



City Council Reports Docket

July 9: Land Use
July 15: Zoning & Planning
July 17: Public Facilities
July 23: Land Use
July 29: Zoning & Planning
Aug 6: Land Use

Monday, July 8, 2019
Continued
Page 486
7:45 PM, Newton City Hall
To be reported on
Monday, August 12, 2019

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Item postponed to a date certain of August 12, 2019

#179-19 **Petition to amend Board Order #96-17 to allow bank use at Washington Place**
WASHINGTON PLACE OWNER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #96-17 to allow modification of Condition #34 to allow the petitioner to lease commercial space to not more than one commercial bank with a total square footage not to exceed 3,800 sq. ft. at 845 Washington Street and 245 Walnut Street, Ward 2, Newtonville, Section 21 Block 29 Lot 10, containing approximately 123,956 sq. ft. of land in a district zoned MIXED USE DEVELOPMENT. Ref.: Sections 7.3, 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2017.
Land Use Approved Subject to Second Call 5-1-2 (Laredo Opposed, Schwartz, Markiewicz abstaining); Public Hearing Closed 06/18/2019

Referred to Land Use Committee

Tuesday, July 9, 2019

Present: Councilors Schwartz (Chair), Laredo, Greenberg, Auchincloss, Kelley, and Markiewicz, Crossley;
absent: Councilor Lipof; also present: Councilor Cote

#104-19 **Special Permit to allow attached dwelling units at 499 Winchester Street**
ARTHUR ARBETTER AND GERRY WELCH/MARY AND DUANE HILLIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, allowing single-family attached dwellings with three stories and to allow retaining walls greater than 4' within a setback at 499 Winchester Street, Ward 8, Newton Highlands, on land known as Section 83 Block 35 Lot 08, containing approximately 43,567 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.1.4, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0;

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

- #211-19 Request to amend the deed restriction to allow a solar carport at 181 Wells Ave**
ATLANTIC DESIGN ENGINEERS requesting an amendment to the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended to reflect a waiver of use restriction to permit a solar carport over the parking lot area at 181 Wells Avenue, Ward 8. *NOTE: Public Hearing not required.*
Land Use Approved 7-0
- #200-19 Petition to allow a parking space in the front setback at 30 Jacobs Terrace**
RICHARD LEVEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a parking stall within the front setback and five feet of the street at 30 JACOBS TERRACE, Newton Centre, Ward 8, on land known as SBL 82, 25, 23 containing approx. 18,110 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 5.1.7.A, 5.1.13, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 07/09/2019
- #360-14(3) Amend Permit #360-14 to allow a free-standing sign at 112 Needham Street**
112 NEEDHAM STREET, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #360-14 to allow for an 8.14 square foot freestanding sign at the front of the property in a planting bed at 112 NEEDHAM STREET, Ward 8, NEWTON UPPER FALLS, on land known as SBL 83, 12, 7, containing approximately 7,500 sf of land in a district zoned MULTI USE 2. Ref: Sec. 5.2.13, 7.3, 7.4 of Chapter 30 of the City of Newton Rev Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 07/09/2019

Referred to Land Use Committee

Tuesday, July 23, 2019

Present: Councilors Schwartz (Chair), Lipof, Laredo, Greenberg, Auchincloss, Kelley, Markiewicz, and Crossley

- #176-19 Special Permit Petition to allow parking within the setback at 1188 Chestnut Street**
TARA POTTER AND DOUG ROONEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the existing single-car garage, extending the non-conforming front setback, to allow parking within the setback and within five feet of the street at 1188 Chestnut Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 40 lot 22, containing approximately 5,807 sq. ft. in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 5.1.7.A, 5.1.13, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 3-0-5 (Schwartz, Laredo, Markiewicz, Kelley, Greenberg abstaining)

#338-18(2) Petition to amend Special Permit Council Order #338-18 at 22 Beecher Place
BEN BRESSEL/22 BEECHER PLACE REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #338-18 to allow modifications to the site plan for driveway and patio spaces not shown on the approved site plan at 22 Beecher Place, Ward 6, Newton Centre, on land known as Section 81 Block 01 Lot 03 containing approximately 10,146 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Closed 07/23/2019

#147-15(4) Petition to amend Special Permit Board Order #147-15 at 157 Herrick Road
BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON THEOLOGICAL SCHOOL petition for a Special Permit to amend Special Permit Board Order #147-15 to allow a 35' free-standing sign at 157 Herrick Road, Ward 6, Newton Centre, on land known as Section 65 Block 19 Lot 45, containing approximately 871,960 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. 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 8-0; Public Hearing Closed 07/23/2019

#237-19 Petition to exceed FAR and extend non-conforming use at 138 Lincoln Street
DOUGLAS AND HANA GRAGG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear sunroom in the footprint of an existing deck, extending the non-conforming two family use and creating an FAR of .37 where .36 exists and .34 is allowed at 138 Lincoln Street, Ward 6, Newton Highlands, on land known as Section 64 Block 26 Lot 09, containing approximately 13,800 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, 3.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 07/23/2019

Referred to Land Use Committee

Tuesday, August 6, 2019

Present: Councilors Schwartz (Chair), Lipof, Laredo, Greenberg, Auchincloss, Kelley, Markiewicz, and Crossley; also present: Grossman, Leary, Albright, Downs, and Noel

#238-19 Petition to allow parking waivers for a health club at 35-41 Lincoln Street
PAUL FEINBERG/EVELYN P GREENSPAN TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order # 306-12 to allow a waiver of 14 parking stalls and to allow assigned parking at 35-41 Lincoln Street, Ward 6, Newton Highlands, on land known as Section 52 Block 08 Lot 18, containing approximately 5,000 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3, 7.4, 5.1.4, 5.1.13, 5.1.3.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0-1 (Auchincloss abstaining, Laredo recused); Public Hearing Closed 08/06/2019

#425-18 Request to Rezone three parcels for Northland Development
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.
Land Use Held 8-0; Public Hearing Continued

#426-18 Special Permit to allow mixed use development
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued

Referred to Zoning and Planning Committee

Monday, July 15, 2019

Present: Albright (Chair), Danberg, Kalis, Baker, Krintzman, Brousal-Glaser, Downs, and Leary; also present: Councilors Lipof, Markiewicz, Kelley, Norton, Gentile, Crossley, and Laredo

#241-19 Appointment of Leigh Gilligan to the Conservation Commission
HER HONOR THE MAYOR appointing LEIGH GILLIGAN, 16 Bradford Road, Newton Highlands, to the CONSERVATION COMMISSION for a term to expire July 31, 2022. (60 days: 9/6/19)
Zoning & Planning Approved 8-0

- #242-19 Reappointment of Paul Snyder to Newton Upper Falls Historic District Comm**
HER HONOR THE MAYOR reappointing PAUL SNYDER, 9 Ardmore Road, West Newton, as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire July 1, 2022. (60 days: 9/6/19).
Zoning & Planning Approved 8-0
- #243-19 Reappointment of Susana Lannik to the Chestnut Hill Historic District Comm**
HER HONOR THE MAYOR reappointing SUSANA LANNIK, 25 Essex Road, Chestnut Hill, as a member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire July 15, 2022. (60 days: 9/6/19)
Zoning & Planning Approved 8-0
- #165-19 Adoption of Washington Street Vision Plan as part of the Comprehensive Plan**
DIRECTOR OF PLANNING requesting approval and adoption of the Washington Street Vision Plan as an amendment to the 2007 Newton Comprehensive Plan.
Zoning & Planning Held 8-0
- #140-19(3) Zoning amendments for Riverside Station**
RIVERSIDE STATION/355 GROVE STREET AND 399 GROVE STREET requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.3 and 4.2.4 relative to the Mixed Use 3 District.
Zoning & Planning Held 8-0
- #187-19 Zoning amendment from Newton LFIA for Riverside Station**
LOWER FALLS IMPROVEMENT ASSOCIATION RIVERSIDE COMMITTEE requesting to amend Chapter 30, City of Newton Zoning Ordinance, Sections 4.2 and 7.3.5 pertaining to the Mixed Use3/Transit-Oriented zoning district.
Zoning & Planning Held 8-0
- #244-19 Amend ordinances by creating a temporary suspension on landmark designation**
COUNCILORS ALBRIGHT, AUCHINCLOSS, CROSSLEY, DOWNS, KELLEY, LIPOF, GREENBERG, KRINTZMAN, COTE, NOEL, LEARY, AND DANBERG proposing an amendment to Chapter 22 of the Revised Ordinance of the City of Newton, 2017 to create a temporary suspension on the landmark designation 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 nominating, processing, and approval of any future landmarks or any property currently under consideration for landmark designation.
Zoning & Planning Held 8-0

- #128-19 Zoning Amendment for short-term rentals**
DIRECTOR OF PLANNING proposing to amend Chapter 30, City of Newton Zoning Ordinances, in order to create a short-term rental ordinance that defines the short-term rental and bed & breakfast uses, identifies what zoning districts they would be allowed in and under what criteria, conditions, limitations and permitting process.
Zoning & Planning Approved as amended 4-0-2 on 6/24/19
Recommitted to Zoning & Planning Committee by City Council 6/27/19
Zoning & Planning Approved as Amended 6-0-2 (Councilors Baker and Kalis abstaining)

Referred to Zoning & Planning, Public Safety, and Finance Committees

- #136-19 Short-term rental ordinance with fees**
DIRECTOR OF PLANNING proposing amendments to Chapter 20 and 17 of the Revised Ordinances of the City of Newton to create a short-term rental ordinance with fees that would require registration of short-term rentals with the City’s Inspectional Services Department and fire inspections to protect public health and safety.
Public Safety Approved 4-0-1 (Cote abstaining; Grossman not voting) on 06/05/19
Finance Approved 4-0 (Grossman recused) on 06/10/19
Zoning & Planning Approved as amended 4-0-2 on 6/24/19
Recommitted to Zoning & Planning Committee by City Council 6/27/19
Zoning & Planning Approved as amended 6-0-2 (Councilors Baker and Kalis abstaining)

Referred to Zoning and Planning Committee

Monday, July 29, 2019

Present: Councilors Albright (Chair), Danberg, Krintzman, Downs, Leary, Brousal-Glaser, and Kalis;
 absent: Councilor Baker; also present: Laredo, Markiewicz, Norton, Kelly, Schwartz, Greenberg, and Crossley

- #165-19 Adoption of Washington Street Vision Plan as part of the Comprehensive Plan**
DIRECTOR OF PLANNING requesting approval and adoption of the Washington Street Vision Plan as an amendment to the 2007 Newton Comprehensive Plan.
Zoning & Planning Held 7-0
- #244-19 Amend ordinances by creating a temporary suspension on landmark designation**
COUNCILORS ALBRIGHT, AUCHINCLOSS, CROSSLEY, DOWNS, KELLEY, LIPOF, GREENBERG, KRINTZMAN, COTE, NOEL, LEARY, AND DANBERG proposing an amendment to Chapter 22 of the Revised Ordinance of the City of Newton, 2017 to create a temporary suspension on the landmark designation 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 nominating, processing, and approval of any future landmarks or any property currently under consideration for landmark designation.
Zoning & Planning Approved Hold 6-0-1 (Brousal-Glaser abstaining)

- #166-19** **Amendment to include the Washington Street Zoning in the Zoning Ordinance**
DIRECTOR OF PLANNING approval and adoption of the Washington Street Zoning Ordinance as an amendment to Chapter 30 of the City of Newton Ordinances.
Zoning & Planning Held 7-0

Referred to Programs and Services Committee

Wednesday, July 24, 2019

Present: Councilors Brousal-Glaser (Acting Chair), Krintzman, Albright, Greenberg, Kalis, Baker, and Schwartz; absent (Councilor Rice); also present: Councilors Cote, Grossman, and Laredo

Referred to Programs & Services and Finance Committees

- #208-19** PRESIDENT LAREDO requesting consideration of the recommendations of the special Blue Ribbon Commission regarding compensation for the Mayor, City Council, and School Committee.

Programs and Services Held 7-0

- #246-19** **Reappointment of John McDermott to the Election Commission**
HER HONOR THE MAYOR reappointing JOHN McDERMOTT, 7A Washington Street, Newton, to the ELECTION COMMISSION for a term to expire March 31, 2023.
(60 days: 9/6/19)

Approved 5-0 (Baker, Schwartz not voting)

- #247-19** **Reappointment of Nancy Levine to the Election Commission**
HER HONOR THE MAYOR reappointing NANCY LEVINE, 379 Central Street, Auburndale, to the ELECTION COMMISSION for a term to expire March 31, 2023. (60 days: 9/6/19)

Approved 5-0 (Baker, Schwartz not voting)

- #248-19** **Reappointment of Vincent O'Donnell to the Newton Housing Authority**
HER HONOR THE MAYOR reappointing VINCENT O'DONNELL, 10 Leighton Road, Auburndale, as a member of the NEWTON HOUSING AUTHORITY for a term to expire August 16, 2024. (60 days: 9/6//19)

Approved 5-0 (Baker, Schwartz not voting)

Referred to Public Facilities Committee

Wednesday, July 17, 2019

Present: Councilors Crossley (Chair), Leary, Lappin, Laredo, Kelley, Danberg, and Norton; absent: Councilor Gentile

- #195-19** **Appointment of Maria Leo to the Design Review Committee**
PRESIDENT LAREDO appointing MARIA LEO, ~~492 Adams Street~~ 294 Adams Street, Newton, as a community representative of the DESIGN REVIEW COMMITTEE for the Lincoln Eliot Project for a term to expire upon completion of the building project.

Public Facilities Approved 7-0

#228-19 Verizon petition for grant of location on Washington Street
VERIZON petition for a grant of location to relocate one pole (JO Pole 447/222) 13' north of the current location on Washington Street (in the vicinity of 2014-2060 Washington Street) to accommodate a new driveway.

Public Facilities Approved 7-0

#229-19 Eversource petition for a Grant of Location in Upland Avenue
EVERSOURCE petitioning for a grant of location to install 110' ± of conduit from Manhole #19249 (approximately 315' south of Dedham Street) in a southerly direction thence turning easterly to provide new service to 116 Upland Avenue.

Public Facilities Approved 7-0

#226-19 National Grid petition for grant of location in Commonwealth/Manet/Ward
NATIONAL GRID petition for a grant of location to install and maintain:

- 290'+/- of 8" main from the existing 6" gas main from near Pole #186/58 easterly to the intersection of Manet Road
- from the existing 4" main on Manet Road near Pole #271/10 southerly to a traffic island on Commonwealth Avenue
- from the existing 6" gas main near 233-235 Commonwealth Avenue easterly to the intersection of Manet Road.

This work is needed because of an MWRA 36" water main replacement project.

Public Facilities Approved 7-0

#227-19 National Grid petition for grant of location in Waverly Avenue
NATIONAL GRID petition for a grant of location to install and maintain 80'± of 12" main in from the existing 12" gas main at #11 Waverly Avenue southerly to just before the curb cut at #11 Waverly Avenue due to a 20" MWRA gate valve replacement.

Public Facilities Approved 7-0

#252-19 National Grid petition for grant of location in Ward Street
NATIONAL GRID petition for a grant of location to install and maintain:

- 1410'+/- of 12' and 8" main in from the existing 12" gas main at house #256 easterly to the existing 6" gas main at 233-235 Commonwealth Avenue
- 140'± in Waverly Avenue from the new 12" gas main in Ward Street to the existing 12" gas main near pole #9/55

This work is needed due to a MWRA water main replacement project.

Public Facilities Approved 7-0

- #253-19 National Grid petition for grant of location in Waverley Avenue**
NATIONAL GRID petition for a grant of location to install and maintain 5400'+/- of 12', 8" and 6" gas main in from the existing 12" gas main at the intersection of Stuart Street northerly to the existing 12" gas main in the existing 12" gas main in the intersection of Tremont Street. This work is needed due to a MWRA water main replacement project.
Public Facilities Approved 7-0
- Referred to Public Facilities and Finance Committees**
- #255-19 Appropriate \$1,350,000 for Lincoln-Elliot window and access improvements**
HER HONOR THE MAYOR requesting authorization to appropriate one million three hundred fifty thousand dollars (\$1,350,000) from bonded indebtedness for the purpose of funding the construction of the Lincoln Elliot Elementary School window replacement and accessibility improvements and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.
Finance to Meet
Public Facilities Approved 7-0
- #250-19 Inflow and Infiltration Mitigation Ordinance**
CITY ENGINEER requesting amendments to Chapter 29 of the City of Newton Ordinances to create an Infiltration and Inflow Mitigation Ordinance that would codify mitigation requirements for development projects over a certain size, potential for fees in lieu of mitigation and waiver of fees by the City Council.
Public Facilities Held 7-0
- #251-19 Building Sewer, Water Service Pipe and Sidewalk Replacement Ordinance**
CITY ENGINEER requesting amendments to Chapter 29 of the City of Newton Ordinances to create a building sewer and water service pipe update ordinance that would require the removal and replacement of sewer and water connections, and replacement of sidewalk when a dwelling is demolished or substantially remodeled or rehabilitated.
Public Facilities Held 7-0
- #249-19 Amendment(s) to the procedures and standards and application form**
COUNCILOR CROSSLEY requesting a review and amendment(s) to the Procedures and Standards and Application Form as they relate to grants of location for Wireless Communication Facilities.
Public Facilities Approved 7-0