



## City Council Docket

Sept 6: Programs & Services, Public Safety, Public Facilities  
Sept 12: Zoning & Planning, Finance

Continued  
Page 215

**Wednesday, September 5, 2018**

7:00 PM, Newton City Hall

To be reported on

Monday, September 17, 2018

### City of Newton In City Council to be Accepted and Referred to Committees

#### Referred to Land Use Committee

##### ***Public Hearing to be reassigned for October 2, 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 to be assigned for October 2, 2018**

**#462-18** **Petition to allow Veterinary Hospital in a BU2 district at 858 Walnut Street**  
ISAAC MAXMEN/858 WALNUT STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to locate a veterinary hospital in the existing building in the BUSINESS USE 2 district at 858 Walnut Street, Ward 6, on land known as Section 64 Block 5 Lot 04, containing approximately 23,250 sq. ft. of land. Ref: Sec. 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.

##### **Public Hearing to be assigned for October 2, 2018**

**#463-18** **Petition to exceed FAR and extend non-conforming structure at 58 Rochester Road**  
PHILIP CHASE AND SUSAN VAUGHN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct side and rear additions to create an attached garage, accessory apartment and additional living space, exceeding FAR and extending the non-conforming 3.5 story

---

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*

structure at 58 Rochester Road, Ward 2, on land known as Section 13 Block 20 Lot 44, containing approximately 16,518 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 1.5.4.B, 1.5.4.C, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

### **Public Hearing to be assigned for October 2, 2018**

#### **#464-18 Petition to allow nine-unit multi-family dwelling at 39 Herrick Road**

STUART ROTHMAN/HERRICK ROAD REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 36' three-story nine-unit multi-family dwelling with accessory parking for nine cars, to allow multi-family residential use on the ground level in a BU1 district, to allow a reduction to one parking stall per unit, to allow off-site parking facilities, to allow parking in the side setback, to allow a reduced minimum aisle width, to waiver perimeter screening requirements and to waive lighting and surfacing requirements at 39 Herrick Road, Ward 6, on land known as Section 61 Block 36 Lot 7, containing approximately 12,979 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, 5.1.4, 5.1.13, 5.1.6.A, 5.1.6.B, 5.1.8.A, 5.1.8.C.2, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

### **Other Communications**

#### **Lateral Crossing**

##### **#465-18 Eversource grant of location for Windsor Road**

EVERSOURCE petitioning for a grant of location to install 12' ± of conduit in WINDSOR ROAD from existing Manhole #18343 (located approximately 55' northwest of Beacon Street) northeasterly to private property.

**Commissioner of Public Works Approved**

#### **Lateral Crossing**

##### **#466-18 Eversource grant of location for Mount Ida Street**

EVERSOURCE petitioning for a grant of location to install 28' ± of conduit in MOUNT IDA STREET from existing Manhole #6522 (located approximately 157' southwest of Centre Street) northeasterly to private property.

**Commissioner of Public Works Approved**

#### **Lateral Crossing**

##### **#467-18 Zen Associates grant of location for Wykeham Street**

EVERSOURCE petitioning for a grant of location to install 12' ± of conduit in WYKEHAM STREET from an existing utility pole northeasterly to 55 Wykeham Street.

**Commissioner of Public Works Approved**

### Referred to Programs & Services Committee

*The subject matter of the following item was disposed of during the preceding 12-months. Council Rules, Article I, Section 3. D, requires a majority vote of the Council to be referred to Committee:*

**#468-18 Request to remove the Question regulating the number of recreational marijuana establishments from the November ballot.**

COUNCILORS COTE, NORTON and KELLEY requesting that the City Council remove from the November 2018 special election ballot the question as to whether the City of Newton shall limit the number of retail recreational marijuana establishments operating in Newton to no fewer than two and no more than four, which was approved by the City Council on July 9, 2018.

*The subject matter of the following item was disposed of during the preceding 12-months. Council Rules, Article I, Section 3. D, requires a majority vote of the Council to be referred to Committee:*

**#469-18 Requesting the City Council place a question on the ballot prohibiting retail recreational marijuana sales in Newton**

COUNCILORS BAKER, NORTON, GENTILE, KALIS, COTE, CICCONE, LAREDO, KELLEY and SCHWARTZ requesting reconsideration of item #312-18 so that the Council can place a question on the ballot that would prohibit retail recreational marijuana establishments in the City at a November 2018 Special Election.

**#470-18 Initiative Petition requesting a ballot question prohibiting recreational marijuana establishments with exceptions**

SUZANNE BENDER ET AL., submitting an Initiative petition pursuant to the City of Newton Charter and signed by 10% of the registered voters, 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.”*

**#471-18 Provide a means for voters to determine which marijuana question prevails if both are approved**

PRESIDENT LAREDO requesting discussion and vote on a means to enable Newton voters to determine which of two ballot questions limiting retail marijuana sales will prevail if both appear on the November ballot and both receive a majority vote of the electorate, recognizing that a subsequent implementing ordinance may still be required.

**Referred to Finance Committee**

**#472-18**

**Selection of external auditor for FY 19 –FY 23**

COMPTROLLER requesting that the City Council select a qualified public accounting firm to complete the City's annual financial audit for fiscal years 2019 to 2023.

**Referred to Public Facilities and Finance Committees**

**#473-18**

**Appropriation and grant acceptance for energy efficiency projects**

HER HONOR THE MAYOR requesting authorization to appropriate sixty-one thousand four hundred twenty-three dollars (\$61,423) from the Energy Stabilization Fund and authorize the acceptance and expenditure of one hundred thirty-eight thousand five hundred twenty-one dollars (\$138,521) in matching rebate funds from Eversource for the purpose of upgrading LED lighting and controls at Newton South High School and Bowen Elementary School.

**Referred to Public Facilities and Finance Committees**

**#474-18**

**Appropriation and authorization to purchase a DPW front end loader**

HER HONOR THE MAYOR requesting authorization to appropriate two hundred and fifty thousand six hundred and forty dollars (\$250,640) and authorize a general obligation borrowing of an equal amount for the purpose of funding the purchase of a new front-end loader for the Public Works Department – Highway Division.

**Referred to Public Facilities and Finance Committees**

**#475-18**

**Appropriation and expenditure for Hammond Brook Culvert Replacement Project**

HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred and three thousand nine hundred and seventy five dollars (\$203,975) from the Municipal Federal Grant Fund 18, authorize the appropriation of three hundred thousand dollars (\$300,000) and authorize a general obligation borrowing of an equal amount for the purpose of funding the Hammond Brook Culvert Replacement Project.