



**REVISED**

2:31 pm, Dec 30, 2022

## City Council Docket

**RECEIVED**

By City Clerk at 2:31 pm, Dec 30, 2022

**POSTED**  
City Clerk

January 4: Programs & Services and Public  
Facilities

January 9: Finance and Zoning & Planning

January 10: Land Use

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Continued

**Tuesday, January 3, 2023**

7:45 p.m., Hybrid

To be reported on

**Tuesday, January 17, 2023**

The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, January 3, 2023, 7:45 pm. To view this meeting on Zoom use this link at the above date and time:

<https://us02web.zoom.us/j/89217737789>

One tap mobile

US: +13017158592, 892 1773 7789#

Land line

US: +1 301 715 8592

Meeting ID: 892 1773 7789

You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).
2. View a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

### City of Newton

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

### Referred to Land Use Committee

**#3-23**      **Class 1 Auto Dealer License**  
NEWTON CENTRE SHELL  
1365 Centre Street  
Newton, MA 02459

**#4-23**      **Class 2 Auto Dealers License**  
UNITED AUTO CENTER INC  
454 Watertown Street  
Newton, MA 02460

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

- #5-23 Request for Extension of Time to Exercise Special Permit #299-21 at 131 Rumford Avenue**  
PHARMACANNIS MASSACHUSETTS INC. D/B/A/ VERILIFE petition for an EXTENSION OF TIME to December 20, 2024 to EXERCISE Special Permit Council Order #299-21, allow a retail marijuana establishment, to allow parking facility requirements to be met off-site, to waive the minimum driveway width requirement, to waive perimeter screening requirements, to waive lighting requirements and to waive the 25% façade transparency requirement at 131 Rumford Avenue, Ward 4, Auburndale, on land known as Section 41 Block 31 Lot 50, containing approximately 20,443 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.6.A, 5.1.6.B, 5.1.8.D.1, 5.1.13, 5.1.9.A, 5.1.10, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.
- #6-23 Request for Extension of Time to Exercise Special Permit #122-21 at 9-11 Noble Street**  
JOHN CARUSO petition for an EXTENSION OF TIME to September 9, 2024, to EXERCISE Special Permit Council Order #122-21 to construct dormers in the attic level, extending the nonconforming two-family use and extending the nonconforming FAR at 9-11 Noble Street, Ward 3, West Newton, on land known as Section 44 Block 4 Lot 19, containing approximately 6,258 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
- Referred to Land Use and Zoning & Planning Committee**
- #7-23 Request for discussion with City Staff regarding the process for creating and enforcing landscape plans pertaining to Special Permits**  
COUNCILORS LAREDO, ALBRIGHT, LEARY, MALAKIE, NORTON, OLIVER, GREENBERG, AND WRIGHT, requesting discussion with the Planning Department, the Inspectional Services Department, and the Tree Warden regarding the process for creating and enforcing landscape plans (including, but not limited to, trees) in the special permit process and enforcing the zoning code and the tree ordinance in connection with by right projects.
- Referred to Public Safety & Transportation Committee**
- #8-23 Annual Report of the work of the Traffic Council for 2022**  
DAVID KOSES, TRAFFIC COUNCIL CHAIR providing the Annual Report of the work of the Traffic Council for 2022.
- Referred to Public Facilities Committee**
- #9-23 Reappointment of Howard Goldberg to the Designer Selection Committee**  
PRESIDENT ALBRIGHT reappointing Howard Goldberg, 27 Theodore Road, Newton Centre 02459 to the Designer Selection Committee for a term of office to expire December 31, 2023. (60 days: 3/4/23)

- #10-23 Reappointment of Amy L. MacKrell to the Designer Selection Committee**  
PRESIDENT ALBRIGHT reappointing Amy L. MacKrell, 12 Dexter Road, Newtonville 02460 to the Designer Selection Committee for a term of office to expire December 31, 2023.  
(60 days: 3/4/23)
- #11-23 Reappointment of Carol S. Schein to the Design Review Committee**  
PRESIDENT ALBRIGHT reappointing Carol S. Schein, 82 Garland Road, Newton 02459 to the Design Review Committee for a term of office to expire December 31, 2023. (60 days: 3/4/23)
- Referred to Finance Committee**
- #12-23 Acceptance of \$68,000 MassDEP Recycling Dividends Grant**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of sixty-eight thousand dollars (\$68,000) in grant funding from MassDEP Recycling Dividends to be used for grant-eligible recycling services at the Resource Recovery Center, equipment to improve the City's recycling and composting infrastructure, educational materials, and outreach activities.
- #13-23 Request to transfer \$30,000 from Health and Human Services, Youth Services/Personnel/Other Stipends**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of thirty thousand dollars (\$30,000) from Acct # 0150106-514309 (Health and Human Services, Youth Services/Personnel/Other Stipends) to Acct # 0150106-530100 (Health – Awareness/Expenses/Consultants).
- #14-23 Acceptance of \$35,000 Grant from the Executive Office of Public Safety and the Department of Fire Services**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of thirty-five thousand dollars (\$35,000) in grant funding from the Executive Office of Public Safety and the Department of Fire Services to reimburse Newton Fire Department for the purchase of mobile radios for fire vehicles and apparatus.
- #15-23 Appropriation of \$225,000 from Transportation Mitigation funds**  
HER HONOR THE MAYOR requesting approval for the use of two hundred twenty-five thousand (\$225,000) in transportation mitigation funds from the Trio transportation demand management plan for NewMo operations consistent with Special Permit #96-17 and the approved Consistency Ruling dated 8/31/22.
- #16-23 Acceptance of \$140,000 Grant from the Massachusetts Community Compact Cabinet's Information Technology Grant Program.**  
HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred forty thousand (\$140,000) from the Massachusetts Community Compact Cabinet's (CCC) Information Technology grant program to contract with a document management system provider to scan, OCR (optical character recognition), and index municipal documents currently stored in paper form from multiple City departments and to establish a web-based portal to allow for public access.

**Referred to Programs & Services and Finance Committees**

#17-23

**Appropriation of \$3,240,000 for Newton South High School Fields and Track**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of three million, two hundred forty thousand (\$3,240,000) in FY2022 Free Cash for synthetic turf carpet and infill materials, installation, and construction oversight to replace the two (2) synthetic turf fields at Newton South High School and to resurface the perimeter track at the school's Winkler Stadium.

**Referred to Public Facilities and Finance Committees**

#18-23

**Acceptance of \$2,027,000 MassWorks Program Grant**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of two million and twenty-seven thousand dollars (\$2,027,000) in grant funding from the MassWorks Program for the Pettee Square Improvement Project (Oak Street at Chestnut Street) in order to reimburse the City for final engineering design, engineering services during construction, resident repudiation services, and construction services of the intersection improvements at Pettee Square.

**Referred to Public Facilities and Finance Committees**

#19-23

**Increase in Curbside Mattress Recycling Fees**

HER HONOR THE MAYOR requesting an increase in the curbside mattress recycling fee from the current \$50 to \$60 in order to make the City whole to cover the cost being charged by the service provider, GGY Transport LLC dba Tough Stuff Recycling, for curbside collection service.

*The following item was late filed and requires a Suspension of the Rules to be Referred to Committee:*

**Referred to Public Safety & Transportation and Finance Committees**

#20-23

**Appropriation of \$258,524.10 of Free Cash for Four Police Cruisers**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred fifty-eight thousand, five hundred twenty-four dollars and ten cents (\$258,524.10) from June 30, 2022, Certified Free Cash to the Police Department for the purchase of four (4) Hybrid Ford Police Interceptor Cruisers.