



City Council Reports Docket

RECEIVED
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June 20: Programs & Services, Public Safety, Public Facilities
June 25: Zoning & Planning, Finance
June 26: Land Use

Monday, June 18, 2018
Continued
Page 178
7:45 PM, Newton City Hall
To be reported on
Monday, July 9, 2018

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

Referred to Land Use Committee

#137-18

Petition to allow 18-unit multi family dwelling at 189-193 Adams St/19 Quirk Ct

183-193 ADAMS STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family development in a business district with greater than 20,000 gross floor area, with a four-story structure 41' in height, containing an 18-unit dwelling with ground floor units, to allow an FAR of 1.31, to allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to allow parking in the setback, to allow parking within 5' of a building containing dwelling units, to waive minimum stall dimension requirements, to allow a reduction in the minimum width of a entrance/exit drive, to allow a reduction in the minimum width of maneuvering aisles, to waive lighting requirements and to waive perimeter landscape screening requirements in Ward, 1, Newton, at 189-193 Adams Court, Section 14 Block 15 Lot 39, Section 14 Block 15 Lot 38 and 19 Quirk Court Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.8.A.1, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.8.D.1, 5.1.9.A, 5.1.10.A, 5.11.4, 5.11.15, 4.1.2 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 5-0-2; Public Hearing Closed June 12, 2018

Motion to Postpone to a date certain of July 9, 2018 Approved by Voice Vote on 06/18/18

Referred to Programs & Services Committee

#312-18

Citizens Petition requesting ballot question on recreational marijuana establishments

SUZANNE BENDER ET AL., submitting a group petition pursuant to Section 10-2 of the City of Newton Charter, requesting that the City Council place a question on the

November 6, 2018 ballot as to whether the City of Newton will adopt the following ordinance:

“Operation of recreational (non-medical) marijuana establishments as defined in M.G.L. Chapter 94G is prohibited in Newton, provided that a marijuana establishment that was licensed and approved to operate as a Medical Marijuana Treatment Center (Registered Marijuana Dispensary) in the City of Newton prior to July 1, 2017 may, if otherwise allowed by zoning, (a) cultivate non-medical marijuana; (b) manufacture and/or produce non-medical marijuana related products; (c) test non-medical marijuana and the products derived therefrom; (d) engage in wholesale distribution of non-medical marijuana and non-medical marijuana products, but not to include retail sales thereof in the City of Newton.”

Programs & Services Approved 3-1-2 (Albright opposed; Krintzman and Brousal-Glaser abstaining; Baker not voting); Public Hearing Closed

Motion to Postpone to Date Certain of July 9, 2018 Approved by Voice Vote on 06/18/18

Referred to Land Use Committee

Tuesday, June 26, 2018

Present: Councilors Schwartz (Chair), Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo, Lipof; also Present: Councilor Albright

- #392-18 Extension of time to exercise Special Permit #179-15 for 1349 Centre St**
MYRTHA CHANG petition for an EXTENSION of TIME to EXERCISE Special Permit Board Order #179-15 allowing a freestanding sign at 1349 CENTRE STREET, Ward 6, Newton Centre, on land known as SBL 62, 10, 1, containing approximately 10,579 sf. of land in a district zoned BUSINESS 2. Said EXTENSION to expire September 21, 2018 Ref: Sec 30-24, 30-23, 30-20(f)(1), 30-20(l) of the City of Newton Rev Zoning Ord, 2012.
Land Use Approved 7-0 (Auchincloss not Voting)
- #254-18 Request for an extension of time for Special Permit at 283 Melrose Street**
STEPHEN VONA requesting an EXTENSION OF TIME in which to EXERCISE special permit #480-14(4) granted on March 21, 2016 to change one nonconforming use to another by restoring and expanding an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed-use building with an addition containing 4 dwelling units at street level and above and a second building containing a 16-unit multi-family dwelling with a below grade parking garage for 27 cars at 283 MELROSE STREET, Ward 4, Auburndale; said EXTENSION will run to November 14, 2018. Ref: 7.4.5.E of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal Without Prejudice 4-0-3

- #338-18** **Special Permit Petition to exceed FAR at 22 Beecher Place**
BEN BRESSEL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to enclose the front porches, adding approximately 158 sq. ft. to the structure, creating an FAR of .49 where .48 is allowed at 22 Beecher Place, Ward 6, Newton Centre, on land known as Section 81 Block 01 Lot 03 containing approximately 10,146 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 6-0-1 (Schwartz not voting)
- #215-18** **Special Permit Petition to allow a rear-lot subdivision at 156 Otis Street**
156 OTIS STREET LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision to create two lots, raze the existing single-family dwelling and construct single-family dwellings on each lot at 156 Otis Street, Ward 2, West Newton, on land known as Section 24, Block 13, Lot 14A, containing approximately 43,700 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.5, 3.1.10 and 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Approved 7-0 (Schwartz not voting); Public Hearing Closed June 5, 2018
- #289-18** **Special Permit Petition to amend Board Order #167-14 for Garden Remedies**
GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #167-14 to allow the retail sale of recreational marijuana and medical marijuana, to delete Condition #3 relative to customer appointments, to amend Condition #4 to allow up to 12 employees at one time, to amend Condition #5 to modify the hours of operation, to expand the premises to include additional space, to allow waivers to perimeter screening requirements, to allow waivers to interior landscaping requirements, to allow waivers for parking facility requirements for; parking in the front setback, waivers to interior landscaping, waivers for interior planting area requirements, waivers to requirements for tree planting, waivers to requirements for bumper overhang area landscaping, waivers to requirements for 1-foot candle lighting, waivers for retaining walls over 4' in height and a waiver for 5 parking stalls to the extent necessary in Ward 2, Newton at 697 Washington Street (Section 23 Block 19 Lot 01B), 691 Washington Street (Section 23 Block 19 Lot 01A), 681 Washington Street (Section 23 Block 19 Lot 01) and 2 Court Street (Section 23 Block 19 Lot 23), containing approximately 16,669 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 5.1.8.A.1, 5.1.13, 5.1.9.A, 5.1.9.B, 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, 5.4.2.B of the City of Newton Rev Zoning Ord, 2015.
Land Use Held 7-0; Public Hearing Closed June 26, 2018

Referred to Zoning & Planning Committee

Monday, June 25, 2018

Present: Councilors Albright (Chair), Kalis, Leary, Danberg, Downs, Brousal-Glaser and Krintzman;
absent: Councilor Baker; also present: Councilors Crossley, Markiewicz, Greenberg, Kelley, Auchincloss
and Gentile

- #185-18** **Discussion and adoption of Needham Street Vision Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Needham Street Vision Plan as an amendment to the 2007 Newton Comprehensive Plan.
Zoning & Planning Held 7-0; Public Hearing Closed
- #186-18** **Zoning Amendment for Shared Parking Pilot Program**
DIRECTOR OF PLANNING requesting amendments to Chapter 30, Newton Zoning Ordinance, to allow for a Shared Parking Pilot Program as an accessory use in commercial districts.
Zoning & Planning Approved subject to second call 7-0; Public Hearing Closed
- #201-18** **Zoning amendment to limit residential portion of business zone developments**
COUNCILOR GENTILE, MARKIEWICZ, COTE AND NORTON requesting amendments to Chapter 30, Newton Zoning Ordinance, to require that any development in a business zone, limit the residential portion of the project to 50% of the total development.
Zoning & Planning voted No Action Necessary 7-0
- #202-18** **Zoning amendment to Mixed Used 4 district**
COUNCILOR GENTILE MARKIEWICZ, COTE AND NORTON requesting amendments to Chapter 30, Newton Zoning Ordinance, so that the Mixed Used 4 (MU4) zone is either eliminated; or the dimensional controls are reduced; or a moratorium of two years be placed on any new MU4 development; or any combination of these three action.
Zoning & Planning voted No Action Necessary 6-0-1 (Brousal-Glaser abstaining)
- #376-18** **Zoning amendment to regulate marijuana establishments**
THE PLANNING DEPARTMENT requesting amendments to the Newton Zoning Ordinance, Chapter 30, to regulate the use of land, structures and buildings for the operation of marijuana establishments; to determine in which zoning districts and under what conditions marijuana establishments will be allowed; and to establish minimum standards and criteria.
Zoning & Planning Held 7-0
- #76-18** **Discussion relative to the draft policy content outline of Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the Zoning Redesign Project on a draft policy content outline of the new Zoning Ordinance.
Zoning & Planning Held 7-0

- #203-18** **Zoning amend. for moratorium on zone changes/construction on Washington St.**
COUNCILOR GENTILE AND NORTON requesting amendments to Chapter 30, Newton Zoning Ordinance, to adopt an immediate moratorium on any zone changes and/or construction/development along both sides of Washington Street, including abutting properties, from the intersection of Commonwealth Avenue Washington Street in Auburndale/West Newton, to the intersection of Washington Street and Centre Street in Newton Corner. This moratorium shall remain in place until Zoning Redesign and the proposed “actionable plan for the Washington Street Corridor” are completed. This moratorium does not apply to by right construction/development that is currently allowed by the Newton Zoning Ordinances. This moratorium shall expire on September 30, 2019. **Public Hearing Closed 5/29/18**
Zoning & Planning Approval Failed to Carry 1-5-1 (Albright, Leary, Danberg, Downs and Krintzman opposed; Kalis abstaining)

Referred to Programs & Services Committee

Wednesday, June 20, 2018

Present: Councilors Rice (Chair), Baker, Albright, Krintzman, Kalis, Greenberg, Brousal-Glaser and Schwartz; also present: Councilor Cote

- #377-18** **Appointment of John Castellet to the Institutional Biotechnology Committee**
PRESIDENT LAREDO appointing JOHN CASTELLOT, 3 Albion Place, Newton Centre, as a member of the INSTITUTIONAL BIOTECHNOLOGY COMMITTEE for a term to expire July 1, 2021.
Programs & Services Approved 6-0 (Baker, Schwartz not voting)
- #316-18** **Appointment of Elizabeth Ingraham to the Human Rights Commission**
HER HONOR THE MAYOR appointing ELIZABETH INGRAHAM, 187 Woodward Street, Waban, as a member of the HUMAN RIGHTS COMMISSION for a term to expire May 15, 2021.
Programs & Services Approved 6-0 (Baker, Schwartz not voting)
- #315-18** **Appointment of Tamika Olszewski to the Human Rights Commission**
HER HONOR THE MAYOR appointing TAMIKA OLSZEWSKI, 341 Lexington Street, Auburndale, as a member of the HUMAN RIGHTS COMMISSION for a term to expire May 15, 2021.
Programs & Services Approved 7-0 (Baker not voting)
- #318-18** **Appointment of David Kuppenheimer to the Human Rights Commission**
HER HONOR THE MAYOR appointing DAVID KUPPENHEIMER, 12 Sylvester Road, West Newton, as a member of the HUMAN RIGHTS COMMISSION for a term to expire May 15, 2021.
Programs & Services Approved 7-0 (Baker not voting)

- #319-18** **Re-Appnt of Michelle Freshman to the Health & Human Services Advisory Council**
HER HONOR THE MAYOR re-appointing MICHELLE FRESHMAN, 39 Gray Cliff Road, Newton Centre, as a member of the HEALTH & HUMAN SERVICES ADVISORY COUNCIL for a term to expire January 31, 2021.
Programs & Services Approved 7-0 (Baker not voting)
- #320-18** **Re-appointment of Bryan Barash to the Human Rights Commission**
HER HONOR THE MAYOR re-appointing BRYAN BARASH, 161 Lowell Avenue, Newtonville, as a member of the HUMAN RIGHTS COMMISSION for a term to expire May 15, 2021.
Programs & Services Approved 7-0 (Baker not voting)
- #321-18** **Re-appointment of Kerwin Derrick to the Human Rights Commission**
HER HONOR THE MAYOR re-appointing KERWIN DERRICK, 107 Spiers Street, Newton Centre, as a member of the HUMAN RIGHTS COMMISSION for a term to expire May 15, 2021.
Programs & Services Approved 7-0 (Baker not voting)
- #378-18** **Re-appointment of Jane Brown to Human Rights Commission**
HER HONOR THE MAYOR re-appointing JANE BROWN, 104 Atwood Avenue, Newtonville, as a member of the HUMAN RIGHTS COMMISSION for a term to expire January 1, 2021. (60 days: 8/17/18)
Programs & Services Approved 7-0 (Baker not voting)
- Referred to Programs & Services and Finance Committees**
- #350-18** **Request to increase the salary of the City Clerk/Clerk of the Council**
COUNCILORS LAREDO AND KALIS requesting an increase in the salary of the City Clerk/Clerk of the City Council to \$135,619 effective July 1, 2018 to match the percentage increase included in the FY 2019 budget for H-grade employees.
Finance Approved 5-0 on 06-25-18
Programs & Services Approved 7-0 (Baker not voting)
- #379-18** **Ballot Question regulating the number of recreational marijuana establishments**
COUNCILORS ALBRIGHT AND KRINTZMAN requesting that the City Council place on the ballot, at a special election to be held in November 2018, a question as to whether the City of Newton shall limit the number of retail recreational marijuana establishments operating in Newton to no fewer than two and no more than six.
Programs & Services Approved as amended 5-1-2 to “no fewer than 2 and no more than 4” (Baker opposed; Schwartz and Kalis abstaining)

Referred to Public Safety & Transportation Committee

Wednesday, June 20, 2018

Present: Councilors Auchincloss (Acting Chair), Cote, Lipof, Downs and Grossman; absent: Councilors Ciccone (Chair), Markiewicz and Noel; also present: Councilors Crossley (Chair), Lappin, Albright, Gentile, Laredo, Leary, Norton, Kelley and Baker

Referred to Public Facilities and Public Safety and Transportation Committees

- #52-18** **Discussion/Review on the Street Design Guide**
COUNCILORS CROSSLEY AND ALBRIGHT requesting a discussion and review of the Street Design Guide, and how it will inform the Accelerated Roads Program.
Public Facilities Held 8-0 on 06/20/18
Public Safety & Transportation Held 4-0, (Cote not voting)

Referred to Public Safety and Transportation and Public Facilities Committees

- #381-18** **Walnut Street Newtonville Enhancements Project**
HER HONOR THE MAYOR, COMMISSIONER OF PUBLIC WORKS, and COUNCILORS ALBRIGHT, AUCHINCLOSS & NORTON requesting approval pursuant to §26-51 of the City of Newton Ordinances for the Walnut Street Newtonville Enhancements Project on Walnut Street from approximately the northerly bridge abutment of the Massachusetts Turnpike Bridge to the intersection of Elm Road; Highland Avenue from Walnut Street to Bram Way; Austin Street from Walnut Street to the westerly end of the 28 Austin Street project; and the east sidewalk of Bram Way.
Public Facilities Approved 6-1-1 (Gentile Opposed, Laredo abstaining) on 06/20/18
Public Safety & Transportation Approved 4-0, (Lipof not voting)

Referred to Public Facilities Committee

Wednesday, June 20, 2018

Present: Councilors Crossley (Chair), Leary, Norton, Kelley, Gentile, Danberg, Laredo, and Lappin, also present: Auchincloss, Cote, Grossman, Lipof

- #386-18** **National Grid Grant of Location for Gay Street**
NATIONAL GRID petitioning for a grant of location to install and maintain 230' ± of 6" gas main in GAY STREET from the existing 4" gas main at the intersection of Cabot Street to just past the intersection of Clyde Street and 60' ± of 6" gas main in Clyde Street from the new 6" gas main in Gay Street to 10 Clyde Street. (Ward 2)
Public Facilities Approved 5-0 (Leary, Norton, Gentile not voting)

- #387-18 National Grid Grant of Location on California Street**
NATIONAL GRID petitioning for a grant of location to install and maintain a new regulator traffic control box in the grassy area across from the existing regulator at 367 California Street with a 4" conduit and a 1 ½" conduit crossing California Street to an existing pole to provide electricity to the proposed regulator.
Public Facilities Approved 6-0 (Gentile, Norton not voting)
- #325-18 President Laredo's appointment of Amy MacKrell to the Designer Selection Committee**
Amy MacKrell, 12 Dexter Road, Newtonville, appointed as a member of the DESIGNER SELECTION COMMITTEE for a term to expire December 31, 2021.
Public Facilities Approved 6-0 (Norton, Gentile not voting)
- #324-18 President Laredo's appointment of Robert Hnasko to the Design Review Committee**
Robert Hnasko, 49 Miller Road, Newton Centre, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.
Public Facilities Held 7-0 (Gentile not voting)
- #384-18 Appointment of Puja Vohra to the Citizens Commission on Energy**
HER HONOR THE MAYOR appointing PUJA VOHRA, 130 Day Street, Newton, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 15, 2021. (60 days: 8/17/18)
Public Facilities Held 6-0 (Norton, Gentile not voting)
- #385-18 Appointment of Jonathan Klein to the Citizens Commission on Energy**
PRESIDENT LAREDO appointing JONATHAN KLEIN, 107 Woodward Street, Newton Highlands, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 30, 2021. (60 days: 8/17/18)
Public Facilities Held 6-0 (Norton, Gentile not voting)

Referred to Public Facilities and Public Safety and Transportation Committees

- #52-18 Discussion/ Review on the Street Design Guide**
COUNCILORS CROSSLEY AND ALBRIGHT requesting a discussion and review of the Street Design Guide, and how it will inform the Accelerated Roads Program.
Public Safety & Transportation Held 4-0 (Cote not voting) on 06/20/18
Public Facilities Held 8-0
- #323-18 President Laredo's reappointment of Peter Barrer to the Design Review Committee**
Peter Barrer, 24 Hazelton Road, Newton Centre, reappointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.
Public Facilities Approved 7-0 (Gentile not voting)

Referred to Public Safety and Transportation and Public Facilities Committees

- #381-18** **Walnut Street Newtonville Enhancements Project**
HER HONOR THE MAYOR, COMMISSIONER OF PUBLIC WORKS, and COUNCILORS ALBRIGHT, AUCHINCLOSS & NORTON requesting approval pursuant to §26-51 of the City of Newton Ordinances for the Walnut Street Newtonville Enhancements Project on Walnut Street from approximately the northerly bridge abutment of the Massachusetts Turnpike Bridge to the intersection of Elm Road; Highland Avenue from Walnut Street to Bram Way; Austin Street from Walnut Street to the westerly end of the 28 Austin Street project; and the east sidewalk of Bram Way.
Public Safety & Transportation Approved 4-0 (Liipof not voting) on 06/20/18
Public Facilities Approved 6-1-1 (Gentile Opposed, Laredo abstaining)
- #382-18** **Re-appointment of Halina Brown to the Citizens Commission on Energy**
HER HONOR THE MAYOR re-appointing HALINA BROWN, 56 Cloverdale Road, Newton Highlands, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire April 15, 2020. (60 days: 8/17/18)324
Public Facilities Approved 7-0 (Gentile not voting)
- #383-18** **Re-appointment of Jonathan Kantar to the Citizens Commission on Energy**
HER HONOR THE MAYOR re-appointing JONATHAN KANTAR, 672 Chestnut Street, Waban, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 15, 2020. (60 days: 8/17/18)
Public Facilities Approved 7-0 (Gentile not voting)

Referred to Finance Committee

Monday, June 25, 2018

Present: Councilor Gentile (Chair), Cote, Rice, Noel, and Lappin; absent: Councilor Ciccone, Norton, and Grossman; also present: Councilor Laredo

- #344-18** **Request to transfer funds to hire a consultant to develop a cultural strategy**
HER HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Current Year Budget Reserve to the Executive Office Consulting Account for the purpose of developing a cultural strategy for the City.
Finance Approved 5-0
- #394-18** **Transfer \$240,000 for back pay owed to the former police chief**
HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred forty thousand dollars from the below accounts to fund the “back pay” owed to the former police chief.

Executive Office Full-time Salaries.....	\$25,000
Assessing Full-time Salaries	\$60,000
Treasury Full-time Salaries.....	\$20,000
Human Resources Full-time Salaries.....	\$30,000
Information Technologies Full-time Salaries	\$50,000
Planning Full-time Salaries.....	\$55,000

Finance Approved 5-0

#393-18 Appropriate \$9,837.31 to settle a claim resulting from a sewer backup
HER HONOR THE MAYOR requesting authorization to appropriate and expend nine thousand eight hundred thirty-seven dollars and thirty-one cents (\$9,837.31) for full and final settlement of a claim resulting from damage caused by a sewer backup to a finished basement at 121 Hanson Road.

Finance Approved 5-0

#389-18 Appropriation of \$6,400 to fund the purchase and installation of APS equipment
HER HONOR THE MAYOR requesting authorization to appropriate and expend six thousand four hundred dollars (\$6,400) from the HP Fines – disability Commission Receipts Reserved for Appropriation for the purpose of funding the purchase and installation of Accessible Pedestrian Signals (APS) equipment at the Waverley and Tremont Streets intersection.

Finance Approved 5-0

Referred to Programs & Services and Finance Committees

#350-18 Request to increase the salary of the City Clerk/Clerk of the Council
COUNCILORS LAREDO AND KALIS requesting an increase in the salary of the City Clerk/Clerk of the City Council to \$135,619 effective July 1, 2018 to match the percentage increase included in the FY 2019 budget for H-grade employees.

Programs & Services Approved 7-0 (Baker not voting)

Finance Approved 5-0

Referred to Recodification Committee

Monday, July 1, 2018

Present: Councilors Albright and Baker

#390-18 Discuss future ordinance changes suggested by the Recodification Committee
RECODIFICATION COMMITTEE requesting discussion on future Ordinance changes suggested by the Recodification Committee in the 2017 Recodification Report.

Recodification Committee Held 2-0

#391-18

Discussion of changes to the Historic District Commission section of the Ordinances
RECODIFICATION COMMITTEE requesting discussion of changes to the Historic District Commission sections of Chapter 22 of the Ordinances as suggested by the Recodification Committee during the 2017 recodification process.

Recodification Committee Approved 2-0 Items 1-6 as technical amendments and docketing items 7 & 8 to Zoning & Planning