



## City Council Reports Docket

**REVISED**

3:32 pm, Dec 16, 2022

Page 299

7:45 p.m., Hybrid

To be reported on

Monday, December 19, 2022

December 6: Land Use  
December 7: Programs & Services, Public Safety  
& Transportation and Public Facilities  
December 8: Real Property Reuse  
December 12: Zoning & Planning and Finance  
December 13: Land Use

**POSTED**  
City Clerk

**RECEIVED**

*By City Clerk at 3:32 pm, Dec 16, 2022*

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, December 19, 2022, 7:45 pm. To view this meeting on Zoom use this link at the above date and time:  
<https://us02web.zoom.us/j/81878647288>

One tap mobile

US: +13017158592 818 7864 7288#

Land line

US: +1 301 715 8592

Meeting ID: 818 7864 7288

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, December 6, 2022

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

**#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 waive perimeter screening requirements, to waive lighting requirements, to waive the 500 ft. buffer for an existing kindergarten, and to waive the 25% façade transparency requirement at 1185 Chestnut Street, Ward 5, Newton, on land known as Section 51 Block 45 Lot 09, 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](mailto: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 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, 5.1.9.A, 5.1.13, 5.1.10, 6.10.3.F.1, 6.10.3.F.15 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 8-0; Public Hearing Closed 9/13/2022**

#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 LORENN A 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.

**Land Use Approved 7-0 (Councilor Laredo not voting); Public Hearing Closed 12/6/22**

#392-22

**Request to allow four single-family attached dwellings in two buildings and a waiver of two parking stalls at 120 Norwood Avenue**

120 NORWOOD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing dwelling and construct four single-family attached dwellings in two separate structures, to allow three stories, to waive two parking stalls and to allow a driveway within 10 feet of the side lot line at 120 Norwood Avenue, Ward 2, Newton, on land known as Section 22 Block 09 Lot 05, containing approximately 24,897 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 5.1.4, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-1 (Councilor Laredo Opposed); Public Hearing Closed 12/6/22**

#394-22

**Request to Rezone 2 parcels to MR2**

WALKER CENTER FOR ECUMENICAL EXCHANGE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone parts of the following 2 parcels: 136-144 Hancock Street (Section 43 Block 31 Lot 01) and 169 Grove Street (Section 43 Block 31 Lot 16) from SINGLE RESIDENCE 3 TO MULTI RESIDENCE 2.

**Land Use Approved 8-0; Public Hearing Closed 12/6/22**

#395-22

**Special Permit Petition to allow single- and multi-family development at 136-144 Hancock Street and 169 Grove Street**

WALKER CENTER FOR ECUMENICAL EXCHANGE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow multi-family dwellings, to allow single-family attached dwellings, to allow a reduced rear setback, to allow reduced lot area per unit, to alter and extend a nonconforming side setback, to waive parking stalls, to waive perimeter screening requirements and to waive lighting requirements at 136-144 Hancock Street and 169 Grove Street Ward 4, Newton, on land known as Section 43 Block 31 Lots 01 and 16 containing approximately 58,492 sq. ft. of land in a district zoned SINGLE RESIDENCE 3 (rezone to MULTI RESIDENCE 2 proposed). Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.9.A.1.ii, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

**Land Use Approved 7-0-1 (Councilor Lucas Abstained); Public Hearing Closed 12/6/22**

**#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.

**Land Use Held 8-0; Public Hearing Remains Open**

**Referred to Land Use Committee**

Tuesday, December 13, 2022

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

**531-22 Class 2 Auto Dealers License**

ROBERT'S TOWING, INC.  
926r Boylston Street  
Newton Highlands, MA 02461

**Land Use Approved 6-0 (Councilor Lucas not voting)**

**#532-22 Class 2 Auto Dealer License**

NEWTON TRADE CENTER ASSOCIATES INC  
103 Adams Street  
Newton, MA. 02458

**Land Use Approved 6-0 (Councilor Lucas not voting)**

**#533-22 Class 2 Auto Dealers License**

REGANS INC.  
2066 Commonwealth Avenue  
Newton, MA 02466

**Land Use Approved 6-0 (Councilor Lucas not voting)**

**#534-22 Class 2 Auto Dealers License**

NEWTON AUTO GROUP, INC.  
182 Brookline Street  
Newton, MA 02459

**Land Use Approved 6-0 (Councilor Lucas not voting)**

**#535-22 Class 2 Auto Dealer License**

NEW ENGLAND MOTOR MART, INC  
1211 Washington Street  
West Newton, MA. 02465

**Land Use Approved 6-0 (Councilor Lucas not voting)**

- #536-22 Class 2 Auto Dealers License**  
 JACOB & ASSOCIATES  
 1232 Washington Street  
 Newton, MA 02465  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #537-22 Class 2 Auto Dealers License**  
 VELOCITY MOTORS  
 14 Hawthorn Street  
 Newton, MA 02458  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #538-22 Class 2 Auto Dealers License**  
 ENZO’S AUTO SALES  
 10 Hawthorn Street  
 Newton, MA 02458  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #539-22 Class 2 Auto Dealers License**  
 MAP DEVELOPMENT & INVESTMENTS  
 d/b/a CHRISTIAN TAPIA/MASTER USED  
 CARS of WATERTOWN  
 175 North Street  
 Newton, MA 02460  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #552-22 Class 1 Auto Dealer License**  
 MAG RETAIL HOLDINGS – CJ LLC. D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM  
 777 Washington Street  
 Newton, MA 02460  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #553-22 Class 2 Auto Dealer License**  
 KG Motors  
 1235 Washington Street  
 Newton, MA 02465  
**Land Use Approved 6-0 (Councilor Lucas not voting)**
- #540-22 Request to amend the deed restriction to allow solar canopies at 57, 85, and 111 Wells Avenue**  
MARIANNE DIFFIN, DIPRETE ENGINEERING requesting an amendment to the restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended to reflect a waiver of use restriction to permit solar canopies over the parking lot areas at 57, 85, and 111 Wells Avenue, Ward 8, Newton, on land known as Section 84 Block 34 Lot 02B, containing approximately 339,770 sq. ft. of land in a district zoned LIMITED MANUFACTURING.  
**Land Use Approved 6-0 (Councilor Lucas not voting)**

- #543-22 Request to allow a veterinary hospital use at 714-724 Beacon Street**  
CANTON CIRCLE LLC, SMALL DOOR VETERINARY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to divide the current bank space in half allowing for 3,007 sq. ft of space for veterinary hospital use at 714-724 Beacon Street, Ward 6, Newton, on land known as Section 61 Block 38 Lot 08 containing approximately 37,932 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec. 7.3.3, 7.4, 4.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 12/13/22**
- #541-22 Request to exceed FAR and to further extend a nonconforming front setback at 96 Waban Park**  
MICHAEL AND INNA ZARETSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct additions to the rear and the side of the dwelling and to construct dormers at 96 Waban Park, Ward 1, Newton, on land known as Section 12 Block 05 Lot 02 containing approximately 5,445 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 12/13/22**
- #542-22 Request to allow more than 700 square feet of total garage area within two separate attached garages accommodating six vehicles at 157 Dudley Road**  
ADAM VALKIN AND TALIA ALEXANDER VALKIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second three-car attached garage exceeding 700 sq. ft. at 157 Dudley Road, Ward 8, Newton, on land known as Section 81 Block 51 Lot 06B containing approximately 120,105 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.4.E.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 7-0; Public Hearing Closed 12/13/22**
- #447-22 Request to allow 9-unit residential dwelling at 106 River Street**  
NORTON POINT STREET, LLC and 106 RIVER STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze existing building and construct a 9-unit residential dwelling; to allow ground floor residential use with residential above; to allow a three-story structure with 36 feet in height; to allow an FAR of 1.20; to allow assigned parking stalls; to waive two parking stalls; to allow outdoor parking within five feet of a residential building; to allow a reduced maneuvering aisle width; to reduce the driveway width for two-way traffic; to waive perimeter screening and to waive lighting at 106 River Street, Ward 3, Newton, on land known as Section 33 Block 24 Lot 11A, containing approximately 15,802 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.3.E, 5.1.13, 5.1.4, 5.1.8.A.2, 5.1.8.C, 5.1.8.D.1, 5.1.9, 5.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 5-1-1 (Councilor Laredo Opposed) (Councilor Lucas Abstained); Public Hearing Closed 12/13/22**

**#357-22 Request to Rezone 3 parcels to MU4**  
HQ, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to rezone 3 parcels as follows: 1314 Washington Street (Section 33 Block 10 Lot 01), 31 Davis Street (Section 33 Block 10 Lot 11) and 33 Davis Street (Section 33 Block 10 Lot 12) from BUSINESS 1 TO MULTI USE 4.  
**Land Use Approved 7-0; Public Hearing Closed 12/13/22**

**#358-22 Special Permit Petition to allow development at 1314 Washington Street and 31, 33 Davis Street**  
HQ, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a building in excess of 20,000 sq. ft., to allow a mixed-use residential building with five stories and 60 feet in height, to allow reduced lot area per unit, to exceed the maximum front setback, to allow a FAR of 2.44 in a five-story building, to waive the setback requirement for the portions of the building exceeding 40 ft. in height, to waive entrance and façade transparency requirements, to allow a restaurant with more than 50 seats with extended hours of operation, to allow ground floor residential use, to waive the requirement of using the A+B+C parking formula, to waive 115 parking stalls, to allow assigned parking, to allow reduced parking stall width and depth, to allow reduced accessible stall depth, to waive end stall maneuvering space requirements, to allow reduced aisle width at 1314 Washington Street and 31, 33 Davis Street, Ward 3, Newton, on land known as Section 33 Block 10 Lots 01, 11, 12 containing approximately 30,031 sq. ft. of land in a district zoned BUSINESS USE 1 (rezone to MULTI USE 4 proposed). Ref: Sec. 7.3.3, 7.4, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.1, 4.2.3, 4.2.5.A.4, 4.2.2.B.3, 4.2.5.A.2, 4.2.5.A.4.c, 4.2.5.A.6.a, 4.2.5.A.6.b, 4.4.1, 6.4.29.B.1, 6.4.29.C.6, 4.4.1, 6.2.4, 5.1.3.B, 5.1.13, 5.1.4, 5.1.3.E, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 6-1 (Councilor Lucas Opposed); Public Hearing Closed 12/13/22**

**Referred to Zoning & Planning Committee**

Monday, December 12, 2022

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

**#489-22 Requesting amendments to zoning for animal service establishments**  
HER HONOR THE MAYOR requesting amendments to Chapter 30, Newton Zoning Ordinance, to amend the definition of “Animal Services” defined in Section 6.4.1.A, and to allow Animal Service uses in certain Business Use zones.  
**Zoning & Planning Approved 5-0 (Councilors Albright, Baker, and Danberg not voting)**

**#477-22 Request for discussion regarding new MA Building Energy Codes**  
COUNCILORS CROSSLEY, LEARY, ALBRIGHT, DANBERG, LIPOF, KELLEY, NORTON, LAREDO, BOWMAN, HUMPHREY, DOWNS, GREENBERG, WRIGHT, MALAKIE, MARKIEWICZ, AND GROSSMAN questing discussion with the Sustainability Team and Planning Department about the new MA Building Energy Codes (Base code, Stretch code and Specialized code) which become effective beginning January 2023, and in particular to understand the

specifics of the MA “Specialized code” which is optional, what it regulates beyond the Stretch code, and to consider adopting the Specialized code for Newton.

**Zoning & Planning Held 7-0 (Councilor Baker not voting)**

- #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 8-0**

- #544-22 **Reappointment of Dan Brody to the Community Preservation Committee**  
HER HONOR THE MAYOR reappointing Dan Brody, 15 Brewster Road, Newton Highlands as a member of the Community Preservation Committee for a term of office to expire on February 1, 2026. (60 Days: 02/03/2023)  
**Zoning & Planning Approved 8-0**

**Referred to Programs & Services Committee**

Wednesday, December 7, 2022

Present: Councilors Krintzman (Chair), Humphrey, Wright, Baker, Albright, Noel, Ryan, and Greenberg; also present: Councilors Malakie, and Norton

**Referred to Public Safety & Transportation Committee**

- #67-22 **Requesting regular discussion with the Police Department**  
COUNCILOR DOWNS requesting regular discussion with the Police Department of police data, including crashes, types of calls, numbers and dispositions.  
**Public Safety & Transportation Held 7-0**

**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.  
**Programs & Services Held 8-0**

- #478-22 **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 and to consider an ordinance to prohibit limited-service pregnancy centers from making deceptive advertisements concerning pregnancy-related services or the provision of pregnancy-related services.  
**Programs & Services No Action Necessary 8-0**

**#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)

**Programs & Services Approved 8-0**

**#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)

**Programs & Services Approved 8-0**

**#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)

**Programs & Services Approved 8-0**

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

**#411-22 Request for Amendment to Chapter 21, Art III Trees to extend tree protection and update permits**

COUNCILORS MALAKIE, NORTON, LEARY, RYAN, WRIGHT, LUCAS, HUMPHREY, BOWMAN, MARKIEWICZ, OLIVER, DOWNS, LAREDO, AND GROSSMAN requesting revisions and amendments to Chapter 21, Art. III Trees (sec. 21-60 through 21-89) to extend tree protection to all trees 6 inches DBH (diameter at breast height) and greater within the City (with no exempt lots); to update tree removal permits, fees, and compensation; and to strengthen protection for existing and replacement trees.

**Programs & Services Held 8-0**

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

**#412-22 Request for Review and Amendments to Chapter 21, Art. III, Division 3**

HER HONOR THE MAYOR requesting review and amendments to Chapter 21, Art. III, Division 3, Tree Preservation to increase replacement requirements for larger trees, add protections for smaller trees, limit removal of trees without replacement, enhance procedures for protecting trees, increasing payment required for trees cut without replacement, protect trees on lots adjacent to construction, provide Tree Warden with additional professional input on trees on private properties.

**Programs & Services Held 8-0**



**Referred to Public Safety & Transportation Committee**

Wednesday, December 7, 2022

Present: Councilors Downs (Chair), Malakie, Lucas, Grossman, Markiewicz, Lipof and Bowman; absent: Councilor Oliver; also present: Councilors Krintzman (Chair), Greenberg, Albright, Wright, Humphrey, Ryan and Noel

- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**
  
- #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.  
**Public Safety & Transportation Approved 7-0**

**#67-22 Requesting regular discussion with the Police Department**  
COUNCILOR DOWNS requesting regular discussion with the Police Department of police data, including crashes, types of calls, numbers and dispositions.  
**Public Safety & Transportation Held 8-0 on 01/05/22**  
**Public Safety & Transportation Held 6-0 on 03/23/22, Councilor Oliver not voting**  
**Public Safety & Transportation Held 6-0 on 09/08/22**  
**Public Safety & Transportation Held 7-0**

**#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.  
**Public Safety & Transportation Held 7-0**

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

**#137-22 Granting administrative authority to seasonably approve the use of on-street parking for outdoor dining**  
HER HONOR THE MAYOR requesting to grant administrative authority to the Commissioner of Public Works, the Director of Planning and Development, and the Police Chief to seasonably approve the use of on-street parking spaces for restaurant outdoor dining.  
**Public Safety & Transportation Held 7-0**

**Referred to Public Facilities Committee**

Wednesday, December 7, 2022

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

**#545-22 Eversource petition for Grant of Location in Westfield Rd**  
EVERSOURCE ENERGY petitioning for a grant of location to install 10'± of conduit in a southerly direction from new relocated JOL pole #984/5 to the property at #39 Westfield Rd. This is a two-part petition by Eversource Energy, the first is the relocation of jointly owned pole 984/5 from its current location to approximately 40-feet northwesterly; then installing a 10-foot underground lateral to service house #39 Westfield Road. (Ward 3)  
**Public Facilities Approved 6-0 (Councilor Norton not voting)**

**#546-22**

**Request for a grant of location in Paulson Road**

NATIONAL GRID petition for a grant of location to install and maintain gas main in Paulson Road, Ferncroft Road, Evelyn, Helene Road, and Cotter Road, as follows:

- 1125' ± of 6" plastic main in Ferncroft Road from Paulson Road to the existing 8", cast iron at #1 Ferncroft Road to replace 1125' ± of 4", bare steel.
- 710' ± of 4" plastic main in Helene Road from Paulson Road to the existing 6" plastic in Cotter Road to replace 215' ± 4" cast iron, and 25' ± of 4" plastic and 470' ± of 4" bare steel
- 90' ± 6" plastic main in Evelyn Road from Paulson Road to #64 Evelyn Road to replace 5' ± 8" cast iron main, 90' ± of 4" bare steel
- 1040' ± of 6" plastic main in Paulson Road from Gordon Road to 145 Paulson Road and install 120' ± of 6" plastic in Paulson Road between the gap between #145 Paulson Road and #155 Paulson Road to replace 905' of 4" bare steel and 135' ± of 4" cast iron. (Ward 5)

**Public Facilities Held 6-0 (Councilor Norton not voting)**

**#547-22**

**Discussion on the City's Phosphorus Control Plan**

DEPARTMENT OF PUBLIC WORKS requesting to provide an update to the Public Facilities Committee on the City's progress towards the development of the City's Phosphorus Control Plan.

**Public Facilities Held 7-0**

**Referred to Finance Committee**

Monday, December 12, 2022

Present: Councilors Grossman (Chair), Gentile, Kalis, Malakie, Oliver, Norton, Noel and Humphrey

**#550-22**

**Acceptance of \$75,000 from the FY23 Massachusetts State Budget**

HER HONOR THE MAYOR requesting authorization to accept and expend a seventy-five-thousand-dollar (\$75,000) earmark in the FY23 Massachusetts state Budget for the Newton in Motion (NewMo) program.

**Finance Approved 6-0 (Councilor Oliver Abstaining)**

**#551-22**

**Request to transfer \$150,000 from Current Year Wage Reserve Accounts**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred fifty thousand dollars (\$150,000) from Acct #0110498-5197 Current Year Wage Reserve Account to Acct #0160252-511001 PRC Public Grounds Maintenance Full Time Salaries.

**Finance Approved 8-0**

- #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.  
**Finance Held 7-0 on 11-28-22**  
**Finance Approved 8-0**
- #548-22      Appropriate \$9,000 for the Commerce Insurance Company Settlement**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of nine thousand (\$9,000) from Acct. #0110841-572500 Legal Claims and Settlements for full and final settlement of *Commerce Insurance Company v. City of Newton (Claim #20-707)*.  
**Finance Approved 8-0**
- #549-22      Appropriate \$6,256.71 for the Mark Visco Settlement**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six thousand two hundred fifty-six dollars and seventy-one cents (\$6,256.71) from Acct. #0110841-572500 Legal Claims and Settlements for full and final settlement of *Mark Visco v. City of Newton (Claim #22-109)*.  
**Finance Approved 8-0**