



City Council Actions

In City Council

Tuesday, January 16, 2018

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

Absent: Councilor Baker

#9-18 **Class 1 Auto Dealer License**
FLAHERTY EQUIPMENT SALES CORPORATION
846 Walnut Street
Newton, MA. 02459
Land Use Approved 8-0
Approved 23 Yeas, 1 Absent (Councilor Baker)

Clerk's Note: This item was placed on Second Call by Councilor Gentile as he was concerned that there was a Flaherty in the City who was delinquent on some payments and wanted to confirm that Flaherty Equipment Sales was not owned by that individual. The Clerk provided a copy of the original application for the License and it was determined that they were not the same company. Councilor Gentile moved approval.

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

Referred to Land Use Committee

January 9, 2018

#21-18 **Special Permit Petition to exceed FAR at 43 Fisher Avenue**
DOUGLAS WHITAKER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a first floor kitchen and mudroom and second floor bedroom and bath after razing the existing first floor bump out, creating an FAR of .47 where .44 is allowed and .40 exists at 43 Fisher Avenue, Ward 6, Newton Highlands, on land known as Section 52 Block 13 Lot 06, containing approximately 7,430 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9.A.2 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 01/09/2018; Land Use Approved 8-0

#22-18 **Special Permit Petition to allow oversized dormer and office at 9 Crofton Road**
JOSEPH AND KELLY ROGERS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the second level of an existing detached garage structure for home business office use and construct a dormer greater than 50% of the wall below it, on the detached garage structure at 9 Crofton Road, Ward 5, Waban, on land known as Section 55, Block 14, Lot 13, containing approximately 38,197 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b, 6.7.3.B.1.k.iv of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 01/09/2018; Land Use Approved 6-0 (Auchincloss, Lipof not Voting)

#20-18 **Special Permit Petition to extend non-conforming commercial use at 203 Elliot St**
BRICE BEN HOBBS AND REBECCA BELLA WANGH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend the non-conforming commercial use, extend the non-conforming front setback, extend the non-conforming side setback and exceeding the maximum FAR by extending the commercial use from retail to an art studio and constructing a second floor residence at 203 Elliot Street, Ward 5, Newton Upper Falls, on land known as Section 51, Block 18, Lot 4, containing approximately 4,164 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2, 3.2.3, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.
Public Hearing Closed 01/09/2018; Land Use Approved 8-0
The Chair of the Land Use Committee requested a suspension of the rules to allow him to poll his committee to change the vote to hold in committee was Approved by Voice Vote
Land use Held 8-0

Clerk's Note: The Chair noted that the petitioners have agreed to include handicap accommodation and need to adjust the request, so the Chair asked that the item be held in committee until they are able to review the changes.

#8-18 **Class 1 Auto Dealer License**
VILLAGE MOTORS GROUP, INC. D/B/A HONDA VILLAGE
371 Washington Street
Newton, MA. 02458
Land Use Approved 8-0

#10-18 **Class 1 Auto Dealer License**
NEWTON CENTRE SHELL
1365 Centre Street
Newton, MA. 02459
Land Use Approved 8-0

- #11-18** **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 8-0
- #12-18** **Class 2 Auto Dealer License**
NEW ENGLAND MOTOR MART, INC.
1231-2 Washington Street
West Newton, MA. 02465
Land Use Approved 8-0
- #13-18** **Class 2 Auto Dealer License**
KC AUTO
55 Farwell Street Apt. 13
Newton, MA. 02460
Land Use Approved 8-0
- #14-18** **Class 2 Auto Dealer License**
JACOBS AUTO SERVICE
HUSSEM JACOB/JACOB & ASSOCIATES
1232 Washington Street
Newton, MA. 02465
Land Use Approved 8-0
- #15-18** **Class 2 Auto Dealer License**
MOTORCARS OF BOSTON, INC.
1191 Washington Street
Newton, MA. 02465
Land Use Approved 8-0
- #16-18** **Class 3 Auto Dealer License**
SCHIAVONE BROTHERS, INC.
16 MAGUIRE COURT
Newton, MA. 02458
Land Use Approved 8-0
- #17-18** **Class 3 Auto Dealer License**
ECHO BRIDGE SALVAGE CO.
16 MAGUIRE COURT
Newton, MA. 02458
Land Use Approved 8-0

Public Hearings were assigned for the following items:

Public Hearing assigned for February 6, 2018

#64-18 Special Permit Petition to allow detached accessory apartment at 361 Wolcott St
PETER GREEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a detached structure for use as an accessory apartment at 361 Wolcott Street, Ward 4, Auburndale, on land known as Section 44, Block 29, Lot 26, containing approximately 18,200 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 6.7.1.E.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 6, 2018

#65-18 Petition to amend Board Order #152-14 at 1186 Chestnut Street/Indiana Court
SEYED A ZEKAVAT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #152-14 to allow for the construction of a second driveway at the rear of the property to be accessed from Indiana Court, Ward 5, Newton Upper Falls, on land known as Section 51, Block 40, Lot 23, containing approximately 5,383 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 6, 2018

#66-18 Petition to further extend non-conforming FAR at 48 Nathan Road
DAVID METCALF petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 270 sq. ft. rear addition, further increasing the non-conforming FAR from .44 to .47 where .43 is allowed at 48 Nathan Road, Ward 2, Newton Centre, on land known as Section 13, Block 32, Lot 19, containing approximately 7,983 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 the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 6, 2018

#67-18 Petition to allow single-family dwelling in MR-1 at 336 Newtonville Avenue
DONALD AND LINDA STANTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to relocate an existing dwelling, add a unit to the rear of the dwelling and construct two additional single-family attached dwellings in an MR-1 district, requiring a special permit at 336 Newtonville Avenue, Ward 2, Newtonville, on land known as Section 22, Block 07, Lot 19, containing approximately 29,896 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 13, 2018

#68-18 Petition to allow for profit educational use at 227 Washington Street
EUI CHOI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit learning center in the existing day care at 227 Washington Street, Ward 1, Newton, on land known as Section 71, Block 07, Lot 01, containing approximately 5,553 sq. ft. of

land in a district zoned BUSINESS 2. Ref: 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 13, 2018

#69-18 **Petition to grant parking waivers for daycare at The Parish of the Good Shepherd**
PARISH OF THE GOOD SHEPHERD/JAMES BOYD petition for SPECIAL PERMIT/SITE PLAN APPROVAL to grant waivers to screening requirements for an outdoor play space for daycare use, waive the screening requirements for parking for daycare use and waive eight parking stalls at 1671 Beacon Street, Ward 5, Waban, on land known as Section 55, Block 10, Lot 57, containing approximately 26,530 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 7.4.5, 6.3.4.3, 6.3.4.B.3.a, 6.3.4.B.b, 5.1.4, 5.1.13, 6.3.4.B.3.d, Dover Waiver of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 13, 2018

#70-18 **Petition to amend #535-91 to allow accessory apartment at 73 Perkins St**
LAUREL FARNSWORTH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an interior accessory apartment exceeding 1,000 sq. ft., on the third and fourth levels of the existing non-conforming 3.5 story house, further extending the non-conforming three-story structure, **amending** Special Permit #535-91 at 73 Perkins Street, Ward 3, West Newton, on land known as Section 32, Block 12, Lot 40, containing approximately 18,477 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2, 6.7.1.D.2 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 13, 2018

#71-18 **Petition to amend Special Permit #515-61 at 82-128 JFK Circle**
NEWTON HOUSING AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #515-61 to remove 26,366 sq. ft. of land from the existing 124,061 sq. ft. lot at 82-128 JFK Circle in order to develop 55 affordable elderly housing units, requiring a Comprehensive Permit and to extend non-conforming front setbacks at 82-128 John F Kennedy Circle, Ward 1, Newton, on land known as Section 12, Block 01, Lot 29 and Section 12, Block 01, Lot 32, containing approximately 124,061 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for February 12, 2018

#77-18 **Zoning Amendments for Recreational Marijuana Establishments**
DIRECTOR OF PLANNING requesting amendments to the City of Newton Zoning Ordinance, **Chapter 30**, to add a definition of recreational marijuana establishment and to create a temporary moratorium on the placement of recreational marijuana establishments in the City of Newton to allow the city adequate time to complete a planning process to consider in what districts and under what conditions recreational marijuana establishments will be allowed.

Public Hearing assigned for February 12, 2018

#30-18 Zoning ordinance amendment regarding lodging houses

COUNCILORS CROSSLEY, ALBRIGHT, NORTON, DANBERG, LEARY, KALIS AND BAKER requesting to amend Chapter 30, City of Newton Ordinances, to include a “lodging house” ordinance to promulgate standards for new buildings and developments that would provide congregate living arrangements and/or single room occupancy.

A motion to suspend the rules to accept and refer to Committees the following two late filed docket items was approved by voice vote:

Referred to Zoning & Planning and Finance Committees

#85-18 Appropriate funds to develop an action plan for Washington Street Corridor

HER HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the purpose of developing an actionable plan for the Washington Street Corridor that addresses land use, economic development, transportation, fiscal impacts, and other issues that may arise, as well as a new zoning district(s).

Referred to Zoning & Planning and Finance Committees

#86-18 Add a full-time position in the Planning Department

HER HONOR THE MAYOR requesting authorization of the addition of one full-time employee position in the Planning & Development Department to create a Director of Transportation Planning position.