



City Council Reports Docket

Feb 17: Programs & Services; Public Safety & Transportation; Public Facilities Continued
Feb 22: Committee of the Whole; Finance; Zoning & Planning Page 36
Feb 23: Land Use Tuesday, February 16, 2016
7:45 PM, Newton City Hall
To be reported on
Monday, March 7, 2016

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, February 23, 2016

Present: Councilors Mark Laredo (Chair), Lennon, Cody, Auchincloss, Lipof, Schwartz, Crossley and Harney; also present Councilors Albright & Leary

- #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.
Land Use APPROVED 8-0
- #15-16 Special permit petition for an accessory apartment at 126 Cornell Street**
SCOTT TIMMINS petition for an accessory apartment in a detached carriage house at 126 Cornell Street, Ward 4, Newton Lower Falls, on land known as SBL 42, 32, 72, containing approximately 12,682 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 7.3, 7.4, 6.7.1.D of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing opened on February 9 and continued to February 23, 2016.
Public Hearing Closed 8-0, Land Use APPROVED 8-0

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.

- #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)

- #326-15 Petition to Increase seating at Bertucci's Restaurant**
BERTUCCI'S RESTAURANT CORPORATION/KNAPP FOOD INC. to AMEND Special Permit/Site Plan Approval #573-88 to increase the seating capacity from 129 to 170 seats and to waive up to three parking stalls at 275 CENTRE STREET, Ward 1, Newton Corner, on land known as SBL 71, 2, 1, 2, and 4, containing a total of 58,248 sf of land in districts zoned BUSINESS 1 and BUSINESS 2. Ref: Sec. 6.4.29.C.1, 5.1.4, 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 23, 2016
Public Hearing Closed 8-0; Land Use APPROVED 8-0

Referred to Zoning & Planning Committee

Monday, February 22, 2016

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

- #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]
Zoning & Planning Held 7-0

#46-16 Resolution supporting House and Senate bills to increase number of housing courts
COUNCILOR HESS-MAHAN requesting a Resolution by the City Council to support House Bill H. 1656 and Senate Bill S. 901 for expansion of housing courts in the Commonwealth that would allow the City of Newton to pursue housing matters in a specialized court designed to specifically deal with housing issues and better protect its residents and more swiftly resolve violations. [01/29/16 @ 9:39 AM]
Zoning & Planning Approved 7-0

#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 Held 7-0

#222-13(2) Zoning amendment to regulate front-facing garages in residential zones
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 @ 10:15 AM]
Zoning & Planning Held 7-0

Referred to Programs & Services Committee

Wednesday, February 17, 2016

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

#31-15 Proposing an ordinance to limit leaf blower use
PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20 PM]
Programs & Services Held 5-0

#31-15(2) Amend Noise Ordinance restrictions for yard maintenance equipment
THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14 PM]
Programs & Services Held 5-0

Referred to Public Safety & Transportation Committee

Wednesday, February 17, 2016

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

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]

Finance Approved 4-0 on 02/22/16

Public Safety & Transportation Approved 6-0

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]

Public Safety & Transportation Held 6-0

Referred to Public Facilities Committee

Wednesday, February 17, 2016

Present: Councilors Crossley (Chair), Lennon, Albright, Brousal-Glaser, Danberg, Laredo and Lappin; absent: Councilor Gentile; also present: Councilor Fuller

#38-16

National Grid GOL petition for Eastside Parkway

NATIONAL GRID petitioning for a grant of location to install and maintain 70' ± of 6" gas main in East Side Parkway from the existing 6" gas main at 82 East Side Parkway to 76-78 East Side Parkway. (Ward 2) [01/20/16 @ 6:43 PM]

Public Facilities Approved 6-0 (Lennon not voting)

#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 Facilities Approved 6-0 (Lennon not voting)

#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' ± 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' ± of 12" gas main southerly to the proposed 12" gas main at Centre Street and Buswell Park, and installing 29' ± 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]
Public Facilities Approved 6-0 (Lennon not voting)

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.
Finance Approved 4-0 on 02/22/16
Public Facilities Approved 6-0 (Lennon not voting)

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]
Finance Approved 4-0 on 02/22/16
Public Facilities Approved 6-0 (Lennon not voting)

Referred to Finance and Appropriate Committees

- #288-15** **Submittal by the Mayor 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 Facilities Held 7-0
- #189-14** **Update on the Zervas School construction project**
PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Zervas Elementary School Project. [04/17/14 @ 10:48 PM]
Public Facilities Held 7-0
- #188-14** **Update on the Cabot School construction project**
PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Cabot Elementary School Project. [04/17/14 @ 10:48 PM]
Public Facilities Held 7-0

Referred to Programs & Services and Public Facilities Committees

- #27-16** **Updates from the Administration on the renovations at the Aquinas site**
PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or Executive Department provide updates on removal of asbestos and other toxic materials that were identified at the Aquinas site, the scope and timing of window replacement in particular, and renovations that may be necessary to facilitate short and long-term plans for uses and operations at the site. [01/10/16 @ 1:14 PM]
Public Facilities Held 7-0
- #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.* HELD on 011/04/15
Public Facilities Held 7-0

Referred to Finance Committee

Monday, February 22, 2016

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

- #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]
Finance Approved 4-0
- #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]
Finance Approved 4-0
- #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]
Finance Approved 4-0

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]
Public Safety & Transportation approved 6-0 on 02/17/16
Finance Approved 4-0
- #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 sixty ~~seventy~~ thousand dollars (\$60,000) ~~(\$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]
Finance Approved 4-0 As Amended at \$60,000

#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 Held 4-0

#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 & Address of Owner</u>	<u>BK/PG</u>	<u>Amount</u>
43-37-15	Wood Michael & Karin	46047/403	\$6,476
	71 Studio Road		\$420

Finance Approved 4-0 as amended at \$420

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]

Public Facilities approved 6-0 on 02/17/16

Finance Approved 4-0

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.

Public Facilities approved 6-0 on 02/17/16

Finance Approved 4-0

#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]

Finance Approved 4-0

Referred to Public Facilities and Finance Committees

Discussed in a Committee of the Whole

Monday, February 22, 2016

Present: Councilors Fuller (Chair), Albright, Auchincloss, Baker, Blazar, Crossley, Danberg, Harney, Hess-Mahan, Kalis, Lappin, Laredo, Leary, Lennon, Lipof, Norton, Schwartz, and Yates; absent: Councilors Brousal-Glaser, Ciccone, Cote, Gentile, Rice, and Sangiolo

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]

Committee of the Whole Approved 15-0-3 (Hess-Mahan, Schwartz, Yates abstaining)