



## City Council Docket

December 28: Finance

Continued

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**Monday, December 21, 2020**

7:45 PM, Virtual

To be reported on

Monday, January 4, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, December 21, 2020 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/84288396700?pwd=eEJoUkxZUndpRzd2SGk0TnJlam1yZz09>

Passcode: 116988

One tap mobile

US: +16465588656,,84288396700#

Land line

US: +1 301 715 8592

Meeting ID: 842 8839 6700 Passcode: 116988

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

**#516-20**

**Class 2 Auto Dealers License**

NEWTON COLLISION INC. D/B/A GM AUTO BODY

64 Crafts Street

Newton, MA. 02458

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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.

- #517-20 Class 2 Auto Dealers License**  
STAN'S AUTOMOTIVE INC.  
249 Centre Street  
Newton Corner, MA. 02458
- #518-20 Class 2 Auto Dealers License**  
MAP DEVELOPMENT & INVESTMENTS  
d/b/a CHRISTIAN TAPIA/MASTER USED  
CARS of WATERTOWN  
175 North Street  
Newtonville, MA. 02460
- #519-20 Class 2 Auto Dealer License**  
PARAGON EXPORTS  
40 Summit Street  
Newton, MA. 02458
- #520-20 Class 2 Auto Dealer License**  
JAPAN AUTO SERVICES  
1205 Washington Street  
Newton, MA. 02465
- #259-19(2) Request for Extension of Time to Exercise Special Permit #259-19 at 264 Pearl Street**  
BENEDETTO CAIRA, TRUSTEE petition for a ONE-YEAR EXTENSION OF TIME to EXERCISE by Special Permit Council Order #259-19 approved on December 2, 2019 to allow for the construction of three single-family attached dwelling units at 264 Pearl Street, Ward 1, Newton, on land known as Section 11 Block 14 Lot 10, containing approximately 14,608 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Said Extension of Time to Run from December 2, 2020 to December 2, 2021. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 5.4.2.B, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- Public hearing to be Assigned for January 5, 2021***
- #129-14(2) Amended Petition to amend Board Order #129-14 to increase nonconforming FAR at 96 Lenox St**  
JEREMY SHINEWALD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit orders #129-14 to raze an existing detached three-car garage and construct an attached two-car garage and mudroom addition, as well as enclose an existing porch, creating an FAR of .48 where .44 exists and .29 is allowed at 96 Lenox Street, Ward 3, West Newton, on land known as Section 32 Block 49 Lot 07, containing approximately 19,071 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be Assigned for January 12, 2021***

**#521-20      Petition to exceed FAR and allow oversized accessory apartment at 26 Gilbert Street**  
BEATA SHAPIRO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to enclose a second-floor porch, over the garage, creating an oversized internal accessory apartment and creating an FAR of .64 where .58 is allowed and .58 exists at 26 Gilbert Street, Ward 4, West Newton, on land known as Section 33 Block 02 Lot 25, containing approximately 5,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.1.11, 6.7.1.D.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be Assigned for January 12, 2021***

**#522-20      Petition to retaining wall greater than 4' in the setback at 17 Wallace Street**  
ALI KIAPOUR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retaining wall in excess of four feet in height within the side and rear setbacks at 17 Wallace Street, Ward 8, Newton Highlands, on land known as Section 83 Block 34 Lot 18, containing approximately 5,000 sq. ft. in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be Assigned for January 12, 2021***

**#14-20(2)      Petition for free-standing sign at 287-289 Newtonville Avenue**  
POFCO, Inc. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a free-standing sign (3.75' high x 8' wide) and to amend the site plan approved by Special Permit Board Order #14-20 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, 5.2.3, 5.2.8, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be Assigned for January 12, 2021***

**#523-20      Petition to allow increased lot coverage and decreased open space at 13 Prospect St**  
KATHERINE JORDAN-QUERN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Variance #4-13 to allow the enclosure of first-level space to be used for additional living space, creating an FAR of .75 where .54 is required and .66 exists, further reducing the minimum open space and exceeding maximum lot coverage at 13 Prospect Street, Ward 3, West Newton, on land known as Section 33 Block 03 Lot 09 containing approximately 6,611 sq. ft. in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11, 7.8.2.C.2, 7.6 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Other Communications**

**#524-20      Grant of Location for a lateral crossing in Grace Road**  
EVERSOURCE ENERGY petitioning for a grant of location to install 40'± of conduit in GRACE ROAD in a northwesterly direction from pole #1337-3 to private property at 16 Grace Road  
**Commissioner of Public Works Approved**

**#525-20**      **Mayoral appointment of Anthony Logalbo to the Retirement Board**  
ANTHONY LOGALBO, 55 Herrick Road, Newton Centre, appointed as the Mayoral Appointee to the Newton Retirement Board for a three-year term of office effective January 1, 2021.

**#526-20**      **Appeal of ZBA Decision for 129 Grasmere Street**  
MARRY GRASSMERE REALTY, LLC, filing in Superior Court on December 7, 2020, an appeal of Decision # 02-20 of the Newton Zoning Board of Appeals upholding the decision of the Commissioner of Inspectional Services for the issuance of a Notice of Violation for the existence of illegal apartments on 6,947 sq. ft. of land located in the Single-Residence 3 district at 129 Grasmere Street.

**#527-20**      **Appeal to ZBA for Building Permit Issued for Lasall Field Lights**  
BRUCE LESLIE, ET AL appealing to the ZBA the issuance of a building permit issued on November 16, 2020 for the installation of a lighting system to include; four concrete foundations, four 70' tall sports lighting poles, conduit, gear and wiring at Grellier Field, 70 Studio Road.

**Referred to Zoning & Planning Committee**

**#528-20**      **Requesting review and possible amendment to Local Preference in Chapter 30**  
COUNCILORS ALBIRGHT, NORTON, CROSSLEY, BOWMAN, NOEL, HUMPHREY, WRIGHT, LAREDO, KALIS, RYAN, LIPOF AND DANBERG requesting a review and possible amendment to the Local Preference Ordinance in Chapter 30 sections 5.11.8. This section requires an Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP) for all Inclusionary Units which provides for a local preference for up to 70% of the Inclusionary Units. Various groups including The Fair Housing Committee and the Newton Housing Partnership have questioned whether the percent of local preference to current Newton residents should be lowered with the goal of increasing racial diversity in Newton.

**#529-20**      **Individual petition for Pilot Project to create affordable housing**  
Newton Resident MAX RUDIHOFF, 8 Ascenta Terrace submitting a proposal from NewVill Corp. detailing the creation of a pilot project to create local affordable housing units in Newton.

**Referred to Public Safety & Transportation Committee**

**#530-20**      **Appeal of Traffic Council Decision**  
LIAM RYAN, 125 Grasmere Street, Newton appealing the approval of Traffic Council petition TC156-20 on November 12, 2020, approving the language of TPR 697. TPR 697 extends the Newton Corner Parking District to the following locations, with a 2-hour limit 8:00 a.m. to 6:00 p.m., except by Newton Corner permit: Grasmere Street, Tremont Street,

the section of Washington Street between Hibbard Road and the Boston City Line, the section of Waverley Avenue between Tremont Street and Washington Street, and Whittemore Road. Hibbard Road and the section of Washington Street between St. James Street and Hibbard Road are not included in the Parking District and the current parking regulations in these areas are not changed. This item restricts parking on the southern side of Whittemore Road due to the narrow width of the street, for safety purposes. (Ward 1)

**#531-20**

**Annual Report of the work of the Traffic Council 2020**

DAVID KOSES, TRAFFIC COUNCIL CHAIR providing the Annual Report of the work of the Traffic Council for 2020.

**Referred to Public Facilities Committee**

***Public hearing to be Assigned for January 6, 2021***

**#532-20**

**Eversource petition for grant of location in Lowell Ave**

EVERSOURCE ENERGY petition for a grant of location to install 61'± of conduit from existing manhole #12902 in a southerly direction thence turning and continuing in an easterly direction to the property line at #360 Lowell Avenue. [(Ward 2)

**Referred to Public Facilities and Public Safety & Transportation Committees**

**#533-20**

**Requesting a discussion regarding snow clearing, operations and enforcement**

COUNCILORS DANBERG, MARKIEWICZ, BOWMAN AND NOEL requesting a discussion with the Department of Public Works and the Police Department regarding residential and commercial sidewalk snow clearing, operations and enforcement.

*The following item was filed after the close of the docket and require a suspension of the Rules to be referred to Committee:*

**Referred to Public Safety & Transportation Committee**

**# 534-20**

**Police Chief Selection Committee requesting a change by Her Honor The Mayor**

HER HONOR THE MAYOR requesting a change to the Police Chief Selection Committee. The following individual, Alison Tarmy be appointed to the Police Chief Selection Committee in accordance with the provisions of Sec. 5 of Chapter 279 of the Acts of 1992 and Sec. 3-3 of the City Charter.