



City Council Actions
In City Council
Monday, February 5, 2024

Present: Councilors Albright, Baker, Bixby, Block, Danberg, Downs, Farrell, Gentile, Getz, Greenberg, Grossman, Kalis, Kelley, Krintzman, Laredo, Leary, Lipof, Lobovits, Lucas, Malakie, Micley, Oliver and Wright

Absent: Councilor Humphrey

Clerk's Note: The full Council meeting can be viewed on the following link:

<https://www.youtube.com/watch?v=knRNWcyMKnA&list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR&t=91s>

The City Council discussed the following items on Second Call:

#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

Item Chartered by Councilor Lucas on 02/05/2024

Clerk's Note: Councilor Lucas put this item on second call. He explained that he wanted more information from the Mayor's Office about the funding for this project and put forth a charter.

Referred to Public Facilities Committee and Finance Committee

#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 (\$350,000).

Finance Held 8-0 on Monday, January 8, 2024

Finance Approved 6-0-2 (Councilors Grossman and Micley Abstained)

Public Facilities Approved 8-0

City Council Approved 23 yeas, 0 nays and 1 absent (Councilor Humphrey)

Clerk's Note: Councilor Gentile put this item on second call. Councilors expressed that they wanted to wait to pass this item until the Newton Teacher's Strike had concluded and children were back in the schools to use the facilities that this request is looking to improve.

The City Council voted without discussion 23 Yeas, 0 Nays, 1 Absent, to Accept the Committee Recommendations on the following:

- #67-24 Request for Extension of Time to Exercise Special Permit #448-22 at 1 Jackson Street**
 345 BOYLSTON, LLC petition for Extension of Time to January 17, 2025 to allow a three-story structure with 36 feet in height; to allow an FAR of 1.48; to vertically extend a nonconforming front setback; to waive 4 parking stalls and to allow assigned parking at 1 Jackson Street, Ward 6, Newton, on land known as Section 65 Block 10 Lot 19, containing approximately 12,512 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 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 Leary Not Voting)
- #70-24 Request to amend an approved Comprehensive Sign Package and Special Permit #218-22 at 1-55 Boylston Street**
 CHESTNUT HILL SHOPPING CENTER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #218-22 to allow an updated Comprehensive Sign package to include additional directory and wayfinding signs to provide more visibility for interior tenants, as well as an expansion of the existing sign band at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 63 Block 37 Lots 25 and 26, containing approximately 859,444 sq. ft. of land in a district zoned BUSINESS4. Ref: Sec. 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 8-0
- #71-24 Appointment of Councilor Albright to the Newton Affordable Housing Trust Fund**
 PRESIDENT LAREDO appointing Councilor Susan Albright, 1075 Commonwealth Ave, Newton as a member of the Newton Affordable Housing Trust for a term of office to expire on December 31, 2025.

Zoning & Planning Approved 8-0**Referred to Programs & Services Committee and Finance Committee**

#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.

Finance Held 8-0 on Monday, January 8, 2024**Programs & Services Approved 8-0**

#48-24

Resolution on avoiding PFAS in Newton purchasing

COUNCILORS DOWNS, LEARY, MALAKIE, LOBOVITS, FARRELL, KALIS, HUMPHREY, MICLEY, DANBERG, BIXBY, AND WRIGHT requesting a resolution urging the City to avoid the purchase or use of products containing PFAS.

Programs & Services Approved 8-0

#57-24

Reappointment of Jane Brown to the Human Rights Commission

HER HONOR THE MAYOR reappointing Jane Brown, 104 Atwood Avenue, Newtonville as a member of the Human Rights Commission for a term of office set to expire on January 1, 2027. (60 Days: 03/17/24)

Programs & Services Approved 8-0

#58-24

Discussion concerning Programs & Services Committee workplan for the new term

COUNCILORS KRINTZMAN AND HUMPHREY requesting a discussion with the Programs & Services Committee concerning the work plan of the Programs & Services Committee for the new 2024-2025 term.

Programs & Services No Action Necessary 8-0

#75-24

Request to set Early Voting Hours for the March 5th Primary Election

THE CITY CLERK requesting to set early voting hours for the March 5, 2024 Presidential Primary on the following dates, location, and times recommended by the Election Commission: A total of seven days; Saturday February 24th: 11am-5pm, Sunday February 25th: 11am-5pm, Monday February 26th: 8:30am-5pm, Tuesday February 27th: 8:30am-5pm, Wednesday February 28th: 8:30am-8pm, Thursday February 29th: 8:30am-5pm, Friday March 1st: 8:30am-5pm at Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459.

Programs & Services Approved 8-0

- #54-24 Request to change the number of Deputy Chiefs in the Fire Department**
HER HONOR THE MAYOR requesting to amend Chapter 10-28 of Newton Ordinances to change the number of Deputy Chiefs in the Fire Department from five to six.
Public Safety & Transportation Approved 8-0
- #31-24 Request for water main extension and main drain extension, and granting of water easement and main drain easement in Chapin Road**
EVERETT M. BROOKS CO. on behalf of the property owners, is petitioning for the extension of the City's water main and main drain on Chapin Road, and associated easements, which is required as part of the approved subdivision Certificate of Action.
Public Facilities Approved Withdrawal Without Prejudice 8-0
- #60-24 Reappointment of Allan S. Cohen to the Board of Assessors**
HER HONOR THE MAYOR reappointing Allan S. Cohen, 12 Philmore Road, Newton as a member of the Board of Assessors for a term of office set to expire on February 1, 2027. (60 Days: March 16, 2024)
Finance Approved 7-0 (Councilor Micley Not Voting)
- #61-24 Requesting approval to accept and expend \$500 in a donation from the Newton Highlands Congregational Church**
HER HONOR THE MAYOR requesting approval to accept and expend \$500 in a donation from the Newton Highlands Congregational Church for LGBTQ+ celebrations. The city expects to use the funds to support Pride programs, especially in the month of June.
Finance Approved 7-0 (Councilor Micley Not Voting)
- #62-24 Requesting authorization to accept and expend \$18,720 in a grant from the State 911 Department for the Emergency Medical Dispatch Grant Program**
HER HONOR THE MAYOR requesting authorization to accept and expend \$18,720 in a grant from the State 911 Department for the Emergency Medical Dispatch Grant Program to cover the cost of quality assurance for EMD services.
Finance Approved 7-0 (Councilor Micley Not Voting)

Public Hearings were assigned for the following Items:

Referred to Land Use Committee

Public Hearing 02-06-2024

- #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.

Public Hearing 02-06-2024

- #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.

Public Hearing 02-06-2024

- #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.

Public Hearing 02-06-2024

- #81-24 **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**
 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.

Public Hearing 02-06-2024

- #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.

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.
Real Property Reuse Held 7-0; Public Hearing set for 03/28/2024