



## **City Council Actions**

### **In City Council**

**Monday, August 13, 2018**

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

**Absent:** Councilors Cote, Krintzman and Rice

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

#### **Referred to Land Use Committee**

**#137-18** **Petition to allow 18-unit multi family dwelling at 189-193 Adams St/19 Quirk Ct**  
**183-193 ADAMS STREET, LLC** petition for **SPECIAL PERMIT/SITE PLAN APPROVAL** to allow a multi-family development in a business district with greater than 20,000 gross floor area, with a four-story structure 41' in height, containing an 18-unit dwelling with ground floor units, to allow an FAR of 1.31, to allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to allow parking in the setback, to allow parking within 5' of a building containing dwelling units, to waive minimum stall dimension requirements, to allow a reduction in the minimum width of a entrance/exit drive, to allow a reduction in the minimum width of maneuvering aisles, to waive lighting requirements and to waive perimeter landscape screening requirements in Ward, 1, Newton, at 189-193 Adams Court, Section 14 Block 15 Lot 39, Section 14 Block 15 Lot 38 and 19 Quirk Court Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.8.A.1, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.8.D.1, 5.1.9.A, 5.1.10.A, 5.11.4, 5.11.15, 4.1.2 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 5-0-2; Public Hearing Closed June 12, 2018**

**Motion to Postpone to a date certain of July 9, 2018 Approved by Voice Vote on 06/18/18**

**Motion to Amend to adjust construction hours and add snow removal was Approved by Voice Vote on 07/09/18**

**Motion to Approve as Amended Failed to Carry 15 Yeas, 9 Nays (Councilors Baker, Brousal-Glaser, Ciccone, Cote, Danberg, Gentile, Kalis, Markiewicz, Norton) on 07/09/18**

**Request for Reconsideration filed by Councilor Markiewicz on July 10, 2018**

**Motion to Reconsider Approved 19 Yeas, 2 Nays (Councilors Ciccone and Kalis), 3 Absent (Councilors Cote, Krintzman and Rice)**

**Motion to Recommit to Land Use Committee Approved by Voice Vote with 2 Opposed (Councilors Ciccone and Kalis)**

Clerk's Note:

**Referred to Land Use Committee**

**#397-18**

**Special Permit Petition to increase FAR at 47 Rokeby Road**

DARBY AND RANDI LEIGH petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single-story two-car garage and front entry vestibule, creating an FAR of .41 where .39 is allowed and .39 exists at 47 Rokeby Road, Ward 5, Waban, on land known as Section 55 Block 39 Lot 29, containing approximately 9,280 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved Subject to Second Call 6-0-2 (Laredo, Auchincloss not Voting); Public Hearing Closed 08/07/2018**

**Motion to amend to add the underline text was Approved by Voice Vote**

Condition 3

The driveway shall be constructed of crushed stone, or permeable pavers and shall not be otherwise paved or surfaced except as specifically provided by an amendment to this special permit. In addition, the selection of crushed stone shall require the installation of rain barrels as recommended by the City Engineer. The selection of permeable pavers shall require an engineered stormwater management plan to be approved by the city engineer.

**Approved as amended 21 Yeas, 3 Absent (Councilors Cote, Krintzman and Rice)**

Clerk's Note:

**Referred to Land Use Committee**

**#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.

**Land Use Approved 3-1-3; (Auchincloss Opposed, Kelley, Laredo, Markiewicz abstaining, Lipof Recused); Public Hearing Closed June 26**

**Item Chartered by Councilor Schwartz.**

**Clerk's Note:**

**Referred to Zoning & Planning Committee**

**#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.

**Zoning & Planning Approved subject to second call 7-0 on 06/25/18**

**Item Chartered by Councilor Baker on July 10, 2018**

**Motion to amend to add the underlined text was Approved by Voice Vote**

6.7.7.C.3

3. The owners of properties participating in the Accessory Shared-Parking Pilot shall be responsible for ensuring that the use of their existing parking stalls will not render any required parking stalls unavailable to the persons whom the stalls are designed to serve in accordance with Sec. 5.1.3.E., 5.1.4, and any special permit granted pursuant to Sec. 5.1.3. D, and 7.3.3.D.3.

6.7.7.D.2

Add the following paragraph:

Any property with a special permit relating to parking shall be reviewed to determine how the special permit and its conditions relate to participation in this program. The Planning Department will inform and discuss applications from properties with parking special permits with the Chair of the Land Use Committee and the Councilors from that property's ward prior to submitting a recommendation to the Commissioner of Inspectional Services.

6.7.7.F

F. Reevaluation. The Director of Planning shall conduct an annual reevaluation of the Pilot and its guidelines. Such reevaluation shall include a report provided to the City Council reviewing participation activity and statistics, as well as to the extent it can be determined, the types and locations of users, enforcement, and costs associated

with the Pilot, to be reviewed annually by the Zoning and Planning Committee for any recommendations to the Director of Planning or to the Council.

**Approved as amended 21 Yeas, 3 Absent (Councilors Cote, Krintzman and Rice)**

Clerk's Note:

**Referred to Zoning & Planning Committee**

#201-18

**Zoning amendment to limit residential portion of business zone developments**  
COUNCILOR GENTILE, MARKIEWICZ, COTE AND NORTON 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.  
**Zoning & Planning voted No Action Necessary 7-0 on 06/25/18**

**Item postponed to a date certain of August 13, 2018 on 07-09-18**

**No Action Necessary Approved 21 Yeas, 3 Absent (Councilors Cote, Krintzman and Rice)**

Clerk's Note:

**Referred to Zoning & Planning Committee**

#202-18

**Zoning amendment to Mixed Used 4 district**  
COUNCILOR GENTILE MARKIEWICZ, COTE AND NORTON 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.  
**Zoning & Planning voted No Action Necessary 6-0-1 (Brousal-Glaser abstaining) on 06/25/18**

**Item postponed to a date certain of August 13, 2018 on 07-09-18**

**Motion to amend to substitute the following text Failed to Carry 17Nays, 4 Yeas (Councilors Brousal-Glaser, Gentile, Markiewicz and Norton), 3 Absent (Councilors Cote, Krintzman and Rice)**

Chapter 30, Newton Zoning Ordinance, be amended by placing a moratorium of two years on any new MU4 developments. The 2 years shall begin upon passage of this amendment.

**No Action Necessary Approved 17 Yeas, 4 Nays (Councilors Brousal-Glaser, Gentile, Markiewicz and Norton), 3 Absent (Councilors Cote, Krintzman and Rice)**

Clerk's Note:

**Referred to Zoning & Planning Committee**

#203-18

**Zoning amend. for moratorium on zone changes/construction on Washington St.**

COUNCILOR GENTILE AND NORTON 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 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 Closed 5/29/18**

**Zoning & Planning Approval Failed to Carry 1-5-1 (Albright, Leary, Danberg, Downs and Krintzman opposed; Kalis abstaining) on 06/25/18**

**Item postponed to a date certain of August 13, 2018 on 07-09-18**

**Motion to amend to substitute the following text Failed to Carry 15 Nays, 6 Yeas (Councilors Baker, Brousal-Glaser, Ciccone, Gentile, Markiewicz and Norton), 3 Absent (Councilors Cote, Krintzman and Rice)**

Add a new section 30.7.10

Moratorium. No zoning change and no construction or development over 10,000 square feet shall be allowed on properties in multi-residence, business, and mixed-use districts along both sides of Washington Street, including directly abutting properties, east of the Intersection of Commonwealth Avenue and Washington Street in Auburndale/West Newton and west of the intersection of Washington Street and Centre Street in Newton Corner. This moratorium shall remain in effect until both the Washington Street Vision Plan and Zoning Redesign have been finally acted upon by the City Council, or until September 30, 2019, which ever first occurs.

**Motion to substitute Denial for Failed to Carry Approved by Voice Vote**

**Motion to Deny 15 Yeas, 6 Nays (Councilors Baker, Brousal-Glaser, Ciccone, Gentile, Markiewicz and Norton), 3 Absent (Councilors Cote, Krintzman and Rice)**

Clerk's Note:

**The City Council voted without discussion 21 Yeas, 3 Absent (Councilors Cote, Krintzman and Rice) to Approve the Committee recommendations on the following items:**

**Referred to Land Use Committee**

Tuesday, July 10, 2018

#196-18

**President's Appointment of Lynn Yetra to the BC Neighborhood Council**

PRESIDENT LAREDO re-appointing Lynn Yetra, 15 Rochester Road, Newton, as the Boston College Law School Campus neighborhood Representative to the Boston College Neighborhood Council for a term to expire December 31, 2019.

**Land Use Approved 6-0 (Greenberg, Crossley not Voting)**

**#197-18 President's Appointment of Kenneth Lyons to the BC Neighborhood Council**

PRESIDENT LAREDO reappointing Kenneth Lyons, 170 Suffolk Road, Chestnut Hill, as a member of the Boston College Neighborhood Council for a term to expire December 31, 2019.

**Land Use Approved 6-0 (Greenberg, Crossley not Voting)**

**#180-18 Petition to amend Board Orders 43-10 and 307-12(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 8-0; Public Hearing Closed July 10, 2018**

**#360-18 Special Permit Petition for Temporary Waiver of Parking for Annual Tent Sale**

BLOOMINGDALE'S DEPARTMENT STORES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a 5-YEAR permit for a temporary tent to hold an ANNUAL rug sale in May and the temporary displacement of approximately 153 parking spaces for the event at 175 BOYLSTON STREET, Ward 7, Chestnut Hill. Ref: Sec. 7.3.3, 5.1.4, 5.1.13, 4.4.1, 6.4.29 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 8-0; Public Hearing Closed July 10, 2018**

**#361-18 Special Permit Petition for Restaurant with more than 50 seats**

BLOOMINGDALE'S DEPARTMENT STORES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a restaurant with four outdoor tables, requiring a Special Permit for a restaurant with greater than 50 seats at 225 BOYLSTON STREET, Ward 7, Chestnut Hill. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13, 4.4.1, 6.4.29 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 8-0; Public Hearing Closed July 10, 2018**

**#362-18 Petition to allow four attached dwellings at 21-25 Gardner Street**

OLIMPIA FUSCO AND GUISEPPE BOVE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to combine two parcels to allow four attached dwelling units in two structures, requiring a Special Permit to allow single-family dwellings in an MR2 district, to allow reduced side setbacks for attached single-family dwellings in an MR2 district, to allow a reduced front setback for attached single-family dwellings in an MR2 district, to allow a reduced rear setback for attached single-family dwellings in an MR2 district

and to allow reduced lot coverage for attached dwellings in an MR2 zoning district at 21-25 Gardner Street, Ward 1, Newton, on land known as Section 11 Block 25 Lots 7 & 8, containing approximately 18,717 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1, 3.2.4 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 8-0; Public Hearing Closed July 10, 2018**

### **Referred to Land Use Committee**

Tuesday, August 7, 2018

- #398-18**      **Petition to amend Council Order #285-17 at 392-396, 400 and 402-404 Langley Road**  
LANGLEY MONTROSE, LLC. AND LANGLEY FARLOW, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #285-17 to relocate Condition 22(h) from building permit requirements and insert it under Certificate of Occupancy requirements for 392-396, 400, 402-404 Langley Road, Ward 6, containing approximately 79,636 sq. ft. of land in a district zoned MR-2 and BU1. Ref: 7.3.3, 7.4, 7.3, 5.1.13, 3.4.1, 4.1.2.B.1, 5.1.4, 5.1.8.A, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.C.2, 5.1.9.A, 5.1.9.B, 5.1.10, and 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved Withdrawal without Prejudice 7-0 (Laredo not voting)**
- #395-18**      **Request for an Extension of Time for Special Permit #337-16 at 41 Dorset Road**  
TIMOTHY LEARY petition for a TWO-YEAR EXTENSION OF TIME to EXERCISE Special Permit #337-16 to CONSTRUCT AN ACCESSORY APARTMENT approximately 846 sq. ft. above a three-car garage at 41 Dorset Road, Ward 5, Waban, Said EXTENSION OF TIME to expire on December 19, 2019. Ref: 7.3, 7.4, 6.7.1.D, 3.4.3.A.4.c, 3.4.4.E.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.  
**Land Use Approved 7-0 (Laredo not Voting)**
- #396-18**      **Request for an Extension of Time for Special Permit #97-16 at 27 Waverley Avenue**  
ALICE SCHAEFER petition for a TWO-YEAR EXTENSION OF TIME to EXERCISE Special Permit #97-16 to allow an association of persons in a common dwelling where inhabitants will share common living spaces at 27 Waverley Avenue, Ward 1, Newton Corner, Said EXTENSION OF TIME to expire on June 8, 2019. Ref: Sec. 3.4.1, 5.1.4, 5.1.13, 5.1.7.A, 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord., 2015.  
**Land Use Approved 7-0 (Laredo not Voting)**
- #338-18**      **Special Permit Petition to exceed FAR at 22 Beecher Place**  
BEN BRESSEL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to enclose the front porches, adding approximately 158 sq. ft. to the structure, creating an FAR of .49 where .48 is allowed at 22 Beecher Place, Ward 6, Newton Centre, on land known as Section 81 Block 01 Lot 03 containing approximately 10,146 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.

**Land Use Approved 7-0 (Laredo not Voting); Public Hearing Closed 08/07/2018****Referred to Zoning & Planning Committee**

Monday, July 16, 2018

- #368-18** **Appointment of Brian Yates to Newton Upper Falls Historic District Commission**  
HER HONOR THE MAYOR appointing BRIAN YATES, 1094 Chestnut Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire June 8, 2021. (60 days: 8/17/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #401-18** **Appointment of Tarik Lucas to Newtonville Historic District Commission**  
HER HONOR THE MAYOR appointing TARIK LUCAS 36 Central Avenue, Newtonville, as an alternative member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire June 30, 2021. (60 days: 9/7/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #403-18** **Re-appointment of Barbara Wales to Newtonville Historic District Commission**  
HER HONOR THE MAYOR re-appointing BARBARA WALES, 5 Rotherwood Road, Newton Centre, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire June 30, 2020. (60 days: 9/7/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #404-18** **Re-appointment of John Martin to Newtonville Historic District Commission**  
HER HONOR THE MAYOR re-appointing JOHN MARTIN, 12 Simpson Terrace, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire January 1, 2020. (60 days: 9/7/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #405-18** **Re-appointment of David Morton to Newtonville Historic District Commission**  
HER HONOR THE MAYOR re-appointing DAVID MORTON, 148 Edinboro Street, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire January 1, 2020. (60 days: 9/7/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #406-18** **Re-appointment of Nancy Grissom to Newtonville Historic District Commission**  
HER HONOR THE MAYOR re-appointing NANCY GRISSOM, 7 Orris Street, Auburndale, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire January 1, 2020. (60 days: 9/7/18)  
**Zoning & Planning Approved 7-0 (Danberg not voting)**
- #407-18** **Re-appointment of James Gross to Newtonville Historic District Commission**



HER HONOR THE MAYOR re-appointing JAMES GROSS, 80 Highland Avenue, Newtonville, as a member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire January 1, 2020. (60 days: 9/7/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**#369-18**

**Re-appointment of Paul Snyder to Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR re-appointing PAUL SNYDER, 9 Ardmore Road, West Newton, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire July 1, 2019. (60 days: 8/17/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**#370-18**

**Re-appointment of Julia Neville to Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR re-appointing JULIA MALONE NEVILLE, 68 High Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire January 26, 2021. (60 days: 8/17/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**#371-18**

**Re-appointment of Laurie Malcom to Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR re-appointing LAURIE MALCOM, 95 Algonquin Road, Chestnut Hill, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire December 24, 2019. (60 days: 8/17/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**#372-18**

**Re-appointment of Donald Lang to Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR re-appointing DONALD LANG, 999 Chestnut Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire December 24, 2019. (60 days: 8/17/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**#373-18**

**Re-appointment of Jeffrey Riklin to Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR re-appointing JEFFREY RIKLIN, 37 High Street, Newton Upper Falls, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire July 31, 2020. (60 days: 8/17/18)

**Zoning & Planning Approved 7-0 (Danberg not voting)**

**Referred to Zoning & Planning Committee**

Monday, July 30, 2018

**#374-18**

**Re-appointment of Jay Walter to Newton Upper Falls Historic District Comm**

HER HONOR THE MAYOR re-appointing JAY WALTER, 83 Pembroke Street, Newton, as a full member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire July 1, 2020. (60 days: 8/17/18)

**Zoning & Planning Approved 5-0 (Kalis and Krintzman not voting)**

**Referred to Public Facilities Committee**

Wednesday, July 18, 2018

**Referred to Public Facilities and Finance Committees**

- #410-18** **Appropriate \$100,000 for schematic design study for potential boiler projects**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from budget Reserve to the F.A. Day/Bigelow Boiler Replacement Account for the purpose of paying costs of conducting schematic design studies at F.A. Day Middle School and Bigelow Middle School for potential boiler replacement projects for which the City may be eligible for a grant from the Massachusetts School Building Authority.  
**Finance Approved 4-0 on 07/18/18**  
**Public Facilities Approved 5-0 (Councilors Norton, Leary not Voting)**
- #384-18** **Appointment of Puja Vohra to the Citizens Commission on Energy**  
HER HONOR THE MAYOR appointing PUJA VOHRA, 130 Day Street, Newton, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 15, 2021. (60 days: 8/17/18)  
**Public Facilities Approved 7-0**
- #385-18** **Appointment of Jonathan Klein to the Citizens Commission on Energy**  
PRESIDENT LAREDO appointing JONATHAN KLEIN, 107 Woodward Street, Newton Highlands, as a member of the CITIZENS COMMISSION ON ENERGY for a term to expire June 30, 2021. (60 days: 8/17/18)  
**Public Facilities Approved 7-0**

**Referred to Finance Committee**

Wednesday, July 18, 2018

**Referred to Public Facilities and Finance Committees**

- #410-18** **Appropriate \$100,000 for schematic design study for potential boiler projects**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from budget Reserve to the F.A. Day/Bigelow Boiler Replacement Account for the purpose of paying costs of conducting schematic design studies at F.A. Day Middle School and Bigelow Middle School for potential boiler replacement projects for which the City may be eligible for a grant from the Massachusetts School Building Authority.  
**Public Facilities Approved 5-0 (Councilors Norton, Leary not Voting)**  
**Finance Approved 4-0**

The following item was filed after the close of the Docket and a Motion to Suspend the Rules to accept the item to the Docket and assign it to Committee was Approved by Voice Vote.

**Referred to Land Use Committee**

**#461-18**      **Extension of Time for #137-18 – 189-193 Adams Street**  
AGREEMENT TO AN EXTENSION OF TIME in which to ACT on petition #137-18 183-193 ADAMS STREET, LLC request for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family development in a business district at 183-193 ADAMS STREET and 19 QUIRK COURT, Ward 1, on land known as Section 14 Block 15 Lot 39, Section 14 Block 15 Lot 38 and Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2, said extension will run from SEPTEMBER 10 to OCTOBER 16, 2018.

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

***Public hearing assigned for September 5, 2018:***

**#449-18**      **Verizon petition for a grant of location for conduit in Moulton Street**  
VERIZON NEW ENGLAND, INC. petitioning for a grant of location to install 225' ± 2" conduit in Moulton Street from existing Handhole #HH3 located on the easterly side of Moulton Street northerly to existing Handhole #HH4 located on private property on the northerly side of Moulton Street.

***Public Hearing assigned for September 20, 2018***

**#420-18**      **Petition to allow multi-family dwellings at 424-432 Cherry Street**  
DENNIS CAMERON/CRM MANAGEMENT, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing single-family dwelling to a three-story, six residential unit building with ground floor units, to construct a second three-story, three residential unit building with ground floor units, to allow a reduction in the parking requirements to 1.25 per dwelling unit, to allow parking within 5' of a building with residential units, to allow a reduction in the minimum stall width, to waive perimeter landscape screening requirements and to waive lighting requirements in Ward 3, West Newton, at 424-432 Cherry Street, Section 33 Block 11 Lot 2, containing approximately 14,204 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, 4.1.3, 5.1.4.A, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.9.A, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing assigned for September 20, 2018***

**#421-18**      **Special Permit to amend Special Permit for Kessler Woods**  
KESSELER WOODS, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit #102-06(15) at Kessler Woods to allow off-site relocation of the inclusionary zoning units as well as 24 additional units at 219 Commonwealth Avenue (Section 63 Block 08 Lot 19), containing approximately 10,347 sq. ft. of land in a district

zoned MULTI RESIDENCE 1 from the approved site at 200 Estate Drive, Ward 8, on land known as Section 82 Block 37 Lot 95, containing approximately 640,847 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: 7.3, 7.4, 5.11.4, 5.11.6, 7.8.2.C of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing assigned for September 20, 2018***

**#422-18** **Petition to amend Special Permits to allow salon use at 148 California Street**  
UNITED PROPERTIES GROUP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Orders #162-88, #199-99(2), and #175-12 to change the existing non-conforming restaurant use to allow a non-conforming salon use in Ward 1, Newton, at 148 California Street/171 Watertown Street, Section 11 Block 12 Lot 11, containing approximately 523,642 sq. ft. of land in a district zoned MANUFACTURING. Ref: Sec. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing assigned for September 24, 2018***

**#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.

***Public Hearing assigned for September 24, 2018***

**#376-18** **Zoning amendment to regulate marijuana establishments**  
THE PLANNING DEPARTMENT requesting amendments to the Newton Zoning Ordinance, Chapter 30, to regulate the use of land, structures and buildings for the operation of marijuana establishments; to determine in which zoning districts and under what conditions marijuana establishments will be allowed; and to establish minimum standards and criteria.

***Public Hearing assigned for September 25, 2018***

**#423-18** **Petition to allow parking in the setback and within 5' of the street at 27 Albion St**  
ROBERT AND CRISTINA DeMENTO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow reconfiguration of an existing tandem driveway to allow two side-by-side stalls within 5' of a setback and within 5' of the street on the corner lot at Ward 6, Newton Centre, at 27 Albion Street on land known as Section 62 Block 04 Lot 27, containing approximately 3,377 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing assigned for September 25, 2018***

**#424-18** **Petition to amend Special Permit Council Order #114-17 at 300 Boylston Street**  
ATRIUM WELLNESS CENTER II, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #114-17 by amending the Comprehensive Sign package to allow waivers to number, size, location and height of signs to the extent required in Ward 7, Chestnut Hill, at 300 Boylston Street, on land known as Section 82

Block 02 Lot 01, containing approximately 125,771 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

***Public Hearing assigned for September 25, 2018***

**#425-18 Request to Rezone three parcels for Northland Development**  
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.

***Public Hearing assigned for September 25, 2018***

**#426-18 Special Permit to allow mixed use development**  
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

**The City Council voted without discussion 20 Yeas, 1 Nay (Councilor Gentile), 3 Absent (Councilors Cote, Krintzman and Rice) to Approve the Committee recommendation on the following item:**

**#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.

**Zoning & Planning Approved 7-0**

**The City Council voted without discussion 20 Yeas, 1 Nay (Councilor Gentile), 3 Absent (Councilors Cote, Krintzman and Rice) to Approve the Committee recommendation on the following item:**

- #42-18**      **Review of City Council regulations governing petitions for wireless communications**  
COUNCILORS CROSSLEY, ALBRIGHT AND LAPPIN requesting a review of proposed City Council regulations pursuant to City Code Sec. 23-20, 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 review under 47 U.S.C. §1455 (“Eligible Facilities Requests”).  
**Public Facilities Approved 7-0**

**The City Council voted without discussion 20 Yeas, 1 Recused (Councilor Leary), 3 Absent (Councilors Cote, Krintzman and Rice) to Approve the Committee recommendation on the following item:**

- #402-18**      **Appointment of Peter Mooradian to Newtonville Historic District Commission**  
HER HONOR THE MAYOR appointing PETER MOORADIAN, 192 Chapel Street, Newton, as an alternative member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire June 30, 2021. (60 days: 9/7/18)  
**Zoning & Planning Approved 6-0 (Danberg not voting; Leary recused)**