

**RECEIVED**

**By City Clerk at 4:24 pm, Feb 15, 2024**



## City Council Reports Docket



February 6: Land Use

Page 35

February 7: Public Safety & Transportation and  
Public Facilities

7:45 PM, Hybrid

To be reported on

February 8: Programs and Services

Tuesday, February 20, 2024

February 15: Zoning & Planning

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, February 20, 2024, at 7:45 PM. To view this meeting on Zoom use this link

<https://newtonma-gov.zoom.us/j/84864239231>

at the above date and time:

One tap mobile

US: +13092053325, 848 6423 9231

Land line

+1 309 205 3325 US

Webinar ID: 848 6423 9231

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>

### City of Newton

### In City Council Items to be Acted Upon

#### Unfinished Council Business

#### Referred to Public Facilities Committee

#59-24

**Requesting approval for a Conceptual Design for the Washington Street Pilot project**

HER HONOR THE MAYOR requesting approval for a Conceptual Design for the Washington Street Pilot project, which will allow the City to advance the preferred concept in close coordination with the project working group, and with City Departments, including Fire, Public Works, Planning, and Parks, Recreation and Culture, and to develop cost estimates within the project construction budget.

**Public Facilities Approved 8-0 on January 17, 2024**

**Item Chartered by Councilor Lucas on February 5, 2024**

**Referred to Land Use Committee**

02/06/2024

PRESENT: Councilors Kelley (Chair), Block, Downs, Farrell, Laredo, Leary, Lobovits and Lucas;  
also present: Councilors Albright, Danberg, Gentile, Getz, Lipof, Malakie and Wright

**#64-24 Request for Extension of Time to Exercise Special Permit # 541-22 at 96 Waban Park**

MICHAEL AND INNA ZARETSKY petition for Extension of Time to December 19, 2024 to construct additions to the rear and the side of the dwelling and to construct dormers at 96 Waban Park, Ward 1, Newton, on land known as Section 12 Block 05 Lot 02 containing approximately 5,445 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 8-0**

**#77-24 Request for Extension of Time to Exercise Special Permit #38-23 at 194 Adams Street**

LAKE PRIDE HOMES petition for Extension of Time to March 6, 2026 to raze the existing nonconforming three-unit multifamily dwelling and construct a five-unit residential dwelling with ground level garage parking and associated dimensional, parking, and use waivers at 194 Adams Street, Ward 1, Newton, on land known as Section 14 Block 14 Lot 18, containing approximately 6,000 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 7.8.2.C.3, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.C.1, 5.1.8.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 8-0**

**#78-24 Request to extend a nonconforming front setback at 300 Cabot Street**

BENNY LU AND AMY XU petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to the existing dwelling, to convert the single-family dwelling into a two-family dwelling, and adding a half-story which vertically extends the nonconforming front setback at 300 Cabot Street, Ward 2, Newtonville, on land known as Section 22 Block 20 Lot 16, containing approximately 8,339 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.2.3, 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**

- #79-24 Request to amend Special Permit #395-22 to allow for a cash payment in lieu of providing IZ units at 136-144 Hancock Street**  
TERRENCE P. MORRIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the special permit to substitute a cash payment in lieu of providing the units at 136-144 Hancock Street, Ward 4, Auburndale, on land known as Section 43 Block 31 Lot 01, containing approximately 58,492 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 5.11.5.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 7-0 (Councilor Downs Not Voting); Public Hearing Opened**
- #80-24 Request to allow a series of retaining walls exceeding four feet in height in the front setback at 161 Pine Ridge Road**  
JONATHAN AND REBECCA BRISTOL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a series of retaining walls exceeding four feet in height in the front setback at 161 Pine Ridge Road, Ward 5, Waban, on land known as Section 53 Block 28 Lot 08, containing approximately 22,500 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Opened**
- #81-24 Request to further extend nonconforming FAR at 21 Marvin Lane**  
THIAGARAJAN AND SUDHA SRIDHAR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story rear addition which will further extend the nonconforming FAR at 21 Marvin Lane, Ward 8, Newton Centre, on land known as Section 84 Block 30 Lot 10, containing approximately 11,333 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.  
**Land Use Approved 8-0; Public Hearing Closed 8-0**
- #82-24 Request allow a retaining wall exceeding four feet in height in the front setback, to vertically extend a nonconforming detached garage, to further increase nonconforming lot coverage and to allow two parking stalls within the front set back at 19 Waban Hill Road**  
MARK AND AMY NICHOLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing hip roof of the detached garage, replacing it with a flat roof to be used as a deck, with the construction of retaining walls to the interior of the property, and extending the existing driveway at 19 Waban Hill Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 02 Lot 07, containing approximately 8,303 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 5.4.2.B, 3.1.3, 3.4.3.A.1, 7.8.2.C.2, 5.1.7.A, 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**

**Referred to Zoning & Planning Committee**

02/15/24

Present:

- #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.  
**Zoning & Planning Held 8-0 on January 8, 2024**  
**Zoning & Planning Set to Meet on February 15, 2024**
- #43-24 Quarterly update on projects using the VCOD overlay districts**  
COUNCILORS ALBRIGHT AND DANBERG requesting updates on any potential projects brought to the Planning Department under the new Village Center Overlay District. The updates should include indications of interest and actual permits filed; for which villages and under which zoning districts; number of stories and units.  
**Zoning & Planning Set to Meet on February 15, 2024**
- #85-24 Request for discussion and possible amendments to enhance the preservation of existing homes.**  
COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, AND WRIGHT requesting a discussion and possible amendments to Chapter 30 Zoning or other City Ordinances to enhance the preservation of existing homes over their replacement by larger and more expensive structures.  
**Zoning & Planning Set to Meet on February 15, 2024**
- #41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings**  
COUNCILORS ALBRIGHT, DANBERG, KRINTZMAN, AND LEARY seeking a discussion with the Planning Department to consider ordinance amendments that would revise the metrics in the multi-residence (MR1, MR2 and MR3) zones, to regulate the size of new buildings better, enable a wider range of housing options close to public transit, and better incentivize preservation and renovation of existing housing stock.  
**Zoning & Planning Set to Meet on February 15, 2024**
- #76-24 Discussion and possible ordinance amendment to deal with grade changes created during construction causing stormwater runoff on neighboring properties**  
COUNCILORS ALBRIGHT, LIPOF, WRIGHT, AND LEARY requesting a discussion with the Planning Department to address concerns relative to the trend of

significantly raising grade elevations on lots, using retaining walls, terracing and other means to add soil to conceal a raised basement, which can lead to new buildings that are significantly taller than nearby existing houses in the area and cause denuding of wooded areas and increase stormwater runoff. This discussion may result in an ordinance change to Chapter 30 section 5.4.2 which would require a special permit or other means of city review of all retaining walls over 4 feet on a site.

**Zoning & Planning Set to Meet on February 15, 2024**

**#83-24**

**Discuss and Implement Key Metrics & Reporting Process**

COUNCILORS OLIVER, WRIGHT, GETZ, LAREDO, FARRELL, KALIS, ALBRIGHT, AND MICLEY requesting discussion and implementation of a public reporting process for key metrics relevant to the Planning Department. The discussion should include the topics to address, which metrics to include, where, and how often they should be reported. We would expect that our discussion will lead to a list of topics and metrics that need to be prioritized based on existing data availability as well as staff time. We further acknowledge that this is likely to be an iterative process.

**Zoning & Planning Set to Meet on February 15, 2024**

**Referred to Programs & Services Committee**

02/08/2024

PRESENT: Councilors Krintzman (Chair), Oliver, Micley, Malakie, Lobovits, and Baker; absent: Councilors Humphrey, and Farrell

**#56-24**

**Appointment of Eliza Spaulding to the Human Rights Commission**

HER HONOR THE MAYOR appointing Eliza Spaulding, 160 Pine Street, Newton as a member of the Human Rights Commission for a term of office set to expire on March 6, 2026. (60 Days: 03/17/24)

**Programs & Services Approved 6-0**

**#91-24**

**Reappointment of John Neville to Newton Commonwealth Foundation**

HER HONOR THE MAYOR reappointing John Neville, 68 High Street, Newton Upper Falls as a member of the Newton Commonwealth Foundation for a term of office set to expire on September 18, 2024. (60 Days: 04/05/2024)

**Programs & Services Approved 6-0**

**#92-24**

**Reappointment of Peter Doherty to the Newton Commonwealth Foundation**

HER HONOR THE MAYOR reappointing Peter Doherty, 110 Washington Park, Newtonville as a member of the Newton Commonwealth Foundation for a term of office set to expire on June 30, 2026 (60 Days: 04/05/2024)

**Programs & Services Approved 6-0**

**#93-24 Reappointing Arlene Franklin to the Newton Commonwealth Foundation**  
HER HONOR THE MAYOR reappointing Arlene Franklin, 75 Commonwealth Park West, Newton as a member of the Newton Commonwealth Foundation for a term of office set to expire on September 18, 2026. (60 Days: 04/05/2024)

**Programs & Services Approved 6-0**

**#94-24 Reappointment of Thomas Elkind to the Newton Commonwealth Foundation**  
HER HONOR THE MAYOR reappointing Thomas Elkind, 29 Wamesit Road, Waban as a member of the Newton Commonwealth Foundation for a term of office set to expire on September 18, 2025. (60 Days: 04/05/2024)

**Programs & Services Approved 6-0**

**Referred to Public Safety & Transportation Committee**

02/07/2024

PRESENT: Councilors Grossman (Chair), Downs, Greenberg, Lucas, Wright, Bixby, Block and Lipof

**#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)

**Public Safety & Transportation Denied 8-0**

**#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)

**Public Safety & Transportation Denied 8-0**

**#50-24 Providing the Annual Report of the work of Traffic Council for 2023**  
DAVID KOSES, TRAFFIC COUNCIL CHAIR providing the Annual report of the work of the Traffic Council for 2023.

**Public Safety & Transportation Voted No Action Necessary 8-0**

**Referred to Public Facilities Committee**

02/07/2024

PRESENT: Councilors Albright (Chair), Getz, Laredo, Kelley, Leary and Kalis; Absent: Councilors Danberg and Gentile; Also Present: Councilors Malakie, Farrell and Wright

- #65-24      Discussion with Public Works about Residential Water Bills**  
COUNCILORS KRINTZMAN, ALBRIGHT AND GROSSMAN requesting a discussion with Public Works about what the department has done to prepare residents for unanticipated water bills. The discussion should include actions the city has taken to prepared residents who may receive unusually high bills, actions the city is taking on behalf of residents who receive unanticipated bills, and options that residents have who receive unusually high bills. The discussion may also lead to recommendations of additional actions that the city may take.  
**Public Facilities Held 6-0**

- #66-24      Discussion on non-working water meter transponders and billing issues**  
COUNCILORS MALAKIE, KELLEY, WRIGHT, BIXBY, HUMPHREY, LAREDO, OLIVER, FARRELL and LUCAS requesting discussion with Utilities Division on issues related to non-working water meter transponders including past and current billing procedures, and potential improvements for remainder of new meter installation period.  
**Public Facilities Held 6-0**