



City Council Actions

In City Council

Monday, April 5, 2021

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

The City Council discussed the following items on Second Call:

#96-21 **Requesting to honor The Fair Housing Committee with a resolution**
COUNCILORS ALBRIGHT, BOWMAN, CROSSLEY, DANBERG, HUMPHREY, NOEL, RYAN, DOWNS, KALIS, KRINTZMAN, GREENBERG AND GROSSMAN requesting to honor The Fair Housing Committee with a resolution recognizing their important work in fair access to housing and providing equal opportunity for all.

Zoning & Planning Approved 6-0-2 (Councilors Baker and Wright abstaining)

City Council Voted 15 Yeas 1 Nay (Councilor Malakie) 8 Absent (Councilors Baker, Gentile, Laredo, Lucas, Markiewicz, Norton, Oliver, Wright, Markiewicz)

Note: All Councilors expressed support for honoring the Fair Housing Committee. Some Councilors suggested that the language contained in the draft resolution speaks directly to policy rather than the work of the Fair Housing Committee. Some Councilors stated that the Analysis of Impediments of Fair Housing may have some language that needs refining. Councilors emphasized their support for the ongoing work of the Fair Housing Committee and noted that many residents continue to be faced with inequality in housing due to gender expression, religion, race, etc. It was noted that the Fair Housing Committee is charged with working to Affirmatively Furthering Fair Housing as detailed in the AI. President Albright emphasized the importance of studying exclusionary housing in order to identify forms of discrimination. With that, the Council voted 15 in favor of approval 1 Nay (Councilor Malakie) 8 Absent (Councilors Baker, Gentile, Laredo, Lucas, Markiewicz, Norton, Oliver, Wright, Markiewicz).

The City Council voted without discussion 24 Yeas 0 Nays to Accept the Committee Recommendations on the following items:

Referred to Land Use Committee

Tuesday, March 23, 2021

#314-20 **Petition to allow four 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 two structures, to allow a retaining wall in excess of 4' and to allow a driveway within ten feet of the side lot line 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 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved request to Withdraw without Prejudice 7-0 (Councilor Lipof not Voting)

#522-20 **Petition to retaining wall greater than 4' in the setback at 17 Wallace Street**
ALI KIAPOUR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retaining wall in excess of four feet in height within the side and rear setbacks at 17 Wallace Street, Ward 8, Newton Highlands, on land known as Section 83 Block 34 Lot 18, containing approximately 5,000 sq. ft. in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 8-0; Public Hearing Closed 01/12/2021

Referred to Zoning & Planning Committee

Monday, March 22, 2021

#92-21 **Reappointment of John Wyman to the Chestnut Hill Historic District Commission**
HER HONOR THE MAYOR reappointing John Wyman, 47 Old Orchard Road, Newton, as a full member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire on November 15, 2023. (60 days: 05/14/21)

Zoning & Planning Approved 8-0

#93-21 **Reappointment of Matthew Montgomery to the Chestnut Hill Historic District Commission**

HER HONOR THE MAYOR reappointing Matthew Montgomery, 57 Bowen Street, Newton, as a full member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire on November 15, 2023. (60 days: 05/14/21)

Zoning & Planning Approved 8-0

#94-21 **Reappointment of Robert Imperato to the Chestnut Hill Historic District Commission**
HER HONOR THE MAYOR reappointing Robert Imperato, 145 Washington Street, Newton, as a full member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire on November 15, 2022. (60 days: 05/14/21)

Zoning & Planning Approved 8-0

#95-21 **Reappointment of Samuel Perry to the Chestnut Hill Historic District Commission**
HER HONOR THE MAYOR reappointing Samuel Perry, 26 Old Orchard Road, Chestnut Hill,

as an alternate member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire on November 15, 2021. (60 days: 05/14/21)

Zoning & Planning Approved 8-0

#438-20

Request to create Newton Housing Trust to help support affordable housing development

COUNCILORS ALBRIGHT, CROSSLEY, HUMPHREY, DANBERG, MALAKIE, KELLEY, BOWMAN, KALIS, GREENBERG, DOWNS, WRIGHT, RYAN, NOEL, LEARY, LIPOF AND NORTON requesting the Planning Department analyze mechanisms already in use in other cities and towns, identify funding sources, and create a Housing Trust in Newton to facilitate and foster the development of affordable housing in Newton.

Zoning & Planning Held 8-0

Referred to Programs & Services Committee

Wednesday, March 17, 2021

#82-21

Resolution to prioritize Covid-19 vaccinations for teachers

COUNCILORS ALBRIGHT, GREENBERG AND DOWNS requesting the City Council adopt a resolution requesting the Governor to prioritize teachers to be vaccinated immediately.

Programs & Services Voted No Action Necessary 7-0

Referred to Programs & Services Committee

Monday, March 29, 2021

Referred to Programs & Services and Finance Committees

#99-21

Discussion regarding resources needed for a safe return to in-person learning

COUNCILORS KRINTZMAN, GROSSMAN, LAREDO, WRIGHT, KALIS, MALAKIE, GREENBERG, LEARY, RYAN, BAKER, ALBRIGHT, MARKIEWICZ AND NOEL Requesting a discussion about the resources necessary for a speedy and safe return to in person learning, in compliance with the March 9, 2021 guidance from the Massachusetts Department of Elementary and Secondary Education and in anticipation of more than \$48 million in Federal Aid from the American Rescue Plan

Finance Held 6-0 on 03/29/2021

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

Referred to Public Facilities Committee

Wednesday, March 17, 2021

#57-20

Request for Review/Update Double Pole compliance

COUNCILORS ALBRIGHT, DANBERG, LAREDO & CROSSLEY requesting an update from the Double Poles Working Group on the work of the group and the status of removing double poles and cataloguing and assigning responsibilities for transfer of utility and city wires.

Public Facilities Held 8-0

Referred to Finance Committee

Monday, March 29, 2021

- #97-21** **Authorization to expend a US Food and Drug Administration Grant of \$3,000**
HER HONOR THE MAYOR requesting authorization to accept and expend a three thousand dollars (\$3,000) grant from the United States Food and Drug Administration for the cost of electronic inspection software for restaurant inspections.
Finance Approved 6-0

Referred to Programs & Services and Finance Committees

- #99-21** **Discussion regarding resources needed for a safe return to in-person learning**
COUNCILORS KRINTZMAN, GROSSMAN, LAREDO, WRIGHT, KALIS, MALAKIE, GREENBERG, LEARY, RYAN, BAKER, ALBRIGHT, MARKIEWICZ AND NOEL Requesting a discussion about the resources necessary for a speedy and safe return to in person learning, in compliance with the March 9, 2021 guidance from the Massachusetts Department of Elementary and Secondary Education and in anticipation of more than \$48 million in Federal Aid from the American Rescue Plan
Programs & Services Held 7-0 (Councilor Baker not voting) on 03/29/2021
Finance Held 6-0

Referred to Real Property Reuse Committee

Wednesday, March 24, 2021

- #393-20** **Reuse of former water tower site on Countryside Road**
 DIRECTOR OF PLANNING & DEVELOPMENT submitting on September 10, 2020 a letter recommending that the former water tower site, a 16,900 sq. ft. parcel of land on Countryside Road, Ward 8, Newton Centre, known as Property ID: 83036 0003A be made available for sale or lease pursuant to Ordinance Section 2-7.
Real Property Reuse Committee made an Initial Determination that the property be made available for Sale or Lease
Real Property Reuse Held 8-0

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.
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) on 02/04/2021
City Council Approved on 03/01/2021 17 Yeas 5 Nays (Councilors Crossley, Humphrey, Noel, Ryan and Albright), 2 Vacancies

On March 8, 2021 in accordance with the provisions of Section 3-8 of the Newton City Charter entitled Adoption of Measures; Mayor's Veto., Her Honor the Mayor submitting her veto of Council Order #458-20 adopted by the City Council on March 1, 2021

Public Hearings were assigned for the following items:

Public Hearing Assigned for April 27, 2021

#368-20(2) Petition to amend Council Order #368-20 to allow change to FAR calculation
HOLLIS REALTY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit Council Order #368-20 to allow FAR relief in excess of what was approved to reflect the atria space shown on the approved plans at 14 Hollis Street, Ward 1, Newton, on land known as Section 72 Block 06 Lot 21, containing approximately 9,811 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for April 27, 2021

#101-21 Petition to allow single-family attached dwelling units at 667 Boylston Street
CZ FLEET, LLC/MINGZONG ZOU petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, to allow reduced front and rear setbacks, to allow parking in the side setback and to allow a driveway within ten feet of the side lot line at 667 Boylston Street, Ward 6, Newton Centre, on land known as Section 52 Block 29 Lots 40 and 41 containing approximately 16,959 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.

Public Hearing Assigned for April 27, 2021

#103-21 Petition to allow for-profit education use at 1087 Beacon Street (Unit #304)
GILLI LAVRISHINA/SHARON DRIVING SCHOOL/1087 BEACON REALTY TRUST II petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit school in a 738 sq. ft. space within the existing building at 1087 Beacon Street, Ward 6, Newton Centre, on land known as Section 64 Block 5 Lot 1L, containing approximately 16,925 sq. ft. in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.3.14.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 4, 2021

#100-21 Petition to allow free-standing sign and dimensional parking relief at 104 Needham St
RK NEWTON LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to reconfigure the parking lot to increase the number of parking stalls, requiring dimensional relief and to allow a free-standing sign at 104 Needham Street, Ward 8, Newton Upper Falls, on land known as Section 83 Block 12 Lot 8, containing approximately 7,500 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3.3, 7.4, 5.2.13.A, 5.2.13.B, 5.1.4, 5.1.13, 7.8.2.C.2, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C, 5.1.8.D.2, 5.1.8.E.1, 5.1.9, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 4, 2021

#102-21 Petition to waive five parking stalls and allow increase in restaurant seating at 527 Waltham St/1293-1297 Washington Street
NEW TOWNE HOSPITALITY LLC D/B/A BLUEBIRD BAR & WOOD FIRED GRILL/KENMORE

REALTY CORPORATION petition for SPECIAL PERMIT/SITE PLAN APPROVAL to waive five parking stalls and to amend Special Permit Board Orders #18-98 and #18-98(2) to allow an increase in number of restaurant seats at 527 Waltham Street (1293-1297 Washington Street) Ward 3, West Newton, on land known as Section 33 Block 11 Lots 13 and 12, containing approximately 17,867 sq. ft. of land 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 Assigned for May 4, 2021

#104-21 Petition to extend non-conforming two-family use at 74-76 Cummings Road

JOHN ARONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing two-family dwelling into a single family and construct a second unit, extending the non-conforming two-family use, to allow extension of a non-conforming front setback and to exceed FAR at 74-76 Cummings Road, Ward 2, Newton Centre, on land known as Section 64 Block 03 Lot 40, containing approximately 17,528 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for May 4, 2021

#105-21 Petition to exceed FAR and extend non-conforming structure at 350 Woodward Street

DANIEL SHANKS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second story side addition above an existing sunroom and a rear addition containing an attached garage and two and a half story addition above, exceeding the allowable FAR and extending the non-conforming 3.5 story structure at 350 Woodward Street, Ward 5, Waban, on land known as Section 54 Block 08 Lot 23, containing approximately 7,576 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for April 7, 2021

#109-21 Petition for grant of location on Parmenter Road

EVERSOURCE ENERGY petition for a grant of location to install a guy wire, hip and anchor at pole #109/3 on Parmenter Road. (Ward 3)

Public Hearing to be assigned for April 7, 2021

#110-21 National Grid petition for grant of location in Circuit Ave and Thurston Road

NATIONAL GRID petition for a grant of location to install and maintain gas main in Circuit Avenue and Thurston Road as follows:

- 1530'± of 4" plastic main in Thurston Road from the 8" plastic main in Circuit Avenue to the end of the main at #114 Thurston Road to replace 1530'± of 6" LP bare steel main;
- 1055'± of 4" of plastic main in Cottage Street from Thurston Road to Elliot Street to replace 845'± 4" LP cast iron and 10'± of 4" of LP plastic main;
- 320'± of 4" plastic main in Columbia Avenue from Cottage Street to the end of the main at #31 Columbia Avenue to replace 320"± of 4" LP bare steel main;
- 510'± of 4" plastic in Champa Street from Cottage Street to the end of the main at #41 Champa Street to replace 510'± 4" LP cast iron main

This work is a part of the Cast iron Main Replacement Program. (Ward 5)