



## City Council Docket

September 8: Programs & Services, Public Safety & Transportation  
and Public Facilities

September 12: Zoning & Planning and Finance

September 13: Land Use

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Continued

**Wednesday, September 7, 2022**

7:45 p.m., Hybrid

To be reported on

Monday, September 19, 2022

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Wednesday, September 9, 2022, 7:45 pm To view this meeting on zoom use this link at the above date and time:

<https://us02web.zoom.us/j/81611329832>

One tap mobile

US: +13017158592, 816 1132 9832#

Land line

US: +1 301 715 8592

Meeting ID: 816 1132 9832

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 September 13, 2022***

**#414-22 Request to further extend nonconforming FAR, side setback and accessory building separation at 35 Bracebridge Road**

**ANDREA ROMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze and construct a new detached garage as well as replace the rear deck further extending nonconforming**

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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.*

FAR, further reducing and extending a nonconforming a side setback for an accessory structure and further reducing nonconforming separation between the accessory and principal buildings at 35 Bracebridge Road, Ward 6, Newton, on land known as Section 64 Block 16 Lot 16, containing approximately 11,425 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, 3.4.3.A.1, 3.4.3.A.2 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for September 20, 2022***

**#415-22 Request to allow for-profit educational use at 1221-1227 Centre Street**

CENTRE-PELHAM REALTY TRUST, JUDITH LOCKE & SCOTT BERNSTEIN TRUSTEES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit education use at 1221-1227 Centre Street, Ward 6, Newton, on land known as Section 64 Block 28 lot 22, containing approximately 2,829 sq. ft. in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.4.1, 6.3.14.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public hearing to be Assigned for September 20, 2022***

**#416-22 Request to further extend nonconforming front setback at 39 Floral Street**

CELIA IVANOV petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the construction of an attached garage with living space above, further extending the nonconforming front setback and further reducing the nonconforming open space at 39 Floral Street, Ward 6, Newton, on land known as Section 52 Block 38 Lot 13, containing approximately 7,589 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 September 20, 2022***

**#417-22 Request to allow parking in the front setback and allow an additional front entrance at 154 Oliver Road**

FRANK LINSKI and NANCY ZOLLERS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow parking in the front setback and to allow a second front entrance at 154 Oliver Road, Ward 5, Newton, on land known as Section 54 Block 01 Lot 18, containing approximately 6,343 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 5.1.7.A, 5.1.13, 6.7.1.D.4 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for October 6, 2022***

**#418-22 Request to exceed FAR and to allow three stories at 53 Neshobe Road**

RONALD and CARYN HARDING petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached two-car garage resulting in three stories, exceeding allowable FAR at 53 Neshobe Road, Ward 5, Newton, on land known as Section 42 Block 07 Lot 06, containing approximately 17,173 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 the City of Newton Rev Zoning Ord, 2017.

**Public Hearing to be Assigned for October 6, 2022**

- #419-22 Request to extend nonconforming front setbacks at 148 Auburndale Avenue**  
CHRISTOPHER and GRETCHEN RUTAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct two-story additions to the front and rear of the dwelling further reducing and vertically extending the nonconforming front setbacks at 148 Auburndale Avenue, Ward 3, Newton, on land known as Section 33 Block 18 lot 03, containing approximately 6,616 sq. ft. in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of the City of Newton Rev Zoning Ord, 2017.

**Referred to Zoning & Planning Committee**

- #420-22 Reappointment of Leigh Gilligan to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Leigh Gilligan, 16 Bradford Road, Newton as a full member of the Conservation Commission for a term of office to expire on November 1, 2025. (60 Days: 11/06/2022)
- #421-22 Reappointment of Nancy Grissom to the Auburndale Historic District Commission**  
HER HONOR THE MAYOR reappointing Nancy Grissom, 7 Orris Street, Auburndale as a full member of the Auburndale Historic District Commission for a term of office to expire on July 10, 2025. (60 Days: 11/06/2022)
- #422-22 Reappointment of Nancy Grissom to the Newton Historical Commission**  
HER HONOR THE MAYOR reappointing Nancy Grissom, 7 Orris Street, Auburndale as a full member of the Newton Historical Commission for a term of office to expire on July 10, 2024. (60 Days: 11/06/2022)

**Referred to Programs & Services Committee**

- #423-22 Reappointment of Anne Killilea to the Commission on Disability**  
HER HONOR THE MAYOR reappointing Anne Killilea, 789 Watertown Street, West Newton as a member of the Commission on Disability for a term of office to expire on December 31, 2024. (60 Days: 11/06/2022)
- #424-22 Appointment of Ima Jonsdottir to the Commission on Disability**  
HER HONOR THE MAYOR appointing Ima Jonsdottir 156 Warren Street, Newton as a member of the Commission on Disability for a term of office to expire on October 3, 2025. (60 Days: 11/06/2022)

**#425-22 Appointment of Nyree Kibarian to the Commission on Disability**  
HER HONOR THE MAYOR appointing Nyree Kibarian, 68 Los Angeles Street, Unit 103, Newton as a full member of the Commission on Disability for a term of office to expire on October 3, 2025. (60 Days: 11/06/2022)

**#426-22 Reappointment of Jane Brown to the Commission on Disability**  
HER HONOR THE MAYOR reappointing Jane Brown, 104 Atwood Avenue, Newtonville as a full member of the Commission on Disability for a term of office to expire on July 31, 2025. (60 Days: 11/06/2022)

**#427-22 Appointment of Petr Chovanec to the Commission on Disability**  
HER HONOR THE MAYOR appointing Petr Chovanec, 83 Westland Avenue, Newton as a full member of the Commission on Disability for a term of office to expire on October 3, 2025. (60 Days: 11/06/2022)

**Referred to Public Facilities Committee**

**#428-22 Appointment of Cory Alperstein to the Citizens Commission on Energy**  
HER HONOR THE MAYOR appointing Cory Alperstein, 19 Hibbard Road, Newton to the Citizens Commission on Energy for a term of office to expire September 9, 2024. (60 days: 11/06/22)

***Public Hearing to be assigned for September 8, 2022***

**#429-22 Request for a grant of location in Commonwealth Avenue**  
NATIONAL GRID petition for a grant of location to install and maintain gas main in Commonwealth Avenue as follows:

- 2036' ± of 12" plastic main in Commonwealth Avenue from Woodbine Road to #2104 Commonwealth Avenue to replace 1987' of 12", 8" and 6" cast iron main and 49' ± of 6" plastic gas main
- 263' ± of 6" plastic main in Woodbine Street from Commonwealth Avenue to the end to replace 223' ± of 4", 6" and 8" cast iron main and 40 feet of 3" coated steel gas main
- 110' ± 8" plastic main in the intersection of Islington Road and Commonwealth Avenue to replace 72" ± 8" cast iron and 38' ± of 8' plastic main
- 115' ± 8" plastic main in the intersection of Ash Street and Commonwealth Avenue to replace 95" ± 8' cast iron and 20" ± 8' coated steel gas main
- 100' ± 12" plastic main in the intersection of Melrose St and Commonwealth Avenue to replace 100' ± of 8" and 6" cast iron gas main

- 390" ± 12" plastic main in the carriage of Commonwealth Avenue from Melrose Street to Lexington Street to replace 318" of 6' Cast Iron and 72" ± 6' plastic gas main

***Public Hearing to be assigned for September 8, 2022***

**#430-22**

**Request for a grant of location in Lowell Ave, Commonwealth Ave, Homer Street**

NATIONAL GRID petition for a grant of location to install and maintain gas main in Lowell Avenue, Commonwealth Avenue, and Homer Street as follows:

- 400' ± of 12" plastic main in in Lowell Avenue from 525 Lowell Avenue to Commonwealth Ave to replace 400' ± of 12" of cast iron gas main
- 935' ± of 12" plastic main in Homer Street from Commonwealth Avenue to the existing 12" cast iron at City Hall Drive to replace 935' ± of 12" cast iron main
- 610' ± 12" plastic main in Commonwealth Avenue from Lowell Avenue to Valentine St to replace 610' ± 12" of cast iron main

***Public Hearing to be assigned for September 8, 2022***

**#431-22**

**Request for a grant of location in Ward Street**

NATIONAL GRID petition for a grant of location to install and maintain gas main in Ward Street as follows:

- 1270' ± of 8" plastic main in Ward Street from Westbourne Road to Waverly Avenue to replace 1270" ± of 12', 6' and 4' cast iron gas main
- 10' ± of 6" plastic in the intersection of Westbourne Road and Ward Street to replace 10' ± 6" of cast iron gas main
- 10' ± 6" plastic main in intersection of Coolidge Rd and Ward Street to replace 10' ± 6' cast iron gas main
- 30' ± 6" plastic main in in the intersection of Eastbourne Road and Ward St to replace 30' ± 4" cast iron gas main
- 10' ± 6" plastic in the intersection of Avondale Rd and Ward St to replace 10' ± 4" of cast iron gas main
- 30" ± 6" plastic main in the intersection of Exmoor Rd and Ward St to replace 30" ± 6" of cast iron gas main
- 10" ± 6" plastic main in the intersection of Grant Ave and Ward Street to replace 10" ± of 12' and 6' cast iron gas main

***Public Hearing to be assigned for September 8, 2022***

- #432-22      Eversource petition for Grant of Location in Farlow Road and Waverly Ave**  
EVERSOURCE ENERGY petitioning for a grant of location to install 50" ± of conduit easterly from pole 9/31 at Farlow Road and to install 790" easterly at Waverly to pole 149/9 and install 48" of conduit northwesterly from pole 148/17 at Chamberlain Road

***Public Hearing to be assigned for September 8, 2022***

- #433-22      Request for a main drain extension at 29 Westgate Road**  
Richard Saris, 183 Oak Street 503C, Newton, petitioning for a main drain extension that begins at an end of the line drain manhole in front of #45 Westgate Road and extends +/- 91 feet southeasterly to a new drain manhole from which a lateral connection will extend onto the property. This will provide a means for an overflow connection to the proposed on site infiltration system that was designed for the new dwelling.  
**PETITIONER TO PAY ENTIRE COST**

**Referred to Finance Committee**

- #434-22      Request for authorization to appropriate \$25,000 to settle workers' compensation claim**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-five thousand dollars (\$25,000) from Acct #67A109A2-572500 Workers' Compensation – Municipal Employee Claims and Settlements to settle a workers' compensation claim against the City.

- #435-22      Appropriate \$60,826.31 for McKinney-Vento Homeless Student Transportation**  
SCHOOL COMMITTEE requesting that the City Council approve authorizing the Mayor to appropriate the state reimbursement of sixty thousand eight hundred twenty-six dollars and thirty-one cents for McKinney-Vento and Foster Care Transportation funds from the general fund to the School Department.

**Referred to Zoning & Planning and Finance Committees**

- #436-22      CPC Recommendation to appropriate \$1,948,056 in CPA funding**  
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million nine hundred forty eight thousand fifty six dollars (\$1,948,056) in Community Preservation Act funding, with \$556,588 to come from the FY23 Community Housing Reserve Account and \$1,391,468 to come from FY23 Unrestricted Funding Account, to the control of the Planning & Development Department to provide funding to the Newton Affordable Housing Trust for future projects that meet one or more of the CPA's eligible funding categories for Community Housing projects.

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

#437-22

**CPC Recommendation to appropriate \$486,500 in CPA funding**

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred eighty-six thousand five hundred dollars (\$486,500) in Community Preservation Act funding from the FY23 Unrestricted Funds to the control of the Planning & Development Department to complete Phase II of the Gath Memorial Renovation Project, including the completion of construction and bidding documents, project permitting, and any other work necessary to make the project “shovel-ready”.

**Referred to Public Safety & Transportation and Finance Committee**

#438-22

**Appropriate \$950,000 for simulcast public safety radio infrastructure**

HER HONOR THE MAYOR requesting authorization to appropriate and expend nine hundred fifty thousand dollars and authorize a general obligation borrowing of an equal amount for the purchase of a simulcast public safety radio infrastructure 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 Safety & Transportation and Finance Committees**

#439-22

**Authorization to expend a MassDOT grant in the amount of \$272,000**

HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred seventy-two-thousand-dollar (\$272,000) grant from the MassDOT’s Community Connections Program for the Bluebikes bike share in Newton, Arlington and Watertown Project

**Referred to Public Facilities and Finance Committees**

#440-22

**CPC Recommendation to appropriate \$75,000 in CPA funding**

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of seventy five thousand dollars (\$75,000) in Community Preservation Act funding from the FY23 Historic Resource Reserve Fund to the control of the Planning & Development Department to complete the first phase of the Jackson Homestead Basement Restoration Project by hiring a preservation consultant to develop plans to remediate the existing water and humidity issues in order to preserve the historic structure and protect its important collections.

**Referred to Public Safety & Transportation and Finance Committees**

#441-22

**Acceptance of a \$635,454.54 grant from the Department of Homeland Security**

HER HONOR THE MAYOR requesting the authorization to accept, appropriate and expend the sum of six hundred thirty-five thousand four hundred fifty-four dollars and fifty-four cents (\$635,454.54) from a reimbursable Assistance to Firefighter Grant through the Department of Homeland Security.

**Referred to Public Facilities and Finance Committees**

**#442-22**

**Transfer \$250,000 for the under \$75,000 projects**

HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred fifty thousand dollars (\$250,000) from Acct #0111502-582500 Building Improvements, (Under \$75K projects) to a new 01C115 account.

**Referred to Committee of the Whole**

**#443-22**

**Discussion on Regulating Building Energy Reporting and Reduction**

CLIMATE & SUSTAINABILITY TEAM will join the Council to present an update on their current work progress on the climate action plan and BERDO (Building Energy Reporting and Reduction).

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

**Referred to Programs & Services Committee**

**#444-22**

**Request to petition the General Court for special legislation regarding special police**

HER HONOR THE MAYOR requesting authorization to petition the General Court for special legislation to amend the provisions of the Acts 2014, c. 96 *An Act Relative to the Appointment of Special Police Officers in Newton*, as most recently amended by Acts 2016, c. 266, by raising the age limit for service on the special retiree police detail patrol from age 70 to age 75.

**Referred to Finance Committee**

**#445-22**

**Acceptance of a \$60,000 donation from UMASS Amherst-Mount Ida**

HER HONOR THE MAYOR requesting the authorization to accept, appropriate and expend the sum of sixty thousand dollars as a donation to the City of Newton for the NewMo program by UMass Amherst-Mount Ida