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City Council Reports Docket

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March 8: Land Use
March 9: Public Facilities
March 14: Zoning & Planning

7:45 p.m., Virtual
To be reported on
Monday, March 21, 2022

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

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

One tap mobile

US: +13017158592,860 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. View a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, March 8, 2022

Present: Councilors Lipof (Chair), Kelley, Bowman, Greenberg, Markiewicz, Laredo and Lucas; absent: Councilor Downs; also present: Councilor Wright

#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.

Land Use Approved 6-0 (Councilor Greenberg not voting); Public Hearing Closed 3/8/22

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.

#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.
Land Use Approved 6-0 (Councilor Greenberg not voting); Public Hearing Closed 3/8/22

#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.
Land Use Held 7-0; Public Hearing Continued

Referred to Zoning Planning Committee

Monday, March 14, 2022

Present: Councilors Crossley (Chair), Danberg, Wright, Albright, Krintzman, Ryan, Baker, and Leary; also present: Councilors Laredo, Malakie, Oliver, Greenberg, Kelley, Bowman, Humphrey, Lipof, and Norton

#38-22 **Discussion and review relative to the draft Zoning Ordinance regarding village centers**
ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)
Zoning & Planning Held 7-0 (Councilor Leary not voting)

#42-22 **Citizens petition to amend the village center district**
ATTORNEY PETER HARRINGTON ET AL., submitting a 60-signature citizen petition 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 voted No Action Necessary 8-0; Public Hearing Closed

#127-22 **Request for amendment to the Zoning Code to regulate “last mile” delivery services**
COUNCILORS LAREDO, DOWNS, CROSSLEY, RYAN, KALIS, DANBERG, KRINTZMAN ALBRIGHT, MARKIEWICZ AND WRIGHT requesting an amendment to the Zoning Code to regulate “last mile” delivery services in the City of Newton.
Zoning & Planning Held 7-0 (Councilor Leary not voting); Public Hearing set for 04/25/22

- #180-22 Reappointment of Daniel C. Green to the Conservation Commission**
HER HONOR THE MAYOR reappointing Daniel C. Green, 38 Everett Street, Newton Center to the Conservation Commission for a term of office to expire on January 1, 2025. (60 days: 05/06/22)
Zoning & Planning Approved 7-0 (Councilor Leary not voting)

Referred to Public Facilities Committee

Wednesday, March 9, 2022

Present: Councilors Leary (Chair), Gentile, Danberg, Laredo, Kelley, Kalis, Norton and Crossley; also present: Councilors Lucas, Oliver, Wright and Humphrey

- #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)
Public Facilities Approved 8-0

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.
Public Facilities Held 6-0 on 02/23/22
Finance Approved 5-2-1 (Councilors Malakie and Gentile opposed and Councilor Oliver abstaining)
Public Facilities Approved 6-1-1 (Councilor Gentile opposed and Councilor Laredo abstaining)

- #140-22 Request for a Home Rule Petition**
CHAIR OF THE PUBLIC FACILITIES COMMITTEE requesting a Home Rule Petition for special legislation to allow the City of Newton to enact an ordinance that requires new and substantially remodeled or rehabilitated residential and small non-residential buildings to use electricity instead of fossil fuels for heating and cooling systems, dryers and for domestic hot water, electricity or thermal solar.
Public Facilities Held 5-2-0 (Councilor Kalis and Norton opposed) on 02/09/22
Public Facilities Approved 7-1 (Councilor Gentile opposed)