



City Council Docket

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February 7: Land Use
February 8: Public Safety & Transportation and
Public Facilities
February 13: Finance and Zoning & Planning
February 14: Land Use
February 16: Programs & Services

Monday, February 6, 2023

7:45 p.m., Hybrid

To be reported on

Tuesday, February 21, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, February 6, 2023, 7:45 pm. To view this meeting on Zoom use this link at the above date and time:

<https://us02web.zoom.us/j/86484283887>

One tap mobile

US: +13017158592, 864 8428 3887#

Land line

US: +1 301 715 8592

Meeting ID: 864 8428 3887

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 February 7, 2023

#33-23 Request to allow a three-story structure with 32 feet in height, an FAR of 1.42 and to waive seven parking stalls at 296 Watertown Street

YOUNGSUN PARK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a three-story structure with 32 feet in height; to allow an FAR of 1.42 and to reduce the number of required parking stalls at 296 Watertown Street, Ward 1, Newton, on land known as Section 11 Block 14 Lot 02, containing approximately 5,388 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.3.3, 7.4, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13 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 February 7, 2023

#34-23 Request to exceed FAR and to allow parking within five feet of the street at 50 Elmore Street

YANMEI LIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached garage structure exceeding FAR and to allow parking within five feet of the street at 50 Elmore Street, Ward 2, Newton Centre, on land known as Section 13 Block 31 Lot 06, containing approximately 7,733 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9, 5.1.7.B.2, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 7, 2023

#35-23 Request to amend Special Permit #263-20 to further exceed FAR and to amend the approved site plan at 43 Prince Street

JOHN AND MARGARET REICHBACH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #263-20 to enclose an existing porch and to alter the size and location of a proposed shed at 43 Prince Street, West Newton, Ward 3, on land known as Section 32 Block 10 Lot 06, containing approximately 27,800 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 7, 2023

#36-23 Request to amend Special Permit #48-16 to construct four rooftop solar arrays at 255-257 Newtonville Avenue

CS SDP NEWTONVILLE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #48-16 to construct a rooftop solar facility with four arrays at 255-257 Newtonville Avenue, Newtonville, Ward 2, on land known as Section 12 Block 16 Lot 08, containing approximately 76,000 sq. ft. of land in a district zoned MANUFACTURING.

Public Hearing to be Assigned for February 14, 2023

#37-23 Request to amend Special Permit #360-22 to exceed FAR at 336 Cabot Street

336 Cabot Street, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the approved FAR granted under Special Permit #360-22 at 336 Cabot Street, Ward 2, Newtonville, on land known as Section 22 Block 19 Lot 09, containing approximately 9817 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 14, 2023

#38-23 Request to construct a five-unit dwelling and parking waiver at 194 Adams Street

LAKE PRIDE HOMES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing nonconforming three-unit multifamily dwelling and construct a five-unit residential dwelling with ground level garage parking and associated dimensional, parking, and use waivers at 194 Adams Street, Ward 1, Newton, on land known as Section 14 Block 14 Lot 18, containing approximately 6,000 sq. ft. of land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 7.8.2.C.3, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.C.1, 5.1.8.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 14, 2023**#39-23 Request to Rezone 29 Hunter Street to MR3**

CHRISTOPHER NOBLE petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a change of zone to Multi Residence 3 for a parcel of land located at 29 Hunter Street (currently zoned Multi Residence 2), also identified as Section 32, Block 06, Lot 05.

Public Hearing to be Assigned for February 14, 2023**#40-23 Request to allow a multi-family dwelling, extend nonconforming use, waive parking stalls and allow dimensional waivers to parking at 29 Hunter Street**

CHRISTOPHER NOBLE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family dwelling, to extend a nonconforming side setback, to waive two parking stalls, to allow parking in the front and side setbacks, and to reduce stall width and depth at 29 Hunter Street, Ward 3, West Newton, on land known as Section 32, Block 06, Lot 05, containing approximately 5,185 sq. ft. of land in a district zoned MULTI RESIDENCE 2 (rezone to MULTI RESIDENCE 3 proposed). Ref: 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.7.A, 5.1.7.B.1, 5.1.7.B.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 14, 2023**#41-23 Request to allow a three-story single-family dwelling at 616 Boylston Street**

DAURO AQUINO, ACS GROUP INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second story addition as well as an expansion of an existing garage at 616 Boylston Street, Ward 6, Newton Centre, on land known as Section 81 Block 37 Lot 10, containing approximately 8,674 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for February 14, 2023**#42-23 Request to allow rear-lot subdivision at 176 River Street**

176 RIVER STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to subdivide the current lot into two, with one single-family dwelling each at 176 River Street, Ward 3, West Newton, on land known as Section 44 Block 17 Lot 64, containing approximately 25,202 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#43-23 Request for Extension of Time to Exercise Special Permit #320-20 at 1149-1151 Walnut Street

NEWTON WALNUT LLC petition for EXTENSION OF TIME to July 27, 2025 to EXERCISE Special Permit Council Order #320-20, to raze the existing buildings and construct a four-story mixed-use building up to 48' in height, containing 25 units and 23 parking stalls, to waive the minimum lot area per unit, to reduce the side setback requirement, to waive the requirement to use A-B+C formula to determine the parking requirement, to waive 24 parking stalls, to allow 1.25 parking stalls per unit, to allow parking in the side setback, to waive dimensional requirements for parking stalls, to allow restricted end stalls, to allow reduced aisle width, to waive perimeter landscaping requirements, to waive interior landscaping requirements and to waive lighting requirements at 1149-1151 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 08 Lots 13 and 14, containing 13,200 sq. ft. in a district to be zoned MIXED USE 4. Ref: Sec. 7.3.3, 7.4, 4.2.2.B.1,

4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.3, 4.2.5.A.2, 4.2.5.A.4.b, 4.2.5.A.4, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.A, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.9.A, 5.1.9.B, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

- #44-23 Reappointment of Peter Doeringer to the Planning and Development Board**
HER HONOR THE MAYOR reappointing Peter Doeringer, 35 Pulsifer Street, Newtonville as a member of the Planning & Development Board for a term of office to expire on February 1, 2028. (60 Days: 04/07/2023)
- #45-23 Reappointment of Robert Imperato to the Chestnut Hill Historic District Commission**
HER HONOR THE MAYOR reappointing Robert Imperato, 145 Washington Street, Newton as a member of the Chestnut Hill Historic District Commission for a term of office to expire on November 15, 2025. (60 Days: 04/07/2023)
- #46-23 Appointment of Anne Marie Stein to the Newton Historical Commission**
HER HONOR THE MAYOR appointing Anne Marie Stein, 31 Madoc Street, Newton as a full member of the Newton Historical Commission for a term of office to expire on March 6, 2026. (60 Days: 04/07/2023)

Referred to Programs & Services Committee

Public Hearing to be Assigned for February 16, 2023

- #47-23 Citizens Group Petition for moratorium on new or replacement artificial turf in Newton**
MELISSA BROWN ET AL., petitioning pursuant to Article 10, Sec. 10-2 of the City of Newton Charter, for the City Council to pass a measure postponing any immediate action for new or replacement artificial turf anywhere in Newton pending the completion, public presentation, and public hearing for the following: comprehensive study of demand for playing fields and adequacy of field scheduling system; incorporating health and medical guidelines for physical activity on artificial turf into definition of playability; development of sustainable and organic management plan for existing and future natural grass playing fields' and a comparative analysis by independent researchers of total cost of natural grass fields versus artificial turf.
- #48-23 Appointment of Ruth Goldman to the Urban Tree Commission**
HER HONOR THE MAYOR appointing Ruth Goldman, 117 Cypress Street, #2, Newton as a member of the Urban Tree Commission for a term of office to expire on March 6, 2026. (60 Days: 04/07/2023)

Referred to Public Facilities Committee

Public Hearing to be Assigned for February 8, 2023

#49-23 Eversource petition for Grant of Location in Centre St

EVERSOURCE ENERGY petitioning for a grant of location to install one (1) hip guy and anchor and remove one (1) tree guy from pole 73/78 on the westerly side, at #912 Centre St. (Ward 7)

Public Hearing to be Assigned for February 8, 2023

#50-23 Request for a grant of location in Pleasant St and Tyler Tr

NATIONAL GRID petition for a grant of location to install and maintain gas main in Pleasant St and Tyler Tr as follows:

- 75' ± of 6" plastic main extending from the existing 6" cast iron (1916) main in Tyler Tr for new service at #75 Pleasant St.
- 60' ± of 2" plastic service line at #75 Pleasant St extending from the new 6" plastic main extension.

#51-23 Resolution for a Future without Gas and for Clean Heat

COUNCILORS LEARY, HUMPHREY, BOWMAN, DOWNS, CROSSLEY, KALIS, GREENBERG, LIPOF, RYAN, LUCAS, KELLEY, WRIGHT, NORTON, ALBRIGHT, AND DANBERG presenting a Resolution supporting the creation of a city-wide plan to equitably achieve efficiencies, reduce emissions and risks of gas infrastructure and expediting electrification.

Referred to Finance Committee

#52-23 Reappointment of James Shaughnessy to the Board of Assessors

HER HONOR THE MAYOR reappointing James Shaughnessy, 1000 Commonwealth Avenue, Newton 02459 as a member of the Board of Assessors for a term of office to expire February 1, 2026. (60 days: 3/31/23)

#53-23 Acceptance of \$25,600 from a Massachusetts Emergency Management Association Emergency Preparedness Grant

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of twenty-five thousand six hundred dollars (\$25,600) in grant funding from a Massachusetts Emergency Management Association (MEMA) Emergency Management Preparedness Grant (EMPG) that has been awarded to the Fire Department for technology and protective gear.

#54-23 Acceptance of \$2,677 from the Executive Office of Public Safety and Security Senior SAFE Grant.

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two thousand six hundred and seventy seven dollars (\$2,677) in grant funding from the Executive Office of Public Safety for a Senior SAFE Grant that has been awarded to the Fire Department to purchase smoke and carbon monoxide detectors for Newton's seniors.

- #55-23** **Appropriate \$1,500 from Handicapped Parking Fines for Me2/ Orchestra Concert**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one thousand five hundred dollars from Handicapped Parking Fines to Law Department Grants to engage the Me2/ Orchestra to give a concert to the Newton community.

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

Referred to Finance Committee

- #56-23** **Requesting a discussion regarding the Use of Revolving Accounts**
COUNCILORS ALBRIGHT, GROSSMAN, AND OLIVER requesting a discussion with the Law Department and each City department regarding the use of revolving accounts with possible ordinance amendments if needed.

Referred to Public Facilities and Finance Committees

- #57-23** **Ordinance amendment to increase number of units eligible for 2nd meters**
COUNCILOR NORTON proposing an ordinance amendment to Chapter 29, Section 24(c) to amend the number of residential dwelling units eligible for outdoor meters from no more than four dwelling units to no more than twenty dwelling units.

Referred to Public Facilities and Finance Committees

- #58-23** **Appropriate \$280,000 to Complete Phase 1 of the City's Phosphorus Control Plan**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred sixty thousand dollars (\$160,000) from Stormwater- Full-time Wages Acct # 62A40101-511002 and one hundred twenty thousand dollars (\$120,000) from Stormwater – Drainage System Acct # 62A40101 -586004 for a total of two hundred eighty thousand dollars (\$280,000) to cover the completion of Phase 1 of the City's Phosphorus Control Plan.

Referred to Finance Committee

- #59-23** **Requesting a discussion regarding Newton's Economic Stability/Mobility Initiative**
Councilors Laredo, Norton, Malakie, Baker, Gentile, Krintzman, Wright, Oliver, and Grossman requesting a discussion with the Administration regarding Newton's Economic Stability/Mobility Initiative – A Partnership with EMPATH, including the amount of ARPA funds being used for the program; how much of this money will be paid to EMPATH and whether EMPATH is contributing any of its own funds to this program; additional city resources that will be used, directly or indirectly, for this program; the expectations for this program beyond the initial two year period and what will be the source of any additional funds for the program; and who in the city will be reviewing and evaluating the success of this program.