



City Council Docket

September 6: Programs & Services and Public
Safety & Transportation and Public Facilities
September 7: Zoning & Planning
September 11: Zoning & Planning and Finance
September 14: Finance Committee

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Continued
Tuesday September 5, 2023
7:45 PM, Hybrid
To be reported on
Monday, September 18, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, September 5, 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/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>

The City Council will be joined by Her Honor the Mayor after first call for the presentation of the FY25-FY29 Financial Forecast.

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing Assigned for September 19, 2023

#264-23

Request to amend the site plan associated with Special Permit #179-15 and parking waivers at 1349 Centre Street

MYRTHA CHANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plan associated with the special permit and to allow dimensional relief for the additional paved parking area 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, 5.1.8.A.1, 5.1.13, 5.1.9.A, 5.1.10.A 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 for September 19,2023

#284-23 Request to further extend two nonconforming front setbacks at 147 Cherry Street
KATE SHAUGHNESSY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a deck connecting porches on each street front, further extending the nonconforming front setbacks at 147 Cherry Street, Ward 3, West Newton, on land known as Section 34 Block 37 Lot 12, containing approximately 7,706 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for September 19,2023

#285-23 Request to extend a nonconforming side setback for a detached garage at 75 Royce Road
DAN HAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand a detached garage toward the rear property line, further extending a nonconforming side setback at 75 Royce Road, Ward 2, Newton Centre, on land known as Section 24 Block 41 Lot 19, containing approximately 22,995 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 3.4.3.A.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for September 19,2023

#286-23 Request to allow a for-profit educational use and to waive 19 parking stalls at 60 Highland Street
THE SECOND CHURCH IN NEWTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for-profit and non-profit educational tenants in a section of the Church building known as the "Annex," and waive 19 parking stalls at 60 Highland Street, Ward 3, West Newton, on land known as Section 32 Block 04 Lot 01, containing approximately 108,768 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 4.4.1, 6.3.14.B.1.b, 6.3.14.B.2, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for September 19,2023

#287-23 Request to amend Special Permit #96-17 by increasing the parking waiver from 97 stalls to 172 stalls and to amend Condition #3 of Special Permit #179-19 at 839-853 Washington Street
WASHINGTON PLACE OWNER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the special permit to allow non-accessory parking, to allow assigned parking, to increase the parking waiver, and to modify the definition of "formula business" as it relates to Condition #3 at 839-853 Washington Street, Ward 2, Newtonville, on land known as Section 21 Block 29 Lot 10, containing approximately 123,628 sq. ft. of land in a district zoned MIXED USE 4. Ref: 7.3.3, 4.4.1, 5.1.4, 5.1.13, 5.1.3.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#288-23 Update on the Status of the Condition of Special Permit 446-22
COUNCILOR MARKIEWICZ, GENTILE, KELLEY, KRINTZMAN, LAREDO, AND LIPOF requesting an update on the status of the Condition of Special Permit 446-22 regarding the conveyance of a parcel of land from the petitioner to a bona fide third party. The Condition follows: Prior to the issuance of any building permit for one or both of the dwellings, evidence of the proposed conveyance of the 31 square foot, one-foot-deep parcel of land at the lot's boundary along the end of Lasell Street (as shown in the plan

identified above in Condition 1(a)(4)) to a bon a fide third-party purchaser must be submitted to the Law Department for review and approval. Said parcel shall remain in separate ownership and control from either and/or both of the two other parcels for the life of the special permit and the project.

Referred to Zoning & Planning Committee

- #289-23** **Appointment of David Boronkay to the Auburndale Historic District Commission**
HER HONOR THE MAYOR appointing David Boronkay, 187 Melrose Street, Auburndale as an alternate member of the Auburndale Historic District Commission for a term of office set to expire on September 18, 2026. (60 Days: 11/04/2023)
- #290-23** **Appointment of Richard Alfred to the Auburndale Historic District Commission**
HER HONOR THE MAYOR appointing Richard Alfred, 73 Grove Street, Auburndale as a full member of the Auburndale Historic District Commission for a term of office set to expire on September 18, 2026. (60 Days: 11/04/2023)

Referred to Programs & Services Committee

- #291-23** **Reappointment of John Neville to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing John Neville, 68 High Street, Newton Upper Falls as an alternate member of the Parks and Recreation Commission for a term of office set to expire on September 30, 2024. (60 Days: 11/04/2023)
- #292-23** **Reappointment of Elizabeth Wilkinson to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Elizabeth Wilkinson, 14 Trowbridge Street, Newton Centre as the Ward 6 member of the Parks and Recreation Commission for a term of office set to expire on September 30, 2026. (60 Days: 11/04/2023)
- #293-23** **Reappointment of Byron Dunker to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Byron Dunker, 10 Southwick Road, Waban as the Ward 5 member of the Parks and Recreation Commission for a term of office set to expire on September 30, 2026. (60 Days: 11/04/2023)
- #294-23** **Reappointment of Arthur Magni to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Arthur Magni, 107 Mount Vernon Street, West Newton as the Ward 2 member of the Parks and Recreation Commission for a term of office set to expire on September 30, 2026. (60 Days: 11/04/2023)
- #295-23** **Reappointment of John Schwartz to the Biosafety Committee**
HER HONOR THE MAYOR reappointing John Schwartz, 200 Upland Road, Newton as a member of the Biosafety Committee for a term of office set to expire on September 30, 2026. (60 Days: 11/04/2023)

- #296-23 Reappointment of Dina Conlin to the Licensing Board**
HER HONOR THE MAYOR reappointing Dina Conlin, 46 Shornecliffe Road, Newton as a Democrat member of the Licensing Board for a term of office set to expire on June 4, 2029. (60 Days: 11/04/2023)
- #297-23 Reappointment of Michael Goldman to the Farm Commission**
HER HONOR THE MAYOR reappointing Michael Goldman, 14 Saxon Terrace, Newton Highlands as a member of the Farm Commission for a term of office set to expire on July 31, 2026. (60 Days: 11/04/2023)
- #298-23 Appointment of Sheila Butts to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Sheila Butts, 112 Spiers Road, Newton Centre as the Ward 8 member of the Parks and Recreation Commission for a term of office set to expire on September 18, 2025. (60 Days: 11/04/2023)
- #299-23 Appointment of John Lovett III to the Commission on Disability**
HER HONOR THE MAYOR reappointing John Lovett III, 497 Boylston Street, Newton as a member of the Commission on Disability for a term of office set to expire on September 18, 2026. (60 Days: 11/04/2023)
- #300-23 Request for Confirmatory Order of Taking for Webster Woods**
HER HONOR THE MAYOR requesting a Confirmatory Order of Taking for Webster Woods and a litigation update from the Law Department.

Referred to Public Facilities Committee

Public Hearing Assigned for September 6, 2023

- #301-23 Request for water main extensions in Washington Street**
KATHERINE B. ADAMS, ATTORNEY FOR MARK KEMPTON LLC 275 GROVE STREET NEWTON, MA 02466 petitioning for the extension of the City's water main from Washington Street approximately +/- 620-feet in a north-northwesterly direction connecting to the existing main in Dustan Street.
PETITIONER TO PAY ENTIRE COST

Public Hearing Assigned for September 6, 2023

- #302-23 Request for a grant of location in 201 Needham Street**
COMCAST, ASTOUND, CROWN CASTLE, TTC SYSTEMS, and VERIZON on behalf of NORTHLAND DEVELOPMENT LLC petition for a grant of location for installing underground telecommunications conduit and infrastructure crossing Needham Street to serve Newton Northland Development and neighboring community.

Public Hearing Assigned for September 6, 2023**#303-23 Request for a grant of location in 925 Chestnut Street**

CAMBRIDGE NETWORK SOLUTIONS petition for a grant of location to install underground conduit for fiber installation, which includes picking up proposed fiber running along Chestnut St. from a newly installed pole riser at pole #116 on the north side of Boylston Street and then beneath both the east and west bound lanes of Boylston Street. This run will then terminate at a newly placed pole riser, just south of Boylston Street. This fiber conduit will be run approximately +/- 252 feet and will then be run north and south of the utility poles in an aerial fashion.

Public Hearing Assigned for September 6, 2023**#304-23 Request for a grant of location in 743 Chestnut Street**

CAMBRIDGE NETWORK SOLUTIONS petition for a grant of location to install approximately 190 feet of underground conduit from utility pole # 85/92 and extend southerly 190-feet to utility pole 85/94.

#308-23 Discussion Regarding Stormwater Program

COUNCILORS LEARY, CROSSLEY, NORTON, ALBRIGHT, LAREDO, LUCAS, MARKIEWICZ, KELLEY, DANBERG, BOWMAN, KALIS, GREENBERG, HUMPHREY, WRIGHT, DOWNS AND RYAN requesting a discussion with Public Facilities Commissioner, the Director of Utilities, the Engineering Department and our stormwater consultants on a review of our stormwater program to assess current capacity, identify and prioritize investments in critical infrastructure in order to better prepare and respond to the increasing intensity and frequency of precipitation events as a result of climate change.

Referred to Finance Committee**#305-23 Acceptance of a donation from the Garden City Preservation Society**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of nine hundred forty-eight dollars and fifty-five cents (\$948.55) from the Garden City Preservation Society. The City will use these funds to support the Parks, Recreation and Culture Department's ongoing beautification work in Newton Centre.

#306-23 Establish and Appropriate funds to an Operations Booster Stabilization Fund

HER HONOR THE MAYOR requesting authorization to Establish an "Operations Booster Stabilization Fund" to pay for a portion of the annual general fund appropriations for the City's pension system; appropriate the sum of \$20,500,000 Overlay Surplus as declared by the City's Board of Assessors to the Operations Booster Stabilization Fund; and transfer the sum of \$5,513,000 from Acct 01C10701-576300 Appellate tax Board Interest and Penalties Fund to the Operations Booster Stabilization Fund.

Referred to Finance and Appropriate Committees**#1-24 Submittal of the FY2025 to FY 2029 Capital Improvement Plan**

HER HONOR THE MAYOR submitting the Fiscal Years 2025 to 2029 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.

- #2-24** **Review/Acceptance of the FY 2025 – FY 2029 5-year Financial Forecast**
HER HONOR THE MAYOR submitting the Fiscal Years 2025-2029 5-Year Financial Forecast for City Council review/acceptance.

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

Referred to Public Safety & Transportation Committee

- #307-23** **Increase temporarily the number of sworn firefighters from 193 FTEs to 197 FTEs**
HER HONOR THE MAYOR requesting authorization to increase temporarily the number of sworn firefighters beginning October 1, 2023 through August 1, 2024 from the FY2024 authorized amount of 193 FTEs (Full-Time Equivalent) to 197 FTEs.