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## City Council Reports Docket

August 13: Zoning & Planning  
August 18: Land Use

Page 200  
7:45 PM, Virtual  
To be reported on  
Tuesday, September 8, 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 Items to be Acted Upon

#### Referred to Land Use Committee

Tuesday, August 18, 2020

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

**#26-20**      **Request to Rezone Approximately 4.4 acres to MU3 to Create a Contiguous MU3 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 7-0; 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](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.

#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 7-0; Public Hearing Continued**

**Referred to Zoning & Planning Committee**

Thursday, August 13, 2020

Present: Councilors Crossley (Chair). Danberg, Albright, Baker, Ryan, Krintzman, Wright, and Leary; Also Present: Councilors Bowman, Humphrey, Noel, Kalis, Norton, Downs, Gentile, Greenberg, Malakie, Markiewicz, Lipof, and Kelley

- #88-20**      **Discussion and review relative to the draft Zoning Ordinance**  
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.  
**Zoning & Planning Held 8-0**
- #322-20**      **Appointment of Eliza Datta to the Conservation Commission**  
HER HONOR THE MAYOR appointing Eliza Datta, 40 Homer Street, Newton, as the Affordable Housing representative member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire on July 31, 2022. Ms. Datta will complete Mr. Peter Sargent's term which ends on July 31, 2022. (60 days: 09/21/2020)  
**Zoning & Planning Approved 7-0-1 (Councilor Leary not voting)**
- #323-20**      **Reappointment of Jeffrey Zabel to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Jeffrey Zabel, 54 Oak Avenue, West Newton, as a regular member of the CONSERVATION COMMISSION for a term to expire on May 31, 2023. (60 days: 09/21/2020)  
**Zoning & Planning Approved 8-0**
- #324-20**      **Reappointment of Susan Lunin to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Susan Lunin, 22 Shaw Street, Newton, as a regular member of the CONSERVATION COMMISSION for a term to expire on May 31, 2023. (60 days: 09/21/2020)  
**Zoning & Planning Approved 8-0**
- #325-20**      **Reappointment of Kathryn Cade to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Kathryn Cade, 195 Islington Road, Auburndale, as a regular member of the CONSERVATION COMMISSION for a term to expire on July 31, 2023. (60 days: 09/21/2020)  
**Zoning & Planning Approved 8-0**
- #326-20**      **Reappointment of Judith Hepburn to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Judith Hepburn, 132 Stanley Road, Waban, as a regular member of the CONSERVATION COMMISSION for a term to expire on May 31, 2023. (60 days: 09/21/2020)  
**Zoning & Planning Approved 8-0**

**#327-20**

**Reappointment of Ellen Katz to the Conservation Commission**

HER HONOR THE MAYOR reappointing Ellen Katz, 31 Williams Street, Newton Upper Falls, as a regular member of the CONSERVATION COMMISSION for a term to expire on May 31, 2023. (60 days: 09/21/2020)

**Zoning & Planning Approved 8-0**

**#301-20**

**Request for a discussion on the impact of outdoor fuel burning**

COUNCILORS KELLEY, CROSSLEY, LEARY, NORTON, WRIGHT, MALAKIE, AND DOWNS requesting a discussion with the Planning Department, Fire Department, and Sustainability Team on the impacts of fuel-burning outdoor fireplaces, chimneys, fire pits, pizza ovens, etc., including setback and maximum lot coverage requirements, air quality/pollution, and fire protection in relation to permitting, zoning enforcement, fire code, and Newton's Climate Action Plan.

**Zoning & Planning Voted No Action Necessary 8-0**