City Council Docket

August 15: Zoning & Planning
August 16: Programs & Services
August 21: Zoning & Planning
August 22: Land Use

Continued
Monday, August 14, 2023
7:45 PM, Hybrid
To be reported on
Tuesday, September 5, 2023

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, August 14, 2023, at 7:45PM. To view this meeting on Zoom use this link at the above date and time: https://newtonma-gov.zoom.us/j/81711898813

One tap mobile
US: +13017158592, 817 1189 8813#

Land line
US: +1 301 715 8592
Meeting ID: 817 1189 8813

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 YouTube channel at:
https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvfAh3cQ

City of Newton
In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

Public Hearing Assigned for August 22, 2023

#259-23 **Request for a special permit to reduce required lot area by 5% at 52 Sharpe Road**
EDWARD AND LANA LUKATSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow for a 5% reduction in the lot area requirement at 52 Sharpe Road, Ward 8, Newton Centre, on land known as Section 81 Block 11 Lot 15, containing approximately 14,351 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 3.1.3, 7.8.4.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned for August 22, 2023

#262-23 **Request to waive the separation requirement for a historic detached accessory apartment, to further extend nonconforming height and footprint and to exceed FAR at 193 Lake Avenue**
ROBERT AND LAURA KAY HUGHES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to renovate and expand the detached accessory building for use as an accessory apartment

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.

with dimensional waivers at 193 Lake Avenue, Ward 6, Newton Highlands, on land known as Section 52 Block 17 Lot 05, containing approximately 26,818 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 6.7.1.E.7.B, 3.4.3.A.3, 3.4.3.A.4, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 22, 2023

#263-23 Request to change from a nonconforming two-family dwelling use to two single-family dwellings on one lot at 373 Lexington Street

JON HOLLINGSWORTH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing nonconforming two-family dwelling into a single-family dwelling and to convert the accessory building into a second single-family dwelling where the City Council determines the dimensional controls at 373 Lexington Street, Ward 4, Auburndale, on land known as Section 41 Block 17 Lot 12, containing approximately 10,030 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 3.4.1, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 22,2023

#264-23 Request to amend the site plan associated with Special Permit #179-15 at 1349 Centre Street

MYRTHA CHANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plan associated with the special permit to reflect additional paving on site at 1349 Centre Street, Ward 6, Newton Centre, on land known as Section 51 Block 04 Lot 03, containing approximately 10,579 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec. 7.3.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 22,2023

#265-23 Request to extend a nonconforming residential use to allow a 3-unit multi-family dwelling, to extend nonconforming front, side and rear setbacks, to allow up to 36 feet in height, and waivers for parking at 43 Crafts Street

KOSHER K LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct a three- story, three-unit multi-family dwelling with surface parking for three vehicles at 43 Crafts Street, Ward 1, Newton, on land known as Section 14 Block 23 Lot 11, containing approximately 1,789 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 4.4.1, 7.8.2.C.2, 4.3.3, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Assigned August 22, 2023

#266-23 Request to allow parking in the front setback at 89-91 Crafts Street

MAYA SERHAL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand the existing parking area on the southeastern lot line, resulting in three vehicles within the front setback at 89-91 Crafts Street, Ward 1, Newton, on land known as Section 14 Block 17 Lot 22, containing approximately 8,346 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Zoning & Planning Committee

#267-23 **Discussion and possible amendment to inclusionary zoning ordinance**
COUNCILORS ALBRIGHT, BOWMAN, MALAKIE, WRIGHT, CROSSLEY, AND DANBERG AND THE FAIR HOUSING COMMITTEE requesting discussion regarding the inclusionary zoning ordinance and possible amendment to require that developers and property managers provide training for its employees regarding bias toward residents of inclusionary housing units and how to mitigate this bias.

Referred to Programs & Services Committee

#268-23 **Discussion on bias toward residents living in inclusionary housing units**
COUNCILORS ALBRIGHT, BOWMAN, MALAKIE, WRIGHT, CROSSLEY, AND DANBERG AND THE FAIR HOUSING COMMITTEE request a discussion based on the City of Cambridge study and findings regarding bias toward and experiences of a sense of exclusion and not belonging in the community by residents living in inclusionary housing units. The discussion should focus on the Cambridge findings and training that might be provided to property managers and staff. In addition, it should focus on whether or not there is expertise in city staff to do this training or if outside help is needed. The discussion should also consider the costs of such training and its possible inclusion in the FY25 budget.

#269-23 **Discussion and possible creation of Newton City Poet Laureate designation**
COUNCILOR DANBERG requesting the discussion and possible creation of a Newton City Poet Laureate designation. Twenty-two municipalities in the State of Massachusetts already have this designation.

Referred to Public Safety & Transportation Committee

#270-23 **Appeal of Traffic Council Decision TC35-23**
ILIJA JOVANOV, 131 Farwell Street, appealing the approval of Traffic Council petition TC35-23 on July 13, 2023 for prohibiting parking at all times along the following areas of Farwell Street: south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection). (Ward 3)

#271-23 **Appeal of Traffic Council Decision TC30-23**
COUNCILOR MALAKIE on behalf of Matthew Chao, 95 Columbia Avenue, appealing the approval of Traffic Council petition TC30-23 on July 13, 2023 for changes to the parking regulations on Columbia Avenue, in order to install bicycle accommodations. (Ward 8)

Referred to Finance Committee

#272-23 **Authorization to expend $33,333 in transportation mitigation funds on NewMo Operation from the 15 Riverdale Avenue development**
HER HONOR THE MAYOR requesting approval to spend thirty-three thousand, three hundred thirty-three dollars ($33,333) in transportation mitigation funds from the 15

Riverdale Avenue development for NewMo operations consistent with the transportation demand management plan set out in Special Permit #01-20 and the approved Request for Determination of Insubstantial Change dated 2/2/22.

#273-23 **Authorization to accept and expend the sum of five thousand dollars ($5,000) and to accept two pieces of artwork for the Department of Senior Services**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of five thousand dollars ($5,000) and to accept two pieces of real property (artwork) for the Department of Senior Services.

#274-23 **Authorization to appropriate and expend $10,831.12 from Handicapped Parking (H-P.) Fines-Disability Commission Receipts Reserved for Appropriations Account to supplement funds being used at Williams Elementary School**
HER HONOR THE MAYOR requesting authorization to appropriate and expend ten thousand, eight hundred, thirty-one dollars and twelve cents ($10,831.12) from Handicapped Parking (H-P.) Fines-Disability Commission Receipts Reserved for Appropriations Account 5500-335518, to supplement funds being used at Williams Elementary School to purchase and install accessible play equipment and accessible picnic tables in the school playground.

#275-23 **Requesting authorization to accept and expend the sum of $427,454.54 from an Assistance to Firefighter Grant**
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of four hundred twenty-seven thousand, four hundred fifty-four dollars and fifty-four cents ($427,454.54) from an Assistance to Firefighter Grant (AFG) through the Department of Homeland Security/FEMA. The grant funding awarded is going to be used by the Newton Fired Department to conduct Officer Training courses, Health and Wellness, RIT Training, to purchase new RIT Packs and a new cascade breathing air system.

Referred to Zoning & Planning and Finance Committees

#276-23 **CPC Recommendation to appropriate $1,967,119 in CPA funding**
COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million nine hundred sixty seven thousand, one hundred and nineteen dollars ($1,967,119) in Community Preservation Act funding be appropriated, with $562,034 to come from the FY24 Community Housing Reserve Account and $1,405,085 to come from FY24 Unrestricted Funding Account, to the control of the Planning & Development Department to provide funding to the Newton Affordable Housing Trust for future projects that meet one or more of the CPA's eligible funding categories for Community Housing projects.

The following items were filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:

Referred to Zoning & Planning Committee

#277-23 **Appointment of Peter Leis to the Newton Historical Commission**
HER HONOR THE MAYOR appointing Peter Leis, 350 Cabot Street, Newtonville as an alternate member of the Newton Historical Commission for a term of office set to expire on April 19, 2025. (60 Days: 10/13/2023)

Referred to Zoning & Planning Committee

#278-23 **Reappointment of John Rice to the Newton Historical Commission**
HER HONOR THE MAYOR appointing John Rice, 9 Selden Street, Waban as an at-large member of the Newton Historical Commission for a term of office set to expire on September 30, 2026. (60 Days: 10/13/2023)

Referred to Zoning & Planning Committee

#279-23 **Reappointment of Doug Cornelius to the Newton Historical Commission**
HER HONOR THE MAYOR appointing Doug Cornelius, 15 Lockwood Road, West Newton as an at-large member of the Newton Historical Commission for a term of office set to expire on July 31, 2026. (60 Days: 10/13/2023)

Referred to Programs & Services Committee

#280-23 **Appointment of Paul Holt as a Newton Library Trustee**
HER HONOR THE MAYOR appointing Paul Holt, 75 Andrew St, Newton as a Newton Library Trustee for a term of office set to expire on June 30, 2026. (60 Days: 10/13/2023)

Referred to Programs & Services Committee

#281-23 **Appointment of Susan Harvey as a Newton Library Trustee**
HER HONOR THE MAYOR appointing Susan Harvey, 146 Oliver Road, Newton as a Newton Library Trustee for a term of office set to expire on June 30, 2027. (60 Days: 10/13/2023)

Referred to Public Safety & Transportation Committee

#282-23 **Discussion and ordinance change to Section 19-49 Temporary Parking Permits**
COUNCILORS NORTON, LUCAS AND ALBRIGHT requesting discussion and ordinance change to **Section 19-49 Temporary Parking Permits,** to give police more discretion in distributing temporary permits and reduce hardships especially on tradespersons and contractors.

Referred to Public Facilities Committee

#283-23 **Requesting a discussion with the Department of Public Works, the Department of Parks and Recreation, and the Conservation Commission regarding the condition of, and potential improvements to the stormwater infrastructure in Edmands Park**
COUNCILORS NORTAN, LUCAS, MALAKIE, and LAREDO requesting a discussion with the Department of Public Works, the Department of Parks and Recreation, and the Conservation Commission regarding the condition of, and potential improvements to the stormwater infrastructure in Edmands Park. This discussion should also include (a) which city department(s) are responsible for the Park; (b) flooding issues from the Park to neighboring properties; (c) the condition of the Parks infrastructure, including the liner that was installed in the pond in the 1970s; and (d) how improvements to the Park could be part of the city's phosphorus reduction plan.