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City Council Docket

September 9: Public Safety & Transportation,
Public Facilities
September 10: Land Use
September 14: Zoning & Planning, Finance
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Tuesday, September 8, 2020

7:45 PM, Virtual

To be reported on
Monday, September 21, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Tuesday, September 8, 2020 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/89055077537?pwd=VmdsTndWeHE5dXhPa3VaUzc2b0xNUT09>

One tap mobile

US: +13126266799,,89055077537#

Land line

+1 301 715 8592

Meeting ID: 890 5507 7537, Passcode: 300189

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 September 29, 2020

#336-20

Petition to exceed FAR at 29 Hawthorne Avenue

VARUN GOEL AND RIMA PATEL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition and enlarge the existing detached garage, creating an FAR of .37 where .23 exists and .34 is allowed at 29 Hawthorne Avenue, Ward 4, Auburndale, on land known as Section 43 Block 34 Lot 11, containing approximately 9,790 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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.

Public hearing to be Assigned for October 6, 2020

- #337-20** **Petition to allow business and accessory apartment in detached structure at 16 Hyde St**
RACHEL SEGALL AND JAMES HURLEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and create a new detached accessory structure for a home business and accessory apartment at 16 Hyde Street, Ward 6, Newton Highlands, on land known as Section 52 Block 18 Lot 15, containing approximately 7,719 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 6.7.3.B.1.k.iv, 6.7.1.E.1, 6.7.1.E.5 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Reassigned for October 6, 2020

- #285-20** **Petition to amend Council Orders #218-08 and #218-08(2) to allow education use and parking waiver at 141-145 California Street**
MAZZI REALTY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Orders #215-08 and #215-08(2) to allow a for-profit educational use and reconfiguration of the parking stalls, to waive the requirement to use the formula for A-B+C parking, to waive ~~18~~ 22 parking stalls, to waive minimum stall dimensions, to waive minimum accessible stall dimensions, to allow restricted end stalls, to waive minimum aisle widths, to waive a minimum driveway width, to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking areas ~~and to waive bicycle parking requirements~~ at 141-145 California Street, Ward 1, Newton, on land known as Section 11 Block 01 Lots 01A, containing approximately 65,568 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 7.4, 4.4.1, 5.1.3.B, 5.1.13, 5.1.4, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A, ~~5.1.11~~ of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Reassigned for October 13, 2020

- #317-20** **Petition to extend nonconforming multi-family and height at 68 Chestnut Street**
BRADEN HOUSTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend a nonconforming multi-family residential use in the BU1 district by adding one unit to the existing dwelling and two units within the existing carriage house structure, to further increase the nonconforming height, to further extend the nonconforming stories, to further extend the nonconforming side setback, to allow a retaining wall exceeding 4' in a setback, and to allow 1.25 parking stalls per unit at 68 Chestnut Street, Ward 3, West Newton, Section 31 Block 04 Lot 07, containing approximately 10,419 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2, 4.1.3, 4.1.2.B.3, 5.1.4, and 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned for October 13, 2020**#338-20 Petition to allow detached oversized accessory apartment at 63 Bourne Street**

ANNA LAVRINENKO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and create a new detached accessory structure for an accessory apartment greater than 40% of the habitable space of the principal dwelling at 63 Bourne Street, Ward 4, Auburndale, on land known as Section 41 Block 09 Lot 09, containing approximately 11,355 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 6.7.1.E.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned for October 13, 2020**#10-20(2) Petition to amend Council Order #10-20 to extend nonconforming FAR at 68 Manet Rd**

MOHAMMED AND JOSEPHINE AREF petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct shed-roof dormers in the attic level to increase the habitable space that was approved by Special Permit #10-20, creating an FAR of .66 where .55 is allowed .53 exists and .65 was approved at 68 Manet Road, Ward 7, Chestnut Hill, on land known as Section 61 Block 12 Lot 10, containing approximately 6,300 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11, 1.5.4.G.1.b, 1.5.4.G.1.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned for October 13, 2020**#339-20 Petition to allow garage exceeding 700 sq. ft. at 44 Billings Park**

TIFFANY BARQAWI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a detached garage greater than 700 sq. ft. for more than three vehicles, further extending the nonconforming side setback in an accessory structure, to allow a dormer in excess of 50% of the wall plane below, creating an FAR of .69 where .40 is required and .56 exists at 44 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 15, containing approximately 9,014 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, 3.4.2.B.1, 3.4.3.A.1, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned for October 27, 2020**#340-20 Petition to allow three single-family attached dwelling units at 27 Winchester Road**

27 WINCHESTER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow three single-family attached dwelling units, relocating the existing dwelling and construction two additional units, to allow greater than 36' in height, to allow a driveway within 10' of the side lot line and to allow retaining walls of four feet or more in height within the setback at 27 Winchester Road, Ward 1, Newton, on land known as Section 13 Block 05 Lot 07, containing approximately 15,833 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#341-20 Class 2 Auto Dealers License

KG Motors LLC
1235 Washington Street
West Newton, MA. 02465

#342-20 Appointments to the Northland Construction Liaison Committee

PRESIDENT ALBRIGHT appointing the following individuals to the Neighborhood Liaison Committee as established in Condition 40 of Special Permit 426-18 granted on December 2, 2019 to Northland Investment Corporation for an 800-unit mixed use development, with 193,200 sq. ft. office space, 115,114 sq. ft. of retail/commercial/restaurant space, below grade parking for approximately 1,350 spaces and related site amenities.

Ward 5 City Councilor: Councilor Deborah Crossley

Ward 8 City Councilor: Councilor Holly Ryan

Neighborhood representative(s): Gary Lewis, 16 Shawmut Park (Ward 5)

Jay Werb, 31 Williams Street (Ward 5)

Tom Friedman, 50 Verndale Road (Ward 8)

Needham Street Commercial Community Representative, *informational only*:
Sarah Gardella (Nothing but the Cakes)

Other Communications

#343-20 Grant of Location for a lateral crossing in Carlton Road

EVERSOURCE ENERGY petitioning for a grant of location to install 7'± of conduit in CARLTON ROAD southeasterly from pole 65/8 to the property line at 62 Carlton Road to provide new service.

#344-20 Appeal of ZBA Comprehensive Permit for Dunstan East

CHERYL FORTE, RUBY LEE AND TIM MARKS, filing in Superior Court on August 19, 2020 an appeal of Decision #09-19 of the Newton Zoning Board of Appeals granting a Comprehensive Permit to Dunstan East, LLC for the construction of 234 residential units and 8,318 sq. ft. of retail space on 3 acres of land located at 1149, 1151, 1169, 1171-1173, 1179 and 1185 Washington Street, 12, 18, 24 and 25 Kempton Place and 32 and 34 Dunstan Street.

Referred to Zoning & Planning Committee

#345-20 Appointment of Alan Mayer to the Newton Historical Commission

HER HONOR THE MAYOR appointing ALAN MAYER, 479 Walnut Street, Newton, as an at-large member of the NEWTON HISTORICAL COMMISSION for a term to expire on September 30, 2023. (60 Days: 11/07/2020)

- #346-20 Reappointment of Doug Cornelius to the Newton Historical Commission**
HER HONOR THE MAYOR reappointing DOUG CORNELIUS, 15 Lockwood Road, West Newton, as an at-large member of the NEWTON HISTORICAL COMMISSION for a term to expire on July 31, 2023. (60 Days: 11/07/2020)
- #347-20 Reappointment of Peter Dimond to the Newton Historical Commission**
HER HONOR THE MAYOR reappointing PETER DIMOND, 18 Sterling Street, West Newton, as a full member of the NEWTON HISTORICAL COMMISSION for a term to expire on May 13, 2022. Mr. Dimond will be serving the three-year term to expiring May 2022. (60 Days: 18 Sterling Street, West Newton)
- #348-20 Reappointment of Jeffrey Riklin to the Upper Falls Historic District Commission**
HER HONOR THE MAYOR reappointing JEFFREY RIKLIN, 37 High Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on July 31, 2023. (60 Days: 11/07/2020)
- #349-20 Reappointment of Mark Armstrong to the Newton Historical Commission**
HER HONOR THE MAYOR reappointing MARK ARMSTRONG, 61 Vaugh Avenue, Newton Highlands as a full member of the NEWTON HISTORICAL COMMISSION for a term to expire on July 23, 2023. (60 Days: 11/07/2020)
- #350-20 Reappointment of Nancy Grissom to the Newton Historical Commission**
HER HONOR THE MAYOR reappointing NANCY GRISSOM, 7 Orris Street, Auburndale, as a full member of the NEWTON HISTORICAL COMMISSION for a term to expire on July 10, 2021. (60 Days: 11/07/2020)

Referred to Programs & Services Committee

- #351-20 Resolution to replace Columbus Day with Indigenous Peoples' Day**
COUNCILORS AUCHINCLOSS, BOWMAN, GROSSMAN, HUMPHREY, KRINTZMAN, NOEL, AND RYAN requesting a Resolution to the Mayor and School Committee to require City and School Departments to change all references on City and School documents and calendars from "Columbus Day" to "Indigenous Peoples' Day."
- #352-20 Appointment of Laura Shaw to the Council on Aging**
HER HONOR THE MAYOR appointing LAURA SHAW, 116 Church Street, Newton, as a member of the COUNCIL ON AGING for a term to expire on October 15, 2023. (60 Days: 11/07/2020)

#353-20 Appointment of Joanna Josephson as a Newton Library Trustee
HER HONOR THE MAYOR appointing JOANNA JOSEPHSON, 141 Blake Street, Newton, as a NEWTON LIBRARY TRUSTEE for a term to expire on June 30, 2023. Ms. Josephson will be completing Mr. Chris Kirby's term ending June 30, 2023. (60 Days: 11/07/2020)

#354-20 Reappointment of Julie Norstrand to the Council on Aging
HER HONOR THE MAYOR reappointing JULIE NORSTRAND, 29 Caroline Park, Newton, as a member of the COUNCIL ON AGING for a term to expire on September 30, 2023. (60 Days: 11/07/2020)

Referred to Public Safety & Transportation

#355-20 Requesting new public auto license
LAHCENE BELHOUCHE, 32 Adams Street, Newton, MA 02460 requesting **one (1) new public auto license** for Boston Cool Ride Limo Inc.

Referred to Public Facilities Committee

Public Hearing to be assigned for September 23, 2020

#356-20 National Grid petition for grant of location in John F. Kennedy Circle
NATIONAL GRID petition for a grant of location to install and maintain 420' +/- of new 4" plastic main in Green Street to the 6" BS LP (bare steel low pressure) gas main in John F. Kennedy Circle and transfer existing branch services to new 4" PL LP (plastic lined low pressure) main in John F Kennedy Circle. (Ward 1)

Public Hearing to be assigned for September 23, 2020

#357-20 National Grid petition for grant of location in Cross Hill Road
NATIONAL GRID petition for a grant of location to extend the existing 6" main beginning at 95 Cross Hill Rd with 15' +/- of 6" plastic main and install 100' +/- of 2" plastic main to service 100 Cross Hill Road. (Ward 8)

Public Hearing to be assigned for September 23, 2020

#358-20 National Grid petition for grant of location in Boylston and Moody Street
NATIONAL GRID petition for a grant of location to install and maintain 1110' +/- of 6" plastic main in Boylston and Moody Street from the existing 6" coated steel main in front of #199 Boylston St to the end of the main at #56 Moody Street. (Ward 7)

#359-20 Authorization to improve intersections on Allen and Beethoven Ave
HER HONOR THE MAYOR requesting authorization to improve the traffic, pedestrian and bicycle safety at several intersections on Allen and Beethoven Ave near the Zervas Elementary School in addition to slowing the vehicle speeds in the neighborhood around the Zervas School.

#360-20 Acceptance of an easement on Terrace Avenue

HER HONOR THE MAYOR requesting the acceptance of a 20' wide easement in property known as 47 Terrace Avenue and adjacent City property (Ward 6).

Referred to Public Facilities and Public Safety & Transportation Committees

#361-20 Discussion on Vision Zero plan for resident safety

COUNCILORS BOWMAN, DOWNS, AUCHINCLOSS, HUMPHREY, NOEL, ALBRIGHT, DANBERG, KALIS, GREENBERG AND RYAN requesting a discussion of Vision Zero with the Planning Department, Department of Public Works, Newton Police Department and the Newton Fire Department in recognition that no loss of life or serious injury is acceptable on our city streets and that a systematic, data driven approach will achieve higher levels of safety and better ensure equity.

Referred to Finance Committee

#362-20 Authorization to expend a \$20,863.50 grant from the CESFP

HER HONOR THE MAYOR requesting authorization to accept and expend a twenty thousand eight hundred sixty-three dollar and fifty cent grant (\$20,863.50) from the Executive Office of Public Safety and Security's Office of Grants and Research FY2020 Coronavirus Emergency Supplemental Funding Program (CESFP) for prevention, preparation and response to Coronavirus.

#363-20 Authorization to allow contract services by city employee for Town of Belmont

BRIANNE GRAY requesting approval, pursuant to Mass General Law Chapter 268A Section 20 to engage in a contract with the Town of Belmont to perform food establishment inspections for less than 500 hours, outside of normal working hours as a municipal employee.

Referred to Zoning & Planning and Finance Committees

#364-20 CPC Recommendation to appropriate \$1,244,857 of CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million two hundred forty-four thousand eight hundred fifty-seven dollars (\$1,244,857) in Community Preservation Act (CPA) funding for the creation of affordable housing in the Golda Meir House Expansion Project.

Referred to Public Safety & Transportation and Finance Committees

#365-20 Authorization to expend a \$164,863 grant from Assistance to Firefighters

HER HONOR THE MAYOR requesting authorization to accept, appropriate and expend a one hundred sixty-four thousand eight hundred sixty-three dollar grant (\$164,863) from the Assistance to Firefighters Grant for Rapid Intervention and Vehicle Operator Training in the Newton Fire Department.

Referred to Public Facilities and Finance Committees

#366-20

Appropriate \$150,000 for the rehabilitation of the Bullough's Pond Dam

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred and fifty thousand (\$150,000) from Acct # 6200-3240 Stormwater Management Fund Surplus for the purpose of funding engineering design services and permitting fees for the rehabilitation of the Bullough's Pond Dam.

Referred to Public Facilities and Finance Committees

#367-20

Appropriate \$900,000 for the rehabilitation of the Waban Hill Covered Reservoir

HER HONOR THE MAYOR requesting authorization to appropriate and expend nine hundred thousand dollars (\$900,000) from Acct #6000-3240 Water Fund Surplus for the purpose of funding the rehabilitation of the Waban Hill Covered Reservoir.