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City Council Docket

March 22: Land Use

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March 23: Programs & Services, Public Safety & Transportation
and Public Facilities

March 28: Zoning & Planning & Finance

Continued

Monday, March 21, 2022

7:45 PM, Virtual

To be reported on

Monday, April 4, 2022

The City Council will hold this meeting as a virtual Zoom meeting on Monday, March 21, 2022, at 7:45 pm. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/86022665468>

One tap mobile

US: +16465588656,,860 2266 5468 #

Land line

US: +1 301 715 8592

Meeting ID:860 2266 5468

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

#186-22

Grant of Location for a lateral crossing in Rachel Road

EVERSOURCE ENERGY petitioning for a grant of location to install 2'± of conduit in RACHEL ROAD in a northeasterly direction from pole 1333/4 to #34 Rachel Road.

Commissioner of Public Works Approved

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.*

#187-22 Grant of Location for a lateral crossing in Walker Street

EVERSOURCE ENERGY petitioning for a grant of location to install 29'± of conduit in WALKER STREET in a northeasterly direction from pole 217/8 to #70 Walker Street.

Commissioner of Public Works Approved

Referred to Land Use Committee

Public Hearing to be Assigned for April 5, 2022

#188-22 Petition to alter and extend a nonconforming residential use and for height and number of stories at 55 Colella Road

MICHAEL LOHIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 2.5 story two-unit dwelling in excess of 24', and to alter and extend the existing nonconforming residential use at 55 Colella Road, Ward 8, Newton Centre, on land known as Section 84 Block 15 Lot 01, containing approximately 7,541 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2, 4.1.2.B.3, 4.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be Assigned for April 5, 2022

#189-22 Petition to waive parking stalls and allow non-accessory parking at 858 Walnut Street

858 WALNUT STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to waive parking stalls and allow single-level non-accessory parking at 858 Walnut Street, Ward 6, on land known as Section 64 Block 5 Lot 04, containing approximately 23,250 sq. ft. of land in a district zoned BUSINESS UNIT 2. Ref: Sec. 7.3.3, 7.4, 6.3.12.B.2.a, 5.1.4.A, 5.1.13, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for April 5, 2022

#190-22 Petition to construct additions and a retaining wall and allow an oversized dormer at 20 Morton Street

BRIAN AND SHANA HICKEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze a detached garage and construct additions exceeding FAR, to allow an oversized dormer, and to allow a retaining wall exceeding 4 feet within the setback at 20 Morton Street, Ward 2, Newton, on land known as Section 13 Block 27 Lot 01, containing approximately 15,064 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 1.5.4.G.2.b, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for April 5, 2022

#191-22 Petition to extend nonconforming FAR at 52 Oldham Road

ATISH AND ROLI CHOUDHURY KUMAR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition and enclose below an existing porch, further extending nonconforming FAR at 52 Oldham Road, Ward 3, Newton, on land known as Section 32 Block 24 Lot 43, containing approximately 11,639 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 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

- #192-22 Request for review and amendments to Section 6.7.1**
COUNCILORS CROSSLEY, DANBERG, LIPOF, KELLEY, ALBRIGHT, NORTON, BOWMAN, GREENBERG, HUMPHREY, LEARY, RYAN, AND KRINTZMAN requesting a review of and possible amendments to, Section 6.7.1 Accessory Apartments, to remove barriers to creating accessory apartments, such as to consider conditions under which detached ADUs may be allowed by right, and under which ADUs may be permitted as part of new construction.
- #193-22 Appointment of Jennifer Pucci to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing Jennifer Pucci, 22 Florence Court, Newtonville as an associate member of the Zoning Board of Appeals for a term of office to expire on April 19, 2023. (60 days: 05/20/22)
- #194-22 Appointment of John Sisson to the Newton Historical Commission**
HER HONOR THE MAYOR appointing John Sisson, 45 Greenlawn Avenue, Newton as an Alternate member of the Newton Historical Commission for a term of office to expire on April 19, 2025. (60 days: 05/20/22)
- #195-22 Appointment of Anne Marie Stein to the Newton Historical Commission**
HER HONOR THE MAYOR appointing Anne Marie Stein, 31 Madoc Street, Newton as an Alternate member of the Newton Historical Commission for a term of office to expire on April 19, 2025. (60 days: 05/20/22)
- #196-22 Appointment of Laxmi Rao to the Planning and Development Board**
HER HONOR THE MAYOR appointing Laxmi Rao, 124 Walnut Hill Road, Newton as an Alternate member of the Planning and Development Board for a term to expire on April 19, 2026. (60 days: 05/20/22)

Referred to Programs & Services Committee

- #197-22 Appointment of Elizabeth Sockwell to the Urban Tree Commission**
HER HONOR THE MAYOR appointing Elizabeth Sockwell, 78 Bishopsgate Road, Newton Center as a member of the Urban Tree Commission for a term to expire on April 19, 2025. (60 days: 05/20/22)
- #198-22 Request for leaf blower ordinance discussion and amendments**
COUNCILORS BAKER, HUMPHREY, AND NORTON recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity.

Referred to Public Safety & Transportation Committee

- #199-22 Request for a discussion of Police Department training**
COUNCILOR DOWNS requesting a discussion of Police Department training.
- #200-22 Request for a discussion of Fire Department training**
COUNCILOR DOWNS requesting a discussion of Fire Department training.

Referred to Public Safety & Transportation and Public Facilities Committees

- #201-22 Discussion with the Police and Public Buildings Departments on the police training building**
COUNCILORS DOWNS, DANBERG, MALAIKIE, BOWMAN, LIPOF AND HUMPHREY requesting a discussion with Newton Police Department and the Public Buildings Department on the status, uses, funding, layout and other aspects of the police training building.

Referred to Public Facilities Committee

Public Hearing to be assigned for March 23, 2022

- #202-22 Request for a sanitary sewer main extension in Winchester Street**
LIZBETH HEYER, on behalf of 2Life Holdings, LLC, 30 Wallingford Road, Brighton, petitioning for a sanitary sewer main extension in WINCHESTER STREET beginning at the existing sanitary sewer manhole at the intersection of Winchester Street & Nahanton Street to be extended northerly ± 432 feet with 8-inch PVC pipe and 4 new manholes. (Ward 8)
PETITIONER TO PAY ENTIRE COST

Public Hearing to be Assigned for April 6, 2022

- #203-22 Verizon petition for a Grant of Location on Pleasant Street**
VERIZON petitioning for a grant of location to relocate one jointly-owned pole, (P. 358/23) 7' ± in a southerly direction from its existing location to accommodate a new driveway. (Ward 6)
- #204-22 Reappointment of Steven Ferrey to the Sustainable Materials Management Commission**
HER HONOR THE MAYOR reappointing STEVEN FERREY, 25 Huntington Road, Newton, as a member of the SOLID WASTE COMMISSION for a term to expire January 15, 2025. (60 days 5/20/22)
- #205-22 Appointment of Jessica Baccari to the Design Review Committee**
HER HONOR THE MAYOR appointing JESSICA BACCARI, 20 Clark Road, Newton, as a community member of the Design Review Committee for a term to expire upon the completion of the Franklin Building Project. (60 days 5/20/22)

- #206-22 Adoption an Ordinance to prohibit the use of anti-coagulant rodenticides**
COUNCILORS NORTON, LEARY, LUCAS, BOWMAN, MALAKIE, GREENBERG, HUMPHREY AND DANBERG requesting the adoption of an Ordinance to prohibit the purchase or application of anti-coagulant rodenticides by the City or City contractors.

Referred to Finance Committee

- #207-22 Discussion on the City's capital and operating costs vs. revenue earned**
COUNCILORS MARKIEWICZ, OLIVER, LAREDO AND WRIGHT requesting a discussion with Assessing, the CFO, and COO regarding a comparison of the City's capital and operating costs vs. revenue earned, by zoning district type/use class. An objective of the discussion is to understand whether generally the land use provided for a given parcel or district tends to generate a surplus or deficit from operations given a conforming use of the land.
- #208-22 Authorization to settle a claim**
HER HONOR THE MAYOR requesting authorization to settle a claim regarding a broken water pipe that flooded a resident's basement in the amount of thirty-two thousand dollars (\$32,000).
- #209-22 Request for funds for a new Rectangular Rapid Flashing Beacon**
HER HONOR THE MAYOR requesting the authorization to appropriate and expend the sum of eighteen thousand dollars (\$18,000) from HP Parking Fines Receipts Reserved for Appropriations Fund 5500, Org 5518R114 for the purchase and installation of a Rectangular Rapid Flashing Beacon (RRFB) system to be installed at the intersection of Langley, Warren and Chase Streets.
- #210-22 Request for funds for an accessible swing and additional accessible GrassMats**
HER HONOR THE MAYOR requesting the authorization to appropriate and expend the sum of one thousand five hundred thirty-seven dollars (\$1,537) from HP Parking Fines Receipts Reserved for Appropriations Fund 5500, Org 5518R114 to match PTO funds at Burr School in order to purchase an accessible swing and additional accessible GrassMats for the Burr School Playground.
- #211-22 Acceptance of \$26,800 from the Mass Cultural Council**
HER HONOR THE MAYOR requesting the authorization to accept and expend grant funds from the Mass Cultural Council in the amount of twenty-six thousand eight hundred dollars (\$26,800), the 2022 allocation to the Newton Cultural Council.

- #212-22 Request to transfer \$50,000 from Human Resources Full Time Salaries**
HER HONOR THE MAYOR requesting authorization to transfer the sum of fifty thousand dollars (\$50,000) from Acct # 0110952-511001 Human Resources Full Time Salaries to Acct #0110952-530100 Human Resources Consultants.

Referred to Finance and Appropriate Committees

- #213-22 Submittal of the FY23 to FY27 Capital Improvement Plan**
HER HONOR THE MAYOR submitting the Fiscal Years 2023 to 2027 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.
- #213-22(2) Submittal of the FY23 Municipal/School Operating Budget**
HER HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY23 Municipal/School Operating Budget, passage of which shall be concurrent with the FY23-FY27 Capital Improvement Program (#213-22).
EFFECTIVE DATE OF SUBMISSION 04/19/22; LAST DATE TO PASS THE BUDGET 06/03/22
- #213-22(3) Submittal of the FY23 – FY27 Supplemental Capital Improvement Plan**
HER HONOR THE MAYOR submitting the FY23 – FY27 Supplemental Capital Improvement Plan.
- #214-22 Review/Acceptance of the FY23 – FY27 5-year Financial Forecast**
HER HONOR THE MAYOR submitting the Fiscal Years 2023 to 2027 5-Year Financial Forecast for City Council review/acceptance.

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.

Referred to Committee of the Whole

- #215-22 Discussion on the replacement of the water meter system**
COMMISSIONER OF PUBLIC WORKS requesting a Committee of the Whole to brief the City Council on the replacement of the water meter system including all meters and transmitters at every residential and commercial property in Newton.

The following item was late filed and require a Suspension of the Rules to be Referred to Committee:

Referred to Zoning & Planning and Finance Committees

- #216-22 CPC Recommendation to appropriate \$88,554 in CPA funding**
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of eighty-eight thousand five hundred and fifty-four dollars (\$88,554) in Community Preservation Act fund

from the FY22 Unrestricted funds to the control of the Planning & Development Department for a grant to the Newton Community Farm for the rehabilitation and restoration of the ca. 1855 farmhouse including excessive water and moisture remediation and the installation of a new electrical system, water heater and kitchen ceiling.