



**RECEIVED**

By City Clerk at 5:09 pm, Feb 11, 2021

## City Council Docket

**POSTED**  
City Clerk

February 17: Programs & Services, Public Safety & Transportation,  
Public Facilities  
February 22: Zoning & Planning, Finance  
February 23: Land Use

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Continued

**Tuesday, February 16, 2021**

7:45 PM, Virtual

To be reported on

Monday, March 1, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Tuesday, February 16, 2021 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/88456294211>

One tap mobile

US: +13126266799,,88456294211#

Land line

US: +1 301 715 8592

Meeting ID: 884 5629 4211

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 February 23, 2021***

**#54-21**

**Petition to amend special permit to allow veterinary use at 180 Needham Street**

BANFIELD PET HOSPITAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #91-15 and #182-09(2) to allow a veterinary hospital use on the first floor at 180 Needham Street, Ward 8, Newton Upper Falls, on land known as Section 83, Block 28, Lot 01, containing approximately 9036 sq. ft. of land in a district zoned MULTI USE 1. Ref: 7.3, 7.4, 4.4.1, 6.4.36 of the City of Newton Rev Zoning Ord, 2017.

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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.

***Public hearing to be assigned for March 2, 2021***

**#55-21 Petition to extend nonconforming FAR at 12 Cochituate Road**

ALAN TAYLOR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the nonconforming FAR by constructing a second story addition within the existing footprint at 12 Cochituate Road, Ward 6, Newton Highlands, on land known as Section 54 Block 31 Lot 02, containing approximately 7,650 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2, 7.8.2.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be assigned for March 2, 2021***

**#130-17(3) Petition to extend nonconforming building height and amend Order #130-17 at 164 Highland Avenue**

ROBERT AND CINDY LAUGHREA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow changes to grading, driveway design, and new landscape elements, to allow the further extension of the nonconforming building height and to amend Special Permit Order #130-17 at 164 Highland Avenue, Ward 2, on land known as Section 24, Block 12, Lot 20, containing approximately 26,154 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be assigned for March 2, 2021***

**#56-21 Petition to extend nonconformities and amend variances at 266 Highland Avenue**

BENJAMIN MOLL/266 HIGHLAND AVENUE NOMINEE TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing detached garage and construct additions to the side and rear of the dwelling, to allow an oversized dormer, extension of the nonconforming setback, to exceed the allowable FAR and to amend Variances #38-57 and #139-98 which allowed extend maximum lot coverage at 266 Highland Avenue, Ward 2, on land known as Section 32, Block 2, Lot 11, containing approximately 11,879 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2, 3.4.3.A.1 and 1.5.4.G.2 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be assigned for March 2, 2021***

**#57-21 Petition to allow series of retaining walls greater than 4' in the setback at 21 Louise Road**

ANDREW GOLDBERG/HG CHESTNUT HILL LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a tiered retaining wall system, exceeding four feet in height within the front and side setbacks at 21 Louise Road, Ward 8, Chestnut Hill, on land known as Section 82 Block 04 Lot 85 containing approximately 10,298 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be assigned for March 9, 2021***

- #58-21**      **Petition to allow restaurant with more than 50 seats at 1241 Centre Street**  
LINEAR RETAIL NEWTON 1 LLC/BRENDAN BOYLE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with more than 50 seats and a parking waiver for one stall and to amend Special Permit Board Order #242-09 at 1241 Centre Street (1239-1243), Ward 6, Newton Centre, on land known as Section 64 Block 28 Lot 24, containing approximately 9,000 sq. ft. in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be assigned for March 9, 2021***

- #59-21**      **Petition to allow single-family attached dwellings at 1092-1094 Chestnut Street**  
RICHARD SEWELL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwelling units in two structure, and to reduce side and rear setback requirements at 1092-1094 Chestnut Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 41 Lot 04, containing approximately 20,291 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4 of the City of Newton Rev Zoning Ord, 2017.

**Referred to Zoning & Planning Committee**

- #60-21**      **Requesting a trial to assist restaurants by modifying minimum parking requirement**  
COUNCILORS ALBRIGHT, BOWMAN, CROSSLEY, DANBERG, DOWNS, KELLY AND NOEL requesting a trial to assist restaurants by modifying minimum parking requirement calculations to exclude outside seating.

**Referred to Programs & Services Committee**

- #61-21**      **Request for response to resident petition calling for investment in athletic fields**  
COUNCILORS NORTON AND LEARY requesting a response to the 1000+ petition by Newton residents calling for investment in Newton athletic fields.

**Referred to Public Facilities Committee**

- #62-21**      **Appointment of Barbara Lietzke to the Design Review Committee**  
PRESIDENT ALBRIGHT appointing Barbara Lietzke, 68 Highland Avenue, Newton, to the DESIGN REVIEW COMMITTEE as the Community Representative for the duration of the NewCAL project. (60 days: 04/17/21)

**Referred to Finance Committee**

**#63-21      Authorize \$10,594.80 to settle a claim against the City**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend ten thousand five hundred ninety-four dollars and eighty cents (\$10,594.80) for the full and final settlement of a claim made by Dr. Moulazadeh against the city.

**#64-21      Authorize \$9,831.42 to settle a claim against the City**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend nine thousand eight hundred thirty-one dollars and forty-two cents (\$9,831.42) for the full and final settlement of a claim made by Arbella Mutual Insurance Co against the city.

**Referred to Public Facilities and Finance Committees**

**#65-21      Approve \$1,000,000 for snow and ice removal**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) from Acct # 0110498-579400 Comptroller’s Reserve for Snow/Ice Removal as follows:

Regular Overtime	
(0140123-513010).....	\$500,000
Rental Vehicles/Contractors	
(0140123-527300).....	\$500,000

**Referred to Public Facilities and Finance Committees**

**#66-21      Appropriate \$447,000 for the Sewer Pump Station Rehabilitation CIP Project 1**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of four hundred and forty-seven thousand dollars (\$447,000) from the Sewer Fund Surplus-available for appropriation account to fund the Engineering Design of the Sewer Pump Station Rehabilitation CIP Project 1.

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

**Referred to Finance Committee**

**#67-21      Appointment of Diana Lambert as the City’s Treasurer/Tax Collector**  
HER HONOR THE MAYOR requesting approval of the appointment of Diana Lambert as the City’s Treasurer/Tax Collector. (30-days 03/18/2021)

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

**#68-21**

**Appropriate \$100,000 for the March 16, 2021 Special Municipal Election**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Acct # 0110498-579000 to a project account to be managed by the City Clerk's Office to fund the city-wide special municipal election on March 16, 2021 to fill two City Council vacancies.