



City Council Reports Docket

May 12: Land Use

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Public Safety & Transportation

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Following the Committee of the Whole, Virtual

To be reported on

Monday, May 18, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, May 18, 2020 following the Committee of the Whole. To view this meeting use this link at the above date and time:

Meeting ID: 934 101 650

One tap mobile

+16465588656,,934101650# US (New York)

Land line

+1 646 558 8656 US (New York)

Meeting ID: 934 101 650

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 Items to be Acted Upon Referred to Land Use Committee

Tuesday, May 12, 2020

Present: Councilors Lipof (Chair), Kelley, Greenberg, Markiewicz, Downs, Bowman, Laredo; also Present: Councilors Leary, Norton, Albright, Krintzman, Gentile, Crossley

#26-20

Request to Rezone Approximately 4.4 acres to MU-3 to Create Contiguous MU-3 Zone
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3, 4, and 4A, abutting the existing MU-3 Zone.

Land Use Held 8-0; Public Hearing Continued

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.

#27-20

Petition to allow Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development of residential units, office, retail, personal services, restaurant, hotel, and related commercial uses not to exceed 1,025,000 square feet of gross floor area, with residential uses comprising not less than 60% of the total gross floor area with a residential density of not less than 800 square feet per unit with not less than 560 units nor more than 620 units with special permit relief and/or waivers as follows: as to dimensional standards, a development of more than 20,000 square feet of gross floor area, building height of up to 170 feet, buildings up to 11 stories, Floor Area Ratio of up to 2.5, beneficial open space of not less than 15%, increase of height of certain buildings with the Grove Street Area Corridor (to the extent necessary), and reduction in setback from Grove Street for certain buildings within the Grove Street Corridor Area (to the extent necessary); as to design standards, waiver of the sustainable development design standards and placement of a retaining wall greater than 4 feet in height located in a setback; as to uses, for-profit educational use, retail sales of over 5,000 square feet, restaurant with more than 5,000 square feet of gross floor area, personal service use of over 5,000 square feet, place of amusement, health club on ground floor, animal services, hotel, bank up to and over 5,000 square feet, theatre/hall, laboratory/research facility, parking facility, accessory, multi-level, parking facility, non-accessory, single level; as to parking, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, and waiver of parking stalls not to exceed 685 stalls, above and beyond the reductions specified above; as to parking facilities, waivers of the parking stall dimension requirements, the end stall maneuvering space requirements, the driveway entrance and exit requirements, the 5% interior landscaping requirements, the interior planting area requirements, the tree requirements, the bumper overhang requirements, the one-foot candle lighting requirement, the parking stall striping requirements (to the extent necessary), the curbing, wheel stop, guard rail, or bollard requirements, and the number of off-street loading facilities requirements; and as to signage, waiver of the number, size, type, location, and design requirements, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 4.2.2.B.1, 4.2.2.B.3, 4.2.3, 4.2.4, 4.2.4.A.4, 4.2.4.B.3, 4.2.4.G.2, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.12.B.4, 5.1.13, 5.2, 5.2.13, 5.4.2.B, 5.12, 6.4.29.C.5, 7.3.3, 7.3.5, 7.4 of the City of Newton Revised Zoning Ordinance, 2017. Additionally, as to infiltration and inflow mitigation, an abatement of the infiltration/inflow mitigation fee pursuant to Section 29-170 of the City of Newton Revised Zoning Ordinance, 2017.

Land Use Held 8-0; Public Hearing Continued

#229-20

Special Permit to allow multi-family dwelling at 13-17 Gardner Street

ANDREW CONSIGLI/CIVICO GARDNER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to combine two parcels, raze the existing single- and two-family dwellings and construct a four-unit multi-family dwelling, altering and extending the nonconforming front and side setbacks and to allow a retaining wall greater than four feet within a setback at 13-17 Gardner Street, Ward 1, Newton, on land known as Section 11 Block 25 Lots 5 and 6, containing approximately 16,579 sq. ft. of total land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 5-1-2 (Councilor Bowman opposed, Councilors Downs, Auchincloss abstaining); Public Hearing Closed 05/12/2020

Referred to Programs & Services Committee

Wednesday, May 13, 2020

Present: Councilors Krintzman (Chair), Greenberg, Albright, Wright, Humphrey, Noel, Baker and Ryan

#247-20

Request for a review on the City Council rules

COUNCILORS ALBRIGHT AND KRINTZMAN requesting a complete review and appropriate changes to the Rules and Orders of the City Council.

Programs & Services Held 8-0

Referred to Public Safety & Transportation Committee

Wednesday, May 13, 2020

Present: Councilors Auchincloss (Chair), Lipof, Downs, Ciccone, Malakie, Grossman and Markiewicz;
absent: Councilor Bowman

#186-20

Requesting new public auto license

RAJIV KUMAR, 2323 Washington Street, #G3, Newton, MA 02462 requesting **one (1) new public auto license** for Om Sai Enterprises Inc.

Public Safety & Transportation Approved 7-0

#127-20

Appeal of Traffic Council Decision - Roosevelt Road at Theodore Road.

JUNE WELZ 46 Roosevelt Road, Newton appealing the approval of Traffic Council petition TC87-19 on January 23, 2020 on removing the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions. (Ward 8)

Public Safety & Transportation Appeal Denied 7-0

Referred to Public Facilities Committee

Wednesday, May 13, 2020

Present: Councilors Leary (Chair), Kelley, Crossley, Norton, Laredo, Danberg, Kalis and Gentile; also present: Councilors Downs and Malakie

#61-20

Discussion to limit or prohibit the installation of fossil fuel infrastructure

COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS & HUMPHREY requesting a discussion with the Sustainability Team to create an ordinance to limit or prohibit the installation of fossil fuel infrastructure in new construction and substantially renovated buildings, as well as to clarify the Council's authority to prohibit the extension of gas.

Public Facilities Held 8-0

Referred to Public Facilities Committee

Thursday, May 14, 2020

Present: Councilors Leary (Chair), Kelley, Crossley, Norton, Laredo, Danberg, Kalis and Gentile; also present: Councilor Downs, Albright, Krintzman and Bowman

#234-20

5-58 for the Oak Hill Middle School at 130 Wheeler Road

DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 130 Wheeler Road for the construction of three-classroom additions to accommodate a significant and sustained increase in enrollment.

Public Facilities Approved 4-0-4 (Councilors Laredo, Kelley, Crossley and Kalis abstaining)