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City Council Reports Docket

August 10: Land Use
August 16: Zoning & Planning
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7:45 PM, Virtual
To be reported on
Thursday, September 9, 2021

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

<https://us02web.zoom.us/j/86940896926>

One tap mobile

US: +16465588656,,86940896926#

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US: +1 301 715 8592

Meeting ID: 869 4089 6926

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

Tuesday, August 10, 2021

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

#262-21

Petition to allow ground floor residential use at 1295 Boylston Street

GUY COMPAGNONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a ground floor single residential use in the existing dwelling at 1295 Boylston, Ward 5, Newton Upper Falls, on land known as Section 55 Block 54 Lot 15, containing approximately 2,452 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0; Public Hearing Closed 08/10/2021

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.

- #291-21** **Request for Extension of Time to Exercise Special Permit #319-19**
DANTE CAPASSO/PICARIELLO REALTY TRUST/DSP REALTY TRUST petition for an EXTENSION OF TIME to EXERCISE Special Permit Council Order #319-19 to allow a 24-unit multi-family dwelling with a below grade parking garage and surface stalls 51,870 sq. ft. of land at 15-21 Lexington Street, Ward 4, West Newton, on land known as Section 41 Block 35 Lots 2-5 in a district zoned SINGLE RESIDENCE 3 (to be rezoned to MU3). Ref: Sec. 7.3.3, 7.4, 3.4.1, 5.1.8.B.2, 5.1.13, 5.1.8.B.6, 5.1.9.A, 5.1.9.B, 5.1.10.A.1 of the City of Newton Revised Zoning Ord, 2017.
Land Use Approved 7-0
- #261-21** **Petition to increase nonconforming FAR at 44 Putnam Street**
JASON RHODES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached structure with a first-story garage and living space above, to allow dormers exceeding 50% of the length of the exterior wall of the story below and to increase the nonconforming FAR at 44 Putnam, Ward 3, West Newton, on land known as Section 32 Block 07 Lot 16, containing approximately 18,193 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, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 08/10/2021
- #122-21** **Amended 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 and extending the nonconforming FAR 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, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 08/10/2021
- #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 Approved 6-0-1 (Councilor Lucas abstaining); Public Hearing Closed 08/10/2021
- #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, August 24, 2021

Present: Councilors Lipof (Chair), Lucas, Downs, Markiewicz, Greenberg, Laredo and Bowman; absent: Councilors Kelley; also Present: Councilors Wright, Gentile, Malakie, Oliver, Leary, Albright and Krintzman; absent: Councilor Kelley

#263-21 Petition to extend FAR and three-story structure at 15 Beaumont Avenue

JACQUES AND NICOLE GOUPIL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story rear addition, extending the nonconforming FAR and nonconforming three-story structure at 15 Beaumont Avenue, Ward 2, Newtonville, on land known as Section 24 Block 28 Lot 02, containing approximately 10,685 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, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0 Councilor Bowman not Voting); Public Hearing Closed 09/24/2021

#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.

Land Use Approved Subject to Second Call 6-0 (Councilor Bowman not Voting); Public Hearing Closed 08/24/2021

- #264-21** **Petition to allow a driveway with less than 12' in width at 680 Beacon Street**
JESSE SAGE AND YAEL HOFFMAN SAGE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a circular driveway with less than 12' in width at 680 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lot 14, containing approximately 16,722 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 5.1.7.C, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 6-0 (Councilor Bowman not Voting); Public Hearing Continued
- #327-21** **Petition to amend Special Permit for Turtle Lane at 283 Melrose Street**
TURTLE LANE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Conditions #1 and #27 of Special Permit #480-14(4) to allow for reductions in the minimum stall dimensions, maneuvering aisle width, to allow restricted end parking stalls on the garage plan previously approved and to allow changes to the unit sizes as needed at 283 Melrose Street, Ward 4, Auburndale, on land known as Section 41 Block 14 Lot 10, containing approximately 43,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.B.6, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0 (Councilor Bowman not Voting); Public Hearing Closed 08/24/2021
- #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 Approved 7-0; Public Hearing Closed 08/24/2021
- #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 Approved 7-0; Public Hearing Closed 08/24/2021

#306-21

Appointments to the Riverside Neighborhood Liaison Committee

PRESIDENT ALBRIGHT appointing the following individuals to the Neighborhood Liaison Committee as established in Condition 46 of Special Permit #27-20 granted on October 19, 202 to MD 399 Grove Owner, LLC, Ramirez Concord, LLC, BH Normandy Riverside LLC for a mixed-use development with residences, retail, office, lab and research facilities and accessory and non-accessory parking facilities, adjacent to the Riverside MBTA station at 355 and 399 Grove Street in Ward 4.

Neighborhood representative(s): Liz Mirabile, 19 Hallron Road
Barbara Gruenthal, 10 Asheville Road
Italo Visco, 66 Grove Street
Phil Wallas, 340 Wolcott Street

Land Use Approved 7-0

Referred to Zoning & Planning Committee

Monday, August 16, 2021

Present: Councilors Crossley (Chair), Danberg, Albright, Krintzman, Baker, Wright, and Leary; absent: Councilor Ryan; also present: Councilors Laredo, Markiewicz, Kalis, Malakie, and Greenberg

#240-21

Requesting Ordinance Amendments to Chapter 30

DIRECTOR OF PLANNING AND DEVELOPMENT requesting ordinance amendments to the Newton Zoning Ordinance, Chapter 30 (1) in order to clarify definitions, edit missing or incorrectly transcribed provisions and revise inconsistencies in the ordinance.

Zoning & Planning Split Item #240-21 into (1) to clarify definitions, edit missing or incorrectly transcribed provisions and revise inconsistencies in the ordinance; and (2) to amend the definition in Section 1.5.1.B Two Family Detached; Public Hearing Closed 6-0 (Councilor Leary not voting)

Zoning & Planning Approved (1) 6-0 (Councilor Leary not voting)

Zoning & Planning Held (2) 6-0 (Councilor Leary not voting)

Referred to Programs & Services Committees and Zoning & Planning Committees

#77-21

Request for review of Lab, Research and Development permitting process

COUNCILORS MARKIEWICZ, KRINTZMAN, CROSSLEY, LAREDO AND LIPOF requesting a discussion with Planning and Health and Human Services Departments in order to understand the process and controls under Chapter 30 and Chapter 12 of the City of Newton Ordinances, for obtaining Lab, Research and Development facility permits. (Ordinance 30 and Ordinance 12)

Zoning & Planning NAN 6-0 (Councilor Leary not voting)

Referred to Programs & Services Committee

Tuesday, August 17, 2021

Present: Councilors Krintzman (Chair), Noel, Albright, Ryan, Humphrey, Wright, Greenberg, and Baker;
also present: Councilors Oliver, Grossman, Downs, Malakie, Markiewicz, Laredo, Crossley, and Lucas

#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 8-0

Referred to Programs & Services Committee

August 25, 2021

Present: Councilors Krintzman (Chair), Noel, Albright, Ryan, Humphrey, Wright, Greenberg, and Baker;
also present: Councilors Oliver, Downs, Malakie, Markiewicz, Kalis, Norton, Gentile, Leary Crossley, and Lucas

#312-21 Appointment of Rakashi Chand to the Human Rights Commission

HER HONOR THE MAYOR appointing RAKASHI CHAND, 80 Wade Street, Newton, as a member of the HUMAN RIGHTS COMMISSION for a term to expire on September 30, 2024 (60 Days: 10/08/21).

Programs & Services Approved 7-0 (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 voted to recommend Carol Moore as the City Clerk/Clerk of the Council 6-2 (Councilors Greenberg and Ryan opposed)

#313-21 Reappointment of Barbara Lischinsky to the Commission on Disability

HER HONOR THE MAYOR reappointing BARBARA LISCHINSKY, 1942 Washington Street, #424, Newton, as a member of the COMMISSION ON DISABILTY for a term to expire on July 31, 2024 (60 Days: 10/08/21).

Programs & Services Approved 8-0

#314-21 Reappointment of Lakshmi Kadambi to the Commission on Disability

HER HONOR THE MAYOR reappointing LAKSHMI KADAMBI, 55 Staniford Street, Newton, as a member of the COMMISSION ON DISABILTY for a term to expire on September 30, 2024 (60 Days: 10/08/21).

Programs & Services Approved 8-0