



City Council Actions
In City Council
Monday, June 5, 2023

Present: Councilors Baker, Bowman, Crossley, Danberg, Gentile, Greenberg, Grossman, Humphrey, Kalis, Kelley, Krintzman, Leary, Lipof, Lucas, Malakie, Markiewicz, Oliver, Ryan, Wright & Albright.

Absent: Downs, Laredo, Noel, Norton

Clerk's Note: The full Council meeting can be viewed on the following link:
[Newton City Council June 5, 2023 \(newtv.org\)](http://newtv.org)

The City Council discussed the following items on Second Call:

Referred to Special Committee -Notice Requirement

#221-23 **Discussion and possible ordinance amendment concerning noticing requirements**
COUNCILORS MALAKIE, LAREDO AND LUCAS requesting an ordinance change and/or policy change to include renters and tenants in addition to property owners when notification is required for special permits, Traffic Council items, and other proposed changes.

Clerk's Note: President Albright made a motion to create a special committee to work on a set of recommendations. This special committee would consist of the Vice Presidents of the three relevant committees: Land Use, Public Safety and Transportation, and Public Facilities. This motion for a special committee was passed unanimously by voice vote.

#154-23 **Transfer \$1,750,000 to the Rainy-Day Stabilization**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one million five hundred thousand dollars (\$1,500,000) from Acct #0110498-579400 Reserve for Snow & Ice Removal and the sum of two hundred fifty thousand dollars (\$250,000) from June 30, 2022 Certified Free Cash to Acct# 5900-1040 Rainy Day Stabilization Fund.
Finance Motion to Approve Failed 1-3-3 (Councilors Humphrey, Noel and Gentile opposed and Councilors Oliver, Malakie and Grossman abstaining and Councilor Norton not voting)
Councilor Leary's Amendment to not accept the Finance Committee Vote Failed 6 Yeas, 14 Nays (Councilors Bowman, Danberg, Gentile, Greenberg, Humphrey, Kelley, Krintzman, Lucas, Malakie, Markiewicz, Oliver, Ryan, Wright, Albright) 4 Absent
City Council Approved 16 Yeas, 4 Nays (Councilors Baker, Crossley, Kalis, Leary) 4 Absent

The City Council voted without discussion: 16 Yeas, 4 Nays (Councilors Humphrey, Kelley, Leary, Malakie), 4 Absent to Accept the Committee Recommendations on the following:

#128-23**Request for a grant of location in Valentine Street**

NATIONAL GRID petition for a grant of location to install and maintain gas main in Valentine Street as follows:

- 1905' ± of 8" plastic main in Valentine Street from #85 Valentine Street to #240 Valentine Street to replace 1180' ± of 8" cast iron and 25' ± of 8" plastic main_
- 40' ± of 6" plastic main in the intersection of Howland Road and Valentine Street to replace 40' ± of 6" cast iron main
- 40' ± of 6" plastic main in the intersection of Bonad Road and Valentine Street to replace 40' ± of 6" cast iron main
- 50' ± 6" plastic main in the intersection of Wauwinet Rd to replace 40' ± 6" cast iron and 10' ± 6" plastic main
- 80' ± 8" plastic main in the intersection of Bigelow Road and Valentine Street to replace 80' ± of 6" cast iron main
- 435' ± 6" plastic main in Ellis Road from Valentine Street to the existing 8", plastic main at #38 Ellis Road to replace 420' of 6" Cast Iron and 15' ± 6" plastic gas main
- 80' ± 8" plastic main in the intersection of Valentine Street and Oak Cliff Road to replace 40' of 8" Cast Iron and 40' ± 6" cast iron main

Public Facilities Held 6-0; Public Hearing Closed 6-0 on 04/12/23

Public Facilities Approved 5-2-1 (Councilors Kelley and Leary opposed and Councilor Norton abstaining)

The City Council voted without discussion: 19 Yeas, 0 Nays, 4 Absent, 1 Recusal (Councilor Greenberg) to Accept the Committee Recommendations on the following:

#141-23**Request to amend Special Permit #470-04 to allow existing "shell space" to be used for 24 in-patient beds at 2014 Washington Street**

NEWTON-WELLESLEY HOSPITAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #470-04 to allow the hospital to finish 22,000 sq. ft of "shell space" in the Emergency Department for additional inpatient beds at 2000, 2012 and 2014 Washington Street, 1 and 2 Kenney Place and 1973 Beacon Street, Newton Lower Falls, Ward 5, on land known as Section 55 Block 01 Lots 28, 33, 15, 15A, 15B 1Z, 15BA, BB,BC, BD, BE, BF, BG, BH, BM, BN, BO, BP,BQ , containing approximately 1,127,289 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0 (Councilor Greenberg recused); Public Hearing Closed

The City Council voted without discussion: 17 Yeas, 3 Nays (Councilors Malakie, Markiewicz, Olivier), 4 Absent to Accept the Committee Recommendations on the following:

- #176-23 Reappointment of Nancy Levine to Election Commission**
HER HONOR THE MAYOR reappointing Nancy Levine, 379 Central Street, Newton as a member of the City of Newton Election Commission for a term of office to expire on March 31, 2027. (60 Days: 07/14/2023)
Programs & Services Approved 7-0

The City Council voted without discussion: 18 Yeas, 2 Nays (Malakie, Oliver), 4 Absent to Accept the Committee Recommendations on the following:

- #177-23 Reappointment of John McDermott to Election Commission**
HER HONOR THE MAYOR reappointing John McDermott, 7 A Washburn Street, Newton as a member of the City of Newton Election Commission for a term of office to expire on March 31, 2027. (60 Days: 07/14/2023)
Programs & Services Approved 7-0

The City Council voted without discussion: 20 Yeas, 0 Nays, 4 Absent to Accept the Committee Recommendations on the following:

- #143-23 Request to amend Special Permit #276-08 to change from a nonconforming personal training facility to a medical office at 552-564 Commonwealth Avenue**
KIMBERLY PAGGI, PAGGI PHYSICAL THERAPY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #276-08 to allow the conversion of an existing personal training facility to a physical therapy office in the space at 552-564 Commonwealth Avenue , Newton Centre, Ward 6, on land known as Section 61 Block 03 Lot 22, containing approximately 13,000 sq. ft. of land in a district zoned Multi Residence 1. Ref: 7.3.3, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017. **Land Use Approved 6-0 (Councilor Laredo not voting); Public Hearing Closed**
- #142-23 Petition for a special permit to further extend nonconforming FAR**
AKINOBU AND NAOKO ITOH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing detached garage and construct an attached two-car garage with living space above which increases the nonconforming FAR at 46 Valley Spring Road, Ward 7, on land known as Section 72, Block 39, Lot 02, containing approximately 10,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 3.1.3, 3.1.9, 7.8.2.C.2of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed
- #560-22 Request to allow rear-lot subdivision at 19 Staniford Street**
MICHAEL QUINN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to subdivide the current lot into two, with one single-family dwelling each at 19 Staniford Street, Ward 4, Newton, on land known as Section 41 Block 31 Lot 21, containing approximately 25,366 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10, 1.5.6, 3.1.10.B.3.a of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0 (Councilor Laredo recused); Public Hearing Closed**#34-23 Request to exceed FAR and to allow parking within five feet of the street at 50 Elmore Street**

YANMEI LIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached garage structure exceeding FAR and to waive the maximum driveway entrance width, at 50 Elmore Street, Ward 2, Newton Centre, on land known as Section 13 Block 31 Lot 06, containing approximately 7,733 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9, 5.1.7.C, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0; Public Hearing Closed**#146-23 Appointment of Alexandra Fuchs as a Newton Library Trustee**

HER HONOR THE MAYOR appointing Alexandra Fuchs, 99 Lincoln Street, Newton Highlands as a Newton Library Trustee for a term of office set to expire on June 30, 2028. (60 days: 06/30/2023)

Programs & Services Approved 6-0 (Councilor Baker Not Voting)**#178-23 Reappointment of MaryLee Belleville to Dogs Off-Leash Advisory Committee**

PRESIDENT ALBRIGHT reappointing MaryLee Belleville, 136 Warren Street, Newton Centre as a member of the Dogs Off-Leash Advisory Committee for a term of office to expire on December 31, 2023. (60 Days: 07/14/2023)

Programs & Services Approved 7-0**Referred to Public Safety & Transportation and Finance Committees****#164-23 Appropriate \$1,500,000 for Fire Rescue Overtime**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million five hundred thousand dollars (\$1,500,000) from June 30, 2022 Certified Free Cash to Acct # 0121022-513010 Fire Rescue Overtime.

Public Safety & Transportation Approved 6-0**Finance Approved 7-0 (Councilor Gentile not voting) on 5/23/23****Referred to Public Safety & Transportation and Finance Committees****#188-23 Appropriate \$640,000 for the Newton Police IT Department**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six hundred forty thousand dollars (\$640,000) from June 30, 2022 Certified Free Cash to a Newton Police Department Capital Account to fund several technology initiatives, including a Storage Area Network and significant technology infrastructure improvements.

Public Safety & Transportation Approved 6-0**Finance Approved 8-0 on 5/18/23****#189-23 Appropriate \$250,000 for Police Patrol Overtime**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred and fifty thousand dollars (\$250,000) of June 30, 2022 Certified Free Cash to

Acct 0120103-513010 Police Patrol Overtime.

Public Safety & Transportation Approved 6-0

Finance Approved 7-0 (Councilor Gentile not voting) on 5/23/23

#165-23

Appropriate \$750,000 for the Newton Free Library's HVAC system

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seven hundred fifty thousand dollars (\$750,000) from June 30, 2022 Certified Free Cash to a Public Buildings Department Capital Account to fund the replacement of the Newton Free Library's HVAC system as detained in the FY-24-FY28 CIP.

Public Facilities Approved 8-0

#206-22

Adoption an Ordinance to prohibit the use of anti-coagulant rodenticides

COUNCILORS NORTON, LEARY, LUCAS, BOWMAN, MALAKIE, GREENBERG, HUMPHREY AND DANBERG requesting the adoption of an Ordinance to prohibit the purchase or application of anti-coagulant rodenticides by the City or City contractors.

Public Facilities Approved 7-0 (Councilor Gentile not voting)

#166-23

Appropriate funds for Phase III of the Gath Memorial Renovation Project

COMMUNITY PRESERVATION COMMITTEE requesting authorization to appropriate and expend the sum of five million eight hundred thirty-four thousand three hundred and sixty-two dollars (\$5,834,362) to the control of the Planning & Development Department and authorize a general obligation borrowing of an equal amount for Phase III of the Gath Memorial Renovation Project and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.

Public Facilities Approved 5-0 on 05/04/23

Finance Approved 6-0 (Councilor Gentile and Norton not voting)

#184-23

Acceptance of a donation from the Friends of Wellington Park

HER HONOR THE MAYOR requesting authorization to accept and expend an amount up to one hundred thirty-five thousand dollars (\$135,000) from the Friends of Wellington Park to add a sensory dome play structure for children of all abilities within the Wellington Park playground

Finance Approved 6-0 (Councilor Gentile and Norton not voting)

#164-23

Appropriate \$1,500,000 for Fire Rescue Overtime

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million five hundred thousand dollars (\$1,500,000) from June 30, 2022 Certified Free Cash to Acct # 0121022-513010 Fire Rescue Overtime.

Public Safety & Transportation Approved 6-0 on 05/18/23

Finance Approved 7-0 (Councilor Gentile not voting)

#189-23

Appropriate \$250,000 for Police Patrol Overtime

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred and fifty thousand dollars (\$250,000) of June 30, 2022 Certified Free Cash to

Acct 0120103-513010 Police Patrol Overtime

Public Safety & Transportation Approved 6-0 on 05/18/23

Finance Approved 7-0 (Councilor Gentile not voting)

#188-23

Appropriate \$640,000 for the Newton Police IT Department

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six hundred forty thousand dollars (\$640,000) from June 30, 2022 Certified Free Cash to a Newton Police Department Capital Account to fund several technology initiatives, including a Storage Area Network and significant technology infrastructure improvements.

Public Safety & Transportation Approved 6-0 on 05/18/23

Finance Approved 8-0

#193-23

Discussion regarding property tax overlay surplus

COUNCILORS GENTILE, GROSSMAN, CROSSLEY, LUCAS, LAREDO, LIPOF, BOWMAN, RYAN, DANBERG, ALBRIGHT, MALAKIE, BAKER, KALIS, KRINTZMAN, WRIGHT, NOEL, LEARY, AND DANBERG requesting a discussion with Director of Assessment Administration James Shaughnessy and City Comptroller Steve Curley regarding the status of the property tax overlay surplus account including an estimate as to how much money is available to be declared surplus, and eventually free cash, as of 5/1/2023.

Finance voted No Action Necessary 7-1 (Councilor Gentile opposed)

Referred to Committee of the Whole

Thursday, May 25, 2023

Present: Councilors Grossman (Chair), Baker, Danberg, Downs, Greenberg, Kalis, Kelley, Krintzman, Laredo, Lipof, Lucas, Norton, Ryan, Wright, Malakie, Humphrey, Markiewicz, Oliver, Noel, Bowman, Leary, Albright and Crossley; absent: Councilor Gentile

#136-23

Request to increase the retiree COLA base

RETIREMENT BOARD requesting City Council approval of an increase to the retiree Cost Of Living Adjustment (COLA) base from twelve thousand dollars (\$12,000) to thirteen thousand dollars (\$13,000) in FY24, from \$13,000 to \$14,000 in FY25, and from \$14,000 to \$15,000 in FY26 pursuant to Chapter 32, Section 103(j), such increase to be effective July 1, 2023.

Committee of the Whole Held 24-0 on 05/03/23

Committee of the Whole Held 20-1 Councilor Norton opposed and Councilor Krintzman, not voting) on 05/10/23

Committee of the Whole Approved 23-0

#129-23

Discussion on the percentage growth rate to fully fund the Pension Trust and impact on the City Budget

COUNCILORS ALBRIGHT, LIPOF, GROSSMAN, AND MARKIEWICZ requesting a meeting with the City Council's Committee of the Whole to discuss our study (with School Committee Member Chris Brezski) of the Newton Retirement Board's plan that increases funding to the pension trust annually by 9.6%, its request for Cost of Living (COLA) increase, and its impact on our city and school services annually until full funding is achieved.

Committee of the Whole Held 24-0 on 04/06/23
Committee of the Whole voted No Action Necessary 23-0

Motion to suspend the Rules to accept late filed items to be referred to Committee:

Referred to Public Facilities Committee

- #218-23 Request for temporary construction easements**
HER HONOR THE MAYOR requesting the approval of the taking of temporary construction easements for the Commonwealth Avenue Carriageway construction project in Auburndale.

Referred to Finance Committee

- #219-23 Request to increase the spending limits for three revolving accounts**
HER HONOR THE MAYOR requesting to increase the spending limits of the (1) Senior Citizen Programs, (2) Environmental Science, (3) Off-Leash Dog Administration revolving funds. This is due to a post-COVID return to higher spending amounts for these revolving funds to previous levels as well as some changes in where costs are charged.

Referred to Public Safety & Transportation and Finance Committees

- #220-23 Request authorization for \$300,000 to replace Fire Emergency Response Unit**
HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thousand dollars (\$300,000) from Certified Free Cash to Acct #0121026-58010 Automobiles & Light Trucks to replace the Fire Department's 1989 Emergency Response Unit (ERU).

Referred to Finance Committee

- #215-23 Request to accept \$100,000 form a FY23 "one-stop" grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a FY23 state "One Stop" grant for one hundred thousand dollars (\$100,000) to continue the Council's Village Center/MBTA Communities zoning consulting work

Referred to Finance Committee

- #223-23 Transfer fifty dollars to Purchasing-Full Time Salaries**
HER HONOR THE MAYOR requesting authorization to transfer fifty dollars (\$50) from 0110538-542000 Purchasing- Office Supplies to 0110538-511001 Purchasing- Full Time Salaries, to cover an anticipated shortage in the department's payroll budget

Public Hearings were assigned for the following Items:

Referred to Land Use Committee

Public Hearing to be Assigned for June 6, 2023

- #194-23 Request to further extend nonconforming FAR at 76 Drumlin Road**
NA'AMA AND AMIR YACOBY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to

construct a sunroom addition at the rear of the dwelling which will further extend the nonconforming FAR at 76 Drumlin Road, Ward 8, Newton Centre, on land known as Section 82 Block 25 Lot 30, containing approximately 16,000 sq. ft. of land in a district zoned SINGLE FAMILY 1. Ref: 7.3.3, 3.1.3, 3.1.9., 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 6, 2023

#195-23 Request to allow ground floor residential use, to allow three stories and a 35.3-foot height and to exceed FAR at 20 Clinton Street

CLINTON STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct four residential units in two buildings with dimensional waivers at 20 Clinton Street, Ward 1, Newton, on land known as Section 14 Block 22 Lot 12, containing approximately 10,404 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 4.4.1, 4.1.2.B.2, 4.1.2.B.3, 4.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 6, 2023

#196-23 Request to expand a nonconforming detached garage at 231-233 Tremont Street

ARTO AND VICTORIA DERMOVESIAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a half-story addition, vertically extending a nonconforming side setback on an existing detached accessory structure at 231-233 Tremont Street, Ward 1, Newton, on land known as Section 71 Block 38 Lot 15, containing approximately 6,400 sq. ft. of land in a district zoned MULTI RESIDENCE 1. 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 to be Assigned for June 6, 2023

#197-23 Request to amend conditions within Special Permit #395-22 at 136-144 Hancock Street

TERRENCE P. MORRIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL amends Special Permit #395-22 relative to conditions around the vibration control condition and units which were designated to conform to MAAB requirements at 136-144 Hancock Street, Ward 4, Auburndale on land known as Section 43 Block 31 Lots 01 and 16, containing approximately 58,492 square feet of land in a district approved to be zoned MULTI RESIDENCE 2. Ref: 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 6, 2023

#198-23 Request to amend Special Permit #447-22 at 106 River Street

NORTON POINT STREET LLC and 106 RIVER STREET LLC T/C DAVID OLIVERI petition for SPECIAL PERMIT/SITE PLAN APPROVAL amend the vibration control condition within Special Permit #447-22 at 106 River Street, Ward 3, West Newton, on land known as Section 33 Block 24 Lot 11A, containing approximately 15,802 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 6, 2023

#199-23 Request to amend Special Permit #504-22 at 71 Commonwealth Avenue

71 COMMONWEALTH LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the vibration control condition within Special Permit #504-22 at 71 Commonwealth Ave, Ward 7, Newton, on land known as Section 63 Block 01 Lots 13 and 13A, containing approximately

32,980.50 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 13, 2023

#200-23 Request to allow a second oversized principal sign on the same wall as a secondary sign at 714-724 Beacon Street

CANTON CIRCLE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to locate an oversized second principal sign for the medical office at 714 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lot 08, containing approximately 37.932 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 5.2.8, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 13, 2023

#201-23 Request for an Administrative Site Plan Review to allow a religious use and a Special Permit to allow a restaurant with more than 50 seats, and associated parking waivers at 1173-1177 Walnut Street

DEVLIN SCOTT AND NEW CITY CHURCH HAEMEE INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the basement space for use as a church with classroom space, as well as a 72-seat café which will be open to the public, and a waiver of 64 parking stalls at 1173 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 39 Lot 01, containing approximately 10,799 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 6.3.12.B.1, 4.4.1, 6.4.29.C.1, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 13, 2023

#202-23 Request to further increase nonconforming FAR and height at 25 Breamore Road

LINDA BLACKSMITH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a one-story rear addition to provide an accessible living space which requires relief to increase the nonconforming FAR and height at 25 Breamore Road, Ward 1, Newton, on land known as Section 71 Block 19 Lot 2, containing approximately 5,239 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. 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.

Public Hearing to be Assigned for June 13, 2023

#203-23 Request to amend the site plan associated with Special Permit #32-21 to allow a curb cut exceeding 20 feet in width at 63-65 Broadway

BURTON HO petition for SPECIAL PERMIT/SITE PLAN APPROVAL amends Special Permit #32-21 allowing for a larger driveway entrance width that exceeds the maximum allowed at 63-65 Broadway, Ward 1, Newtonville, on land known as Section 13 Block 31 Lot 06, containing approximately 18,000 square feet of land in a district approved to be zoned MULTI RESIDENCE 1. Ref: 7.3.3, 5.1.7.C, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for June 13, 2023

#204-23 Request to allow a drive-in business and associated parking waivers, to allow a free-standing sign and to allow oversized directional signs at 940 Boylston Street

MILDRED MCMULLIN, TRUSTEE-MIL MAC TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to remove a portion of the building and reconfigure the existing parking area to allow for construction of a drive through window with associated waivers for parking, lighting and signs at 940 Boylston Street, Ward 5, Newton Highlands, on land known as Section 51 Block 26 Lot 03, containing approximately 12,060 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 4.4.1, 6.4.11, 5.1.9.A, 5.1.13, 5.10.A, 5.2.3, 5.2.13.A, 5.2.8, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Programs & Services Committee

Public Hearing to be assigned for June 28, 2023

#207-23 Citizens Group Petition on Chapter 21, Art. III, Division 3

PAT IRWIN ET AL., petitioning pursuant to Article 10, Sec. 10-2 of the City of Newton Charter, that the Newton City Council amend the City's Tree Preservation Ordinance (Chapter 21, Article 3, Division 3) to apply the following protection regulations to all healthy, not dangerous trees 6 inches DBH (diameter at breast height) and larger on all properties in the City not owned by the State or Federal Government: require planting replacement or cash payment to mitigate the environmental and health damages to abutters from tree removal; waiver of the payment or replacement requirement only if the application process provides acceptable certification that the protected tree is dead, diseased, dangerous, or that removal of the tree will improve the overall health of the tree canopy; protection of trees on lots adjacent to construction sites; and owners of abutting properties shall be notified of each tree-removal application