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## City Council Reports Docket

May 5: Land Use  
May 6: Program & Services  
May 7: Zoning & Planning

# REVISED

Page 126  
7:45 PM, Virtual  
To be reported on  
Monday, May 11, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, May 11, 2020 at 7:45 pm.  
To view this meeting use this link at the above date and time: <https://us02web.zoom.us/j/905404917>

Meeting ID: 905 404 917

One tap mobile  
+13017158592,,905404917# US (Germantown)

Land line  
+1 646 558 8656 US (New York)  
Meeting ID: 905 404 917

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 5, 2020

Present: Councilors Lipof (Chair), Greenberg, Auchincloss, Kelley, Markiewicz, Downs, Bowman, Laredo;  
also Present: Councilors Ryan, Crossley, Gentile, Krintzman, Albright, Wright, Malakie

- #176-19(2) Special Permit Petition to allow parking within the setback at 1188 Chestnut Street**  
TARA POTTEBAUM AND DOUG ROONEY petition for an EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL for Council Order #176-19 approved on August 12, 2019 and allow the construction of an addition to the existing single-car garage, extending the non-conforming front setback, parking within the setback and within five feet of the street and relief to exceed the allowable FAR at 1188 Chestnut Street, Ward

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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.

5, Newton Upper Falls, on land known as Section 51 Block 40 lot 22, containing approximately 5,807 sq. ft. in a district zoned MULTI RESIDENCE 1. Said EXTENSION OF TIME to run from August 12, 2020 to August 12, 2021. Ref: Sec. 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 5.1.7.A, 5.1.13, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-0 (Councilor Downs not Voting)**

**#145-20      Petition to allow accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue**

TOM DOWD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert space on the third floor of the existing two-family structure to allow an interior accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue, Ward 1, Newton, on land known as Section 71 Block 32 Lot 01, containing approximately 9,568 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.D.2 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 5-1-2(Councilor Kelley opposed, Councilors Laredo, Markiewicz abstaining; Public Hearing Closed 05/05/2020)**

**#26-20      Request to Rezone Approximately 4.4 acres to MU-3 to Create a 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**

**#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**

**Referred to Zoning & Planning Committee**

Thursday, May 7, 2020

Present: Councilors Crossley (Chair), Danberg, Albright, Baker, Krintzman, Leary, Ryan, and Wright; also present: Councilors Kelley, Greenberg, Markiewicz, Malakie, Kalis, and Downs

**#178-20 Adoption of the Open Space and Recreation Plan Update**

**DIRECTOR OF PLANNING** requesting discussion of the 2020-2027 Open Space and Recreation Plan, a letter stating that the Zoning and Planning Committee reviewed the Plan, and adoption of the plan as an amendment to the 2007 Comprehensive Plan.

**Zoning and Planning Held 8-0; Public Hearing Closed 05/07/2020**

**#29-20**

**Review and possible amendment of Demolition Delay and Landmark Ordinances**

COUNCILORS KELLEY, ALBRIGHT, AUCHINCLOSS, CROSSLEY, GREENBERG, KALIS, KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, BOWMAN, HUMPHREY, RYAN AND NORTON requesting a review and, if appropriate, an update of Chapter 22, Sections 22-50 to 22-76 that relate to demolition delays, historic designation, and landmarking.

**Zoning and Planning Held 8-0**

**Referred to Programs & Services Committee**

Wednesday, May 6, 2020

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

**#246-20**

**Resolution to the State Legislature in support of mail in voting**

COUNCILORS DANBERG, BOWMAN, NOEL, HUMPHREY, CROSSLEY, DOWNS, WRIGHT, GREENBERG, NORTON, GROSSMAN, ALBRIGHT, LEARY, RYAN, MALAKIE, KRINTZMAN, KELLEY, MARKIEWICZ, LIPOF, AUCHINCLOSS, LAREDO, GENTILE AND GREENBERG requesting that the Newton City Council approve and send a Resolution to the Secretary of the Commonwealth and State Legislators requesting that the Legislature quickly approve all mail in voting for the 2020 elections and that the Secretary of the Commonwealth develop plans to implement it in Massachusetts.

**Programs and Services Approved 6-0-2 (Councilors Wright, Baker abstaining)**