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City Council Reports Docket

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April 7: Land Use
April 13: Zoning & Planning, Finance
April 14: Land Use

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7:45 PM, Virtual
To be reported on
Tuesday, April 21, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Tuesday, April 21, 2020 at 7:45 pm. To view this meeting use this link at the above date and time: <https://zoom.us/j/880316682>

Meeting ID: 880-316-682

One tap mobile
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Meeting ID: 880 316 682

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, April 7, 2020

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

#142-20

Petition to amend Deed Restriction at 125 Wells Ave

SOLOMON SCHECHTER DAY SCHOOL. requesting an amendment to the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments including 469-93(2) be further amended to allow an increase in Floor Area Ratio (FAR) from .268 to .277 for the construction of an addition to the school building at 125 Wells Avenue, Ward 8, Newton Centre. *NOTE: Public Hearing not required.*

Land Use Approved 8-0

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

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

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

#168-20

Petition to change nonconforming use at 632 Commonwealth Avenue

DENNIS DYER/LIZ CAAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing structure from an existing non-conforming office use to a new non-conforming use at 632 Commonwealth Avenue, Ward 6, Newton Centre, on land known as Section 61 Block 01 Lot 06, containing approximately 4,347 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

Referred to Land Use Committee

Tuesday, April 14, 2020

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

#351-15(2)

Petition to amend Special Permit Council Order #351-15 at 1110 Chestnut Street

CHARLES ZAMMUTTO/1110 CHESTNUT STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND Special Permit Order #351-15 to allow changes to the site plan at 1110 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as Section 51 Block 41 Lot 02, containing approximately 22,800 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

#309-19(2)

Petition to amend Special Permit #309-19 at 14 Church Street

ETHAN SOLOMON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition, further increasing the non-conforming lot coverage, further extending the nonconforming open space and increasing the nonconforming FAR from .51 to .56 where .46 is allowed at 14 Church Street, Ward 7, Chestnut Hill, on land known as Section 72 Block 22 Lot 03 containing approximately 4,200 sq. ft. in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 8-0; Public Hearing Closed 04/14/2020

- #143-20** **Petition to allow an accessory structure greater than 700 sq. ft. at 99 Pine Ridge Road**
JOHN AND ANNE AUNINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing detached garage structure and replace it with a two-car detached garage and covered porch with a total ground floor area of 796 sq. ft. at 99 Pine Ridge Road, Ward 5, Waban, on land known as Section 53 Block 19 Lot 23 containing approximately 12,000 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 04/14/2020
- #144-20** **Petition to extend the nonconforming rear setback at 16 Crehore Drive**
ANDERS AND HILARY BIALEK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze one bay in the existing (two-car) detached garage on the property line and construct an attached two-story two-car addition, extending the nonconforming rear setback from 12' to 8.7' where 15' is allowed at 16 Crehore Drive, Ward 4, Lower Falls, on land known as Section 42 Block 20 Lot 06, containing approximately 7,389 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 04/14/2020
- #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 Held 8-0; Public Hearing Continued
- #417-12(2)** **Petition to amend Board Order #417-12 to allow sign package at The Street**
CHESTNUT HILL SHOPPING CENTER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #417-12 to allow an updated Comprehensive Sign package to include relief as follows; to allow free standing signs, to allow a free standing sign exceeding 35 square feet, to waive the definition of a directional sign, to waive the duration event signs may display event information, to waive the maximum size for a directional sign, to allow more than one free-standing sign on each street frontage and to allow signs which do not conform to the standards for number, size location or design of signs at 1-55 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 63 Block 37 Lots 18A, 26, 27, 22 and 25 in a district zoned BUSINESS 4. Ref: Sec. 7.3.3, 7.4, 5.2.13.A, 5.2.13.B, 5.2.13.C, 5.2.3, 5.2.8 and 5.2.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 04/14/2020

Referred to Zoning & Planning Committee

Monday, April 13, 2020

Present: Councilors Crossley (Chair), Danberg, Albright, Leary, Baker, Ryan, Wright, and Krintzman; also Present: Councilors Laredo, Greenberg, Bowman, Kelley, Markiewicz, Gentile, Auchincloss, Malakie, Kalis, Norton, and Lipof

- #213-20** **Authorization to submit FY21-FY25 Consolidation Plan and FY21 Annual Action Plan**
HER HONOR THE MAYOR requesting City Council Authorization, pursuant to the 2019 Revised Citizen Participation Plan, to submit the FY21-FY25 Consolidation Plan and FY21 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium.
Zoning and Planning Approved 7-0 (Councilor Ryan Abstaining)
- #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 and Planning Held 8-0
- #30-20** **Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting amendment to Chapter 30 of Newton's Zoning Ordinance, section 3.4.4 on garages (delayed implementation until July 1). This ordinance has been delayed five times.
Zoning and Planning Held 8-0
- #148-20** **Request to amend Chapter 30 to eliminate parking minimums**
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS, GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing, and support the climate action goals.
Zoning and Planning Held 8-0
- #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
- #38-20** **Request for discussion relative to single-family attached dwellings**
COUNCILOR LAREDO requesting a review of the zoning requirements for single-family attached dwelling units.
Zoning and Planning Held 8-0

Referred to Finance Committee

Monday, April 13, 2020

Present: Councilors Grossman (Chair), Noel, Kalis, Malakie, Humphrey, and Norton; absent: Ciccone and Gentile

- #228-20** **Appointment of Carl Valente to Financial Audit Advisory Committee**
PRESIDENT ALBRIGHT appointing Carl Valente as a member of the Financial Audit Advisory Committee for a term of office to expire April 21, 2023.
Finance Approved 6-0
- #221-20** **Reappointment to the Anthony Salvucci Scholarship Fund**
PRESIDENT ALBRIGHT requesting the reappointment of Councilor Lisle Baker, as a trustee of the Anthony Salvucci City Council Scholarship Fund for a term to expire on December 31, 2021. (60 days: 06/05/2020)
Finance Approved 6-0
- #222-20** **Appointment to the Anthony Salvucci Scholarship Fund**
PRESIDENT ALBRIGHT requesting the appointment of Councilor Maria Scibelli-Greenberg, as a trustee of the Anthony Salvucci City Council Scholarship Fund for a term to expire on December 31, 2021. (60 days: 06/05/2020)
Finance Approved 6-0
- #223-20** **Appointment of Councilor Markiewicz to OPEB Trust Committee**
PRESIDENT ALBRIGHT appointing Councilor Christopher Markiewicz as a member of the Other Post-Employment Benefits Trust Fund for a term of office to expire December 31, 2021.
Finance Approved 6-0
- #224-20** **Authorization to expend a MED-Project LLC Grant in the amount of \$1,300**
HER HONOR THE MAYOR requesting authorization to accept and expend one thousand three hundred-dollar (\$1,300) grant from MED-Project LLC Grant for the purpose of covering personnel costs associated with the collection and disposal of unwanted medication.
Finance Approved 6-0
- #225-20** **Authorization to expend a COVID-19 Emergency grant in the amount of \$100,000**
HER HONOR THE MAYOR requesting authorization to accept and expend a one hundred thousand dollar (\$100,000) grant from the Massachusetts Department of Public Health COVID-19 Emergency Grant for the purpose of additional compensation in the form of overtime, additional personnel resources and the purchase of emergency supplies necessary to help City of Newton prepare for and respond to the COVID-19 pandemic.
Finance Approved as Amended 6-0 to \$200,000