



City Council Actions

In City Council

Monday, November 1, 2021

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

Clerk's Note: The full Council meeting can be viewed on the following link: <https://newtv.org/recent-video/63-newton-city-council-meetings/7191-newton-city-council-november-1-2021>

The November 15, 2021 Council meeting will begin at 7:00 pm with the Tax Classification Public Hearing

The City Council voted without discussion 24 Yeas, 0 Nays to Accept the Committee Recommendations on the following items:

Referred to Land Use Committee

Tuesday, October 26, 2021

#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

#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 Closed 10/26/2021

Referred to Zoning & Planning Committee

Monday, October 25, 2021

#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

Referred to Programs & Services Committee

Wednesday, October 20, 2021

- #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

- #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 Facilities Committee

Monday, November 1, 2021

- #343-21(2)** **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.
Public Facilities Approved 6-0

Referred to Finance Committee

Monday, October 25, 2021

- #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

The City Council voted without discussion 23 Yeas, 1 Nay (Councilor Humphrey) to Accept the Committee Recommendations on the following item:

Referred to Real Property Reuse Committee

Tuesday, October 19, 2021

- #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 6-0; Public Hearing Closed 10/19/2021

Motions to Suspend the Rules to allow the following late filed item to be Accepted to the Docket and Referred to Committee was Approved by Voice Vote:

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.

Public Hearings were assigned for the following Items:***Public Hearing Assigned for December 14, 2021***

#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.

Public Hearing Assigned for December 14, 2021

#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.

Public Hearing Assigned for December 14, 2021

#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.

Public Hearing 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)