



City Council Reports Docket

January 3: Public Facilities and Finance
January 4: Programs & Services and Public
Facilities
January 9: Finance and Zoning & Planning
January 10: Land Use

Page 321
7:45 p.m., Hybrid
To be reported on
Tuesday, January 17, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, January 17, 2023, 7:45 pm. To view this meeting on Zoom use this link at the above date and time:

<https://us02web.zoom.us/j/81637499815>

One tap mobile

US: +13017158592, 816 3749 9815#

Land line

US: +1 301 715 8592

Meeting ID: 816 3749 9815

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

Unfinished Council Business

#481-22

Reuse of parcel of land on Jackson Road

DIRECTOR OF PLANNING & DEVELOPMENT submitting on October 6, 2022 a letter stating that the 57 sq. ft. City owned parcel of land known as 181-183 Jackson Road, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

Real Property Reuse Approved 6-0

Item Chartered by Councilor Malakie on January 3, 2023

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.

Referred to Land Use Committee

Tuesday, January 10, 2023

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

#554-22 **Class 1 Auto Dealers License**
VILLAGE MOTORS GROUP INC D/B/A HONDA VILLAGE
371 Washington Street
Newton, MA 02458
Land Use Approved 7-0

#555-22 **Class 2 Auto Dealer License**
AUCTION DIRECT PREOWNED, INC
1545 Washington Street
West Newton, MA 02465
Land Use Approved 7-0

#556-22 **Class 2 Auto Dealers License**
OLD TIME GARAGE LTD.
1960 Washington Street
Newton, MA 02462
Land Use Approved 7-0

#557-22 **Class 2 Auto Dealers License**
STAN'S AUTOMOTIVE INC.
249 Centre Street
Newton Corner, MA 02458
Land Use Approved 7-0

#558-22 **Class 2 Auto Dealers License**
MOTORCARS OF BOSTON INC.
1191 Washington Street
West Newton, MA 02465
Land Use Approved 7-0

#559-22 **Class 2 Auto Dealers License**
KC AUTO
55 Farwell Street
Newton, MA 02460
Land Use Held 7-0

#3-23 **Class 1 Auto Dealer License**
NEWTON CENTRE SHELL
1365 Centre Street
Newton, MA 02459
Land Use Approved 7-0

- #4-23** **Class 2 Auto Dealers License**
 UNITED AUTO CENTER INC
 454 Watertown Street
 Newton, MA 02460
Land Use Approved 7-0
- #561-22** **Request to change from a nonconforming personal service use (spa) to a different nonconforming personal service use (commercial prep kitchen) at 624-628 Commonwealth Avenue**
ALICE SPECK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the conversion of an existing spa to a commercial prep kitchen at 624-628 Commonwealth Avenue Street, Ward 7, Newton, on land known as Section 61 Block 01 Lot 05, containing approximately 3,164 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.4.1, 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 01/10/23
- #564-22** **Request to allow a free-standing sign at 2345 Washington Street**
PAMELA JAGIELLO, SIGNS BY J, INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to replace an existing sign with a 26 square foot free-standing sign at 2345 Washington Street, Newton, Ward 4, on land known as Section 42 Block 30 Lot 08, containing approximately 12,017 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 5.2.13.A, 5.2.13.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 01/10/23
- #562-22** **Request to exceed FAR at 28 Putnam Street**
TREVOR AND LUBA STRICKER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a first-floor study and accessory apartment with additional living space above at 28 Putnam Street, Ward 3, Newton, on land known as Section 32 Block 07 Lot 18, containing approximately 11,747 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 01/10/23
- #563-22** **Request to raze and construct a two-unit dwelling at 219 Melrose Street**
FOX AND TOBY, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing two-family dwelling and construct a two-unit dwelling at 219 Melrose Street, Ward 4, Newton, on land known as Section 41 Block 18 Lot 26, containing approximately 16,976 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, 3.1.2.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed 01/10/23
- #560-22** **Request to allow rear-lot subdivision at 19 Staniford Street**
MICHAEL QUINN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to subdivide the current lot into two, with one single-family dwelling each at 19 Staniford Street, Ward 4, Newton, on land known as Section 41 Block 31 Lot 21, containing approximately 25,366 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10, 1.5.6, 3.1.10.B.3.a of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 7-0; Public Hearing Remains Open

#448-22 Request to extend nonconforming parking structure to construct six dwelling units above at 1 Jackson Street

345 BOYLSTON, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a three-story structure with 36 feet in height; to allow an FAR of 1.48; to vertically extend a nonconforming front setback; to waive 8 parking stalls and to allow assigned parking at 1 Jackson Street, Ward 6, Newton, on land known as Section 65 Block 10 Lot 19, containing approximately 12,512 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.3.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0-1 (Councilor Lucas Abstained); Public Hearing Closed 01/10/23

Referred to Zoning & Planning Committee

Monday, January 9, 2023

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

#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

Referred to Programs & Services Committee

Wednesday, January 4, 2023

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

#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)

Programs & Services Approved 7-0 (Councilor Baker not voting)

#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)

Programs & Services Approved 7-0 (Councilor Baker not voting)

#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)

Programs & Services Approved 7-0 (Councilor Baker not voting)

- #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)
Programs & Services Approved 7-0 (Councilor Baker not voting)
- #566-22 Appointment of Mignonne Murray as Director of Senior Services**
HER HONOR THE MAYOR appointing MIGNONNE MURRAY as DIRECTOR OF SENIOR SERVICES pursuant to Sec 3-3 of the City Charter. (30 Days: 1/18/23)
Programs & Services Approved 7-0 (Councilor Baker not voting)
- #565-22 Request for discussion on Countryside Elementary School**
HER HONOR THE MAYOR on behalf of the Commissioner of Public Buildings requests a discussion to provide an update on the Countryside Elementary School Building Project.
Programs & Services Held 7-0 (Councilor Baker not voting)
- Referred to Programs & Services and Finance Committees**
- #17-23 Appropriation of \$3,240,000 for Newton South High School Fields and Track**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three million, two hundred forty thousand (\$3,240,000) in FY2022 Free Cash for synthetic turf carpet and infill materials, installation, and construction oversight to replace the two (2) synthetic turf fields at Newton South High School and to resurface the perimeter track at the school's Winkler Stadium.
Finance Approved 6-1-1 (Councilor Norton opposed) (Councilor Malakie abstaining) on 1/9/23
Programs & Services Approved 6-1-1 (Councilor Wright opposed) (Councilor Baker abstaining)
- 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

January 9, 2023

Present: Councilors Downs (Chair), Lucas, Markiewicz, Lipof, Bowman, Oliver, Malakie; also present: Councilor Grossman (Chair), Norton, Kalis, Gentile, Noel, Humphrey

Referred to Public Safety & Transportation and Finance Committees

#20-23

Appropriate \$258,524.10 from Free Cash for Four Police Cruisers

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred fifty-eight thousand, five hundred twenty-four dollars and ten cents (\$258,524.10) from June 30, 2022 Certified Free Cash to the Police Department for the purchase of four (4) Hybrid Ford Police Interceptor Cruisers.

Finance Approved as Amended \$258,524.00 7-0-1 (Councilor Humphrey abstaining) on 01/09/23

Public Safety & Transportation Approved as Amended \$258,524.00 8-0 on 01/09/23

Referred to Public Facilities Committee

Tuesday, January 3, 2023

Present: Councilors Leary (Chair), Gentile, Norton, Kalis, Danberg, Laredo, Kelley, and Crossley; also present: Councilors Grossman (Chair), Malakie, Humphrey, Oliver, Noel

Referred to Finance and Public Facilities Committees

19-23

Appropriate \$150,000 from Certified Free Cash

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred and fifty thousand dollars (\$150,000) from June 30, 2022 Certified Free Cash for the purpose of purchasing the replacement of a 1998 trackless sidewalk clearing tractor.

Finance Approved 8-0 on 1/3/23

Public Facilities Approved 7-0 (Councilor Norton not voting)

Referred to Public Facilities Committee

Wednesday, January 4, 2023

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

Referred to Public Facilities and Finance Committees

#19-23 Increase Curbside Mattress Recycling Fees

HER HONOR THE MAYOR requesting an increase in the curbside mattress recycling fee from the current \$50 to \$60 in order to make the City whole to cover the cost being charged by the service provider, GGY Transport LLC dba Tough Stuff Recycling, for curbside collection service.

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#18-23 Acceptance of \$2,027,000 MassWorks Program Grant

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two million and twenty-seven thousand dollars (\$2,027,000) in grant funding from the MassWorks Program for the Pettee Square Improvement Project (Oak Street at Chestnut Street) in order to reimburse the City for final engineering design, engineering services during construction, resident repudiation services, and construction services of the intersection improvements at Pettee Square.

Public Facilities Approved 8-0

#9-23 Reappointment of Howard Goldberg to the Designer Selection Committee

PRESIDENT ALBRIGHT reappointing Howard Goldberg, 27 Theodore Road, Newton Centre 02459 to the Designer Selection Committee for a term of office to expire December 31, 2023. (60 days: 3/4/23)

Public Facilities Approved 8-0

#10-23 Reappointment of Amy L. MacKrell to the Designer Selection Committee

PRESIDENT ALBRIGHT reappointing Amy L. MacKrell, 12 Dexter Road, Newtonville 02460 to the Designer Selection Committee for a term of office to expire December 31, 2023. (60 days: 3/4/23)

Public Facilities Approved 8-0

#11-23 Reappointment of Carol S. Schein to the Design Review Committee

PRESIDENT ALBRIGHT reappointing Carol S. Schein, 82 Garland Road, Newton 02459 to the Design Review Committee for a term of office to expire December 31, 2023. (60 days: 3/4/23)

Public Facilities Approved 8-0

Referred to Finance Committee

Tuesday, January 3, 2023

Present: Councilors Grossman (Chair), Kalis, Oliver, Norton, Malakie, Gentile, Humphrey, and Noel; also present: Councilors Leary (Chair), Kelley, Crossley, Danberg, and Laredo

Referred to Finance and Public Facilities Committees

19-23

Appropriate \$150,000 from Certified Free Cash

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one hundred and fifty thousand dollars (\$150,000) from June 30, 2022 Certified Free Cash for the purpose of purchasing the replacement of a 1998 trackless sidewalk clearing tractor.

Public Facilities Approved 7-0 (Councilor Norton not voting) on 1/3/23

Finance Approved 8-0

Referred to Finance Committee

Monday, January 9, 2023

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

Referred to Public Safety & Transportation and Finance Committees

#20-23

Appropriate \$258,524.10 from Free Cash for Four Police Cruisers

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred fifty-eight thousand, five hundred twenty-four dollars and ten cents (\$258,524.10) from June 30, 2022 Certified Free Cash to the Police Department for the purchase of four (4) Hybrid Ford Police Interceptor Cruisers.

Public Safety & Transportation Approved as Amended \$258,524.00 8-0 on 01/09/23

Finance Approved as Amended \$258,524.00 7-0-1 (Councilor Humphrey abstaining) on 01/09/23

Referred to Programs & Services and Finance Committees

#17-23

Appropriation of \$3,240,000 for Newton South High School Synthetic Turf Fields and Perimeter Track

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three million, two hundred forty thousand (\$3,240,000) in FY2022 Free Cash for synthetic turf carpet and infill materials, installation, and construction oversight to replace the two (2) synthetic turf fields at Newton South High School and to resurface the perimeter track at the school's Winkler Stadium.

Programs & Services Approved 6-1-1 (Councilor Wright opposed) (Councilor Baker abstaining) on 1/4/23

Finance Approved 6-1-1 (Councilor Norton opposed) (Councilor Malakie abstaining)

#16-23

Acceptance of \$140,000 Grant from the Massachusetts Community Compact Cabinet's Information Technology Grant Program.

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred forty thousand (\$140,000) from the Massachusetts Community Compact Cabinet's (CCC) Information Technology grant program to contract with a document management system provider to scan, OCR (optical character recognition), and index municipal documents currently stored in paper form from multiple City departments and to establish a web-based portal to allow for public access.

Finance Approved 8-0

#14-23 **Acceptance of \$35,000 Grant from the Executive Office of Public Safety and the Department of Fire Services**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of thirty-five thousand dollars (\$35,000) in grant funding from the Executive Office of Public Safety and the Department of Fire Services to reimburse Newton Fire Department for the purchase of mobile radios for fire vehicles and apparatus.
Finance Approved 8-0

#13-23 **Request to transfer \$30,000 from Health and Human Services, Youth Services/Personnel/Other Stipends**
HER HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Acct # 0150106-514309 (Health and Human Services, Youth Services/Personnel/Other Stipends) to Acct # 0150106-530100 (Health – Awareness/Expenses/Consultants).
Finance Approved 8-0

#571-22 **Appropriate \$225,000 from Transportation Mitigation funds**
HER HONOR THE MAYOR requesting approval for the use of two hundred twenty-five thousand (\$225,000 in transportation mitigation funds from the Trio transportation demand management plan for NewMo operations consistent with Special Permit #96-17 and the approved Consistency Ruling dated 8/31/22.
Finance Approved 7-1 (Councilor Malakie opposed)

Referred to Public Facilities and Finance Committees

#18-23 **Acceptance of \$2,027,000 MassWorks Program Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two million and twenty-seven thousand dollars (\$2,027,000) in grant funding from the MassWorks Program for the Pettee Square Improvement Project (Oak Street at Chestnut Street) in order to reimburse the City for final engineering design, engineering services during construction, resident repudiation services, and construction services of the intersection improvements at Pettee Square.
Public Facilities Approved 8-0 on 1-4-23
Finance Approved 8-0

Referred to Public Facilities and Finance Committees

#19-23 **Increase Curbside Mattress Recycling Fees**
HER HONOR THE MAYOR requesting an increase in the curbside mattress recycling fee from the current \$50 to \$60 in order to make the City whole to cover the cost being charged by the service provider, GGY Transport LLC dba Tough Stuff Recycling, for curbside collection service.
Public Facilities Approved 8-0 on 1/4/23
Finance Approved 8-0

#12-23

Acceptance of \$68,000 MassDEP Recycling Dividends Grant

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of sixty-eight thousand dollars (\$68,000) in grant funding from MassDEP Recycling Dividends to be used for grant-eligible recycling services at the Resource Recovery Center, equipment to improve the City's recycling and composting infrastructure, educational materials, and outreach activities.

Finance Approved 8-0