



City Council Actions

In City Council Monday, March 2, 2020

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

Absent: Councilors Ciccone, Gentile & Markiewicz

The City Council discussed the following items on Second Call:

Referred to Zoning & Planning Committee

#37-20 Amend ordinances by creating a temporary suspension on landmark designation COUNCILORS ALBRIGHT, AUCHINCLOSS, CROSSLEY, DOWNS, KELLEY, LIPOF, GREENBERG, KRINTZMAN, NOEL, LEARY, AND DANBERG proposing an amendment to Chapter 22 of the Revised Ordinances of the City of Newton, 2017 to temporarily suspend nominations made by the Historical Commission and the City Council for landmark designations of any land, buildings and structures in the City of Newton in order to allow the City adequate time to review the landmark ordinance and consider what revisions are appropriate. The temporary suspension will prevent and suspend the processing, and approval of any property currently under consideration for landmark designation and will temporarily suspend future landmark designations made by the Historical Commission and the City Council. Landmark nominations made by the Mayor, Director of Planning of Development and the Commissioner of Inspectional Services shall not be affected. This temporary suspension shall end no later than ~~December 31, 2020~~ June 30, 2020.

Zoning and Planning Approved as Amended 5-2. (Councilors Baker and Wright opposed); The temporary suspension shall end no later than June 30, 2020 with a condition that an interim report is provided to the Committee within 3 months of the effective date.

Motion to Postpone to a Date Certain of March 2, 2020 was Approved Unanimously by Voice Vote

Motion to Postpone to a Date Certain of March 16, 2020 was Approved Unanimously by Voice Vote

Clerk's Note: This item was inadvertently left off the Reports Docket for this meeting. The discussion will be postponed until the next regularly scheduled City Council meeting on March 16, 2020.

Referred to Land Use Committee

#68-20

Petition to allow a free-standing sign at 40 Austin Street

BENLIN PROPERTIES LLC./ROCKLAND BANK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 19.5 sq. ft. free-standing sign on the property located at 40 Austin Street, Ward 2, Newtonville, on land known as Section 24 Block 09 Lot 12, containing approximately 13,420 sq. ft. of land in a district zoned BUSINESS USE 5. Ref: Sec. 7.3.3, 7.4, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0-1 (Councilor Downs abstaining, Councilor Auchincloss not Voting); Public Hearing Closed 02/04/20

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Approved 21 Yeas, 3 Absent (Councilors Ciccone, Gentile and Markiewicz)

Clerk's Note: The Chair of the Land Use Committee reported on the item. It was approved without discussion.

Referred to Land Use Committee

#69-20

Petition to amend Order #284-95 to allow a free-standing sign at 84 Needham Street

CREATIVE BOOKFAIR LLC./CHARLOTTE MAYNARD petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #284-95 to allow a new free-standing sign measuring 7'8.5' (h) by 4'0.5" (w) on the property located at 84 Needham Street, Ward 8, containing approximately 63,416 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3.3, 7.4, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0 (Councilor Auchincloss not Voting); Public Hearing Closed 02/04/20

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Approved 21 Yeas, 3 Absent (Councilors Ciccone, Gentile and Markiewicz)

Clerk's Note: The Chair of the Land Use Committee reported on the item. It was approved without discussion.

Referred to Land Use Committee

#623-18(2)

Request for Extension of Time to Exercise Permit #623-18 at 20-22 Circuit Ave

ARTHUR KALOTKIN petition for a one-year EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL Council Order #623-18 to convert a two-family dwelling into a three-unit multi-family dwelling by converting the existing attic space, allow parking within 5' of residential dwelling units, to waive the minimum aisle width requirements, to waive driveway width, and to waive lighting requirements at 20-22 Circuit Avenue, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 39, containing approximately 12,353 sq. ft. of land in a

district zoned MULTI RESIDENCE 2. Said Extension of Time to Run from February 19, 2020 to February 19, 2021. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 5-0 (Councilors Downs and Greenberg not voting)

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Approved 21 Yeas, 3 Absent (Councilors Ciccone, Gentile and Markiewicz)

Clerk's Note: The Chair of the Land Use Committee reported on the item. It was approved without discussion.

Referred to Land Use Committee

#621-18(2) Request for Extension of Time to Exercise Special Permit #621-18 at 105 Temple St

SCOTT AND URSULA STEELE petition for a one-year EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL Council Order #621-18 to amend Special Permit Board Orders #62-01 and #62-01(2) to further increase the non-conforming FAR by constructing a 191 sq. ft. addition in the existing footprint of the house, further extending the non-conforming three-story structure at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Said Extension of Time to run from February 4, 2020 to February 4, 2021. Ref: Sec. 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 5-0 (Councilors Downs and Greenberg not voting)

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Approved 21 Yeas, 3 Absent (Councilors Ciccone, Gentile and Markiewicz)

Clerk's Note: The Chair of the Land Use Committee reported on the item. It was approved without discussion.

Referred to Finance Committee

#379-19(7) CPC Recommendation to amend funding source for Webster Woods acquisition
COMMUNITY PRESERVATION COMMITTEE recommending authorization for the City Treasurer to amend the funding source for \$740,000 seven hundred and forty thousand dollars to fund legal and conservation restriction expenses for Webster Woods approved by Council Orders #379-19 (3) and (4) to allow the City to borrow seven hundred and forty thousand dollars (\$740,000) as authorized by G. L. c. 44B, sec. 11, for a period of 30 years, and any expenditures already appropriated from the CPC's Open Space Reserve and Restricted Fund Balance for Open space pursuant to the CPC's original recommendations be reimbursed from the sale of such bonds or notes, and that any premium received upon the sale of such bonds or notes, less any such premium applied to the payment of issuance costs of the bonds or notes shall be deposited in the Community Preservation Fund's restricted fund balance for open space.

Finance Approved 5-0

Voice Vote Unanimously Approves Postponement to March 2, 2020.

Approved 21 Yeas, 3 Absent (Councilors Ciccone, Gentile and Markiewicz)

Clerk’s Note: The Chair of the Finance Committee reported on the item. She noted that this was an amendment to the funding source for part of the funding for the Webster Woods project. This would allow the \$740,000 approved for legal and conservation work to be bonded. It was approved without discussion.

The City Council voted without discussion 21 Yeas, 3 Absent (Councilors Ciccone, Gentile & Markiewicz) to Accept the Committee Recommendations on the following items:

Referred to Zoning & Planning Committee

Monday, February 24, 2020

#99-20 Referred to Zoning & Planning and Programs & Services Committees
HER HONOR THE MAYOR requesting amendments to the City of Newton Ordinances, Chapters 3, 7, 10, 13, 17, 18, 20, 21, 22 and 30 to rename the Department of Parks & Recreation to the Department of Parks, Recreation and Culture.
Zoning and Planning No Action Necessary 8-0

Referred to Programs & Services Committee

Wednesday, February 26, 2020

#136-20 Appointment of Nicole Banks as Commissioner of Parks, Recreation & Culture
HER HONOR THE MAYOR appointing NICOLE BANKS, as COMMISSIONER OF PARKS, RECREATION & CULTURE pursuant to Sec. 3-3 of the City Charter. (30 days: 03/19/20)
Programs and Services Approved 8-0

#99-20 Referred to Zoning & Planning and Programs & Services Committees
HER HONOR THE MAYOR requesting amendments to the City of Newton Ordinances, Chapters 3, 7, 10, 13, 17, 18, 20, 21, 22 and 30 to rename the Department of Parks & Recreation to the Department of Parks, Recreation and Culture.
Programs and Services No Action Necessary 7-0 (Councilor Baker not voting)

#100-20 Requesting a discussion on the fees in Newton Public Schools
COUNCILORS KRINTZMAN AND CROSSLEY, LAREDO, NORTON, GREENBERG, LIPOF,

KALIS, NOEL, AND MARKIEWICZ requesting a discussion with appropriate members of the School Department and School Committee about fees in the Newton Public Schools. The discussion should include an explanation of the basis upon which fees are set and how the fees factor into the overall budget request of the schools.

Programs and Services No Action Necessary 8-0

Referred to Public Safety & Transportation Committee

Wednesday, February 19, 2020

- #105-20** **Requesting public comment on priorities for transportation planning**
CHAIR OF PUBLIC SAFETY & TRANSPORTATION COMMITTEE requests public comment on priorities for transportation planning.
Public Safety & Transportation voted No Action Necessary 5-0

Referred to Public Facilities Committee

Wednesday, February 19, 2020

- #130-20** **President's Reappointment of James Purdy to the Energy Commission**
PRESIDENT ALBRIGHT reappointing James Purdy, 943 Chestnut Street, Newton Upper Falls to the Energy Commission for a term of office to expire December 31, 2023. (60 days: 04/18/20)
Public Facilities Approved 6-0
- #131-20** **President's Reappointment of Michael Gevelber to the Energy Commission**
PRESIDENT ALBRIGHT reappointing Michael Gevelber, 166 Melrose Street, Auburndale to the Energy Commission for a term of office to expire December 31, 2023. (60 days: 04/18/20)
Public Facilities Approved 6-0
- #132-20** **Mayor's Reappointment of Halina Brown to the Energy Commission**
HER HONOR THE MAYOR reappointing Halina Brown, 56 Cloverdale Road, Newton Highlands to the Energy Commission for a term of office to expire April 15, 2023. (60 days: 04/18/20)
Public Facilities Approved 6-0

Public Hearings were assigned for the following Items:

Public Hearing Cancelled. To be rescheduled

- #61-20** **Discussion to limit or prohibit the installation of fossil fuel infrastructure**
COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS & HUMPHREY requesting a discussion with the Sustainability Team to create an ordinance to

limit or prohibit the installation of fossil fuel infrastructure in new construction and substantially renovated buildings, as well as to clarify the Council's authority to prohibit the extension of gas mains subject to the condition of the existing infrastructure

Public Hearing to be assigned for March 18, 2020

#159-20 Eversource Energy petition for a Grant of Location on Harvard Street
EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #1515/2) to the southerly side of Farquhar Road in front of #20 Harvard Street (Ward 2).

Public Hearing assigned for April 14, 2020

#143-20 Petition to allow an accessory structure greater than 700 sq. ft. at 99 Pine Ridge Road
JOHN AND ANNE AUNINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing detached garage structure and replace it with a two-car detached garage and covered porch with a total ground floor area of 796 sq. ft. at 99 Pine Ridge Road, Ward 5, Waban, on land known as Section 53 Block 19 Lot 23 containing approximately 12,000 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for April 14, 2020

#144-20 Petition to extend the nonconforming rear setback at 16 Crehore Drive
ANDERS AND HILARY BIALEK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze one bay in the existing (two-car) detached garage on the property line and construct an attached two-story two-car addition, extending the nonconforming rear setback from 12' to 8.7' where 15' is allowed at 16 Crehore Drive, Ward 4, Lower Falls, on land known as Section 42 Block 20 Lot 06, containing approximately 7,389 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for April 14, 2020

#145-20 Petition to allow accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue
TIM DOWD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert space on the third floor of the existing two-family structure to allow an interior accessory apartment exceeding 1,000 sq. ft. at 169 Hunnewell Avenue, Ward 1, Newton, on land known as Section 71 Block 32 Lot 01, containing approximately 9,568 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.D.2 of the City of Newton Rev Zoning Ord, 2017.

The City Council voted without discussion 20 Yeas, 1 Recused (Councilor Humphrey), 3 Absent (Councilors Ciccone, Gentile & Markiewicz) to Accept the Committee Recommendations on the following items:

Referred to Zoning & Planning Committee

#31-20

Amend zoning ordinance special permit criteria related to energy conservation
COUNCILORS CROSSLEY AND ALBRIGHT seeking a review and possible amendments to Section 7.3.3.C.5 of Chapter 30, Newton Zoning Ordinance, to: a) further inform the objectives of reducing energy consumption and limiting use of natural resources, and b) consider reducing the threshold for compliance to apply the requirement to buildings 10,000 sq. ft. and larger.

Zoning and Planning Held (part B) 8-0

Zoning and Planning Approved (part A) 8-0; Public Hearing Closed

The City Council voted without discussion 20 Yeas, 1 Nay (Councilor Downs), 3 Absent (Councilors Ciccone, Gentile & Markiewicz) to Accept the Committee Recommendations on the following items:

Referred to Programs & Services Committee

#138-20

Requesting amendments to rename the Department of Parks & Recreation

Requesting amendments to the City of Newton Ordinances, Chapters 3, 7, 10, 13, 17, 18, 20, 21, 22 and 30 to rename the Department of Parks & Recreation to the Department of Parks, Recreation and Culture.

Programs and Services Approved 8-0