



# City Council Reports Docket

**RECEIVED**

*By City Clerk at 3:46 pm, Jul 03, 2024*

June 18: Land Use

June 20: Programs & Services, and Public  
Facilities

June 24: Zoning & Planning and Finance

**POSTED**  
City Clerk

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7:45PM, Hybrid

To be reported on

Monday, July 8, 2024

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, July 8, 2024, at 7:45PM. To view this meeting on Zoom use this link <https://newtonma-gov.zoom.us/j/84822528059> at the above date and time:

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You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).
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<https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvfAh3cQ>

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## City of Newton

### In City Council Items to be Acted Upon

#### Referred to Land Use Committee

06/18/2024

Present: Councilors Kelley (Chair), Block, Downs, Farrell, Laredo, Leary, Lobovits, and Lucas;  
also present: Councilor Getz

<sup>1</sup> 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](mailto: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.

- #253-24 Request to alter and extend a nonconforming front setback and to exceed FAR at 3 Valley Spring Road**  
DANIEL RUBIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to the dwelling which extends the nonconforming front setback and exceeds the maximum as of right FAR at 3 Valley Spring Road, Ward 7, Newton, on land known as Section 82 Block 14 Lot 09, containing approximately 8,980 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 4-2-2 (Councilors Block, Farrell Opposed) (Councilors Leary, Lobovits Abstained); Public Hearing Closed 8-0**
- #254-24 Request to allow a retaining wall exceeding four feet in height at 6 Brush Hill Road**  
LOUIS FRANCHI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a series of constructed retaining walls exceeding four feet at 6 Brush Hill Road, Ward 8, Newton Highlands, on land known as Section 83 Block 26 Lot 01, containing approximately 16,701 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.  
**Land Use Approved 7-0 (Councilor Downs Not Voting); Public Hearing Closed 8-0**
- #255-24 Request to allow a free-standing sign at 1150-1152 Walnut Street**  
ROBERT W. JOYCE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a free-standing sign along the Walnut Street frontage at 1150-1152 Walnut Street Ward 6, Newton Highlands, on land known as Section 52 Block 21 Lot 01, containing approximately 8,596 sq. ft. of land in a district zoned BUSINESS2. Ref: Sec. 7.3.3, 5.2.13.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-1 (Councilor Farrell Opposed); Public Hearing Closed 8-0**
- #256-24 Request to further extend nonconforming FAR at 124 Hunnewell Avenue**  
KATE BARTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 58 square foot addition to the kitchen further extending the nonconforming FAR at 124 Hunnewell Avenue, Ward 1, Newton, on land known as Section 71 Block 31 Lot 05, containing approximately 6,820 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. 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**

**#257-24 Request to amend Special Permit #176-19 to allow for changes to the approved site plan and for additional relief to allow a garage exceeding 700 square feet, to exceed FAR and retaining walls exceeding four feet in height at 1188 Chestnut Street**

PATRICIA AND CARLOS FERRIERA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #176-19 to allow for as built changes to the approved site plan, for additional relief to allow a garage exceeding 700 square feet, to exceed FAR, and for retaining walls exceeding four feet in height at 1188 Chestnut Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 40 Lot 22, containing approximately 5,807 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.4.E, 3.4.4.H.1, 3.1.3, 3.1.9, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Opened**

**#270-24 Request for Extension of Time to Exercise Special Permit #302-21 at 386-394 Watertown Street**

JLM REALTY TRUST petition for Extension of Time to December 6, 2024 to amend Special Permit Order #201-17 to allow the reconfiguration of the parking stalls, to waive one parking stall, to reduce minimum maneuvering aisle width, to allow restricted end parking stalls and to waive lighting requirements at 386-394 Watertown Street, Ward 1, Newton, on land known as Section 14 Block 14 Lots 35, 37 and 38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 8-0**

**Referred to Zoning & Planning Committee**

06/27/2024

Present: Councilors Baker (Chair), Oliver, Albright, Wright, Krintzman, Getz, and Kalis;

absent: Councilor Danberg; also present: Councilors Farrell, Block, and Kelley

**#231-24 Requesting discussion regarding community engagement process for large developments**

ZONING & PLANNING COMMITTEE AND COUNCILOR KELLEY requesting a discussion with the Planning Department, Law Department, Chair of the Land Use Committee, and Chair of the Zoning Board of Appeals regarding the process for community engagement for large developments.

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

**#232-24 Requesting discussion regarding NewGov**  
 ZONING & PLANNING COMMITTEE requesting a discussion with the Inspectional Services and Planning Departments regarding how the public and staff access NewGov. This discussion would include a live demonstration of the system.

**Zoning & Planning Held 7-0**

**#24-24(2) Request for discussion and possible ordinance amendments relative to aiding small businesses impacted by development**

ZONING & PLANNING COMMITTEE requesting discussion and possible amendments to Chapter 30, Zoning to incorporate the "Fast Food Establishment" use into the "Restaurant" use, allow for shared "makerspaces" and/or co-working, and define a "Place of Amusement" use.

**Zoning & Planning Held; Public Hearing Set for 06/27/24 8-0 on 05/13/2024**

**Zoning & Planning Held 6-0 (Councilor Krintzman Not Voting) on 06/10/2024**

**Zoning & Planning Approved 3-1-3 (Councilor Baker Opposed) (Councilors Oliver, Wright, Getz Abstained)**

**Referred to Programs & Services Committee**

06/20/2024

Present: Councilors Oliver (Acting Chair), Krintzman, Malakie, Baker, Micley, and Lobovits;  
 absent: Councilor Humphrey and Farrell; also present: Councilors Albright, Lucas, and Greenberg

**#149-24 Ordinance amendment to prohibit the sale of tobacco in Newton to anyone born on or after 1/1/2000**

COUNCILOR ALBRIGHT, HUMPHREY, KRINTZMAN, DOWNS, LUCAS, BIXBY, AND DANBERG requesting a discussion and amendment to Chapter 20 Section 3 or sections as appropriate to protect the health, safety, and welfare of the young people in Newton by creating a prohibition of sales such that no person, firm, corporation, establishment, or agency shall sell tobacco or e-cigarette products to anyone born on or after 1/1/2000.

**Programs & Services Held 7-0 on 04/10/2024**

**Programs & Services Held 5-0 (Councilor Krintzman Not Voting)**

**#264-24 Discussion regarding on-demand transportation system**

HER HONOR THE MAYOR requesting discussion of the new City-wide on-demand transportation system.

**Programs & Services No Action Necessary 5-0 (Councilor Micley Not Voting)**

- #46-24 Discussion on the Ban of Single Use Plastic Water Bottles in Newton**  
COUNCILORS DANBERG, ALBRIGHT, KALIS, WRIGHT, AND DOWNS requesting discussion and possible ordinance change regarding the ban on the purchase or sale of single use plastic water bottles in Newton.  
**Programs & Services Held 5-0 (Councilor Micley Not Voting)**

**Referred to Public Facilities Committee**

06/20/2024

Present: Councilors Albright (Chair), Leary, Getz, Laredo, Kelley, Gentile and Danberg;  
absent: Councilor Kalis

- #177-24 Discussion with National Grid regarding plans to fix gas leaks in Newton**  
Councilor Albright on behalf of the Public Facilities Committee requesting a discussion with National Grid about their plans, timetable, and methodology to correct gas leaks including the viability of repair vs. replacement of certain gas leaks.  
**Public Facilities Held 7-0**

**Referred to Public Facilities and Finance Committees**

- #241-24 Appropriate \$72,608,506 for the construction of the Franklin School Project**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seventy-two million six-hundred-eight thousand five-hundred-six dollars (\$72,608,506) and authorize a general obligation borrowing of an equal amount for the construction of the Franklin School project and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount. The amount authorized to be borrowed by and under this order shall be reduced to the extent that any grants are received by the City from the Massachusetts School Building Authority (MSBA) for this project.  
**Public Facilities Approved 6-0-1 (Councilor Gentile Abstained)**

- #250-24 National Grid petition for a Grant of Location in Richardson Street**  
NATIONAL GRID petition for a grant of location to install and maintain approximately 480 feet of 12- inch Coated Steel, main across the Centre St.

bridge in Newton, MA over 1-90 (also known as Washington St.). National Grid has MA DOT, and MWRA, permits for the bridge. National Grid is requesting Grant of Location for Proposed new main tie-in to existing Regulator Station at 32 Richardson Street, Newton approximately 20' X 10' X 5'D and to tie-in to existing 12" Bare Steel Main at 371 Washington Street, Newton approximately 10' X 6' X5'D (Ward 1)

**Public Facilities Held 8-0 on 06/05/2024**

**Public Facilities Approved Subject to Second Call 4-1-2 (Councilor Leary Opposed) (Councilors Danberg, Kelley Abstained)**

**#259-24 Request for drain extensions in Edgefield Road**

ALEXANDER KOGAN, 56 Marcellus Drive, Newton petitioning for a drain extension in EDGEFIELD ROAD starting in York Road from a new drain manhole and extended 152 foot northeasterly for the purposes of providing an overflow connection for their on-site drainage system. (Ward 5)

PETITIONER TO PAY ENTIRE COST

**Public Facilities Held 7-0**

**#269-24 5-58 for the Franklin School at 125 Derby Street**

DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 125 Derby Street for the renovation and expanding to demolish and replace the existing Franklin School with a new school of approximately 71,000 SF to be located on the western side of the existing site at 125 Derby Street. The new school provides 18 general education classrooms with educational support spaces, cafetorium, and gymnasium to accommodate a design enrolment of 396 to 414 students.

**Public Facilities Approved 6-1 (Councilor Gentile Opposed)**

**#271-24 President's Reappointment of Michael Gevelber to the Newton Citizen's Commission on Energy**

PRESIDENT LAREDO reappointing Michael Gevelber, 166 Melrose Street, Auburndale to Newton Citizen's Commission on Energy for a term of office to expire December 31, 2025. (60 days: 08/16/24)

**Public Facilities Approved 7-0**