



City Council Reports Docket

March 2: Land Use
March 3: Programs & Services, Public Safety &
Transportation, Public Facilities
March 8: Zoning & Planning, Finance
March 9: Land Use

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7:45 PM, Virtual
To be reported on
Monday, March 15, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Monday, March 15, 2021 at 7:45 PM. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/85254242590>

One tap mobile

US: +13017158592,,85254242590#

Land line

US: +1 301 715 8592

Meeting ID: 852 5424 2590

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

March 2, 2021

Present: Lipof (Chair), Greenberg, Kelley, Markiewicz, Downs, Bowman, Laredo and one vacancy; also present: Councilor Wright

Referred to Land Use and Finance Committees

#51-21

Approval of \$4.2 million in CPA funding for the Coleman House

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four million two-hundred and fourteen thousand six hundred and twenty-two dollars (\$4,214,622) in CPA Community Housing funds to 2Life Communities for the Coleman House Senior Affordable Housing Preservation project.

Finance Approved 4-0 (Councilor Malakie not voting) on 03/08/2021

Land Use Approved 7-0

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.

- #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.
Land Use Approved 7-0; Public Hearing Closed 03/02/2021
- #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.
Land Use Approved 7-0; Public Hearing Closed 03/02/2021
- #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.
Land Use Approved 7-0; Public Hearing Closed 03/02/2021
- #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.
Land Use Approved 5-1-1 (Councilor Kelley opposed, Councilor Greenberg abstaining); Public Hearing Closed 03/02/2021

Referred to Land Use Committee

March 9, 2021

Present: Lipof (Chair), Greenberg, Kelley, Markiewicz, Downs, Bowman, Laredo and one vacancy; also present: Councilor Wright

- #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.
Land Use Approved 7-0; Public Hearing Closed 03/09/2021
- #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.
Land Use Held 7-0; Public Hearing Continued
- #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 amend Special Permit Board Order #774-85 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 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

Referred to Zoning & Planning Committee

Monday, March 8, 2021

Present: Councilors Crossley (Chair), Leary, Wright, Krintzman, Danberg, Baker, Albright and Ryan; also present: Councilors Kelley, Lipof, Malakie, Downs, Markiewicz, Bowman and Greenberg

#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 Approved 8-0

#29-20 Review and possible amendment of Demolition Delay and Landmark Ordinances

COUNCILORS KELLEY, ALBRIGHT, AUCHINCLOSS, CROSSLEY, GREENBERG, KALIS, KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, BOWMAN, HUMPHREY, RYAN AND NORTON requesting a review and, if appropriate, an update of Chapter 22, Sections 22-50 to 22-76 that relate to demolition delays, historic designation, and landmarking.

(1) Landmarking - Zoning & Planning Approved as Amended 7-0-1 (Councilor Krintzman abstaining) on 05/19/2020; Approved as Amended by Full Council on 06/22/2020

(2) Demolition Delay -Held in Committee 06/22/2020, 10/15/2020 and 02/22/21

Public Hearing to be Assigned

Zoning & Planning Held 8-0; Public Hearing to be held April 12, 2021

#88-20 Discussion and review relative to the draft Zoning Ordinance

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Zoning & Planning Held 8-0

#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.

Zoning & Planning Held 8-0

#71-21 Reappointment of David Morton to the Newtonville Historic District Commission

HER HONOR THE MAYOR reappointing David Morton, 148 Edinboro Street, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on January 1, 2024. (60 days: 04/30/21)

Zoning & Planning Approved 8-0

#72-21 Reappointment of Judith Neville to the Upper Falls Historic District Commission
HER HONOR THE MAYOR reappointing Judith Neville, 68 High Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on January 26, 2024. 60 days: (04/30/21)

Zoning & Planning Approved 8-0

73-21 Reappointment of James Doolin to the Urban Design Commission
HER HONOR THE MAYOR reappointing James Doolin, 104 Fairway Drive, Newton, as a member of the URBAN DESIGN COMMISSION for a term to expire on March 1, 2023. (60 days: 04/30/21)

Zoning & Planning Approved 8-0

#74-21 Reappointment of John Downie to the Urban Design Commission
HER HONOR THE MAYOR reappointing John Downie, 285 Auburndale Avenue, Newton, as a member of the URBAN DESIGN COMMISSION for a term to expire on March 31, 2024. (60 days: 04/30/21)

Zoning & Planning Approved 8-0

Referred to Programs & Services Committee

Wednesday, March 3, 2021

Present: Councilors Krintzman (Chair), Humphrey, Ryan, Albright, Wright, and Baker; absent: Councilors Noel and Greenberg; also present: Councilors Norton, Leary, and Markiewicz

#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.

Programs & Services Held 6-0

#78-21 Reappointment of Marjorie Butler to the Election Commission
HER HONOR THE MAYOR reappointing MARJORIE BUTLER, 33 Andrew Street, Newton Highlands, as a member of the ELECTION COMMISSION for a term to expire on March 31, 2025. (60 days: 04/30/21)

Programs & Services Approved 6-0

#79-21 Reappointment of Jan Huffman to the Election Commission
HER HONOR THE MAYOR reappointing JAN HUFFMAN, 27 Indiana Terrace, Newton, as a member of the ELECTION COMMISSION for a term to expire on March 31, 2025. (60 days: 04/30/21)

Programs & Services Approved 6-0

#80-21 Reappointment of Sandra Lingley to the Commission on Disability
HER HONOR THE MAYOR reappointing SANDRA LINGLEY, 1938 Washington Street, #5, Newton, as a member of the COMMISSION ON DISABILITY for a term to expire on December 31, 2023. (60 days: 04/30/21)

Programs & Services Approved 6-0

#81-21 Reappointment of Matthew Volpi to the Commission on Disability
HER HONOR THE MAYOR reappointing MATTHEW VOLPI, 44 Oakmont Road, Newton Centre, as a member of the COMMISSION ON DISABILITY for a term to expire on April 30, 2024. (60 days: 04/30/21)

Programs & Services Approved 6-0

Referred to Public Safety & Transportation Committee

Wednesday, March 3, 2021

Present: Councilors Downs (Chair), Malakie, Markiewicz, Bowman, Grossman, Lipof and two vacancies; also present: Councilor Greenberg

#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)

Public Safety & Transportation Approved as Amended 5-0-1 (Malakie abstaining)

#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.

Public Safety & Transportation Voted No Action Necessary 6-0

Referred to Public Facilities Committee

Wednesday, March 3, 2021

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

Referred to Public Facilities and Finance Committees

- #87-21** **Appropriate \$68,746 to fund the replacement of the boiler at Crafts Street Stable**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of sixty-eight thousand seven hundred and forty-six dollars (\$68,746) from Acct # 7902C104-337902 Unrestricted Capital Funds to fund the replacement of the boiler at the Crafts Street Stable.
Finance Approved as Amended to Acct # 7939-337902 4-0 (Councilor Malakie not voting) on 03/08/2021
Public Facilities Approved 5-0

- #84-21** **Requesting ordinance amendments for enforcement of sidewalk snow removal**
HER HONOR THE MAYOR requesting an amendment to Chapter 17, Section 23(f) of the City of Newton Revised Ordinances 2017 to improve the implementation of the residential sidewalk snow removal ordinance by the Department of Public Works by clarifying the time period for tracking warnings before issuance of a fine.
Public Facilities Approved 5-0

Referred to Finance Committee

Monday, March 8, 2021

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

- #85-21** **Accept grant funds from the Homeland Security FY2020 Assistance to Firefighters**
HER HONOR THE MAYOR requesting authorization to accept, appropriate and expend a grant in the amount of twenty thousand seven hundred eight dollars and twenty-three cents (\$20,708.23) from the Homeland Security FY2020 Assistance to Firefighter Grant program-Covid-19 Supplemental (AFG-S) for the purchase of PPE and related supplies. This grant to be matched at a rate of 10% or \$2,070.82.
Finance Approved 4-0 (Councilor Malakie not voting)

Referred to Public Facilities and Finance Committees

- #87-21** **Appropriate \$68,746 to fund the replacement of the boiler at Crafts Street Stable**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of sixty-eight thousand seven hundred and forty-six dollars (\$68,746) from Acct # 7902C104-337902 Unrestricted Capital Funds to fund the replacement of the boiler at the Crafts Street Stable.
Public Facilities Approved 5-0 on 03/03/2021
Finance Approved as Amended to Acct # 7939-337902 4-0 (Councilor Malakie not voting)

Referred to Land Use and Finance Committees

#51-21

Approval of \$4,214,622 in CPA funding for the Coleman House

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four million two-hundred and fourteen thousand six hundred and twenty-two dollars (\$4,214,622) in CPA Community Housing funds to 2Life Communities for the Coleman House Senior Affordable Housing Preservation project.

Land Use Approved 7-0 on 03/02/2021

Finance Approved 4-0 (Councilor Malakie not voting)

#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 5-0