



City Council Actions

In City Council

Tuesday, January 22, 2019

Present: Councilors Albright, Auchincloss, Baker, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Kelley, Krintzman, Lappin, Leary, Lipof, Markiewicz, Noel, Rice, Schwartz and Laredo.

Absent: Councilors Kalis & Norton

The City Council discussed the following items on Second Call:

Referred to Programs & Services and Finance Committees

#588-18

Amendment to increase income eligibility for clause 41A tax deferral program

HER HONOR THE MAYOR requesting an amendment to Section 27-10 of the City of Newton Revised Ordinance to increase the maximum qualifying gross receipts amount for the purposes of the Tax Deferral Program from \$60,000 to \$72,000 for the fiscal year beginning July 1, 2018 and for all subsequent years.

Programs & Services Approved 4-0 (Schwartz not voting) on 01/09/19

Finance Approved 6-1 (Lappin opposed)

Motion to amend the maximum qualifying gross receipts amount to \$86,000 was Approved 18 Yeas, 4 Nays (Councilors Auchincloss, Brousal-Glaser, Downs & Leary), 2 Absent (Councilors Kalis & Norton)

Motion to Approve as Amended 22 Yeas, 2 Absent (Councilors Kalis & Norton)

Motion to Reconsider Filed by Councilor Albright on January 23, 2019

Clerk's Note: The Chair of the Finance Committee stated that there is currently a tax deferral program in place which has been in effect for many years in the City of Newton. Within certain requirements there is the ability for a qualifying homeowner to defer their property taxes. Cumulatively the deferral cannot be more than 50% of an individual's assessed property value. Up until last year the income restriction was at \$60,000. In 2018 Newton sought and was granted Home Rule Legislation to allow the city to increase the income limit up to the circuit breaker limit which is currently \$86,000. The Mayor's office has been evaluating at what level they wanted to raise the income restriction and is recommending to increase the limit from \$60,000 to \$72,000. This would open the program to anyone in Newton that was at least 65 years of age and making \$72,000 or less. The majority of the Finance Committee agreed with the administration's recommendation to increase the amount, however, the discussion focused on what exactly that number should be. The members of Finance that did offer an opinion felt that the \$72,000 did not go far enough and were interested in going to the maximum

allowed by state law which is \$86,000. It was noted that a few more families could be helped if we would raise the limit to \$86,000. It was noted that the administration was not inclined to go to \$86,000 now because there was concern about how many people might choose to enter the program and there could be a cash flow problem. The Chair noted that this is not a grant; it is a deferral. At some point the City will get its money back. It was felt by Councilors Gentile and Lappin that it was important to go forward with a higher limit and they offered the following amendment: "To increase the qualifying income from what has been recommended at \$72,000 to what is the currently the full amount authorized by the state which is \$86,000."

It was asked if there was interest on the money that is loaned through this program. The interest is low. It was noted that in the long run the program has cost to the city. The Chair of Finance stated that there is not enough information to know how many people will apply. The Council suspended its rules to allow Ms. Lemieux to comment and she explained that the Mayor agrees with the spirit of the conversation, however, the administration does not know how many people will qualify. An applicant has to be 65 years old, but there is no asset limit in this program. They could have a million dollars in the bank and be earning \$70,000 and qualify to defer their taxes. Many people do not take advantage of the program because they want to make sure they are giving as much of the value of their home to their heirs. Some of the money deferred might be used for retrofitting a bathroom to install a shower allowing them to stay in their home.

People have to apply by April 1st for this program to impact their taxes. Information is scrutinized by the Assessing Department to be sure they qualify. Ms. Lemieux noted that the Executive Office would like the program to start at \$72,000 and once the impact is understood, the city can discuss raising the limit further. The 64 people currently using the program are deferring about a half a million dollars in taxes and if another 64 people sign up, then city will have a cash flow issue. The city will get their money back at some point in time, but it could take a while. There was someone in the program for 29 years.

It was felt by some Councilors that the higher limit should be revisited at a later date. It was asked if the City could limit the total number of dollars available in the program. Ms. Lemieux said there is not the capacity to limit the total dollars. What the City is able to limit is the individual's income. Everyone who qualifies would be eligible for the program. Ms. Lemieux said that maybe four or four and a half million could be set aside but it could go over that.

Several Councilors stated that they would like to help as many seniors stay in their home as possible.

The motion to amend to \$86,000 was approved by the Council.

Councilor Albright filed a motion to reconsider this item on January 23, 2019. It will be back before the Council on February 4, 2019.

Referred to Public Facilities and Finance Committees

#31-19 HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Current Year Budget Reserve to the Department of Public Works Processing Recyclables to fund increased costs of processing recyclables due to changes in the recycling market.

Public Facilities Approved 6-0-1 (Leary abstaining) on 01/09/19

Finance Approved 5-1-1 (Noel opposed, Gentile abstaining)

Motion to recommit to Finance was Approved by Voice Vote

Clerk's Note: The Chair of the Finance Committee noted that approximately four years ago, the City chose to negotiate directly with Waste Management on a new contract. There was no negotiation with anyone else. Now the City is being asked to amend that contract and he feels that there is a real problem with that knowing that the City entered into sole negotiations with Waste Management. He noted that this is a complex issue and that there is concern about having recyclables picked up. He would like it back in Finance so that the Council can understand the numbers and be sure they are correct. In the final year of the contract the City is being asked to pay 100% more and that is not a small amount. He asked that this go back to Finance to be sure the numbers are right.

#408-18 **Discussion and adoption of Economic Development Strategy Plan**

DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.

Zoning & Planning Approved as amended 7-0

Motion to recommit to Zoning & Planning was Approved by Voice Vote

Clerk's Note: The Chair of the Zoning and Planning Committee noted that there were some changes that were approved that were not reflected properly in the draft the Councilors received and there was an additional request for amendment which needed to be discussed. She requested that there be a motion to refer the item back to committee to clean up the draft.

The City Council voted without discussion 22 Yeas, 2 Absent (Councilors Kalis & Norton) to Approve the following items:

Referred to Land Use Committee

Tuesday, January 8, 2019

#482-18 **Special Permit to waive 17 parking stalls at 2330 Washington Street**

ARTISAN CHILD CARE/CURTIS HOUSE, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in the number of teachers and children in the program by waiving 17 parking stalls at 2330 Washington Street, Ward 4, Newton Lower Falls, on land known as Section 42 Block 31 Lot 18, containing approximately 27,277 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3, 7.4, 5.1.4, 6.3.4.B.3.c of Chapter

30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0 (Schwartz not voting); Public Hearing Closed 01/08/2019

#565-18

Special Permit Petition to amend Council Order #217-16 at 50-52 Rowe Street

NEW NEWTON, LLC. /DANIEL SZETO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #217-16 to construct a detached carport for the existing single-family dwelling at 50-52 Rowe Street, Ward 4, Auburndale, on land known as Section 44 Block 23 Lot 06, containing approximately 19,321 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Denied Subject to Second Call 5-0-3 (Schwartz, Lipof, Crossley abstaining)

The Chair of the Land Use Committee A request to suspend the Rules to allow the Chair to poll his committee was approved by Voice Vote

Withdrawal without prejudice Approved in Land Use 7-0

#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.

Land Use Approved 8-0; Public Hearing Closed January 8, 2019

Referred to Land Use Committee

Tuesday, January 15, 2019

#1-19

Class 1 Auto Dealer License

MMAG RETAIL HOLDINGS – CJ LLC.

D/B/A MCGOVERN CHRYSLER JEEP DODGE RAM

777 Washington Street

Newton, MA. 02460

Land Use Approved 7-0

#2-19

Class 1 Auto Dealer License

VILLAGE MOTORS GROUP, INC. D/B/A HONDA VILLAGE

371 Washington Street

Newton, MA. 02458

Land Use Approved 7-0

- #3-19** **Class 1 Auto Dealer License**
FLAHERTY EQUIPMENT SALES CORPORATION
846 Walnut Street
Newton, MA. 02459
Land Use Approved 7-0
- #608-18** **Class 2 Auto Dealers License**
OLD TIME GARAGE LTD.
1960 Washington Street
Newton Lower Falls, MA. 02462
Land Use Approved 7-0
- #609-18** **Class 2 Auto Dealers License**
AUCTION DIRECT PREOWNED
1545 Washington Street
West Newton, MA. 02465
Land Use Approved 7-0
- #610-18** **Class 2 Auto Dealers License**
REGANS INC.
2066 Commonwealth Avenue
Auburndale, MA. 02466
Land Use Approved 7-0
- #611-18** **Class 2 Auto Dealers License**
LIFT THROTTLE AUTOMOTIVE, LLC
64 Hillside Avenue
West Newton, MA. 02465
Land Use Approved 7-0
- #612-18** **Class 2 Auto Dealers License**
ROBERT'S TOWING, INC.
926r Boylston Street
Newton Highlands, MA. 02461
Land Use Approved 7-0
- #613-18** **Class 2 Auto Dealers License**
NEWTON TRADE CENTER ASSOCIATES, INC.
103 Adams Street
Nonantum, MA. 02458
Land Use Approved 7-0

- #614-18** **Class 2 Auto Dealers License**
JR CAR CARE, INC.
454 Watertown Street
Newtonville MA 02460
Land Use Approved 7-0
- #615-18** **Class 2 Auto Dealers License**
KC AUTO
55 Farwell Street
Apartment 13
Newtonville MA 02460
Land Use Approved 7-0
- #616-18** **Class 2 Auto Dealers License**
MAP DEVELOPMENT, INC. d/b/a CHRISTIAN TAPIA/MASTER USED CARS
175 North Street
Newtonville, MA. 02460
Land Use Approved 7-0
- #617-18** **Class 2 Auto Dealers License**
STAN'S AUTOMOTIVE INC.
249 Centre Street
Newton Corner, MA. 02458
Land Use Approved 7-0
- #4-19** **Class 2 Auto Dealer License**
NEW ENGLAND MOTOR MART, INC.
1231-2 Washington Street
West Newton, MA. 02465
Land Use Approved 7-0
- #5-19** **Class 2 Auto Dealer License**
JACOBS AUTO SERVICE
HUSSEM JACOB/JACOB & ASSOCIATES
1232 Washington Street
Newton, MA. 02465
Land Use Approved 7-0
- #6-19** **Class 2 Auto Dealer License**
NEWTON CENTRE SHELL
1365 Centre Street
Newton, MA. 02459
Land Use Approved 7-0

#7-19 **Class 2 Auto Dealer License**
MOTORCARS OF BOSTON, INC.
1191 Washington Street
Newton, MA. 02465
Land Use Approved 7-0

#8-19 **Class 2 Auto Dealers License**
VELOCITY MOTORS
14 Hawthorn Street
Nonantum, MA. 02458
Land Use Approved 7-0

#9-19 **Class 2 Auto Dealers License**
ENZO'S AUTO SALES
10 Hawthorn Street
Nonantum, MA. 02458
Land Use Approved 7-0

#618-18 **Class 3 Auto Dealers License**
ECHO BRIDGE SALVAGE CO.
16 Maguire Court
Newton, MA. 02458
Land Use Approved 7-0

#619-18 **Class 3 Auto Dealers License**
SCHIAVONE BROTHERS INC.
16 Maguire Court
Newton, MA. 02458
Land Use Approved 7-0

Referred to Zoning & Planning Committee

Monday, January 14, 2019

Referred to Zoning & Planning and Finance Committees

#29-19 **Funds to cover the cost of a vision plan for the Riverside MBTA property**
HER HONOR THE MAYOR requesting authorization for the acceptance and expenditure of funds provided by the Riverside MBTA property developer to cover the cost of independent consultant support for a vision plan for the Riverside MBTA property.
Finance Approved 7-0 on 1/14/19
Zoning & Planning Approved 7-0

Referred to Zoning & Planning and Finance Committees

#28-19

Appropriation of \$600,000 for rehabilitation of Allen House

COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of six hundred thousand dollars from the Community Preservation Fund to the Planning & Development Department for a grant to the Newton Cultural Alliance for the rehabilitation of the historic Allen House, 35 Webster Street, for use as a community arts and cultural center, to supplement the CPA funding previously appropriated for this project through Council orders #227-14(2) and #156-16.

Finance Approved 7-0 on 01/14/19**Zoning & Planning Approved 6-0 (Danberg recused) on 01/14/19**

#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)

Zoning & Planning Approved 7-0**Referred to Programs & Services Committee**

Wednesday, January 9, 2019

#605-18

Appointment of Julie Irish to the Council on Aging

HER HONOR THE MAYOR appointing JULIE IRISH, 8 Columbia Avenue, Newton Upper Falls, as a member of the COUNCIL ON AGING for a term to expire January 1, 2022. (60 days: 2/1/19)

Programs & Services Approved 5-0

#15-19

Appointment of Melissa Sommer to the Parks & Recreation Commission

HER HONOR THE MAYOR appointing MELISSA SOMMER, 440 Wolcott Street, Auburndale, as a member of the PARKS & RECREATION COMMISSION for a term to expire January 15, 2022. (60 days: 03/08/19)

Programs & Services Approved 5-0

#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)

Programs & Services Approved 5-0

#636-18

Re-appointment of Patricia Kerwin Derrick to the Parks & Recreation Commission

HER HONOR THE MAYOR re-appointing PATRICIA KERWIN DERRICK, 197 Spiers Road, Newton Centre, as the Ward 8 member of the PARKS AND RECREATION COMMISSION for a term to expire February 25, 2022. (60 days: 02/15/19)

Programs & Services Approved 5-0

- #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)
Programs & Services Approved 5-0
- #573-18 Re-appointment of Matthew Stafford to Health & Human Serv Advisory Council**
HER HONOR THE MAYOR reappointing MATTHEW STAFFORD, 100 Cragmore road, Newton Upper Falls, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire January 1, 2022 (60 days: 01/18/19)
Programs & Services Approved 5-0
- #574-18 Re-appointment of Asa Fanelli to Health and Human Services Advisory Council**
HER HONOR THE MAYOR reappointing ASA FANELLI, 8 Kerry Court, West Newton, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire January 1, 2022 (60 days: 01/18/19)
Programs & Services Approved 5-0
- #575-18 Re-appointment of Lisa Terrizzi to Health and Human Services Advisory Council**
HER HONOR THE MAYOR reappointing LISA TERRIZI, 63 Ridge Avenue, Newton Centre, as a member of the HEALTH AND HUMAN SERVICES ADVISORY COUNCIL for a term to expire January 1, 2022 (60 days: 01/18/19)
Programs & Services Approved 5-0
- #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)
Programs & Services Approved 5-0
- Referred to Programs & Services, Public Facilities and Finance Committees**
- #34-19** HER HONOR THE MAYOR requesting authorization to accept and expend one hundred thousand dollars (\$100,000) from the State Fiscal Year 2019 Legislative Earmark Funds to be used to conduct a feasibility study on the renovation, expansion and new construction of the Newton Senior Center.
Finance Approved 7-0 on 01/14/19
Public Facilities Approved 7-0 on 01/09/19
Programs & Services Approved 4-0 (Schwartz not voting)

A Motion to Suspend the Rules to allow the Chair of the Programs & Services Committee to Report out the following item taken up earlier in the evening without a written report was Approved by Voice Vote

- #604-18** **Appointment of Norm Meltz to the Council on Aging**
HER HONOR THE MAYOR appointing NORM MELTZ, 287 Langley Road, Newton Centre, as a member of the COUNCIL ON AGING for a term to expire January 1, 2022. (60 days: 2/1/19)
Programs & Services Approved 5-0

Referred to Public Facilities Committee

Wednesday, January 9, 2019

Referred to Programs & Services, Public Facilities and Finance Committees

- #34-19** HER HONOR THE MAYOR requesting authorization to accept and expend one hundred thousand dollars (\$100,000) from the State Fiscal Year 2019 Legislative Earmark Funds to be used to conduct a feasibility study on the renovation, expansion and new construction of the Newton Senior Center.
Finance Approved 7-0 on 01/14/19
Programs & Services 4-0 (Schwartz not voting) on 01/09/19
Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

- #33-19** HER HONOR THE MAYOR requesting authorization to transfer for the sum of one million three hundred thousand dollars (\$1,300,000) Free Cash to fund the continuation of Feasibility Study/Schematic design and Site Plan Approval for the Lincoln Eliot/Newton Early Childhood Program.
Finance Approved 7-0
Public Facilities Approved 7-0

Referred to Finance Committee

Monday, January 14, 2019

Referred to Zoning & Planning and Finance Committees

- #29-19** **Funds to cover the cost of a vision plan for the Riverside MBTA property**
HER HONOR THE MAYOR requesting authorization for the acceptance and expenditure of funds provided by the Riverside MBTA property developer to cover the cost of independent consultant support for a vision plan for the Riverside MBTA property.
Zoning & Planning Approved 7-0 on 01/14/19
Finance Approved 7-0

- #26-19** **Appropriation of \$30,000 from CPA funds for holding conservation restrictions**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of thirty

thousand dollars (\$30,000) from the Community Preservation Fund to the Planning & Development Department for a grant to the Newton Conservators, for costs associated with holding the conservation restrictions required by the Community Preservation Act (CPA) on two properties acquired by the City in 2007-2010 using CPA funds, at 30 Wabasso Street (for the Conservation Commission) and 20 Rogers Street (for the Parks & Recreation Commission).

Finance Approved 7-0

#27-19

Increase the FTEs in the Public Buildings Department by one custodian

HER HONOR THE MAYOR requesting authorization to increase the number of Full Time Employees (FTEs) in the Public Buildings Department by one custodian position for the Senior Center to be funded through the Council on Aging Formula Grant.

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#33-19

HER HONOR THE MAYOR requesting authorization to transfer for the sum of one million three hundred thousand dollars (\$1,300,000) Free Cash to fund the continuation of Feasibility Study/Schematic design and Site Plan Approval for the Lincoln Eliot/Newton Early Childhood Program.

Public Facilities Approved 7-0 on 01/09/19

Finance Approved 7-0

Referred to Programs & Services, Public Facilities and Finance Committees

#34-19

HER HONOR THE MAYOR requesting authorization to accept and expend one hundred thousand dollars (\$100,000) from the State Fiscal Year 2019 Legislative Earmark Funds to be used to conduct a feasibility study on the renovation, expansion and new construction of the Newton Senior Center.

Public Facilities Approved 7-0 on 01/09/19

Programs & Services 4-0 (Schwartz not voting) on 01/09/19

Finance Approved 7-0

#35-19

Request to transfer funds for a 1-year collective bargaining agreement with AFSME

HER HONOR THE MAYOR requesting authorization to transfer the sum of forty thousand dollars (\$40,000) from Wage Reserve to the following accounts to fund the cost items set forth in the one-year labor contract agreement with the Foremen's Union.

| | |
|---|----------|
| Public Buildings Full-time Salaries | \$5,000 |
| Public Works Full-time Salaries | \$25,000 |
| Parks and Recreation Full-time Salaries | \$10,000 |

Finance Approved 7-0

#25-19 Re-appointment to the Financial Audit Advisory Committee
PRESIDENT OF THE CITY COUNCIL re-appointing DAVID SPECTOR, 34 Lombard Street, Newtonville, as a member of the FINANCIAL AUDIT ADVISORY COMMITTEE for a term to expire on February 1, 2022.
Finance Approved 7-0

#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)
Finance Approved 7-0

Motions to Suspend the Rules to Accept to the Docket and Refer to Committees the following two late filed docket items were Approved by Voice Vote.

Referred to Public Facilities and Finance Committees

#51-19 Approve \$3 million for the Pavement Management Program
HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.

Referred to Public Facilities and Finance Committees

#52-19 Approve a \$500,000 for snow and ice removal
HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

| | |
|---|-----------|
| Rental - Vehicles (0140110-5273)..... | \$350,000 |
| Regular Overtime (0140110-513001)..... | \$150,000 |

Public Hearings were assigned for the following items:

Public Hearing assigned for February 5, 2019

#36-19 Special Permit to parking waivers for a day care at 1440-1450 Washington Street
HAPPY MUNCHKINS DAY SCHOOL, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to waive 15 parking stalls, to waive perimeter landscaping requirements of an outdoor play area and to waive perimeter landscaping requirements of a parking facility associated with a day care center in a residential zone to support the proposed day care at 1440-

1450 Washington Street, Ward 3, West Newton, on land known as Section 32 Block 14 Lots 13-14, containing approximately 41,051 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3, 7.4, 7.5, 6.3.4.3, 5.1.4, 5.1.13, 6.3.4.B.3.b, 6.3.4.B.3.a, 5.1.9, Dover Waiver of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for February 5, 2019

#37-19

Special Permit Petition to allow a hotel use at 1170-1176 Walnut Street

STAS GAVROVSKY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing 2.5 story structure into an eight-bedroom hotel with a ground floor restaurant at 1170-1176 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 38 Lot 16, containing approximately 4,624 sq. ft. of land in a district zoned BUSINESS USE 2. Ref 7.3.3, 7.4, 4.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for February 5, 2019

#38-19

Special Permit Petition to allow increased FAR at 11 Village Circle

ALEXANDER GENIN AND VERONICA TUROVSKY GENIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the habitable space above an existing

attached garage, creating an FAR of .36 where .34 is allowed and .34 exists at 11 Village Circle, Ward 8, Newton Centre, on land known as Section 81 Block 03 Lot 09, containing approximately 14,498 sq. ft. of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for February 26, 2019

#39-19

Special Permit Petition to allow detached garage at 32 Baldpate Hill Road

MATTHEW AND DINA WOSK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the construction of a detached single-car garage where an attached two car garage exists, to allow greater than 700 sq. ft. of garage space and to allow a retaining wall greater than four feet in height in the setback at 32 Baldpate Hill Road, Ward 8, Newton Centre, on land known as Section 82 Block 26 Lot 01, containing approximately 25,225 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.2.B.1, 3.4.3.A.4.a, 3.4.2.B.1, 3.4.3.A.4.c, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

Public hearing assigned for February 26, 2019

#40-19

Special Permit Petition to increase non-conforming FAR at 46 Berwick Road

JONATHAN FLYNN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing garage and replace it with a single-car attached garage, library space and a second story accessory apartment, increasing the non-conforming FAR to .65 where .44 is required and .50 exists at 46 Berwick Road, Ward 6, Newton Centre, on land known as Section 52 Block 16 Lot 14, containing approximately 6,437 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing assigned for March 5, 2019

#41-19 **Petition to amend Council Order #288-18 to allow adult use-sales at 24-26 Elliot St**
CYPRESS TREE MANAGEMENT, INC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #288-18 to allow retail marijuana sales in conjunction with as the approved RMD (Registered Medical Dispensary), to waive the 25% façade transparency requirement, to waive minimum stall dimensions, to waive minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements and to waive lighting requirements at 24-26 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 25 Lot 01, containing approximately 25,320 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec 7.3.3, 7.4, 6.10.3.D, 4.4.1, 6.10.3.E.15, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.10.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

The City Council voted without discussion 21 Yeas, 2 Absent (Councilors Kalis & Norton), 1 Recused (Councilor Danberg) to Approve the Committee recommendations on the following item:

Referred to Zoning & Planning and Finance Committees

#28-19 **Appropriation of \$600,000 for rehabilitation of Allen House**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of six hundred thousand dollars from the Community Preservation Fund to the Planning & Development Department for a grant to the Newton Cultural Alliance for the rehabilitation of the historic Allen House, 35 Webster Street, for use as a community arts and cultural center, to supplement the CPA funding previously appropriated for this project through Council orders #227-14(2) and #156-16.
Zoning & Planning Approved 6-0 (Danberg recused) on 01/14/19
Finance Approved 7-0