



RECEIVED

By City Clerk at 4:18 pm, Sep 07, 2018

Special Docket
Thursday, September 13, 2018
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Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, Massachusetts 02459

Councilors:

In accordance with Section 2-6(c) of the Newton City Charter, I hereby call for a SPECIAL MEETING of the City Council to convene on THURSDAY, September 13, 2018 at 7:00 PM to deliberate and vote on the following matters and any other matter that may come before it:

Reports Docket

Referred to Programs & Services Committee

Thursday, September 6, 2018

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

#468-18 **Remove ballot question to limit the number of recreational marijuana establishments**
COUNCILORS COTE, NORTON and KELLEY requesting that the City Council remove from the November 2018 special election ballot the 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 four, which was approved by the City Council on July 9, 2018.

A motion to amend the item by replacing the ballot question language with the following: Shall the City adopt the following zoning ordinance? The number of recreational marijuana retail establishments shall be not fewer than two (2) nor more than four (4) establishments set by a general ordinance adopted by the City Council notwithstanding M.G.L. Chapter 94 G, Sec 3(a)(2)(ii).” was approved by voice vote.

Programs & Services Approval as Amended Failed to Carry 4-4 (Rice, Kalis, Baker, Schwartz opposed)

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.

#469-18 **Place a question on the ballot to prohibit retail recreational marijuana establishments**
COUNCILORS BAKER, NORTON, GENTILE, KALIS, COTE, CICCONE, LAREDO, KELLEY, SCHWARTZ and MARKEIWICZ requesting reconsideration of item #312-18 so that the Council can place a question on the ballot that would prohibit retail recreational marijuana establishments in the City at a November 2018 Special Election.
Programs & Services Approved as Amended 8-0

The approved amended language is as follows: "Shall the City adopt the following general ordinance? All recreational marijuana retail establishments shall be prohibited from operating in the City of Newton."

#470-18 **Ballot question prohibiting recreational marijuana establishments with exceptions**
SUZANNE BENDER ET AL., submitting an Initiative petition pursuant to the City of Newton Charter and signed by 10% of the registered voters, 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 voted No Action Necessary 8-0

#471-18 **Means to determine which marijuana question prevails if both are approved**
PRESIDENT LAREDO requesting discussion and vote on a means to enable Newton voters to determine which of two ballot questions limiting retail marijuana sales will prevail if both appear on the November ballot and both receive a majority vote of the electorate, recognizing that a subsequent implementing ordinance may still be required.

Programs & Services Approved 4-2-2 that if more than one question passes, the question with the highest number of votes will prevail. (Kalis, Baker opposed; Schwartz, Rice abstaining)

#441-18 **Set the date of November 6, 2018 for a Special Municipal Election**
CITY CLERK requesting the City Council set the date of November 6, 2018 as the date for a Special Municipal Election to submit to the voters question(s) related to limiting retail marijuana in Newton.

Programs & Services Approved 8-0

#476-18

Proposed ballot questions re recreational marijuana retail establishments

HER HONOR THE MAYOR requesting the three following questions be placed on the ballot for a special election in November:

Question 1.

Shall the City adopt the following general ordinance?

All recreational marijuana retail establishments shall be prohibited from operating in the City of Newton.

Question 2.

Shall the City adopt the following zoning ordinance?

The number of recreational marijuana retail establishments shall be not fewer than two (2) nor more than four (4) establishments set by a general ordinance adopted by the City Council notwithstanding M.G.L. Chapter 94 G, Sec 3(a)(2)(ii).

Question 3.

Shall the City adopt the following zoning ordinance?

The number of recreational marijuana retail establishments shall be not fewer than two (2) nor more than eight (8) establishments set by a general ordinance adopted by the City Council notwithstanding M.G.L. Chapter 94 G, Sec 3(a)(2)(ii).

Programs & Services voted No Action Necessary 8-0

Docket

Referred to Land Use Committee

#477-18

Extension of Time for #424-432 Cherry Street

AGREEMENT TO AN EXTENSION OF TIME until October 31, 2018 in which to HOLD A PUBLIC HEARING on petition #420-18 424-432 CHERRY STREET for a request to allow multi-family dwellings in Ward 3, West Newton, at 424-432 Cherry Street, Section 33 Block 11 Lot 2, containing approximately 14,204 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.4.A, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.9.A, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

Very truly yours,

Marc Laredo