



City Council Actions

In City Council

Monday, May 21, 2018

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

The City Council voted without discussion 24 Yeas to Approve the following items:

Referred to Land Use Committee

Tuesday, May 8, 2018

- #213-18** **Special Permit Petition to extend nonconforming front setback at 140 Windermere Rd**
JOHN AND DANIEL ARONE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER EXTEND NONCONFORMING SETBACK by constructing a second-floor deck above the existing sunporch, extending the existing nonconforming setback vertically at 140 Windermere Road, Ward 4, Auburndale, on land known as Section 43, Block 08, Lot 19, containing approximately 12,445 sq. ft. of land in a district zoned SNIGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Approved 6-0; Public Hearing Closed 05/08/2018
- #214-18** **Special Permit Petition to exceed FAR and lot coverage at 458 Woodward Street**
STEFFI AND ERIC KARP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to relocate stairs and enclose an existing porch, further increasing the existing nonconforming lot coverage and nonconforming FAR to .63 where .59 exists and .44 is allowed at 458 Woodward Street, Ward 5, Waban, on land known as Section 53, Block 26, Lot 16, containing approximately 6,276 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.
Land Use Approved 6-0; Public Hearing Closed 05/08/2018
- #91-18** **Petition to Amend Special Permits #273-14(2) & #40-07 on Elm Street**
NICORE CONSTRUCTION CORP./ANTONIO BONADIO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #273-14(2) and #40-07 to allow for the location of a new driveway, requiring an amendment to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton, on land known as Section 33 Block 23 Lot and Section 33 Block 23 Lot 16, containing approximately 26,320 sq. ft. of land in

a district zoned MR2 and MR1. Ref: Sec. 7.3, 7.4, 6.2.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015

Land Use Approved 6-0; Public Hearing Closed 03/06/2018

#253-18

Request for an extension of time for Special Permit at Elm Street

AGREEMENT TO AN EXTENSION OF TIME in which to ACT on petition #91-18 to amend Special Permits #273-14(2) and #40-07 to allow for the location of a new driveway, requiring an amendment to the site plan at 5-7 Elm Street and 11-19 Elm Street, Ward 3, West Newton; said extension will run to June 30, 2018.

Land Use Approved 6-0

Referred to Land Use Committee

Tuesday, May 15, 2018

#217-18

Petition to amend Order #275-14 to allow for-a learning center at 320 Needham St

FUSION EDUCATION INC./320 NEEDHAM DE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #275-14 to allow a for-profit learning center in the existing office space, at 320 Needham Street, Ward 8, Newton Upper Falls, on land known as Section 83, Block 31, Lot 26, containing approximately 97,600 sq. ft. of land in a district zoned MULTI USE 1. Ref: 7.3, 7.4, 4.4.1, 6.3.14, 5.1.13 of the City of Newton Rev Zoning Ord, 2015

Land Use Approved 7-0 (Laredo not Voting); Public Hearing Closed 05/15/2018

#180-18

Petition to amend Board Orders 43-10 and 370-12(2) at 199 Boylston Street

TIM FOX/SIMON MALLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow non-accessory parking to lease 496 parking stalls to off-site, third party users, requiring amendments to Special Permit Board Orders #43-10 and #307-12, a waiver for 496 parking stalls and approval to allow non-accessory parking at 199 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 65 Block 08 Lot 100, containing approximately 324,691 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 4.4.1, 5.1.4, 5.1.1 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 7-0-1 (Laredo abstaining); Public Hearing Closed 05/15/2018

A Motion to Suspend the Rules to allow the Chair of the Land Use Committee to Poll his Committee to hold the reporting of this item until June 4, 2018 was approved by Voice Vote.

Land Use to Report this item on June 4, 2018 8-0

#216-18

Special Permit Petition to amend Council Order #96-17 for Washington Place

MARK NEWTONVILLE, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #96-17 to allow for a substitution of the previously approved plans for the 140-unit development option with plans for a revised 140-unit development option,

which results in a hybrid between the originally approved 140-unit development option and the 160-unit development option by adding a fifth floor to the middle building fronting on Washington Street, and reducing massing at the rear of the east building along Walnut Street. The additional massing along Washington Street reflects what was already approved for the 160-unit scheme. The proposed amendment results in an overall increase of 1,970 sq. ft. to the 140-unit plan to accommodate the new layout but there is a total reduction of 14,575 sq. ft. compared with the approved 160-unit development option. The proposed amendment adds 170 sq. ft. of commercial square footage and relocates two at-grade parking stalls to the underground parking garage. In addition, the petitioner is requesting an amendment to Condition 24(i) to make the provision of a final Inclusionary Housing Plan and Affirmative Fair Marketing and Resident Selection Plan a condition precedent to the issuance of a temporary certificate of occupancy instead of a building permit at 22 Washington Terrace, 16-18 Washington Terrace, 10-12 Washington Terrace, 6-8 Washington Terrace, 875 Washington Street, 869 Washington Street, 867 Washington Street, 861-865 Washington Street, 857-859 Washington Street, 845-855 Washington Street, 245-261 Walnut Street, 241 Walnut Street, 22 Bailey Place, 14-18 Bailey Place, an unnumbered lot on Bailey Place, and the private way known as Bailey Place, also identified as Section 21, Block 29, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 21, 22, and 23, containing approximately 123,956 sq. ft of land in a district zoned BU1, BU2, Public Use (Board Order #95-17 approved for MU4 upon exercise of #96-17 Ref.: Sections 7.3, 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2015.

Land Use Approved 8-0; Public Hearing Closed 05/15/2018

Referred to Zoning & Planning Committee

Monday, May 14, 2018

- #262-18** **Appointment of Lei Z. Reilley to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing LEI Z. REILLEY, 130 Pine Street, Auburndale, as an associate member of the Zoning Board of Appeals for a term to expire April 30, 2019. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #259-18** **Appointment of Stuart Snyder to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing STUART SNYDER, 30 Erie Avenue, Newton Highlands, as a full member of the Zoning Board of Appeals for a term to expire April 30, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0

- #260-18 Appointment of Vincent Farina to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing VINCENT FARINA, 24 Manemet Road, Newton Centre, as an associate member of the Zoning Board of Appeals for a term to expire April 30, 2019. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #258-18 Appointment of Michael Rossi to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing MICHAEL ROSSI, 20 Rose Drive, West Newton, as a full member of the Zoning Board of Appeals for a term to expire April 30, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #263-18 Re-appointment of Brooke Lipsitt to the Zoning Board of Appeals**
HER HONOR THE MAYOR re-appointing BROOKE LIPSITT, 54 Kirkstall Road, Newtonville, as a full member of the Zoning Board of Appeals for a term to expire April 30, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #264-18 Re-appointment of William McLaughlin to the Zoning Board of Appeals**
HER HONOR THE MAYOR re-appointing WILLIAM McLAUGHLIN, 117 Hammond Street, Chestnut Hill, as a full member of the Zoning Board of Appeals for a term to expire April 30, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #265-18 Re-appointment of Barbara Huggins Carboni to the Zoning Board of Appeals**
HER HONOR THE MAYOR re-appointing BARBARA HUGGINS CARBONI, 122 Albemarle Road, Newtonville, as a full member of the Zoning Board of Appeals for a term to expire April 30, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #266-18 Re-appointment of Michael Quinn to the Zoning Board of Appeals**
HER HONOR THE MAYOR re-appointing MICHAEL QUINN, 115 Staniford Street, Auburndale, as an associate member of the Zoning Board of Appeals for a term to expire April 30, 2019. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0
- #267-18 Re-appointment of Treff LaFleche to the Zoning Board of Appeals**
HER HONOR THE MAYOR re-appointing TREFF LaFLECHE, 1603 Commonwealth Avenue, West Newton, as an associate member of the Zoning Board of Appeals for a term to expire April 30, 2019. (60 days: July 6, 2018)
Zoning & Planning Approved 7-0

Referred to Programs & Services Committee

Wednesday, May 9, 2018

- #271-18 Appointment of Naomi Krasner to the Council on Aging**
HER HONOR THE MAYOR appointing NAOMI KRASNER, 72 Nonantum Street, Newton, as a member of the COUNCIL ON AGING for a term to expire May 15, 2021. (60 days: July 6, 2018)
Programs & Services Approved 4-0
- #270-18 Appointment of Allison Sharma to the Council on Aging**
HER HONOR THE MAYOR appointing ALLISON SHARMA, 46 Kingswood Road, Auburndale, as a member of the COUNCIL ON AGING for a term to expire May 15, 2021. (60 days: July 6, 2018)
Programs & Services Approved 4-0
- #269-18 Appointment of Anil Adyanthaya to the Licensing Board**
HER HONOR THE MAYOR appointing ANIL ADYANTHAYA, 11 Tamarac Road, Newton Upper Falls, as a member of the LICENSING BOARD for a term to expire June 3, 2024. (60 days: July 6, 2018)
Programs & Services Approved 4-0

Referred to Programs & Services and Finance Committees

- #282-18** HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Free Cash to fund the facility programming phase for an Active Living Center to address community and senior needs.
Finance Approved 7-0 on 05/14/18
Programs & Services Approved 4-0

Referred to Public Safety & Transportation Committee

May 10, 2018

Referred to Public Safety & Transportation and Finance Committees

- #243-18 Appropriate \$1,210,000 to purchase new portable radios for Police and Fire**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million two hundred ten thousand dollars (\$1,210,000) from Free Cash for the purpose of funding the purchase of new portable radios for the Police and Fire Departments.
Finance Approved 7-0 on 05/14/18
Public Safety & Transportation Approved 7-0, Cote not voting

Referred to Public Safety & Transportation and Finance Committees

#244-18

Appropriate \$600,000 for Fire Department overtime

HER HONOR THE MAYOR requesting authorization to appropriate and expend six hundred thousand dollars (\$600,000) from Free Cash to the Fire Department Overtime Account.

Finance Approved 7-0 on 05/14/18

Public Safety & Transportation Approved 8-0

Referred to Public Facilities Committee

May 3, 2018

Referred to Public Facilities and Finance Committees

#245-18

Appropriate \$500,000 for the Oak and Christina Intersection Project

HER HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the Oak and Christina Streets Intersection Project.

Finance Approved as Amended 7-0 @ \$700,000 on 05/14/18

Public Facilities Approved as Amended 6-0 @ \$700,000 (Gentile not Voting)

Referred to Public Facilities and Finance Committees

#246-18

Appropriate \$175,000 for pedestrian and sidewalk improvements in Newton Corner

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred seventy-five thousand dollars (\$175,000) from Free Cash to a project account dedicated to additional sidewalk and pedestrian improvements in Newton Corner including landscaping and a new bus shelter.

Finance Approved 7-0 on 05/14/18

Public Facilities Approved 6-0 (Gentile not Voting)

Referred to Public Facilities and Finance Committees

#248-18

Appropriate and transfer funds for DPW electricity, vehicle, and repair expenses

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred thousand dollars (\$200,000) from Free Cash and authorization to transfer the sum of two hundred thousand dollars (\$200,000) from DPW Admin Full-time Salaries Account to the following accounts:

DPW Admin Electricity	\$215,000
DPW Vehicle Maintenance	\$50,000
DPW Transportation	\$135,000

Finance Approved as Amended 7-0 @ \$250,000 on 05/14/18

Public Facilities Approved 6-0 (Gentile not Voting)

A Motion to Suspend the Rules to allow the Chair of the Public Facilities Committee to Poll her Committee to make the report of the Public Facilities Committee Consistent with the Finance Committee was approved by Voice Vote

Public Facilities Committee Approved as Amended to \$250,000 8-0

Referred to Public Facilities Committee

May 9, 2018

Present: Councilors Crossley (Chair), Leary, Kelley, Laredo, Lappin, Norton; absent: Councilors Danberg, Gentile

#277-18 Eversource petition for grant of location in Cabot Street

EVERSOURCE ENERGY AND VERIZON NEW ENGLAND petitioning for a grant of location to relocate one pole (P60/26) and remove one pole (P60/27) to accommodate the bus turnaround at Cabot School. (Ward 2)

Public Facilities Approved 5-0 (Norton not Voting)

#278-18 National Grid Petition for a Grant of Location in Dedham Street

NATIONAL GRID petition for a grant of location to install and maintain approximately 1550'± of 12" gas main in Dedham Street from the existing gas main in the intersection of Dedham/Carlson in a southeasterly direction to house #912 in order to abandon the existing gas main.

Public Facilities Approved 5-0 (Norton not Voting)

Referred to Public Facilities and Finance Committees

#284-18

HER HONOR THE MAYOR requesting authorization to appropriate and expend seventy thousand dollars (\$70,000) from the Capital Stabilization Fund for the design of the Horace Mann elevator accessibility project.

Finance Approved 7-0 on 05/14/18

Public Facilities Approved 6-0

Referred to Public Facilities and Finance Committees

#285-18

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty thousand eight hundred dollars (\$140,800) from Budget Reserve for Snow/Ice Removal and one hundred ten thousand dollars (\$110,000) from DPW Full-time Salaries to Contracted Services – Snow/Ice Removal, as well as six hundred seventy thousand dollars (\$670,000) from Overtime – Snow/Ice Removal to Contracted Services – Snow/Ice Removal.

Finance Approved 7-0 on 05/14/18

Public Facilities Approved 6-0

Referred to Public Facilities and Finance Committees

#286-18 HER HONOR THE MAYOR requesting authorization to appropriate three million seven hundred thousand dollars (\$3,700,000) from bonded indebtedness to upgrade the water main infrastructure within the City.

Finance Approved 7-0 on 05/14/18

Public Facilities Approved 5-0-1 (Lappin abstaining)

#276-18 **President Laredo appointing Councilor Kelley to the Design Review Committee**
Andrea Kelley, 7 Taft Avenue, West Newton, appointed as a member of the DESIGN REVIEW COMMITTEE for a term to expire December 31, 2021.

Public Facilities Approved 6-0

Referred to Finance Committee

Monday, May 14, 2018

Referred to Public Safety & Transportation and Finance Committees

#243-18 **Appropriate \$1,210,000 to purchase new portable radios for Police and Fire**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million two hundred ten thousand dollars (\$1,210,000) from Free Cash for the purpose of funding the purchase of new portable radios for the Police and Fire Departments.

Public Safety Approved 7-0 (Cote not voting) on 05/10/18

Finance Approved 7-0

Referred to Public Safety & Transportation and Finance Committees

#244-18 **Appropriate \$600,000 for Fire Department overtime**
HER HONOR THE MAYOR requesting authorization to appropriate and expend six hundred thousand dollars (\$600,000) from Free Cash to the Fire Department Overtime Account.

Public Safety Approved 8-0 on 05/10/18

Finance Approved 7-0

Referred to Programs & Services and Finance Committees

#282-18 **Appropriate \$100,000 for facility programming for an Active Living Center**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from Free Cash to fund the facility programming phase for an Active Living Center to address community and senior needs.

Programs & Services Approved 4-0 on 05/09/18

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#247-18

Transfer \$650,000 from Capital Stabilization to replace the Lincoln Elliot HVAC System
HER HONOR THE MAYOR requesting authorization to transfer the sum of six hundred fifty thousand dollars (\$650,000) from the Capital Stabilization fund to the Public buildings Department for the purpose of funding the Lincoln Elliot HVAC System and other weatherization improvements.

Public Facilities Approved 5-0 on 04/26/18

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#284-18

Appropriate \$70,000 for the Horace Mann Elevator Project

HER HONOR THE MAYOR requesting authorization to appropriate and expend seventy thousand dollars (\$70,000) from the Capital Stabilization Fund for the design of the Horace Mann elevator accessibility project.

Public Facilities Approved 6-0 on 05/09/18

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#286-18

Appropriate \$3,700,000 to upgrade the water main infrastructure

HER HONOR THE MAYOR requesting authorization to appropriate three million seven hundred thousand dollars (\$3,700,000) from bonded indebtedness to upgrade the water main infrastructure within the City.

Public Facilities Approved 5-0-1 (Lappin abstaining) on 05/09/18

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#245-18

Appropriate \$500,000 for the Oak and Christina Intersection Project

HER HONOR THE MAYOR requesting authorization to appropriate and expend five hundred thousand dollars (\$500,000) from Free Cash for the Oak and Christina Streets Intersection Project.

Public Facilities Approved as amended 6-0 @ \$700,000 on 05/03/18

Finance Approved 7-0 as amended 7-0 @ \$700,000

Referred to Public Facilities and Finance Committees

#246-18

Appropriate \$175,000 for pedestrian and sidewalk improvements in Newton Corner

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred seventy-five thousand dollars (\$175,000) from Free Cash to a project account dedicated to additional sidewalk and pedestrian improvements in Newton Corner including landscaping and a new bus shelter.

Public Facilities Approved 6-0 on 05/03/18

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#248-18

Appropriate and transfer funds for DPW electricity, vehicle, and repair expenses

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred thousand dollars (\$200,000) from Free Cash and authorization to transfer the sum of two hundred thousand dollars (\$200,000) from DPW Admin Full-time Salaries Account to the following accounts:

DPW Admin Electricity	\$215,000
DPW Vehicle Maintenance	\$50,000
DPW Transportation	\$135,000

Public Facilities Approved 6-0 on 05/03/18

A Motion to Suspend the Rules to allow the Chair of the Public Facilities Committee to Poll her Committee to make the report of the Public Facilities Committee Consistent with the Finance Committee was approved by Voice Vote

Public Facilities Committee Approved as Amended to \$250,000 8-0
Finance Approved as Amended 7-0 @ \$250,000

Referred to Public Facilities and Finance Committees

#285-18

Transfer of \$920,800 to fund Contracted Services for Snow/Ice Removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty thousand eight hundred dollars (\$140,800) from Budget Reserve for Snow/Ice Removal and one hundred ten thousand dollars (\$110,000) from DPW Full-time Salaries to Contracted Services –Snow/Ice Removal, as well as six hundred seventy thousand dollars (\$670,000) from Overtime – Snow/Ice Removal to Contracted Services – Snow/Ice Removal.

Public Facilities Approved 6-0 on 05/09/18

Finance Approved 7-0

#194-18

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 7-0 on 03/21/18

A Motion to Suspend the Rules to allow the Chair of the Public Facilities Committee to Poll her Committee to make the report of the Public Facilities Committee Consistent with the Finance Committee was approved by Voice Vote

Public Facilities Committee No Action Necessary 8-0
Finance No Action Necessary 7-0

- #206-18** **Appropriate \$100,000 from Free Cash to the School Department's Budget**
HER HONOR THE MAYOR requesting authorization to appropriate one hundred thousand dollars (\$100,000) from Free Cash to supplement the School Department's FY 18 Budget. The FY 18 State Budget, which was approved after the City's FY 18 budget included an additional \$125,636 in State funding for Newton.
Finance Approved 7-0
- #240-18** **Transfer of \$30,000 to develop a Climate Action Plan**
HER HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from the Executive Office Full-time Salaries Account to the Executive Office Consultants Account for the purpose of developing a Climate Action Plan.
Finance Approved 5-0-2 (Ciccione, Cote abstaining)

Public Hearings were assigned for the following items:

Public Hearing assigned for May 29, 2018

- #201-18** **Zoning amendment to limit residential portion of business zone developments**
COUNCILOR GENTILE, MARKIEWICZ, AND COTE requesting amendments to Chapter 30, Newton Zoning Ordinance, to require that any development in a business zone, limit the residential portion of the project to 50% of the total development.

Public Hearing assigned for May 29, 2018

- #202-18** **Zoning amendment to Mixed Used 4 district**
COUNCILOR GENTILE MARKIEWICZ, AND COTE requesting amendments to Chapter 30, Newton Zoning Ordinance, so that the Mixed Used 4 (MU4) zone is either eliminated; or the dimensional controls are reduced; or a moratorium of two years be placed on any new MU4 development; or any combination of these three action.

Public Hearing assigned for May 29, 2018

- #203-18** **Zoning amendment for moratorium on zone changes/construction on Washington St.**
COUNCILOR GENTILE requesting amendments to Chapter 30, Newton Zoning Ordinance, to adopt an immediate moratorium on any zone changes and/or construction/development along both sides of Washington Street, including abutting properties, from the intersection of Commonwealth Avenue and Washington Street in Auburndale/West Newton, to the intersection of Washington Street and Centre Street in Newton Corner. This moratorium shall remain in place until Zoning Redesign and the proposed "actionable plan for the Washington Street Corridor" are completed. This moratorium does not apply to by right construction/development that is currently allowed by the Newton Zoning Ordinances. This moratorium shall expire on September 30, 2019.

Public Hearing assigned for June 5, 2018**#288-18 Special Permit Petition to allow RMD at 24-26 Elliot Street**

CYPRESS TREE MANAGEMENT, INC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a registered medical marijuana dispensary in a non-conforming structure, to waive minimum stall dimensions, to waive minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements, to waive requirements for interior planting, to waive requirement for interior tree planting, to waive requirements for bumper overhang area landscaping, to waive requirements for 1-foot candle lighting and to allow the RMD to be located within 500' of a school 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, 6.10.3.D.1, 6.10.3.F.2, 4.1.3, 6.10.3.D.5, 7.8.1.C.1, 7.8.2.C.2, 5.1.12, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.9.A, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 5, 2018**#289-18 Special Permit Petition to amend Board Order #167-14 for Garden Remedies**

GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order #167-14 to allow the retail sale of recreational marijuana and medical marijuana, to delete Condition #3 relative to customer appointments, to amend Condition #4 to allow up to 12 employees at one time, to amend Condition #5 to modify the hours of operation, to expand the premises to include additional space, to allow waivers to perimeter screening requirements, to allow waivers to interior landscaping requirements, to allow waivers for parking facility requirements for; parking in the front setback, waivers to interior landscaping, waivers for interior planting area requirements, waivers to requirements for tree planting, waivers to requirements for bumper overhang area landscaping, waivers to requirements for 1-foot candle lighting, waivers for retaining walls over 4' in height and a waiver for 5 parking stalls to the extent necessary in Ward 2, Newton at 697 Washington Street (Section 23 Block 19 Lot 01B), 691 Washington Street (Section 23 Block 19 Lot 01A), 681 Washington Street (Section 23 Block 19 Lot 01) and 2 Court Street (Section 23 Block 19 Lot 23), containing approximately 16,669 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 5.1.8.A.1, 5.1.13, 5.1.9.A, 5.1.9.B, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.4.2.B of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 5, 2018**#290-18 Special Permit Petition to extend non-conforming front setback at 12 Acorn Drive**

JENIFER AND ROBERT HEINSTEIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the existing non-conforming front setback by enclosing the front entrance at 12 Acorn Drive, Ward 4, Auburndale, on land known as Section 44 Block 29 Lot 10, containing approximately 7,610 sq. ft. of land in a district zoned SINGLE

RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 5, 2018

#291-18 **Special Permit Petition to allow detached accessory apartment at 1224 Boylston Street**
AMY McMAHON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a detached accessory apartment in a 353 sq. ft. existing detached structure at 1224 Boylston Street, Ward 5, Newton Upper Falls, on land known as Section 51 Block 09 Lot 21 containing approximately 12,652 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 June 5, 2018

#292-18 **Special Permit Petition to exceed FAR at 39 Summit Street**
VANESSA LIPSCHITZ AND MATTHEW HELMING petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 455 sq. ft. two-story addition, creating an FAR of .58 where .39 exists and .45 is allowed at 39 Summit Street, Ward 1, Newton, on land known as Section 12 Block 22 Lot 24, containing approximately 5,439 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 7.3.3, 7.4, 3.1.3, 3.1.9 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 6, 2018:

#312-18 **Citizens Petition requesting ballot question on recreational marijuana establishments**
SUZANNE BENDER ET ALS., submitting a group petition pursuant to Section 10-2 of the City of Newton Charter, 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.”

Public Hearing assigned for June 12, 2018

#293-18 **Petition to allow restaurant with more than 50 seats at 342-344 Watertown Street**
ARTUR ANDRONIC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with greater than 50 seats, a waiver for 12 parking stalls and allow the re-use of an existing non-conforming sign at 342-344 Watertown Street, Ward 1, Newton, on land known as Section 14 Block 12 Lot 21 containing approximately 8,364 sq. ft. of land

in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.4.1, 6.4.29.C.1, 5.1.4, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 12, 2018

#294-18 Special Permit Petition to allow development at 1314 Washington and 31, 33 Davis St. HQ, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story addition in the BU1 district to be used for mixed uses, to allow a building in excess of 20,000 sq. ft., to extend the existing non-conforming structure with regard to height, to extend the existing non-conforming structure with regard to side setback, to allow a restaurant with more than 50 seats, to waive the requirement of using the A-B+C parking formula, to allow a reduction in the overall parking required by 1/3, to waive 27 parking stalls, to allow parking in the front and side setback, to allow reduced parking stall dimensions, to waive end stall maneuvering space requirements, to allow reduced aisle width, to waive perimeter screening requirements, to waive interior landscaping requirements, to waive requirements for interior planting area, tree planting, and bumper overhang area landscaping, to waive lighting requirements, to waive off-street loading facility requirements in Ward 3, West Newton, at 1314 Washington Street, 31 Davis Street and 33 Davis Street (Section 33 Block 10 Lots 01, 11, 12), containing approximately 30,031 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.1, 7.8.2.C.2, 4.4.1, 6.4.29.C.1, 5.1.3.B, 5.1.13, 5.1.4, 5.1.4.C, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.9.A, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.12 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing assigned for June 25, 2018

#185-18 Discussion and adoption of Needham Street Vision Plan
DIRECTOR OF PLANNING requesting discussion and adoption of the Needham Street Vision Plan as an amendment to the 2007 Newton Comprehensive Plan.

Public Hearing assigned for June 25, 2018

#186-18 Zoning Amendment for Shared Parking Pilot Program
DIRECTOR OF PLANNING requesting amendments to Chapter 30, Newton Zoning Ordinance, to allow for a Shared Parking Pilot Program as an accessory use in commercial districts.

Commendations:

Commendation to Lisa Linde and the Newton South High School Jazz Ensemble on 20 Years of Excellence by Councilors Laredo, Kalis, Lappin, Lipof on behalf of the City Council.

The City Council voted without discussion 22 Yeas, 2 Nays (Councilors Brousal-Glaser and Kelley) to Approve the following item:

- #261-18** **Appointment of Timothy Durken to the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing TIMOTHY DURKEN, 15 North Gate Park, West Newton, as an associate member of the Zoning Board of Appeals for a term to expire April 30, 2019. (60 days: July 6, 2018)
Zoning & Planning Approved 6-0 (Brousal-Glaser recused)

The City Council voted without discussion 23 Yeas, 1 Nay (Councilor Gentile) to Approve the following item:

- Referred to Public Facilities and Finance Committees**
- #283-18** HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred thousand dollars (\$200,000) from the Capital Stabilization Fund for Phase 1 of the Feasibility Study for the 150 Jackson Road project.
Finance Approved 6-0-1 (Gentile abstaining) on 05/14/18
Public Facilities Approved 6-0