



City Council Docket

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Continued

Monday, July 10, 2023

7:45 PM, Virtual

To be reported on

Monday, August 14, 2023

July 11: Land Use
July 12: Programs and Services
July 19: Public Facilities
July 24: Zoning & Planning
July 25: Land Use
July 31: Zoning & Planning
August 8: Land Use
August 14: Finance

The City Council will hold this meeting as a **VIRTUAL** meeting on Monday, July 10, 2023, at 7:45PM. To view this meeting on Zoom use this link at the above date and time: <https://newtonma.gov.zoom.us/j/84144765544>

One tap mobile

US: +13017158592, 841 4476 5544#

Land line

US: +1 301 715 8592

Meeting ID: 841 4476 5544

You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).

2. View a live stream on NewTV's YouTube channel at:

<https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvfAh3cQ>

City of Newton

In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing Assigned for July 11, 2023

#228-23 Request to further extend a nonconforming 3.5 story single-family dwelling and to exceed FAR at 35 Oak Cliff Road

NELSON AND SALLY DUPERE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a dormer addition in the half story of the nonconforming 3.5-story structure, extending the nonconforming number of stories and exceeding the maximum FAR at 35 Oak Cliff Road, Ward 2, Newtonville, on land known as Section 24 Block 26 Lot 11, containing approximately 6,859 sq. ft. of land in a district zoned Single Residence 2. Ref: 7.3.3, 3.1.3, 7.8.2.C.2, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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 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 Assigned July 11, 2023**#229-23 Request to waive seven parking stalls at 12 Austin Street**

JP COMELLA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to combine two units currently occupied by retail and personal services uses to operate a 42-seat restaurant which requires a waiver of seven parking stalls at 12 Austin Street, Ward 2, Newtonville, on land known as Section 24 Block 09 Lot 16, containing approximately 5,695 sq. ft. of land in a district zoned Business1. Ref: 7.3.3, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned July 11, 2023**#239-23 Request to allow parking in the front setback at 213 Jackson Street**

THEODORE AND STEPHANIE SILVERSTEIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing attached garage into living space and construct two parking stalls within the front setback at 213 Jackson Street, Ward 6, Newton Centre, on land known as Section 62 Block 25 Lot 15, containing approximately 5,135 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 8, 2023**#240-23 Request to allow ground floor residential use, to exceed by right height and stories, and a parking waiver at 290 Watertown Street**

290 Watertown St LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and detached garage and construct five residential dwelling units in three buildings with dimensional waivers and allow for a waiver from the required number of parking stalls at 290 Watertown Street, Ward 1, Newton, on land known as Section 11 Block 14 Lot 03, containing approximately 11,473 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 8, 2023**#241-23 Request to allow three single-family attached dwellings at 236 Chapel Street**

Omar Youssef petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and construct three single-family attached dwellings with dimensional waivers and parking dimensional waivers at 236 Chapel Street, Ward 1, Newton, on land known as Section 12 Block 01 Lot 18, containing approximately 24,897 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 3.4.1, 3.2.4, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 8, 2023**#242-23 Request to allow parking in the front setback and within five feet of the front lot line at 97 Waban Hill Road North**

Edison Almeida petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second driveway on the eastern lot line, resulting in two vehicles within the front setback at 97 Waban Hill Road North, Ward 7, Chestnut Hill, on land known as Section 63 Block 04 Lot 26, containing approximately 6,887 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

Public Hearing to be Assigned for July 24, 2023

#205-23 Petition to rezone lots on Charles Street

TERRENCE P. MORRIS, ESQ. petitioning to amend the City of Newton's Zoning Map by changing the current zoning of the property known as and numbered 132 Charles Street, Newton, Ma, and shown on the City of Newton Assessor's database as Section 41, Block 06, Lots 14, currently zoned MULTI-RESIDENCE 1 and MANUFACTURING, and Section 41, Block 06, Lot 26, currently zoned MANUFACTURING, to MIXED USE 1.

#243-23 Reappointment of Kathryn Cade to the Conservation Commission

HER HONOR THE MAYOR reappointing Kathryn Cade, 195 Islington Road, Auburndale as a full member of the Conservation Commission for a term of office to expire on July 31, 2026. (60 Days: 09/08/23)

#244-23 Reappointment of Jeffrey Riklin to the Newton Upper Falls Historic District Commission

HER HONOR THE MAYOR reappointing Jeffrey Riklin, 37 High Street, Newton Upper Falls as a full member of the Newton Upper Falls Historic District Commission for a term of office to expire on July 31, 2026. (60 Days: 09/08/23)

#245-23 Appointment of Jane Obbagy to the Economic Development Commission

HER HONOR THE MAYOR appointing Jane Obbagy, 28 Lenox Street, Newton as a member of the Economic Development Commission for a term of office to expire on September 11, 2026. (60 Days: 09/08/23)

#246-23 Appointment of Anthony Ciccariello as Commissioner of Inspectional Services

HER HONOR THE MAYOR appointing ANTHONY CICCARELLO as COMMISSIONER OF INSPECTIONAL SERVICES pursuant to Sec 3-3 of the City Charter. (30 Days: 08/09/23)

Referred to Programs & Services Committee

#247-23 Request to place a nonbinding advisory question on the ballot

COUNCILORS LUCAS, WRIGHT, MARKIEWICZ, MALAKIE, AND OLIVER requesting that the following non-binding advisory question be placed on the November 7, 2023 municipal ballot: "Should the Newton City Council vote to adopt a zoning ordinance for Newton village commercial centers so that parcels under 30,000 square feet would have the opportunity to be redeveloped to construct multi-family housing, or a mix of businesses and multi-family housing, in buildings up to 3.5 to 4.5 stories high, without requiring onsite parking and prior approval from the City Council?"

#248-23 Reappointment of Michael Flaherty to the Health and Human Services Advisory Council

HER HONOR THE MAYOR reappointing Michael Flaherty, 17 Glastonbury Oval, Waban as a member of the Health and Human Services Advisory Council for a term of office to expire on January 1, 2026. (60 Days: 09/08/23)

- #249-23 Reappointment of Matthew Stafford to the Health and Human Services Advisory Council**
HER HONOR THE MAYOR reappointing Matthew Stafford, 40 Belmore Park, Newton as a member of the Health and Human Services Advisory Council for a term of office to expire on January 1, 2025. (60 Days: 09/08/23)
- #250-23 Reappointment of Asa Fanelli to the Health and Human Services Advisory Council**
HER HONOR THE MAYOR reappointing Asa Fanelli, 8 Kerry Court, Newton as a member of the Health and Human Services Advisory Council for a term of office to expire on January 1, 2025. (60 Days: 09/08/23)
- #251-23 Reappointment of Joanna Josephson as a Newton Library Trustee**
HER HONOR THE MAYOR reappointing Joanna Josephson, 141 Blake Street, Newton as a Newton Library Trustee for a term of office to expire on January 1, 2025. (60 Days: 09/08/23)
- #252-23 Appointment of Janet Huettig to the Health and Human Services Advisory Council**
HER HONOR THE MAYOR appointing Janet Huettig, 217 Suffolk Road, Chestnut Hill as a member of the Health and Human Services Advisory Council for a term of office to expire on January 1, 2026. (60 Days: 09/08/23)
- #253-23 Appointment of Dr. Carolyn Bernstein to the Health and Human Services Advisory Council**
HER HONOR THE MAYOR appointing Dr. Carolyn Bernstein, 111 Dickerson Road, Newton Highlands as a registered physician member of the Health and Human Services Advisory Council for a term of office to expire on January 1, 2026. (60 Days: 09/08/23)

Referred to Public Facilities Committee

- #254-23 Reappointment of Jonathan Kantar to the Citizens Commission on Energy**
HER HONOR THE MAYOR reappointing Jonathan Kantar, 672 Chestnut Street, Waban to the Citizens Commission on Energy for a term of office to expire June 15, 2026. (60 days: 09/08/23)

Public Hearing to be Assigned for July 19th, 2023

- #255-23 Eversource petition for Grant of Location in Boylston Street**
EVERSOURCE ENERGY petitioning for a grant of location to install 1350'+ of conduit east of Hammond Pond Parkway and relocate pole 418/8-S approximately 3 feet west of current location to support road construction in the area. (Ward 7)

Referred to Finance Committee

- #256-23 Acceptance of \$150,000 from the Massachusetts State Budget**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred and fifty thousand dollars (\$150,000) earmarked in the 2022 State Economic Development Bill for Newton's Bluebikes system.

- #257-23** **Acceptance of grant funding for the Marty Sender Greenway Phase 2 Restoration Project**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of fifty thousand dollars (\$50,000) from the National Recreation and Park Association's 2023 Danaher Biodiversity Grant Program to the Department of Parks, Recreation and Culture for the Marty Sender Greenway Phase 2 Restoration project.
- #258-23** **Transfer \$200,000 to the Newton Communications Access Center, Inc. (NewTV)**
HER HONOR THE MAYOR requesting authorization to transfer and expend a sum of two hundred thousand dollars (\$200,000) from the PEG Access and Cable Related Fund to the Newton Communications Access Center, Inc (NewTV) to support public, educational, and governmental access cable television services and this financial strategy.
- #260-23** **Acceptance of \$1,250,000 from the Massachusetts State Budget**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one million two hundred and fifty thousand dollars (\$1,250,000) earmarked in the 2022 State Economic Development Bill for the Christina Street Bridge and Path Project.

The following items were filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

Referred to Land Use Committee

Public Hearing Assigned August 8, 2023

- #261-23** **Request to amend Special Permit #113-23 to allow expanded hours of operation for the patio at 344-346 Elliot Street**
SEANA GAHERIN AND ROBERT DUNN, TRUSTEES OF D&G REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend condition 8 of Special Permit 113-23 to allow expanded hours of operation for the patio until 10 PM at 344-346 Elliot Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 41 Lot 10, containing approximately 9,676 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec. 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.