



City Council Reports Docket

July 13: Land Use
July 14: Programs & Services, Public Facilities
July 15: Public Safety & Transportation
July 26: Zoning & Planning
July 27: Land Use
August 3: Programs & Services

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7:45 PM, Virtual
To be reported on
Monday, August 9, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Monday, August 9, 2021, at 7:45 pm. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/86418247203>

One tap mobile

US: +13017158592,,86418247203# US

Land line

US: +1 301 715 8592

Meeting ID: 864 1824 7203

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

Unfinished Council Business

#148-21

Amended Petition to allow single-family attached dwelling units at 145 Warren Street

145 WARREN STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, to allow reduced side setbacks, to increase the allowed lot coverage, to allow a driveway within ten feet of the side lot line and to allow retaining walls greater than 4' within a setback, to waive the requirement for one accessible parking stall, to waive one parking stall and to allow a reduced driveway width 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, 5.1.4, 5.4.2.B, 5.1.8.B.3, 5.1.13, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 5-3 (Councilors Laredo, Markiewicz and Lucas Opposed); Public Hearing Closed 06/08/2021

City Council postponed to July 12, 2021 on June 21, 2021

Item Chartered by Councilor Danberg on July 12, 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.

Referred to Land Use Committee

Tuesday, July 13, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Downs, Bowman and Laredo; also Present: Councilors Wright, Gentile, Crossley and Krintzman

- #212-21 Petition to extend nonconforming rear setback at 5 Dedham Street**
YONGJIE YANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct second-story rear additions, vertically extending the nonconforming rear setback at 5 Dedham Street, Ward 8, Newton Highlands, on land known as Section 83 Block 10 Lot 17, containing approximately 7,569 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 7.8.2.C.2, 3.1.3, 3.1.9 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 07/13/2021
- #213-21 Petition to alter and reconstruct nonconforming two-family at 2163 Comm Ave**
KANE BUILT, INC./MICHAEL QUINN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the structure and construct a new two-family dwelling in a new configuration with four surface parking stalls at 2163 Commonwealth Avenue, Ward 4, Auburndale, on land known as Section 41 Block 18 Lot 0032 containing approximately 10,535 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 7.8.2.c.2, 3.4.1 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 07/13/2021
- #217-21 Petition to allow retail drive-in at 1021 Boylston Street**
1021 BOYLSTON STREET, LLC c/o JONATHAN BERNSTEIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to alter a nonconforming retail use to allow a retail drive-in business, to allow parking in the side and front setbacks and within five feet of the street, to allow a reduced required aisle width, to waive perimeter screening requirements and to waive outdoor lighting requirements at 1021 Boylston Street, Ward 5, Newton Highlands, on land known as Section 51 Block 26 Lot 03, containing approximately 17,280 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 7.8.2.C.2, 6.4.11 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0; Public Hearing Continued
- #91-21 Zoning amendments for Riverside project**
MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.4 and 4.4.1 and 6.2.10 relative to the Mixed Use 3 District.
Land Use Held 7-0; Public Hearing Continued

#27-20(2) Petition to amend Special Permit #27-20 for Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the Special permit site plan as approved by Council Order #27-20 to allow changes to: the square footage of all of the approved buildings, the heights of Buildings 1, 2, 3, 4, 7, 8, 9 and 10, the building footprints shown on the site plan, the open space as shown on the approved site plan, the Comprehensive Sign Package, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3). Ref: Sec. 4.2.3, 4.2.4, 7.3.3, 7.4, 7.3.5 of the City of Newton Revised Zoning Ordinance, 2017. Proposed Amendments are subject to the proposed text changes to the MU-3 zoning district.

Land Use Held 7-0; Public Hearing Continued

Referred to Land Use Committee

Tuesday, July 27, 2021

Present: Councilors Lipof (Chair), Lucas, Kelley, Markiewicz, Bowman, and Laredo; also Present: Councilors Albright, Malakie, Crossley, Oliver, Wright and Norton; absent: Councilors Greenberg and Downs

#214-21 Petition to allow extension of time to construct residences at Chestnut Hill Square

CHS COMMERCIAL OWNER LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit Board Order #214-10(2) in accordance with Condition 3 of the special permit conditions, to allow an extension of time to construct the residential building to November 15, 2026 at 200-230 Boylston Street, Boylston Street, 7 Hammell Place LLC, 114 Florence Street and 146 Florence Street, Ward 7, Chestnut Hill, on land known as Section 82 Block 2 Lots 8, 9, 10, 11, 12, 13, 14, 15, 15A, 15B, 15C, 18, 29, 30, 32, containing approximately 245,000 sq. ft. of land in a district zoned BUSINESS USE 4. Ref: Sec. 7.3.3, 7.4, of the of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 6-0; Public Hearing Continued

#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.

Land Use Approved 6-0; Public Hearing Closed 07/27/2021

- #338-20** **Petition to allow detached oversized accessory apartment at 63 Bourne Street**
ANNA LAVRINENKO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and create a new detached accessory structure for an accessory apartment greater than 40% of the habitable space of the principal dwelling at 63 Bourne Street, Ward 4, Auburndale, on land known as Section 41 Block 09 Lot 09, containing approximately 11,355 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 6.7.1.E.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 6-0; Public Hearing Continued
- #218-21** **Petition to extend nonconforming use at 38 Richardson Street**
ALANA SHULAKOVA/BRADEN HOUSTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition, patios and increase the parking area, altering/extending the nonconforming multi-family use, to allow parking in the side setback, to allow parking within five feet of a building with dwelling units, to reduce the width of parking stalls, to reduce the minimum maneuvering aisle width, to reduce to the minimum width for entrance and exit drives for two-way traffic, to allow tandem parking stalls, to waive perimeter screening requirements, to waive outdoor lighting requirements and to waive striping requirements at 38 Richardson Street, Ward 1, Newton, on land known as Section 12 Block 13 Lot 7, containing approximately 9,370 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 5-0 (Councilor Laredo not Voting); Public Hearing Closed 07/27/2021
- #219-21** **Petition to allow retail drive-in business at 940 Boylston Street**
MILDRED McMULLIN, TRUSTEE of MIL MAC TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to reconfigure the existing building and parking area to allow a drive-in establishment, to waive perimeter screening requirements and to waive outdoor lighting requirements at 940 Boylston Street, Ward 5, Newton Highlands, on land known as Section 51 Block 26 Lot 03, containing approximately 14,608 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.4.11, 5.1.9.A, 5.1.13, 5.10.A of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 6-0; Public Hearing Continued
- #216-21** **Petition to allow 12-unit multi family dwelling at 50 Jackson Street/383-387 Boylston St**
BARBARA AND GERALD BARATZ REVOCABLE TRUSTS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish two commercial buildings and construct one, 12-unit, three-story, multi-family dwelling with a 23-parking stall underground parking spaces (1 accessible), to allow a ground floor residential use, to allow a building with more than 20,000 sq. ft., to allow a three-story structure with 36' in height, to allow an FAR of 1.5, to alter and extend a nonconforming side setback, to waive two parking stalls, to reduce the width of parking stalls, to allow a driveway width exceeding 25 feet and to allow a retaining wall greater than four feet in height within the setback at 50 Jackson Street/383-387 Boylston Street, Ward 6, Newton Centre, on land known as Section 65 Block 11 Lot 4, containing approximately 14,866 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.D.2, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 6-0; Public Hearing Continued

#215-21

Petition to amend Council Order #289-18 for Garden Remedies

GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18 to remove the appointment only conditions, amend the hours of operations to allow business operations, to remove the sign plan as a control document and to amend the site plan and landscape plan in Ward 2, Newton at 697 Washington Street (Section 23 Block 19 Lot 01B), 691 Washington Street (Section 23 Block 19 Lot 01A), 681 Washington Street (Section 23 Block 19 Lot 01) and 2 Court Street (Section 23 Block 19 Lot 23), containing approximately 16,669 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 6-0; Public Hearing Continued

Referred to Zoning & Planning Committee

Monday, July 26, 2021

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

Referred to Zoning & Planning and Finance Committees

#281-21

CPC Recommendation to appropriate \$1,440,344 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million four hundred forty thousand three hundred and forty-four dollars (\$1,440,344) in Community Preservation Act funds, with \$288,068.80 to come from the Open Space Prior Year Reserve (Act# 5840-3599) and \$1,152,275.20 to come from the Prior Year Undesignated Fund (Acct# 5800-3599), to the control of the Planning & Development Department for the implementation of the approved and permitted designs for Levingston Cove including the construction of new erosion controls, plantings, accessibility improvements and the installation of new public amenities including new pathways, benches and decks.

Zoning & Planning Referred to Council for Referral to Programs & Services Committee 7-0 (Councilor Baker not voting)

Referred to Zoning & Planning and Finance Committees

#280-21

CPC Recommendation to appropriate \$441,755.29 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred forty-one thousand seven hundred fifty-five dollars and twenty-nine cents (\$441,755.29) from the Community Preservation Act FY22 Historic Resource Reserve Fund Account to the control of the Planning & Development Department to provide the remaining recommended funding needed to complete 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 5-2 (Councilors Humphrey and Noel opposed) on 08/02/2021

Zoning & Planning Approved 6-1 (Councilor Ryan opposed, Councilor Baker not voting)

- #265-21 Appointment of Lee Breckenridge to the Planning and Development Board**
HER HONOR THE MAYOR appointing Lee Breckenridge, 173 Berkeley Street, Newton, as an alternate member of the PLANNING AND DEVELOPMENT BOARD for a term to expire on February 1, 2026. (60 days: 09/10/21)
Zoning & Planning Approved 7-0 (Councilor Baker not voting)
- Referred to Zoning & Planning and Finance Committees**
- #252-21 Appropriation of \$643,215 for the Newton Housing Authority**
DIRECTOR OF PLANNING & DEVELOPMENT requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning funds to the Newton Housing Authority (NHA) to support the creation of 55 new units of affordable senior housing at the NHA's new Haywood House development.
Finance Held 7-0 on 08/02/2021
Zoning & Planning Approved 7-0 (Councilor Baker not voting)
- #438-20 Request for creation of Trust in Newton to 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
- #528-20 Requesting review and possible amendment to Local Preference in Chapter 30**
COUNCILORS ALBRIGHT, NORTON, CROSSLEY, BOWMAN, NOEL, HUMPHREY, WRIGHT, LAREDO, KALIS, RYAN, LIPOF AND DANBERG requesting a review and possible amendment to the Local Preference Ordinance in Chapter 30 sections 5.11.8. This section requires an Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP) for all Inclusionary Units which provides for a local preference for up to 70% of the Inclusionary Units. Various groups including The Fair Housing Committee and the Newton Housing Partnership have questioned whether the percent of local preference to current Newton residents should be lowered with the goal of increasing racial diversity in Newton.
Zoning & Planning Held 8-0
- #29-20(2) 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.
 Zoning & Planning Approved as Amended 7-0-1 (Councilor Krintzman abstaining) on 05/19/2020
Zoning & Planning Held 8-0; Public Hearing Closed

Referred to Programs & Services Committee

Wednesday, July 14, 2021

Present: Councilors Krintzman (Chair), Noel, Humphrey, Albright, Ryan, Wright, and Greenberg; absent: Councilor Baker; also present: Councilors Norton, Crossley, Laredo, Bowman, Kalis, Downs, Danberg, and Malakie

Referred to Public Facilities and Programs & Services Committee

#249-21

Update on the NewCAL project

HER HONOR THE MAYOR requesting the opportunity to provide a NewCAL project update to the Public Facilities and Programs & Services Committees.

Programs & Services Held 6-0 (Councilor Greenberg not voting)

#246-21

Appointment of Joan Belle Isle to the Council on Aging

HER HONOR THE MAYOR appointing JOAN BELLE ISLE, 295 Tremont Street, Newton, to the COUNCIL ON AGING for a term to expire on July 19, 2024 (60 Days: 08/20/21)

Programs & Services Approved 7-0

#266-21

Request to move Ward 3, Precinct 1 and Ward 8, Precinct 2 Polling Locations

ACTING CITY CLERK requesting that the Ward 3, Precinct 1 polling location, currently located at the Old Horace Mann School at 687 Watertown Street be relocated to Nordic Hall at the Scandinavian Living Center on 206 Waltham Street for all future elections as the Old Horace Mann School will be renovated and no longer available as a polling location. In addition, the polling location of Ward 8, Precinct 2, currently located at Temple Beth Avodah at 45 Puddingstone Lane be relocated to Oak Hill Middle School in Ward 8, Precinct 1, 130 Wheeler Road temporarily if the needed for a Preliminary Election on Tuesday, September 14, 2021.

Programs & Services Approved 7-0

Referred to Programs & Services and Finance Committees

#253-21

Request for special legislation regarding the West Newton Armory

HER HONOR THE MAYOR requesting to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the West Newton Armory from the current period of sixty-five (65) years (as authorized by special legislation Acts 1981, c. 330) to a period of up to ninety-nine (99) years.

Finance Approved 7-0 on 08/02/2021

Programs & Services Approved 7-0

Referred to Programs & Services and Finance Committees

#120-21

Request for Ordinance Amendments to Sec. 27-21 of the Newton Ordinances

COUNCILORS MALAKIE, DOWNS, HUMPHREY, NORTON, WRIGHT, LIPOF, GREENBERG,

LAREDO, GENTILE, BOWMAN AND RYAN requesting that Sec. 27-21 of Newton

Ordinances be amended to increase the income limits for participation in the Senior Tax Work-off Program to adjust for wage and price inflation.

Programs & Services Held 7-0

Referred to Zoning & Planning and Programs & Services Committees

#40-20

Discussion with Department Heads regarding supportive services

COUNCILORS ALBRIGHT, CROSSLEY, DOWNS, KELLEY, LEARY, GREENBERG, NOEL AND HUMPHREY requesting a discussion with the Director of Health and Human Services, Director of Senior Services, Commissioner of Parks & Recreation and the Director of Planning and Development regarding what Newton is doing to support economically disadvantaged persons in Newton, including; immigrants, seniors, disabled individuals and families with adult disabled children.

Programs & Services Held 7-0

Referred to Programs & Services Committee

Tuesday, August 3, 2021

Present: Councilors Krintzman (Chair), Noel, Albright, Humphrey, Wright, Baker, and Greenberg; absent: Councilor Ryan; also present: Councilors Lipof and Grossman

#268-21

Appointment of Despina Felis to the Biosafety Committee

HER HONOR THE MAYOR appointing DESPINA FELIS, 9 Hale Street, Newton, as a member of the BIOSAFETY COMMITTEE for a term to expire on September 30, 2024. (60 Days: 09/10/21)

Programs & Services Approved 6-0 (Councilor Greenberg not voting)

#269-21

Appointment of John Synnott to the Newton Commonwealth Foundation

HER HONOR THE MAYOR appointing JOHN SYNNOTT, 22 Winona Street, Auburndale, to the NEWTON COMMONWEALTH FOUNDATION for a term to expire on August 31, 2024. (60 Days: 09/10/21)

Programs & Services Approved 6-0 (Councilor Greenberg not voting)

#270-21

Reappointment of Marcela Merino to the Community Education Commission

HER HONOR THE MAYOR reappointing MARCELA MERINO, 66 Cloverdale Road, Newton, as a member of the COMMUNITY EDUCATION COMMISSION for a term to expire on May 31, 2023. (60 Days: 09/10/21)

Programs & Services Approved 6-0 (Councilor Greenberg not voting)

#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.

Programs & Services Held 7-0

Referred to Public Safety & Transportation Committee

Thursday, July 15, 2021

Present: Councilor Downs (Chair), Markiewicz, Oliver, Lucas, Malakie, Lipof, Bowman and Grossman;
also present: Councilors Albright and Norton

- #158-21 Requesting a discussion with the Police about gun regulations**
COUNCILORS DANBERG AND ALBRIGHT requesting a discussion with the Police about gun regulations in Newton in order to explain the City's gun laws so that the Council and public can understand them.
Public Safety & Transportation Voted No Action Necessary 8-0

Referred to Public Safety & Transportation and Finance Committees

- #197-21 Request for Ordinance Amendment to prohibit firearms within any public building**
COUNCILORS NORTON, GENTILE, KALIS, DANBERG, LAREDO, HUMPHREY, MALAKIE, GREENBERG, KRINTZMAN, DOWNS, LUCAS, BOWMAN, CROSSLEY, OLIVER, MARKIEWICZ, NOEL, WRIGHT, LIPOF AND GROSSMAN requesting amendments to the City of Newton Ordinances to prohibit the carrying of firearms in any building owned and under the control of the City of Newton. This ordinance shall not apply to law enforcement officers and/or any building owned by the City and operated as public housing. The proposed ordinance includes amendments to Chapter 17 Sec. 22-23 to include a fine of three hundred dollars (\$300.00), pursuant to the authority granted by G.L. c. 40, section 21D.
Finance Held 7-0 on 08/02/21
Public Safety & Transportation Approved 8-0

Referred to Public Facilities Committee

Wednesday, July 14, 2021

Present: Councilors Norton (Vice-Chair), Laredo, Kelley, Danberg, Kalis, and Crossley; also present: Councilors Bowman and Downs; absent: Councilors Leary and Gentile

Referred to Public Facilities and Programs & Services Committee

- #249-21 Update on the NewCAL project**
HER HONOR THE MAYOR requesting the opportunity to provide a NewCAL project update to the Public Facilities and Programs & Services Committees.
Public Facilities Held 6-0
- #285-21 Eversource Energy petition for a Grant of Location on Pearl Street**
EVERSOURCE ENERGY petitioning for a grant of location to install one pole (Pole #28/2X) in Pearl Street. (Ward 1).
Public Facilities Approved 6-0

#275-21 **Request for Home Rule Petition to require electricity in new or rehabilitated buildings**
CHAIR OF THE PUBLIC FACILITIES COMMITTEE requesting a Home Rule Petition for special legislation to allow the City of Newton to enact an ordinance that requires new and substantially remodeled or rehabilitated buildings to use electricity instead of fossil fuels for heating and cooling systems and hot water appliances and for hot water by electricity or thermal solar.
Public Facilities Approved 6-0

#273-21 **Reappointment of Robin Maltz to the Sustainable Materials Management Commission**
HER HONOR THE MAYOR reappointing Robin Maltz, 20 Chatham Road, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on May 31, 2024. (60 Days: 09/10/21)
Public Facilities Approved 6-0

#274-21 **Reappointment of John Lewis to the Sustainable Materials Management Commission**
HER HONOR THE MAYOR reappointing John Lewis, 56 Lawmarissa Road, Newton, as a member of the Sustainable Materials Management Commission for a term to expire on May 31, 2024. (60 Days: 09/10/21)
Public Facilities Approved 6-0

Referred to Public Facilities Committee

Wednesday, July 21, 2021

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

#290-21 **Request for public way improvements at Pettee Square**
HER HONOR THE MAYOR requesting approval of the public way improvements at Pettee Square at the intersection of Chestnut Street and Oak Street as part of the Pettee Square streetscape enhancements in accordance with City Ordinance 26-51. Intersection improvements include pedestrian, bicycle and vehicular safety in keeping with the city's complete streets initiative.
Public Facilities Approved 6-0

Referred to Public Facilities and Finance Committees

#282-21 **Appropriate \$325,900 for the purchase of one new Volvo yard front end loader**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred twenty-five thousand nine hundred dollars (\$325,900) and authorize a general obligation borrowing of an equal amount for the purchase of one new Volvo L120H Volvo 4.50 yard front end loader.
Finance Approved 7-0 on 08/02/2021
Public Facilities Approved 6-0

Referred to Public Facilities and Finance Committees

#283-21

Appropriate \$725,000 for the purchase of two 10-wheel swap loader trucks

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seven hundred twenty-five thousand dollars (\$725,000) and authorize a general obligation borrowing of an equal amount for the purchase of two 10-wheel swap loader trucks.

Finance Approved 7-0 on 08/02/2021

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

Referred to Public Facilities and Finance Committees

#284-21

Authorization to borrow up to \$20,837,000 from the MWRA

HER HONOR THE MAYOR requesting authorization to borrow up to twenty million eight hundred thirty-seven thousand dollars (\$20,837,000) from the Massachusetts Water Resources Authority (MWRA) Local Water System Assistance Program Phase 3 as an interest free ten-year loan to be paid in equal, annual installments.

Finance Approved 7-0 on 08/02/2021

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

Referred to Finance Committee

Monday, August 2, 2021

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

#276-21

Acceptance of \$1,250 from Mass Humanities

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one thousand two hundred and fifty dollars (\$1,250) from the Mass Humanities for the purpose of producing the Frederick Douglass reading of "What to the Slave is the Fourth of July?".

Finance Approved 7-0

#277-21

Acceptance of \$150,969 from MassDOT's Shared Streets and Spaces program

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred fifty thousand nine hundred sixty-nine dollars (\$150,969) from the MassDot's Shared Streets and Spaces program.

Finance Approved 7-0

#278-21

Amendment to the Engineering Design of Reconstruction of the Newton Library Contract

HER HONOR THE MAYOR requesting authorization to amend Contract L-6580, Engineering Design of Reconstruction of the Newton Library Parking lot by an amount of thirty-seven thousand five hundred dollars (\$37,500)

Finance Approved 5-1-1 (Councilor Gentile opposed and Councilor Malakie abstaining)

#279-21 Assessment of Curb Betterments

COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

Finance Approved as Amended 6-0 (Councilor Noel recused)

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
17 Bunker Lane	Jonathan S Dietz & Lauren J Dietz	1461/1 (Reg. Land)	31-24-19	\$2,064.00
138 Waban Avenue	Howard A Cyker & Julie Cyker TRS	29634/451 (Rec. Land)	55-39-48	\$2,000.00
47 Lombard Street	Adam E Sulesky & Karen L Sulesky	67023/304 (Rec. Land)	13-12-09	\$2,165.00
20 Woodchester Drive	Guilherme Maredei and Danielle Costa Simeo Maradei	1543/152 (Reg. Land)	73-38-10A	\$3,984.00
175 Parmenter Road	Peter T Giang	51304/488 (Rec. Land)	44-03-31	\$2,112.00
1065 Walnut Street (on Duncklee Street only)	Arnold Stephen Freedman & Lori Melody Kahn TRS	36585/431 (Rec. Land)	52-11-06	\$4,304.00
151 Pine Ridge Road	Esmond S Jr Rice & Virginia A Rice	7631/261 (Rec. Land)	53-28-07	\$2,894.00
59 Lakewood Road	John B Gaines & Mary K Gaines	61303/304 (Rec. Land)	52-16-07	\$4,064.00
57 Taft Avenue	Montgomery Haddon Cagwin & Emily Grace Cagmwin	71940/424 (Rec. Land)	34-11A-22	\$2,320.00
11 Cushing Street	Matthew W Gore & Anya V Gore	69781/381 (Rec. Land)	52-27-09	\$2,800.00
209 Mt. Vernon Street	Peter A. Warren and Gretchen H Warren	28551/166	32-02-05	\$2,048.00
2 Hope Street, AKA 41 Day Street	Michael J Pacinda and Elizabeth Gomperz	1351/21	43-41-06	\$3,616.00

2021- Highway Department Tax Assessment Curb Betterments

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
53 Ober Road	Joan Posternak and Fredric Posternak	30295/84	85-15-16	\$2,448.00
1057 Walnut Street (on Dunklee Only)	Jennifer B. Evans and Philip T. Evans	54394/576	52-12-11	\$2,432.00
15 Hancock Ave	Ian Douglas Swett and Vanessa Swett	76473/85	64-26-02	\$2,888.00
25 Leslie Road	Jeffrey A. Levinson and Lisa L. Gianelly	32638/126	43-42-01	\$3,856.00

2021- Bid Contractor Tax Assessment Curb Betterments

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1025 Walnut Street	Dean Fairchild and Brenda Noel	54777/146	52-12-07	\$2,944.00
1093 Walnut Street	Leslie H. Brail a/k/a Les H. Brail, Trustee	68706/594	52-09-10	\$2,560.00
1057 Walnut Street	Jennifer B. Evans and Phillip T. Evans	54394/576	52-12-11	\$2,560.00
802 Walnut Street	Jonathan Rosario and Marni Deborah Allen	57043/312	64-06-05	\$2,208.00
810 Walnut Street	Kenneth A. Schwartz and Sarah Boorstyn Schwartz	20323/352	64-06-04	\$2,272.00
1036 Walnut Street	Martine Claremont and Christopher James Bennett	64510/122	52-18-17	\$2,560.00
1105 Walnut Street	Andy H. Levine as Trustee	74527/114	52-09-12	\$2,432.00
1048 Walnut Street	Glenn R. Johnson and Susan M. Johnson	12477/731	52-20-13	\$2,176.00

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
1000 Walnut Street	Joseph M. Sanroma and Christine R. Sanroma	31200/421	52-16-08	\$2,240.00

Referred to Public Facilities and Finance Committees

#282-21

Appropriate \$325,900 for the purchase of one new Volvo yard front end loader

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three hundred twenty-five thousand nine hundred dollars (\$325,900) and authorize a general obligation borrowing of an equal amount for the purchase of one new Volvo L120H Volvo 4.50 yard front end loader.

Public Facilities Approved 6-0 on 07/21/2021

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#283-21

Appropriate \$725,000 for the purchase of two 10-wheel swap loader trucks

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seven hundred twenty-five thousand dollars (\$725,000) and authorize a general obligation borrowing of an equal amount for the purchase of two 10-wheel swap loader trucks.

Public Facilities Approved 5-0 (Councilor Norton not voting) on 07/21/2021

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#284-21

Authorization to borrow up to \$20,837,000 from the MWRA

HER HONOR THE MAYOR requesting authorization to borrow up to twenty million eight hundred thirty-seven thousand dollars (\$20,837,000) from the Massachusetts Water Resources Authority (MWRA) Local Water System Assistance Program Phase 3 as an interest free ten-year loan to be paid in equal, annual installments.

Public Facilities Approved 5-0 (Councilor Norton not voting) on 07/21/2021

Finance Approved 7-0

Referred to Public Safety & Transportation and Finance Committees

#254-21

Amendments to Chapter 19 of the City of Newton Ordinances

COUNCILORS DOWNS AND BOWMAN requesting to amend Chapter 19 of the City of Newton Ordinances to allow Newton North High School TIGER permit holders to park in the Austin Street Municipal lot without time restrictions or additional meter charges on school days. This change extends a trial in the field that removes TIGER parking on Lowell Avenue for pedestrian safety and gives expanded room for parent drop-off while providing parking opportunities for the displaced permit holders in the Austin Street lot.

Public Safety & Transportation Approved 4-1-2, Councilor Oliver opposed, Councilors Malakie and Lucas abstaining and Councilor Lipof not voting on 06/23/2021

Finance Held 6-1 (Councilor Humphrey opposed)

Referred to Public Safety & Transportation and Finance Committees

#197-21

Request for Ordinance Amendment to prohibit firearms within any public building

COUNCILORS NORTON, GENTILE, KALIS, DANBERG, LAREDO, HUMPHREY, MALAKIE, GREENBERG, KRINTZMAN, DOWNS, LUCAS, BOWMAN, CROSSLEY, OLIVER, MARKIEWICZ, NOEL, WRIGHT, LIPOF AND GROSSMAN requesting amendments to the City of Newton Ordinances to prohibit the carrying of firearms in any building owned and under the control of the City of Newton. This ordinance shall not apply to law enforcement officers and/or any building owned by the City and operated as public housing. The proposed ordinance includes amendments to Chapter 17 Sec. 22-23 to include a fine of three hundred dollars (\$300.00), pursuant to the authority granted by G.L. c. 40, section 21D.

Public Safety & Transportation Approved 8-0 on 07/15/2021

Finance Held 7-0

Referred to Programs & Services and Finance Committees

#253-21

Request for special legislation regarding the West Newton Armory

HER HONOR THE MAYOR requesting to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the West Newton Armory from the current period of sixty-five (65) years (as authorized by special legislation Acts 1981, c. 330) to a period of up to ninety-nine (99) years.

Programs & Services Approved 7-0 on 07/14/2021

Finance Approved 7-0

Referred to Zoning & Planning and Finance Committees

#280-21

CPC Recommendation to appropriate \$441,755.29 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred forty-one thousand seven hundred fifty-five dollars and twenty-nine cents (\$441,755.29) from the Community Preservation Act FY22 Historic Resource Reserve Fund Account to the control of the Planning & Development Department to provide the remaining recommended funding needed to complete 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 6-1 (Councilor Ryan opposed, Councilor Baker not voting) on 07/26/2021

Finance Approved 5-2 (Councilor Humphrey and Noel opposed)

Referred to Zoning & Planning and Finance Committees

#252-21

Appropriation of \$643,215 for the Newton Housing Authority

DIRECTOR OF PLANNING & DEVELOPMENT requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning funds to the Newton Housing Authority (NHA) to support the creation of 55 new units of affordable senior housing at the NHA's new Haywood House development.

Zoning & Planning Approved 7-0 (Councilor Baker not voting) on 07/26/2021

Finance Held 7-0