Development Commission**
GROOT GREGORY, 296 Lake Avenue, Newton Highlands, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 1, 2018 (60 days 6/30/16) [04/13/16 @ 3:55 PM]
Zoning & Planning Approved 6-0 (Baker not voting)

- #149-16 **Mayor's appointment of Jeremy Freid to the Economic Development Commission**
JEREMY FREID, 35 Cotton Street, Newton, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 1, 2018 (60 days 6/30/16) [04/13/16 @ 3:55 PM]
Zoning & Planning Approved 6-0 (Baker not voting)

- #150-16 **Mayor's appointment of Charles Tanowitz to the Economic Development Commission**
CHARLES TANOWITZ, 51 Harding Street, West Newton, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 1, 2018 (60 days 6/30/16) [04/13/16 @ 3:55 PM]
Zoning & Planning Approved 6-0 (Baker not voting)

- #151-16 **Mayor's re- appointment of Jack Leader to the Economic Development Commission**
JACK LEADER, 613 California Street, Newtonville, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 1, 2019 (60 days 6/30/16) [04/13/16 @ 3:55 PM]
Zoning & Planning Approved 6-0 (Baker not voting)

- #152-16 **Mayor's re- appointment of Robert Finkel to the Economic Development Commission**
ROBERT FINKEL, 6 Stearns Street, Newton Centre, re-appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 1, 2019 (60 days 6/30/16) [04/13/16 @ 3:55 PM]
Zoning & Planning Approved 6-0 (Baker not voting)

Referred to Programs & Services Committee

Wednesday, May 4, 2016

Present: Councilors Rice (Chair), Leary, Sangiolo, Auchincloss, Schwartz and Baker; absent: Councilors Hess-Mahan and Kalis

- #154-16 **Mayor’s appointment of Treffle LaFleche as Trustee of Jackson Homestead**
TREFFLE LAFLECHE, 86 Prince Street, West Newton, appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2019 (60 days 6/30/16) [04/15/16 @2:47 PM]
Programs & Services Approved 4-0 (Schwartz and Baker not voting)

- #155-16 **Mayor’s appointment of Jay C. Walter as Trustee of Jackson Homestead**
JAY C. WALTER, 83 Pembroke Street, Newton, appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2019 (60 days 6/30/16) [04/15/16 @2:47 PM]
Programs & Services Approved 4-0 (Schwartz and Baker not voting)

- #156-16 **Mayor’s re-appointment of Karen Haywood as Trustee of Jackson Homestead**
KAREN HAYWOOD, 69 Walker Street, Newtonville, re-appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2019 (60 days 6/30/16) [04/15/16 @2:47 PM]
Programs & Services Approved 5-0 (Baker not voting)

- #157-16 **Mayor’s re-appointment of Harry Lohr as Trustee of Jackson Homestead**
HARRY LOHR, 157 Cherry Street, West Newton, re-appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2019 (60 days 6/30/16) [04/15/16 @2:47 PM]
Programs & Services Approved 5-0 (Baker not voting)

Referred to Public Safety & Transportation Committee

Thursday, May 5, 2016

Present: Councilors Ciccone (Chair), Yates, Harney, Cote and Blazar; absent: Councilors Fuller, Norton and Lipof; also present: Councilor Baker

Referred to Public Safety & Transportation and Finance Committees

- #197-15(2) **Pilotless Aircraft Operation**
COUNCILORS ALBRIGHT, BAKER, AND NORTON proposing an ordinance regulating the operation and registration of pilotless aircraft in the City of Newton. [04/07/16 @ 4:25 PM]
Finance to Meet
Public Safety & Transportation Approved 5-0

Referred to Public Facilities Committee

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

#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 Facilities Approved 7-0.

Referred to Public Facilities and Finance Committees

#142-16

Appropriation from Free Cash for Street Paving

HIS HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the purpose of supplementing Chapter 90, override and grant funding for street paving in Fiscal Year 2017. [04/11/16 @ 11:32 AM]

Finance Approved 7-0 on 05/09/16

Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

#144-16

Transfer to supplement DPW accounts for vehicle parts and recyclable collection

HIS HONOR THE MAYOR , requesting authorization to transfer the sum of two hundred fifty thousand dollars (\$250,000) from Public Works Full-time Salaries Account to the following accounts:

Vehicle Repair Parts (0140103-5484).....	\$50,000
Collection-Recyclables (0140111-52322)	\$200,000

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

Finance Approved 7-0 on 05/09/16

Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

- #133-15(A2) Amend lease agreement to replace 60 Elliot St with 70 Elliot St as solar panel site**
HIS HONOR THE MAYOR requesting an amendment to Board Order #133-15(A) on November 16, 2015 by replacing 60 Elliot Street with 70 Elliot Street as an approved site for solar car canopies. [04/25/16 @ 6:52 PM]
Finance Approved 6-0 (Brousal-Glaser not voting) on 05/09/16
Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

- #171-16 Transfer within Public Buildings to fund CO2 Detectors, elevator, electrical repairs**
HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five six hundred forty-two dollars (\$75,642) from the Public Buildings Full-time Salaries Account to the Public Buildings Repairs and Maintenance Account for the purpose of funding CO Detectors, major elevator and electrical repairs, as well as other repair requests. [04/25/16 @ 6:53]
Finance Approved as amended 7-0 @ \$90,000 on 05/09/16
Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

- #172-16 Free Cash appropriation to fund security cameras at City Hall and the Police Dept**
HIS HONOR THE MAYOR requesting authorization to appropriate ninety-nine thousand four hundred seventy-five dollars (\$99,475) from Free Cash to the Public Buildings Department for costs associated with the installation of security cameras at City Hall and the Police Department. [04/25/16 @ 6:53 PM]
Finance Approved 7-0 on 05/09/16
Public Facilities Approved 7-0

Referred to Finance Committee

Monday, May 9, 2016

Present: Councilors Gentile (Chair), Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin; absent: Councilor Ciccone

- #134-16 MEMA Grant for equipment for the heavy duty rescue truck**
HIS HONOR THE MAYOR requesting authorization to expend a reimbursable Massachusetts Emergency Management Agency grant in the amount of twenty-two thousand seventy dollars (\$22,070) for a for the purpose of purchasing equipment and related items for the Fire Department's heavy duty rescue truck. [04/11/16 @ 11:32 AM]
Finance Approved 7-0

#167-16 **Acceptance and Appropriation of a bequest to the Parks and Recreation Department**
HIS HONOR THE MAYOR requesting authorization to accept and appropriate a gift of two hundred thousand dollars (\$200,000) from the Estate of Helen Curtis Abel to be used for the purchase of a van or transportation for senior citizens and/or for the benefit of programs for Senior Citizens. [04/25/16 @ 6:53]
Finance Approved 7-0

#170-16 **Authorization of appropriation and expenditure of E-rate Funds**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred sixteen thousand nine hundred twelve dollars and eighty-seven cents (\$116,912.87) from E-Rate Receipts – Schools to the Newton Public Schools. [04/25/16 @ 6:53 PM]
Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#142-16 **Appropriation from Free Cash for Street Paving**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the purpose of supplementing Chapter 90, override and grant funding for street paving in Fiscal Year 2017. [04/11/16 @ 11:32 AM]
Public Facilities Approved 7-0 on 05/04/16
Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#144-16 **Transfer to supplement DPW accounts for vehicle parts and recyclable collection**
HIS HONOR THE MAYOR , requesting authorization to transfer the sum of two hundred fifty thousand dollars (\$250,000) from Public Works Full-time Salaries Account to the following accounts:
 Vehicle Repair Parts
 (0140103-5484).....\$50,000
 Collection-Recyclables
 (0140111-52322)\$200,000
 [04/11/16 @ 11:32 AM]
Public Facilities Approved 7-0 on 05/04/16
Finance Approved 7-0

#166-16 **Funding for training expenses in the Inspectional Services Department**
HIS HONOR THE MAYOR requesting authorization to appropriate twelve thousand sixty-one dollars and twenty cents (\$12,061.20) from the Special Appropriation Fund created for receipt of funds for tickets issued under MGL 148A for the purpose of funding building inspector training expenses. [04/25/16 @ 6:54 PM]
Finance Approved 7-0

#168-16 Interagency payment for admin of Homelessness Consortium Continuum of Care
HIS HONOR THE MAYOR requesting authorization to accept and appropriate the sum of thirty-nine thousand eighty dollars (\$39,080) from the inter-agency agreements executed between the City of Newton and agencies of the Brookline-Newton-Waltham-Watertown Homelessness Consortium Continuum of Care for administrative services provided by the City of Newton in Fiscal Years 2014/2015 as the lead agency for this program. 04/25/16 @ 6:53 PM]

Finance Approved 7-0

#169-16 Interagency payment for admin of Homelessness Consortium Continuum of Care
HIS HONOR THE MAYOR requesting authorization to accept and appropriate the sum of ninety-nine thousand one hundred twenty-six dollars (\$99,126) from the inter-agency agreements executed between the City of Newton and agencies of the Brookline-Newton-Waltham-Watertown Homelessness Consortium Continuum of Care for administrative services provided by the City of Newton in Fiscal Year 2015/2016 as the lead agency for this program. [04/25/16 @ 6:53 PM]

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#133-15(A2) Amend lease agreement to replace 60 Elliot St with 70 Elliot St as solar panel site
HIS HONOR THE MAYOR requesting an amendment to Board Order #133-15(A) on November 16, 2015 by replacing 60 Elliot Street with 70 Elliot Street as an approved site for solar car canopies. [04/25/16 @ 6:52 PM]

Public Facilities Approved 7-0 on 05/04/16

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

Referred to Public Facilities and Finance Committees

#171-16 Transfer within Public Buildings to fund CO2 Detectors, elevator, electrical repairs
HIS HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five six hundred forty-two dollars (\$75,642) from the Public Buildings Full-time Salaries Account to the Public Buildings Repairs and Maintenance Account for the purpose of funding CO Detectors, major elevator and electrical repairs, as well as other repair requests. [04/25/16 @ 6:53]

Public Facilities Approved 7-0 on 05/04/16

Finance Approved as amended 7-0 @ \$90,000

Referred to Public Facilities and Finance Committees

#172-16 Free Cash appropriation to fund security cameras at City Hall and the Police Dept
HIS HONOR THE MAYOR requesting authorization to appropriate ninety-nine thousand four hundred seventy-five dollars (\$99,475) from Free Cash to the Public Buildings Department for costs associated with the installation of security cameras at City Hall and the Police Department. [04/25/16 @ 6:53 PM]

Public Facilities Approved 7-0 on 05/04/16

Finance Approved 7-0

#138-16

Appropriation to fund busing Zervas School students to Carr School

HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from the Override Capital Project Stabilization Fund to the Newton Public Schools for the purpose of funding the busing costs associated with the transfer of the Zervas Students to the Carr Elementary School for the January 2016 – June 2016 timeframe. [04/11/16 @ 11:32 AM]

Finance Approved 7-0