



**City Council Actions**  
**In City Council**  
**Monday, October 2, 2023**

**Present:** Councilors Baker, Bowman, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Humphrey, Kalis, Kelley, Laredo, Leary, Lipof, Lucas, Malakie, Noel, Norton, Oliver, Ryan, & Albright.

**Absent:** Councilors Krintzman, Markiewicz, Wright

**Clerk's Note: The full Council meeting can be viewed on the following link:**  
<https://www.youtube.com/watch?v=S2y59R-8aJ8&list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR>

**The City Council discussed the following items on Second Call:**

**#206-23 Discussion and possible ordinance to allow for breweries, brew pubs, and other craft beverage production**  
**COUNCILOR LIPOF** requesting review, discussion, and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to craft beverage production. Possible amendments would remove prohibition on bottling alcoholic beverages and propose opportunities for other craft beverage production and accessory retail.  
**Zoning & Planning Approved 7-1 (Councilor Baker Opposed); Public Hearing Closed Item Chartered by Councilor Lipof on September 18, 2023**  
**Motion to Amend to half the original parking requirements**  
**City Council Approved Motion to Amend to half the original parking requirements**  
**21 Yeas, 0 Nays, 3 Absent (Councilors Krintzman, Markiewicz, Wright)**  
**City Council Approved the Main Item**  
**21 Yeas, 0 Nays, 3 Absent (Councilors Krintzman, Markiewicz, Wright)**

**Clerk's Note:** This was originally chartered by Councilor Lipof, due to parking requirements. Planning Department came up with a compromise, which would be to cut the parking requirements in half. Councilor Gentile made a motion to Amend this Item with said compromise.

**#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 10,268 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.  
**Land Use Held 5-0; Public Hearing Opened on 08/08/2023**  
**Land Use Approved 6-1-1 (Councilor Lucas Opposed and Councilor Markiewicz Abstained); Public Hearing Closed 8-0**  
**City Council Approved 19 Yeas, 2 Nays (Councilors Baker, Lucas), 3 Absent (Councilors**

Krintzman, Markiewicz, Wright)

**The City Council voted without discussion 21 Yeas, 0 Nays, 3 Absent (Councilors Krintzman, Markiewicz, Wright) to Accept the Committee Recommendations on the following:**

- #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.  
**Land Use Held 7-0 (Councilor Downs Not Voting); Public Hearing Opened on 8/22/23**  
**Land Use Approved 5-0-3 (Councilor Downs, Kelley, and Laredo Abstaining); Public Hearing Closed 8-0**
- #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.  
**Land Use Approved 8-0; Public Hearing Closed 8-0**
- #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.  
**Land Use Approved 8-0; Public Hearing Closed 8-0**
- #287-23(A) Request to amend Special Permit #96-17 by increasing the parking waiver from 97 stalls to 172 stalls 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, and to increase the parking waiver 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.

**Land Use Approved 7-0 (Councilor Downs Not Voting); Public Hearing Closed 7-0 (Councilor Downs Not Voting)**

- #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.  
**Programs & Services Approved 7-0**
- #271-23 Appeal of Traffic Council Decision TC30-23**  
COUNCILOR MALAKIE on behalf of Matthew Chao, 95 Columbia Avenue, appealing the approval of Traffic Council petition TC30-23 on July 13, 2023 for changes to the parking regulations on Columbia Avenue, in order to install bicycle accommodations. (Ward 8)  
**Public Safety & Transportation Denied 7-0-1, Councilor Malakie abstaining**
- #270-23 Appeal of Traffic Council Decision TC35-23**  
ILIJA JOVANOVIĆ, 131 Farwell Street, appealing the approval of Traffic Council petition TC35-23 on July 13, 2023 for prohibiting parking at all times along the following areas of Farwell Street: south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection). (Ward 3)  
**Public Safety & Transportation voted to Remand to Traffic Council for Further Review 8-0**
- #273-23 Authorization to accept and expend the sum of five thousand dollars (\$5,000) and to accept two pieces of artwork for the Department of Senior Services**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of five thousand dollars (\$5,000) and to accept two pieces of real property (artwork) for the Department of Senior Services.  
**Finance Approved 6-0 (Councilor Gentile Not Voting)**
- #274-23 Authorization to appropriate and expend \$10,831.12 from Handicapped Parking (H-P.) Fines-Disability Commission Receipts Reserved for Appropriations Account to supplement funds being used at Williams Elementary School**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend ten thousand, eight hundred, thirty-one dollars and twelve cents (\$10,831.12) from Handicapped Parking (H-P.) Fines-Disability Commission Receipts Reserved for Appropriations Account 5500-335518, to supplement funds being used at Williams Elementary School to purchase and install accessible play equipment and accessible picnic tables in the school playground.  
**Finance Approved 7-0**
- #275-23 Requesting authorization to accept and expend the sum of \$427,454.54 from an Assistance to Firefighter Grant**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of four hundred twenty-seven thousand, four hundred fifty-four dollars and fifty-four cents

(\$427,454.54) from an Assistance to Firefighter Grant (AFG) through the Department of Homeland Security/FEMA. The grant funding awarded is going to be used by the Newton Fire Department to conduct Officer Training courses, Health and Wellness, RIT Training, to purchase new RIT Packs and a new cascade breathing air system.

**Finance Approved 7-0**

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

**Referred to Finance Committee**

- #325-23 Request to transfer \$50,000 from Water Services Connections – Full Time Wages**  
HER HONOR THE MAYOR requesting authorization to transfer and expend the sum of fifty thousand dollars (\$50,000) from Acct # 60A40105-511002, Water Services Connections – Full-Time Wages, to Acct# 67A109D2-515201, Water Fund Employee – Workers Compensation, in order to settle Worker’s Compensation claim # WC003360.

**Public Hearings were assigned for the following Items:**

**Referred to Land Use Committee**

***Public Hearing Assigned for October 17, 2023***

- #316-23 Request to further extend nonconforming FAR at 211 Dorset Road**  
SCOTT PRUSHIK AND KEREN LADIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a one-story addition in the footprint of a rear deck which will further extend the nonconforming FAR at 211 Dorset Road, Ward 5, Waban, on land known as Section 55 Block 10 Lot 24, containing approximately 12,070 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 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 Assigned for October 17, 2023***

- #317-23 Request to allow six single-family attached dwellings in three buildings at 280 Nevada Street**  
280 Nevada LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and construct six single-family attached dwellings in three separate structures at 280 Nevada Street, Ward 1, Newtonville, on land known as Section 14 Block 08 Lot 12, containing approximately 29,550 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 5.1.8.A.1, 5.1.13, 5.1.8.C, 5.1.9, 5.1.10.A, 5.4.2.B, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing Assigned for October 17, 2023***

- #318-23 Request to allow three single-family attached dwellings at 0 Jewett Place and 15-17 Jewett Place**  
NAZZARENO AND LETIZIA DELICATA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and construct three single-family attached dwellings at 0 Jewett Place and 15-17 Jewett Place, Ward 1, Newton, on land known as Section 11 Block

25 Lots 10 and 11, containing approximately 13,300 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 5.4.2.B, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

### **Referred to Public Facilities Committee**

#### ***Public Hearing to be Assigned for October 4<sup>th</sup>, 2023***

##### **#320-23 Request for a grant of location in Grove Street**

VERIZON NEW ENGLAND INC. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

- Place one new four- inch (4") conduit approximately 4' westerly from existing pole, P.185/34 to private property. Said pole is located on the westerly side of Grove Street.
- Place two new four- inch (4") conduits approximately 1132' southwesterly from existing pole, P.185/34 to the City/DOT jurisdiction line. Said pole is located on the westerly side of Grove Street.
- This petition is necessary to relocate facilities for the MBTA.

#### ***Public Hearing to be Assigned for October 4<sup>th</sup>, 2023***

##### **#321-23 Request for a grant of location in Essex Road**

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

- 1675' ± of 8" plastic in Gate House Rd from the existing 12" Cast Iron in Beacon St to Essex Rd to replace 40' of 1.25" plastic, 1630' of 6" cast iron and 5' of 6" plastic.
- 420' ± of 4" plastic main in Chestnut Hill Ter from Gate House Rd to replace 420' of 6" cast iron.
- 40' ± of 8" plastic in the intersection of Chestnut Hill Rd and Gates House to replace 40' of 6" cast iron.
- 210' ± of 4" plastic in Meigh Rd from Gate House Rd to end of main at #14 Meigh Rd to replace 210' of 6" cast iron.
- 50' ± of 6" plastic in the intersection of Nancy Rd and Gate House Rd to replace 50' of 4"/6" cast iron.
- 1435' ± of 6" plastic in Essex Rd from #3 Essex Rd to #109 Essex Rd to replace 325' of 6" plastic and 1110' of 6" cast iron.
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### **Referred to Public Facilities Committee**

#### ***Public Hearing to be Assigned for October 4<sup>th</sup>, 2023***

##### **#322-23 Request for a grant of location in Ward Street**

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

- 1470' ± of 8" plastic main in Ward St from Centre St to West Bourne Rd to replace 1470' ± of 8" plastic
- 30' ± of 6" plastic main in the intersection of Loring St/Ward St to replace 30' of 8"/6"/4" plastic.
- 24' ± of 6" plastic main in the intersection of Sumner St/Ward St to replace 24' of 8"/6"/4" plastic.
- 35' ± of 6" plastic main in the intersection of Ballard St/Ward St to replace 35' of 8"/6"/4" plastic.
- 23' ± of 6" plastic main in the intersection of Wessex Rd/Ward St to replace 23' of 8"/6"/4" plastic.
- 45' ± of 6" plastic main in the intersection of Ashford Rd/Ward St to replace 28' of 8"/6" plastic and 17' of 6" cast iron.
- 15' ± 6" plastic main in the intersection of Irving St/Ward St to replace 15' of 8"/6"/4" plastic.
- 20' ± of 6" plastic main in the intersection of Francis St/Ward St to replace 20' of 8"/6"/4" plastic.
- 60' ± of 6" plastic main in the intersection of W. Boulevard Rd/Ward St to replace 60' of 8"/6"/4" plastic.