

RECEIVED

By City Clerk at 4:56 pm, Sep 08, 2021



City Council Docket

REVISED

4:58 pm, Sep 08, 2021

September 13: Land Use, Zoning & Planning
Finance

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Continued

Thursday, September 9, 2021

7:45 PM, Virtual

To be reported on

Monday, September 20, 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#

Land line

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 to be Accepted and Referred to Committees

Other Communications

#328-21

Grant of Location for a lateral crossing in Cabot Street

EVERSOURCE ENERGY petitioning for a grant of location to install 50'± of conduit in CABOT STREET in an easterly direction from JO pole 60/44 to the existing traffic control box in front of #383 Cabot Street.

Commissioner of Public Works Approved

#329-21

Grant of Location for a lateral crossing in Richardson Street

EVERSOURCE ENERGY petitioning for a grant of location to install 5'± of conduit in RICHARDSON STREET in a northerly direction from pole 545/9.

Commissioner of Public Works Approved

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, or 617-796-1253. For Telecommunications Relay Service dial 711.*

#330-21 Grant of Location for a lateral crossing in John Street

EVERSOURCE ENERGY petitioning for a grant of location to install 12'± of conduit in JOHN STREET in a southerly direction from pole 283/10 to the property line at 96 John Street to provide underground service.

Commissioner of Public Works Approved

Referred to Land Use Committee

Public hearing to be Assigned

#331-21 Petition to extend nonconforming FAR and lot coverage at 100 Exeter Street

DENNIS LINN/NEW ENGLAND SUNROOMS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story rear addition, increasing the nonconforming FAR and lot coverage and further reducing the nonconforming open space at 100 Exeter Street, Ward 3, West Newton, on land known as Section 32 Block 28 Lot 01, containing approximately 15,740 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#332-21 Petition to exceed FAR and allow garage greater than 700 sq. ft. at 50 Wachusett Road

STEVEN SEGAL AND ELLEN BINSTOCK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new garage, greater than 700 sq. ft., to accommodate more than three vehicles, and to exceed FAR at 50 Wachusett Road, Ward 7, Chestnut Hill, on land known as Section 61 Block 18 Lot 03, containing approximately 22,412 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.4.E.1, 3.4.4.H, 3.1.3, 3.1.9 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#333-21 Petition to allow four single-family attached dwelling at 34 Prescott Street

WHITEACRE PROPERTIES, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing single-family dwelling unit and carriage house into two, two-unit single-family attached dwelling units, to reduce require side and rear setbacks, to allow a driveway within 10' of the side lot line and parking within 20' of a boundary, to waive two parking stalls and to allow reduced parking stall width and depth at 34 Prescott Street, Ward 2, Newtonville, on land known as Section 23 Block 12 Lot 04, containing approximately 19,432 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, 5.1.13, 5.1.7.B.1, 5.1.7.B.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#334-21 **Petition to exceed FAR and allow oversized dormer at 52 Ashton Avenue**
CHURCHILL GEORGE YONG AND JOIA RAMCHANDANI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to exceed the allowable FAR by constructing a new, one-story single-car garage with a dormer in excess of 50% of the exterior wall below at 52 Ashton Avenue, Ward 6, Newton Centre, on land known as Section 64 Block 24 Lot 07, containing approximately 8,768 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.

Public hearing to be Assigned

#33-21(3) **Petition to amend Order #33-21 to allow Lab and Research facility at 275 Grove Street**
ALEXANDRIA REAL ESTATE EQUITIES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Orders #40-97, #40-97(2) and #33-21 to amend the site plan, to allow a lab and research facility use and to allow height up to 96' and 8 stories at 275 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 29 Lot 24, containing approximately 487,578 sq. ft. of land in a district zoned BUSINESS USE 4. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.5.9.A, 4.1.3, 4.1.2.B.3 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#335-21 **Petition to allow three single-family attached dwelling at 10-12 Mechanic Street**
CATHERINE AND PHILIP WESALOWSKI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to combine two lots and replace an existing three-unit multi-family dwelling with three single-family attached dwelling units, to reduce the required lot area, to reduce lot area per unit, to increase allowed lot coverage, to reduce side setbacks, to allow a three-story structure, to allow a driveway within 10' of the side lot line, to allow parking within 20' of the side and rear lot lines, to allow for reduced driveway width and to allow retaining walls of four feet or more in height within a setback at 10-12 Mechanic Street, Ward 5, Upper Falls, on land known as Section 51 Block 31 Lots 04 and 05, containing approximately 9,964 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.7.C, 5.1.13, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Reassigned

#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 and to allow a free-standing sign at 940 Boylston Street, Ward 5, 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, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#336-21 **Petition to exceed FAR, allow detached accessory apartment at 12 Kingsbury Road**
DAVID AND LAUREN THILL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached garage in excess of 700 sq. ft. to be used as an accessory apartment and to construct an addition to the principal dwelling, to further extend a three-story structure to 3.5 stories and to exceed FAR at 12 Kingsbury Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 26 Lot 07, containing approximately 21,731 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 3.4.4.E.1, 3.1.3, 7.8.2.C.2, 3.1.9 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned

#337-21 **Petition to amend Special Permit #140-10 for 187 North Street**
MICHAEL PENTA AND SUSAN SGARZI PENTA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit #140-10 to amend the site plan to allow for the installation of a tent/awning at 187 North Street, Ward 3, Newtonville, on land known as Section 21 Block 12 Lot 10, containing approximately 24,108 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

#244-20(2) **Request for Extension of Time to Exercise Special Permit for Cabot Park Village**
KRE-BSL Husky Cabot Park LLC request for a TWO YEAR EXTENSION OF TIME TO EXERCISE for SPECIAL PERMIT/SITE PLAN APPROVAL for Special Permit Board Order #105-95 approved by the City Council on July 13, 2020 for the construction a five-story addition with 18 new units and common accessory use space, 280 Newtonville Avenue, Ward 2, on land known as Section 22 Block 07 Lot 48, containing approximately 146,435 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Said extension of Time to Run from July 13, 2021 to July 13, 2023. Ref: Sec. 7.3.3, 7.4, 3.2.2.A.3, 7.8.2.C.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#338-21 **Class 2 Auto Dealer License**
CITY OF NEWTON
1000 Commonwealth Avenue
Newton, MA. 02458

#339-21 **Class 2 Auto Dealer License**
UNITED AUTO CENTER INC
454 Watertown Street
Newton, MA. 02460

Referred to Zoning & Planning Committee

#340-21

Discussion regarding the utilization of electric vehicle charging stations

COUNCILORS GROSSMAN, LAREDO AND NORTON requesting a discussion with the Planning Department and the Sustainability Directors regarding the utilization of electric vehicle charging stations on private commercial parking lots, including but not limited to the use of digital advertising to pay for the stations and provide free charging to customers.

Referred to Programs & Services Committee

#341-21

Request for additional rodent control initiatives

COUNCILORS LEARY, GREENBERG, AND OLIVER requesting that the City Administration develop additional initiatives to its proactive and holistic approach to rodent control applicable to residential, municipal and commercial properties. Areas to consider potentially include, but are not limited to public education, enforcement, special permits and building permits, construction and excavation management, and assistance to private property owners of limited means.

Referred to Public Safety & Transportation Committee

#342-21

Appeal of Traffic Council Decision TC54-21(#8.) Parker Road

KENNETH DADDABBO, 395 Parker Street, Newton appealing the approval of Traffic Council petition TC54-21 on July 22, 2021, for a stop sign Parker Road at Parker Street, eastbound. (Wards 6 & 8)

Referred to Public Safety & Transportation and Programs & Services Committees

#49-20(3)

Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement

COUNCILORS ALBRIGHT, BAKER, WRIGHT, HUMPHREY, NOEL AND GREENBERG requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

Referred to Public Facilities Committee

#343-21

Disposition of an easement for 39-41 Terrace Ave

HER HONOR THE MAYOR requesting the disposition of an easement on City property adjacent to 39-41 Terrace Ave for the purposes of allowing the owner of 39-41 Terrace Ave to allow connection to the public sewer system in accordance with Section 2-7 of the City of Newton Ordinances.

- #344-21** **Update on the proposed Street Sweeping Pilot**
PUBLIC FACILITIES COMMITTEE requesting an update from the Department of Public Works on the proposed Street Sweeping Pilot.

Referred to Finance Committee

- #345-21** **Acceptance of 15 picnic tables from Paddy's Public House**
HER HONOR THE MAYOR requesting authorization to accept 15 picnic tables donated by Paddy's Public House to the City for use by Parks, Recreation & Culture. The total value of the picnic tables is one thousand eight hundred seventy-five dollars (\$1,875) which represents the cost to construct the tables.

Referred to Zoning & Planning and Finance Committees

- #346-21** **Appropriation of \$643,215 for the Newton Housing Authority**
HER HONOR THE MAYOR requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning Fund monies to the Newton Housing Authority (NHA), in accordance with Section 5.11.5 (E) of the City's Zoning Ordinance, to be used for ongoing affordable housing development activities.

Referred to Programs & Services and Finance Committees

- #347-21** **CPC Recommendation to appropriate \$420,000 in CPA funding**
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred twenty thousand dollars (\$420,000) in Community Preservation Act funds from the FY22 Budget Reserve (Account# 58R10498-579000) to the control of the Planning & Development Department for the completion of the Athletic Fields Capital Improvements Plan Design FY2022-2025 Project which includes the hiring of on-call consultants to complete the studies, plans, and design work necessary to construct new fields and restore four to six existing sites.

The following items were filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

Referred to Programs & Services and Finance Committees

- #348-21** **Request to set salary for City Clerk/Clerk of the City Council**
COUNCILORS ALBRIGHT, LIPOF AND KRINTZMAN requesting an amendment to Section 4-21(b) of the City of Newton Ordinances to set the salary for the City Clerk/Clerk of the Council.

Referred to Public Facilities and Finance Committees

- #349-21** **Transfer \$181,550 to a Cheesecake Brook Bridge Repair Account**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred eighty-one thousand five hundred and fifty dollars (\$181,550) from Acct #62A10498-579000 Stormwater Current Year Reserve to a Cheesecake Brook Bridge Repair Account.