



**City Council Actions**  
**In City Council**  
**Tuesday, February 20, 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/tJ2R0XhRKME?list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR>

**The City Council discussed the following item 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 02/05/24**  
**City Council Approved 20 yeas, 4 nays (Councilors Block, Lucas, Malakie and Oliver)**

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

**#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**
- #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**

- #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**
- #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**

## **Public Hearings were assigned for the following Items:**

### **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.

**Motion to Suspend the Rules to accept late filed item 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.