

**RECEIVED**

By City Clerk at 2:06 pm, Feb 20, 2024

**REVISED**

2:06 pm, Feb 20, 2024



**POSTED**  
City Clerk

## City Council Docket

February 21: Programs & Services, Public  
Facilities and Public Safety & Transportation  
February 26: Zoning & Planning and Finance  
February 27: Land Use

Page 42  
Continued  
Tuesday, February 20, 2024  
7:45PM, Hybrid  
To be reported on  
Monday, March 4, 2024

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 City Council Docket

### Referred to Land Use Committee

#### **Public Hearing 02-27-2024**

#115-24 **Request to amend Special Permit #178-13 to allow a non-profit educational use and to waive 3 parking stalls at 14 Collins Road**  
UNION CHURCH IN WABAN TRUSTEES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the special permit to allow the Winchester School of Chinese Culture (WSCC), a non-profit educational use, to operate an after-school program, and a waiver of required number of parking stalls at 14 Collins Road, Ward 5, Waban, on land known as Section 55 Block 48 Lots 36 and 37, containing approximately 41,302 sq. ft. of land in a district zoned

SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 4.4.1, 6.3.14.B.1.b, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 02-27-2024**

- #119-24      **Request to allow a retaining wall exceeding four feet in height in a setback at 12 Clark Street**  
GREGOIRE VERSMEE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a series of retaining walls which exceed four feet in height with the rear setback at 12 Clark Street, Ward 6, Newton Centre, on land known as Section 62 Block 19 Lot 08, containing approximately 13,600 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 02-27-2024**

- #118-24      **Request to further extend nonconforming FAR, to alter the nonconforming number of stories, and to alter the nonconforming front setback at 442-444 Lowell Avenue**  
MSGM LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition and dormers which will further extend the nonconforming FAR, nonconforming number of stories, and nonconforming front setback at 442-444 Lowell Avenue, Ward 2, Newtonville, on land known as Section 24 Block 28 Lot 52, containing approximately 9,600 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.2.3, 3.2.11, 7.8.2.C.2, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 02-27-2024**

- #117-24      **Request to further extend a nonconforming two-family dwelling and nonconforming front setback at 265-267 River Street**  
AMERICAN WAY DEVELOPMENT, INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raise the roof and add dormers, further extending the nonconforming two-family dwelling use and alter/extend the nonconforming front setback at 265-267 River Street, Ward 4, West Newton, on land known as Section 44 Block 12 Lot 01, containing approximately 6,671 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 3.4.1, 3.1.2.A.3, 3.2.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Public Hearing 02-27-2024**

- #116-24      **Request to amend Special Permit #67-20 to allow a Medical Marijuana Treatment Center at 1089 Washington Street**  
GREEN RE WEST NEWTON LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #67-20 to allow a medical marijuana treatment center (formerly known as Registered Marijuana Dispensary or "RMD") at 1089 Washington Street, Ward 3, West Newton, on land known as

Section 31 Block 09 Lot 07, containing approximately 25,122 sq. ft. of land in a district zoned BUSINESS2. Ref: Sec. 7.3.3, 6.10.3.D, 4.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Referred to Programs & Services Committee**

- #121-24 **Request for Amendments to Council Rules and Ordinance Regarding Start Time of City Council Meetings**  
CITY CLERK requesting amendments to City Council Rules and Sec. 4-1 of the Newton Revised Ordinances to change "7:45 p.m." to "7:30 p.m.".

**Referred to Public Facilities Committee**

- #102-24 **Requesting periodic updates from Commissioner of Public Buildings regarding construction projects**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting periodic updates on construction projects from the Commissioner of Public Buildings
- #103-24 **Update on Planning and. Construction of Bullough's Pond Dam**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting update on planning and construction of the Bullough's Pond Dam.
- #105-24 **Discussion with Director of Sustainable Materials Management regarding recycling and waste management**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting an update from the Director of Sustainable Materials Management regarding progress on recycling, Newton's waste contracts, progress on composting, and other essential aspects of waste management.
- #104-24 **Discussion with DPW's transportation Director regarding Newton's Transportation Network Improvement Plan**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting a discussion with the DPW's new Transportation Director to learn about plans for traffic calming, bike and pedestrian network, and other important aspects of Newton's Transportation Network Improvement Plan.
- #101-24 **Requesting a Discussion and possible Ordinance change on Private Ways**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting a discussion on private ways; methods for them to become public ways if requested, problems related to private ways; and any possible ordinance changes needed.

**Referred to Finance Committee**

- #108-24     **Requesting Authorization to issue refunding bonds**  
HER HONOR THE MAYOR requesting authorization to issue refunding bonds to refund all or any portion of the City's general obligation bonds.
- #109-24     **Authorization to appropriate and expend the amount of \$2.3 million from the Overlay Surplus and \$5.5 million from the ATB Interest and Penalties accounts to NEWCAL, reducing bonding authorization**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend a total of seven-million, eight-hundred thousand dollars (\$7.8 million) for the NewCAL project to reduce the amount of funding the City would need to borrow for that project. The \$7.8 million is comprised of two funding sources related to the Eversource agreement: (1) five-million, five-hundred thousand (\$5.5 million), transferred from the ATB Interest and Penalties account, and (2) two-million, three-hundred thousand (\$2.3 million) from Overlay Surplus. As a result, I am also requesting authorization to rescind \$7.8 million of bond authorization for the NewCAL project.
- #113-24     **Requesting authorization to accept \$30,785 grant from Massachusetts Office on Disability for Williams Elementary School Playground Accessibility Improvements**  
HER HONOR THE MAYOR requesting authorization to accept and expend \$30,785 in grant funds from the Massachusetts Office on Disability for Williams Elementary School playground accessibility improvements.
- #111-24     **Authorization to issue an RFP for NPS Food Service Contract**  
HER HONOR THE MAYOR requesting authorization for the Newton Public Schools to issue an RFP with a food service management company, for a contract duration of up to five years.
- #110-24     **Requesting authorization to accept and expend the sum of \$35,000 from the Firefighter Safety Equipment Grant**  
HER HONOR THE MAYOR requesting authorization to accept and expend thirty-five thousand dollars (\$35,000.00) from the Executive Office of Public Safety and the State Department of Fire Services for a reimbursement grant that was awarded to Newton Fire for Firefighter Safety Equipment.

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

- #106-24     **Establish a NPS Educational Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to establish a NPS Educational Stabilization Fund.

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

- #107-24     **Appropriate funds to a NPS Educational Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to appropriate from Overlay Surplus (\$18,200,000), interest income that has accumulated as part of the \$18.2 million Overlay Surplus (\$800,000) which can be allocated from Free Cash, and June 30, 2023 Certified Free Cash (\$3,000,000) to the NPS Educational Stabilization Fund, for a total of \$22 million.

**Referred to Public Facilities & Finance Committees**

- #112-24     **Appropriate \$1,191,000 for the replacement of Newton's Free Library HVAC System**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend \$1,191,000 from June 30, 2023 Certified Free Cash to complete the funding for the Newton Free Library's chiller and related cooling equipment replacement project.

*The following items were filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

**Referred to Public Facilities Committee**

- #120-24     **Discussion on Water/Sewer plan and open capital improvement projects**  
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting an update on the Water/Sewer plan and open capital improvement projects.

**Referred to Public Facilities Committee**

- #114-24     **Requesting discussion regarding water meters failures and inaccurate water billing**  
PAUL E. COLETTI AND JEANNE WALLER requesting a discussion regarding on-going failures of large underground pit water meters and inaccurate water billing.