



City Council Reports Docket

October 9: Public Facilities and Public Safety &
Transportation
October 10: Zoning & Planning
October 15: Finance

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7:00PM, Hybrid
To be reported on
Monday, October 21, 2024

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers Monday, October 21, 2024, at 7:00 PM. To view this meeting on Zoom use this link

<https://newtonma-gov.zoom.us/j/84664337208>

at the above date and time:

One tap mobile

US: +13092053325, 846 6433 7208

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Webinar ID: 846 6433 7208

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>

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City of Newton

In City Council Items to be Acted Upon

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.

Unfinished Council Business

- #300-24 Request to amend Special Permit #392-22 at 120-126 Norwood Avenue**
120 NORWOOD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #392-22 and to allow additional parking on site which is proposed to be located 20 feet of a lot line at 120 Norwood Avenue, Ward 2, Newtonville, on land known as Section 22 Block 09 Lot 05, containing approximately 24,897 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 5.1.4, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 4-3 (Councilors Downs, Leary, Lobovits Opposed)
City Council Voted to Postpone to a Date Certain on 09/05/24; 20-0-4 (Councilors Danberg, Gentile, Humphrey and Lipof Absent)
City Council Voted to Postpone to a Date Certain on 09/16/24; 19-0-5 (Councilors Bixby, Farrell, Lobovits and Wright Absent)
City Council Voted to Postpone to a Date Certain on 10/07/24; 23-0-1 (Councilor Kelley Absent)
- #334-24 CPC Recommendation to appropriate \$2,000,000 in CPA funding**
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of two million dollars (\$2,000,000) with two hundred and eighty thousand dollars (\$280,000) from Acct. # 5810-335810 (Historic Funds Balance), five hundred thousand dollars (\$500,000) from Acct. # 58B10498-57900B (Historic Budgeted Reserves) and one million two hundred and twenty thousand dollars from Acct. # 58R10498-579000 (FY25 Unrestricted Fund Balance) to the control of the Planning & Development Department for a grant to the First Baptist Church for the restoration of their bell tower.
Finance Approved as Amended Changing “FY25 Unrestricted Fund Balance” to “CPA Unrestricted Budgeted Reserves” 3-1-3 (Councilor Micley Opposed) (Councilors Gentile, Malakie, Bixby Abstained) on 09/23/2024
Zoning & Planning Approved Subject to Second Call 7-0 on 09/09/2024
Finance Approved as Amended Changing “FY25 Unrestricted Fund Balance” to “CPA Unrestricted Budgeted Reserves” 3-1-3 (Councilor Micley Opposed) (Councilors Gentile, Malakie, Bixby Abstained) on 09/23/2024
Zoning & Planning Approved Subject to Second Call 7-0 on 09/09/2024
City Council Voted to Recommit to CPC 22-1-1 (Councilor Micley Opposed) (Councilor Kelley Absent)

Referred to Zoning & Planning Committee

10/10/2024

Present: Councilors Oliver (Vice Chair), Baker, Albright, Wright, Getz, Danberg, and Kalis;
absent: Councilor Krintzman; also present: Councilors Lipof, Farrell, and Greenberg

- #302-24 Aligning zoning to proposed use in new development**
COUNCILORS OLIVER, WRIGHT, LUCAS, MALAKIE, KALIS, FARRELL, GREENBERG, GETZ, AND LOBOVITS requesting discussion and possible zoning ordinance changes to align zoning to the proposed use for by right or special permit projects for new build or major renovations. The goal would be to further improve consistency in lot utilization (eg., setbacks, open space) and structure (eg., massing, height, FAR) within a neighborhood.
Zoning & Planning Held 7-0
- #311-24 Requesting discussion and possible amendments to dormer regulations in Chapter 30 Zoning**
HER HONOR THE MAYOR requesting a discussion and possible amendments to dormer regulations for Residential Buildings in Chapter 30 Zoning Section 1.5.4.G to clarify language regarding overall dormer length calculations.
Zoning & Planning Held 6-0 (Councilor Danberg Not Voting; Public Hearing Set for 11/14/24)
- #317-24 Requesting discussion and possible amendments to Section 5.4.2**
HER HONOR THE MAYOR requesting a discussion and possible amendments to retaining wall regulations for Multi-Family/Commercial/Industrial/Civic Buildings in Section 5.4.2 of Chapter 30 Zoning.
Zoning & Planning Held 8-0 on 09/23/2024
Zoning & Planning Held 6-0 (Councilor Danberg Not Voting) ; Public Hearing Set for 11/14/24
- #369-24 Requesting discussion and amendments to Accessory Dwelling Unit (ADU) Ordinance**
HER HONOR THE MAYOR requesting discussion and amendments to Newton's Accessory Dwelling Unit (ADU) Ordinance, so it complies with the State's Zoning Act (Ch. 40A).
Zoning & Planning Held 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 on 02/15/2024

Zoning & Planning Held 6-0 (Councilor Albright Not Voting) on 03/11/2024

Zoning & Planning Held 8-0 on 04/08/2024

Zoning & Planning Held 8-0 on 05/13/2024

Zoning & Planning Held 7-0 on 07/22/2024

Zoning & Planning Held 7-0 on 09/09/2024

Zoning & Planning Held 7-0

#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 on 02/15/2024

Zoning & Planning Held 6-0 (Councilor Albright Not Voting) on 03/11/2024

Zoning & Planning Held 8-0 on 04/08/2024

Zoning & Planning Held 8-0 on 05/13/2024

Zoning & Planning Held 7-0 on 07/22/2024

Zoning & Planning Held 7-0 on 09/09/2024

Zoning & Planning Held 7-0

Referred to Public Safety & Transportation Committee

10/09/2024

Present: Councilors Grossman (Chair), Downs, Lucas, Wright, Block, Bixby and Lipof ; absent: Councilor Greenberg; also present: Councilors Laredo, Malakie and Farrell

#364-24 **Discussion and possible ordinance change on the categories and levels of parking fines**
COUNCILORS DOWNS, GROSSMAN, FARRELL, LUCAS, LOBOVITS, OLIVER, DANBERG AND LIPOF requesting a discussion and possible ordinance change on the categories and levels of parking fines and whether these need adjustment.
Public Safety & Transportation Held 7-0

#365-24 **Discussion and possible ordinance change on residential parking programs and fee structures**
COUNCILORS DOWNS, GROSSMAN, LEARY, FARRELL, OLIVER, DANBERG, LIPOF AND LOBOVITS requesting a discussion and possible ordinance change on residential parking programs and fee structures and whether these need adjustment.
Public Safety & Transportation Held 7-0

#380-24 **Police Chief Selection Committee by President Laredo**
PRESIDENT LAREDO recommending that the following individuals be appointed to the Police Chief Selection Committee in accordance with the provisions of Sec. 5 of Chap. 279 of the Acts of 1992 and Sec. 3-3 of the City Charter:

- (A) Councilor Tarik Lucas, as the Council appointee
- (B) Dr. Lauren Solotar, 191 Grant Ave, Newton, as the City Council appointee.

Public Safety & Transportation Approved 6-0-1 (Councilor Lucas Abstained)

#381-24 **Police Chief Selection Committee by Her Honor The Mayor**
Police Chief Selection Committee by Her Honor The Mayor HER HONOR THE MAYOR recommending that the following individuals be appointed to the Police Chief Selection Committee in accordance with the provisions of Sec. 5 of Chapter 279 of the Acts of 1992 and Sec. 3-3 of the City Charter:

- (A) Karl O'Hara, business executive of the City of Newton
- (B) Michelle Leung, attorney
- (C) Judge Nancy Holtz, member of the Judiciary
- (D) Chief Kevin O'Connell, Massachusetts Police Chiefs Association
- (E) Derege B. Demissie, citizen of the City of Newton
- (F) Rabbi Keith Stern, citizen of the City of Newton

Public Safety & Transportation Approved 7-0

Referred to Public Facilities Committee

10/09/2024

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

#101-24 Requesting a Discussion and possible Ordinance change on Private Ways
COUNCILOR ALBRIGHT on behalf of the Public Facilities Committee requesting a discussion on private ways; methods for them to become public ways if requested, problems related to private ways; and any possible ordinance changes needed.

Public Facilities Voted No Action Necessary 6-0

#348-24 Requesting a discussion with the Department of Public Works on the work to upgrade the water, sewer, and storm water infrastructure
COUNCILOR ALBRIGHT, on behalf of the Public Facilities Committee, requests a discussion with the Commissioner of DPW, Jim McGonagle, regarding the City's past successes in updating Newton's water, sewer, and stormwater infrastructure, cost savings from these upgrades, our present position, and what future work is planned to continue the multi-year plan to upgrade this infrastructure, including a timeline for future enhancements.

Public Facilities Held 6-0

#354-24 Eversource petition for a grant of location in Wells Avenue
EVERSOURCE ENERGY petitioning for a grant of location to install and maintain approximately 242 feet of conduit in a southeasterly from manhole MH26129, approximately 2430 feet southeast of Nahanton Street. (Ward 8)

Public Facilities Approved 5-0 (Councilor Laredo Not Voting)

#374-24 Eversource petition for a grant of location in Christina Street
EVERSOURCE ENERGY petitioning for a grant of location to install and maintain one new jointly owned pole 604/11A on the north side of Christina Street, approximately 248 feet west of Bernard Street. (Ward 8)

Public Facilities Approved 5-0-1 (Councilor Laredo Abstained)

Referred to Finance Committee

10/15/2024

Present: Councilors Gentile (Chair), Malakie, Grossman, Bixby, Micley, and Humphrey; absent: Councilors Greenberg and Lipof; also present: Councilors Krintzman and Block

Referred to Land Use and Finance Committees

- #157-24** **Request for proposals from outside special counsel to ensure compliance and enforcement of applicable permits at the “Turtle Lane” site in Auburndale.**
Councilors Gentile, Block, Laredo, and Krintzman requesting that the Mayor through the Law Department solicit proposals from outside special counsel to assist the City in the analysis of the City's rights and remedies to ensure compliance with, and enforcement of, applicable permits and approvals at the “Turtle Lane” site in Auburndale.
Finance Held 7-0 on 03/25/2024
Finance Held 7-0 on 04/08/2024
Finance Held 6-0
- #337-24** **Appointment of Christopher di Bonaventura**
HER HONOR THE MAYOR appointing Christopher di Bonaventura, 2 Knowles Street as a trustee of the Other Post-Employment Benefits Trust Fund for a term of office set to expire on October 7, 2027. (60 days: September 24, 2024)
Finance Held 6-0 (Councilor Micley Not Voting) on 09/23/2024
Finance Approved 6-0
- #366-24** **Appropriate and expend \$14,350 for Fire training**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of fourteen-thousand three-hundred fifty dollars (\$14,350) from Fire Prevention Fine Receipts Reserve for Appropriation, Account #5500-335519 for enforcement, training and education of Fire Prevention Officers
Finance Approved 6-0
- #367-24** **Authorization to accept and expend a \$50,000 grant from the FY25 Community Compact Grant Program**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of a fifty-thousand-dollar (\$50,000.00) grant from FY25 Community Compact grant program for the development of a Wage and Classification Plan.
Finance Held 6-0
- #368-24** **Appropriation to accept and expend a \$50,000 grant for an Economic Development Plan**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of a fifty-thousand-dollar (\$50,000.00) grant from the FY25 Community

Compact grant program for the development of an Economic Development Plan.

Finance Approved 6-0

#370-24 Authorization to accept and expend a \$217,800 grant from MassDOT's Shared Streets and Spaces Program

HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred seventeen thousand- and eight-hundred-dollar (\$217,800) grant from MassDOT's Shared Streets and Spaces Program for BlueBikes bike share operations in the City of Newton.

Finance Approved 6-0

#371-24 Authorization to accept and expend a \$585,989.09 grant from the Federal Emergency Management Agency

HER HONOR THE MAYOR requesting authorization to accept and expend a five-hundred eighty-five thousand nine hundred eighty-nine dollars and nine cents (\$585,989.09) Assistance to Firefighter Grant from the Federal Emergency Management Agency (FEMA) for the purchase of AEDs, training and fitness/wellness classes.

Finance Approved 6-0