



## City Council Docket

December 8: Land Use	Continued
December 9: Public Safety & Transportation, Programs & Services Public Facilities	Page 291
December 14: Zoning & Planning, Finance	<b><u>Monday, December 7, 2020</u></b>
December 15: Land Use	7:45 PM, Virtual
December 16: Real Property Reuse	To be reported on Monday, December 21, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, December 7, 2020 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/85045353539?pwd=dFNHa1dZWkd1clZXNG15dm5FM0RMdz09>

Passcode: 107182

One tap mobile

US: +13126266799,,85045353539#

Land line

US: +1 301 715 8592

Meeting ID: 850 4535 3539 Passcode: 107182

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 December 15, 2020***

**#459-20**

**Petition to extend nonconforming setbacks at 25 Emerson Street**

STEPHEN THOMAS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to an existing detached garage structure, vertically extending the nonconforming side setback in an accessory structure and further extending 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.

nonconforming front setback at 25 Emerson Street, Ward 1, Newton, on land known as Section 11 Block 25 Lot 25, containing approximately 4,456 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.1, 7.8.2.C.2, 1.5.3.B, 3.2.3 of the City of Newton Rev Zoning Ord, 2017.

- #460-20**      **Class 1 Auto Dealer License**  
NEWTON CENTRE SHELL  
1365 Centre Street  
Newton, MA. 02459
  
- #461-20**      **Class 1 Auto Dealer License**  
MMAG RETAIL HOLDINGS – CJ LLC. D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM  
777 Washington Street  
Newton, MA. 02460
  
- #462-20**      **Class 2 Auto Dealers License**  
NEWTON AUTO GROUP, INC.  
1235 Washington Street  
West Newton, MA. 02465
  
- #463-20**      **Class 2 Auto Dealers License**  
KC AUTO  
55 Farwell Street  
Newtonville MA 02460
  
- #464-20**      **Class 2 Auto Dealers License**  
OLD TIME GARAGE LTD.  
1960 Washington Street  
Newton Lower Falls, MA. 02462
  
- #465-20**      **Class 2 Auto Dealer License**  
AUCTION DIRECT PREOWNED  
1545 Washington Street  
West Newton, MA. 02465
  
- #466-20**      **Class 2 Auto Dealers License**  
NEWTON TRADE CENTER ASSOCIATES, INC.  
103 Adams Street  
Nonantum, MA. 02458
  
- #467-20**      **Class 2 Auto Dealers License**  
ROBERT’S TOWING, INC.  
926r Boylston Street  
Newton Highlands, MA. 02461

- #468-20 Class 2 Auto Dealers License**  
REGANS INC.  
2066 Commonwealth Avenue  
Auburndale, MA. 02466
- #469-20 Class 2 Auto Dealers License**  
KG Motors LLC  
1235 Washington Street  
West Newton, MA. 02465
- #470-20 Class 2 Auto Dealers License**  
VELOCITY MOTORS  
14 Hawthorn Street  
Nonantum, MA. 02458
- #471-20 Class 2 Auto Dealers License**  
ENZO'S AUTO SALES  
10 Hawthorn Street  
Nonantum, MA. 02458
- #472-20 Class 2 Auto Dealer License**  
NEW ENGLAND MOTOR MART, INC.  
1211 Washington Street  
West Newton, MA. 02465
- #473-20 Class 2 Auto Dealers License**  
LIFT THROTTLE AUTOMOTIVE, LLC  
64 Hillside Avenue  
West Newton, MA. 02465
- #474-20 Class 2 Auto Dealers License**  
JR CAR CARE, INC.  
454 Watertown Street  
Newtonville MA 02460

**Other Communications**

- #475-20 Grant of Location for a lateral crossing in Ferncroft Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 35'± of conduit in FERNCROFT ROAD in a westerly direction from pole # 1036/12 to private property at 78 Ferncroft Road  
**Commissioner of Public Works Approved**

- #476-20 Grant of Location for a lateral crossing in Thornton Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 8'± of conduit in THORNTON STREET in an easterly direction from pole #496/4 to private property at 30B Thornton Street  
**Commissioner of Public Works Approved**
- #477-20 Grant of Location for a lateral crossing in Plainfield Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 6'± of conduit in PLAINFIELD STREET in a northerly direction from pole #357/6 to private property at 50 Plainfield Street  
**Commissioner of Public Works Approved**
- #478-20 Grant of Location for a lateral crossing in Beacon Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 55'± of conduit in BEACON STREET in a northerly direction from pole #31/210 to private property at 1957 Beacon Street  
**Commissioner of Public Works Approved**
- #479-20 Grant of Location for a lateral crossing in Highland Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 8'± of conduit in HIGHLAND STREET in a northerly direction from pole #208/26 to private property at 240 Highland Street  
**Commissioner of Public Works Approved**
- #480-20 Grant of Location for a lateral crossing in Sumner Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 15'± of conduit in SUMNER STREET in a northerly direction from pole #413/12 to private property at 90 Sumner Street.  
**Commissioner of Public Works Approved**
- #481-20 Grant of Location for a lateral crossing in Louise Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 9'± of conduit in LOUISE ROAD in a northerly direction from pole #1281/3 to private property at 25 Louise Road  
**Commissioner of Public Works Approved**
- #482-20 Grant of Location for a lateral crossing in Croftdale Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 7'± of conduit in CROFTDALE ROAD in a northerly direction from pole #917/2 to private property at 17 Croftdale Road  
**Commissioner of Public Works Approved**

**#483-20 Grant of Location for a lateral crossing in Windsor Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 40'± of conduit in WINDSOR ROAD in a southwesterly direction from pole #469/28 to private property at 214 Windsor Road  
**Commissioner of Public Works Approved**

**#484-20 Grant of Location for a lateral crossing across Commonwealth Avenue**  
EXTENET SYSTEMS, INC petitioning for a grant of location to install 167'± of conduit across the Commonwealth Avenue Carriage road in a southerly direction from existing manhole #3755 to a proposed hand hole in front of 90-100 Commonwealth Avenue.  
**Commissioner of Public Works Approved**

**Referred to Zoning & Planning Committee**

**#485-20 Economic Development Commission requesting City Ordinance amendments**  
ECONOMIC DEVELOPMENT COMMISSION requesting an amendment of Sections 4.4.1 (Business, Mixed Use & Manufacturing Districts), 6.4.28 (Research and Development), and 6.5.9 (Laboratory and Research Facility) in order to clarify inconsistencies in the way Research and Development is treated in the use tables and definitions. Providing clarity in where Research and Development uses are allowed is necessary to diversity Newton's Economy, make Newton competitive with surrounding communities in attracting 21<sup>st</sup> century industries and jobs, and raise Newton's commercial tax revenue and implement recommendation from the 2019 Newton Strategic Plan (Camoin study).

**#486-20 Reappointment of Robert E. Maloney to the Community Preservation Committee**  
HER HONOR THE MAYOR reappointing ROBERT E. MALONEY, 245 Otis Street, West, Newton, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire on January 1, 2024. (60 days: 02/05/21)

**Referred to Programs & Services Committee**

**#488-20 Appointment of Jo-Edith Heffron to the Council on Aging**  
HER HONOR THE MAYOR appointing JO-EDITH HEFFRON, 110 Mandalay Road, Newton, as a member of the COUNCIL ON AGING for a term to expire on January 1, 2022 to complete the term of Ms. Julie Irish. (60 Days: 02/05/21)

**#489-20 Reappointment of Michelle Freshman to Health & Human Services Advisory Council**  
HER HONOR THE MAYOR reappointing MICHELLE FRESHMAN, 39 Gray Cliff road, Newton, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire on January 1, 2024. (60 days: 02/05/21)

- #490-20 Reappointment of Rebecca Mozaffarian to Health & Human Services Advisory Council**  
HER HONOR THE MAYOR reappointing REBECCA MOZAFFARIAN, 38 Gammons Road, Waban, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire on January 1, 2024. (60 Days: 02/05/21)
- #491-20 Appointment of Rakashi Chand as a Jackson Homestead Trustee**  
HER HONOR THE MAYOR appointing RAKASHI CHAND, 80 Wade Street, Newton, as a Trustee of the Jackson Homestead for a term to expire on December 15, 2023. (60 Days: 02/05/21)
- #492-20 Reappointment of Marietta Marchitelli as a Jackson Homestead Trustee**  
HER HONOR THE MAYOR reappointing MARIETTA MARCHITELLI, 100 Waverly Avenue, Newton, as a Trustee of the Jackson Homestead for a term to expire on November 1, 2023. (60 Days: 02/05/21)
- #493-20 Reappointment of Russel Feldman as a Jackson Homestead Trustee**  
HER HONOR THE MAYOR reappointing RUSSEL FELDMAN, 85 Langley Road, Newton, as a Trustee of the Jackson Homestead for a term to expire on November 1, 2023. (60 Days: 02/05/21)
- #494-20 Request for Home Rule Petition to provide legal voting rights in municipal elections for residents aged 16 and 17 years old**  
COUNCILORS HUMPHREY, RYAN, BOWMAN, NOEL, GREENBERG, DANBERG, DOWNS, KELLEY, AND LEARY requesting a home rule petition to provide legal voting rights in municipal elections for City of Newton residents aged 16 and 17 years old.

**Referred to Public Safety & Transportation**

- #495-20 Requesting renewals of taxi licenses**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of one (1) taxi license** for Holden's Taxi, Inc.
- #496-20 Requesting renewals of taxi licenses**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of two (2) taxi licenses** for Newtonville Cab Co., Inc.
- #497-20 Requesting renewals of taxi licenses**  
GEORGE MARRY, 50 Union Street, Newton Centre, MA 02459, requesting **renewal of one (1) taxi license** for Newton Taxi Co.

- #498-20 Requesting renewal of public auto license**  
DHANRAJ MAHASE, 275 Grove Street, 2-400, Newton, MA 02466 requesting **renewal of one (1) public auto license** for Mahase Livery Services, LLC. (MHS Worldwide, LLC).
- #499-20 Requesting renewal of public auto license**  
DONALD LAPLANTE, 395 Lexington Street, Auburndale, MA 02466 requesting **renewal of one (1) public auto license** for Don's Car Service.
- #500-20 Requesting renewal of public auto license**  
MICHAEL GIMMELFARB, 274 Dedham Street, Newton, MA 02461 requesting **renewal of one (1) public auto license** for American Truck & Equipment Sales, LLC.
- #501-20 Requesting renewal of public auto license**  
JOSE GREGORIO CEDENO, 9 Elmwood Park, Newtonville, MA 02460 requesting **renewal of one (1) public auto license** for Bace Limousine Services, LLC.
- #502-20 Requesting renewal of public auto license**  
NOEL DIAZ, 9 Elmwood Park, #2, Newtonville, MA 02460 requesting **renewal of one (1) public auto license** for Newton Limos Company, LLC.
- #503-20 Requesting renewal of public auto license**  
ISMAIL UNKOC, 184 River Street, West Newton, MA 02465 requesting **renewal of one (1) public auto license** for Izmo Limo, LLC.
- #504-20 Requesting renewal of public auto license**  
RAJIV KUMAR, 2323 Washington Street, #G3, Newton, MA 02462 requesting **renewal of one (1) public auto license** for Om Sai Enterprises Inc.
- #505-20 Requesting renewal of public auto license**  
LAHCENE BELHOUCHE, 32 Adams Street, Newton, MA 02460 requesting **renewal of one (1) public auto license** for Boston Cool Ride Limo Inc.

**Referred to Public Safety & Transportation, Zoning & Planning Committees and Public Facilities Committees**

- #506-20 Discussion with Police, DPW and Inspectional Services on sidewalk obstructions**  
COUNCILORS DOWNS, LEARY, ALBRIGHT & BOWMAN requesting a discussion with Police, Public Works and Inspectional Services regarding sidewalk obstruction, enforcement, regulation, and operating procedures during construction used to ensure safety for nonmotorized road users.

**Referred to Public Facilities Committee*****Public Hearing to be assigned for December 9, 2020*****#507-20 National Grid petition for grant of location in Circuit Avenue**

NATIONAL GRID petition for a grant of location to install and maintain 50' ± of 6" plastic main at 72-74 Circuit Avenue which will replace 50' ± of 6" cast iron main.

***Public hearing to be assigned for December 17, 2020*****#508-20 Cellco Partnership petition for wireless grant of location on Dedham Street**

CELLCO PATNERSHIP D/B/A VERIZON WIRELESS petitioning for a grant of location to mount a small cell antenna to pole 117/110 with associated equipment. The proposed installation of equipment consists of one small-antenna mounted to the side of the utility pole, two remote radio heads, an antenna bracket, a diplexer, a meter, a surge protector, an AC/DC converter, a power connection and fiber and coaxial cable located in conduit and mounted to the side of the pole. (60-day action date: 01/12/21)

***Public hearing to be assigned for December 17, 2020*****#509-20 Cellco Partnership petition for wireless grant of location on Beethoven Ave**

CELLCO PATNERSHIP D/B/A VERIZON WIRELESS petitioning for a grant of location to mount a small cell antenna to pole 22 23 with associated equipment. The proposed installation of equipment consists of one small-antenna mounted to the side of the utility pole, two remote radio heads, an antenna bracket, a diplexer, a meter, a surge protector, an AC/DC converter, a power connection and fiber and coaxial cable located in conduit and mounted to the side of the pole (60-day action date: 01/12/21)

**#510-20 Reappointment to the Sustainable Materials Management Commission**

HER HONOR THE MAYOR reappointing MARIAN RAMBELLE, 2 Harrington Street, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on October 31, 2023. (60 Days: 02/05/21)

**#511-20 Reappointment to the Sustainable Materials Management Commission**

HER HONOR THE MAYOR reappointing MILES SMITH, 30 Webster Street, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on September 30, 2023. (60 Days: 02/05/21)

**#512-20 Reappointment of to the Sustainable Materials Management Commission**

HER HONOR THE MAYOR reappointing SUNWOO KAHNG, 60 Garland Road, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on November 15, 2023. (60 Days: 02/05/21)

**#513-20 Reappointment of to the Sustainable Materials Management Commission**

HER HONOR THE MAYOR reappointing SETH PARKER, 26 Shornecliffe Road, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on September 30, 2023. (60 Days: 02/05/21)



- #385-20(2) Request for easements in Staniford Street**  
COMMISSIONER OF PUBLIC WORKS requesting taking of four public utilities easements in the private way portions of STANIFORD STREET, as outlined in #385-20. This item was approved by the City Council on October 5, 2020 but requires a revote to comply with the requirements for recording at the Registry of Deeds.

**Referred to Finance Committee**

- #514-20 CPC Recommendation to appropriate \$16,884 in CPA funding**  
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of sixteen thousand eight hundred and eighty-four dollars (\$16,884) in Community Preservation Act funding for Historic Newton to replace the east façade gutter and the restoration of six original wood windows on the Durant-Kenrick Homestead.

- #515-20 Appropriate \$500,000 for two core technology needs**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of five hundred thousand dollars (\$500,000) from June 30, 2020 Certified Free Cash to fund the replacement of the City's Storage Area Network (SAN) and the replacement of the firewall.

**Referred to the Programs & Services, Zoning & Planning & Finance Committees**

- #487-20 Request to transfer Weights & Measures inspector position to ISD**  
HER HONOR THE MAYOR requesting to transfer the Weights & Measures inspector position from the Health and Human Services Department to the Inspectional Services Department to more accurately reflect the nature of the position, to add one temporary full-time employee (to be funded by existing ISD funds available due to vacancies). Additionally, requesting that City Ordinance Section 12-18 €, which details the position of Weights & Measures Inspector, be moved to Section 5-16 which covers ISD responsibilities. To fund the last half of FY20, this request includes a transfer of forty-three thousand five hundred dollars (\$43,500) from H&HS Weights & Measures Acct #0510110-511001 to Inspectional Services Full Time Salaries.

**Referred to the Real Property Reuse Committee**

***Public hearing to be Assigned for December 16, 2020***

- #65-20(2) Reuse of the West Newton National Guard Armory (295-19)**  
JOINT ADVISORY PLANNING GROUP FOR THE WEST NEWTON ARMORY submitting, on November 13, 2020 its recommendations for the use of the West Newton National Guard Armory at 1135 Washington Street, which was declared available for sale or lease on September 17, 2019.