



## **City Council Docket**

Feb 17: Programs & Services; Public Safety & Transportation; Public Facilities

Feb 22: Finance; Zoning & Planning

Feb 23: Land use

Continued

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**Tuesday, February 16, 2016**

7:30 PM, Newton City Hall

To be reported on

Monday, March 7, 2016

### **City of Newton**

### **In City Council to be Accepted and Referred to Committees**

#### **Referred to Land Use Committee**

#### ***Public Hearing to be assigned for March 15, 2016:***

##### **#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 to be assigned for April 5, 2016:***

##### **#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.

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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.*

***Public Hearing to be assigned for March 15, 2016:***

**#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 to be assigned for March 15, 2016:***

**#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.

**#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.

**Other Communications**

**#51-16 Newton Upper Falls Area Council filing its 2015 annual report**

NEWTON UPPER FALLS AREA COUNCIL submitting pursuant to Sec. 9-10 of the Charter its Annual Report of its activities for calendar year 2015.

**#52-16 Lateral crossing Lighttower Fiber Network grant of location at 7-57 Wells Avenue**

LIGHTTOWER FIBER NETWORKS petitioning for a grant of location to install 46' ± of 4" communication conduit from an existing telephone manhole to the property line at 7-57 Wells Avenue.

**Approved by the Commissioner of Public Works on January 28, 2016**

**Referred to Zoning & Planning Committee**

***Public hearing to be assigned for March 14, 2016:***

**#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]

***Public hearing to be assigned for March 14, 2016:***

**#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]

- #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]

**Referred to Programs & Services Committee**

- #56-16      Ordinance amendment to add statutory references to policy on housing practices**  
COUNCILOR HESS-MAHAN requesting an amendment to Chapter 12, Section 50(b) *Policy of the city regarding housing practices*, to add statutory references to Title VI of the Civil Rights Act of 1964; the Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act; and any other applicable state or federal laws that were inadvertently omitted from the current ordinance. [02/08/16 @ 1:51 PM]

**Referred to Public Facilities Committee**

***Public hearing to be assigned for February 17, 2016:***

**#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 hearing to be assigned for February 17, 2016:***

**#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'  $\pm$  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'  $\pm$  of 12" gas main southerly to the proposed 12" gas main at Centre Street and Buswell Park, and installing 29'  $\pm$  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]

### Referred to Finance Committee

- #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]
- #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]
- #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]
- #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 &amp; Address of Owner</u>    | <u>BK/PG</u> | <u>Amount</u> |
|------------|--|--------------|---------------|
| 43-37-15   | Wood Michael & Karin<br>71 Studio Road | 46047/403    | \$6,476       |
- #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]
- #62-16      Acceptance of a Nation 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]

**#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 seventy thousand dollars (\$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]

**Referred to Public Safety & Transportation and Finance Committees****#64-16      Increase the number of Chief of Operation positions in the Fire Department**

HIS HONOR THE MAYOR requesting a temporary increase in the number of Chief of Operations in the Fire Department from one to two Chief, as the current Assistant Chief of Operations is on extended sick leave, does not intend to return to his position, and his accrued time does not run out until August 2016. An Assistant Chief has been working as the acting Chief of Operations and the Fire Chief would like to permanently appoint him as the Chief of Operations before August 2016, as the acting Chief of Operations cannot attend bargaining sessions due to a possible conflict of interest should he return to a union position as Deputy Chief. [02/09/16 @ 2:47 PM]

**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]

**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]

**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.

*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 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]

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

**#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]