



## City Council Actions

### In City Council

Monday, March 5, 2018

**Present:** Councilors Albright, Auchincloss, Baker, Brousal-Glaser, Cote, Crossley, Downs, Greenberg, Grossman, Kalis, Kelley, Krintzman, Lappin, Leary, Markiewicz, Noel, Norton, Rice, Schwartz and Laredo.

**Absent:** Councilors Ciccone, Danberg, Gentile and Lipof

**The City Council discussed the following items on second call:**

- #67-18**      **Petition to allow single-family dwelling in MR-1 at 336 Newtonville Avenue**  
336 NEWTONVILLE AVE LLC 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 Closed on 02/06/18; Land Use Approved 5-0 -1 (Laredo abstaining)**  
**Item postponed to a date certain of March 5, 2018.**  
**Approved 18 Yeas, 2 Nays (Councilors Auchincloss and Laredo), 4 Absent (Councilors Ciccone, Danberg, Gentile and Lipof)**

Clerk's Note:

- #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 closed on 02/12/18; Zoning & Planning Approved 4-3-1 (Albright, Leary, Krintzman opposed; Downs abstaining)**  
**Item postponed to a date certain of March 5, 2018.**  
**Motion to amend to add an exemption for current Medical Marijuana Facilities was Approved 16 Yeas, 4 Nays ( Councilors Auchincloss, Baker, Brousal-Glaser and Laredo), 4 Absent (Councilors Ciccone, Danberg, Gentile and Lipof)**

**Approved as amended 20 Yeas, 4 Absent (Councilors Ciccone, Danberg, Gentile and Lipof)**

Clerk's Note:

- C. This moratorium shall not apply to prevent a medical marijuana dispensary operating in Newton that was licensed or registered not later than July 1, 2017 from converting to the retail sale of recreational marijuana under the provisions of MGL c. 94G and any regulations promulgated thereunder.

**#41-18**

**Review of City code governing petitions for wireless communications**

COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a review of proposed City Code Sec. 23-20, authorizing the adoption of City Council regulations governing petitions for permission to install wireless communications facilities and new poles proposed for wireless communications use in the public ways of the City. Such rules would cover petitions that are subject to review under G.L. c. 166, §22 and 47 U.S.C. §332(c) (7) and petitions that are subject to limited review under 47 U.S.C. §1455 ("Eligible Facilities Requests").

**Public Facilities Approved 6-0**

**Approved as Amend to add the words "local and" to the ordinance 20 Yeas, 4 Absent (Councilors Ciccone, Danberg, Gentile and Lipof)**

Clerk's Note:

**The City Council voted without discussion 20 Yeas, 4 Absent (Councilors Ciccone, Danberg, Gentile and Lipof) to Approve the following items:**

**Referred to Land Use Committee**

Tuesday, February 27, 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.

**Land Use Approved Withdrawal without Prejudice 8-0**

**#18-18**

**Special Permit Petition to allow oversized dormer at 165 Harvard Street**

DIEGO TEBALDI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow dormer greater than 50% of the exterior wall below it at 165 Harvard Street, Ward 2, Newtonville, on land known as Section 22, Block 23, Lot 2, containing approximately 9,273 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 1.5.4.G.2, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2015.

**Public Hearing closed on 02/27/18; Land Use Approved 6-0-2 (Crossley, Kelley abstaining)**

- #130-18**      **Class 2 Auto Dealer License**  
CICCONE MOTORS  
22 West Street  
Newton, MA. 02458.  
**Land Use Approved 8-0**
- #131-18**      **Temporary license to hold Nonantum Village Day**  
NONANTUM NEIGHBORHOOD ASSOCIATION requesting a temporary license pursuant to Chapter 30 Section 2.3.3 of the City of Newton Ordinances to hold NONANTUM VILLAGE DAY on Sunday, June 3, 2018.  
**Land Use Approved 8-0**
- #132-18**      **President's Appointment of Councilor Rice to the NWH Neighborhood Council**  
PRESIDENT LAREDO re-appointing Councilor John Rice, 9 Selden Street, Waban, as the Ward 5 Council Representative, to the Newton-Wellesley Neighborhood Council pursuant to Condition #29 of Special Permit #470-04 for a term of office to expire on December 31, 2019. (60 days: 04/16/18)  
**Land Use Approved 8-0**
- #102-18**      **President's Appointment of Councilor Auchincloss to the Austin St Liaison Committee**  
PRESIDENT LAREDO appointing Councilor Jake Auchincloss as the Ward 2 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #103-18**      **President's Appointment of Councilor Leary to the Austin Street Liaison Committee**  
PRESIDENT LAREDO appointing Councilor Alison Leary as the Ward 1 Council representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #104-18**      **President's Appointment of Stephen Logowitz to the Austin Street Liaison Committee**

PRESIDENT LAREDO appointing Stephen Logowitz, 28 Clyde Street, Newtonville, as a Newtonville Resident Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019. (60 days: 04/06/18)

**Land Use Approved 8-0**

**#105-18 President's Appointment of Bill Honeycutt to the Austin Street Liaison Committee**

PRESIDENT LAREDO appointing Bill Honeycutt as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.

**Land Use Approved 8-0**

**#106-18 President's Appointment of Brian Shaw to the Austin Street Liaison Committee**

PRESIDENT LAREDO appointing Brian Shaw as the Newtonville Business Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.

**Land Use Approved 8-0**

**#107-18 President's Appointment of Michael Tucci to the Austin Street Liaison Committee**

PRESIDENT LAREDO appointing Michael Tucci, 191 Jackson Road, Newton as the Jackson Road Area Representative to the Austin Street Liaison Committee (as created by condition #8 of the Special Permit Council Order #119-15) for a term to expire December 31, 2019.

**Land Use Approved 8-0**

**#99-18 Appointment of Councilor Kalis to the Chabad Neighborhood Council**

PRESIDENT LAREDO appointing Councilor David Kalis as the Ward 8 Council Representative to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019.

**Land Use Approved 8-0**

**#100-18 President's Appointment of David Yu to the Chabad Neighborhood Council**

PRESIDENT LAREDO appointing David Yu, 22 Rachel Road, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019.)

**Land Use Approved 8-0**

**#101-18 President's Appointment of Elyse Friedman to the Chabad Neighborhood Council**

PRESIDENT LAREDO appointing Elyse Friedman, 370 Dedham Street, Newton Centre to the Chabad-Lubavitch Neighborhood Area Council (as created by Condition #20 of Special permit Council Order #319-03) for a term to expire December 31, 2019. (60 days: 04/06/18)

**Land Use Approved 8-0**

- #97-18**      **Appointment of Councilor Baker to the Boston College Neighborhood Council**  
PRESIDENT LAREDO appointing Councilor R. Lisle Baker as the Ward 7 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019.  
**Land Use Approved 8-0**
- #98-18**      **Appointment of Councilor Norton to the Boston College Neighborhood Council**  
PRESIDENT LAREDO appointing Councilor Emily Norton as the Ward 2 Council Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #93-18**      **Appointment of Elizabeth Smith to the Washington Place Liaison Committee**  
PRESIDENT LAREDO appointing Elizabeth Smith, 40 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #94-18**      **Appointment of Meghan Smith to the Washington Place Liaison Committee**  
PRESIDENT LAREDO appointing Meghan Smith, 34 Foster Street, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #95-18**      **Appointment of Wayne Koch to the Washington Place Liaison Committee**  
PRESIDENT LAREDO appointing Wayne Koch, 64 Greylock Road, West Newton, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**
- #96-18**      **Appointment of Robert Fitzpatrick to the Washington Place Liaison Committee**  
PRESIDENT LAREDO appointing Robert Fitzpatrick, 167 Lowell Avenue #1, Newtonville, to the Washington Place Construction Liaison Committee (as created by condition #19 of the Special Permit Council Order #96-17) for a term to expire December 31, 2019. (60 days: 04/06/18)  
**Land Use Approved 8-0**

**Referred to Programs & Services Committee**

Wednesday, February 21, 2018

- #145-18**      **Re-appointment of William Dietrich to the Biosafety Committee**

PRESIDENT LAREDO re-appointing WILLIAM DIETRICH, 29 Osborne Path, Newton Centre as a member of the BIOSAFETY COMMITTEE for a term to expire April 1, 2019.

**Programs & Services Approved 4-0**

**#146-18 Re-appointment of Patrick Costello to the Farm Commission**

PRESIDENT LAREDO re-appointing PATRICK COSTELLO, 392 Wolcott Street, Auburndale, to the FARM COMMISSION for a term to expire June 30, 2021.

**Programs & Services Approved 4-0**

**#147-18 Re-appointment of Sydra Schnipper to the Community Education Commission**

PRESIDENT LAREDO re-appointing SYDRA SCHNIPPER, 273 Ward Street, Newton Centre, to the COMMUNITY EDUCATION COMMISSION for a term to expire March 31, 2020.

**Programs & Services Approved 4-0**

**#148-18 Council Rules amendment relative to Robert’s Rules**

CITY CLERK requesting to amend the 2018-2019 Council Rules by replacing the reference to Robert’s Rules Newly Revised 10<sup>th</sup> Edition with the current edition of Robert’s Rules of Order.

**Programs & Services Approved 4-0**

**A motion to allow the Vice Chair of Finance to report on the following item discussed earlier in the evening without a written report was Approved by Voice Vote**

**Referred to Public Facilities and Finance Committees**

**#155-18 Appropriate \$500,000 for snow and ice removal expenses**

HER HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash to supplement the Department of Public Works’ snow and ice operations budget.

Personnel Costs – Overtime (0140110-513001).....	\$150,000
Rental Vehicles (0140110-5273-5273) .....	\$350,000

**Public Facilities Approved 5-0 (Councilor Norton not Voting)**

**Finance Approved as Amended to \$1,850,000 6-0**

**A motion to suspend the rules to allow the Chair of the Public Facilities to poll her Committee to amend its vote to make it consistent with the vote of Finance was Approved by Voice Vote.**

**Public Facilities Approved as Amended to \$1,850,000 6-0**

**Late Filed Docket Items Accepted**

A motion to Suspend the Rules to accept the following late filed items and refer them to Committee was Approved by Voice Vote.

**Referred to Finance Committee**

**#171-18 Appointment of Karen Glasgow as Human Resources Director**  
HER HONOR THE MAYOR appointing KAREN GLASGOW as the Human Resources Director for the City of Newton effective March 12, 2018 pursuant to §3-3 of the City Charter. (30 days 04/04/18)

**Referred to Public Facilities and Finance Committees**

**#172-18 Appropriate \$500,000 for snow and ice removal expenses**  
HER HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash to supplement the Department of Public Works’ snow and ice operations budget.

Personnel Costs – Overtime (0140110-513001).....	\$150,000
Rental Vehicles (0140110-5273-5273) .....	\$350,000

**Public Hearings were assigned for the following items:**

**Public Hearing Assigned for March 7, 2018**

**#165-18 Comcast petition for grant of location in Austin Street/Philip Bram Way**  
COMCAST ENERGY petition for a grant of location to install conduit in AUSTIN STREET from existing pole 311/4 (in front of 40 Austin Street) easterly 355’± to a proposed manhole in Austin Street thence turning in a southerly direction and continuing 127’± to a second proposed manhole in PHILIP BRAM WAY (Private Way) and continuing in a southeasterly direction 124’ ± to new Pole 311/1-2 in Philip Bram Way. (Ward 2).

**Public Hearing Assigned for March 21, 2018**

**#166-18 Eversource petition for grant of location in Rumford Ave**  
EVERSOURCE ENERGY petitioning for a grant of location to relocate two poles on the southwesterly side of RUMFORD AVENUE: Pole #866/2 located approximately 245’ from Lexington Street, a distance of 5’± in a northerly direction from the existing location and Pole #866/3 located approximately 345’ from Lexington Street a distance of 29.2’± in a westerly direction from the existing location. (Ward 4)