



POSTED
City Clerk

City Council Docket

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By City Clerk at 2:08 pm, Dec 13, 2018

Dec 18: Real Property Reuse

Continued

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Monday, December 17, 2018

7:45 PM, Newton City Hall

To be reported on

Monday, January 7, 2019

City of Newton In City Council to be Accepted and Referred to Committees

Referred to Land Use Committee

- #608-18** **Class 2 Auto Dealers License**
OLD TIME GARAGE LTD.
1960 Washington Street
Newton Lower Falls, MA. 02462
- #609-18** **Class 2 Auto Dealers License**
AUCTION DIRECT PREOWNED
1545 Washington Street
West Newton, MA. 02465
- #610-18** **Class 2 Auto Dealers License**
REGANS INC.
2066 Commonwealth Avenue
Auburndale, MA. 02466
- #611-18** **Class 2 Auto Dealers License**
LIFT THROTTLE AUTOMOTIVE, LLC
64 Hillside Avenue
West Newton, MA. 02465
- #612-18** **Class 2 Auto Dealers License**
ROBERT'S TOWING, INC.
926r Boylston Street
Newton Highlands, MA. 02461

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #613-18** **Class 2 Auto Dealers License**
NEWTON TRADE CENTER ASSOCIATES, INC.
103 Adams Street
Nonantum, MA. 02458
- #614-18** **Class 2 Auto Dealers License**
JR CAR CARE, INC.
454 Watertown Street
Newtonville MA 02460
- #615-18** **Class 2 Auto Dealers License**
KC AUTO
55 Farwell Street
Apartment 13
Newtonville MA 02460
- #616-18** **Class 2 Auto Dealers License**
MAP DEVELOPMENT, INC. d/b/a CHRISTIAN TAPIA/MASTER USED CARS
175 North Street
Newtonville, MA. 02460
- #617-18** **Class 2 Auto Dealers License**
STAN'S AUTOMOTIVE INC.
249 Centre Street
Newton Corner, MA. 02458
- #618-18** **Class 3 Auto Dealers License**
ECHO BRIDGE SALVAGE CO.
16 Maguire Court
Newton, MA. 02458
- #619-18** **Class 3 Auto Dealers License**
SCHIAVONE BROTHERS INC.
16 Maguire Court
Newton, MA. 02458

Public hearing to be reassigned for January 8, 2019

- #464-18** **Petition to allow nine-unit multi-family dwelling at 39 Herrick Road**
STUART ROTHMAN/HERRICK ROAD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 36' three-story nine-unit multi-family dwelling with accessory parking for nine cars, to allow multi-family residential use on the ground level in a BU1 district, to allow a reduction to one parking stall per unit, to waive 18 stalls on the parcel associated with the multi-family dwelling located on the adjacent

parcel, to allow off-site parking facilities, to waive to allow parking in the side setback, to allow a reduced minimum aisle width, to waive maneuvering space required of restricted stalls, to allow a retaining wall greater than 4' in the setback, to waive perimeter screening requirements and to waive lighting and surfacing requirements at 39 Herrick Road, Ward 6, on land known as Section 61 Block 36 Lot 7, containing approximately 12,979 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, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, 5.1.8.A, 5.1.8.B.6, 5.1.8.C.2, 5.1.9.A, 5.1.10, 5.4.2.B of the City of Newton Rev Zoning Ord, 2017.

Public Hearing to be assigned for January 8, 2019

#620-18 **Amendment to Special Permit Orders #213-12(1) and (2) at 71 Needham Street**
BEAL NEVADA SERVICE CORPORATION/NEEDHAM STREET VILLAGE SHOPS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #213-12(1) and #213-12(2) to allow a bank use at 71 Needham Street, Ward 5, Newton Highlands, on land known as Section 51, Block 28, Lot 20, containing approximately 58,875 sq. ft. of land in a district zoned MU1. Ref: 7.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Public hearing to be assigned for January 29, 2019

#621-18 **Amendment Special Permit Orders #62-01 and 62-01(2) at 105 Temple Street**
SCOTT AND URSULA STEELE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #62-01 and #62-01(2) to further increase the non-conforming FAR by constructing a 191 sq. ft. addition in the existing footprint of the house, further extending the non-conforming three-story structure at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3., 7.4, 3.1.9, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be assigned for January 29, 2019

#622-18 **Special Permit Petition to increase non-conforming FAR at 48 Billings Park**
MATTHEW DOERINGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-car garage in the footprint of a razed garage with an additional 225 sq. ft, exceeding the allowable FAR of .43 where .51 exists and .53 is proposed at 48 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 14, containing approximately 8,289 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9, 7.8.2.C.2, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing to be assigned for February 5, 2019

#623-18 **Special Permit Petition to allow multi-family dwelling at 20-22 Circuit Avenue**
ARTHUR KALOTKIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert a two-family dwelling into a three-unit multi-family dwelling by converting the existing

attic space, allow parking within 5' of residential dwelling units, to waive the minimum aisle width requirements, to waive driveway width, and to waive lighting requirements at 20-22 Circuit Avenue, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 39, containing approximately 12,353 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3., 7.4, 3.4.1, 5.1.8.A.2, 5.1.13, 5.1.8.C.2, 5.1.8.C.2, 5.1.10.A, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

- #624-18** **Review of compliance with the Hancock Estates Special Permit #102-06(12)**
COUNCILORS LAPPIN, LAREDO, GREENBERG, GENTILE, KELLEY, ALBRIGHT, NORTON, CICCONE, LEARY, DANBERG, NOEL, KALIS & GROSSMAN requesting a review by Law, Planning and ISD of the compliance of the current Hancock Estates project with the approved special permit. Questions to be addressed: Are the “dens” legally considered bedrooms? Is the short-term rental guest suite one of the 88 units? What calculations were used to determine habitable space. What calculations were used to determine the percentage of affordable units. Is the project that was built (unit size, bedroom mix, short term rental guest suite, distribution of units, unit square footage, habitable space, crosswalk and ped. light, etc.) the same project the City Council approved? Is CHR in violation of our Inclusionary Zoning Ordinances?

Other Communications

- #625-18** **Filing Rules of the Zoning Board of Appeals**
ZONING BOARD OF APPEALS filing December 4, 2018 Rules of the Zoning Board of Appeals, effective January 1, 2019.
- #626-18** **Mayor’s appointment to the UMass Amherst at Mt Ida Neighborhood Council**
HER HONOR THE MAYOR appointing PAMELA BURTON, 149 Wiswall Road, Newton Center, to the UMass Amherst at Mt. Ida Neighborhood Council for a term to expire on December 12, 2021.
- #627-18** **Mayor’s appointment to the UMass Amherst at Mt Ida Neighborhood Council**
HER HONOR THE MAYOR appointing MARVIN FOX, 210 Nahanton Street, Apartment 305, Newton Center, to the UMass Amherst at Mt. Ida Neighborhood Council for a term to expire on December 12, 2021.
- #628-18** **Mayor’s appointment to the UMass Amherst at Mt Ida Neighborhood Council**
HER HONOR THE MAYOR appointing DEAN ABBY, 105 Hanson Road, Newton Center, to the UMass Amherst at Mt. Ida Neighborhood Council for a term to expire on December 12, 2021.

- #629-18 Mayor's appointment to the UMass Amherst at Mt Ida Neighborhood Council**
HER HONOR THE MAYOR appointing JAY HIRSH, Jumbo Capital Management, 1900 Crown Colony Drive, 4th Floor, Quincy, MA, as the Wells Offic Park Representative member of the UMass Amherst at Mt. Ida Neighborhood Council for a term to expire on December 12, 2021.

Referred to Zoning & Planning Committee

- #630-18 Re-appointment of Anne Killilea to the Commission on Disability**
HER HONOR THE MAYOR re-appointing ANNE KILLILEA, 789 Watertown Street, West Newton, as a member of the COMMISSION ON DISABILITY for a term to expire December 31, 2021. (60 days 02/15/19)

- #631-18 Appointment of Warren Abramson to the Commission on Disability**
HER HONOR THE MAYOR appointing WARREN ABRAMSON, 77 Court Street, Newton, as a member of the COMMISSION ON DISABILITY for a term to expire January 31, 2022. (60 days 02/15/19)

Public hearing to be assigned:

- #632-18 Zoning Amendment to allow RMDs and marijuana retailers in manufacturing districts**
COUNCILOR SCHWARTZ, KELLEY, NORTON, AND COTE proposing to amend Chapter 30, **Section 4.4.1. Business, Mixed Use & Manufacturing Districts.** to allow Registered Marijuana Dispensaries and marijuana retailers by special permit in Limited Manufacturing and Manufacturing Districts.

Referred to Programs & Services Committee

- #633-18 Re-appointment of Dina Conlin to the Licensing Board**
HER HONOR THE MAYOR re-appointing DINA CONLIN, 46 Shornecliffe Road, Newton, as a member of the LICENSING BOARD for a term to expire June 5, 2023. (60 days 02/15/19)

- #634-18 Re-appointment of Sam Figler to the Parks and Recreation Commission**
HER HONOR THE MAYOR re-appointing SAM FIGLER, 63 Sumner Street, Newton Centre, as an alternate member of the PARKS AND RECREATION COMMISSION for a term to expire October 31, 2021. (60 days 02/15/19)

- #635-18 Appointment of Patricia Kerwin Derrick to the Parks and Recreation Commission**
HER HONOR THE MAYOR appointing PATRICIA KERWIN DERRICK, 197 Spiers Road, Newton Centre, as the Ward 8 member of the PARKS AND RECREATION COMMISSION to complete Donald Fishman's term, which ends on February 25, 2019 (60 days 02/15/19)

#639-18 Mayor's re-appointment of Maria Rosen as a constable
HER HONOR THE MAYOR re-appointing MARIA ROSEN 41 Aspen Avenue, Auburndale, reappointed as a Constable for the City of Newton for a term of office to expire December 6, 2021. (60 days 02/15/19)

#640-18 Request to transfer funds for a 1-year collective bargaining agreement with AFSME
HER HONOR THE MAYOR requesting authorization to transfer the necessary funding from the Current Year Wage Reserve Account to various department budgets in order to fund the cost items set forth in the one-year labor contract agreement with the American Federation of State, County and Municipal Employees (AFSME), City Hall Associates, Local 3092.

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

Referred to Public Facilities and Finance Committees

#641-18 Request to transfer \$60,000 to replace two trash compactors at Rumford Avenue
HER HONOR THE MAYOR requesting authorization to transfer the sum of sixty thousand dollars (\$60,000) from Free Cash to the Department of Public Works' Sustainable Materials Management Equipment & Machinery account to fund the replacement of two trash compactors located at 115 Rumford Avenue.

Referred to Public Safety & Trans., Public Facilities and Finance Committees

#642-18 Optional redesigns and costs for Lowell Ave/Austin St Intersection
COUNCILORS ALBRIGHT, AUCHINCLOSS, AND NORTON asking for optional redesigns and costs for the Lowell Avenue/Austin Street Intersection that includes a full analysis of all possible solutions regardless of cost and then selection of the safest method to redesign this intersection along with the funding to support the redesign.