



City Council Docket

August 13: Zoning & Planning
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Monday, August 10, 2020
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 Monday, August 10, 2020 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/87507194429>

One tap mobile

US: +13126266799,,87507194429#

Land line

+1 301 715 8592

Meeting ID: 875 0719 4429

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

#311-20

Resolution to Affirmatively Further Fair Housing Goals

COUNCILORS ALBRIGHT, CROSSLEY, DANBERG, KRINTZMAN, NOEL, LIPOF, KELLEY, DOWNS, LAREDO, HUMPHREW, WRIGHT, GREENBERG, KALIS, RYAN, NORTON, MARKIEWICZ, AUCHINCLOSS, BOWMAN, GROSSMAN, LEARY, GENTILE and THE FAIR HOUSING COMMITTEE requesting a resolution that the Planning Department carries out an assessment of fair housing to affirmatively further fair housing regardless of the discontinuance of the 2015 HUD AFFH rules and a resolution that the legislative delegation files legislation consistent with the 2015 HUD AFFH rule.

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: ifairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

Public hearing to be Assigned

#312-20 **Petition to allow three-unit dwelling extend lot area per unit at 350 Cabot St**
PETER LEIS AND JENNIFER STORO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert one unit within the existing two-family dwelling into two units, creating a three-unit multi-family dwelling in the SR2 district, extending the nonconforming residential two family at 350 Cabot Street, Ward 2, Newtonville, on land known as Section 22 Block 19 Lot 05, containing approximately 12,594 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#129-14(2) **Petition to amend Special Permit #129-14 to increase nonconforming FAR at 96 Lenox St**
JEREMY SHINEWALD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit orders #129-14 to raze an existing detached three-car garage and construct an attached two-car garage and mudroom addition, as well as enclose an existing porch, creating an FAR of .43 where .39 exists and .29 is allowed at 96 Lenox Street, Ward 3, West Newton, on land known as Section 32 Block 49 Lot 07, containing approximately 19,071 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#313-20 **Petition to extend nonconforming single-family dwelling at 12 Hanson Road**
ESTHER DEZUBE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing single-family dwelling and construct a two-family dwelling, extending the nonconforming residential use in the BU1 zoning district, to allow extension and altering of a nonconforming side setback, and to allow a structure with 28.4' in height at 12 Hanson Road, Ward 8, Newton Centre, on land known as Section 84 Block 15 Lot 03 containing approximately 7,829 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 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#314-20 **Petition to allow four single-family attached dwelling units at 23 Johnson Place**
CREATING HOMES LLC/MICHAEL LOHIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwelling units in two structures, to allow a retaining wall in excess of 4' and to allow a driveway within ten feet of the side lot line at 23 Johnson Place, Ward 4, Auburndale, on land known as Section 41 Block 7 Lot 14, containing approximately 16,767 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.4, 5.4.2.B, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#315-20 **Petition to increase nonconforming FAR at 71-73 Withington Road**
MATTHEW AND JENNIFER KATZ petition for SPECIAL PERMIT/SITE PLAN APPROVAL to finish the attic for the second floor unit and add dormers to either side to create a bedroom, increasing the nonconforming FAR to .83 where .80 exists and .58 is allowed at 71-73 Withington Road, Ward 6, Newton Highlands, on land known as Section 22 Block 21 Lot 04, containing approximately 5,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

#316-20 **Petition to allow rear-lot subdivision at 432 Dedham Street**
FREDERICK KAPLAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear-lot subdivision to create two lots fronting on Dedham Street at 432 Dedham Street, Ward 8, Newton Centre, on land known as Section 81 Block 11A Lot 47, containing approximately 66,503 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.5, 3.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#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 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, of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#318-20 **Petition to extend nonconforming two-family dwelling at 107-109 Grove Street**
JUDY LAI YEE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition with a basement accessory apartment, extending the nonconforming two-family use in the SR3 zone at 107-109 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 31 Lot 14, containing approximately 12,437 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

- #319-20 Request to Rezone two parcels from BU-1 to MU-4 at 1149-1151 Walnut Street**
NEWTON WALNUT LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone two parcels; 1149 Walnut Street (Section 52 Block 08 Lot 13) and 1151 Walnut Street (Section 52 Block 08 Lot 14) from BUSINESS USE 1 to MIXED USE 4.

Public hearing to be Assigned

- #320-20 Petition to allow 26-unit mixed use development at 1149-1151 Walnut Street**
NEWTON WALNUT LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing buildings and construct a four-story mixed-use building up to 48' in height, containing 26 units and 23 parking stalls, to waive the minimum lot area per unit, to reduce the side setback requirement, to waive the requirement to use A-B+C formula to determine the parking requirement, to waive 24 parking stalls, to allow parking in the side setback, to waive dimensional requirements for parking stalls, to allow restricted end stalls, to allow reduced aisle width , to waive perimeter landscaping requirements, to waive interior landscaping requirements and to waive lighting requirements at 1149-1151 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 08 Lots 13 and 14, containing 13,200 sq. ft. in a district to be zoned MIXED USE 4 (currently zoned BUSINESS USE 2). Ref: Sec. 7.3.3, 7.4, 4.2.2.B.1, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.3, 4.2.5.A.2, 4.2.5.A.4.b, 4.2.5.A.4, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.A, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.9.A, 5.1.9.B, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Other Communications

- #321-20 Grant of Location for a lateral crossing in Windsor Road**
EVERSOURCE ENERGY petitioning for a grant of location to install 8'± of conduit in WINDSOR ROAD westerly from pole 1469/8 to the property line at 54 Windsor Road to provide new service.

Referred to Zoning & Planning Committee

- #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)

- #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)
- #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)
- #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)
- #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)
- #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)

Referred to Programs & Services Committee

- #328-20 Reappointment of Christopher Murphy to the Institutional Biotechnology Committee**
HER HONOR THE MAYOR reappointing Christopher Murphy, 112 Grasmere Street, Newton, as a regular member of the INSTITUTIONAL BIOTECHNOLOGY COMMITTEE for a term to expire on April 1, 2023. (60 days: 09/21/2020)

Referred to Public Safety & Transportation

- #329-20 Resolution to the DCR about establishing a shared street pilot for Quinobequin Road**
COUNCILORS DOWNS, ACUCHINCLOSS, BOWMAN, HUMPHREY, NOEL, LAREDO AND LEARY requesting a resolution to the Department of Conservation and Recreation about establishing a shared street pilot for Quinobequin Road.
- #330-20 Request for a discussion on behalf of Newton Thin Red Line**
COUNCILOR CICCONE, on behalf of Newton Thin Red Line, requesting a discussion and/or ordinance change to allow department heads the ability to decide what should be displayed in and on properties under their control.

Referred to Public Facilities Committee

Public Hearing to be assigned for September 9, 2020

- #331-20 National Grid petition for grant of location in Crescent Square**
NATIONAL GRID petition for a grant of location to relay 127' +/- of 4" CI LP (cast-iron low pressure) gas main and 23' +/- of 4" PL LP (plastic low pressure) in Crescent Square with 150'+/- 6" PL LP (plastic low pressure) from Thornton Street to the end of the main. (Ward 1)

Referred to Finance Committee

- #332-20 Authorize \$70,000 to settle a claim against the City**
HER HONOR THE MAYOR requesting authorization to appropriate and expend seventy thousand dollars (\$70,000) for the full and final settlement of a claim against the city.
- #333-20 Authorization to expend a MassDOT and DCR Mass Trails Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend a fifty-six thousand seven hundred dollar (\$56,700) grant from MassDOT and DCR Mass Trails Grant Program for the purpose of conducting a feasibility study and 25% conceptual design for a mixed-use trail at the Christina Street Bridge crossing the Charles River.
- #334-20 Reimburse \$127,600 to the BAA Marathon Donation Account**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred twenty seven thousand six hundred dollars (\$127,600) from Acct #0110498-579000 Budget Reserve to Acct # 0110498-579000 Boston Athletic Association (BAA) Marathon Donation to reimburse.

Referred to Public Facilities and Finance Committees

- #335-20 Authorize funds for the classroom addition at Oak Hill Middle School**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the necessary funds and authorize general obligation borrowing of an equal amount for the classroom additions at the Oak Hill Middle School, and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.