



**RECEIVED**

By City Clerk at 1:50 pm, Feb 22, 2022

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City Clerk

## City Council Docket

**REVISED**

1:50 pm, Feb 22, 2022

February 23: Programs & Services,  
Public Safety & Transportation & Public Facilities  
February 28: Zoning & Planning and Finance  
March 1: Land Use

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Continued

**Tuesday, February 22, 2022**

7:45 PM, Virtual

To be reported on  
Monday, March 7, 2022

The City Council will hold this meeting as a virtual Zoom meeting on Tuesday, February 22, 2022, at 7:45 pm. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/88361145483>

One tap mobile

US: +16465588656,, 883 6114 5483#

Land line

US: +1 301 715 8592

Meeting ID: 883 6114 5483

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

#### Other Communications

#155-22

**ZBA Decision #09-21 – 229 Bellevue Street**

DAVID AND SUZANNE WAKEFIELD, 229 Bellevue Street, Newton petitioning to the Zoning Board of Appeals to two previously granted variances (#87291 and #9-11) to allow a 3.6-foot front setback for a detached structure for the property located at 229 Bellevue Street

**ZBA Approved**

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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](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #156-22 Grant of Location for a lateral crossing in Bellevue Street**  
EVERSOURCE ENERGY petitioning for a grant of location to install 65'± of conduit in BELLEVUE STREET in a southeasterly direction from pole 13/10 to #76 Bellevue Street.  
**Commissioner of Public Works Approved**

**Referred to Land Use Committee**

***Public Hearing to be Assigned for March 1, 2022***

- #157-22 Petition to extend nonconforming front setbacks at 4 Clarendon Street**  
VENKATESA RAVI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second-story addition, vertically extending the nonconforming front setbacks on a corner lot at 4 Clarendon Street, Ward 2, Newton, on land known as Section 22 Block 09 Lot 01, containing approximately 5823 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 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for March 1, 2022***

- #158-22 Petition to reconstruct and extend nonconforming two-family use at 68 Evergreen Avenue**  
CAROL QUINN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the legally nonconforming two-family residential dwelling in the SR3 district by razing and reconstructing the existing structure at 68 Evergreen Street, Ward 4, Newton, on land known as Section 41 Block 04 Lot 11, containing approximately 12,271 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 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for March 8, 2022***

- #159-22 Request to amend Council Order #58-21 and to waive parking stalls at 1241 Centre Street**  
LINEAR RETAIL NEWTON 1 LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #58-21 to allow additional seats and seek an additional waiver of parking stalls at 1241 Centre Street (1239-1243), Ward 6, Newton Centre, on land known as Section 64 Block 28 Lot 24, containing approximately 9,000 sq. ft. in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for March 8, 2022***

- #160-22 Request to amend Council Order #332-65 and to waive parking stalls at 381 Elliot Street**  
MARY R BUTLER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #332-65 to allow a change of use and seek an additional waiver of parking stalls at 381 Elliot Street, Ward 5, Newton, on land known as Section 51 Block 01 Lot 06, containing approximately 186,883 sq. ft. in a district zoned MAN. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for March 8, 2022***

**#161-22      Petition to allow retaining wall in excess of 4 feet and to exceed FAR at 26 Magnolia Avenue**

JOHN ARONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new dwelling with retaining walls along the sides and rear of the property exceeding 4' in height at 26 Magnolia Avenue, Ward 7, Newton, on land known as Section 72 Block 39 Lot 23, containing approximately 15,787 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

**#176-22      Class 2 Auto Dealers License**

NEWTON COLLISION, INC. d/b/a GM AUTO BODY  
64 Crafts Street  
Newton, MA 02458

**Referred to Zoning & Planning Committee**

**#162-22      Review and discussion of potential Zoning Recodification revisions**

COUNCILOR BAKER requesting review and discussion of potential substantive revisions in Newton Zoning considered during the Phase One recodification not already acted upon, but which were deferred to Phase Two. The objective would be to consider which of them might be appropriate for interim Council action while a longer-term rewrite of the Newton Zoning Ordinances is underway.

**Referred to Programs & Services Committee**

**#163-22      Request for review and possible changes to the light trespass ordinance**

COUNCILORS GENTILE, KELLEY, KRINTZMAN, AND MARKIEWICZ requesting a full review of our current light trespass ordinance including but not limited to moving the effective start time from 9:30PM to 7:00PM.

**#164-22      Request for amendments to the Council Rules**

COUNCILORS GENTILE AND MARKIEWICZ requesting that:

(1) City Council rules be amended to make it clear that City Councilors have the right to attend DRT meetings.

(2) That the Council consider changing its rules to ensure that all Councilors have the right to attend Working Group and other similar committee meetings.

**Referred to Public Facilities Committee**

**#165-22 Appointment of Michael Haueisen to the Design Review Committee**

HER HONOR THE MAYOR appointing Michael Haueisen, 19 Churchill Terrace, Newton, 02460 to the DESIGN REVIEW COMMITTEE for a term to expire upon the completion of the Horace Mann School project. (60 days: 04/23/22)

**Referred to Finance Committee**

**#166-22 Acceptance of \$35,000 for the purchase of FireDex Leather Fire Boots**

HER HONOR THE MAYOR requesting authorization to accept, appropriate and expend the sum of thirty-five thousand dollars (\$35,000) from the Executive Office of Public Safety and Security and the Department of Fire Services Firefighter Safety Equipment Grant for the purchase of FireDex Leather Fire Boots

**#167-22 Request to transfer \$50,000 from City Council Full Time Salaries**

HER HONOR THE MAYOR requesting authorization to transfer the sum of fifty thousand dollars (\$50,000) from Acct # 0110111-511001 City Council Full Time Salaries to Acct # 0110111-534300 City Council Advertising/ Publications.

**#168-22 Authorization to enter into a 5-year contract**

HER HONOR THE MAYOR requesting approval to enter into a five-year (5) contract for the supply and delivery of school bus transportation services for Newton Public Schools commencing on July 1, 2022 and ending on June 30, 2027

**Referred to Public Facilities and Finance Committees**

**#169-22 Appropriate \$2,400,000 for the rehabilitation of the Newton Free Library Lot**

HER HONOR THE MAYOR requesting authorization to appropriate and expend two million four hundred thousand dollars (\$2,400,000) and authorize a general obligation borrowing of an equal amount for construction and engineering services during construction for the rehabilitation of the Newton Free Library Parking Lot 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.

**Referred to Public Facilities and Finance Committees**

**#170-22**

**Appropriate funds for the replacement of the residential water meter system**

HER HONOR THE MAYOR requesting authorization to appropriate and expend an amount of funds and authorize a general obligation borrowing of an equal amount for the replacement of the residential water meter system and project oversight 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.

*The following items were late filed and require a Suspension of the Rules to be Referred to Committee:*

**Referred to Programs & Services Committee**

**#171-22**

**Request for approval to proceed with the process of updating the City Seal**

HER HONOR THE MAYOR requesting authorization to advance the City Seal Working Group's recommendation to update the City Seal.

**Referred to Finance Committee**

**#172-22**

**Acceptance of \$25,600 from Massachusetts Emergency Management Agency**

HER HONOR THE MAYOR requesting authorization to accept, appropriate and expend the sum of twenty-five thousand six hundred dollars (\$25,600) from the Massachusetts Emergency Management Agency (MEMA) Emergency Management Preparedness Grant to purchase equipment to expand the capabilities of the CAD back up system, pay for costs related to the internet connection for the EOC, and purchase protective gear and public safety equipment.

**Referred to Programs & Services and Finance Committees**

**#173-22**

**Request to transfer \$165,000 from Current Year Budget Reserve**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred sixty-five thousand dollars (\$165,000) from Acct # 0110498-579000 Current Year Budget Reserve to Acct # 0160238-585270 Parks, Recreation & Culture Trash Receptacles for the purchase of open-style trash and recycling receptacles with active monitoring and reporting capability for 30 strategic high-use areas in the City.

**Referred to a Committee of the Whole**

**#174-22**

**Discussion with the Planning Department regarding the MBTA Communities Act**

THE PLANNING DEPARTMENT requesting a discussion with the City Council to inform it about the MBTA Communities Act, section 3A c. 40A

**Referred to Public Facilities and Finance Committees**

**#175-22**

**Approve \$1,500,000 for snow and ice removal**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one million five hundred thousand dollars (\$1,500,000) from Acct # 0110498-579400, Reserve for Snow/Ice Removal as follows:

Regular Overtime (0140123-513010).....	\$150,000
Rental Vehicles/Contractors (0140123-527300).....	\$1,350,000