



City Council Docket

April 20: Public Safety; Programs & Services
April 21: Public Facilities
April 25: Finance; Zoning & Planning
April 26: Land Use
April 28: Public Facilities

Continued

Page 92

Tuesday, April 19, 2016

7:45 PM, Newton City Hall

To be reported on
Monday, May 2, 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 May 10, 2016

#126-16 Special Permit Petition for 17 Malvern Terrace

CHARLES B. COSSABOOM petition for SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE to modify an existing nonconforming two-family use and amend Special Permit #88702 to raze the existing buildings and rebuild the dwelling away from the floodplain and closer to the street at 17 Malvern Terrace, Ward 4, Auburndale, on land known as SBL 41 26 17, containing approximately 13,970 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 3.4.1, 7.8.2.C.2, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing to be assigned for May 3, 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 assigned for May 10, 2016

#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.

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.*

Public Hearing to be assigned for May 10, 2016

#129-16 Special Permit Petition to exceed FAR at 23 Howe Street

RICHARD SEVERINI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to exceed the Floor Area Ratio to .64 at 23 Howe Street 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 to be assigned for May 3, 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 May 10, 2016

#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 to be assigned for May 10, 2016

#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.

#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.

Other Communications

Application for a Zoning Variance 6 Denms Place

DAVID BELCOURT & NAHMA NADICH applying for a variance to replace an existing one-story addition at the rear of 6 Denms Place with a new two-story addition four feet wider, replace and existing front landing with a covered porch and stairs, and expand a first-floor half-bath. (Ward 2)

Administrative Site Plan Review Fessenden School, 250 Waltham St

FESSENDEN SCHOOL filing an application for Administrative Site Plan Review to renovate the parking and traffic circulation adjacent to and around the ice rink on its campus at 250 Waltham Street. (Ward 3)

Referred to Zoning & Planning Committee

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

Referred to Finance Committee

#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]

#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]

#136-16 Transfer of FEMA Grant Funds to Inclement Weather Fund

HIS HONOR THE MAYOR requesting authorization to transfer 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. [04/11/16 @ 11:32 AM]

#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 Fee Cash to the Rainy Day Stabilization Fund. [04/11/16 @ 11:32 AM]

#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 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]

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]

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]

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]

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]

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 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]

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]

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

Public Hearing to be assigned for May 2, 2016:**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

Public Hearing to be assigned for May 2, 2016:**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]

Referred To Finance and Appropriate Committees

#288-15(2) Submittal of the FY 2017 Municipal/School Operating Budget

HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY17 Municipal/School Operating Budget totaling \$378,969,244 passage of which shall be concurrent with the FY17-FY21 Capital Improvement Program (#288-15). [04/11/16 @ 11:31]

EFFECTIVE DATE OF SUBMISSION 04/19/16; LAST DATE TO PASS THE BUDGET 06/03/16

Referred To Finance and Appropriate Committees

#288-15(4) Submittal of the FY 2017 – FY 2021 Supplemental Capital Improvement Plan

HIS HONOR THE MAYOR submitting the FY 2017 – FY 2021 Supplemental Capital Improvement Plan. [04/11/16 @ 11:31 AM]