



City Council Docket

November 18: Programs & Services, Public Safety & Transportation,
Public Facilities
November 23: Zoning & Planning, Finance
November 24: Land Use
December 1: Land Use
December 3: Zoning & Planning

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Monday, November 16, 2020
7:45 PM, Virtual
To be reported on
Monday, December 7, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, November 16, 2020 at 7:00 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/83956886376?pwd=SS95cEJxMXdXMkViS2NTbkNFM3NUQT09>

Passcode: 085199

One tap mobile

US: +13017158592,,83956886376#

Land line

US: +1 301 715 8592

Meeting ID: 839 5688 6376 Passcode: 085199

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. Viewing a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

City of Newton

In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing to be Assigned for December 1, 2020

#439-20

Petition to exceed FAR and extend nonconforming front setback at 728 Walnut Street
MARK AND KELLY ANSELM petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct first and second floor additions on all sides, extending the nonconforming front setback and increase the habitable space in the half story, creating an FAR of .56 where .27 exists and .42 is allowed at 728 Walnut Street, Ward 2, Newton Centre, on land

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253.* For Telecommunications Relay Service dial 711.

known as Section 64 Block 08 Lot 01, containing approximately 7,815 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 8, 2020

#440-20 Petition to extend nonconformities at 45-47 Forest Street

ELORA CHOWDHURY AND ALOK KAPOOR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to replace an existing screen porch of the rear of the dwelling, extending the non-conforming two-family use in the SR2 district and increasing the nonconforming lot coverage at 45-47 Forest Street, Ward 6, Newton Highlands, on land known as Section 52 BLOCK 05 Lot 01A, containing approximately 10,469 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 8, 2020

#441-20 Petition to waive 5 parking stalls and dimensional standards at 66 Winchester Street

WINCHESTER 66 LLC., petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a waiver of five parking stalls and reconfiguration of the parking area, to allow parking within the front and side setbacks and to waive the minimum driveway widths at 66 Winchester Street, Ward 5, Newton Highlands, on land known as Section 83 Block 03 Lot 46, containing approximately 20,059 sq. ft. of land in a district zoned MULTI USE 2. Ref: Sec. 7.3.3, 7.4, 5.1.4.A, 5.1.13, 4.2.3, 5.1.7.A, 5.1.7.C of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 15, 2020

#442-20 Special Permit Petition to allow retaining wall over 4' at 55 Alexander Road

ROMAN FAYNGERSH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow retaining walls exceeding four feet in height within the front setback at 55 Alexander Road, Ward 6, Newton Highlands, on land known as Section 81 Block 27 Lot 10, containing approximately 10,286 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 15, 2020

#443-20 Petition to amend Order #774-85 to allow marijuana retailer at 232 Boylston Street

MME Newton Retail, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #774-85 to allow a recreational retail marijuana establishment, allow waivers to parking facility requirements for; parking in the side setback, parking stall width and depth, reduced dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive lighting requirements, to allow tandem parking and parking managed by an attendant, to allow a free-standing sign and to allow an oversized directional sign at 232 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 82 Block 02 Lot 09, containing approximately 16,570 sq. ft. of space in a district zoned BU4. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.4, 5.1.8.A.1, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.8.E.1, 5.1.8.E.2, 5.1.9.A, 5.1.10, 5.2.3, 5.2.8, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

#332-19(2) Request for an Extension of Time to Exercise Special Permit #332-19(2) at 77 Paul St/1400 Centre St

MARK F DONATO petition for a two-year EXTENSION OF TIME to EXERCISE SPERMIT/SITE PLAN APPROVAL of Council Order #332-19 to amend Special Permit Board Orders #650-86(2) to allow alteration to an existing structure at 7400 Centre Street/77 Paul Street, Ward 6, Newton Centre, on land known as Section 62 Block 13 Lot 9, containing approximately 30,023 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Said Extension of Time to run from December 4, 2020 to December 4, 2022. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.2.2.A.3, 4.2.3 of the City of Newton Rev Zoning Ord, 2017.

The following item, which was approved 18 yeas 6 nays (Councilors Baker, Ciccone, Cote, Gentile, Kalis and Markiewicz) on October 5, 2018, was after an appeal filed by Roger Cerqua, an abutter, remanded by the Massachusetts Superior Court on September 16, 2020 for all future proceedings.

#137-18 Petition to allow 18-unit multi family dwelling at 189-193 Adams St/19 Quirk Ct

183-193 ADAMS STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family development in a business district with greater than 20,000 gross floor area, with a four-story structure 41' in height, containing an 18-unit dwelling with ground floor units, to allow an FAR of 1.31, to allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to allow parking in the front setback, to allow parking within 5' of a building containing dwelling units, to allow a reduction in the minimum width of a entrance/exit drive, to allow a reduction in the minimum width of maneuvering aisles and to waive lighting requirements in Ward, 1, Newton, at 189-193 Adams Court, Section 14 Block 15 Lot 39, Section 14 Block 15 Lot 39 and 19 Quirk Court Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.8.D.1, 5.1.10.A, 5.11.4, 5.11.15, 4.1.2 of the City of Newton Rev Zoning Ord, 2017.

Other Communications

#444-20 Grant of Location for a lateral crossing in Lake Avenue

EVERSOURCE ENERGY petitioning for a grant of location to install 12'± of conduit in LAKE AVENUE southeasterly from manhole #5505 to private property at 320 Lake Avenue

Commissioner of Public Works Approved

#445-20 Grant of Location for a lateral crossing in Centre Street

EVERSOURCE ENERGY petitioning for a grant of location to install 32'± of conduit in CENTRE STREET westerly from manhole #16479 to private property at 8-12 Mount Ida Street.

Commissioner of Public Works Approved

#446-20 Grant of Location for a lateral crossing in Commonwealth Avenue
VERIZON petitioning for a grant of location to install 73'± of conduit in COMMONWEALTH AVENUE from manhole #47/188A on the northerly side of Commonwealth Avenue in an easterly direction to a hand hole on the southerly side of Commonwealth Avenue, next to the driveway of 90-100 Commonwealth Avenue. This work is to upgrade existing service.

Commissioner of Public Works Approved

#447-20 Grant of Location for a lateral crossing in Howland Road
D.M.H. ELECTRIC petitioning for a grant of location to install 45'± of conduit in HOWLAND ROAD from in front of #35 Howland Road in a southerly direction to the property line at 35 Howland Road. This work is to upgrade existing service.

Commissioner of Public Works Approved

Referred to Zoning & Planning Committee

#448-20 Proposal to amend City of Newton Zoning Ordinances Chap. 30. Sec 3.4 Garages
COUNCILOR CROSSLEY, on behalf of the Zoning & Planning Committee proposing to amend Chapter 30, City of Newton Zoning Ordinances, by repealing Ordinance No. A-78 and amending the regulation of garages in residential zoning districts as set forth in Chapter 30, Section 3.4. The objectives are to prevent garages from dominating the streetscape, improve safety along the public way for all modes of travel and achieve consistency with climate action goals.

Referred to Programs & Services Committee

#449-20 Request to set the date for a special election
PRESIDENT ALBRIGHT requesting the setting of a date for a special election to fill vacancies on the City Council in the positions of Councilor-at-Large, Ward 1 due to the death of Councilor Ciccone; and Councilor-at-Large, Ward 2 due to the resignation of Councilor Auchincloss.

#450-20 Request for Ordinance Amendments in Chapter 2 to add Juneteenth
HER HONOR THE MAYOR requesting authorization to amend Chapter 2 Art II, Div 1, §§ 2-26 "Holidays established", by adding June the nineteenth, or "Juneteenth Independence Day" which is now an official state holiday. Additional changes are requested for §2-26; (a) to reflect longstanding practices related to Saturday holidays, the "Mayor's Half Day", and floating holidays.

#451-20 Reappointment of Arthur Magni to the Parks and Recreation Commission
HER HONOR THE MAYOR reappointing ARTHUR MAGNI, 107 Mount Vernon, West Newton, as the Ward 2 member of the PARKS AND RECREATION COMMISSION for a term to expire on September 30, 2023. (60 Days: 01/15/2021)

#452-20 Reappointment of Byron Dunker to the Parks and Recreation Commission
HER HONOR THE MAYOR reappointing BYRON DUNKER, 10 Southwick Road, Newton, as the Ward 5 member of the Parks and Recreation Commission for a term to expire on September 30, 2023. (60 Days: 01/15/2021)

#453-20 Reappointment of John Neville to the Parks and Recreation Commission
HER HONOR THE MAYOR reappointing JOHN NEVILLE, 68 High Street, Newton Upper Falls, as an Alternate member of the Parks and Recreation Commission for a term to expire on September 30, 2023. (60 Days: 01/15/2021)

Referred to Public Facilities Committee

Public hearing to be Assigned for November 18, 2020

#454-20 National Grid petition for grant of location in North Street and Cummings Road
NATIONAL GRID petition for a grant of location to install and maintain gas main in North Street and Cummings Road as follows:

- 1240'± of 4" plastic main in North Street from 85 Cummings Road to #430 Homer Street, to replace 320' ± of 6" cast iron and 920'± of 4" cast iron
- 130' ± of 4" plastic main from the existing 12" cast iron main to #9 Cummings Road
- 1030' ± of 4" plastic main from #9 Cummings Road to the end of the main at #85 Cummings Road, to replace 310'± of 6" bare steel main, 480'± of 4" cast iron and 240'± of 6" cast iron
- 95' ± of 4" plastic main in Cummings Road to the end of the main at 8 Dennis Place, to replace 55'± of 3" bare steel and 40'± of 2" plastic main

This work is to replace cast iron and bare steel mains.

Referred to Finance Committee

#455-20 Authorization to expend a Massachusetts Sustainable Materials Recovery Grant
HER HONOR THE MAYOR requesting authorization to accept and expend a sixty-eight thousand dollar (\$68,000) Recycling Dividends Program Grant from the Massachusetts Sustainable Materials Recovery Program.

#456-20

Authorization to expend a Mass Dept of Public Health COVID-19 Grant

HER HONOR THE MAYOR requesting authorization to accept and expend one hundred thousand dollars (\$100,000) in additional grant funding from the Mass Dept of Public Health COVID-19 Emergency Grant in order to support additional compensation in the form of overtime, additional personnel resources, and the purchase of emergency supplies necessary to help the City of Newton respond to the COVID-19 pandemic.

#457-20

Authorization to expend a Massachusetts Department of Public Health Grant

HER HONOR THE MAYOR requesting authorization to accept and expend a seven thousand four hundred seventy-five and twenty-nine cent (\$7,475.29) grant from the Massachusetts Department of Public Health's Bureau of Infectious Disease and Laboratory Sciences, Immunization Division for local health departments to support influenza vaccine activities for the coming influenza season.

Referred to Zoning & Planning and Finance Committees

#458-20

CPC Recommendation to appropriate \$1,433,000 in CPA funding for Grace Church

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million four hundred and thirty-three thousand dollars (\$1,433,000) in Community Preservation Act historic resource funding to the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry.