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City Council Docket

June 24: Programs & Services, Public Facilities
June 29: Zoning & Planning
June 30: Land Use
July 9: Zoning & Planning

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Monday, June 22, 2020

7:00 PM, Virtual

To be reported on
Monday, July 13, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, June 22, 2020 at 7:00 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/87310855941>

Meeting ID: 873 1085 5941

One tap mobile
+16465588656,,88626021674# US (New York)

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Meeting ID: 873 1085 5941

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 July 14, 2020

#281-20 Petition to exceed FAR at 28 Brewster Road

MEGAN PETERSON AND DAMIAN NOWAK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to exceed the allowable FAR to construct a rear addition, creating a deck and additional living space in the basement and first story, creating an FAR of .51 where .45 is

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.

required and .37 exists at 28 Brewster Street, Ward 5, Newton Highlands, on land known as Section 54 Block 37 Lot 06, containing approximately 5,943 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. 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.

Public hearing to be assigned for July 14, 2020

#621-18(3) Petition to amend 62-01(2) and #621-18 to extend FAR at 105 Temple Street

SCOTT AND URSULA STEELE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Orders #62-01(2) and #621-18 to allow for a new addition over an existing retaining wall to expand a mudroom and relocate a mudroom, creating an FAR of .38 where .37 exists and .33 is allowed at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3., 7.4, 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 for July 28, 2020

#282-20 Petition to extend the nonconforming residential use at 17 Shamrock Street

CLIFF JEWETT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to the garage which increase the height and footprint, extending the nonconforming residential use in the BU1 district at in the 17 Shamrock Street, Ward 1, Newton, on land known as Section 14 Block 20 Lot 01, containing approximately 7,972 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 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be assigned for July 28, 2020

#283-20 Petition to allow more than one garage at 103 Cabot Street

AMY KLOEMPEN AND MATTHEW MUGHERINI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached two-car garage, creating more than one garage, garage space with more than three vehicles and garage space in excess of 700 sq. ft. at 103 Cabot Street, Ward 2, Newton, on land known as Section 12 Block 09 Lot 01, containing approximately 12,960 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.2.B.1, 3.4.3.A.4.a, 3.4.3.A.4.b, 3.4.3.A.4.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be assigned for August 4, 2020

#284-20 Petition to increase nonconforming FAR at 1084 Chestnut Street

ARIANA AND ALFRED URUCI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to enclose first- and second- floor decks to create additional living space, creating an FAR of .53 where .51 exists and .49 is required at 1084 Chestnut Street, Ward 5, Newton Upper Falls, on land known as Section 24 Block 40 Lot 01, containing approximately 9,080 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

The Rules & Orders of the Council contain a blackout period to avoid scheduling public hearings for Major Projects in July or August. The following petition was filed with the Clerk of the Council on June 15, 2020 during the June 1 to July 20 blackout period. A suspension of the rules is required as the petition seeks to allow a waiver of 18 parking stalls, which meets one of the criteria for a Major Project. The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders (3/4 vote) of the City Council to suspend the time restrictions to allow the petition to be assigned a public hearing for August 4, 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 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.

Other Communications

#286-20 Grant of Location for a lateral crossing in Hereward Road

EVERSOURCE ENERGY petitioning for a grant of location to install 37'± of conduit in HEREWARD ROAD northwesterly from pole 746/6 to the property line at 44 Hereward Road to provide electric service.

Referred to Zoning & Planning Committee

#287-20 Rezoning of Takings to Public Use

DIRECTOR OF PLANNING requesting change of zone to Public Use for portions of land located at 23 Parkview Avenue (currently MR1) acquired in 2016 for the expansion of Cabot School, and at 300 Hammond Pond Parkway, known as Webster Woods, (currently SR1) acquired in 2019 for open space use and conservation purposes.

#288-20 Reappointment of William Winkler to the Urban Design Commission

HER HONOR THE MAYOR reappointing William Winkler, 48 Holman Road, Auburndale, as a regular member of the URBAN DESIGN COMMISSION for a term to expire on June 1, 2023. (60 days: 08/21/2020)

#289-20 Reappointment of Ralph Abele to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing Ralph Abele, 15 Page Road, Newtonville, as a regular member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on May 31, 2023. (60 days: 08/21/2020)

#290-20 Reappointment of Mark Chudy to the Newtonville Historic District Commission
HER HONOR THE MAYOR reappointing Mark Chudy, 34 Prescott Street, Newtonville, as a regular member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on May 31, 2023. (60 days: 08/21/2020)

#291-20 Reappointment of Jay Walter to the Newton Upper Falls Historic District Commission
HER HONOR THE MAYOR reappointing Jay Walter, 83 Pembroke Street, Newton, as a regular member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on July 1, 2023. (60 days: 08/21/2020)

Referred to Programs & Services Committee

#292-20 Request for an assessment of the effectiveness of the Council's outreach
COUNCILORS ALBRIGHT, KRINTZMAN, NORTON, CROSSLEY, GREENBERG, BOWMAN, DOWNS, RYAN, HUMPHREY, WRIGHT, DANBERG, AND KALIS requesting that the Newton City Council assess its own work done in its Committees and through our ordinances, in order to determine our effect on serving all citizens regardless of race, creed, country of origin or economic status. This work should begin with the creation of a working group to determine how this work can be accomplished, to both identify the issues, and to decide how we can be assessed.

Referred to Public Facilities Committee

#293-20 Reappointment of Jonathan Kantar to the Citizens Commission on Energy
HER HONOR THE MAYOR reappointing Jonathan Kantar, 672 Chestnut Street, Waban, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 15, 2023. (60 days: 08/21/2020)

#294-20 Discussion to require or encourage the use of efficient electric technology
COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS, LAREDO & HUMPHREY requesting a discussion with the Sustainability Team to requesting a discussion with the Sustainability Team to consider creating an ordinance that may require and/or encourage the use of efficient electric technology for heating, cooling, hot water, cooking and other appliances in new and substantially renovated buildings.

Referred to Finance Committee

Referred to Programs & Services and Finance Committees

#295-20

Amendment to Ordinance related to care and custody of dogs in public spaces

COUNCILORS ALBRIGHT, BAKER, KALIS, MALAKIE, DOWNS, NORTON AND HUMPHREY requesting amendment of the relevant Newton ordinances relating to care and custody of dogs in public spaces, including licensing, leashing, paying for off-leash privileges in certain parks, and cleaning up, so as to allow staff involved in the supervision of Newton's parks and conservation areas to enforce those ordinances or regulations, including issuing non-criminal citations pursuant to G.L. c. 40, Sec. 21D, in addition to the enforcement provided by the Newton Police.

Referred to Public Safety & Transportation and Finance Committees

#296-20

Discussion regarding MGL Chapter 150E

COUNCILORS ALBRIGHT, BOWMAN, DOWNS, KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, NOEL, WRIGHT and KALIS requesting a discussion regarding MGL Chapter 150E and the limitations it places on the City of Newton to unilaterally make changes to the Newton Police Department functions without having to negotiate them with the police unions.

The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

Referred to Finance Committee

#297-20

Authorization to expend a Massachusetts Department of Public Health Grant

HER HONOR THE MAYOR requesting authorization to accept and expend a twenty-five thousand-dollar (\$25,000) grant from the Massachusetts Department of Public Health to support tobacco control.