



City Council Docket

November 3: Programs & Services, Public Safety & Transportation,
Public Facilities
November 4: Land Use
& Planning, Finance
October 26: Land Use

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Monday, November 1, 2021

7:45 PM, Virtual

To be reported on
Monday, November 15, 2021

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#

Land line

US: +1 301 715 8592

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 to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing to be Assigned

#387-21

Petition to extend non-conforming setback and lot coverage at 14 Cummings Road

JOANNE REN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story addition, extending the nonconforming rear setback and further increasing the nonconforming lot coverage at 14 Cummings Road, Ward 2, Newton Centre, on land known as Section 64 Block 03 Lot 53, containing approximately 4,008 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

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.

Public Hearing to be Assigned

#388-21 Petition to allow single-family attached dwellings at 300 Elliot Street

THE HOMES AT ELLIOT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the existing structure and a second two-unit structure, allowing four single-family attached dwelling units in two buildings, to allow reduced side and rear setbacks and to allow a driveway within ten feet of the side lot line at 300 Elliot Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 38 Lot 19, containing approximately 19,057 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, 5.1.8.A.1, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.D.1, 5.1.8.E.1, 1.5.4.G.2.a, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

The Rules & Orders of the Council contain a blackout period to avoid scheduling public hearings for Major Projects in November or December in the last year of the Council's term. The following petition was filed with the Clerk of the Council on October 25, 2021 during the blackout period. Criteria for a Major Project classification involves "activities that include designated pickup/drop-off times". The petitioner is requesting a suspension of the rules pursuant to Article IX, Section 1 of the Rules & Orders of the City Council to suspend the time restrictions, requiring a three-fourths vote of the Council to be accepted to the docket and referred to Committee.

Public Hearing to be Assigned

#389-21 Petition to allow for-profit educational use at 1631 Beacon Street

KIDLINK THERAPY P.C. d/b/a Artistry Martial Arts petition for SPECIAL PERMIT/SITE PLAN APPROVAL to operate a for-profit educational use/martial arts school in 650 sq. ft. of space at 1631-1633 Beacon Street, Ward 5, Waban, on land known as Section 53 Block 29 Lot 02A, containing approximately 54,198 sq. ft. of land in a district zoned BUSINESS USE 1. 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.

Referred to Zoning & Planning Committee

#390-21 Requesting amendments to Zoning Ordinance Chapter 30, Sections 4.4 and 6.4

THE DIRECTOR OF PLANNING requesting amendments to the Newton Zoning Ordinance, Chapter 30, Sections 4.4 and 6.4 to allow for veterinary uses in the Business 4 zoning district.

#391-21 Appointment of John Rice to the Newton Historical Commission

HER HONOR THE MAYOR appointing John Rice, 9 Selden Street, Waban, as an at-large member of the Newton Historical Commission for a term to expire on September 30, 2023. (60 days: 12/31/21)

Referred to Programs & Services Committee

- #393-21** **Resolution from the City Council to the Mayor re school bus fees and the FY23 budget**
COUNCILORS HUMPHREY, BOWMAN, CROSSLEY, DANBERG, GREENBERG, KALIS, KRINTZMAN, LAREDO, LEARY, LIPOF, LUCAS, MALAKIE, MARKIEWICZ, NOEL, NORTON, OLIVER, RYAN, AND WRIGHT, requesting a resolution from the City Council outlining the views of the Council to the Mayor on the upcoming budgeting process for school bus fees.
- #394-21** **Appointment of Esther Zhang to the Youth Commission**
HER HONOR THE MAYOR appointing ESTHER ZHANG, Newton North High School, as a member of the YOUTH COMMISSION for a term to expire on November 15, 2024. (60 Days: 12/31/21)
- #395-21** **Appointment of Preethika Vemula to the Youth Commission**
HER HONOR THE MAYOR appointing PREETHIKA VEMULA, Newton South High School, as a member of the YOUTH COMMISSION for a term to expire on November 15, 2024. (60 Days: 12/31/21)
- #396-21** **Appointment of Rhiannon Esposito to the Youth Commission**
HER HONOR THE MAYOR appointing RHIANNON ESPOSITO, Newton North High School, as a member of the YOUTH COMMISSION for a term to expire on November 15, 2024. (60 Days: 12/31/21)
- #397-21** **Appointment of Arman Tendulkar to the Youth Commission**
HER HONOR THE MAYOR appointing ARMAN TENDULKAR, Newton South High School, as a member of the YOUTH COMMISSION for a term to expire on November 15, 2024. (60 Days: 12/31/21)
- #398-21** **Appointment of Ethan Dhadly to the Youth Commission**
HER HONOR THE MAYOR appointing ETHAN DHADLY, Roxbury Latin School, as a member of the YOUTH COMMISSION for a term to expire on November 15, 2024. (60 Days: 12/31/21)
- #399-21** **Reappointment of Lori Yarvis to the Farm Commission**
HER HONOR THE MAYOR reappointing LORI YARVIS, 1469 Centre Street No.1, Newton, as a member of the FARM COMMISSION for a term set to expire on October 31, 2024. (60 Days: 12/31/21)

Referred to Public Facilities Committee

Public Hearing to be assigned for November 3, 2021

- #400-21** **Petition for Grant of Location in Wells Ave**
ROSCITI CONSTRUCTION COMPANY/CROWN CASTLE petitioning for a grant of location to install 188'± of 4" conduit from MH # 47/327 on Wells Ave to the proposed handhole in

front of #145 Wells Ave then installing 68'± in a northeasterly direction from the proposed handhole to the building at #145 Wells Ave. (Ward 8)

#401-21 Amend Chapter 29, Section 160. Building Pipe Exemption

HER HONOR THE MAYOR requesting an ordinance amendment to Chapter 29, Section 160 of the Revised Ordinances to delete the following language: (a) the existing building sewer pipe(s) is less than twenty (20) years old; and re-letter the remaining sections.

Referred to Finance Committee

#402-21 Reappointment of Antonio Bianchi as a Constable

HER HONOR THE MAYOR reappointing ANTONIO BIANCHI, 15 Colonial Avenue, Newton as a CONSTABLE for a term of office to expire on November 1, 2024. (60 days: 12/31/21)

#403-21 Appropriate \$10,850 from Fire Prevention Fine Receipts

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of ten thousand eight hundred and fifty dollars from Fire Prevention Fine Receipts.

Referred to Programs & Services and Finance Committees

#404-21 Adopt MGL to adopt Commission on Disability and allocate parking revenues

PRESIDENT ALBRIGHT requesting the adoption of MGL Ch. 40 Section 8J to formally adopt the Commission on Disability and MGL Ch. 40 Section 22G to allocate funds from accessible parking violation revenues to the Commission on Disability. Additionally, that all FY22 accessible parking violation revenues will be allocated to the Commission on Disability.

Referred to Public Facilities and Finance Committees

#405-21 Reallocate \$277,739.25 for rehabilitation of the stormwater infrastructure

HER HONOR THE MAYOR requesting authorization to reallocate the Stormwater Fund surplus funds from the following accounts/ projects that have been completed for the rehabilitation of the stormwater infrastructure for the section of Chestnut Street between Beacon Street and Commonwealth Ave:

Laundry Brook Culvert Replacement-Cabot School (7203D401-586007)	\$130,257.25
Forest Grove Pump Station Rehabilitation (7204D401-586004)	\$147,482.00

The following item was late filed and requires a Suspension of the Rules to be Referred to Committee:

Referred to Zoning & Planning and Programs and Services

#392-21 Authorization to acquire property at 163-144 Hancock Street and 169 Grove Street

HER HONOR THE MAYOR requesting authorization to acquire whether by purchase or friendly eminent domain the real properties which are portions of 136-144 Hancock Street and 169 Grove Street, known as The Walker Center for Ecumenical Exchange.