



**REVISED**

7:07 pm, Apr 17, 2021

## City Council Docket

**POSTED**  
City Clerk

**RECEIVED**

By City Clerk at 7:06 pm, Apr 17, 2021

April 21: Programs & Services, Public Safety & Transportation  
Public Facilities  
April 26: Zoning & Planning, Finance  
April 27: Land Use

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Continued

**Tuesday, April 20, 2021**

7:45 PM, Virtual

To be reported on

Monday, May 3, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Tuesday, April 20, 2021 at 7:45 PM.  
To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/86721761379>

One tap mobile

US: +13017158592,,86721761379#

Land line

US: +1 301 715 8592

Meeting ID: 867 2176 1379

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***

**#122-21**

**Petition to extend nonconforming two-family use at 9-11 Noble Street**

JOHN CARUSO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct dormers in the attic level, extending the nonconforming two-family use at 9-11 Noble Street, Ward 3, West Newton, on land known as Section 44 Block 4 Lot 19, containing approximately 6,258 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of Chapter 30 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***

**#123-21      Petition to exceed FAR at 9 Old Orchard Road**

9 OLD ORCHARD RD LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the ceiling height in a single-story rear addition to create atria space and to enclose an existing breezeway, exceeding the allowable FAR of .28 at 9 Old Orchard Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 16 Lot 21, containing approximately 7,650 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned***

**#124-21      Petition to allow three-story structure at 28 Harrington Street**

DOMENICO TAMBASCIA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct dormers on the attic level that exceed 50% of the wall plane below and within 3' of the end wall in the attic level, creating a three-story structure in the MR3 zone at 28 Harrington Street, Ward 2, on land known as Section 21 Block 35 Lot 15, containing approximately 9,124 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.2.3, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned***

**#125-21      Petition to allow marijuana retailer at 740 Beacon Street**

THE GREEN LADY DISPENSARY II, INC/740 BEACON STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a recreational marijuana retail establishment, to allow parking in the side setback, to reduce dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements and to waive lighting requirements at 740 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lo 6, containing approximately 10,969 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.8.A.1, 5.1.13, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

**Other Communications**

**#126-21      Grant of Location for a lateral crossing in Nod Hill Road**

EVERSOURCE ENERGY petitioning for a grant of location to install 7'± of conduit in NOD HILL ROAD in a northerly direction from pole #1068/4 to private property at 21 Nod Hill Road

**Commissioner of Public Works Approved**

**#127-21      Grant of Location for a lateral crossing in Newtonville Avenue**

SALZEIDER, INC petitioning for a grant of location to install of conduit in NEWTONVILLE AVENUE from existing pole located in front of Newtonville Avenue to private property at 255-257 Newtonville Avenue. W/O #4312780

**Commissioner of Public Works Approved**

- #128-21 Appointment to the Newton Housing Partnership**  
HER HONOR THE MAYOR reappointing the following individuals to the Newton Housing Partnership: Josephine McNeil, 53B Taft Avenue, West Newton, and Charlies Eisenberg, 4 Ashford Road, Newton Centre.
- #129-21 Petition to Amend ZBA Comprehensive Permit for Dunstan East**  
MARK DEVELOPMENT, LLC submitting a Comprehensive Permit Amendment to amend the approved mixed-use project to allow the expansion of building 3, an increase of 64 residential units and the incorporation of the parcel located at 1157 Washington Street on 3 acres of land located at 1149, 1151, 1157, 1169, 1171-1173, 1179 and 1185 Washington Street, 12, 18, 24 and 25 Kempton Place and 32 and 34 Dunstan Street.
- #130-21 Administrative site plan review for 1858 Washington Street**  
TEMPLE REYIM/HEBREW COLLEGE filing an application for Administrative Site Plan Review to make improvements to the existing building at 1858 Washington Street by constructing an addition in order to accommodate the non-profit education use at 1858 WASHINGTON STREET, Auburndale (Ward 4).

**Referred to Zoning & Planning Committee**

- #131-21 Requesting timely updates on forthcoming state guidance on and requirements for implementing the Housing Choice element**  
COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting timely updates on forthcoming state guidance on and requirements for implementing the Housing Choice element of the MA Economic Development legislation.
- #132-21 Appointment of Treff LaFleche as a full member of the Zoning Board of Appeals**  
HER HONOR THE MAYOR appointing TREFF LAFLECHE, 1603 Commonwealth Avenue, Newton, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2022. (60 days 06/19/21)
- #133-21 Reappointment of William McLaughlin as a full member of the Zoning Board of Appeals**  
HER HONOR THE MAYOR reappointing WILLIAM MCLAUGHLIN, 117 Hammond Street, Newton as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2022. (60 days 06/19/21)
- #134-21 Reappointment of Brooke Lipsitt as a full member of the Zoning Board of Appeals**  
HER HONOR THE MAYOR reappointing BROOKE LIPSITT, 54 Kirkstall Road, Newtonville as a full member of the Zoning Board of Appeals. Her term of office shall expire on April 30, 2024. (60 days 06/19/21)

**#135-21 Reappointment of Michael Rossi as a full member of the Zoning Board of Appeals**  
HER HONOR THE MAYOR reappointing MICHAEL ROSSI, 20 Rose Drive, Newton, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2023. (60 days 06/19/2021)

**#136-21 Reappointment of Stuart Snyder as a full member of the Zoning Board of Appeals**  
HER HONOR THE MAYOR reappointing STUART SNYDER, 30 Erie Avenue, Newton Highlands, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2023. (60 days 06/19/2021)

**Referred to Programs & Services Committee**

**#137-21 Public Meeting with City Clerk/Clerk for the Council candidates**  
CITY CLERK PRELIMINARY SCREENING COMMITTEE submitting recommended candidates for the City Clerk/Clerk of the Council position for review by the Programs & Services Committee and recommendation to the City Council.

**Referred to Public Safety & Transportation Committee**

**#138-21 Discussion with the Administration on the Newton Police Reform Task Force**  
PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting a discussion with the Administration on the Newton Police Reform Task Force recommendations and matters pertaining.

**Referred to Public Facilities Committee**

**#139-21 Discussion on sidewalk repair and maintenance in the City**  
PRESIDENT ALBRIGHT requesting a discussion on what can be done to the many uneven sidewalks in Newton that create inaccessible and unsafe conditions.

**#140-21 Discussion on the Transportation Network Improvement Program**  
PUBLIC FACILITIES COMMITTEE requesting an update on the City's Transportation Network Improvement Plan (Roads Program).

**Referred to Finance Committee**

**#141-21 Acceptance of grants funds from MassDOT's Community Transit Grant Program**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two hundred thousand dollars (\$200,000) in grant funding from MassDOT's Community Transit Grant Program FY21 for operating assistance for the NewMO Program.

- #142-21**      **Acceptance of grants funds from the Executive Office of Public Safety**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of twenty-six thousand dollars in grant funding from the Executive Office of Public Safety and the Department of Fire Services to cover firefighter safety equipment expenses.
- #143-21**      **CPC Recommendation to appropriate \$21,270 in CPA funding for the West Newton Armory**  
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of twenty-one thousand two hundred and seventy dollars (\$21,270) in Community Preservation Act community housing funds to the West Newton Armory Affordable Housing Development Project in order to complete pre-development studies and assessments necessary for the acquisition of the site for future affordable housing development.

*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**

- #144-21**      **Appointment of M. Ronald Mendes as the City's Treasurer/Tax Collector**  
HER HONOR THE MAYOR requesting approval of the appointment of M. Ronald Mendes as the City's Treasurer/Tax Collector (90 days: 07/14/21)

**Referred to Zoning & Planning Committee**

- #145-21**      **Request for Chapter 30 Amendment to establish regulations for gun establishments**  
HER HONOR THE MAYOR AND COUNCILORS ALBRIGHT, KRINTZMAN, LEARY, OLIVER, GREENBERG, NORTON, LUCAS, KELLEY, WRIGHT, MALAKIE, MARKIEWICZ, GENTILE, DOWNS, CROSSLEY, HUMPHREY, DANBERG, NOEL, BOWMAN, LAREDO, GROSSMAN, BAKER, LIPOF, KALIS AND RYAN requesting amendments to the Newton Zoning Ordinance, Chapter 30, including, but not limited to, the addition of definitions of "Firearm" and "Firearm Businesses", and amendments to Section 4.4.1 Allowed Uses and Section 6.10 Restricted Uses to regulate the use of land, structures and buildings for the siting and operation of gun ranges or the retail or wholesale operation involving gunsmithing, the purchase or sale of firearms, the sale of ammunition, or firearms accessories, and to restrict such uses to the Business 4, Mixed Use 1, Manufacturing, and Light Manufacturing Districts only and only upon the granting of a special permit, and to establish minimum standards and criteria for the granting of such special permits.