



## City Council Actions

### In City Council

Monday, February 1, 2021

**Present:** Councilors Baker, Bowman, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Humphrey, Kalis, Kelley, Krintzman, Laredo, Leary, Lipof, Malakie, Markiewicz, Noel, Norton, Ryan, Wright & Albright.

**2 Vacancies**

**The City Council discussed the following item on Second Call:**

**#22-21 Request for approval of Commonwealth Ave/Auburn Street Concept Design**  
COMMISSIONER OF PUBLIC WORKS requesting, on behalf of Mass DOT, approval of the concept redesign plan for the intersection of Commonwealth Avenue and Auburn Street.  
**Public Facilities Approved 7-0-1 (Councilor Gentile abstaining) on 01/20/21**

**Motion to add a condition that The Public Works and Planning Department shall update the City Council through the Public Facilities Committee on the design of the roundabout at the 25%, 75% and 100% design stages. Once construction has started the Council shall continue to receive regular updates through its Public Facilities Committee until the construction is completed - Approved Unanimously by Voice Vote.**

**Motion to Approve as Amended 21 Yeas, 1 Absent (Councilor Gentile), 2 Vacancies**

**Clerk's Note:** Councilor Gentile presented the proposed amendment to include a condition of approval that The Public Works and Planning Department shall update the City Council through the Public Facilities Committee on the design of the roundabout at the 25%, 75% and 100% design stages. Once construction has started the Council shall continue to receive regular updates through its Public Facilities Committee until the construction is completed. He explained that the proposed condition is to ensure that the Council is kept updated during the duration of the project, noting that the City will not need to return for approval of funds, given that this is a Mass DOT project. Councilors were supportive of the amendment. Commissioner of Public Works Jim McGonagle confirmed that DPW can provide updates at the various stages of design and noted that there are often tweaks to design until the project is complete. He noted that it is important that the project stays on track with the bridge replacement project. Councilors noted that the proposed design will make the area more accessible, available for users of the intersection (pedestrians, cyclists, vehicles). With that the Council voted 21 in favor, one absent (Councilor Gentile), 2 vacancies.

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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](mailto: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.

**The City Council voted without discussion 22 Yeas, with 2 Vacancies to Accept the Committee Recommendations on the following items:**

**Referred to Land Use Committee**

Tuesday, January 26, 2021

- #28-21**      **Appointment of Jeff Aliber to the Northland Construction Liaison Committee**  
PRESIDENT ALBRIGHT appointing JEFF ALIBER, 173 Oak Street, as a neighborhood representative, to the Neighborhood Liaison Committee as established in Condition 40 of Special Permit 426-18 granted on December 2, 2019 to Northland Investment Corporation for an 800-unit mixed use development, with 193,200 sq. ft. office space, 115,114 sq. ft. of retail/commercial/restaurant space, below grade parking for approximately 1,350 spaces and related site amenities.  
**Land Use Approved 6-0 (Councilor Greenberg not Voting)**
- #8-21**      **Petition to allow parking in the front setback at 141 Waban Hill Road**  
MIRIAM ROSENBLUM petition for SPECIAL PERMIT/SITE PLAN APPROVAL to remove an existing paved parking area and construct a semi-circular driveway with two parking stalls within the front setback, where one is allowed at 141 Waban Hill Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 04 Lot 37, containing approximately 10,505 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 01/26/2021**
- #443-20**      **Petition to allow marijuana retailer at 232 Boylston Street and to amend Order #774-85**  
MME Newton Retail, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a recreational retail marijuana establishment, allow waivers to parking facility requirements for; parking in the side setback, parking stall width and depth, reduced dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive lighting requirements, to allow tandem parking and parking managed by an attendant, to waive the 25% front façade ground floor transparency requirements, to allow a free-standing sign and to allow an oversized directional sign and to amend Special Permit Board Order #774-85 at 232 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 82 Block 02 Lot 09, containing approximately 16,570 sq. ft. of space in a district zoned BU4. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.4, 5.1.8.A.1, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.8.E.1, 5.1.8.E.2, 5.1.9.A, 5.1.10, 5.2.3, 5.2.8, 5.2.13, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 7-0; Public Hearing Continued**
- #27-21**      **Class 1 Auto Dealer License**  
FLAHERTY EQUIPMENT SALES CORPORATION  
846 Walnut Street

Newton, MA. 02459

**Land Use Approved 7-0**

**#516-20**

**Class 2 Auto Dealers License**

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

64 Crafts Street

Newton, MA. 02458

**Land Use Approved 7-0**

**#517-20**

**Class 2 Auto Dealers License**

STAN'S AUTOMOTIVE INC.

249 Centre Street

Newton Corner, MA. 02458

**Land Use Approved 7-0**

**#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

**Land Use Approved 7-0**

**#519-20**

**Class 2 Auto Dealer License**

PARAGON EXPORTS

40 Summit Street

Newton, MA. 02458

**Land Use Approved 7-0**

**#520-20**

**Class 2 Auto Dealer License**

JAPAN AUTO SERVICES

1205 Washington Street

Newton, MA. 02465

**Land Use Approved 7-0**

**Referred to Zoning & Planning Committee**

Monday, January 25, 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 Held 8-0; Public Hearing Closed 01/25/2021**

**#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 Held 8-0**

**Referred to Programs & Services Committee**

Wednesday, January 20, 2021

**#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)

**Programs & Services Approved 7-0 (Councilor Baker not voting)**

**#14-21**

**Appointment of Melissa Shang to the Youth Commission**

HER HONOR THE MAYOR appointing Melissa Shang of Newton South High School, Newton as a member of the YOUTH COMMISSION for a term to expire on September 1, 2021. (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#15-21**

**Appointment of Stephanie Spector to the Youth Commission**

HER HONOR THE MAYOR appointing Stephanie Spector of Newton North High School, Newtonville as a member of the YOUTH COMMISSION for a term to expire on September 1, 2021. (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#16-21**

**Appointment of Ava Freeman to the Youth Commission**

HER HONOR THE MAYOR appointing Ava Freeman of Newton South High School, Newton as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#17-21**

**Appointment of Hannah Lagenfeld to the Youth Commission**

HER HONOR THE MAYOR appointing Hannah Lagenfeld of Newton North High School, Newtonville as a member of the YOUTH COMMISSION for a term to expire on September 1, 2023. (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#19-21**

**Appointment of Ethan Situ to the Youth Commission**

HER HONOR THE MAYOR appointing Ethan Situ of Newton North High School, Newtonville as a member of the YOUTH COMMISSION for a term to expire on September 1, 2023. (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#34-21 Appointment of Rachel Alpert-Wisnia to the Youth Commission**

HER HONOR THE MAYOR appointing RACHEL ALPERT-WISNIA, Newton North High School, Newtonville, as a member of the YOUTH COMMISSION for a term to expire on September 1, 2022. (60 Days: 03/20/21)

**Programs & Services Approved 8-0**

**#18-21 Reappointment of Jane Brown to the Human Rights Commission**

HER HONOR THE MAYOR reappointing JANE BROWN, 104 Atwood Avenue, Newtonville, as a member of the HUMAN RIGHTS COMMISSION for a term to expire on January 1, 2024 (60 Days: 03/05/2021)

**Programs & Services Approved 8-0**

**#35-21 Reappointment of Amy Sangiolo to the Urban Tree Commission**

HER HONOR THE MAYOR reappointing AMY SANGIOLO, 389 Central Street, Auburndale, as a member of the URBAN TREE COMMISSION for a term to expire on December 31, 2023. (60 Days: 03/20/21)

**Programs & Services Approved 8-0**

**#36-21 Reappointment of Karl Munger to the Biosafety Commission**

HER HONOR THE MAYOR reappointing KARL MUNGER, 5 Nightingale Path, Newton, as a member of the BIOSAFETY COMMITTEE for a term to expire on December 30, 2023. (60 Days: 03/20/21)

**Programs & Services Approved 8-0**

**#184-20 Request to authorize the use of remote participation in Council meetings**

COUNCILOR ALBRIGHT requesting to authorize the use of remote participation for City Council meetings.

**Programs and Services Held 8-0**

**Referred to Public Safety & Transportation Committee**

Wednesday, January 20, 2021

**#20-21 Request to extend the appointment of Newton Retired Police Chief Howard L. Mintz**

HER HONOR THE MAYOR in accordance with Section 3-6 of the City of Newton Charter, requesting authorization to extend the appointment of Newton Police Department Retired Police Chief Howard L. Mintz as Interim Chief of Police until such time as a permanent Chief of Police has been named and is in place.

**Public Safety & Transportation Approved 5-0**

**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.  
**Zoning & Planning to Meet**  
**Public Facilities Held 8-0 on 01/20/21**  
**Public Safety & Transportation Held 5-0**

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

- #533-20**      **Requesting a discussion regarding snow clearing, operations and enforcement**  
COUNCILORS DANBERG, MARKIEWICZ, BOWMAN, DOWNS 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.  
**Public Facilities Held 7-0 (Councilor Gentile not Voting) on 01/20/21**  
**Public Safety & Transportation Held 5-0**

**Referred to Public Facilities Committee**

Wednesday, January 20, 2021

**Referred to Public Facilities and Finance Committees**

- #39-21**      **Appropriate \$256,000 from the Washington Place Special Permit Mitigation Fund**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred and fifty-six thousand dollars (\$256,000) from the Washington Place Special Permit Mitigation Fund for the purpose of pedestrian enhancement design on a portion of Washington Street including design and bid preparation for fence replacements, fence artwork, landscaping and sidewalk installation on the south side of the street from Lowell Avenue to Walnut Street.  
**Finance Approved 6-0 on 01/25/21**  
**Public Facilities Approved 8-0**

**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.  
**Zoning & Planning to Meet**  
**Public Safety & Transportation Held 5-0 on 01/20/21**  
**Public Facilities Held 8-0**

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

- #533-20**      **Requesting a discussion regarding snow clearing, operations and enforcement**  
COUNCILORS DANBERG, MARKIEWICZ, BOWMAN, DOWNS 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.  
**Public Safety & Transportation Held 5-0 on 01/20/21**  
**Public Facilities Held 7-0 (Councilor Gentile not voting)**

**Referred to Finance Committee**

Monday, January 25, 2021

- #37-21**      **Authorization to expend a Massachusetts Secretary of the Commonwealth Grant**  
CITY CLERK requesting authorization to accept and expend a thirteen thousand seven hundred-seventy-eight dollar and twenty-five cent (\$13,778.25) grant from the Massachusetts Secretary of the Commonwealth for 2020 mailed ballot expenses.  
**Finance Approved 6-0**

**Referred to Public Facilities and Finance Committees**

- #39-21**      **Appropriate \$256,000 from the Washington Place Special Permit Mitigation Fund**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred and fifty-six thousand dollars (\$256,000) from the Washington Place Special Permit Mitigation Fund for the purpose of pedestrian enhancement design on a portion of Washington Street including design and bid preparation for fence replacements, fence artwork, landscaping and sidewalk installation on the south side of the street from Lowell Avenue to Walnut Street.  
**Public Facilities Approved 8-0 on 01/20/21**  
**Finance Approved 6-0**

- #38-21**      **CPC Recommendation to appropriate \$28,900 in CPA funding**  
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of twenty-eight thousand nine hundred and ninety dollars (\$28,990) in Community Preservation Act Historic Resource funding for the replacement of the wood picket fence along the Jackson Road/ west property line at the Jackson Homestead.  
**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**

**Referred to Real Property Reuse Committee**

Wednesday, January 27, 2021

- #26-21      Reuse of Newton Highlands Branch Library/Brigham House**  
DIRECTOR OF PLANNING & DEVELOPMENT submitting on December 24, 2020 a letter recommending that the property located at 20 Hartford Street, on 4,776 sq. ft. of land in Ward 6, Newton Highlands, known as Property ID: 52040 0010 be transferred from the Executive Office to the Public Buildings Department to be used for youth activities and community services.  
**Real Property Reuse Committee Approved 8-0**
- #65-20      Reuse of the West Newton National Guard Armory (295-19)**  
DIRECTOR OF PLANNING & DEVELOPMENT submitting on August 7, 2016 a letter recommending that the West Newton Armory located at 1135 Washington Street be evaluated for the purpose of leasing the property for redevelopment as 100% affordable housing or for municipal uses pursuant to Ordinance Section 2-7.  
**Real Property Reuse Committee Approved 8-0**
- #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.  
**Real Property Reuse Committee Approved 8-0**

**Public Hearings were assigned for the following Items:**

***Public Hearing to be assigned for February 3, 2021***

- #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 Hearing Assigned for March 8, 2021***

- #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 Held 8-0 and Set a Public Hearing Date of March 8, 2021**