



City Council Actions
In City Council
Tuesday, January 16, 2024

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

Absent: none

Clerk's Note: The full Council meeting can be viewed on the following link:
<https://youtu.be/nM2qQluBSQU?list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR>

The City Council discussed the following item on Second Call:

#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.
Land Use Approved Subject to Second Call 7-0; Public Hearing Closed 7-0
City Council Approved 24 yeas, 0 nays

Clerk's Note: The Land Use Committee voted to put this item on second call awaiting more information from the Planning Department.

The City Council voted without discussion 24 Yeas, 0 Nays, to Accept the Committee Recommendations on the following:

#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.

Land Use Approved 7-0; Public Hearing Closed 7-0

#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.

Land Use Approved 7-0; Public Hearing Closed 7-0

#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.

Land Use Approved 7-0; Public Hearing Closed 7-0

#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

Land Use Approved 7-0

#16-24

Class 2 Auto Dealers License

MOTORCARS OF BOSTON INC. 1191 Washington Street West Newton, MA 02465

Land Use Approved 7-0

#17-24

Class 2 Auto Dealers License

JACOB & ASSOCIATES 1232 Washington Street Newton, MA 02465

Land Use Approved 7-0

#18-24

Class 2 Auto Dealers License

KG MOTORS LLC D/B/A KG MOTORS LLV 1235 Washington Street Newton MA 02465

Land Use Approved 7-0

- #19-24 Class 2 Auto Dealers License**
ENZO'S AUTO SALES 10 Hawthorn Street Newton, MA 02458
Land Use Approved 7-0
- #20-24 Class 2 Auto Dealers License**
VELOCITY MOTORS 14 Hawthorn Street Newton, MA 02458
Land Use Approved 7-0
- #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.
Finance Approved 8-0
- #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.
Finance Approved 8-0

Public Hearings were assigned for the following Items:

Referred to Land Use Committee

Public Hearing 01-23-2024

- #68-24 Request to amend Special Permit #40-97(2) and allow a free-standing sign at 269-287 Grove Street**
GREATLAND REALTY PARTNERS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow both a free-standing sign and advertisement of the on-site cafe at 269-287 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 29 Lot 24, containing approximately 489,460 sq. ft. of land in a district zoned BUSINESS4. Ref: Sec. 7.3.3, 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing 01-23-2024

- #69-24 Request to allow a parking stall within five feet of the street and to waive parking stall depth at 113 Edinboro Street**
WILLIAM SWARTZ petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for the creation of a parking stall in front of the dwelling, within five feet of

the street and lacking the required depth at 113 Edinboro Street, Ward 2, Newtonville, on land known as Section 21 Block 23 Lot 04, containing approximately 3,250 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.7.A, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing 01-23-2024

- #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.

Referred to Public Facilities Committee

Public Hearing 01-17-2024

- #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.

Motion to Suspend the Rules to accept late filed item to be referred to Committee:

Referred to Zoning & Planning Committee

- #74-24 **Discussion Regarding 40B Process Post 'Safe Harbor' Designation**
 COUNCILORS OLIVER, BAKER, AND WRIGHT requesting a discussion with the Law and Planning departments regarding the process going forward for 40B projects since meeting the 10% 'Safe Harbor' designation. The discussion should address the different parameters that can or will be used to accept, deny and modify projects and the criteria allowed to be used by ZBA or any other approving authority.

