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City Council Reports Docket

June 22: Programs & Services, Public Safety &
Transportation and Public Facilities
June 27: Zoning & Planning and Finance
June 28: Land Use

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7:45 p.m., Hybrid
To be reported on
Monday, July 11, 2022

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, July 11, 2022, 7:45 pm To view this meeting on zoom use this link at the above date and time:

<https://us02web.zoom.us/j/85855866153>

One tap mobile

US: +13017158592 858 5586 6153#

Land line

US: +1 301 715 8592

Meeting ID: 858 5586 6153

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, June 28, 2022

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

#316-22 Request to extend nonconforming two-family use and allow a retaining wall within a setback at 117 Cypress Street

PATRICK POWDERMAKER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend a nonconforming two-family use by converting a detached garage into a detached accessory apartment and to construct a retaining wall exceeding 4' within a setback at 117 Cypress Street, Ward 6, Newton, on land known as Section 65 Block 15 Lot 05, containing

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.

approximately 14,383 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 5.4.2.B, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0-1 (Councilor Kelley Abstaining); Public Hearing Closed 6/28/22

#259-22

Request to Rezone 7 parcels to BU4

CRAFTS DEVELOPMENT, 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.

Land Use Held 8-0; Public Hearing Continued on 5/17/22

Land Use Held 8-0; Public Hearing Continued

#260-22

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

CRAFTS DEVELOPMENT, 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, 19-21 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.

Land Use Held 8-0; Public Hearing Continued on 5/17/22

Land Use Held 8-0; Public Hearing Continued

Referred to Zoning & Planning Committee

Monday, June 27, 2022

Present: Councilors Crossley (Chair), Albright, Danberg, Krintzman, Wright, Leary, Baker, and Ryan; also present: Councilors Loreda, Bowman, Lucas, Kelley, Lipof, Downs, Grossman, Gentile, Humphrey, Oliver, Malakie, and Noel

Referred to Zoning & Planning and Finance Committees

#289-22

CPC Recommendation to appropriate \$3,000,000 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of three million dollars (\$3,000,000) in Community Preservation Act funding, with \$2,373,470.71 coming from the FY22 Unrestricted Funds and the remaining \$626,529.29 to come from the Prior Year Undesignated Funds to the control of the Planning & Development Department for a grant to the project team of Metro West Community Development and Civico Development for the development and construction of 43 units of 100% affordable housing at the former West Newton Armory site.

Finance Approved 6-0 on 06/27/22

Zoning & Planning Approved 8-0

Referred to Zoning & Planning and Finance Committees

#290-22 **Appropriation of \$890,000 of the City’s Inclusionary Housing Funds**
HER HONOR THE MAYOR requesting the appropriation of eight hundred ninety thousand dollars (\$890,000) of the City’s Inclusionary Housing Funds to Metro West Collaborative Development/ Civico Development to support the redevelopment of the West Newton Armory into 43 units of permanently affordable housing
Finance Approved 6-0 on 06/27/22
Zoning & Planning Approved 8-0

#361-22 **Reappointment of Judith Hepburn to the Conservation Commission**
 HER HONOR THE MAYOR reappointing Judith Hepburn, 132 Stanley Road, Newton as a full member of the Conservation Commission for a term of office to expire on May 31, 2024. (60 Days: 08/20/2022)
Zoning & Planning Approved 7-0 (Councilor Baker Not Voting)

#362-22 **Reappointment of Ellen Katz to the Conservation Commission**
 HER HONOR THE MAYOR reappointing Ellen Katz, 31 Williams Street, Newton Upper Falls as a full member of the Conservation Commission for a term of office to expire on May 31, 2025. (60 Days: 08/20/2022)
Zoning & Planning Approved 7-0 (Councilor Baker Not Voting)

Referred to Programs & Services Committee

Wednesday, June 22, 2022

Present: Councilors Krintzman (Chair), Humphrey, Noel, Wright, Baker, Albright, and Ryan; absent: Councilor Greenberg; also present: Councilors Lucas, Downs, Oliver, and Kelley

#371-22 **Request for salary increase for City Clerk/Clerk of the City Council**
COUNCILORS ALBRIGHT AND LIPOF requesting an increase in the salary of the City Clerk/Clerk of the City Council to \$131,313 effective July 1, 2022 to match the percentage increase included in the FY23 budget for H-grade employees.
Programs & Services Approved 7-0

#284-22 **Resolution supporting the AAPI Community**
COUNCILORS LUCAS, DOWNS, GREENBERG, HUMPHREY, KALIS, KRINTZMAN, LAREDO, LIPOF, NORTON, WRIGHT, DANBERG AND BOWMAN on behalf of Newton resident Betty Chan, requesting a resolution supporting the Asian American Pacific Islander (AAPI) community.
Programs & Services Approved 7-0

#181-22 **Seeking a review and potential amendment to the Tiger Parking Permit Program**
COUNCILORS BOWMAN, ALBRIGHT, DOWNS, NORTON, OLIVER AND DANBERG seeking a review and potential amendment to the Tiger Parking Permit Program (Sec. TPR-204, Newton North High School Tiger Parking Permit) including review of the number of permits issued, the lottery process for permits and locations included in the Tiger Permit program.

Public Safety & Transportation No Action Necessary 6-0 (Councilor Oliver not voting) on 06/22/2022

Programs and Services No Action Necessary 7-0

#306-22

Resolution opposing Ride-Hail Ballot Initiative

COUNCILORS NORTON, BOWMAN, DOWNS, HUMPHREY, LEARY, AND RYAN requesting a resolution urging the Massachusetts Legislature to oppose H. 1234 and the proposed 2022 state ballot initiative that would re-classify app-based delivery and ride-hailing drivers as independent contractors.

Programs and Services No Action Necessary 7-0

Referred to Public Safety & Transportation Committee

Wednesday, June 22, 2022

Present: Councilors Downs (Chair), Markiewicz, Malakie, Bowman, Oliver, Lucas and Grossman; absent: Councilor Lipof

#324-22

Four (4) Bus Licenses renewals for VPNE Parking Solutions, LLC.

VPNE PARKING SOLUTIONS, LLC. requesting triennial renewal of the four bus licenses for VPNE Parking Solutions, LLC. There are no changes proposed from 2021.

Public Safety & Transportation Approved 6-0, Lucas not voting

#325-22

Two (2) Bus Licenses renewals for Boston College Bus

BOSTON COACH TRANSPORTATION, requesting triennial renewal of the two bus licenses for Boston College. There are no changes proposed from 2021.

- 1) Boston College Law School Routes
- 2) Boston College Main Campus to Boston Route

Public Safety & Transportation Approved 6-0, Lucas not voting

Referred to Public Safety & Transportation and Finance Committees

#293-22

Review and potential amendment to the Tiger Permit Program

COUNCILORS BOWMAN, ALBRIGHT, DOWNS, NORTON, OLIVER, AND DANBERG seeking a review and potential amendment to the Tiger Parking Permit Program (Sec. TPR-204. Newton North High School Tiger Parking Permits) including a review of the number of permits issued, the lottery process for permits and locations included in the Tiger Parking Permit Program and potential amendment to the fees associated with the Tiger Parking Permit Program.

Finance Held 6-0 on 06/06/22

Public Safety & Transportation Held 7-0 on 06/06/22

Finance Approved the fee amount of \$60 6-0 on 06/27/22

Public Safety & Transportation No Action Necessary 6-0, Oliver not voting

Referred to Public Safety & Transportation and Programs & Services Committees

#181-22 **Seeking a review and potential amendment to the Tiger Parking Permit Program**
COUNCILORS BOWMAN, ALBRIGHT, DOWNS, NORTON, OLIVER AND DANBERG seeking a review and potential amendment to the Tiger Parking Permit Program (Sec. TPR-204, Newton North High School Tiger Parking Permit) including review of the number of permits issued, the lottery process for permits and locations included in the Tiger Permit program.

Programs & Services No Action Necessary 7-0 on 06/22/22

Public Safety & Transportation No Action Necessary 6-0, Oliver not voting

#326-22 **Requesting language modification to the Traffic and Parking Regulations**
COUNCILOR DOWNS requesting to modify the language of Section 19-28 and Chapter 19-30(g), to allow for administrative changes to be made to the Traffic and Parking Regulations (TPR), and to present the administrative changes made each year to City Council as part of the annual report of the work of the Traffic Council.

Public Safety & Transportation Approved Subject to Second Call 6-0, Oliver not voting

Referred to Public Facilities Committee

Wednesday, June 22, 2022

Present: Councilors Leary (Chair), Norton, Danberg, Kelley, Laredo, and Crossley; absent: Councilors Gentile and Kalis

#365-22 **Request for a grant of location in Josselyn Place**
NATIONAL GRID petition for a grant of location to install and maintain 85'± of 4" plastic main extending from the existing 4" bare steel main to serve two new duplex units at #16-18 Josselyn Place for the installation of (2) services 60'± of 2" plastic service to serve #16 Josselyn Place and #18 Josselyn Place

Public Facilities Approved 4-0 (Councilors Danberg and Norton not voting)

#366-22 **Request for a grant of location in Westfield Road**
NATIONAL GRID petition for a grant of location to install and maintain a 4" plastic gas main to be extended 40'± east to provide service to #39 Westfield Road

Public Facilities Approved 4-0 (Councilors Kelley and Norton not voting)

#349-22 **Discussion regarding the maintenance of the gas turn-off valve covers**
PUBLIC FACILITIES COMMITTEE AND COUNCILORS LIPOF, BOWMAN, GREENBERG, AND WRIGHT requesting a discussion with the Gas utility, National Grid, the Fire Department and DPW regarding the maintenance of the gas turn-off valve covers (curb or gate boxes).

Public Facilities Held 5-0 (Councilor Kelley not voting)

Referred to Public Facilities and Finance Committees

#369-22 **Appropriate \$49.3 million for the renovation/addition for 150 Jackson Road**
HER HONOR THE MAYOR requesting authorization to appropriate and expend forty-nine million three hundred thousand dollars (\$49,300,000) and authorize a general obligation

borrowing of an equal amount for the renovation/addition to the 150 Jackson Road, the new home of the Lincoln Eliot Elementary School 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.

Finance Approved 6-0 on 06/27/22

Public Facilities Approved 5-0 (Councilor Kelley not voting)

Referred to Public Facilities and Finance Committees

#336-22

CPC Recommendation to appropriate \$133,002 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one hundred thirty-three thousand and two dollars (\$133,002) in Community Preservation Act funding be appropriated from the Unrestricted Prior Year Funds to the control of the Planning & Development Department for the completion of the 100% design of the Commonwealth Avenue Carriageway Redesign project in Auburndale.

Zoning & Planning voted to recommit this item back to the City Council 7-0 (Councilor Leary not voting) on 06/13/22

Finance Held 6-0 on 06/27/22

Public Facilities Approved 4-0-1 (Councilor Kelley not voting and Councilor Laredo abstaining)

Referred to Finance Committee

Monday, June 27, 2022

Present: Councilors Grossman (Chair), Oliver, Humphrey, Noel, Malakie, and Gentile; absent: Councilors Norton and Kalis; also present: Councilors Laredo, Markiewicz and Bowman

Referred to Zoning & Planning and Finance Committees

#289-22

CPC Recommendation to appropriate \$3,000,000 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of three million dollars (\$3,000,000) in Community Preservation Act funding, with \$2,373,470.71 coming from the FY22 Unrestricted Funds and the remaining \$626,529.29 to come from the Prior Year Undesignated Funds to the control of the Planning & Development Department for a grant to the project team of Metro West Community Development and Civico Development for the development and construction of 43 units of 100% affordable housing at the former West Newton Armory site.

Zoning & Planning Approved 8-0 on 06/27/22

Finance Approved 6-0

Referred to Zoning & Planning and Finance Committees

#290-22

Appropriation of \$890,000 of the City's Inclusionary Housing Funds

HER HONOR THE MAYOR requesting the appropriation of eight hundred ninety thousand dollars (\$890,000) of the City's Inclusionary Housing Funds to Metro West Collaborative Development/ Civico Development to support the redevelopment of the West Newton Armory into 43 units of permanently affordable housing

Zoning & Planning Approved 8-0 on 06/27/22

Finance Approved 6-0

Referred to Public Facilities and Finance Committees

#336-22 **CPC Recommendation to appropriate \$133,002 in CPA funding**
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one hundred thirty-three thousand and two dollars (\$133,002) in Community Preservation Act funding be appropriated from the Unrestricted Prior Year Funds to the control of the Planning & Development Department for the completion of the 100% design of the Commonwealth Avenue Carriageway Redesign project in Auburndale.
Public Facilities Approved 4-0-1 (Councilor Laredo abstaining and Councilor Kelley not voting) on 06/22/22
Finance Held 6-0

#364-22 **CPC Recommendation to reallocate unused CPA funds**
COMMUNITY PRESERVATION COMMITTEE to reallocate the \$475,876.14 in unused CPA funds remaining in the Covid-19 Emergency Housing Assistance Project Account (Account # 58C11413-579700) to the CPA Program's Unrestricted Prior Year Funding Account (Account# 5800 3599) for use in another CPA eligible project in the future.
Finance Approved 6-0

Referred to Programs & Services and Finance Committees

#371-22 **Request for salary increase for City Clerk/Clerk of the City Council**
COUNCILORS ALBRIGHT AND LIPOF requesting an increase in the salary of the City Clerk/Clerk of the City Council to ~~\$131,313~~ \$130,810 effective July 1, 2022 to match the percentage increase included in the FY23 budget for H-grade employees.
Programs & Services Approved 7-0 on 06/22/22
Finance Approved as Amended to \$130,810 6-0

Referred to Public Facilities and Finance Committees

#369-22 **Appropriate \$49.3 million for the renovation/addition for 150 Jackson Road**
HER HONOR THE MAYOR requesting authorization to appropriate and expend forty-nine million three hundred thousand dollars (\$49,300,000) and authorize a general obligation borrowing of an equal amount for the renovation/addition to the 150 Jackson Road, the new home of the Lincoln Eliot Elementary School 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 Approved 5-0 (Councilor Kelley not voting)
Finance Approved 6-0

Referred to Public Safety & Transportation and Finance Committees

#293-22 **Review and potential amendment to the Tiger Permit Program**
COUNCILORS BOWMAN, ALBRIGHT, DOWNS, NORTON, OLIVER, AND DANBERG seeking a review and potential amendment to the Tiger Parking Permit Program (Sec. TPR-204. Newton North High School Tiger Parking Permits) including a review of the number of permits issued, the lottery process for permits and locations included in the Tiger Parking Permit Program and potential amendment to the fees associated with the Tiger Parking

Permit Program.

Finance Held 6-0 on 06/06/22

Public Safety & Transportation Held 7-0 on 06/06/22

Public Safety & Transportation voted No Action Necessary (Councilor Oliver not voting) on 06/22/22

Finance Approved the fee amount of \$60 6-0

Referred to Programs & Services and Finance Committee

#263-22(2)

Request for Discussion and Amendments to the Noise Ordinance

COUNCILORS BAKER, HUMPHREY, NORTON, RYAN, AND WRIGHT recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity, including adjustment of fines to \$300 after a warning, [and consolidation of leaf blower violation fines in one section].

Programs & Services Approved 7-0 item #263-22(2) and voted to recommit to the City Council, to be jointly referred to the Finance Committee on 06/08/22

Finance Approved 6-0

#367-22

Mayor's reappointment of Edward Gourdeau, Jr. as a Constable

HER HONOR THE MAYOR reappointing EDWARD GOURDEAU, JR., 94 Clearwater Road, Newton Lower Falls as a Constable for the City of Newton for a term of office to expire April 30, 2025. (60 days: 08/20/22)

Finance Approved 6-0

#368-22

Appointment of Councilor Humphrey to the Emerson Community Center Trust

PRESIDENT ALBRIGHT appointing Councilor Bill Humphrey, 712 Chestnut Street, Newton as a Trustee of the EMERSON COMMUNIITY CENTER TRUST for a term of office to expire December 31, 2023.

Finance Approved 5-0-1 (Councilor Humphrey recused)