



City Council Reports Docket

February 2: Land Use
February 3: Public Safety & Transportation,
Public Facilities
February 4: Zoning & Planning, Finance
February 8: Zoning & Planning, Finance
February 9: Land Use

Page 349
7:45 PM, Virtual
To be reported on
Tuesday, February 16, 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 Items to be Acted Upon

Referred to Land Use Committee

February 2, 2021

Present: Lipof (Chair), Greenberg, Kelley, Markiewicz, Downs, Bowman, Laredo and one vacancy; also Present: Councilors Wright, Malakie and Danberg

#31-21

Petition to extend nonconforming FAR and two-family use at 66-68 Warwick Road

LEANA GAGLIARDI/FRANCESCO GAGLIARDI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to enclose a second-floor porch, extending the nonconforming FAR and the nonconforming two-family use at 66-68 Warwick Road, Ward 3, West Newton, on land known as Section 31 Block 27 Lot 35, containing approximately 5,673 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0; Public Hearing Closed 02/02/2021

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.

#30-21 **Petition to allow changes to the approved site plan at 2171 Commonwealth Avenue**
THEODOROS VENTOURIS AND ANGELINA VENTOURIS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #94-16 and #227-17 to substitute the previously approved site plan with an as-built site plan reflecting additional features which include changes to paving, landscaping, the addition of a paved patio area and additional stone pillars at 2171 Commonwealth Avenue, Ward 4, Auburndale, on land known as Section 41 Block 18 Lot 32A, containing approximately 20,952 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0; Public Hearing Closed 02/02/2021

#314-20 **Petition to allow single-family attached dwelling units at 23 Johnson Place**
CREATING HOMES LLC/MICHAEL LOHIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow ~~four~~ three single-family attached dwelling units in ~~one~~ structure, to allow a retaining wall in excess of 4' and to allow a driveway within ten feet of the side lot line, to allow a driveway within 10' of the side lot line and parking within 20' at 23 Johnson Place, Ward 4, Auburndale, on land known as Section 41 Block 7 Lot 14, containing approximately 16,767 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.4, 5.4.2.B, 6.2.3.B.2, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 7-0; Public Hearing Continued

#29-21 **Petition to allow single-family attached dwellings at 145 Warren Street**
NORTON POINT WARREN STREET, LLC/CREH WARREN STREET D/B/A CIVICO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwelling units, to reduce the required side setback, to increase allowed lot coverage, to allow a driveway within 10' of the side lot line and to allow retaining walls of four feet or more in height within a setback at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 7-0; Public Hearing Continued

Referred to Land Use Committee

February 9, 2021

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

319-20 **Request to Rezone two parcels from BU-2 to MU-4 at 1149-1151 Walnut Street**
NEWTON WALNUT LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone two parcels; 1149 Walnut Street (Section 52 Block 08 Lot 13) and 1151 Walnut Street (Section 52 Block 08 Lot 14) from BUSINESS USE 2 to MIXED USE 4.

Land Use Held 7-0; Public Hearing Continued

- #320-20** **Petition to allow 26-unit mixed use development at 1149-1151 Walnut Street**
NEWTON WALNUT LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing buildings and construct a four-story mixed-use building up to 48' in height, containing 26 units and 23 parking stalls, to waive the minimum lot area per unit, to reduce the side setback requirement, to waive the requirement to use A-B+C formula to determine the parking requirement, to waive 24 parking stalls, to allow 1.25 parking stalls per unit, to allow parking in the side setback, to waive dimensional requirements for parking stalls, to allow restricted end stalls, to allow reduced aisle width , to waive perimeter landscaping requirements, to waive interior landscaping requirements and to waive lighting requirements at 1149-1151 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 08 Lots 13 and 14, containing 13,200 sq. ft. in a district to be zoned MIXED USE 4 (currently zoned BUSINESS USE 2). Ref: Sec. 7.3.3, 7.4, 4.2.2.B.1, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.3, 4.2.5.A.2, 4.2.5.A.4.b, 4.2.5.A.4, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.A, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.9.A, 5.1.9.B, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0; Public Hearing Continued
- #32-21** **Petition to allow single-family attached dwellings at 63-65 Broadway**
GILBERT AND DEBORAH HO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow three single-family attached dwelling units, to waive side setback requirements, to allow parking in the front setback, to allow parking within 20' and a driveway within 10' of a side setback at 63-65 Broadway, Ward 1, Newtonville, on land known as Section 53 Block 33 Lot 04, containing approximately 18,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref. Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 5.1.7.A, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 02/09/2021
- #33-21** **Petition to allow a lab and research facility at 275 Grove Street**
ALEXANDRIA REAL ESTATE EQUITIES, INC/ARE-MA REGION NO 76 petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow operation of a laboratory and research facility in 62,531 sq. ft. of space within the building at 275 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 29 Lot 24, containing approximately 487,578 sq. ft. of land in a district zoned BUSINESS USE 4. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.5.9.A of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0 Subject to Second Call; Public Hearing Closed 02/09/2021

Referred to Zoning & Planning Committee

Thursday, February 4, 2021

Present: Councilors Crossley (Chair), Albright, Leary, Wright, Krintzman, Danberg and Ryan; also Present: Councilors Grossman, Malakie, Humphrey, Noel, Kalis, Greenberg, Kelley, Markiewicz, Bowman and Laredo; absent: Councilor Baker

Referred to Zoning & Planning and Finance Committees

#52-21

Approval of CPA funds for Covid-19 Emergency Housing Relief

HER HONOR THE MAYOR requesting the appropriation the approval of one million two hundred thousand dollars (\$1,200,000) in CPA funds to provide additional emergency housing relief to income eligible households through June 2021.

Finance Approved 4-0-1 (Councilor Malakie abstaining) on 02/04/2021

Zoning & Planning Approved as Amended 7-0

Referred to Zoning & Planning and Finance Committees

#458-20

CPC Recommendation to appropriate \$1,433,000 in CPA funding for Grace Church

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million four hundred and thirty-three thousand dollars (\$1,433,000) in Community Preservation Act historic resource funding to the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry.

Finance Approved 3-2 (Councilors Humphrey and Noel Opposed) on 02/04/2021

Zoning & Planning Approved 4-3 (Councilors Danberg, Ryan and Leary Opposed) as amended to appropriate \$935,000 in CPA funding

Referred to Zoning & Planning Committee

Monday, February 8, 2021

Present: Councilors Crossley (Chair), Leary, Wright, Krintzman, Danberg, Baker and Ryan; absent: Councilor Albright; also present: Councilors Markiewicz, Downs, Laredo, Greenberg and Malakie

#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 21st century industries and jobs, and raise Newton's commercial tax revenue and implement recommendation from the 2019 Newton Strategic Plan (Camoin study).

Zoning & Planning Committee Approved 7-0, Public Hearing Closed 02/08/2021

#448-20

Proposal to amend City of Newton Zoning Ordinances Chap. 30. Sec 3.4 Garages

COUNCILOR CROSSLEY, on behalf of the Zoning & Planning Committee proposing to amend Chapter 30, City of Newton Zoning Ordinances, by repealing Ordinance No. A-78 and amending the regulation of garages in residential zoning districts as set forth in Chapter 30, Section 3.4. The objectives are to prevent garages from dominating the streetscape, improve safety along the public way for all modes of travel and achieve consistency with climate action goals.

Zoning & Planning Committee Approve as Amended 7-0, Effective Date of 04/21/21, Approved 7-0.

#41-21

Zoning Amendments for Marijuana Establishments

THE DIRECTOR OF PLANNING AND DEVELOPMENT requesting amendments to the Newton Zoning Ordinance, Chapter 30, Sections 4.4 and 6.10, to amend the regulations for marijuana establishments to be consistent with the regulations put forth by the Cannabis Control Commission on January 8, 2021.

Zoning & Planning Committee Held 7-0, Public Hearing scheduled for March 8, 2021

Referred to Public Safety & Transportation Committee

Wednesday, February 3, 2021

Present: Councilors Downs (Chair), Markiewicz, Lipof, Grossman, Bowman, Malakie and two vacancies; also present: Councilors Greenberg, Albright, Wright, Humphrey, Noel, Baker, Ryan, Laredo, Norton, Leary, Krintzman, Danberg, Crossley, Kelley and Kalis

Referred to Public Safety & Transportation and Finance Committees

#53-21

Appropriate \$139,254 for the purchase of a used ladder truck

HER HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred thirty-nine thousand two hundred and fifty-four dollars (\$139,254) from Acct # 7608E210-585030 to a Capital Account for the purpose of purchasing a used ladder truck that will be used as a spare.

Finance Approved 6-0 on 02/08/2021

Public Safety & Transportation Approved 6-0

Referred to Public Facilities Committee

Wednesday, February 3, 2021

Present: Councilors Leary (Chair), Laredo, Kelley, Crossley, Gentile, and Kalis; also present: Councilors Norton and Danberg

#48-21

Appointment of Marc Kaufman to the Design Review Committee

PRESIDENT ALBRIGHT appointing Marc Kaufman, 553 Walnut Street, Newton, to the DESIGN REVIEW COMMITTEE as the Community Representative for the duration of the NewCAL project. (60 day: 04/02/21)

Public Facilities Approved 5-0 (Councilor Gentile not voting)

#47-21

Request for a main drain extension at 63 Moody Street

ABBAS AMIRI, 80 Doublet Hill Road, Weston, petitioning for a main drain extension from the end of the line at the existing manhole near #47 Moody Street in a northwesterly direction 166'± to a proposed manhole in front of #63 Moody Street. The proposed manhole will be installed at the end of the proposed extension to allow the overflow connection to the city's main. (Ward 7)

PETITIONER TO PAY ENTIRE COST

Public Facilities Approved 5-0 (Councilor Gentile not voting)

#396-20

Request for updates on HVAC and ventilation at Newton Public Schools

The President of the Council, on behalf of the City Council, requesting an update to the Public Facilities Committee from Commissioner Morse on current work on HVAC and air quality in the Newton Public Schools at each meeting of the Public Facilities Committee this fall until work is complete.

Public Facilities Held 6-0

Referred to Finance Committee

Thursday, February 4, 2021

Present: Councilors Grossman (Chair) Malakie, Humphrey, Noel and Kalis; also Present: Councilors Crossley, Albright, Leary, Wright, Krintzman, Danberg, Ryan, Greenberg, Kelley, Markiewicz, Bowman and Laredo; absent: Councilors Norton and Gentile

Referred to Zoning & Planning and Finance Committees

#52-21

Approval of CPA funds for Covid-19 Emergency Housing Relief

HER HONOR THE MAYOR requesting the appropriation the approval of one million two hundred thousand dollars (\$1,200,000) in CPA funds to provide additional emergency housing relief to income eligible households through June 2021.

Zoning & Planning Approved as Amended 7-0 on 02/04/2021

Finance Approved 4-0-1 (Councilor Malakie abstaining)

Referred to Zoning & Planning and Finance Committees

#458-20

CPC Recommendation to appropriate \$1,433,000 in CPA funding for Grace Church

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of one million four hundred and thirty-three thousand dollars (\$1,433,000) in Community Preservation Act historic resource funding to the Grace Episcopal Church Tower Restoration project for the stabilization and preservation of the historically significant ca. 1872 conical stone spire, tower and belfry.

Zoning & Planning Approved 4-3 (Councilors Danberg, Ryan and Leary Opposed) as amended to appropriate \$935,000 in CPA funds on 02/04/2021

Finance Approved 3-2 (Councilors Humphrey and Noel Opposed)

Referred to Finance Committee

Monday, February 8, 2021

Present: Councilors Grossman (Chair), Malakie, Humphrey, Kalis, Norton and Noel; 1 vacancy; also present: Councilor Downs; absent: Councilor Gentile

#49-21

Accept \$36,528.60 in grant funds from Mass State 911 Department Training

HER HONOR THE MAYOR requesting authorization to accept and expend a grant in the amount of thirty-six thousand five hundred twenty-eight dollars and sixty cents (\$36,528.60) from the Massachusetts State 911 Department Training Program for the purpose of providing training for the Emergency Telecommunications staff who work in the City's Dispatch/Communications Center.

Finance Approved 6-0

#50-21 Accept \$39,976 from the Executive Office of Public Safety’s Municipal Road Safety
HER HONOR THE MAYOR requesting authorization to accept and expend a reimbursable grant in the amount of thirty-nine thousand nine hundred and seventy-six dollars (\$39,976) from the Executive Office of Public Safety’s Municipal Road Safety Program for the purpose of overtime expenditures for Traffic Safety Enforcement and for the purchase of new radar equipment.
Finance Approved 6-0

Referred to Public Safety & Transportation and Finance Committees

#53-21 Appropriate \$139,254 for the purchase of a used ladder truck
HER HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred thirty-nine thousand two hundred and fifty-four dollars (\$139,254) from Acct # 7608E210-585030 to a Capital Account for the purpose of purchasing a used ladder truck that will be used as a spare.
Public Safety & Transportation Approved 6-0 on 02/03/2021
Finance Approved 6-0

#40-21 Reappointment of Allan Cohen to the Board of Assessors
HER HONOR THE MAYOR reappointing ALLAN S. COHEN, 12 Philmore Road, Newton, as a member of the Board of Assessors for a term to expire on February 1, 2024. (60 Days: 03/20/21)
Finance Approved 6-0

#395-20 Request for updates on budget and possible reimbursements at Newton Public Schools
The President of the Council, on behalf of the City Council, requesting updates to the Finance Committee from the Chief Financial Officer regarding budget expenditures and possible reimbursements related to school reopening at each meeting this fall.
Finance Held 6-0