



## City Council Docket

November 8: Programs & Services, and Public  
Facilities, and Public Safety & Transportation  
November 13: Zoning & Planning and Finance  
November 14: Land Use

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Continued

**Monday, November 6, 2023**

7:45 PM, Hybrid  
To be reported on

**Monday, November 20, 2023**

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

<https://newtonma.gov.zoom.us/j/82805532060>

One tap mobile

US: +13092053325, 828 0553 2060#

Land line

+1 309 205 3325 US

Webinar ID: 828 0553 2060

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 to be Assigned for November 14, 2023***

**#333-23**      **Request to extend a nonconforming two-family dwelling use at 27-29 Kilburn Road**  
LINDA FINGUERRA petition for SPECIAL PERMIT/SITE PLAN APPROVAL to enclose two open porches, further extending the nonconforming use at 27-29 Kilburn Road, Ward 3, West Newton, on land known as Section 33 Block 32 Lot 24, containing approximately 8,551 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 3.4.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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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.

***Public Hearing to be Assigned for November 14, 2023***

**#335-23 Request to allow for-profit educational use, non-profit educational uses requiring a parking waiver, agricultural use and to waive 12 parking stalls at 297 Lowell Avenue**  
SAINT JOHN'S EPISCOPAL CHURCH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legitimize the current uses on site, to allow for proposed for-profit and non-profit educational tenants, to allow for farm-share distribution use, and to waive required parking stalls at 297 Lowell Avenue, Ward 2, Newtonville, on land known as Section 24 Block 14 Lot 01, containing approximately 44,854 sq. ft. of land in a district zoned SINGLE RESIDENCE 32. Ref: Sec. 7.3.3, 4.4.1, 6.3.14.B.1.b, 6.3.14.B.2, 3.4.1, 5.1.4, 5.1.13, 7.8.2.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for November 14, 2023***

**#336-23 Request to further extend a nonconforming front setback and nonconforming lot coverage at 62 Maple Street (Newton Corner)**  
JOHN LEDOYT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a covered farmer's porch at the front entry, further extending the nonconforming front setback and lot coverage at 62 Maple Street, Ward 1, Newton, on land known as Section 71 Block 10 Lot 02, containing approximately 4,765 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for November 14, 2023***

**#337-23 Request to decrease nonconforming open space at 35-37 William Street**  
TRAOLACH CAHILLANE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to legalize paving at the rear of the property, resulting in a reduction in the site's open space at 35-37 William Street, Ward 1, Newton, on land known as Section 71 Block 08 Lot 13, containing approximately 3,906 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 3.4.3.A.1, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for November 21, 2023***

**#338-23 Request to exceed FAR at 538 Ward Street**  
GRACE AND SCOTT OFFEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze a portion of the existing dwelling and construct two-story additions to the front, side and rear of the structure, exceeding maximum FAR at 538 Ward Street, Ward 2, Newton Centre, on land known as Section 13 Block 32 Lot 05, containing approximately 16,575 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for November 21, 2023***

**#339-23 Request to amend the site plans associated with Special Permits #480-14(4) and #327-21 and associated relief relative to parking at 283 Melrose Street**  
TURTLE LANE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the site plans associated with special permits #480-14(4) and #327-21 to reflect changes to the configurations of the buildings and paved areas and to waive certain associated parking

and screening dimensional requirements at 283 Melrose Street, Ward 4, Auburndale, on land known as Section 41 Block 14 Lot 10, containing approximately 43,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 5.1.8.A.2, 5.1.13, 5.1.8.B.2, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.A, 5.1.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing to be Assigned for November 21, 2023***

- #340-23 Request to allow indoor vehicle sales and service at 32 Needham Street**  
SAFI BARQAWI AND STUART SMITH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to introduce vehicle sales in a 2,486 square foot indoor space formerly occupied by a retail showroom at 32 Needham Street, Ward 8, Newton Highlands, on land known as Section 83 Block 11 Lot 14, containing approximately 14,865 sq. ft. of land in a district zoned MIXED USE 2. Ref: Sec. 7.3.3, 4.4.1, 6.3.14.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**Referred to Zoning & Planning Committee**

- #341-23 Appointment of James Miller to the Auburndale Historic District Commission**  
HER HONOR THE MAYOR appointing James Miller, 85C Seminary Ave, Auburndale as an alternate member of the Auburndale Historic District Commission for a term of office set to expire on June 6, 2024. (60 Days: 01/05/23)
- #342-23 Discussion and possible amendment to inclusionary zoning ordinance**  
COUNCILORS LUCAS, LAREDO, MARKIEWICZ, OLIVER, GREENBERG, WRIGHT, CROSSLEY, BOWMAN, DANBERG, NOEL, RYAN, GENTILE, LEARY, LIPOF, ALBRIGHT AND MALAKIE requesting a discussion with the Planning & Development Department about the city's Inclusionary Zoning Ordinance and possible amendments to the ordinance to include 4-6 units.

**Referred to Programs & Services Committee**

- #343-23 Reappointment of Nancy Krintzman to the Commission on Disability**  
HER HONOR THE MAYOR reappointing Nancy Krintzman, 677 Winchester Street, Newton as a member of the Commission on Disability for a term of office set to expire on September 20, 2026. (60 Days: 01/05/23)
- #344-23 Appointment of Andria Tieman Michney as a Newton Library Trustee**  
HER HONOR THE MAYOR appointing Andria Tieman Michney, 9 Elmwood Park, Newton as a Newton Library Trustee for a term of office set to expire on June 30, 2025. (60 Days: 01/05/23)
- #345-23 Appointment of Emma Zhang as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Emma Zhang of Newton South High School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**#346-23 Appointment of Zach Gusenoff as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Zach Gusenoff of Newton South High School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**#347-23 Appointment of Sarina Chand as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Sarina Chand of Newton South High School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**#348-23 Appointment of Phoebe Anthony as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Phoebe Anthony of Newton South High School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**#349-23 Appointment of Nick Makura as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Nick Makura of The Roxbury Latin School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**#350-23 Appointment of Chloe Lee as a member of the Youth Commission**  
HER HONOR THE MAYOR appointing Chloe Lee of Newton North High School as a member of the Youth Commission for a term of office set to expire on November 30, 2026. (60 Days: 01/05/23)

**Referred to Public Safety & Transportation Committee**

**#351-23 Requesting change in the overnight winter parking ban ordinance to allow folks who have permits be able to park in city lots during snow emergencies**  
COUNCILOR GREENBERG AND DOWNS requesting change in the overnight winter parking ban ordinance to allow folks who have permits be able to park in city lots during snow emergencies. To begin this winter 2023.

**Referred to Public Facilities Committee**

***Public Hearing to be Assigned for November 8, 2023***

**#352-23 Request for a grant of location in Commonwealth Avenue, Grafton Street, Centre Street, Ward Street and Waverly Avenue**  
THE MASSACHUSETTS WATER RESOURCES AUTHORITY petition for a grant of location to install and maintain water main as follows:

- Installation of approximately 3,800 feet of new 24-inch diameter water main and appurtenances which will serve as an extension of MWRA pipeline Section 75.

- The new pipe will extend the existing MWRA 30-inch, Section 75, pipeline on Commonwealth Avenue to connect with the existing MWRA 24-inch, Section 24, at the intersection of Ward Street and Waverly Avenue.
- The work will include all required fittings, valves, air valves, and blow-offs for the pipeline as well as a new revenue meter (Meter 87).
- Also included is a connection to the City of Newton 20-inch water main on Ward Street including a gate valve and all related appurtenances.

***Public Hearing to be Assigned for November 28, 2023***

**#353-23 5-58 for the Countryside School Project at 191 Dedham St.**

DESIGN REVIEW COMMITTEE petition, pursuant to 5-58, for schematic design and site plan approval at 191 Dedham Street for the design of a new 76,000 SF Countryside School located on the corner of Dedham and Walnut Streets.

**Referred to Finance Committees**

**#354-23 Appropriate and expend \$3,000 from Handicapped Parking Fines-Disability Commission Receipts Reserved for Appropriations Account**

HER HONOR THE MAYOR requesting authorization to appropriate and expend three thousand dollars (\$3,000) from Handicapped Parking Fines-Disability Commission Receipts Reserved for Appropriations Account 5500-335518 to conduct the 2023 Holiday Targeted Enforcement of the accessible parking violations, "Operation Access", to cover overtime pay for the Newton Police Department from November 24, 2023 through December 31, 2023.

**#355-23 Appropriate \$612,134.74 for the full and final settlement of Anastasia et al. v. City of Newton**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of six hundred twelve thousand, one hundred thirty-four dollars and seventy-four cents. (\$612,134.74) from Acct # 0001-3240 June 30, 2023 Certified Free Cash, to Acct# 0110841-572500, Legal Claims/Settlements. This payment for full and final settlement of the case of Anastasia et al. v. City of Newton (Middlesex Superior Court Civil Action No. 2082-CV-01172).

**#356-23 Acceptance of \$68,000 grant from MassDEP**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of sixty-eight thousand dollars (\$68,000) from the MassDEP Recycling Grant for the purpose of aiding waste diversion efforts, grant-eligible recycling services at the Resource Recovery Center, equipment to improve the City's recycling and organics collection infrastructure, educational materials and outreach activities.

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

**#357-23**

**Transfer \$446,104.67 to Health & Human Services Department**

HER HONOR THE MAYOR requesting authorization to transfer the sum of four hundred forty-six thousand, one hundred four dollars and sixty-seven cents (\$446,104.67) from June 30, 2023 Certified Free Cash (0001-3240) into Health & Human Services Department for purposes of opioid mitigation.

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

**#358-23**

**Transfer \$130,000 to Clinical Health-Temp Staffing**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thirty thousand dollars (\$130,000) into Clinical Health-Temp Staffing to address a few school nurse vacancies with agency nurses.

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

**#359-23**

**Appropriate \$2,400,000 for Synthetic Turf Carpet at Newton North High School's Dickinson Field**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two-million four-hundred thousand dollars (\$2,400,000) from June 30, 2023 Certified Free Cash (0001-3240) for synthetic turf carpet and infill materials, installation, and construction oversight to replace the synthetic turf field at Newton North High School's Dickinson Field and to resurface the perimeter track.

**Referred to Public Facilities and Finance Committees**

**#360-23**

**Appropriate \$74,730,950 for the construction of the Countryside School project**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of seventy-four million, seven-hundred thirty thousand, nine-hundred fifty dollars (\$74,730,950) and authorize a general obligation borrowing of an equal amount for the construction of the Countryside School project and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount. The amount authorized to be borrowed by and under this order shall be reduced to the extent that any grants are received by the City from the Massachusetts School Building Authority (MSBA) for this project.

**Referred to Public Facilities and Finance Committees**

**#361-23**

**Authorization to reduce the bond authorization for the Lincoln-Eliot Elementary School project, in the amount of \$5,109,609**

HER HONOR THE MAYOR requesting authorization to reduce the bond authorization (CO#369-22) for the Lincoln-Eliot Elementary School project, in the amount of five-million one-hundred nine-thousand six-hundred nine dollars (\$5,109,609).

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee:*

**Referred to Public Safety & Transportation Committee**

**#362-23**

**Shorten the duration of the winter parking ban**

COUNCILORS KELLEY AND ALBRIGHT, requesting a discussion and amendment to Chapter 19 Sec-174 (b) of the City of Newton Ordinances to shorten the duration of the winter parking ban to begin on January 1st and end on March 1st.