

REVISED

2:07 pm, Mar 15, 2024



City Council Reports Docket

March 6: Public Safety & Transportation and Public
Facilities

March 11: Zoning & Planning

March 12: Land Use

Page 60

7:45 PM, Hybrid

To be reported on

Monday, March 18, 2024

RECEIVED

By City Clerk at 2:07 pm, Mar 15, 2024

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on
Monday, March 18, 2024, at 7:45 PM. To view this meeting on Zoom use this link

<https://newtonma-gov.zoom.us/j/85046572793>

at the above date and time:

One tap mobile

US: +13092053325, 850 4657 2793

Land line

+1 309 205 3325 US

Webinar ID: 850 4657 2793

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

Referred to Land Use Committee

03/12/2024

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

#130-24

Class 2 Auto Dealer License

NEW ENGLAND MOTOR MART, INC 1211 Washington Street West Newton,
MA. 02465

Land Use Approved 8-0

¹ The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

- #140-24 Request to allow three stories, to further extend nonconforming side setback and to exceed FAR at 86 Floral Street**
SEBASTIO DASILVA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to a 2.5 story two family dwelling, resulting in a three story building, to vertically extend a nonconforming side setback, modifying the front porch entry, and constructing rear decks exceeding maximum FAR at 86 Floral Street, Ward 6, Newton Highlands, on land known as Section 52 Block 36 Lot 16, containing approximately 5,942 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.2.3, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 8-0
- #141-24 Request to amend Special Permit #316-20 and to exceed FAR at 432 Dedham Street**
DAVID GEFFEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit #316-20 to raze the detached garage and construct an attached garage with an accessory apartment above as well as a rear addition which exceeds the allowable FAR at 432 Dedham Street, Ward 8, Newton Centre, on land known as Section 81 Block 11 Lot 47, containing approximately 31,308 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.5, 3.1.9 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) on Tuesday, February 6, 2024
Land Use Held 8-0; Public Hearing Continued
- #139-24 Request to further extend nonconforming FAR and lot coverage at 157 Baldpate Hill Road**
DANIEL KRUPP & RYAN WINTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct basement and first story additions which will further extend the nonconforming FAR and lot coverage at 157 Baldpate Hill Road, Ward 8, Newton Centre, on land known as Section 82 Block 25 Lot 63, containing approximately 16,048 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. 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 Held 8-0; Public Hearing Opened

Referred to Zoning & Planning Committee

03/11/2024

PRESENT: Councilors Baker (Chair), Oliver, Albright, Wright, Getz, Danberg, and Kalis;
absent: Councilor Krantzman; also present: Councilors Leary, Farrell, Humphrey, Malakie,
Lipof, and Greenberg

- #132-24 Requesting discussion and amendments to Newton Zoning Ordinance, Chapter 30**
HER HONOR THE MAYOR requesting discussion and amendments to the Newton Zoning Ordinance, Chapter 30, in order to clarify definitions, edit missing or incorrectly transcribed provisions, and revise inconsistencies in the ordinance.
Zoning & Planning Held 7-0; Public Hearing Set for 04/08/24
- #133-24 Requesting discussion and amendments to Newton Zoning Ordinance, Chapter 30 to incentivize small businesses**
HER HONOR THE MAYOR requesting discussion and amendments to the Newton Zoning Ordinance, Chapter 30, in order to incentivize and promote small businesses.
Zoning & Planning Held 7-0; Public Hearing Set for 04/08/24
- #136-24 Reappointment of Judy Weber to the Newton Affordable Housing Trust**
HER HONOR THE MAYOR reappointing Judy Weber, 21 Belmont Street, Newton as a member of the Newton Affordable Housing Trust for a term of office set to expire on March 21, 2026. (60 Days: 05/03/2024)
Zoning & Planning Approved 6-0 (Councilor Albright Not Voting)
- #137-24 Reappointment of John Downie to the Urban Design Commission**
HER HONOR THE MAYOR reappointing John Downie, 285 Auburndale Avenue, Newton as a member of the Urban Design Commission for a term of office set to expire on March 31, 2027. (60 Days: 05/03/2024)
Zoning & Planning Approved 6-0 (Councilor Albright Not Voting)
- #138-24 Reappointment of Jennifer Pucci to the Zoning Board of Appeals**
HER HONOR THE MAYOR reappointing Jennifer Pucci, 22 Florence Court, Newtonville as an associate member of the Zoning Board of Appeals for a term of office set to expire on April 19, 2025. (60 Days: 05/03/2024)
Zoning & Planning Approved 7-0
- #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 Held 7-0 on Thursday, February 15, 2024

Zoning & Planning Held 6-0 (Councilor Albright Not Voting)

- #49-24** **Discussion and possible adoption of an ordinance requiring electrification of all new construction and substantial renovations**
 HER HONOR THE MAYOR AND COUNCILORS ALBRIGHT, DANBERG, LEARY, HUMPHREY, KALIS, DOWNS, LIPOF, WRIGHT, MICLEY, BIXBY, AND GETZ requesting discussion and possible adoption of an Electrification Ordinance that would require all new construction and substantial renovations in Newton to be all-electric. This is in conjunction with the City's recent conditional approval by the State Department of Energy Resources (DOER) for participation in the Ten Communities Program.
Zoning & Planning Held; Public Hearing Set for 02/26/24 8-0 on Monday, January 22, 2024
Zoning & Planning Held 7-1 (Councilor Kalis Opposed) on Monday, February 26, 2024
Zoning & Planning Approved 7-0
- #76-24** **Discussion and possible ordinance amendment to deal with grade changes created during construction causing stormwater runoff on neighboring properties**
 COUNCILORS ALBRIGHT, LEARY, LIPOF, AND WRIGHT 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 Held 7-0 on Thursday, February 15, 2024
Zoning & Planning Held 7-0
- #76-24(2)** **Discussion and possible ordinance amendment to require a special permit for retaining walls over four (4) ft**
 ZONING AND PLANNING COMMITTEE AND COUNCILOR LIPOF requesting discussion and possible ordinance amendment to Chapter 30 Section 5.4.2 to require a special permit for all retaining walls over four (4) feet on a site.
Zoning & Planning Held 7-0; Public Hearing Set for 04/08/24
- #85-24** **Request for discussion and possible amendments to enhance the preservation of existing homes.**
 COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, WRIGHT, BLOCK, AND FARRELL 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 Held 7-0 on Thursday, February 15, 2024

Zoning & Planning Held 6-0 (Councilor Albright Not Voting)

Referred to Public Safety & Transportation Committee

03/06/2024

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

#124-24 Requesting a discussion with the Fire Department

COUNCILOR GROSSMAN requesting discussion with the Newton Fire Department on year-over-year data, which may include fires, injuries, inspections, hiring and overtime.

Public Safety & Transportation Held 7-0

#40-24 Allow play on minor streets

COUNCILORS DOWNS, GROSSMAN, BIXBY, WRIGHT, HUMPHREY, MICLEY AND LIPOF requesting to amend Chapter 26-19 of Newton Ordinances to allow play and other community activities on minor streets, as is the practice currently.

Public Safety & Transportation Held 6-0 (Councilor Wright Not Voting)

#96-24 Reappointment of Mitchell Fischman to the Newton Traffic Council

HER HONOR THE MAYOR requesting the reappointment of Mitchell Fischman, 41 Brush Hill Road as a full member of the Newton Traffic Council for a term to expire on July 31, 2026. (60 days: 03/29/2024)

Public Safety & Transportation Approved 6-0 (Councilor Wright Not voting)

#97-24 Appointment of Margot Schoenfelder to the Newton Traffic Council

HER HONOR THE MAYOR requesting the appointment of Margot Schoenfelder, 57 Charlemont Street as an alternate member of the Newton Traffic Council for a term to expire on March 18, 2027. (60 days: 03/29/2024)

Public Safety & Transportation Approved 6-0 (Councilor Wright Not Voting)

Referred to Public Facilities Committee

03/06/24

PRESENT: Councilors Albright (Chair), Getz, Laredo, Kelley, Leary, Kalis, and Danberg; absent: Councilor Gentile; also present: Councilors Malakie, Farrell, and Wright

#122-24 Update on plans and projects for the Stormwater System in Newton

Councilor Albright on behalf of the Public Facilities Committee requesting an update from DPW on plans and projects to improve the stormwater system in Newton.

Public Facilities Held 7-0

#32-24 Updates on Border Street

Councilors Malakie, Kelley, and Wright requesting regular updates from DPW on status of Border Street culvert, MWRA easement, potential engineering solutions and other measures to mitigate risk of flooding, and knowledge gained from stormwater studies

Public Facilities Held 7-0

#47-24 Requesting a discussion with the Department of Public Works, Parks, Recreation & Culture, and the Conservation Commission regarding the condition of Edmands Park

COUNCILORS LUCAS, GROSSMAN, FARRELL, LAREDO, MALAKIE, WRIGHT, GETZ, DOWNS, MICLEY and LOBOVITZ Requesting a discussion with the Department of Public Works, the Department of Parks, Recreation & Culture and the Conservation Commission regarding the condition of, and potential improvements to the stormwater infrastructure in Edmands Park. This discussion should also include (a) which city department(s) are responsible for the Park; (b) flooding issues from the Park to neighboring properties; (c) the condition of the Parks infrastructure, including the liner that was installed in the pond in the 1970s; and (d) how improvements to the Park could be part of the city's phosphorus reduction plan.

Public Facilities Held 7-0

Referred to Committee of the Whole

03/07/2024

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

#100-24 Mayoral Listening Session: Council Priorities for the 2024-2025 Term and FY2025 Budget

HER HONOR THE MAYOR AND COUNCIL PRESIDENT LAREDO requesting a joint discussion with the Mayor and City Council Committee of the Whole including a brief overview of the City of Newton's finances and input by the City Councilors on priorities for the 2024-2025 Term and the FY2025 Budget.

Committee of the Whole Voted No Action Necessary 21-0