



RECEIVED

By City Clerk at 1:54 pm, Apr 19, 2022



City Council Docket

REVISED

1:54 pm, Apr 19, 2022

April 20: Programs & Services, Public Safety & Transportation
and Public Facilities
April 25: Zoning & Planning and Finance
April 26: Land Use
April 27: Public Facilities
April 28: Finance

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Continued

Tuesday, April 19, 2022

7:45 PM, Hybrid

To be reported on
Monday, May 2, 2022

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, April 19, 2022, at 7:45 p.m. To view this meeting on zoom use this link at the above date and time:

<https://us02web.zoom.us/j/86105495878>

One tap mobile

US: +13017158592, 861 0549 5878 #

Land line

US: +1 301 715 8592

Meeting ID: 861 0549 5878

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 to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing to be Assigned for May 3, 2022

#254-22

Petition to allow marijuana retailer at 1185 Chestnut Street

NUESTRA, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to allow parking within the side setback, to allow parking stalls with reduced length, to alter and extend the nonconforming driveway width, to waive perimeter screening requirements, to waive lighting requirements and to waive the 25% façade transparency requirement at 1185 Chestnut Street, Ward 5, Newton, on land

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.*

known as Section 51 Block 45 Lot 09, containing approximately 17,091 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.8.A.1, 5.1.13, 5.1.8.B.2, 5.1.8.D.1, 7.8.2.C.2, 5.1.9.A, 5.1.10, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for May 3, 2022

#256-22 Petition to allow parking in the front setback at 1090 Walnut Street

MICHAEL A. WANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an additional parking stall in the front setback and to further extend a nonconforming driveway entrance width at 1090 Walnut Street, Ward 6, Newton, on land known as Section 22 Block 29 Lot 06, containing approximately 18,519 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 5.1.7.A, 7.8.2.C.2, 5.1.7.C of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for May 3, 2022

#257-22 Request to exceed FAR at 99-101 Crafts Steet

DAVID MORTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow reconfiguration of an existing two-family dwelling to one unit and construction of a rear addition second unit, exceeding maximum allowable FAR at 99-101 Crafts Street, Newton, Ward 1, on land known as Section 14 Block 17 Lot 24, containing approximately 8737 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.2.2, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for May 3, 2022

#258-22 Request to exceed FAR at 109 Prince Street

EYAL LEIB petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow construction of a one-story mudroom and breezeway, further exceeding nonconforming FAR at 109 Prince Street, Newton, Ward 2, on land known as Section 32 Block 30 Lot 10, containing approximately 15,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.3, 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 for May 17, 2022

#259-22 Request to Rezone 7 parcels to BU4

CRAFTS DEVELOPMENT, LLC AND SRG HOLDCO INVESTMENTS, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone 7 parcels as follows: 34 Crafts Street (Section 23 Block 16 Lot 11), 36 Crafts Street (Section 23 Block 16 Lot 10), 38 Crafts Street (Section 23 Block 16 Lot 09), 48 Crafts Street (Section 23 Block 16 Lot 08), and 50 Crafts Street (Section 23 Block 16 Lot 07) from MANUFACTURING TO BUSINESS 4; and 19 Court Street (Section 23 Block 16 Lot 12) and 21 Court Street (Section 23 Block 16 Lot 13) from MULTIRESIDENCE 1 TO BUSINESS 4.

Public Hearing to be Assigned for May 17, 2022

#260-22 Petition to construct elderly housing with services at 34, 36, 38, 48, 50 Crafts Street, 19-21 Court Street

CRAFTS DEVELOPMENT, LLC AND SRG HOLDCO INVESTMENTS, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an Elder Housing with Services facility, to allow a development in excess of 20,000 sq. ft., to allow a seven-story building, to allow a building 84 feet in height, to allow parking within the side setback, to reduce the required parking stall width, to reduce the required parking stall depth, to reduce the required parking stall depth for accessible stalls, to allow a reduced drive aisle width for two-way traffic and to waive the lighting requirements at 34, 36, 38, 48, 50 Crafts Street, 19 Court Street and 21 Court Street, Ward 2, Newton, on land known as Section 23 Block 16 Lots 7, 8, 9, 10, 11, 12 and 13, containing approximately 115,818 sq. ft. of land in districts zoned MAN and MR1 (to be rezoned to BU4). Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.2.10, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.8.A.1, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

Referred to Zoning & Planning and Public Safety & Transportation Committees

#261-22 Request to amend Chapter 30 to eliminate Parking Minimums

COUNCILORS BOWMAN, DOWNS, CROSSLEY, DANBERG, GREENBERG, HUMPHREY, KRINTZMAN, LEARY, LIPOF, NOEL, AND RYAN requesting to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing and support the climate action goals.

Referred to Programs & Services Committee

#262-22 Appointment of Jin Zhang to the Biosafety Committee

PRESIDENT ALBRIGHT appointing Jin Zhang, 274 Auburndale Avenue, Auburndale, to the Biosafety Committee for a term of office to expire on May 16, 2025. (60 Days: 06/18/2022)

#263-22 Request for Discussion and Amendments to the Noise Ordinance

COUNCILORS BAKER, HUMPHREY, NORTON, RYAN, AND WRIGHT recommending discussion and possible amendments to strengthen the City's noise ordinance and its administration, including those provisions relating to construction and landscaping activity.

Referred to Public Safety & Transportation

#264-22 Two (2) Bus Licenses renewals for 128 Business Council

TRANSACTION CORPORATE SHUTTLES requesting triennial renewal of the two Needham Shuttle Bus Licenses currently being operated by the 128 Business Council. There are no changes proposed from 2019.

#265-22 Semi-annual taxi license/public auto inspections

POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review.

Referred to Public Facilities Committee

Public Hearing to be assigned for April 20, 2022

#276-22 Request for a grant of location in Hancock Street, Graydale Circle and Woodland Road

NATIONAL GRID petition for a grant of location to install and maintain gas main in Hancock Street, Graydale Circle and Woodland Road, as follows:

- 1055' ± of 6" plastic main in Hancock Street from the 6" coated steel at #7 Hancock Street to the existing 4", cast iron at #93 Hancock Street to replace 755' ± of 3", cast iron and 300' ± of 4", cast iron
- 160' ± of 4" plastic main in Graydale Circle from Hancock Street to the end of main at #11 Graydale Circle to replace 160' ± of bare steel main
- 1125' ± 8" plastic main in Woodland Road from Central Street to the existing 8" plastic main at #110 Woodland Road to replace 5' ± 8" cast iron main, 945' ± of 6" bare steel main and 50' ± of 8" cast iron

Referred to Finance Committee

#266-22 Request authorization to appropriate \$800,000 for Rainy Day Stabilization Fund

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of eight hundred thousand dollars (\$800,000) from June 30, 2021 Certified Free Cash to Acct # 5900-1040 Rainy Day Stabilization Fund. This action will bring the Rainy Day Stabilization Account to 5% of the Mayor's Proposed FY2023 General Fund Operating Budget for a total of just under \$24 million dollars.

#267-22 Requesting authorization to amend a policy, between the City and the COD

HER HONOR THE MAYOR requesting authorization to amend a policy, the purpose of which was to set forth an allocation of the Revenue between the City and the Commission on Disability by deleting language apportioning most of the revenue from parking violations in handicap accessible spaces to the City and adding language that would have 100% of said revenues allocated to the Commission on Disability effective FY2023.

#268-22 Authorization to expend a Public Safety and Security Office of Grants

HER HONOR THE MAYOR requesting authorization to accept, appropriate and expend the amount of two thousand five hundred dollars (\$2,500) from a grant through the Executive Office of Public Safety and Security Office of Grants and Research for the purpose of purchasing an Automated External Defibrillator (AED).

- #269-22** **Requesting authorization to expend \$250,000 to fund City's upgrade from Finance Plus**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred fifty thousand dollars (\$250,000) from June 30, 2021, Certified Free Cash to fund the final invoices for the City's upgrade from Finance Plus as well as continuing modifications to the Payroll/Human Resources sections of our financial system.

Referred to Public Facilities and Finance Committees

- #270-22** **Request for authorization to transfer \$171,490 for the Franklin School Boiler**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one-hundred seventy-one thousand four hundred ninety dollars (\$171,490) from Acct#0110498-579000 Current Year Budget Reserve to a Public Building Project Account to fund the replacement of the Franklin School Boiler which is forty years old and operable but leaking.

Referred to Public Facilities and Finance Committees

- #271-22** **Request for authorization to appropriate \$224,510 for Newton South boiler**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred twenty-four thousand five hundred ten dollars (\$224,510) from June 30, 2021, Certified Free Cash to fund the replacement of an inoperable boiler at Newton South High School.

Referred to Programs & Services and Finance Committees

- #244-22** **Resolution on the Fair Share Amendment**
COUNCILORS ALBRIGHT, RYAN, DOWNS, DANBERG AND LIPOF a resolution asking the City Council to support the Fair Share Amendment which will be on the November Ballot.

Referred to Real Property Reuse Committee

- #272-22** **Reuse of parcel of land on Whitlowe Road**
DIRECTOR OF PLANNING & DEVELOPMENT submitting on April 5, 2022 a letter stating that the 1157 sq. ft. City owned parcel of land known as Section 44 Block 14 Lot 60 on Whitlowe Road, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

Referred to Finance and Appropriate Committees

Public Hearing to be Assigned for May 2, 2022

- #213-22(4)** **Proposed Water, Sewer and Stormwater Rates**
HER HONOR THE MAYOR submitting recommended Fiscal Year 2023 (FY23) Water/Sewer/Storm Water Rates for implementation on July 1, 2022 as follows:

FY23 Tiers & Rates for Water and Sewer

HCF Per Quarter

Water Rate Per HCF

Sewer Rate Per HCF

0-10	\$7.40	\$11.41
11-25	\$8.55	\$13.35
26-60	\$9.83	\$14.34
>60	\$12.26	\$16.49
Irrigation	\$13.51	n/a

FY 2023 Stormwater Fees

1-4 family dwellings \$104.00

Commercial Stormwater Fees: based on impervious area - \$0.05 per impervious square foot.

Public Hearing to be Assigned for May 2, 2022

#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.

Public Hearing to be Assigned for May 2, 2022

#213-22(3) Submittal of the FY23 – FY27 Supplemental Capital Improvement Plan

HER HONOR THE MAYOR submitting the FY23 – FY27 Supplemental Capital Improvement Plan.

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

Referred to Land Use Committee

Public Hearing to be Assigned for May 3, 2022

#273-22 Request to exceed maximum FAR at 78 Commonwealth Park West

JEFF AND NANCY SELIG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached garage and two-story rear addition, exceeding the maximum allowable FAR at 78 Commonwealth Park West, Ward 2, Newton, on land known as Section 53 Block 33 Lot 04, containing approximately 7968 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

#274-22 Request for authorization to submit FY2023 Annual Action Plan

HER HONOR THE MAYOR requesting City Council authorization, pursuant to the 2020 Revised Citizen Participation Plan, to submit the FY23 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funds and the WestMetro HOME Consortium.

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 a Committee of the Whole

#275-22

Discussion with the Comptroller regarding the Budget

COUNILORS GROSSMAN, KALIS, AND ALBRIGHT requesting a discussion with the Comptroller regarding the Comptroller's FY23 Budget Analysis as well as how to read a typical department's budget