



## City Council Actions

### In City Council

**Tuesday, January 18, 2022**

**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/7308-newton-city-council-january-18-2022>

**The City Council had no items on Second Call.**

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

#### Referred to Land Use Committee

**#22-22      Petition to extend nonconformities at 265 Upland Avenue**

MARCO ROTONDO AND JENNIFER BEHR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a garage accommodating two garage stalls in the dwelling while maintaining the two stalls in the detached garage for a total of four stalls at 265 Upland Avenue, Ward 8, Newton, on land known as Section 83 Block 27 Lot 28, containing approximately 25,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.4.E.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-0, Councilor Greenberg not voting; Public Hearing Closed 1/11/22**

**#23-22      Petition to extend nonconformities, to further extend nonconforming FAR and lot coverage at 961 Walnut Street**

OSCAR ESCOBAR/PROPERTYVELOMENT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a garage accommodating more than three vehicles with a ground floor area exceeding 700 sq ft, to raze the existing dwelling and construct a new single-family dwelling on the same foundation and allow an oversized dormer at 961 Walnut, Ward 6, Newton, on land known as Section 52 Block 14 Lot 01, containing approximately 1588 sq.

ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 3.2.11, 1.5.4.G.2.b of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**#24-22 Petition to allow more than 700 square feet of total garage area and for oversized dormers at 22 Kirkstall Road**

BRENDAN J. SMITH AND COURTNEY A. KAIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing garage and construct a larger garage exceeding the maximum square footage of garage area of 22 Kirkstall Road Ward 2, Newton, on land known as Section 22 Block 21 Lot 47, containing approximately 33,843 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.4.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.

**Land Use Approved 8-0; Public Hearing Closed 1/11/22**

**#25-22 Petition to further increase nonconforming FAR and further extend a nonconforming two-family use at 22-24 Milo Street**

JESSICA DOWLING petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct dormer additions in the attic level which will further extend the nonconforming two-family dwelling and will further increase the nonconforming FAR of 22-24 Milo Street, Ward 3, Newton, on land known as Section 44 Block 04 Lot 4A, containing approximately 6106 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, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**#26-22 Petition to request variances from side setback and garage door width requirements and to exceed maximum FAR at 14 Crystal Street**

JEFF FREEDMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing garage and construct a new attached garage exceeding the maximum FAR and requiring setback and door width variances at 14 Crystal Street, Ward 6, Newton, on land known as Section 62 Block 07 Lot 08, containing approximately 11,640 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.4.4.C.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**#37-22 Appointments to the Newton Wellesley Hospital Liaison Committee**

PRESIDENT ALBRIGHT recommending the appointment of the following individuals to the Newton Wellesley Neighborhood Liaison Committee pursuant to Condition #29 of Special Permit #470-04 granted on April 19, 2005:

Jay Flynn, 41 Longfellow Road

Tina Sheldon, 2081 Beacon Street Extension

Seth Alexander, 244 Dorset Road

**Land Use Approved 8-0**

- #8-22**            **Class 2 Auto Dealer License**  
JAPAN AUTO SERVICES  
1205 Washington Street  
Newton, MA 02465  
**Land Use Approved 8-0**
- #9-22**            **Class 2 Auto Dealers License**  
REGANS INC.  
2066 Commonwealth Avenue  
Auburndale, MA 02466  
**Land Use Approved 8-0**
- #10-22**          **Class 2 Auto Dealers License**  
NEWTON AUTO GROUP, INC.  
182 Brookline Street  
West Newton, MA 02459  
**Land Use Approved As Amended 8-0**
- #11-22**          **Class 2 Auto Dealers License**  
ROBERT'S TOWING, INC.  
926r Boylston Street  
Newton Highlands, MA 02461  
**Land Use Approved 8-0**
- #12-22**          **Class 2 Auto Dealers License**  
KC AUTO  
55 Farwell Street  
Newtonville MA 02460  
**Land Use Approved 8-0**
- #13-22**          **Class 2 Auto Dealer License**  
AUCTION DIRECT PREOWNED  
1545 Washington Street  
West Newton, MA 02465  
**Land Use Approved 8-0**
- #14-22**          **Class 2 Auto Dealers License**  
OLD TIME GARAGE LTD.  
1960 Washington Street  
Newton Lower Falls, MA 02462  
**Land Use Approved 8-0**
- #15-22**          **Class 1 Auto Dealer License**  
NEWTON CENTRE SHELL

1365 Centre Street  
Newton, MA 02459

**Land Use Approved 8-0**

**#16-22**

**Class 2 Auto Dealers License**

MOTOR CARS OF BOSTON, INC  
1191 Washington Street  
West Newton, MA 02465

**Land Use Approved 8-0**

**#17-22**

**Class 1 Auto Dealer License**

MAG RETAIL HOLDINGS – CJ LLC. D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM  
777 Washington Street  
Newton, MA 02460

**Land Use Approved 8-0**

**#18-22**

**Class 2 Auto Dealers License**

MAP DEVELOPMENT & INVESTMENTS d/b/a CHRISTIAN TAPIA/MASTER USED  
CARS of WATERTOWN  
175 North Street  
Newtonville, MA 02460

**Land Use Approved 8-0**

**#19-22**

**Class 2 Auto Dealers License**

STAN'S AUTOMOTIVE INC.  
249 Centre Street  
Newton Corner, MA 02458

**Land Use Approved 8-0**

**#20-22**

**Class 2 Auto Dealers License**

VELOCITY MOTORS  
14 Hawthorn Street  
Nonantum, MA 02458

**Land Use Approved 8-0**

**#21-22**

**Class 2 Auto Dealers License**

ENZO'S AUTO SALES  
10 Hawthorn Street  
Nonantum, MA 02458

**Land Use Approved 8-0**

**#30-22**

**Class 1 Auto Dealers License**

VILLAGE MOTORS GROUP INC DBA HONDA VILLAGE  
371 Washington Street

Newton, MA 02458

**Land Use Approved 8-0**

**#31-22**

**Class 2 Auto Dealers License**

~~UNITED AUTO CENTER INC~~ UNITED AUTO CENTER INC DBA JR CAR SALES

454 Watertown Street

Newton, MA 02460

**Land Use Approved As Amended 8-0**

**#32-22**

**Class 2 Auto Dealers License**

JACOB & ASSOCIATES

1232 Washington Street

Newton, MA 02465

**Land Use Approved 8-0**

**Referred to Zoning Planning Committee**

**#62-22**

**Appointment of Ali Erol to the Economic Development Commission**

HER HONOR THE MAYOR appointing Ali Erol, 204 Dedham Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on December 31, 2023. (60 days: 03/02/22)

**Zoning & Planning Approved 8-0**

**#39-22**

**Requesting discussion on state guidance for implementing the Housing Choice Bill**

COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

**Zoning & Planning Held 8-0**

**#42-22**

**Citizens petition to amend the village center district**

ATTORNEY PETER HARRINGTON ET AL., submitting a 60-signature citizen to strike Chapter 30, Section 4.1 Business Districts, in its entirety and insert, in place thereof, the following 4.1. Village Center District; 4.1.1. District Intent and 4.1.2. Dimensional Standards.

**Zoning & Planning Held 8-0; Public Hearing set for February 28, 2022**

**#63-22**

**Reappointment of Elizabeth Sweet to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Elizabeth Sweet, 281 Lexington Street, Auburndale, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60 days: 03/02/22)

**Zoning & Planning Approved 8-0**

**#64-22**

**Reappointment of Lei Reilley to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Lei Reilley, 130 Pine Street, Newton, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60

days: 03/02/22)

**Zoning & Planning Approved 8-0**

#65-22

**Reappointment of Denise Chicoine to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Denise Chicoine, 275 Islington Road, Newton, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60 days: 03/02/22)

**Zoning & Planning Approved 8-0**

**Referred to Public Safety & Transportation Committee**

#68-22

**Requesting discussion with the Fire Department**

COUNCILOR DOWNS requesting discussion with the Newton Fire Department on one year-over-year data, which may include fires, injuries, inspections, hiring and overtime.

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

#67-22

**Requesting regular discussion with the Police Department**

COUNCILOR DOWNS requesting regular discussion with the Police Department of police data, including crashes, types of calls, numbers and dispositions.

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

**Referred to Public Facilities Committee**

**Referred to Public Facilities and Programs & Services Committee**

#75-22

**Update on the Lincoln-Eliot Elementary School project**

PUBLIC BUILDINGS DEPARTMENT requesting the opportunity to provide a Lincoln-Eliot Elementary School project update to the Public Facilities and Programs & Services Committees.

**Programs & Services Held 8-0**

**Public Facilities Held 6-0**

**The City Council voted without discussion 23 Yeas, 0 Nays, 1 recusal (Councilor Lipof) to Accept the Committee Recommendations on the following item:**

**Referred to Programs & Services Committee**

#74-22

**Appointment of Cheryl Lappin to the Farm Commission**

HER HONOR THE MAYOR appointing CHERYL LAPPIN, 6 Dorcar Road, Chestnut Hill, as a member of the FARM COMMISSION for a term to expire on January 10, 2025. (60 days: 03/02/2022)

**Programs & Services Approved 8-0**

## **Motion to suspend the Rules to be referred to Committee:**

### **Referred to Zoning & Planning Committee**

#### **#113-22 Request for Amendment to Zoning Ordinance to allow restaurants for nine months to add outdoor seating**

HER HONOR THE MAYOR requesting to amend the Zoning Ordinance to insert a new Section 5.1.14 to allow restaurants for nine months to add outdoor seating on their private property regardless of the impact on any applicable parking and seating requirements from April 1, 2022 until January 1, 2023.

### **Referred to Public Safety & Transportation Committee**

#### **#115-22 Resolution on Upper Falls Greenway to Needham**

COUNCILORS DOWNS, CROSSLEY, KALIS, LIPOF, RYAN, NOEL, LAREDO, AND BOWMAN requesting a Resolution supporting a community bridge over Route 128 and the Charles River, connecting Upper Falls Greenway to Needham.