



## City Council Reports Docket

March 18: Public Facilities, Programs & Services  
March 23: Zoning & Planning, Finance  
March 24: Land Use

Page 90  
7:45 PM, Virtual  
To be reported on  
Monday, April 6, 2020

The City Council will hold this meeting as a virtual Zoom meeting on Monday, April 6, 2020 at 7:45 pm.  
To view this meeting use this link at the above date and time: <https://zoom.us/j/933243865>

Meeting ID: 933 243 865

One tap mobile  
+16465588656,,933243865#US (New York)

Land line  
+1 646 558 8656 US (New York)  
Meeting ID: 933 243 865

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. Viewing a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

### City of Newton In City Council Items to be Acted Upon

#### Referred to Land Use Committee

Tuesday, March 24, 2020

Present: Councilors Lipof (Chair), Kelley, Greenberg, Markiewicz, Downs, Bowman, Laredo and Auchincloss; also Present: Councilors Ciccone Albright, Wright, Gentile, Krintzman, Crossley and Humphrey

**#25-20**

#### **Special Permit Petition to allow marijuana retailer at 1158 Beacon Street**

UNION TWIST, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to waive the minimum driveway width for two-way traffic, to waive perimeter screening requirements and to waive lighting requirements at 1158 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot

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.

49A, containing approximately 20,443 sq. ft. of space in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.10, 5.1.13, 5.1.8.D.1, 5.1.9.A of the City of Newton Rev Zoning Ord, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**#26-20  
Zone**

**Request to Rezone Approximately 4.4 acres to MU-3 to Create a Contiguous MU-3**

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3, 4, and 4A, abutting the existing MU-3 Zone.

**Land Use Held 8-0; Public Hearing Continued**

**#27-20**

**Petition to allow Mixed Use Transit Oriented Development at Riverside Station**

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development of residential units, office, retail, personal services, restaurant, hotel, and related commercial uses not to exceed 1,025,000 square feet of gross floor area, with residential uses comprising not less than 60% of the total gross floor area with a residential density of not less than 800 square feet per unit with not less than 560 units nor more than 620 units with special permit relief and/or waivers as follows: as to dimensional standards, a development of more than 20,000 square feet of gross floor area, building height of up to 170 feet, buildings up to 11 stories, Floor Area Ratio of up to 2.5, beneficial open space of not less than 15%, increase of height of certain buildings with the Grove Street Area Corridor (to the extent necessary), and reduction in setback from Grove Street for certain buildings within the Grove Street Corridor Area (to the extent necessary); as to design standards, waiver of the sustainable development design standards and placement of a retaining wall greater than 4 feet in height located in a setback; as to uses, for-profit educational use, retail sales of over 5,000 square feet, restaurant with more than 5,000 square feet of gross floor area, personal service use of over 5,000 square feet, place of amusement, health club on ground floor, animal services, hotel, bank up to and over 5,000 square feet, theatre/hall, laboratory/research facility, parking facility, accessory, multi-level, parking facility, non-accessory, single level; as to parking, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, and waiver of parking stalls not to exceed 685 stalls, above and beyond the reductions specified above; as to parking facilities, waivers of the parking stall dimension requirements, the end stall maneuvering space requirements, the driveway entrance and exit requirements, the 5% interior landscaping requirements, the interior planting area requirements, the tree requirements, the bumper overhang requirements, the one-foot candle lighting requirement, the parking stall striping requirements (to the extent

necessary), the curbing, wheel stop, guard rail, or bollard requirements, and the number of off-street loading facilities requirements; and as to signage, waiver of the number, size, type, location, and design requirements, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 4.2.2.B.1, 4.2.2.B.3, 4.2.3, 4.2.4, 4.2.4.A.4, 4.2.4.B.3, 4.2.4.G.2, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.12.B.4, 5.1.13, 5.2, 5.2.13, 5.4.2.B, 5.12, 6.4.29.C.5, 7.3.3, 7.3.5, 7.4 of the City of Newton Revised Zoning Ordinance, 2017. Additionally, as to infiltration and inflow mitigation, an abatement of the infiltration/inflow mitigation fee pursuant to Section 29-170 of the City of Newton Revised Zoning Ordinance, 2017.

**Land Use Held 8-0; Public Hearing Continued**

**Referred to Zoning & Planning Committee**

Monday, March 23, 2020

Present: Councilors Crossley (Chair), Danberg, Albright, Ryan, Krintzman, Leary, Wright, and Baker; also present: Councilors Bowman, Downs, Laredo, Kelley, Lipof, Gentile, Markiewicz, Auchincloss, and Greenberg

**#178-20      Adoption of the Open Space and Recreation Plan Update**

DIRECTOR OF PLANNING requesting discussion of the 2020-2027 Open Space and Recreation Plan, a letter stating that the Zoning and Planning Committee reviewed the Plan, and adoption of the plan as an amendment to the 2007 Comprehensive Plan.

**Zoning and Planning Held 8-0**

**#88-20      Discussion and review relative to the draft Zoning Ordinance**

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

**Zoning and Planning Held 8-0**

**#30-20      Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**

COUNCILOR ALBRIGHT requesting amendment to Chapter 30 of Newton's Zoning Ordinance, section 3.4.4 on garages (delayed implementation until July 1). This ordinance has been delayed five times.

**Zoning and Planning Held 8-0**

**#38-20      Request for discussion relative to single-family attached dwellings**

COUNCILOR LAREDO requesting a review of the zoning requirements for single-family attached dwelling units.

**Zoning and Planning Held 8-0**

- #148-20      Request to amend Chapter 30 to eliminate parking minimums**  
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS, GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing, and support the climate action goals.  
**Zoning and Planning Held 8-0**

**Referred to Programs & Services Committee**

Wednesday, March 18, 2020

Present: Councilors Krintzman (Chair), Noel, Albright, Humphrey, Baker, Greenberg, Wright, and Ryan

- #104-20      Appointment of Julie Winsett to the Urban Tree Commission**  
HER HONOR THE MAYOR appointing Julie Winsett, 33 Alexander Road, Newton Highlands, as a member of the URBAN TREE COMMISSION for a term to expire on March 1, 2023. (60 days: 04/03/20)  
**Programs and Services Approved 8-0**
- #123-20      Appointment of Murali Vemula to the Health and Human Services Advisory Council**  
HER HONOR THE MAYOR appointing Murali Vemula, 59 E Quinobequin Road, Waban, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire on January 1, 2023. (60 days: 04/18/20)  
**Programs and Services Approved 8-0**
- #154-20      Appointment of Silka Rothschild to the Newton Community Education Commission**  
COUNCILOR ALBRIGHT requesting the appointment of Silka Rothschild, 46 Alderwood Road, Newton, as a member of the NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on December 31, 2021. (60 days: 05/01/20)  
**Programs and Services Approved 8-0**
- #155-20      Appointment of John R. Oliver to the Newton Community Education Commission**  
COUNCILOR ALBRIGHT requesting the appointment of John R. Oliver, 14 Wyoming Road, Newton, as a member of the NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on December 31, 2021. (60 days: 05/01/20)  
**Programs and Services Approved 8-0**
- #184-20      Request to authorize the use of remote participation in Council meetings**  
COUNCILOR ALBRIGHT requesting to authorize the use of remote participation for City Council meetings.  
**Programs and Services Held 8-0**

**#48-20**

**Request for a discussion regarding Senior Services outreach**

COUNCILORS ALBRIGHT AND GREENBERG requesting a discussion with the Department of Senior Services regarding outreach and services to the growing number of Newton residents who are 85 and older yet living alone. Discussion should focus on the City's efforts to provide a program; whether through current programs or proposed alternatives.

**Programs and Services Held 8-0**

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

**#199-20**

**Transfer of \$250,000 to prepared for COVID-19**

HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred and fifty thousand dollars (\$250,000) from June 30, 2019 Certified Free Cash to Acct #0121030-543500 Emergency Operations-Supplies account for the purpose of being prepared to act, should the need arise.

**Finance Approved 6-0 on 03/23/2020**

**Programs & Services Approved 8-0**

**Referred to Programs & Services, Public Facilities and Finance Committees**

**#200-20**

**Accept \$270,000 of lighting equipment for Winkler Stadium Field**

HER HONOR THE MAYOR requesting authorization to accept \$270,000 of lighting equipment as well as authorization to accept more funds to be expended on the installation of a field light system for the Newton South High School Winkler Stadium Field which is on Newton Parks and Recreation property. The funds are being donated by the Newton South High School Booster Club.

**Finance Approved Subject to Second Call 4-0-2 (Councilors Kalis and Malakie abstaining) on 03/23/2020**

**Public Facilities Approved 6-0-1 (Councilor Kalis abstaining and Councilor Gentile recused) on 03/18/2020**

**Programs & Services Approved 8-0**

**Referred to Public Facilities Committee**

Wednesday, March 18, 2020

Present: Councilors Leary (Chair), Kelley, Crossley, Norton, Laredo, Danberg, Kalis and Gentile; also present: Councilor Downs

**#159-20**

**Eversource Energy petition for a Grant of Location on Harvard Street**

EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #1515/2) to the southerly side of Farquhar Road in front of #20 Harvard Street (Ward 2).

**Public Facilities Approved 8-0**

- #188-20      Eversource Energy petition for a Grant of Location on Duffield Road**  
EVERSOURCE ENERGY petitioning for a grant of location to relocate one pole (JO Pole #125/4) approximately 30' south of the existing pole location in front of #34 Duffield Road (Ward 4).  
**Public Facilities Approved 8-0**
- #189-20      Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 250' of 4" conduit in a westerly direction from existing manhole 16/314A to a proposed hand hole between building 721-719 Washington Street (Ward 2). This is needed for Newton's Network Transformation Project.  
**Public Facilities Approved 8-0**
- #190-20      Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 160' of 4" conduit in a westerly direction from existing manhole 16/211 to the alley of the Post Office at 897 Washington Street to provide FIOS (Ward 2). This is needed for Newton's Network Transformation Project  
**Public Facilities Approved 8-0**
- #191-20      Verizon petition for a Grant of Location on Washington Street**  
VERIZON petitioning for a grant of location to install approximately 40' of 4" conduit from existing manhole 211 in a southeasterly direction to existing pole 94 located in the sidewalk on the southerly side of Washington Street (Ward 2).  
**Public Facilities Approved 8-0**

**Referred to Programs & Services, Public Facilities and Finance Committees**

- #200-20      Accept \$270,000 of lighting equipment for Winkler Stadium Field**  
HER HONOR THE MAYOR requesting authorization to accept \$270,000 of lighting equipment as well as authorization to accept more funds to be expended on the installation of a field light system for the Newton South High School Winkler Stadium Field which is on Newton Parks and Recreation property. The funds are being donated by the Newton South High School Booster Club.  
**Programs & Services Approved 8-0 on 03/18/2020**  
**Finance Approved Subject to Second Call 4-0-2 (Councilors Kalis and Malakie abstaining) on 03/23/2020**  
**Public Facilities Approved 6-0-1 (Councilor Kalis abstaining and Councilor Gentile recused)**

**Referred to Public Facilities and Finance Committees**

**#196-20**

**Transfer of \$60,000 for HVAC system at Police Headquarters**

HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Current Year Budget Reserve to a non-lapsing Public Buildings Department account for the evaluation and recommendations for the upgrade of the Police Headquarters HVAC System.

**Finance Approved 6-0 on 03/23/2020**

**Public Facilities Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#197-20**

**Transfer of \$500,000 for improvements at Horace Mann at 225 Nevada Street**

HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from June 30, 2019 Certified Free Cash for the purpose of providing interior and exterior improvements at the Horace Mann School at 225 Nevada Street.

**Finance Approved as Amended to \$150,000 for improvements at Horace Mann at 225 Nevada Street 6-0 on 03/23/2020**

**Public Facilities Approved 8-0**

**Referred to Public Facilities and Finance Committees**

**#201-20**

**Transfer of \$650,000 for the purpose of reimbursing Newton Public Schools**

HER HONOR THE MAYOR requesting authorization to transfer the sum of six hundred and fifty thousand dollars (\$650,000) from June 30, 2019 Certified Free Cash to the Newton Public Schools for the purpose of reimbursing Newton Public Schools for one-time costs associated with several projects that were necessary to accomplish the move of the Horace Mann Elementary School community to the former Carr School on Nevada Street.

**Finance Approved 6-0 on 03/23/2020**

**Public Facilities Approved 6-0-2 (Councilors Laredo and Gentile abstaining)**

**Referred to Public Facilities and Finance Committees**

**#198-20**

**Appropriate \$7,000,000 for Water Main Improvements in FY2021**

HER HONOR THE MAYOR requesting authorization to appropriate and expend seven million dollars (\$7,000,000) and authorize a general obligation borrowing of an equal amount for the estimated design and construction costs associated with Water Main Improvements in FY2021 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.

**Finance Approved 6-0 on 03/23/2020**

**Public Facilities Approved 8-0**

**#117-20**

**Acceptance of a sewer extension and easement on Farwell Street**

HER HONOR THE MAYOR requesting the acceptance of 40 linear feet of sewer pipe as a public sewer and the acceptance of a 20' x 40' easement in property known as the Farwell Street Subdivision (Ward 3). The developer shall pay all costs associated with the construction of the sewer pipe and the direct connection to the MWRA trunk interceptor sewer line.

**Public Facilities Held 8-0, Public Hearing Continued on 03/18/2020**

**Referred to Finance Committee**

Monday, March 23, 2020

Present: Councilors Grossman (Chair), Malakie, Humphrey, Kalis, Norton and Noel; absent: Councilors Gentile and Ciccone; also Present: Councilor Lipof

**#192-20**

**Authorization to expend a Massachusetts Clean Energy Center grant of \$8,500**

HER HONOR THE MAYOR requesting authorization to accept and expend an eight thousand and five hundred dollars (\$8,500) grant from the Massachusetts Clean Energy Center (MassCEC) for marketing and technical advice for a "Heat Smart" program.

**Finance Approved 6-0**

**#193-20**

**Authorization to expend MassDOT Workforce Transportation grant of \$250,000**

HER HONOR THE MAYOR requesting authorization to accept and expend a two hundred and fifty thousand-dollar (\$250,000) MassDot Workforce Transportation grant for a new technology-enabled ride share shuttle for Newton's thriving Wells Avenue innovation district and the new UMass Amherst Mount Ida campus.

**Finance Approved 6-0**

**#194-20**

**Authorization to expend Executive Office of Elder Affairs grant of \$15,000**

HER HONOR THE MAYOR requesting authorization to accept and expend a fifteen-thousand-dollar (\$15,000) grant from the Executive Office of Elder Affairs to provide financial assistance for qualified seniors in the City of Newton to receive the services of Newton at Home Inc.

**Finance Approved 6-0**

**#195-20**

**Approve settlement of \$62,500 for Workers' Compensation Claim**

HER HONOR THE MAYOR requesting authorization to approve the settlement of Workers' Compensation Claim #003554 in the amount of sixty-two thousand five hundred thousand dollars (\$62,500). The funds will be appropriated from Acct# 67A109A-515201-Municipal Workers' Compensation.

**Finance Approved 6-0**

**Referred to Land Use and Finance Committees**



- #165-20**      **Requesting CPA funding be awarded to the Newton Housing Authority**  
COMMUNITY PRESERVATION COMMITTEE requesting that one million one hundred and five thousand (\$1,105,000) in CPA funding for the support of Community Housing be awarded to the Newton Housing Authority for the acquisition of the CAN-DO Housing Portfolio.  
**Land Use Approved 7-0 on 03/10/2020**  
**Finance Approved Subject to Second Call 4-0-1 (Councilor Malakie abstaining and Councilor Noel recused)**
- Referred to Public Facilities and Finance Committees**
- #196-20**      **Transfer of \$60,000 for HVAC system at Police Headquarters**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Current Year Budget Reserve to a non-lapsing Public Buildings Department account for the evaluation and recommendations for the upgrade of the Police Headquarters HVAC System.  
**Public Facilities Approved 8-0 on 03/18/2020**  
**Finance Approved 6-0**
- Referred to Public Facilities and Finance Committees**
- #198-20**      **Appropriate \$7,000,000 for Water Main Improvements in FY2021**  
HER HONOR THE MAYOR requesting authorization to appropriate and expend seven million dollars (\$7,000,000) and authorize a general obligation borrowing of an equal amount for the estimated design and construction costs associated with Water Main Improvements in FY2021 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.  
**Public Facilities Approved 8-0 on 03/18/2020**  
**Finance Approved 6-0**
- Referred to Public Facilities and Finance Committees**
- #197-20**      **Transfer of \$500,000 for improvements at Horace Mann at 225 Nevada Street**  
HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from June 30, 2019 Certified Free Cash for the purpose of providing interior and exterior improvements at the Horace Mann School at 225 Nevada Street.  
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**Finance Approved as Amended to \$150,000 for improvements at Horace Mann at 225 Nevada Street 6-0**
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**Programs & Services Approved 8-0 on 03/18/2020**

**Finance Approved 6-0**

**Referred to Programs & Services, Public Facilities and Finance Committees**

**#200-20      Accept \$270,000 of lighting equipment for Winkler Stadium Field**

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**Public Facilities Approved 6-0-1 (Councilor Kalis abstaining and Councilor Gentile recused) on 03/18/20**

**Programs & Services Approved 8-0 on 03/18/2020**

**Finance Approved Subject to Second Call 4-0-2 (Councilors Kalis and Malakie abstaining)**

**Referred to Public Facilities and Finance Committees**

**#201-20      Transfer of \$650,000 for the purpose of reimbursing Newton Public Schools**

HER HONOR THE MAYOR requesting authorization to transfer the sum of six hundred and fifty thousand dollars (\$650,000) from June 30, 2019 Certified Free Cash to the Newton Public Schools for the purpose of reimbursing Newton Public Schools for one-time costs associated with several projects that were necessary to accomplish the move of the Horace Mann Elementary School community to the former Carr School on Nevada Street.

**Public Facilities Approved 6-0-2 (Councilors Laredo and Gentile abstaining) on 03/18/2020**

**Finance Approved 6-0**