



## City Council Reports Docket

November 21: Land Use  
November 27: Zoning & Planning  
November 28: Joint Programs & Services and  
Finance, and Joint Public Facilities and Finance  
November 30: Programs & Services

Page 553  
6:30 PM, Hybrid  
To be reported on  
Monday, December 4, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, December 4, 2023, at 6:30 PM. To view this meeting on Zoom use this link at the above date and time:

<https://newtonma.gov.zoom.us/j/82472647006>

One tap mobile

US: +13092053325, 824 7264 7006#

Land line

+1 309 205 3325 US

Webinar ID: 824 7264 7006

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/UCQvNeCJkA3PftuLLvAh3cQ>

### City of Newton In City Council Items to be Acted Upon

#### Unfinished Council Business

**#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 Approved 5-1-1 (Councilor Wright Opposed) (Councilor Baker Abstained)**

**Item Charted by Councilor Noel on November 6, 2023**

**City Council Voted to Postpone to a Date Certain of November 20, 2023; 24-0**

**City Council Voted to lay the item on the table, 21-3**

**City Council Adjourned 24-0**

---

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](mailto: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, November 14, 2023

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

- #287-23(B) Request 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 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 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Opened 8-0 on 09/19/23**  
**Land Use Approved 7-0; Public Hearing Closed 7-0**

**Referred to Land Use Committee**

Tuesday, November 21, 2023

Present: Councilors Lipof (Chair), Kelley, Downs, Greenberg, Laredo, Lucas, and Markiewicz; absent: Councilor Bowman; also present: Councilors Albright, Gentile, and Wright

- #338-23 Request to exceed FAR at 538 Ward Street**  
GRACE AND SCOTT OFFEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze a portion of the existing dwelling and construct two-story additions to the front, side and rear of the structure, exceeding maximum FAR at 538 Ward Street, Ward 2, Newton Centre, on land known as Section 13 Block 32 Lot 05, containing approximately 16,575 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 6-0 (Councilor Kelley Not Voting); Public Hearing Closed 6-0; (Councilor Kelley Not Voting)**
- #340-23 Request to allow indoor vehicle sales and service at 32 Needham Street**  
SAFI BARQAWI AND STUART SMITH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to introduce vehicle sales in a 2,486 square foot indoor space formerly occupied by a retail showroom at 32 Needham Street, Ward 8, Newton Highlands, on land known as Section 83 Block 11 Lot 14, containing approximately 14,865 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3.3, 4.4.1, 6.4.36 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 6-0 (Councilor Kelley Not Voting); Public Hearing Closed 6-0; (Councilor Kelley Not Voting)**
- #339-23 (A) Request to amend the site plans associated with Special Permits #480-14(4) and #327-21 and associated relief relative to parking at 283 Melrose Street**  
TURTLE LANE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plans associated with special permits #480-14(4) and #327-21 to reflect changes to the configurations of the buildings and paved areas and to waive certain associated parking and screening dimensional requirements at 283 Melrose Street, Ward 4, Auburndale, on

land known as Section 41 Block 14 Lot 10, containing approximately 43,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.13, 5.1.8.B.2, 5.1.8.D.1, 5.1.9.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved Subject to Second Call 5-0 (Councilor Kelley Abstained and Councilor Downs Not Voting); Public Hearing Closed 5-0 (Councilor Kelley Abstained and Councilor Downs Not Voting)**

**#339-23 (B) Request to amend the site plans associated with Special Permits #480-14(4) and #327-21 and associated relief relative to parking at 283 Melrose Street**

TURTLE LANE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plans associated with special permits #480-14(4) and #327-21 to reflect changes to the configurations of the buildings and paved areas and to waive certain associated parking and screening dimensional requirements at 283 Melrose Street, Ward 4, Auburndale, on land known as Section 41 Block 14 Lot 10, containing approximately 43,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.8.A.2, 5.1.13, 5.1.8.D.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 5-0 (Councilor Kelley Abstained and Councilor Downs Not Voting); 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 on 08/22/23**

**Land Use Held 6-0 (Councilor Laredo Not Voting); Public Hearing Continued on 10/17/23**

**Land Use Approved 4-0 (Councilors Downs, Lucas, and Lipof Not Voting); Public Hearing Closed (Councilors Downs, Lucas, and Lipof Not Voting)**

**Referred to Zoning & Planning Committee**

Monday, November 27, 2023

Present: Councilors Crossley (Chair), Albright, Danberg, Krintzman, Wright, Leary, Baker, and Ryan

**#341-23 Appointment of James Miller to the Auburndale Historic District Commission**

HER HONOR THE MAYOR appointing James Miller, 85C Seminary Ave, Auburndale as an alternate member of the Auburndale Historic District Commission for a term of office set to expire on June 6, 2024. (60 Days: 01/05/23)

**Zoning & Planning Approved 7-0-1 (Councilor Wright Abstaining)**

**#376-23**

**Petition to rezone lot on Dedham Street**

KATHERINE ADAMS petitioning to amend the City of Newton’s Zoning Map by changing the current zoning of the property known and numbered 0 Dedham St Off, Newton, MA, and shown on the City of Newton Assessor’s database as Section 83, Block 36, Lot 3A, currently zoned PUBLIC USE to SINGLE RESIDENCE 1.

**Zoning & Planning Held 8-0; Public Hearing Set for 12/11/2023**

**Referred to Programs & Services Committee**

Tuesday, November 28, 2023

Present: Councilors Krintzman (Chair), Noel, Humphrey, Wright, Albright, Baker, Ryan, and Greenberg; also present: Grossman, Kalis, Gentile, Noel, Oliver, Humphrey, Malakie, Kelley, Leary, and Crossley

**Referred to Programs and Services and Finance Committees**

**#359-23**

**Appropriate \$2,400,000 for Synthetic Turf Carpet at Newton North High School’s Dickinson Field**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two-million four-hundred thousand dollars (\$2,400,000) from June 30, 2023 Certified Free Cash (001-3240) for synthetic turf carpet and infill materials, installation, and construction oversight to replace the synthetic turf field at Newton North High School’s Dickinson Field and to resurface the perimeter track.

**Finance Approved 5-1-1 (Councilor Malakie Opposed) (Councilor Humphrey Abstained) on 11/28/23**

**Programs & Services Approved 6-1-1 (Councilor Wright Opposed) (Councilor Humphrey Abstained)**

**Referred to Programs & Services and Finance Committees**

**#155-23(2)**

**Appropriate \$50,000 to a Parks, Recreation & Culture Account**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fifty thousand dollars (\$50,000) from acct # 5503R602-590001 B.A.A. Marathon to a Parks, Recreation & Culture Account to fund a “Heartbreak Hill” banner.

**Finance Denied 7-0 on 11/28/23**

**Programs & Services Approved 5-2-1 (Councilors Humphrey and Noel Opposed) (Councilor Wright Abstained)**

**Referred to Programs & Services Committee**

Thursday, November 30, 2023

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

**#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 Approved 6-0**

**#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 Voted No Action Necessary 6-0**

**Referred to Public Facilities Committee**

Tuesday, November 28<sup>th</sup>, 2023

Present: Councilors Leary (Chair), Norton, Kelley, Gentile, Crossley, Danberg, Laredo and Kalis; also present: Councilors Grossman, Oliver, Malakie, Humphrey, Albright, Downs, Greenberg, Wright, Lucas and Markiewicz

**#353-23**

**5-58 for the Countryside School Project at 191 Dedham St.**

DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 191 Dedham Street for the design of a new 76,000 SF Countryside School located on the corner of Dedham and Walnut Streets.

**Public Facilities Approved 6-1 (Councilor Norton Opposed and Councilor Crossley Not Voting); Public Hearing closed 7-0 (Councilor Crossley Not Voting)**

**Referred to Public Facilities and Finance Committees**

**#360-23**

**Authorization to borrow \$74,730,950 for the construction of the Countryside School project**

HER HONOR THE MAYOR requesting authorization to borrow the sum of seventy-four million seven-hundred thirty thousand nine-hundred fifty dollars (\$74,730,950), for the construction of the Countryside School Project.

**Finance Approved 6-1 (Councilor Norton Opposed)**

**Public Facilities Approved 6-1 (Councilor Norton Opposed and Councilor Crossley Not Voting)**

**Referred to Public Facilities and Finance Committees**

**#361-23**

**Authorization to reduce the bond authorization for the Lincoln-Eliot Elementary School project, in the amount of \$5,109,609**

HER HONOR THE MAYOR requesting authorization to reduce the bond authorization (CO#369-22) for the Lincoln-Eliot Elementary School project, in the amount of five-million one-hundred nine-thousand six-hundred nine dollars (\$5,109,609).

**Finance Approved 7-0**

**Public Facilities Approved 7-0 (Councilor Crossley Not Voting)**

**Referred to Finance Committee**

Tuesday, November 28, 2023

Present: Councilors Grossman (Chair), Kalis, Gentile, Noel, Oliver, Humphrey, and Malakie; absent: Councilor Norton; also present: Councilors Krintzman, Noel, Humphrey, Wright, Albright, Baker, Ryan, Greenberg, Kelley, Leary, and Crossley

**Referred to Programs and Services and Finance Committees**

#359-23

**Appropriate \$2,400,000 for Synthetic Turf Carpet at Newton North High School’s Dickinson Field**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two-million four-hundred thousand dollars (\$2,400,000) from June 30, 2023 Certified Free Cash (001-3240) for synthetic turf carpet and infill materials, installation, and construction oversight to replace the synthetic turf field at Newton North High School’s Dickinson Field and to resurface the perimeter track.

**Programs & Services Approved 6-1-1 (Councilor Wright Opposed) (Councilor Humphrey Abstained) on 11/28/23**

**Finance Approved 5-1-1 (Councilor Malakie Opposed) (Councilor Humphrey Abstained)**

**Referred to Programs & Services and Finance Committees**

#155-23(2)

**Appropriate \$50,000 to a Parks, Recreation & Culture Account**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fifty thousand dollars (\$50,000) from acct # 5503R602-590001 B.A.A. Marathon to a Parks, Recreation & Culture Account to fund a “Heartbreak Hill” banner.

**Programs & Services Approved 5-2-1 (Councilors Humphrey and Noel Opposed) (Councilor Wright Abstained) on 11/28/23**

**Finance Denied 7-0**

**Referred to Finance Committee**

Tuesday, November 28, 2023

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

**Referred to Public Facilities and Finance Committees**

#360-23

**Authorization to borrow \$74,730,950 for the construction of the Countryside School project**

HER HONOR THE MAYOR requesting authorization to borrow the sum of seventy-four million seven-hundred thirty thousand nine-hundred fifty dollars (\$74,730,950), for the construction of the Countryside School Project.

**Public Facilities Approved 6-1 (Councilor Norton Opposed and Councilor Crossley Not Voting)**

**Finance Approved 6-1 (Councilor Norton Opposed)**

**Referred to Public Facilities and Finance Committees**

- #361-23** **Authorization to reduce the bond authorization for the Lincoln-Eliot Elementary School project, in the amount of \$5,109,609**  
HER HONOR THE MAYOR requesting authorization to reduce the bond authorization (CO#369-22) for the Lincoln-Eliot Elementary School project, in the amount of five-million one-hundred nine-thousand six-hundred nine dollars (\$5,109,609).  
**Public Facilities Approved 7-0 (Councilor Crossley Not Voting)**  
**Finance Approved 7-0**
- #377-23** **Establish and Appropriate funds to a Debt Service Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to Establish a “Debt Service Stabilization Fund” to provide funding to pay certain debt obligations, both current and future, such as the debt service for engineering and design, renovation, reconstruction or construction of City or School facilities or take any other action relative thereto; appropriate the sum of \$20,500,000 Overlay Surplus as declared by the City’s Board of Assessors to the Debt Service Stabilization Fund; and transfer the sum of \$5,513,000 from Acct 01C10701-576300 Appellate Tax Board Interest and Penalties Fund to the Debt Service Stabilization Fund.  
**Finance Held 5-2 (Councilors Grossman and Kalis Opposed)**