



City Council Reports Docket

April 8: Land Use
April 9: Public Facilities and Programs &
Services
April 14: Finance & Zoning & Planning
April 15: Land Use

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7:00PM, Hybrid
To be reported on
Tuesday, April 22, 2025

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers
Tuesday, April 22, 2025, at 7:00 PM. To view this meeting on Zoom use this link

<https://newtonma-gov.zoom.us/j/84641881549>

at the above date and time:

One tap mobile

US: +13092053325, 846 4188 1549

Land line

+1 309 205 3325 US

Webinar ID: 846 4188 1549

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>

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City of Newton

In City Council Items to be Acted Upon

¹ 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.

Unfinished Council Business

- #369-24 Requesting discussion and amendments to Accessory Dwelling Unit (ADU) Ordinance**
HER HONOR THE MAYOR requesting discussion and amendments to Newton's Accessory Dwelling Unit (ADU) Ordinance, so it complies with the State's Zoning Act (Ch. 40A).
Zoning & Planning Held on 10/10/2024
Zoning & Planning Held 8-0 on 12/19/2024
Zoning & Planning Held; Public Hearing Set for 02/26/2025 8-0 on 01/13/2025
Zoning & Planning Held 8-0 on 02/10/2025
Zoning & Planning Held 7-0 on 02/26/2025
Zoning & Planning Held 8-0 on 03/10/2025
Zoning & Planning Approved 8-0 on 03/24/2025
Item Chartered by Councilor Albright on 04/07/2025
- #369-24(2) Requesting discussion and amendments to Accessory Dwelling Unit (ADU) Ordinance**
ZONING & PLANNING COMMITTEE requesting discussion and possible amendments to Chapter 30, Zoning regarding Accessory Dwelling Units (ADU) in addition to those needed to comply with recent changes to the State's Zoning Act (Ch. 40A).
Zoning & Planning Held 8-0 on 01/13/2025
Zoning & Planning Held 8-0 on 01/27/2025
Zoning & Planning Held 8-0 on 02/10/2025
Zoning & Planning Held 7-0 on 02/26/2025
Zoning & Planning Held 8-0 on 03/10/2025
Zoning & Planning Approved 5-1-2 (Councilor Baker Opposed) (Councilors Albright, Danberg Abstained) on 03/24/2025
Item Chartered by Councilor Oliver on 04/07/2025

Referred to Land Use Committee

04/08/2025

Present: Councilors Kelley (Chair), Block, Downs, Farrell, Leary, Lobovits, and Lucas; absent: Councilor Laredo; also present: Councilors Albright, Malakie, Micley and Wright

- #75-25 Request to allow a Marijuana Transporter at 16 Maguire Court**
RONALD SCHIAVONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to introduce a marijuana transporter use to the site, where a marijuana delivery operator currently exists at 16 Maguire Court, Ward 2, Newton, on land known as Section 23 Block 16 Lot 03, containing approximately 5,024 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 4.4.1, 6.10.3.B.8 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0

- #76-25 Request to amend Special Permit #419-22 and to allow a three-story structure at 148 Auburndale Avenue**
CHRISTOPHER AND GRETCHEN RUTAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #419-22 to allow for a change to the configuration of the rear addition which results in a three-story structure at 148 Auburndale Avenue, Ward 3, West Newton, on land known as Section 33 Block 18 Lot 03, containing approximately 6,616 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0
- #77-25 Request to exceed FAR at 71 Commonwealth Avenue**
O COMM AVE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new two-family dwelling exceeding FAR and with over-sized dormers at 71 Commonwealth Avenue, Ward 7, Chestnut Hill, on land known as Section 63 Block 01 Lot 13, containing approximately 10,009 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.2.3, 3.2.11 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0
- #422-24 Request to allow four attached single-family dwellings with dimensional and parking waivers at 640 Watertown Street**
BRENDON-SILVA LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct four attached single-family dwellings with dimensional and parking waivers at 640 Watertown Street, Ward 2, Newtonville, on land known as Section 21 Block 26 Lot 18, containing approximately 16,020 sq. ft. of land in a district zoned MULTI RESIDENCE 1 Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0 on 11/19/2024
Land Use Approved 6-1 (Councilor Block Opposed)
- #69-25 Request to allow four attached single-family dwellings at 75 Prescott Street**
75 PRESCOTT STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition of two dwelling units resulting in four attached single-family dwellings with associated dimensional relief for the building and parking configuration at 75 Prescott Street, Ward 2, Newtonville, on land known as Section 23 Block 15 Lot 16, containing approximately 18,630 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 7.8.2.C.2, 5.1.7.A, 5.1.13, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0 on 04/01/2025
Land Use Approved 7-0

Referred to Land Use Committee

04/15/2025

Present: Present: Councilors Kelley (Chair), Downs, Farrell, Laredo, Leary, Lobovits, and Lucas; absent: Councilor Block; also present: Councilors Albright, Getz, Greenberg, Malakie, Oliver and Wright

- #7-25 Request to amend Special Permit #426-18 at 55 Tower Road**
NORTHLAND PATTERN DISTRICT LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #426-18 to eliminate five buildings, convert Building 1 from office space to residential use, increase the number of residential units by 22 units, modify building designs of certain proposed buildings, and alter surface and structured parking at 55 Tower Road, also known as 400 Main Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 28 Lot 05, containing approximately 22.6 acres of land in a district zoned BUSINESS4. Ref: Secs. 7.3.3, 5.13, and 5.13.7 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0 on 02/04/2025
Land Use Held 7-0 on 03/25/2025
Land Use Approved 7-0

Referred to Zoning & Planning Committee

04/14/2025

Present: Present: Councilors Baker (Chair), Oliver, Albright, Wright, Krantzman, Getz, and Kalis; absent: Councilor Danberg; also present: Councilors Lucas, Kelley, Malakie, and Farrell

- #28-25 Request for addition of maximum residential facade build out ratio to Chapter 30, Zoning**
ZONING & PLANNING COMMITTEE requesting addition of a maximum residential facade build out ratio to Chapter 30, Zoning to aid in new development being contextual to the surrounding neighborhood.
Zoning & Planning Held; Public Hearing Set for 03/24/25 6-0 (Councilor Kalis Not Voting) on 02/26/2025
Zoning & Planning Held 8-0 on 03/24/2025
Zoning & Planning Held 7-0
- #41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings**
COUNCILORS ALBRIGHT, DANBERG, KRINTZMAN, AND LEARY seeking a discussion with the Planning Department to consider ordinance amendments that would revise the metrics in the multi-residence (MR1, MR2 and MR3) zones, to regulate the size of new buildings better, enable a wider range of housing options close to public transit, and better incentivize preservation and renovation of existing housing stock.
Zoning & Planning Held on 02/15/2024, 03/11/2024, 04/08/2024, 05/13/2024, 07/22/2024, 09/09/2024, 10/10/2024, 10/28/2024

Zoning & Planning Held 8-0 on 11/14/2024
Zoning & Planning Held 8-0 on 12/19/2024
Zoning & Planning Held 8-0 on 01/27/2025
Zoning & Planning Held 6-0 (Councilor Kalis Not Voting) on 02/26/2025
Zoning & Planning Held 8-0 on 03/24/2025
Zoning & Planning Held 7-0

#44-24 Requesting re-evaluation and possible amendments to Inclusionary Zoning Ordinance
COUNCILORS DANBERG, ALBRIGHT, KALIS, WRIGHT, OLIVER, MALAKIE, LIPOF, LUCAS, AND GETZ requesting a discussion with the Planning and Development Department and the Newton Housing Partnership about the City's Inclusionary Zoning Ordinance and possible amendments to the ordinance to include 4-6 units, including raising the requirements for the number of affordable units in large developments.
Zoning & Planning Held 8-0 on 03/25/2024
Zoning & Planning Held 8-0 on 09/23/2024
Zoning & Planning Held 8-0 on 01/27/2025
Zoning & Planning Held 7-0

#45-24 Discussion and Possible Amendment to Inclusionary Zoning Ordinance to include Training
COUNCILORS DANBERG, BIXBY, MALAKIE, DOWNS, WRIGHT, AND GETZ requesting discussion and possible amendment to require that developers and property managers provide training for their employees regarding bias toward residents of the IZ units and how to mitigate this bias.
Zoning & Planning Held 8-0 on 03/25/2024
Zoning & Planning Held 8-0 on 09/23/2024
Zoning & Planning Held 8-0 on 01/27/2025
Zoning & Planning Held 7-0

#63-25 Appointment of Andrew Copelotti to the Economic Development Commission
HER HONOR THE MAYOR appointing Andrew Copelotti, 63 Broken Tree Road, Newton as a member of the Economic Development Commission for a term of office to expire on April 22, 2028. (60 Days: 05/16/2025)
Zoning & Planning Approved 5-1-1 (Councilor Oliver Opposed) (Councilor Wright Abstained)

#70-25 Appointment of David Hedison to the BERDO Advisory Commission
PRESIDENT LAREDO appointing David Hedison, 215 Waverley Ave, Newton as a member of the BERDO Advisory Commission for a term of office to expire one year following the effective date of the BERDO Regulations. (60 Days: 06/06/2025)
Zoning & Planning Approved 7-0

- #72-25** **Appointment of Mark Clay to the BERDO Advisory Commission**
PRESIDENT LAREDO appointing Mark Clay, 250 Hammon Pond Parkway, Chestnut Hill as a member of the BERDO Advisory Commission for a term of office to expire one year following the effective date of the BERDO Regulations. (60 Days: 06/06/2025)
Zoning & Planning Approved 7-0
- #74-25** **Appointment of Dante Capasso to the BERDO Advisory Commission**
PRESIDENT LAREDO appointing Dante Capasso, 5 Ionia Street, Newton as a member of the BERDO Advisory Commission for a term of office to expire one year following the effective date of the BERDO Regulations. (60 Days: 06/06/2025)
Zoning & Planning Approved 7-0
- #85-24** **Request for discussion and possible amendments to enhance the preservation of existing homes.**
COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, WRIGHT, BLOCK, AND FARRELL requesting a discussion and possible amendments to Chapter 30 Zoning or other City Ordinances to enhance the preservation of existing homes over their replacement by larger and more expensive structures.
Zoning & Planning Held on 02/15/2024, 03/11/2024, 04/08/2024, 05/13/2024, 07/22/2024, 09/09/2024, 10/10/2024, 10/28/2024
Zoning & Planning Held 8-0 on 11/14/2024
Zoning & Planning Held 8-0 on 12/19/2024
Zoning & Planning Held 8-0 on 01/27/2025
Zoning & Planning Held 6-0 (Councilor Kalis Not Voting) on 02/26/2025
Zoning & Planning Held 8-0 on 03/24/2025
Zoning & Planning Held 7-0

Referred to Programs & Services Committee

04/09/2025

Present: Present: Councilors Krintzman (Chair), Oliver, Micley, Malakie, Humphrey, Baker, and Farrell; absent: Councilor Lobovits; also present: Councilor Wright

- #47-25** **Appointment of Rabbi Keith Stern as Newton Library Trustee**
HER HONOR THE MAYOR appointing Rabbi Keith Stern, 115 Hunnewell Avenue, Newton as a member of the Newton Library Trustee for a term of office set to expire on June 30, 2029. (60 Days: 05/02/2025)
Programs & Services Approved 7-0
- #55-25** **Resolution to Recognize the Newton Cultural Council**
COUNCILORS ALBRIGHT, DANBERG, HUMPHREY, DOWNS, KALIS, KRINTZMAN, GETZ, LAREDO, BIXBY, WRIGHT, LIPOF, AND LOBOVITS requesting a resolution to formally recognize the Newton Cultural Council.
Programs & Services Approved 7-0

#71-25 Recommendation to approve 2025 Preliminary Election date
THE NEWTON ELECTION COMMISSIONERS recommending the City Council approve the date of Tuesday, September 9, 2025 as the date for the 2025 Preliminary Election, if needed.

Programs & Services Approved 7-0

#79-25 Appointment of Michelle Howard-Sparks to the Institutional Biosafety Committee

PRESIDENT LAREDO appointing Michelle Howard-Sparks, 51 Jackson Rd, Newton, to the Institutional Biosafety Committee for a term of office to expire April 22, 2028. (60 days: 06/06/25).

Programs & Services Approved 7-0

#90-24 Requesting update on leaf-blower landscaper registration and enforcement ordinance

COUNCILORS BAKER, MALAKIE, LOBOVITS, WRIGHT, BLOCK, AND FARRELL requesting a discussion with the Commissioner of Inspectional Services and the Chief of Police, and responsible members of their Departments as to the progress in securing compliance with the leaf-blower provisions of Newton's noise ordinance requiring landscaper registration and lawful operation of noise-compliant equipment, including the reporting and enforcement work by those Departments.

Programs & Services Held 6-0 on 03/20/2024

Programs & Services Held 4-0 (Councilor Farrell Not Voting) on 09/18/2024

Programs & Services Held 7-0

Referred to Public Facilities Committee

06/05/2024

Present: Councilors Albright (Chair), Getz, Laredo, Kalis, Kelley, Leary, Gentile, and Danberg

#214-24 Discussion on the Transportation Network Improvement Plan

DEPARTMENT OF PUBLIC WORKS requesting to provide an update on the Transportation Network Improvement Plan

Public Facilities Held 7-0 (Councilor Leary Not Voting) on 06/05/2024

Public Facilities Voted No Action Necessary 6-0

Referred to Finance Committee

04/14/2025

Present: Councilors Gentile (Chair), Malakie, Greenberg, Humphrey, Bixby, and Grossman;
absent: Councilors Lipof and Micley

- #84-25 Authorization to accept and expend a gift of up to \$59,400 for playground improvements**
HER HONOR THE MAYOR requesting authorization to accept and expend a gift of [up to fifty-nine thousand four hundred dollars (\$59,400)] from the Angier Elementary School PTO for the purchase and installation of a playground swing set and other playground improvements.
Finance Approved 6-0
- #85-25 Request for authorization to appropriate and expend \$28,763 for Veterans Services legal settlement**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of twenty-eight thousand seven hundred and sixty-three dollars (\$28,763) from June 30, 2024 Certified Free Cash to Acct# 0110841-572500 Legal Settlements to pay a veterans' benefit settlement case.
Finance Approved 6-0
- #88-25 Submittal of the ACFR, and external audit reports**
COMPTROLLER transmitting the Annual Comprehensive Financial Report and external audit reports for fiscal year ending June 30, 2024 for City Council review/acceptance.
Finance voted to accept the ACFR and external audit reports 6-0