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City Council Reports Docket

January 7: Land Use
January 8: Public Safety & Transportation,
Public Facilities
January 13: Zoning & Planning
January 14: Land Use
January 15: Programs & Services

Page 18
7:45 PM, Newton City Hall
To be reported on
Tuesday, January 21, 2020

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Referred to Committee of the Whole

#425-18(2) Request set the date for a special election

PRESIDENT ALBRIGHT requesting the setting of the date for a special election in the event that it becomes necessary to call an election to refer to the voter's docket item #425-18, passed by the City Council on December 2, 2019.

Committee of the Whole Approved 15 Yeas, 7 Nays, 2 Absent

Item Chartered by Councilors Norton, Markiewicz, Kalis, Ciccone, and Malakie on January 8, 2020

Referred to Land Use Committee

Tuesday, January 7, 2020

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

#11-20 Special Permit to increase nonconforming FAR at 95 Suffolk Road

SARAH SHERMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 189 sq. ft. one-story addition behind an existing detached garage, increasing the FAR to .43 where .41 exists and .33 is required at 95 Suffolk Road, Ward 7, Chestnut Hill, on land known as Section 72 Block 20 Lot 07, containing approximately 11,178 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved Subject to Second Call 8-0; Public Hearing Closed 01/07/2020

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.

- #12-20** **Special Permit to extend nonconforming setbacks at 18 Arapahoe Road**
TRACY BASCETTA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing garage and replace it with a larger garage, extending the nonconforming side and rear setbacks at 18 Arapahoe Road, Ward 4, West Newton, on land known as Section 43 Block 07 Lot 23, containing approximately 5,086 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.1, 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 01/07/2020
- #10-20** **Special Permit to extend nonconforming setbacks and exceed FAR at 68 Manet Road**
MOHAMMED AND JOSEPHINE AREF petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct dormers in the attic level to add 769 sq. ft. of habitable space for an accessory apartment creating an FAR of .65 where .55 is allowed and .53 exists, and to install a staircase to access the roof of an existing detached garage, extending the side and rear setbacks vertically at 68 Manet Road, Ward 7, Chestnut Hill, on land known as Section 61 Block 12 Lot 10, containing approximately 6,300 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, 3.4.3.A.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 01/07/2020
- #13-20** **Petition for parking facility waivers at 55-67 Border Street**
55 BORDER STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow parking facility waivers including; to allow parking in the front setback, to waive interior landscape requirements, to waive lighting requirements and to waive bicycle parking requirements in order to expand an existing parking area at 55-67 Border Street, Ward 3, West Newton, on land known as Section 33 Block 13 Lot 17, containing approximately 38,036 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 7.4, 5.1.8.A.1, 5.1.13, 5.1.9.B, 5.1.10, 5.1.11 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, January 14, 2020

Present: Councilors Lipof (Chair), Auchincloss, Kelley, Markiewicz, Downs, Bowman and Laredo; also Present: Councilors Albright, Krintzman, Wright and Danberg; absent: Councilor Greenberg

- #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 7-0

#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 7-0

- #483-18(2) Petition to allow 20-unit multi-family dwelling at 182-184 & 166 California Street**
LA&CA, LLC, petition for an EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL to allow the expansion of a nonconforming multi-family dwelling use by constructing a three-story multi-family development 32.6' in height in a manufacturing district with greater than 20,000 sq. ft. new gross floor area in Ward 1, Newton, at 182-184 California Street (Section 11 Block 12 Lot 12) and 166 California Street (Section 11 Block 12 Lot 13), containing approximately 18,121 sq. ft. of land in a district zoned MANUFACTURING. Said Extension of Time to Run from February 19, 2020 to February 19, 2021. Ref: 7.3, 7.4, 4.4.1, 7.8.2.2, 4.3.2.B.1, 4.3.3, 7.8.2.C.2, 4.3.2.B.3, 5.1.4, 5.1.8.B.6, 5.1.13, 5.1.8.E.1, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0
- #16-20 Petition to allow parking waiver and restaurant with more than 50 seats at Piccadilly Sq.**
FIRST GENERAL REALTY GROUP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with more than 50 seats and a parking waiver of 478 parking stalls in Ward 6, Newton Centre, at 93-105 Union Street, (containing approximately 31455 sq. ft. of land) on land known as Section 61 Block 36 Lot 09, 1280 Centre Street (containing approximately 27,560 sq. ft. of land) on land known as Section 61 Block 36 Lot 05, 47-61 Langley Road (containing approximately 10,037 sq. ft. of land) on land known as Section 61 Block 36 Lot 06, 49-63 Union Street (containing approximately 8,735 sq. ft. of land) on land known as Section 61 Block 36 Lot 07 and 790-794 Beacon Street (containing approximately 7,400 sq. ft. of land) on land known as Section 61 Block 36 Lot 03, all zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 5.1.4.A, 5.1.13, 4.4.1, 6.4.29 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0 (Laredo Recused); Public Hearing Closed 01/14/2020
- #14-20 Petition for parking facility waivers at 287-289 Newtonville Avenue**
POFCO, Inc. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow parking design criteria including waivers to; interior landscaping requirements, lighting requirements, to allow parking accessory to a manufacturing use in a residential district and to allow parking in the front and side setback at 287-289 Newtonville Avenue, Ward, 2 Newtonville, on land known as Section 22 Block 01 Lots 17 and 13, containing approximately 72,643 sq. ft. of land in a district zoned MANUFACTURING and MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 5.1.6.C, 3.2.3, 5.1.8.A.1, 5.1.13, 5.1.9.B, 5.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0; Public Hearing Closed 01/14/2020

- #15-20** **Petition to amend Deed Restriction and Orders #148-15(2) and (3) at 180 Wells Ave**
180 WELLS AVENUE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #148-15(2) and (3) to revise the design of the parking structure and surface parking and to add a fourth story to the approved three-story office building; requiring a variance from the height and story limitations and an amendment to the deed restriction at 180 Wells Avenue, Ward 8, Newton Centre, on land known as Section 84 Block 34A Lot 03, containing approximately 219,980 sq. ft. of land in a district zoned LIMITED MANUFACTURING. Sec. 7.3.3, 7.4, 5.1.9.B.1, 5.1.13, 5.1.12.D.1, 4.3.3, 7.6 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0; Public Hearing Continued
- #17-20** **Class 1 Auto Dealer License**
 MAG RETAIL HOLDINGS – CJ LLC. D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM
 777 Washington Street
 Newton, MA. 02460
Land Use Approved 6-0 (Laredo not Voting)
- #18-20** **Class 1 Auto Dealer License**
 FLAHERTY EQUIPMENT SALES CORPORATION
 846 Walnut Street
 Newton, MA. 02459
Land Use Approved 6-0 (Laredo not Voting)
- #19-20** **Class 2 Auto Dealer License**
 JACOB & ASSOCIATES
 1232 Washington Street
 Newton, MA. 02465
Land Use Approved 6-0 (Laredo not Voting)
- #20-20** **Class 2 Auto Dealer License**
 NEW ENGLAND MOTOR MART, INC.
 1211 Washington Street
 West Newton, MA. 02465
Land Use Approved 6-0 (Laredo not Voting)
- #21-20** **Class 2 Auto Dealer License**
 MOTORCARS OF BOSTON, INC.
 1191 Washington Street
 Newton, MA. 0246
Land Use Approved 6-0 (Laredo not Voting)
- #22-20** **Class 2 Auto Dealers License**
 JR CAR CARE, INC.
 454 Watertown Street
 Newtonville MA 02460
Land Use Approved 6-0 (Laredo not Voting)

#23-20 **Class 2 Auto Dealers License**
KC AUTO
55 Farwell Street
Apartment 13
Newtonville MA 02460
Land Use Approved 6-0 (Laredo not Voting)

#66-20 **Class 2 Auto Dealers License**
ENZO'S AUTO SALES
10 Hawthorn Street
Newton MA 02458
Land Use Approved 6-0 (Laredo not Voting)

#67-20 **Class 2 Auto Dealers License**
AUCTION DIRECT PREOWNED
1545 Washington Street
West Newton, MA. 02465
Land Use Approved 6-0 (Laredo not Voting)

#68-20 **Class 2 Auto Dealers License**
NEWTON COLLISION INC. D/B/A GM AUTO BODY
64 Crafts Street
Newton, MA. 02458
Land Use Approved 6-0 (Laredo not Voting)

Referred to Zoning and Planning Committee

Monday, January 13, 2020

Present: Councilors Danberg (Vice Chair), Krintzman, Albright, Baker, Ryan, Wright, Leary; Also Present: Councilors Malakie, Laredo, Bowman, Kelley, Greenberg, Downs; Absent: Councilor Crossley (Chair)

#37-20 **Amend ordinances by creating a temporary suspension on landmark designation**
COUNCILORS ALBRIGHT, AUCHINCLOSS, CROSSLEY, DOWNS, KELLEY, LIPOF, GREENBERG, KRINTZMAN, NOEL, LEARY, AND DANBERG proposing an amendment to Chapter 22 of the Revised Ordinances of the City of Newton, 2017 to temporarily suspend nominations made by the Historical Commission and the City Council for landmark designations of any land, buildings and structures in the City of Newton in order to allow the City adequate time to review the landmark ordinance and consider what revisions are appropriate. The temporary suspension will prevent and suspend the processing, and approval of any property currently under consideration for landmark designation and will temporarily suspend future landmark designations made by the Historical Commission and the City Council. Landmark nominations made by the Mayor, Director of Planning and Development and the Commissioner of Inspectional Services shall not be affected. This temporary suspension shall end no later than December 31, 2020.
Zoning and Planning Held 7-0

Referred to Programs and Services Committee

Wednesday, January 15, 2020

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

Referred to Programs & Services Committee

#52-20

Requesting acceptance of MGL to allow distribution of ballot question summaries

THE CITY CLERK requesting the City Council accept the provisions of MGL, Chap 53, Section 18B to allow the City of Newton to provide voters with (1) the full text of each question; (2) a fair and concise summary of each question, including a 1 sentence statement describing the effect of a yes or no vote, which shall be prepared by the city solicitor; and (3) arguments for and against the question, for all types of municipal ballot questions.

Programs and Services Approved 8-0

Referred to Public Safety and Transportation Committee

Wednesday, January 8, 2020

Present: Councilors Auchincloss (Chair), Ciccone, Malakie, Downs, Bowman, Lipof, Grossman and Markiewicz

#53-20

Requesting an amendment to Senior citizen sticker parking ordinance

JAYNE COLINO, DIRECTOR, DEPARTMENT OF SENIOR SERVICES, AND DAVID KOSES, TRANSPORTATION COORDINATOR requesting an amendment to **Chapter 19, Section 198 - Senior citizen sticker parking** to allow the possibility for vehicles displaying a valid senior citizen's parking sticker to continue to park on Highland Avenue, between Lowell Avenue and Bram Way, thereby freeing up parking spaces within the Austin Street parking lot for other vehicles.

Public Safety & Transportation Approved 8-0

#54-20

Annual Report of the work of the Traffic Council 2019

DAVID KOSES, TRAFFIC COUNCIL CHAIR providing the Annual Report of the work of the Traffic Council for 2019.

Public Safety & Transportation voted No Action Necessary 8-0