



City Council Reports Docket

August 15: Zoning & Planning
August 16: Programs & Services
August 21: Zoning & Planning
August 22: Land Use

Page 486
7:45 PM, Hybrid
To be reported on
Tuesday, September 5, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, September 5, 2023, at 7:45 PM. To view this meeting on Zoom use this link at the above date and time:
<https://newtonma-gov.zoom.us/j/83878757617>

One tap mobile

US: +13017158592, 838 7875 7617#

Land line

US: +1 301 715 8592

Meeting ID: 838 7875 7617

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 Items to be Acted Upon

Unfinished Council Business

Referred to Zoning & Planning Committee

#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.

Zoning & Planning Approved 6-0-2 (Councilors Krintzman and Ryan Abstaining)

Item Chartered by Councilor Gentile on August 14, 2023

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.

Referred to Land Use Committee

Tuesday, August 22, 2023

Present: Councilors Lipof (Chair), Kelley, Bowman, Downs, Greenberg, Laredo, Lucas, and Markiewicz;
also present: Councilors Leary, Oliver, and Wright

- #259-23 Request for a special permit to reduce required lot area by 5% at 52 Sharpe Road**
EDWARD AND LANA LUKATSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for a 5% reduction in the lot area requirement at 52 Sharpe Road, Ward 8, Newton Centre, on land known as Section 81 Block 11 Lot 15, containing approximately 14,351 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 3.1.3, 7.8.4.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0-1 (Councilor Laredo Abstaining and Councilor Downs Not Voting); Public Hearing Closed
- #264-23 Request to amend the site plan associated with Special Permit #179-15 at 1349 Centre Street**
MYRTHA CHANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plan associated with the special permit to reflect additional paving on site at 1349 Centre Street, Ward 6, Newton Centre, on land known as Section 51 Block 04 Lot 03, containing approximately 10,579 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec. 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0 (Councilor Downs Not Voting); Public Hearing Opened
- #266-23 Request to allow parking in the front setback at 89-91 Crafts Street**
MAYA SERHAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing parking area on the southeastern lot line, resulting in three vehicles within the front setback at 89-91 Crafts Street, Ward 1, Newton, on land known as Section 14 Block 17 Lot 22, containing approximately 8,346 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0 (Councilor Downs Abstaining); Public Hearing Closed
- #262-23 Request to waive the separation requirement for a historic detached accessory apartment, to further extend nonconforming height and footprint and to exceed FAR at 193 Lake Avenue**
ROBERT AND LAURA KAY HUGHES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to renovate and expand the detached accessory building for use as an accessory apartment with dimensional waivers at 193 Lake Avenue, Ward 6, Newton Highlands, on land known as Section 52 Block 17 Lot 05, containing approximately 26,818 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 6.7.1.E.7.B, 3.4.3.A.3, 3.4.3.A.4, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held; Public Hearing Opened

#263-23 Request to change from a nonconforming two-family dwelling use to two single-family dwellings on one lot at 373 Lexington Street
JON HOLLINGSWORTH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing nonconforming two-family dwelling into a single-family dwelling and to convert the accessory building into a second single-family dwelling where the City Council determines the dimensional controls at 373 Lexington Street, Ward 4, Auburndale, on land known as Section 41 Block 17 Lot 12, containing approximately 10,030 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 3.4.1, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Opened

#265-23 Request to extend a nonconforming residential use to allow a 3-unit multi-family dwelling, to extend nonconforming front, side and rear setbacks, to allow up to 36 feet in height, and waivers for parking at 43 Crafts Street
KOSHER K LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct a three- story, three-unit multi-family dwelling with surface parking for three vehicles at 43 Crafts Street, Ward 1, Newton, on land known as Section 14 Block 23 Lot 11, containing approximately 1,789 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 4.4.1, 7.8.2.C.2, 4.3.3, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0-1 (Councilor Laredo Abstaining); Public Hearing Closed

Referred to Zoning & Planning Committee

Tuesday, August 15, 2023

Present: Councilors Crossley (Chair), Albright, Danberg, Wright, Krintzman, Leary, Baker, and Ryan; also present: Councilors Markiewicz, Downs, Lucas, Humphrey, Malakie, Laredo, Gentile, Oliver, and Norton

#38-22 Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts
ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)
Zoning & Planning Held 8-0

#39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill
COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)
Zoning & Planning Held 8-0

Referred to Zoning & Planning Committee

Monday, August 21, 2023

Present: Councilors Crossley (Chair), Albright, Danberg, Wright, Krintzman, Leary, Baker, and Ryan; also present: Councilors Gentile, Laredo, Bowman, Downs and Humphrey

#38-22 Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts

ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

Zoning & Planning Held 8-0

#39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill

COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

Zoning & Planning Held 8-0

Referred to Programs & Services Committee

Wednesday, August 16, 2023

Present: Councilors Krintzman (Chair), Noel, Humphrey, Wright, Greenberg, Albright, Baker and Ryan; also present: Councilors Malakie, Lucas, Kelley, Norton, Leary, and Crossley

#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)

Programs & Services Approved 7-0 (Councilor Noel Not Voting)

#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)

Programs & Services Approved 7-0 (Councilor Noel Not Voting)

Referred to Programs & Services and Finance Committees

#411-22 Request for Amendment to Chapter 21, Art III Trees to extend tree protection and update permits

COUNCILORS MALAKIE, NORTON, LEARY, RYAN, WRIGHT, LUCAS, HUMPHREY, BOWMAN, MARKIEWICZ, OLIVER, DOWNS, LAREDO, AND GROSSMAN requesting revisions and amendments to Chapter 21, Art. III Trees (sec. 21-60 through 21-89) to extend tree protection to all trees 6 inches DBH (diameter at breast height) and greater within the

City (with no exempt lots); to update tree removal permits, fees, and compensation; and to strengthen protection for existing and replacement trees.

Programs & Services Held 7-0 (Councilor Noel Not Voting)

Referred to Programs & Services and Finance Committees

#412-22

Request for Review and Amendments to Chapter 21, Art. III, Division 3

HER HONOR THE MAYOR requesting review and amendments to Chapter 21, Art. III, Division 3, Tree Preservation to increase replacement requirements for larger trees, add protections for smaller trees, limit removal of trees without replacement, enhance procedures for protecting trees, increasing payment required for trees cut without replacement, protect trees on lots adjacent to construction, provide Tree Warden with additional professional input on trees on private properties.

Programs & Services Held 7-0 (Councilor Noel Not Voting)

#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?"

Programs & Services Denied 6-2 (Councilor Baker and Wright Opposed)