



**RECEIVED**

By City Clerk at 8:14 pm, Mar 13, 2020

## City Council Docket

**POSTED**  
City Clerk

March 18: Programs & Services, Public Facilities  
March 23: Zoning & Planning, Finance  
March 24: Land Use

Continued  
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**Monday, March 16, 2020**

7:45 PM, Virtual

To be reported on

Monday, April 6, 2020

The City Council will hold this meeting as a virtual meeting on Monday, March 16, 2020 at 7:45 pm. To view this meeting use this link at the above date and time: <https://zoom.us/j/823398448>

## City of Newton

### In City Council to be Accepted and Referred to Committees

#### Referred to Land Use Committee

##### ***Public Hearing to be Assigned***

**#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.

##### ***Public Hearing to be Assigned***

**#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

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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](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.

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.

***Public Hearing to be Assigned***

**#273-14(6)** **Special Permit to amend Special Permit Board Orders #273-14(2) & #40-07 on Elm Street**  
NICORE CONSTRUCTION CORP./ANTONIO BONADIO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND Special Permit Board Orders #273-14(2) and #40-07 to allow changes to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton, on land known as Section 33 Block 23 Lot and Section 33 Block 23 Lots 9, 15 and 16, containing approximately 26,290 sq. ft. of land in a district zoned MR1. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2017.

***Public Hearing to be Assigned***

**#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.

***Public Hearing to be Assigned***

**#169-20** **Special Permit to extend nonconforming use for multi-family dwelling at 148 Pine St**  
PHILIP MASTROIANNI/148 PINE REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to change the existing nonconforming use from the existing two-family use to allow three single-family dwellings on one lot in the SR3 district, and to determine appropriate density and dimensional controls at 148 Pine Street, Ward 4, Auburndale, on land known as Section 44 Block 17 Lot 32, containing approximately 18,235 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, 3.1.2.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned***

**#170-20** **Petition to allow four single-family attached dwelling units at 70 Walker Street**  
70 WALKER STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwelling units in two structures, to further extend the nonconforming height, to reduce the required side setback and to allow a driveway within ten feet of the side lot line at 70 Walker Street, Ward 2, Newtonville, on land known as Section 21 Block 33 Lot 7, containing 21,962 sq. ft. of land in a district zoned MULTI

RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.4, 7.8.2.C.2, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

### **Other Communications**

- #171-20**      **Administrative site plan review for 125 Wells Avenue**  
SOLOMON SCHECHTER DAY SCHOOL filing application for Administrative Site Plan Review for site improvements to include the construction of second floor space within the gymnasium, the expansion of parking and the construction of a new playground at 125 WELLS AVENUE, Ward 8, Newton Centre.
- #172-20**      **Appeal to ZBA of Commissioner of Inspectional Services' Decision**  
GORDON AND DEBORAH MEGRIAN owners of 563 Commonwealth Avenue, Ward 7, Newton Centre, appealing the decision of the Commissioner of Inspectional Services to approve the sign permit approved by Special Permit Council Order #393-19 at 562 Commonwealth Avenue.
- #173-20**      **Appeal to ZBA of Commissioner of Inspectional Services' Decision**  
MARRY GRASSMERE REALTY, LLC owners of 55 Washington Street, Ward 1, Newton, appealing the decision of the Commissioner of Inspectional Services' issuance of a violation relative to the number of apartments at 129 Grasmere Street.
- #174-20**      **Grant of Location for a lateral crossing in Walnut Park**  
EVERSOURCE ENERGY petitioning for a grant of location to install 15'± of conduit in WALNUT PARK northerly from pole 575/6 to private property at 46 Walnut Park.  
**Commissioner of Public Works Approved**
- #175-20**      **Grant of Location for a lateral crossing in Duffield Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 6'± of conduit in DUFFIELD ROAD easterly from pole 125/4 to private property at 37 Duffield Road  
**Commissioner of Public Works Approved**
- #176-20**      **Grant of Location for a lateral crossing in Vine Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 10'± of conduit in VINE STREET northeasterly from pole 200/4 to private property at 38 Vine Street.  
**Commissioner of Public Works Approved**
- #177-20**      **Grant of Location for a lateral crossing in Washington Street**  
VERIZON petitioning for a grant of location to repair/upgrade the existing conduit at 719-721 Washington Street to provide FIOS service.  
**Commissioner of Public Works Approved**

**Referred to Zoning & Planning Committee**

- #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.

**Referred to Programs & Services Committee**

- #179-20 Appointment of Ted Kuklinski to the Off-Leash Dog Task Force**  
COUNCILOR ALBRIGHT requesting the appointment of TED KUKLINSKI, 24 Henshaw Terrace, West Newton, as a member of the OFF-LEASH DOG TASK FORCE for a term to expire on December 31, 2021. (60 days: 05/15/20)
- #180-20 Appointment of Mary Lee Belleville to the Off-Leash Dog Task Force**  
COUNCILOR ALBRIGHT requesting the appointment of MARY LEE BELLEVILLE, 136 Warren Street #1, Newton Centre, as a member of the OFF-LEASH DOG TASK FORCE for a term to expire on December 31, 2021. (60 days: 05/15/20)
- #181-20 Appointment of Amy Koel to the Off-Leash Dog Task Force**  
COUNCILOR ALBRIGHT requesting the appointment of AMY KOEL, 70 Waverley Avenue, Newton, as a member of the OFF-LEASH DOG TASK FORCE for a term to expire on December 31, 2021. (60 days: 05/15/20)
- #182-20 Reappointment of James Harper to the Farm Commission**  
HER HONOR THE MAYOR reappointing JAMES HARPER, 59 Westminster Road, Newton Center, as a member of the FARM COMMISSION for a term to expire on March 31, 2023. (60 days: 05/15/20)
- #183-20 Reappointment of Vaunita Schnell to the Farm Commission**  
HER HONOR THE MAYOR reappointing VAUNITA SCHNELL, 68 Stearns Street, Newton Center, as a member of the FARM COMMISSION for a term to expire on March 31, 2023. (60 days: 05/15/20)
- #184-20 Request to authorize the use of remote participation in Council meetings**  
COUNCILOR ALBRIGHT requesting to authorize the use of remote participation for City Council meetings.
- #185-20 Request for a discussion on farm structure maintenance responsibility**  
COUNCILORS RYAN, LIPOF, AND KALIS requesting a discussion to understand responsibility for large and small maintenance projects of the Newton farm structures.

**Referred to Public Safety & Transportation Committee**

- #186-20**      **Requesting new public auto license**  
RAJIV KUMAR, 2323 Washington Street, #G3, Newton, MA 02462 requesting **one (1) new public auto license** for Om Sai Enterprises Inc.
- #187-20**      **Requesting a discussion with the Administration about Vision Zero**  
PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting a discussion with the Administration about Vision Zero and whether it should be implemented in Newton as a strategy to eliminate all traffic fatalities and severe injuries on Newton's streets and sidewalks moving towards safe, healthy, equitable mobility for all.

**Referred to Public Facilities Committee**

***Public Hearing to be assigned for March 18, 2020***

- #188-20**      **Eversource Energy petition for a Grant of Location on Duffield Road**  
EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #125/4) approximately 30' south of the existing pole location in front of #34 Duffield Road (Ward 4).

***Public Hearing to be assigned for March 18, 2020***

- #189-20**      **Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 250' of 4" conduit in a westerly direction from existing manhole 16/314A to a proposed hand hole between building 721-719 Washington Street (Ward 2). This is needed for Newton's Network Transformation Project.

***Public Hearing to be assigned for March 18, 2020***

- #190-20**      **Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 160' of 4" conduit in a westerly direction from existing manhole 16/211 to the alley of the Post Office at 897 Washington Street to provide FIOS (Ward 2). This is needed for Newton's Network Transformation Project

***Public Hearing to be assigned for March 18, 2020***

- #191-20**      **Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 40' of 4" conduit from existing manhole 211 in a southeasterly direction to existing pole 94 located in the sidewalk on the southerly side of Washington Street (Ward 2).

**Referred to Finance Committee**

- #192-20** **Authorization to expend a Massachusetts Clean Energy Center grant of \$8,500**  
HER HONOR THE MAYOR requesting authorization to accept and expend an eight thousand and five hundred dollars (\$8,500) grant from the Massachusetts Clean Energy Center (MassCEC) for marketing and technical advice for a “Heat Smart” program.
- #193-20** **Authorization to expend MassDOT Workforce Transportation grant of \$250,000**  
HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred and fifty thousand-dollar (\$250,000) MassDot Workforce Transportation grant for a new technology-enabled ride share shuttle for Newton’s thriving Wells Avenue innovation district and the new UMass Amherst Mount Ida campus.
- #194-20** **Authorization to expend Executive Office of Elder Affairs grant of \$15,000**  
HER HONOR THE MAYOR requesting authorization to accept and expend a fifteen-thousand-dollar (\$15,000) grant from the Executive Office of Elder Affairs to provide financial assistance for qualified seniors in the City of Newton to receive the services of Newton at Home Inc.
- #195-20** **Approve settlement of \$62,200 for Workers’ Compensation Claim**  
HER HONOR THE MAYOR requesting authorization to approve the settlement of Workers’ Compensation Claim #003554 in the amount of sixty-two thousand five hundred thousand dollars (\$62,500). The funds will be appropriated from Acct# 67A109A-515201-Municipal Workers’ Compensation.

**Referred to Public Facilities and Finance Committees**

- #196-20** **Transfer of \$60,000 for HVAC system at Police Headquarters**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Current Year Budget Reserve to a non-lapsing Public Buildings Department account for the evaluation and recommendations for the upgrade of the Police Headquarters HVAC System.

**Referred to Public Facilities and Finance Committees**

- #197-20** **Transfer of \$500,000 for improvements at Horace Mann at 225 Nevada Street**  
HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from June 30, 2019 Certified Free Cash for the purpose of providing interior and exterior improvements at the Horace Mann School at 225 Nevada Street.

**Referred to Public Facilities and Finance Committees**

#198-20

**Appropriate \$7,000,000 for Water Main Improvements in FY2021**

HER HONOR THE MAYOR requesting authorization to appropriate and expend seven million dollars (\$7,000,000) and authorize a general obligation borrowing of an equal amount for the estimated design and construction costs associated with Water Main Improvements in FY2021 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.

**Referred to Programs & Services and Finance Committees**

#199-20

**Transfer of \$250,000 to prepared for COVID-19**

HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred and fifty thousand dollars (\$250,000) from June 30, 2019 Certified Free Cash to Acct #0121030-543500 Emergency Operations-Supplies account for the purpose of being prepared to act, should the need arise.

**Referred to Programs & Services, Public Facilities and Finance Committees**

#200-20

**Accept \$270,000 of lighting equipment for Winkler Stadium Field**

HER HONOR THE MAYOR requesting authorization to accept \$270,000 of lighting equipment as well as authorization to accept more funds to be expended on the installation of a field light system for the Newton South High School Winkler Stadium Field which is on Newton Parks and Recreation property. The funds are being donated by the Newton South High School Booster Club.

**Referred to Public Facilities and Finance Committees**

#201-20

**Transfer of \$650,000 for the purpose of reimbursing Newton Public Schools**

HER HONOR THE MAYOR requesting authorization to transfer the sum of six hundred and fifty thousand dollars (\$650,000) from June 30, 2019 Certified Free Cash to the Newton Public Schools for the purpose of reimbursing Newton Public Schools for one-time costs associated with several projects necessary to accomplish the move of the Horace Mann Elementary School community to the former Carr School on Nevada Street.