



City Council Docket

February 22: Public Safety & Transportation and
Public Facilities

February 27: Zoning & Planning and Finance

February 28: Land Use

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Continued

Tuesday, February 21, 2023

7:45 p.m., Hybrid

To be reported on

Monday, March 6, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Tuesday, February 21, 2023, 7:45 pm. To view this meeting on Zoom use this link at the above date and time:

<https://us02web.zoom.us/j/81591991348>

One tap mobile

US: +13017158592, 815 9199 1348#

Land line

US: +1 301 715 8592

Meeting ID: 815 9199 1348

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 March 7, 2023

#60-23

Request to further extend nonconforming front and rear setbacks and parking waivers at 43 River Avenue

DINA ONUR petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct a two-family dwelling that will alter and extend a nonconforming front setback, further reduce and extend a nonconforming rear setback, allow reduced parking stall depth and allow parking within five feet of a street at 43 River Avenue, Ward 5, Newton Upper Falls, on land known as Section 51 Block 43 Lot 03, containing approximately 12,050 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 5.1.7.B.2, 5.1.13, 5.1.7.A 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 March 21, 2023**#61-23 Request to a nonconforming front setback at 80 Highland Avenue**

JAMES GROSS AND KIKI BOGORAD-GROSS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to reconstruct a previously damaged one-car garage in a different configuration altering the nonconforming front setback at 80 Highland Avenue, Ward 2, Newtonville, on land known as Section 24 Block 11 Lot 30, containing approximately 7,386 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 3.4.3.A.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be Assigned for March 21, 2023**#62-23 Request to amend Special Permit #101-17 to convert an existing office space into two residential units at 46 Farwell Street**

BRIAN MCDONALD, TRUSTEE, CONTINUOUS IMPROVEMENT REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #101-17 to convert the nonconforming office building into two residential units at 46 Farwell Street, Newtonville, Ward 3, on land known as Section 21 Block 01 Lot 14, containing approximately 8,529 sq. ft. of land in a district zoned MULTI RESIDENCE 2. 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.

Public Hearing to be Assigned for March 21, 2023**#63-23 Request to a nonconforming front setback at 80 Highland Avenue**

JAMES GROSS AND KIKI BOGORAD-GROSS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to reconstruct a previously damaged one-car garage in a different configuration altering the nonconforming front setback at 80 Highland Avenue, Ward 2, Newtonville, on land known as Section 24 Block 11 Lot 30, containing approximately 7,386 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.3, 7.8.2.C.2, 3.4.3.A.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#64-23 Request for Extension of Time to Exercise Special Permit #28-22 at 383-387 Boylston Street

50 JACKSON STREET, LLC, petition for EXTENSION OF TIME to March 7, 2025 to EXERCISE Special Permit Council Order #28-22, to allow a three story, 12-unit multi-family dwelling with an FAR of 1.5 and 36' in height, ground floor residential use, a building with more than 20,000 sq. ft., to alter and extend a nonconforming side setback, to waive six parking stalls, to reduce the width of parking stalls, to reduce the driveway width for two-way traffic, to allow a loading facility which may impede traffic, and to allow a retaining wall greater than four feet in height within the setback at 50 Jackson Street/383-387 Boylston, Ward 6, Newton, on land known as Section 65 Block 11 Lot 04, containing approximately 14,866 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.8.B.1, 5.1.8.D.1, 5.1.12.D.5, 5.1.13, 5.4.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

- #65-23** **Request for Extension of Time to Exercise Special Permit #406-21 at 229 Bellevue Street**
DAVID AND SUSAN WAKEFIELD petition for EXTENSION OF TIME to December 17, 2024 to EXERCISE Special Permit Council Order #406-21 to allow a garage accommodating more than three vehicles with ground floor area exceeding 700 sq. ft., to vertically extend a nonconforming side setback, to allow a system of retaining walls exceeding four feet within the setback at 229 Bellevue, Ward 1, Newton, on land known as Section 12 Block 17 Lot 29, containing approximately 9,700 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.3.A.1, 7.8.2.C.2, 3.4.3.A.4, 3.4.4.E, 3.4.4.H, 5.4.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Programs & Services Committee

- #66-23** **Discussion and possible amendment to Sec. 12-72**
COUNCILORS DANBERG, LEARY, GREENBERG, ALBRIGHT, NORTON, KELLEY, MALAKIE, WRIGHT, MARKIEWICZ, CROSSLEY, DOWNS, NOEL, BOWMAN, RYAN, KALIS, LIPOF, OLIVER, HUMPHREY, AND LUCAS requesting discussion and possible amendment to Section 12-72 “Sustainable Containers, Packaging and Single Use Ordinance” to further reduce the amount of single use plastic in Newton.
- #67-23** **Amendments to Sec. 11-5 on Requirements for Permitted Haulers to Provide Bundled Trash & Recycling service**
COUNCILORS LEARY, CROSSLEY, GREENBERG, BOWMAN, AND DANBERG requesting an amendment to City Ordinance Sec. 11-5 to protect public health and the environment and ensure that all persons transporting trash or recycling from places within or to destinations within the city adhere to the Massachusetts Waste Bans 310 CMR 19.017 and uniformly comply with permit requirements established by the City of Newton.

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

Referred to Land Use Committee

- #68-23** **Request to authorize partial release of the Declaration of Affordable Housing Covenants**
HER HONOR THE MAYOR requesting to authorize the partial release of the Declaration of Affordable Housing Covenants encumbering the property located at 677 Winchester Street, Newton, MA, commonly referred to as Coleman House operated by 2Life Communities.

Referred to Programs & Services Committee

- #69-23** **Request for a discussion with City Staff regarding a cost-benefit analysis on grass fields**
COUNCILORS ALBRIGHT, BAKER, WRIGHT, HUMPHREY AND KELLEY requesting a discussion with the Parks, Recreation, and Culture Department regarding a cost-benefit analysis of grass fields in sufficient quantity to meet Newton’s demand for playing time (by user group; Newton school athletic programs, Newton Youth groups, others) vs additional artificial turf fields. This analysis should include the following; quantification of the current demand for playing fields (hours used by field), description

of the scheduling system referencing the availability and cost of alternative systems if needed, quantification of field usage as a percentage of field availability, current land acreage and fields now unusable for play as a result of lack of maintenance funds and the additional annual funds needed to use these fields, the resultant playing time available if all grass fields in Newton are usable vs playing time with the addition of artificial turf at specific planned locations, the location of additional potential grass fields, whether existing or new and the impact of these locations on high school sports including added acquisition and/or transportation costs to access fields not located on high school grounds. In addition, such information should take into account the environmental impact of either artificial turf or grass field choices taking into account such things as disposal of turf, chemical contaminants within turf, and pesticides used on grass. This discussion should provide information to guide the Council in its decision for future requests for artificial turf fields.