



## City Council Docket

November 9: Programs & Services, Public Safety & Transportation, Public Facilities

Continued

November 14: Finance, Zoning & Planning

Page 249

November 15: Land Use

**Monday, November 7, 2016**

7:45 PM, Newton City Hall

To be reported on

Monday, November 21, 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 December 13, 2016***

##### **#361-16 Special Permit Petition to exceed FAR at 642 Centre Street**

LISA AND JOSH SCHWARZBERG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to CONSTRUCT a 1,087 sq. ft. two-story addition to the front of house, resulting in an FAR of .49 where .38 exists and .39 is allowed at 642 Centre Street, Ward 1, Newton, on land known as SBL 72035 0002, containing approximately 9,600 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

#### ***Public hearing to be assigned for December 6, 2016***

##### **# 261-16(2) Special Permit Petition to allow site and building improvements at "The Street"**

CHESTNUT HILL SHOPPING CENTER LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALTER A NONCONFORMING STRUCTURE to construct new buildings to allow for existing and new commercial uses including banking, office, medical office, theatre, health club, retail, restaurant and parking, to allow buildings in excess of 20,000 sq. ft., allow a building up to 60' in height, site plan review for buildings within 300' of a great pond, allow parking within a setback, extend Farmers Market special permit 230-14, update signage special permit 417-12, allow some parking stalls on portions of the site to be reduced size and in garage to be reduced stall depth, allow reduced parking facility lighting and grant exceptions for parking stall size and interior landscaping requirements at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as SBL 63037 0025, 63037 0026, containing approximately 859,444 sq. ft. in a district zoned BUSINESS USE 4. Ref: 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.2, 4.1.2.B.3, 5.6, 5.1.8, 5.1.13, 6.4.22, 5.8.2.C, 5.1.8.B, 5.1.10.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

**Public hearing to be assigned for November 29, 2016**

- #180-16 (2)** MARK NEWTONVILLE, LLC petition for a change of zone to Mixed Use 4 for land located at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street (a/k/a 835-843 Washington Street), 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, and an unnumbered lot on Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, Ward 2, currently zoned Business 1, Business 2, and Public Use, further described as follows:  
Beginning at a point on the northerly line of Washington Street, running thence;  
Along the northerly line of Washington Street, south 89 degrees - 04 minutes - 40 seconds west, a distance of 433.14 feet to a point; thence  
Along the easterly line of Washington Terrace north 02 degrees - 03 minutes - 34 seconds west, a distance of 278.34 feet to a point, thence, the following four (4) courses along the existing zone lines of MR-1 and MR-3:  
North 86 degrees - 11 minutes - 41 seconds west, a distance of 15.07 feet to a point; thence  
North 01 degrees - 52 minutes - 35 seconds west, a distance of 3.01 feet to a point; thence  
South 86 degrees - 11 minutes - 41 seconds east, a distance of 85.43 feet to a point; thence  
North 88 degrees - 31 minutes - 34 seconds east, a distance of 370.56 feet to a point on the westerly line of Walnut Street; thence  
Along the westerly line of Walnut Street, south 04 degrees - 12 minutes - 48 seconds east, a distance of 261.82 feet to a point of curvature; thence  
Along a curve to the right having a radius of 17.00 feet, a central angle of 93 degrees - 17 minutes - 28 seconds, an arc length of 27.68 feet, a chord bearing of south 42 degrees - 25 minutes - 56 seconds west, a chord length of 24.72 feet to the point and place of beginning.  
Containing 123,765 square feet, or 2.84 acres, more or less.

**Referred to Zoning & Planning Committee**

- #362-16** **Mayor's appointment of Sonia Parisca to the Planning & Development Board**  
HIS HONOR THE MAYOR appointing Sonia Parisca, 185 Franklin Street, Newton as an alternate member of the Planning & Development Board for a term to expire December 1, 2021. (60 days 01/06/17) [10/28/16 @ 10:34 AM]
- #222-13(6)** **Zoning amendment to further delay effective date of Garage Ordinance**  
COUNCILORS ALBRIGHT, LENNON, CROSSLEY, DANBERG, LIPOF, FULLER AND COTE proposing an amendment to Ordinance No. A-78, which amends Chapter 30, Section 3.4.4 of the Revised Ordinances, to implement a deferred effective date for the Ordinance of April 1, 2017. [10-31-16 @ 3:51 PM]
- #222-13(7)** **Additional zoning amendment to Garage Ordinance**  
COUNCILORS ALBRIGHT, LENNON, CROSSLEY, DANBERG, LIPOF, FULLER AND COTE proposing to amend Chapter 30, Section 3.4.4. of the Revised Ordinances as amended by Ordinance A-78, as follows: (1) limit the application of a maximum (45%)

proportional width of garage to total building to all lots in MR districts; and/or (2) limit the application of a maximum (45%) proportional width of garage to total building to lots in SR districts having a maximum frontage of 70 feet; and/or (3) use the special permit process to determine exceptions providing clear and specific guiding criteria, such as preservation of historic properties, topography, odd lot configurations, preservation of certain natural features, etc., where such features may prohibit otherwise safe access to or parking on a site. [10/31/16 @ 3:51 PM]

### **Referred to Programs & Services Committee**

- #363-16**      **Amendment to the City Council Rules for yearly review of City Clerk's salary**  
PRESIDENT LENNON AND VICE PRESIDENT LAPPIN requesting an amendment to Article XI of the Rules and Orders of the City Council to require an annual review of the salary of the City Clerk/Clerk of the Board. [10/26/16 @ 3:58 PM]
- #364-16**      **Ordinance Amendment relative to the Youth Commission**  
HIS HONOR THE MAYOR proposing to amend the City of Newton Ordinances, Article VI, Youth Commission. [10/24/16 @ 3:22 PM]

### **Referred to Public Safety & Transportation Committee**

- #365-16**      **Amendment to change the application requirements for Vehicles for Hire**  
COUNCILOR CICCONE, requesting an amendment to change the renewal application date requirements from September to October of each year and to change the application deadline date from September 30 to October 30 in the City of Newton Revised Ordinances 2012, **VEHICLES FOR HIRE, Sec. 19-332. Procedure for obtaining licenses. a)** and **Sec. 19-339. Van license. g)** [10/17/16 @ 12:22 PM]
- #366-16**      **Requesting a review and update on Traffic Council responsibilities**  
COUNCILORS NORTON, SCHWARTZ AND AUCHINCLOSS, requesting a review and update on Traffic Council responsibilities by shifting certain areas to the executive branch, including the installation of stop signs and safety upgrades. [10/17/16 @ 9:15 AM]
- #367-16**      **Requesting renewals of public auto licenses, taxi licenses and taxi stands**  
MICHAEL ANTONELIS, 224 Calvary Street, Waltham, MA 02453, requesting renewal of **four (4) public auto licenses, forty-nine (49) taxi licenses, and five (5) designated taxi stands.** Requesting **three (3) new taxi licenses** for Veterans Taxi of Newton, LLC. [09/30/16 @ 2:50 PM]

- #368-16 Requesting renewals of taxi licenses and taxi stands**  
RICHARD E. JOHNSTON, 25 Border Street, West Newton, MA 02465 requesting renewal of **fourteen (14) taxi licenses and two (2) designated taxi stands** for Newton Yellow Cab, Inc. [10/04/16 @ 2:17 PM]
- #369-16 Requesting renewals of taxi licenses and taxi stands**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **three (3) taxi licenses and two (2) designated taxi stands** for Holden's Taxi Inc. [10/04/16 @ 2:24 PM]
- #370-16 Requesting renewals of taxi licenses**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **two (2) taxi licenses** for Newtonville Cab Co. Inc. [10/04/16 @ 2:24 PM]
- #371-16 Requesting renewals of taxi licenses**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459 requesting renewal of **three (3) taxi licenses** for Newton Taxi Co. [10/04/16 @ 2:24 PM]
- #372-16 Requesting renewal of taxi license**  
MOHAMED SAIDI, 77 Cedar Street, Boston, MA 02119, requesting renewal of **one (1) taxi license** for Newton Luxury Cab. [10/4/16 @ 11:18 AM]
- #373-16 Requesting renewal of taxi license**  
ANIS LAHIANI, 34 Winter Street, Apt. A6, Waltham, MA 02451-0900, requesting renewal of **one (1) taxi license** for Newton Town Taxi. [10/19/16 @ 6:42 PM]
- #374-16 Requesting renewal of public auto licenses**  
JERALD ROBBINS, 253 Riverview Avenue, Newton, MA 02466, requesting renewal of **four (4) public auto licenses** for Weldon Group Inc. [10/31/16 @ 2:53 PM]
- #375-16 Requesting renewal of public auto license**  
DONALD LaPLANTE, 395 Lexington Street, Auburndale, MA 02466, requesting renewal of **one (1) public auto license** for Don's Car Service. [10/17/16 @ 9:13 AM]

### **Referred to Finance Committee**

- #376-16 Transfer \$110,000 from Budget Reserve for acquisition costs for 15 Walnut Pk**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred ten thousand dollars (\$110,000) from FY 17 Budget Reserve to fund a final payment to the Sisters of St. Joseph of Boston as part of the agreed upon acquisition costs for 15 Walnut Park. [10/31/16 @ 2:05 PM]

- #377-16 Authorization to enter into 5-year school bus contract**  
HIS HONOR THE MAYOR requesting authorization in accordance with MGL chapter 30B, Sec. 12 to permit the Newton Public Schools to solicit bids and enter into a 5-year contract for school bus transportation including the METCO bus services. [10/31/16 @ 2:06 PM]
- #378-16 Approval of the proposed Debt Management Policy**  
HIS HONOR THE MAYOR requesting approval of the proposed City of Newton Debt Management Policy dated October 31, 2016. [10/31/16 @ 2:07 PM]
- #379-16 Appropriate \$9,000 for police detail enforcement of accessible parking regulations**  
HIS HONOR THE MAYOR requesting authorization to appropriate nine thousand dollars from the Handicapped Parking Fine Fund to be used to pay for a special police detail enforcement of the accessible (HP) parking regulations. [10/31/16 @ 2:06 PM]
- #380-16 Transfer \$1,405,192 to Contribution to Capital Stabilization Fund**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of one million four hundred five thousand one hundred ninety-two dollars from Treasury debt service to Contribution to the Capital Stabilization Fund. [10/31/16 @ 2:02 PM]
- #279-16(2) Rescind Council Order #279-16 to bond for the Aquinas Window Project**  
HIS HONOR THE MAYOR requesting rescission of Council Order #279-16 authorizing the City to borrow three hundred thousand dollars (\$300,000) for the Aquinas Window Project and authorization to appropriate three hundred thousand dollars (\$300,000) from the Override Projects Capital Stabilization Account for the purpose of funding the Aquinas Window Project. [10/31/16 @ 2:03 PM]
- Referred to Programs & Services and Finance Committees**
- #381-16 Appropriate \$405,900 to supplement School Department busing costs**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred five thousand nine hundred dollars (405,900) from the Override Stabilization Fund for the purpose of supplementing busing costs incurred by the Newton Public Schools in transporting student from the Zervas Elementary School neighborhood to the Carr School during the 2016-2017 school year. [10/31/16 @ 2:06 PM]
- Referred to Public Safety & Transportation and Finance Committees**
- #382-16 Appropriate \$80,000 to purchase a police cruiser and police mechanic's truck**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend eighty thousand dollars (\$80,000) from Free Cash for the purpose of purchasing an additional police cruiser and a police mechanic's truck. [10/31/16 @ 2:07 PM]

**Referred to Public Safety & Transportation and Finance Committees**

- #383-16**      **Appropriate \$1,100,000 for Emergency Communications Infrastructure Improvement**  
HIS HONOR THE MAYOR requesting authorization to appropriate one million one hundred thousand dollars from Free Cash to the Emergency Communications Infrastructure Improvement Fund. [10/31/16 @ 2:07 PM]

**Referred to Public Facilities and Finance Committees**

- #384-16**      **Appropriate \$71,000 to build an observation deck on the greenway**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand dollars (\$71,000) from Free Cash for the purpose of construction an observation on the greenway walking corridor. [10/31/16 @ 2:05 PM]

**Referred to Public Facilities and Finance Committees**

- #385-16**      **Discussion about the Community Solar Share Program**  
PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]

**Referred to Public Facilities and Finance Committees**

- #386-16**      **MWRA loan financing for homeowners to replace lead service lines**  
COUNCILORS CROSSLEY AND GENTILE proposing to establish policies and procedures for the use of approved Massachusetts Water Resource Authority (MWRA) no interest loan financing to encourage homeowners to participate in the lead service line replacement program. [10/26/16 @ 3:12 PM]

**Referred to Programs & Services, Public Facilities and Finance Committees**

- #387-16**      **Appropriate \$250,000 for renovation of 1<sup>st</sup> Floor of the Ed Center**  
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Override Capital Stabilization Fund for the purpose of renovating the space on the 1<sup>st</sup> floor of the Ed Center which has been vacated by the relocation of the Pre-K Program to the Aquinas site to house the Central High School Program, additional professional development meeting space, and general office space. [10/31/16 @ 2:05 PM]

**Referred to Programs & Services, Public Facilities and Finance Committees**

- #388-16**      **Authorize the Library Board of Trustees to apply for grant funds for library renovation**  
HIS HONOR THE MAYOR requesting that the City Council authorize the Board of Library Trustees to apply for any state funds which might be able to make improvements and additions to the Newton Free Library and which will defray all or part of the cost of the design, construction and equipping of the library project; and to authorize the Library Trustees to accept and expend any such funds when received without further appropriation. [10/31/16 @ 2:05 PM]