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City Clerk

## City Council Docket

January 8: Zoning & Planning  
January 9: Land Use

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Continued  
Monday, January 1, 2024  
12:00PM, Hybrid  
To be reported on  
Tuesday, January 16, 2024

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, January 1, 2024, at 12:00PM. To view this meeting on Zoom use this link at the above date and time:

<https://newtonma-gov.zoom.us/j/88254918840>

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You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).

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<https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvAh3cQ>

## City of Newton City Council Docket

### Referred to Land Use Committee

#### **Public Hearing 01-09-2024**

#10-24

**Request to allow three single-family attached dwellings in two buildings, to waive certain dimensional requirements and two parking stalls at 199 Church Street**

GLENSHANE PROPERTIES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the accessory apartment into a separate dwelling, resulting in three single-family attached dwellings in two separate structures with dimensional waivers and parking waivers at 199 Church Street, Ward 1, Newton, on land known as Section 12 Block 13 Lot 16, containing approximately 10,688 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 3.4.2, 5.1.4, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 01-09-2024**

- #11-24      **Request to exceed FAR and vertically extend a nonconforming setback in an accessory building at 887 Commonwealth Avenue**  
ARONE BROS LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to all sides of the dwelling, as well as to raze and construct a detached garage which extends a nonconforming setback, and extends the nonconforming FAR at 887 Commonwealth Avenue, Ward 2, Newton Centre, on land known as Section 24 Block 43 Lot 05, containing approximately 8,310 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3, 3.1.9, 3.4.3.A.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 01-09-2024**

- #12-24      **Request to allow ground floor residential use, to allow three stories and a 39.3-foot height, to exceed FAR, and associated parking waivers at 209-211 Adams Street**  
CLAIRE A. LEONE, DEBORAH SYLVESTER, AND LISA CAIRA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct a three story, five-unit residential building with more than 10,000 square feet which exceeds the FAR and requires associated parking waivers at 209-211 Adams Street, Ward 1, Newton, on land known as Section 14 Block 18 Lot 16, containing approximately 8,830 sq. ft. of land in a district zoned BUSINESS2. Ref: Sec. 7.3.3, 4.4.1, 4.1.2.B.2, 4.1.2.B.3, 4.1.3, 5.1.7.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 01-09-2024**

- #13-24      **Request to further extend nonconforming FAR at 140 Dickerman Road**  
MARTINE MARTELL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to enclose a second level sunporch and construct a new basement access, further extending the nonconforming FAR at 140 Dickerman Road, Ward 5, Newton Highlands, on land known as Section 54 Block 38 Lot 12, containing approximately 6,600 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.
- #14-24      **Request for Extension of Time to Exercise Special Permit #419-22 at 148 Auburndale Avenue**  
CHRISTOPHER AND GRETCHEN RUTAN petition for Extension of Time to October 17, 2025 to construct two-story additions to the front and rear of the dwelling further reducing and vertically extending the nonconforming front setbacks at 148 Auburndale Avenue, Ward 3, Newton, on land known as Section 33 Block 18 lot 03, containing approximately 6,616 sq. ft. in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- #15-24      **Class 2 Auto Dealers License**  
STAN'S AUTOMOTIVE INC. D/B/A NEWTON AUTOMOTIVE and SALES  
249 Centre Street  
Newton Corner, MA 02458
- #16-24      **Class 2 Auto Dealers License**  
MOTORCARS OF BOSTON INC.  
1191 Washington Street  
West Newton, MA 02465
- #17-24      **Class 2 Auto Dealers License**  
JACOB & ASSOCIATES  
1232 Washington Street  
Newton, MA 02465

#18-24      **Class 2 Auto Dealers License**  
KG MOTORS LLC D/B/A KG MOTORS LLV  
1235 Washington Street  
Newton MA 02465

#19-24      **Class 2 Auto Dealers License**  
ENZO'S AUTO SALES  
10 Hawthorn Street  
Newton, MA 02458

#20-24      **Class 2 Auto Dealers License**  
VELOCITY MOTORS  
14 Hawthorn Street  
Newton, MA 02458

### **Referred to Zoning & Planning Committee**

#21-24      **Discussion concerning ZAP Committee workplan for the new term**  
COUNCILORS BAKER AND OLIVER requesting a discussion with Zoning and Planning Committee concerning the work plan of the ZAP Committee for the new 2024-2025 term.

#23-24      **Update on Short-term rental ordinance compliance and enforcement**  
COUNCILORS MALAKIE, WRIGHT, KELLEY, LAREDO, LIPOF, HUMPHREY, LUCAS, ALBRIGHT, DANBERG, AND OLIVER requesting an update on Short-term Rental ordinance compliance and enforcement, including data on registrations, complaints, investigations and fines issued; types of violations being found (e.g. non-owner occupied, room limits, annual time limits, other code violations like noise, health & safety, trash); ability to compare STRs registered with the city vs registered with the state vs listings on public platforms; ability to obtain listing information from STR companies; adequacy of resources or other obstacles to enforcement.

#24-24      **Request for discussion and possible ordinance amendments relative to aiding small businesses impacted by development**  
COUNCILORS ALBRIGHT AND KELLEY request the Planning Department with the assistance of the Economic Development Commission, research and develop mechanisms including ordinance changes or other means to assist local businesses impacted by development similar to the Somerville work. The goal of this docket item will be to help small commercial/retail/independent and locally-owned businesses remain in Newton as development occurs.

### **Referred to Programs & Services Committee**

#25-24      **Develop a Code of Conduct for the Newton City Council**  
COUNCILOR ALBRIGHT requesting the development of a code of conduct for Newton City Councilors. This code should set expectations for the behavior of councilors to each other, to city staff and the public. It should also set expectations for the work councilors are elected to do.

#26-24      **Discussion and possible Home Rule Petition regarding moving Newton's municipal elections to even years along with federal and state elections**  
COUNCILOR ALBRIGHT requests discussion, development of a home rule petition, and amendments to the mechanics described in the charter and/or ordinances to implement a change in Newton's municipal elections to the even years, in concert with federal and state elections to improve voter turnout in local elections.

#28-24      **Discussion and possible amendments to Chapter 21, Art III Trees**  
COUNCILORS HUMPHREY, DANBERG, GREENBERG, GROSSMAN, KALIS, LEARY, MALAKIE, WRIGHT, LOBOVITS, and FARRELL requesting revisions and amendments to Chapter 21, Art III Trees (Sec. 21-60 through 21-89) to further clarify recent revisions to our tree protection ordinances and requesting updates from the Tree Warden on the progress of implementation of the recent revisions.

### **Referred to Public Safety & Transportation Committee**

#29-24      **Appeal of Traffic Council Decision TC57-23**  
JESSE COREY, 64 Oak Cliff Road, appealing the denial of Traffic Council petition TC57-23 on November 16, 2023 for requesting a trial that would restrict access to Centre Street, southerly from Walnut Street, to all vehicles except bicycles. (Ward 6)

#30-24      **Appeal of Traffic Council Decision TC35-23**  
DIMITRY PECHYONI, 99 North Street, appealing the approval of Traffic Council petition TC35-23 on October 26, 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). This appeal relates to the block of Farwell Street between Joseph Road and North Street. (Ward 3)

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

#31-24      **Request for water main extensions and granting of water easement in Chapin Road**  
EVERETT M. BROOKS CO. is petitioning for the extension of the City's water main on Chapin Road, which is required due to shallow groundwater encountered as part of the proposed subdivision Certificate of Action.

#32-24      **Updates on Border Street**  
COUNCILORS MALAKIE, KELLEY, and WRIGHT requesting regular updates from DPW on status of Border Street culvert, MWRA easement, potential engineering solutions and other measures to mitigate risk of flooding, and knowledge gained from stormwater studies

### **Referred to Finance Committee**

#34-24      **Acceptance of anonymous donation to Newton City Council**  
CITY CLERK requesting the acceptance of an anonymous donation of \$10,000 to the City of Newton in memory of former Councilor George Mansfield for the benefit of the work of the Newton City Council to be used as the Council Leadership and the Clerk of the Council may from time to time determine.

#35-24 **Acceptance of \$22,248 grant from MassEVIP**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of twenty-two thousand, two hundred and forty-eight thousand dollars (\$22,248) from the WPF Grant for the purpose of installing six EV Level 2 chargers. Five chargers (\$18,540) will be installed at the DPW facility at Elliot Street and one (\$3,708) at the Directors parking lot at City Hall.

#37-24 **Discussion and possible ordinance amendment concerning noticing requirements**  
COUNCILORS MALAKIE, LAREDO, and LUCAS 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.

### **Referred to Zoning & Planning & Finance Committees**

#22-24 **CPC Recommendation to appropriate \$125,000 in CPA funding**  
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of \$125,500 in Community Preservation Act funding from the FY24 Historic Resource Reserve Funds to the control of the Planning & Development Department for a grant to the Second Church in Newton for the restoration.

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

#27-24 **Appropriate \$925,000 Newton Public Schools Curriculum Investments**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of nine hundred twenty five thousand (\$925,000) of June 30, 2023 Certified Free Cash for the purpose of funding curriculum materials for Newton Public Schools.

### **Referred to Public Facilities & Finance Committees**

#33-24 **Appropriate \$11,475,000 for Newton Public Schools and Municipal Infrastructure**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend eleven million, four hundred seventy five thousand dollars (\$11,475,000) of June 30, 2023 Certified Free Cash to fund the following: A. Newton North Pool- Air Handling Unit (\$425,000) B. Replace Entire Roof System - Peirce Elementary (\$1,200,000) C. Replace Entire Roof System - Mason Rice Elementary (\$1,100,000) D. Repave Parking Area - Brown Middle School (300,000) E. Replace Chiller - Newton South, Building H (\$350,000) F. Repair Auditorium Ceiling, Playground Improvement and Toilet Room Installation - Williams Elementary (\$325,000) G. Install PA Systems - Bigelow & Brown Middle Schools (300,000) H. Toilet Room Upgrades - Day Middle, Mason Rice, Bowen, Memorial Spaulding, and Peirce Elementary Schools (\$1,275,000) I. Paving, Road Improvements & Traffic Calming (\$5,250,000) J. Police Headquarters - Repave Parking Lot & Fencing (\$600,000) K. Fire Station 2- Heat Pumps for staff area HVAC

### **Referred to Real Property Reuse Committee**

#36-24 **Reuse of parcel of land on Grove and Hancock Street**  
DIRECTOR OF PLANNING & DEVELOPMENT submitting on November 3, 2023 a letter stating that the 36,356 sq. ft. City owned parcel of land known as 169 Grove Street and 136 Hancock Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.