



## City Council Reports Docket

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Page 565

7:45 PM, Virtual

To be reported on

Monday, November 1, 2021

October 19: Real Property Reuse  
October 20: Programs & Services, Public Safety  
& Transportation  
October 25: Zoning & Planning, Finance  
October 26: Land Use

The City Council will hold this meeting as a virtual Zoom meeting on Monday, November 1, 2021, at 7:45 pm. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/88250689604>

One tap mobile

US: +13126266799,,88250689604#

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Meeting ID: 882 5068 9604

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, October 26, 2021

**Present:** Councilors Lipof (Chair), Kelley, Lucas, Markiewicz, Downs, Bowman, Laredo, Humphrey, Oliver, Noel, Albright and Wright

**#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.

**Land Use Held 7-0 (Councilor Downs not Voting); Public Hearing Continued**

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](mailto: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.

- #175-21** **Petition to allow for-profit educational use at 60, 66-68 Austin Street**  
THE RUSSIAN SCHOOL OF MATHEMATICS/L AND B REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit educational use in in the office space located at 60 Austin Street, to alter a non-conforming non-accessory parking facility, to allow the parking requirements to be met off-site, to allow parking within the side and rear setbacks and within five feet of the street, to allow parking within five feet of dwelling units, to waive the minimum parking stall width and depth, to waive the minimum driveway width for one-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements and to waive lighting requirements at 60, 66-68 Austin Street, Ward 2, Newtonville, on land known as Section 24 Block 09 Lots 07 and 09, containing approximately 35,616 sq. ft. of land in a district zoned BUSINESS USE 5. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.3.14.B.2, 7.8.2.C.2, 5.1.16.A, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.1, 5.1.8.D.1, 5.1.9.A, 5.1.9.B, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0 (Councilor Downs not Voting); Public Hearing Closed 10/26/2021**
- #427-20** **Petition to allow a rear-lot subdivision at 41 Washington Street**  
JOSEPH AND SHEILA KEEGAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision to create two lots, abandon the two-family use in the existing structure and construct a single-family on the rear 12,000 sq. ft. lot, extending the existing non-conforming side setback at 41 Washington Street, Ward 1, Newton, on land known as Section 71 Block 29 Lot 07, containing approximately 25,902 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.1.5, 3.1.10, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 8-0; Public Hearing Continued**
- #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.  
**Land Use Approved 8-0; Public Hearing Closed 10/26/2021**
- #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.  
**Land Use Approved 8-0; Public Hearing Closed 10/26/2021**

- #178-21**      **Petition to allow marijuana retailer at 1158 Beacon Street**  
UNION TWIST, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to allow assigned parking, and to waive lighting requirements at 1158 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot 49A, containing approximately 20,443 sq. ft. of space in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.10, 5.1.3.E, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 8-0; Public Hearing Continued**

**Referred to Zoning & Planning Committee**

Monday, October 25, 2021

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

- #528-20**      **Requesting review and possible amendment to Local Preference in Chapter 30**  
COUNCILORS ALBIRGHT, 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 04/12/21, 07/26/21, 09/27/21.**  
**Public Hearing scheduled for 10/25/21**  
**Zoning & Planning Approved 8-0; Public Hearing Closed on 10/25/21**

- #88-20**      **Discussion and review relative to the draft Zoning Ordinance**  
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.  
**Zoning & Planning Held 8-0**

**Referred to Programs & Services Committee**

Wednesday, October 20, 2021

Present: Councilors Noel (Vice Chair), Albright, Baker, Humphrey, Ryan, Wright, and Greenberg; absent: Councilor Krintzman; also present: Councilors Kelley, Leary, Lipof, Markiewicz, Bowman, Oliver, Downs, Lucas, Malakie, and Grossman

- #365-21**      **Appointment of John Rice to the Parks and Recreation Commission**  
HER HONOR THE MAYOR appointing JOHN RICE, 9 Selden Street, Waban, as an Alternate member of the PARKS AND RECREATION COMMISSION for a term to expire on October 31, 2024. (60 Days: 12/03/21)  
**Programs & Services Approved 7-0**

**#366-21 Appointment of Sam Figler to the Newton Commonwealth Foundation**  
HER HONOR THE MAYOR appointing SAM FIGLER, 63 Sumner Street, Newton Centre, as a member of the NEWTON COMMONWEALTH FOUNDATION for a term to expire on October 30, 2024. (60 Days: 12/03/21)  
**Programs & Services Held 7-0**

**#367-21 Appointment of Joyce Picard to the Council on Aging**  
HER HONOR THE MAYOR appointing JOYCE PICARD, 14 Halcyon Road, Newton, as a member of the COUNCIL ON AGING for a term to expire on November 1, 2024. (60 Days: 12/03/21)  
**Programs & Services Approved 7-0**

**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.  
**Public Safety & Transportation Held 8-0 on 10/20/21**  
**Programs & Services Held 7-0**

**Referred to Programs & Services and Public Safety & Transportation Committees**

**#271-21 Request for a discussion on School Bus Transportation**  
COUNCILORS BOWMAN, CROSSLEY, DANBERG, DOWNS, GREENBERG, GROSSMAN, HUMPHREY, KALIS, KELLEY, KRINTZMAN, LAREDO, LUCAS, MARKIEWICZ, NOEL, NORTON, OLIVER, RYAN, LEARY AND WRIGHT requesting a discussion with the Newton Public Schools to review the school bus transportation program including expenses and fees charged to students and upcoming bus contract and as part of a comprehensive school transportation strategy.  
**Public Safety & Transportation Held 7-0 (Councilor Lipof not voting) on 10/20/21**  
**Programs & Services Held 7-0**

**Referred to Public Safety & Transportation Committee**

Wednesday, October 20, 2021

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

**#138-21 Discussion with the Administration on the Newton Police Reform Task Force**  
PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting a discussion with the Administration on the Newton Police Reform Task Force recommendations and matters pertaining.  
**Public Safety & Transportation Held 8-0**

**#272-21 Request for quarterly updates on Task Force recommendation progress**  
COUNCILORS NORTON, ALBRIGHT, WRIGHT, LUCAS, KALIS, GREEN, BOWMAN, HUMPHREY, LAREDO, KRINTZMAN, DOWNS AND LIPOF requesting quarterly updates from the Mayor and Police Chief to the Police Reform Task Force and Public Safety and Transportation Committee on the progress toward implementing Task Force recommendations.

**Public Safety & Transportation Held 8-0**

**#248-21 Discussion with the Police Department regarding training**  
COUNCILORS BOWMAN, GROSSMAN, DOWNS, HUMPHREY, LIPOF, RYAN, LEARY, DANBERG AND NOEL requesting a discussion with the Newton Police Department on training including discussion of training that supports the Police Reform Task Force recommendations for additional training for officers on systemic racism, behavioral health and cultural responsiveness to marginalized communities. Discussion should include what training officers and others are attending (internal and external) including overview of the content, who is receiving the training, and an assessment of the effectiveness.

**Public Safety & Transportation Held 8-0**

### **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.

**Programs & Services Held 7-0 on 10/20/21**

**Public Safety & Transportation Held 8-0**

### **Referred to Programs & Services and Public Safety & Transportation Committees**

**#271-21 Request for a discussion on School Bus Transportation**  
COUNCILORS BOWMAN, CROSSLEY, DANBERG, DOWNS, GREENBERG, GROSSMAN, HUMPHREY, KALIS, KELLEY, KRINTZMAN, LAREDO, LUCAS, MARKIEWICZ, NOEL, NORTON, OLIVER, RYAN, LEARY AND WRIGHT requesting a discussion with the Newton Public Schools to review the school bus transportation program including expenses and fees charged to students and upcoming bus contract and as part of a comprehensive school transportation strategy.

**Programs & Services Held 7-0 on 10/20/21**

**Public Safety & Transportation Held 7-0 (Councilor Lipof not voting)**

**Referred to Finance Committee**

Monday, October 25, 2021

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

**#384-21      Acceptance of \$6,000 from MassDOT’s Safe Routes to Schools Signs and Lines Program**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of six thousand dollars (\$6,000) in grant funding from MassDOT’s Safe Routes to Schools Signs and Lines Program to improve signage and pavement markings for the Oak Hill and Brown Middle School to address safety and circulation issues around the traffic circle.  
**Finance Approved 7-0**

**#385-21      Acceptance of \$100,000 from Massachusetts Department of Energy Resources**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred thousand dollars (\$100,000) in grant funding from Massachusetts Department of Energy Resources for the LED lighting and controls at the new Newton Early Childhood Program facility at 687 Watertown Street and at the Newton South High School’s Cutler Wing. The funds will also be used to complete insulation/air sealing at the Nonantum Library.  
**Finance Approved 7-0**

**#386-21      Appropriate \$29,807 from the Energy Stabilization Fund**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-nine thousand eight hundred and seven dollars (\$29,807) from the Energy Stabilization Fund for the LED lighting and controls at the new Newton Early Childhood Program facility at 687 Watertown Street and at the Newton South High School’s Cutler Wing. The funds will also be used to complete insulation/air sealing at the Nonantum Library.  
**Finance Approved 7-0**

**Referred to Zoning & Planning and Finance Committees**

**#320-21      CPC Recommendation to appropriate \$500,000 in CPA funding**  
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of five hundred thousand dollars (\$500,000) in Community Preservation Act funds, with \$478,877 to come from the FY22 Community Housing Reserve Fund (Account #58C10498-57900C) and \$21,123 to come the Prior Year Undesignated Fund (Account #5800-3599), to the control of the Planning & Development Department to provide funding to replace roofs, repair and restore damaged siding, and replaced the HVAC systems as part of the Nonantum Village Place Senior Housing Preservation Project.  
**Zoning & Planning Approved 7-0 (Councilor Baker not voting) on 09/27/2021**  
**Finance Approved 7-0**

**Referred to Real Property Reuse Committee**

Tuesday, October 19, 2021

**Present:** Councilors Danberg (Chair), Markiewicz, Greenberg, Albright, Kelley, Downs, Kalis and Laredo

**#236-21**

**Reuse of parcel of land behind 50 Stearns Street**

DIRECTOR OF PLANNING & DEVELOPMENT submitting on May 6, 2021 a letter stating that the a 8,800 sq. ft. City owned parcel of land known as Section 62 Block 23 Lot 15A at 50 Stearns Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

**Real Property Reuse Approved 8-0; Public Hearing Closed 10/19/2021**