



City Council Docket

October 22: Real Property Reuse

October 23: Public Facilities; Programs & Services; Public Safety & Transportation Continued

October 28: Finance; Zoning & Planning Page 554

October 29: Land Use

Monday, October 21, 2019

7:00 PM, Newton City Hall

Monday, November 4, 2019

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

#294-18(2) Extension of time to Exercise Special Permit #294-18 at 1314 Washington and 31, 33 Davis St.

HQ, LLC petition for an EXTENSION OF TIME to EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story addition in the BU1 district to be used for construction of a mixed-use development in Ward 3, West Newton, at 1314 Washington Street, 31 Davis Street and 33 Davis Street (Section 33 Block 10 Lots 01, 11, 12), containing approximately 30,031 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.1, 7.8.2.C.2, 4.4.1, 6.4.29.C.1, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.C, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.9.A, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.12 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

#350-19 Petition to allow subdivision at 1957 Beacon Street

CHARLENE ZION petition for SPECIAL PERMIT/SITE PLAN APPROVAL to subdivide a 29,983 sq. ft. lot into one 15,000 sq. ft. lot and one 14,983 sq. ft. lot, requiring a waiver of the lot frontage by 5% (5') and a reduction in the lot area by .114% (17 sq. ft.) at 1957 Beacon Street, Ward 5, Waban, on land known as Section 55 Block 01 Lot 27, containing approximately 29,983 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 7.8.4.E, 7.8.4.F of Chapter 30 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

#351-19 Special Permit to extend nonconforming use and setback at 278-280 California St
NAJIM AND NAJLA AZADZOI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow construction of a one-story addition at the front of the structure, to allow a first floor residential use in the BU1 district and to extend the nonconforming use and nonconforming front setback at 278-280 California Street, Ward 1, Newton, on land known as Section 11 Block 07 Lot 03, containing approximately 4,534 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4., 4.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

#352-19 Petition to extend nonconforming FAR at 32 Berkshire Road
MARIA YANAKAKIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing garage and construct two bedrooms above, creating an FAR of .51 where .41 is allowed and .44 exists at 32 Berkshire Road, Ward 2, Newtonville, on land known as Section 24 Block 40 Lot 1, containing approximately 8,130 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

#353-19 Petition to extend nonconforming FAR at 38 Fenno Road
MICHAEL ZALIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing deck and construct an addition on the first floor, creating an FAR of .48 where .42 is allowed and .45 exists at 38 Fenno Road, Ward 2, Newton Centre, on land known as Section 64 Block 12 Lot 05, containing 7,413 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

#354-19 Special Permit to allow multi-family dwelling at 13-17 Gardner Street
CIVICO GARDNER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to combine two parcels and construct a five-unit multi-family dwelling, altering and extending a nonconforming front setback, altering and extending a nonconforming side setback, to waive one parking stall and to allow a retaining wall greater than four feet within a setback at 13-17 Gardner Street, Ward 1, Newton, on land known as Section 11 Block 25 Lots 5 and 6, containing approximately 16,579 sq. ft. of total land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.4.2.B, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned

- #355-19** **Special Permit to extend nonconforming use for multi-family dwelling at 148 Pine St**
PHILIP MASTROIANNI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to change the existing nonconforming use from the existing two-family use to allow a three single-family dwellings in the SR3 district, to further extend the nonconforming lot area per unit, to further extend a nonconforming front setback and to allow a retaining wall in excess of four feet within a setback at 148 Pine Street, Ward 4, Auburndale, on land known as Section 44 Block 17 Lot 32, containing approximately 18,235 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.3, 5.4.2.B

Other Communications

- #356-19** **Lateral Grant of Location in Westwood Street**
EVERSOURCE petitioning for a lateral grant of location to install and maintain 38' +/- of conduit from pole 456/1 (approximately 28' north of Webster Street) to #21 Webster Street to provide new service.
Approved by the Commissioner of Public Works

Referred to Zoning & Planning Committee

- #357-19** **Reappointment of Peter Sargent to the Community Preservation Committee**
HER HONOR THE MAYOR reappointing Peter Sargent, 33 Avondale Road, Newton Centre, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire July 31, 2022. (60 days: 12/14/19)
- #358-19** **Appointment of Martin Smargiassi to the Community Preservation Committee**
HER HONOR THE MAYOR appointing Martin Smargiassi, 20 Fern Street, Auburndale, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire July 10, 2022. (60 days: 12/14/19)
- #359-19** **Reappointment of Jean Wood to the Economic Development Commission**
HER HONOR THE MAYOR reappointing Jean Wood, 90 Forest Avenue, West Newton as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2022. (60 Days: 12/14/19)
- #360-19** **Reappointment of Phillip Plottel to the Economic Development Commission**
HER HONOR THE MAYOR reappointing Phillip Plottel, 50 Roslyn Road, Waban, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire October 30, 2022. (60 Days: 12/14/19)

#361-19 Appointment of Marcela Merino to the Economic Development Commission
HER HONOR THE MAYOR appointing Marcela Merino, 66 Clover Road, West Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire November 30, 2022. (60 Days: 12/14/19)

#362-19 Conservation Restriction for 20 Rogers Street
HER HONOR THE MAYOR requesting approval to grant a conservation restriction at the Crystal Lake Bathhouse and 20 Rogers Street; a 44,449 sq. ft. parcel of land bordering Crystal Lake to the Newton Conservators. The parcel at 20 Rogers Street was acquired by the City in 2007 with Community Preservation Act funds. Any parcels purchased using such funds must be bound by a permanent conservation restriction.

#363-19 Amendment(s) to Chapter 30 relative to building efficiencies
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create exemptions to building envelope standards such as height and setback to facilitate the implementation of energy efficiency and alternative energy measures in buildings including external insulation, doorway vestibules, heat pumps, and solar panels among other features.

#364-19 Amendment(s) to Chapter 30 relative to sustainable design
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create a new set of standards related to sustainable development design with requirements for new buildings and development projects to include environmental and energy efficiency features.

Referred to Programs & Services Committee

#365-19 Appointment of Samuel Nathans as a Library Trustee
HER HONOR THE MAYOR reappointing SAMUEL NATHANS, 37 Kenmore Street, Newton Centre, as a LIBRARY TRUSTEE for a term to expire June 30, 2024. (60 days: 12/14/19)

#366-19 Request for discussion with School Department regarding fees
COUNCILORS KRINTZMAN, CROSSLEY, MARKIEWICZ, ALBRIGHT, NORTON, NOEL & SCHWARTZ requesting a discussion with the School Department regarding the middle school math workbook fee and other fees being charged.

#367-19 Request for discussion regarding Parks & Recreation revenue
COUNCILORS COTE LEARY, GREENBERG, SCHWARTZ, KRINTZMAN, DANBERG & AUCHINCLOSS requesting a discussion with the Commissioner of Parks & Recreation and the Chief Financial Officer regarding the existing sources of revenue and new opportunities for raising revenue, including but not limited to; raising fees for the use of athletic fields, potential sponsorship by foundations and other entities in order to adequately fund improvements to athletic fields and recreation areas.

- #368-19 Reappointment of Treff LaFleche to the Jackson Homestead**
HER HONOR THE MAYOR reappointing TREFF LaFLECHE, 1603 Commonwealth Avenue, West Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 1, 2022. (60 days: 12/14/19)
- #369-19 Reappointment of Karen Haywood to the Jackson Homestead**
HER HONOR THE MAYOR reappointing KAREN HAYWOOD, 69 Walker Street, Newtonville, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)
- #370-19 Reappointment of Jay Walter to the Jackson Homestead**
HER HONOR THE MAYOR reappointing JAY WALTER, 83 Pembroke Street, Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)
- #371-19 Reappointment of Harry Lohr to the Jackson Homestead**
HER HONOR THE MAYOR reappointing HARRY LOHR, 157 Cherry Street, Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)

Referred to Public Facilities Committee

Public Hearing to be assigned for November 6

- #372-19 National Grid petition for grant of location in Boulder Road.**
NATIONAL GRID petition for a grant of location to install and maintain 193' +/- of 4" gas main in Boulder Road from the 4" gas main in the intersection of Boulder Road and Marcellus Drive southerly to the end of main at #19 Boulder to provide services to #19 and #28 Boulder Drive.

Public Hearing to be assigned for November 6

- #373-19 Installation of a sewer extension for the Farwell Street Subdivision**
HER HONOR THE MAYOR requesting authorization of a sewer extension for the Farwell Street Subdivision consisting of six new single-family homes on a newly created road off Farwell Street.
- #374-19 Renaming the intersection of Walnut Street and Lincoln Street**
COUNCILORS RICE, DOWNS, CROSSLEY, SCHWARTZ, NOEL, DANBERG, COTE, BROUSAL-GLASER, AND KELLEY requesting the intersection of Walnut Street and Lincoln Street be renamed to John O'Hara Square.

Referred to the Finance Committee

- #375-19 Authorization to accept a Mass Housing Grant of \$4,300**
HER HONOR THE MAYOR requesting authorization to accept a Mass Housing grant of four thousand three hundred dollars (\$4,300) to support the activities of the Newton Hoarding Task Force.
- #376-19 Authorization to rescind a curb betterment assessment**
HER HONOR THE MAYOR requesting authorization to rescind a curb betterment assessment at 66 Waban Hill Road dated November 5, 2018, Council Order #532-18.
- #377-19 Appropriate \$11,706 for McKinney-Veto Homeless Student Transportation**
SCHOOL COMMITTEE requesting that the City Council approve authorizing the Mayor to appropriate the state reimbursement of eleven thousand seven hundred and six dollars (\$11,706) for McKinney-Veto Homeless Student Transportation from the general fund to the School Department.

Referred to Finance and Appropriate Committees

- #8-20 Submittal of the FY 2021 to FY 2025 Capital Improvement Plan**
HER HONOR THE MAYOR submitting the Fiscal Years 2021 to 2025 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.
- #380-19 Review/Acceptance of the FY 2021 – FY 2025 5-year Financial Forecast**
HER HONOR THE MAYOR submitting the Fiscal Years 2021 to 2025 5-Year Financial Forecast for City Council review/acceptance.

Referred to Real Property Reuse Committee

- #295-19(2) Joint Advisory Planning Group for West Newton Armory**
HER HONOR THE MAYOR submitting pursuant to §2-7(2)b) of the City of Newton Revised Ordinances, 2017 the following list of Mayoral appointees to serve on a Joint Advisory Planning Group (JAPG) to make recommendations on the future use of the West Newton National Guard Armory at 1135 Washington Street, which was declared available for sale or lease on September 17, 2019:
- (A) Ted Hess-Mahan, 871 Watertown Street, Newton
 - (B) Sue Parsons, 172 Washington Street, Newton
 - (C) Kelley Brown, 457 Waltham Street, Newton
 - (D) David Koven, 33 Harrison Street, Newton

THE CITY COUNCIL PRESIDENT submitting pursuant to §2-7(2)b) of the City of Newton Revised Ordinances, 2017 the following list of City Council appointees to serve on a Joint Advisory Planning Group (JAPG) to make recommendations on the future use of the West Newton National Guard Armory at 1135 Washington Street, which was declared available for sale or lease on September 17, 2019:

- (E) Mitchell Fischman, 41 Brush Hill Road, Newton
- (F) Jonathan Katz, 16 Cross Street, Newton
- (G) Lawrence Bauer, 42 Eliot Memorial Road, Newton
- (H) Barry Abramson, 113 Chestnut Street, Newton
- (I) Anita Lichtblau, 68 Adela Avenue, Newton

Referred to Real Committee of the Whole

Pursuant to the Rules of the Council, items which are within the jurisdiction of the six standing committees which are referred to a Committee of the Whole, must be placed on second call and the decision of the referral shall be subject to a majority vote of the Council.

The President of the Council will be requesting a roll call vote to enter into an Executive Session in accordance with the Provisions of Chapter 30A, sec 21(a) (3) & (6) for the purpose of considering the purchase, exchange, lease or value of Webster Woods and strategy with regards to litigation. Executive sessions are closed to the public.

379-19 Acquisition of 300 Hammond Pond Parkway (Webster Woods)

HER HONOR THE MAYOR requesting the City Council approve the acquisition of approximately 17.4 acres of woods at 300 Hammond Pond Parkway by eminent domain to be used for conservation and open spaces purposes.