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City Council Docket

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City Clerk

November 22: Land Use
November 28: Zoning & Planning and Finance

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Continued

Monday, November 21, 2022

At the conclusion of the Finance Committee
Meeting., Hybrid
To be reported on
Monday, December 5, 2022

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, November 21, 2022, at the conclusion of the Finance Committee Meeting. To view this meeting on Zoom use this link at the above date and time: <https://us02web.zoom.us/j/85443477044>

One tap mobile

US: +13017158592, 854 4347 7044#

Land line

US: +1 301 715 8592

Meeting ID: 854 4347 7044

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 November 22, 2022

#497-22

Request to allow an oversized principal wall sign at 45 Crescent Street

ANDY LAYMAN, SIGN ART INC petition for **SPECIAL PERMIT/SITE PLAN APPROVAL** to replace an existing sign facing the Massachusetts Turnpike with a larger sign at 45 Crescent St, Newton, Ward 4, on land known as Section 44 Block 23 Lot 16, containing approximately 43,850 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 5.2.8, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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.

Public Hearing to be Assigned for November 22, 2022

#502-22 Request to exceed FAR and to allow oversized dormers at 270 Auburndale Avenue
JEFFREY AND STEPHANIE MCNEIL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to make additions to the first and second stories at 270 Auburndale Avenue, Newton, Ward 4, on land known as Section 44 Block 29 Lot 13, containing approximately 5,722 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9, 1.5.4.G.2.b, 1.5.4.G.2.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for November 22, 2022

#503-22 Request to allow five single-family attached at 24 Wilson Circle
SCHIAVONE WILSON CIRCLE TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing single-family dwelling and construct five single-family attached dwellings at 24 Wilson Cir, Newton, Ward 6, on land known as Section 54 Block 22 Lot 19, containing approximately 28,513 sq. ft. of land in a district zoned MULTI RESIDENCE. Ref: 7.3.3, 7.4, 3.4.1, 6.2.3.B.2, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 6, 2022

#504-22 Request to allow six single-family attached dwellings at 71 Commonwealth Avenue and 15 Algonquin Road
71 COMMONWEALTH, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing single-story dwelling at 15 Algonquin Rd and construct five single-family attached dwellings with reduced setbacks, which exceeds the maximum lot coverage, a retaining wall greater than 4 feet in height within a setback and to allow parking dimensional relief at 71 Commonwealth Ave, Newton, Ward 7, on land known as Section 63 Block 01 Lots 13 and 13A, containing approximately 32,980 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.1, 5.1.8.B.6, 5.1.13, 5.1.8.D.1, 6.2.3.B.2, 5.4.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for December 6, 2022

#505-22 Request to extend a nonconforming two-family dwelling use, a nonconforming third story, to increase nonconforming height, to further reduce nonconforming open space, to allow an oversized dormer, to exceed FAR and to allow a retaining wall of four feet or more in a setback at 71-73 West Pine Street
JUSTIN AND LORENNA BUCK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an attached garage addition, dormer to the front elevation, and to reconfigure the roofline of the ell at 71-73 West Pine Street, Newton, Ward 4, on land known as Section 41 Block 31 Lot 35, containing approximately 8,997 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, 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.

Referred to Zoning & Planning Committee

- #506-22 Request for review and possible amendments to sign ordinance**
COUNCILORS ALBRIGHT, BOWMAN, DOWNS, HUMPHREY, KRINTZMAN, WRIGHT, LEARY AND DANBERG requesting for a review, discussion, and possible requests for the developments to city policy. If necessary, the Council may create amendments to the sign ordinance itself. The review the recent Newton sign policy will include its effect on non-profit organizations which have limited opportunities to communicate with the public. The review should include gathering information from Newton organizations on the impact of this policy on their operations. The discussion can include other means of communication in Newton.
- #507-22 Reappointment of Denise Chicoine to the Zoning Board of Appeals**
HER HONOR THE MAYOR reappointing Denise Chicoine, 275 Islington Road, Newton as an associate member of the Zoning Board of Appeals for a term of office to expire on January 10, 2024. (60 Days: 01/20/2023)
- #508-22 Reappointment of Lei Reilley to the Zoning Board of Appeals**
HER HONOR THE MAYOR reappointing Lei Reilley, 130 Pine Street, Newton as an associate member of the Zoning Board of Appeals for a term of office to expire on January 10, 2024. (60 Days: 01/20/2023)
- #509-22 Reappointment of Daphne Romanoff to the Newton Upper Falls Historic District Commission**
HER HONOR THE MAYOR reappointing Daphne Romanoff, 36 Canterbury Road, Newton as a full member of the Newton Upper Falls Historic District Commission for a term of office to expire on December 24, 2025. (60 Days: 01/20/2023)

Referred to Programs & Services Committee

- #510-22 Reappointment of Marguerite Connolly to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Marguerite Connolly, 289 Cherry Street, Newton as the Ward 3 member of the Parks and Recreation Commission for a term of office to expire on December 31, 2025. (60 Days: 01/20/2023)
- #511-22 Reappointment of Mark Feldhusen to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing Mark Feldhusen, 144 Cherry Street, Newton as an alternate member of the Parks and Recreation Commission for a term of office to expire on December 31, 2025. (60 Days: 01/20/2023)
- #512-22 Reappointment of Sue Rasala to the Council on Aging**
HER HONOR THE MAYOR reappointing Sue Rasala, 285 Tremont Street, Newton as a member of the Council on Aging for a term of office to expire on January 31, 2025. (60 Days: 01/20/2023)

- #513-22 Appointment of Spencer Solcoff to the Youth Commission**
HER HONOR THE MAYOR appointing Spencer Solcoff of Newton South High School as a member of the Youth Commission for a term of office to expire on December 5, 2025. (60 Days: 01/20/2023)
- #514-22 Appointment of Shivani Gulati to the Youth Commission**
HER HONOR THE MAYOR appointing Shivani Gulati of Nobel and Greenough School, Dedham as a member of the Youth Commission for a term of office to expire on December 5, 2025. (60 Days: 01/20/2023)
- #515-22 Appointment of Lily Siegelman to the Youth Commission**
HER HONOR THE MAYOR appointing Lily Siegelman of Newton North High School as a member of the Youth Commission for a term of office to expire on December 5, 2025. (60 Days: 01/20/2023)
- #516-22 Appointment of Audrey Wei to the Youth Commission**
HER HONOR THE MAYOR appointing Audrey Wei of Newton South High School as a member of the Youth Commission for a term of office to expire on December 5, 2025. (60 Days: 01/20/2023)

Referred to Public Safety & Transportation Committee

- #517-22 Requesting renewal of public auto license**
MICHAEL GIMMELFARB, 274 Dedham Street, Newton, MA 02461 requesting **renewal of one (1) public auto license** for American Truck & Equipment Sales, LLC.
- #518-22 Requesting renewal of public auto license**
LAHCENE BELHOUCHE, 32 Adams Street, Newton, MA 02460 requesting **renewal of one (1) public auto license** for Boston Cool Ride Limo Inc.
- #519-22 Requesting renewal of public auto license**
DONALD LAPLANTE, 21 Parker Street, Newton Centre, MA 02459 requesting **renewal of one (1) public auto license** for Don's Car Service.
- #520-22 Requesting renewal of public auto license**
ISMAIL UNKOC, 184 River Street, West Newton, MA 02465 requesting **renewal of one (1) public auto license** for Izmo Limo, LLC.
- #521-22 Requesting renewal of public auto license**
DHANRAJ MAHASE, 275 Grove Street, 2-400, Newton, MA 02466 requesting **renewal of one (1) public auto license** for MHS Worldwide, LLC.
- #522-22 Requesting renewal of public auto license**
NOEL DIAZ, 46 Central Avenue, Newtonville, MA 02460 requesting **renewal of one (1) public auto license** for Newton Limos Company, LLC.

#523-22 Requesting renewal of public auto license
RAJIV KUMAR, 2323 Washington Street, Apt. #G3, Newton, MA 02462 requesting **renewal of one (1) public auto license** for Om Sai Enterprises Inc.

#524-22 Requesting renewal of public auto license
KIKUYU DANIELS, 250 Austin Street, Newton, MA 02465 requesting renewal of one (1) public auto license for Mindful Livery LLC.

#525-22 Request for an amendment to City Ordinances regarding outdoor dining
HER HONOR THE MAYOR requesting a discussion and amendment to City Ordinances necessary to continue outdoor dining on a permanent basis.

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

#526-22 Requesting a discussion and ordinance creation that would limit the winter parking ban
COUNCILORS ALBRIGHT AND KELLEY requesting a discussion and creation of an ordinance that would limit the winter parking ban either through a pilot program in Wards 2 and 3 or a permit program that would apply across the City based on established criteria or some other option as derived at through the discussion. The desired outcome is to remove the burden on residents with no place to park their cars during the current ban period.

Referred to Finance Committee

#527-22 Acceptance of \$235,500 from Massachusetts Dept. of Housing & Community Development and MassDevelopment Housing Choice Grant Program
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two-hundred-thirty-five thousand, five hundred dollars (\$235,500) in grant funding from the Massachusetts Dept. of Housing & Community Development and MassDevelopment's Housing Choice Grant program for the City to conduct an analysis of the best manner to preserve and redevelop four homes for affordable housing which the City purchased in late 2021 from the walker Center for Ecumenical Exchange.

Referred to Programs & Services and Finance Committees

#528-22 Request for discussion and ordinance to prohibit deceptive advertising by limited-service pregnancy centers
COUNCILORS HUMPHREY, NOEL, BOWMAN, RYAN, NORTON, LEARY, LUCAS, MALAKIE, WRIGHT, AND DANBERG requesting discussion to prohibit limited-service pregnancy centers from making deceptive advertisements concerning pregnancy-related services or the provision of pregnancy-related services, including implementing a penalty for violation of the ordinance.

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

Referred to Finance Committee

#529-22

Request to transfer \$7,000 from Disability Commission Receipts Reserved

HER HONOR THE MAYOR requesting authorization to transfer the sum of seven thousand dollars (\$7,000) from Acct # 5500-335518 Disability Commission Receipts Reserved for Appropriation to Acct # 01C10802-513010 Operation Access – Disability Commission for the purpose of funding targeted enforcement during the holidays by the Police of accessible parking violations.

Referred to Public Facilities and Finance Committees

#530-22

Transfer \$174,000 to the Building Demolition/Other Repairs

HER HONOR THE MAYOR requesting authorization to transfer the sum of one-hundred and seventy-five thousand dollars (\$174,000) from June 30, 2022, Certified Free Cash, to 01C2202-524130 Building Demolition/Other Repairs for the emergency demolition of a residential structure located at 91 Newtonville Avenue.