



Zoning & Planning Committee Report

Part 2

City of Newton In City Council

Monday, May 10, 2021

Present: Councilors Crossley (Chair), Leary, Wright, Krintzman, Danberg, Baker, Albright and Ryan

Also Present: Councilors Bowman, Downs, Kelley, Laredo, Lipof, Markiewicz, Lucas and Greenberg

City Staff: Jonathan Yeo, Chief Operating Officer; Andrew Lee, Assistant City Solicitor; Jen Caira, Deputy Planning Director, Barney Heath, Director; Cat Kemmett, Planning Associate, Heather Zaring, Development Services Assistant, Planning & Development Department; Jonah Temple, Assistant City Solicitor; Joe Mulvey, IT Director and Nadia Khan, Acting City Clerk

Planning Board: Peter Doeringer (Chair), Chris Steele, Jennifer Molinsky, Kevin McCormick, Sonia Parisca, Kelley Brown, Sudha Maheshwari, James Robertson and Barney Heath

Economic Development Commission: Phil Plottel

Others Present: NewTV

#145-21 Request for Chapter 30 Amendment to establish regulations for gun establishments

HER HONOR THE MAYOR AND COUNCILORS ALBRIGHT, KRINTZMAN, LEARY, OLIVER, GREENBERG, NORTON, LUCAS, KELLEY, WRIGHT, MALAKIE, MARKIEWICZ, GENTILE, DOWNS, CROSSLEY, HUMPHREY, DANBERG, NOEL, BOWMAN, LAREDO, GROSSMAN, BAKER, LIPOF, KALIS AND RYAN requesting amendments to the Newton Zoning Ordinance, Chapter 30, including, but not limited to, the addition of definitions of “Firearm” and “Firearm Businesses”, and amendments to Section 4.4.1 Allowed Uses and Section 6.10 Restricted Uses to regulate the use of land, structures and buildings for the siting and operation of gun ranges or the retail or wholesale operation involving gunsmithing, the purchase or sale of firearms, the sale of ammunition, or firearms accessories, and to restrict such uses to the Business 4, Mixed Use 1, Manufacturing, and Light Manufacturing Districts only and only upon the granting of a special permit,

and to establish minimum standards and criteria for the granting of such special permits.

Zoning & Planning Held 8-0 on 04/26/21

Action:

Zoning & Planning Committee Held 8-0, Public Hearing Closed

Note:

Continuation of public hearing comments.

Deborah Pierce, I would like to see our city show state and national leadership and resisting the proliferation of firearms, by making it difficult, or impossible for anyone to open a gun store, and I applaud the comments by doctors, lawyers, student's clergy and parents. I did not grow up with guns, I have never shot one, I would not know if a gun was loaded or not, the difference between a BB gun, a pellet, a gun or a pistol. Like most children I could do real damage just by being curious. Marijuana does not kill people, guns do. What is the city doing to make us safe, given that so many people do have guns? Are they sharing information with Alcohol, Tobacco and Firearms to trace where guns are sold? I think sharing data on gun injuries with the CDC and the National NIH contract Congress has restricted the research into the real prevalence of gun violence. I think that we do not know the full extent of the violence that has been done. We need to identify risk factors for gun violence, review every injury in depth and develop a comprehensive plan to keep our communities safe and to serve victims of gunshot wounds.

Michael Goldman, 34 Ware Road, I do not want a gun store in Newton under any circumstances. It is my understanding that there are some in city government and perhaps on this committee who agree. There is no legal way categorically to prevent a gun store from opening here. You seem to have decided this issue is not worth further investigation, let alone a fight in court. The proposed ordinance deals with everything except what I believe to be the essential issue, keeping a gun store out of Newton. If you want to ban guns doing it through these kinds of zoning regulations is disingenuous. If you allow a gun store, put it out of public view. I think this is important that the temperature of Newton ought to be taken to allow people to weigh in, through referendum, or vote. I am curious why you have accepted this position that you have outlined so readily. Newton residents who want guns can already buy them in neighboring towns. Are residents pressing you to allow gun stores here? If not, why have you not attempted to construct a legal argument against allowing any gun stores here period. Compare this to liquor a far less lethal matter. It makes sense that liquor be sold to the public in a way that is controlled. Guns are not so closely regulated. It makes no sense at all to force a town that does not want such a business to have it. If a gun store opens here people will have to protest it publicly.

Robin Haley, Waban Avenue. I have a restraining order against my ex-husband. Violence is not theoretical, it is real. Domestic violence is real to so many people. Domestic violence is everywhere. We heard someone talk about impulse buying of guns for teenagers, which is so scary. What about for those committing domestic violence impulse buying. If I had to leave my house and see a gun store down the street the fear would be awful. I heard about prioritizing safety, how is it anywhere in Newton, a gun store prioritizing safety? I am disappointed that

Newton started from the premise of not banning gun stores. I am disappointed that we tried to just restrict them, and then further restricting them was clearly not even logical. Because it is a residential community, you had to limit what you were restricting to fit a gun store into Newton.

Maria Arveb, 274 Langley Road, neighbors, stand together against opening a gun store anywhere in Newton. Many of us are immigrants, coming from places where guns are normalized, and we carry the scars of it. We beg you not to normalize guns legally obtained guns are used to kill people in mass shootings suicides and homicides. The proof of a fundamental principle, it is possible to act against normalizing guns at a community level, at the special meeting of area councils. My response is that I want to go all the way. I am not afraid, nor I wish that my city is afraid of doing the right thing. This is a cause worth investing our time and resources. In response to our concern about the possibility of a legal challenge if we do not get the fight. We already lost.

Karin Sharav-Zalking, 53 Windsall Road, I am a human being so tired of lies and political divisiveness, these past few weeks, I have read with raging alarm the mayor's emails regarding the possible opening of a gun shop near Newton North High School. The alarm grew as residents living here feel the incompetence of the city with dealing with this issue between a mumble about checking with fire inspection services to an odd building stop order in a scrambling shameful effort to provide a band aid solution to maybe opening in a different location in the city. We are here to say an unequivocal no to opening any gun shop in Newton. Newton should be the leading force in preventing gun violence in honor of lives lost to gun violence. It should be done in force of true and honest effort to fight federal regulations, and not to slightly bend the curve. We are here, able and powerful city that can become the beacon of light and hope for many other towns to follow. We all know that gun shops, lead to more gun violence. I am embarrassed to learn the Newton is on the verge of opening a gun shop in the climate where teens have been abandoned in dark rooms to zooms. I simply do not trust you anymore. You do not have to handle the situation, we deserve better.

Dr. Paula Stahl, 77 Rumford Avenue. I am the director and founder of Children's Charter Trauma Clinic. The children we serve have significant often acute histories of domestic violence, sexual abuse, histories of physical and emotional abuse. I have serious concerns about clients in desperate need. If you know anything about the field right now there are no clinics taking children for anything with histories of violence, feeling safe to access critical mental health services and bring their children to a clinic with a gun store around the corner. I also have grave concerns for our clients and staff. Some of our clients are being stopped by their perpetrators. It is unforgivably frightening to think these perpetrators would have access to guns near our clinic. I ask the council to consider the unique needs of our clients and our responsibility as a community, to allow these adults and children to heal in a safe and protected environment. I have never been faced with a great potential to compromise the work, and the mission of my clinic.

Sarah Lamstein, I write children's books. I have to say that I was utterly chilled by the introduction of all the buffer zones. What that indicated to me was that this is something that the council and the mayor, are quite interested in doing. There is something that made me think of Congressman John Lewis who recently died. He said we have got to start making good trouble, that is what I think that we need to do. I find it ironic that the police are the ones that give permission and credence to a gun shop, I just do not understand that. For those who say that marijuana is just as awful as guns, I have never heard of first grade being wiped out by marijuana.

Oliver Childs 31 Kenmore Street, The Declaration of Independence was 1776. 10 years after that was when the Constitution was written based on muskets. It was basically a firearm, taking time to reload. Back then maybe it would have been okay to bear arms with something like that. Today, we are faced with assault weapons, which do not take time to reload. In fact, they reload very quickly. They are called assault weapons; they are for assaulting. Guns are not a tool, it is a gun, specifically designed to kill people. A car is not, we do not need guns and we do not want them. The robberies in Newton, none of them were armed robberies, they were opportunities. They were not home invasions. A gun does not help you in any of those situations. The statistics, the pros do not outweigh the cons, you as an individual may feel safe, but you are making other people around you, unsafe by having that firearm.

Margie Ross Decter, 20 Vine Street, a former member of the Newton School Committee recalls as a school committee member getting the horrific news, in Newtown, Connecticut. I received many phone calls about what Newton is doing to protect our children? Back then, we used to welcome parents and guests into our schools openly. I remember it was after that that we passed very restrictive security restrictions to regulate who came into our schools and started to have those very difficult discussions with our teachers and our students about their safety. We really made a promise that we would do everything in our power to protect our children from gun violence. It is our duty as citizens to set the tone and path to create the greatest realms of safety for our children and all in our community. I would encourage our city council to do everything possible to start at the top. Let us try to do the right thing to prohibit gun stores. If not, let us do everything we can not only from a zoning perspective, but also in terms of operations to make our city as safe as it can be.

Simcha Goldish, 401 Lowell Avenue, I am a Massachusetts licensed high school teacher, I regularly attend synagogue. The general climate is tense across the country. I think it is more important than ever to protect life. If you value something that is exactly what you do you protect it. I carry a gun with me whenever I go out; I am legally permitted to do so. The rabbi of my synagogue and many others are fine with that. I do not think that I will be able to change anyone's mind here tonight on guns, but I would like to propose some challenges that may have not been considered. The Police Department must approve a gun shop before they can open. You must convince the police that you are securing them properly and that they will not just be stolen by opportunists. Unless you think you know better than the police, using zoning laws as

a weapon to target a business should scare everyone. Not to mention the racist history of zoning laws in Newton.

Heather Tausig, 120 Garland Road. Those who have spoken tonight in support of gun stores here in Newton, I think have argued that their right to gun ownership is guaranteed by the Constitution. But they leave out the part of the Supreme Court's Heller decision that states that this right is not unlimited. In fact, writing for the majority, Justice Scalia noted, like most rights, the rights secured by the Second Amendment is not unlimited. It is not a right to keep and carry any weapon in any manner and for whatever purpose. Nothing about this ordinance deprives any rights to own and possess firearms to address the comments about needing a gun store in Newton. Research tells us that gun owners are nine times more likely to die from suicide. Not only that access to a gun makes it five times more likely that a woman will die at the hands of a domestic abuser. Some may argue that we need more guns, that an armed society is a polite society and that even arming teachers will prevent mass shootings. These assertions I think make for catchy talking points, but they are patently false. The research on this is unequivocal: Where there are more guns, there is more gun violence. If more guns made us safer, then the US with the highest guns per capita of any income country would be the safest. But we are by far the most dangerous (country) suffering the highest rates of gun violence among high income and low income countries. Firearms are now the leading cause of death, above automobile accidents for children and teens. A gun store is not just another safe retail business selling approved tools. Newton does not have to be complicit in the glorification of a gun culture that ignores this ensuing gun violence. 39,000 Americans die from gun violence every year, an average of 100 people every day. This is a public health epidemic. I believe you are morally obligated to act.

Susan Huffman, Indiana Terrace, my understanding is that the city council, a few years ago decided to make Newton a "welcoming community". If we are going to be a welcoming community, we need to be welcoming all legal businesses, and particularly all constitutionally approved of activities. You do not go to a gun store to just buy a gun; you go to the gun store to buy the bullets. You cannot go into a store and buy anything without a license. I understand the trauma that people have felt. The whole concept of denying a constitutionally protected gun store. We need to be a welcoming city and welcome a gun store.

Dr. Helena Thornley, 27 Camden Road, I am a physician, I think we should learn from our neighbors, there is no place for a gun store in the city.

Ethan Ball, the city has no right to ban a legally permitted business from opening on private property, especially one that is constitutionally protected, just because people disagree with it. If you strongly disagree with the right that is being exercised a business owner does not have to consult or inform the community, get their permission or hold a referendum on whether they can open a business or not. All that matters is whether they have the proper permits and paperwork from the local authorities, which cannot be denied based on popular opinion. Supreme Court precedent preempt local restrictions. This is un-American to try and drive a law

abiding business out of the city because people disagree with it. Law is based on pretext, such as using another ostensibly legal reason like zoning, as an excuse to illegally shut down a lawful business or regulate it out of existence are unconstitutional and have been repeatedly struck down as our retroactive ex post facto laws. We should not even be debating something the city has no power to do without bringing costly legal challenges, which will needlessly waste taxpayer dollars. Any ban will ultimately be overturned by the courts, as it would be illegal on its face by directly contradicting the rulings of the US Supreme Court. This is not even about gun control debate this is a legal and constitutional issue, not a political one. Banning gun shops from the city is also unnecessary, the state requires licensing, safety training and background checks. There is no added danger of having a gun shop in the city when licensed gun owners legally buy guns from outside the city. Banning gun shops will not keep out legal or illegal guns in Newton.

Robert Pearson, 741 Boylston Street, my grandfather was a fire chief in Newton. He taught me all about gun safety. If you ever find a gun, do not mess with it. I just want to make a point that parents should teach their kids gun safety. I am a law abiding taxpaying citizen, I do not want my tax dollars going to endless lawsuits the city has no hope of winning.

Chris Watson, 153 Harvard Street. I am against these this restrictive zoning legislation being placed on a gun shop in Newton, I have had conversations with my children regarding this zoning. None of them have felt threatened by a gun shop selling firearms in our neighborhood. They do not believe there is any correlation to a gun store's location being near a school and their neighborhood, creating an increase in gun violence. Remember freedom is not free. It was paid by the blood of our service members who gave their lives and many wars over the years. I find this amazing, that our Newton's citizens will be so afraid of a gun store that sells firearms. It is like being afraid of a new car dealership because vehicles kill people. Our citizens cannot legally drive a vehicle safely without hours of training and licensing, the same is true for obtaining a firearm. Massachusetts has the toughest restrictions in the nation for obtaining a firearm, so it is not like a person is going to easily obtain a firearm just because a store has opened in our neighborhood. Let the firearm market not Newton be the ultimate force to determine whether this gun shop will survive or not, if they cannot sell firearms because no one is buying that will end the issue. Please stop attempting to legislate against law abiding gun owners in our community. I respectfully ask that you give these folks a chance.

Stephen Friedenthal, When I looked at the zoning, it came down to a 1000 foot limitation seemingly arbitrarily pulled to allow this small sliver of an area where a gun store could be open. I am in favor of it because it is a constitutionally protected right. It is a business that operates safely. I know when I take people to any sort of gun range to shoot, it is some of the most responsible people there. This is an activity that contrary to what people think about is very well controlled. I think we know the number of limits you must go through to be able to have a gun within Newton. Many people are not aware that President Obama himself directed the Department of Health and Human Services to do a study. They determined that anywhere from 500,000 to 3 million defensive use of handguns helps prevent far more

crime and violence than anything that has been inflicted. This is personal to me. It is important to me to be able to protect us and I think it is something we can do safely. I would hate to see Newton drawn into a long protracted legal fight that seems doomed to failure. We are open for all, we will do it responsibly, that is what gun owners are. I talked to kids; kids are not scared of gun stores, they are not scared of guns, they see them. Why do not we make it open, teach, educate, and make it a safe activity.

Mike Ball, I would patronize the shop that opens. it is only when I grew up that I realized guns are more normal and are owned by half the people in this country that it became less scary. The claim that normalizing guns would somehow be more traumatic to children and make it scarier I think it would do quite the opposite. I think the thing that is dramatic is the media's representation that the sky is falling when actually we are at a very safe time in American history. The current conduct of these lockdown drills is probably something that also should be questioned. My entire time in Newton public schools, I was never taught anything about gun safety. I was taught to stop, drop and roll, but I think gun safety was never touched on, I think that was partly because they did not want to normalize it. Hundreds of kids in this country every year die from firearm accidents, that is a very small number when you compare it to drownings and other things that kill children but the fear of normalizing it among communities like Newton probably contributes to some of those deaths. I think that those who are involved in education should maybe consider that and if you do not know a lot about firearms, you should consider including in the curriculum, teaching children to stay away from firearms, be safe around them and normalize them. I think normalizing them as a legal activity is something that could be helpful in reducing fear and anxiety around firearms. The big thing that's super upsetting about this is a business that was going through all the steps. It was in the final stages of approval, up from under the rug from them. I think that is a very un-American concept and a very unfair thing to do to a small business. I look around as a Jewish man I am happy that I have a gun to protect myself.

Annie Raines, Court Street, Newton schools provide an excellent education, where we learn reasoning and understanding that there is a difference between a gun shop, marijuana shop and car dealer. These are all very different things; we know that these are not comparable items. I understand one of the complaints by some of gun advocates is that there is not a referendum vote being offered up. I think that is a terrific idea there is a win potential for Newton here because we can enact restrictive zoning, and put a referendum vote up on the ballot at the next election and let the people of Newton say we want the zoning to be less restrictive or we like this restrictive zoning, and then it can open the topic again. I think we can do both. I think it is important to show good faith, and I think restrictive zoning and referendum vote are not mutually exclusive. I hope that that is a course of action that we can look at as an option.

Janet Sherman, Church Street, I have never owned a firearm or had the desire to that is until last year. After the shutdown, I saw the violence growing in this country which really scared me. I am really turned off about people in Newton that are talking about the safety of our children.

We must be there for the children, and we must protect the children. I want to know where these people were last year when schools were shut down. These kids committed suicide, result of the loneliness associated with not being able to interact with kids their own age, suicide, and forcing children to wear masks, not at risk. Why are we protecting those children? I just want to know where the enormous death list from the private schools in Newton is. I think that we should teach kids how to properly use guns and the safety features and not to be afraid of guns. I want to make everyone who is worried about safety and talking about what is safe. Where all these people were last year when everyone was crying to defund the police. Safety is so important. Officers are retiring early because of what we do here and how we treat them. This is a huge concern of mine.

Dr. Eric Nadel, 111 Suffolk Road, I am an emergency physician. I would like to ask any of the pro-gun folks if they have ever seen someone get shot? Have they ever seen a woman as the victim of domestic violence, who has been shot? Have they ever seen someone who has taken the gun of a parent and shot themselves? I think it is unconscionable. This is not politics, this is life. We have no margin for error. I do not understand why the community would not make a stand that we are willing to challenge the Second Amendment, our city council should do it. Would anyone like to spend more time with me and hear what it is like for victims of gun violence? This is not theoretical. I spent 11 years of my life, not talking about military time. I am talking about on the streets, domestic violence in the house by licensed gun owners. This is not about militia and military.

Limor Morrison, Commonwealth Avenue, I agree to the passing of the strictest zoning laws, presented here today, I do not think it is enough. There are plenty of places nearby for guns to be purchased for those who want them. Why is this debate arguing over a 10 minute commute to a gun shop in another community? You have heard it loud and clear from the overwhelming majority of the city's residents we are not interested in gun stores in the city, your proposals are not enough, and I asked you to do better.

Jess Aker Archer, Watertown Street, I am also on the Newtonville Area Council. The thing that really bothers me is that people were talking about how things must go through a legal process. However, there was a stop work order issued, because the store owner did not have a building permit. You would think that somebody who is going to own a business is going to research the whole process and acquire all the things that they need to acquire so they might have. The fact that they did not even bother to research the rest of the process, and they did not get this building permit and then they never got an occupancy permit either does not really instill a lot of faith in me that this person is going to be an owner of a store that is going to follow rules and regulations that are set in place by the state. I would prefer that there are no gun stores in Newton. I prefer restrictive zoning, but if there must be then they must follow the rules, and these people did not, which basically negates every single other argument of people who said that they are following the rules they did not follow the rules, and now must go back and try to apply for all of those. I do not really understand how that that goes with anybody's logic.

Stephen Lubars, Fairway Avenue. Earlier, a gentleman misstated some facts. People are entitled to opinions, not their own facts. He talked about the signing of the Constitution and muskets, that is not accurate. The comment that guns are designed just to kill, I disagree. Another person mentioned that after the Newtown tragedy, Obama did commission the CDC to study gun violence. They found that firearms were used to prevent, usually without a single shot being fired 500,000 to 3 million crimes per year, with radio crimes per day including dozens of rapes that low number, the 500,000 came from the Brady Campaign. They are the ones who gave the low number of 500,000 per year. I do not understand or do not see the rationalization for why the stores cannot open earlier.

Carl Lavin, I need to object to the absurd notion that responsible gun owners should not be stigmatized, when they are exactly who deserves to be stigmatized. The decision to purchase a gun for self-defense requires acts of both cowardice and selfishness. Studies, reports show that gun sales surge after mass shootings, it does not surge enrollments in self-defense martial art classes, gym memberships and boxing lessons. It is the cowards who become increasingly fearful of the unlikely unknown, then feel the need to buy the sense of safety that comes with owning a gun whose sole reason is to cause catastrophic harm. Every responsible gun owner is equally responsible for every mass shooting, whether it is schools' houses, worships, nightclubs, etc. Every gun distributed to a store, subsidizes a gun. I am reminding all that those who would call themselves that subsidize the threat to the rest of us putting up every single possible hurdle between a person who wants a gun and a person who gets a gun is an absolute moral imperative, not only for our city, but everywhere.

Ned Connery, Temple Street, I am very proud of this community because we have important values. The fact is guns kill people, that is their purpose. This country has a huge scourge of deaths by gun violence. If any other product in this country caused that kind of death, we would immediately ban it. But we allow guns in this country, unlike anywhere in the world. Other countries do not have this problem. The fact is we have gun deaths because we have too many guns, they need to be regulated. The government and the Supreme Court have held in the past that things can be regulated. Pornography was held to be a First Amendment right. It was also held to be okay to zoning and regulated by zoning. The same thing is true of guns, we can use zoning to regulate guns. Zoning is like pornography. It is a scourge on this country. It is an undermining of all our values. We need to zone it right. The fact that we were going to zone this in a way where we regulate gun stores in Newton.

Yonatan, Beta, I am not opposed to the use of guns in sports. I call on the city council to clearly establish that no one has a right to sell, anywhere in our community. Every tool in the box is appropriate to prevent the opening of a gun dealership in Newton.

Philip Munson, Blake Street, my questions are a measure of proximity predictions, rights and the proximity of a gun store in relationship to a school leads to the likelihood of a school shooting, increasing upwards of 400% when the distance discloses from nine miles within one mile. There are many schools within close range of the Washington Street location, and when it

comes down to predictions, I am curious as to why the Newton city council did not have the foresight of how close this would be not only to schools but just this retail type endeavor that gun stores were not on any list whatsoever. I hope that foresight is given to any potential future endeavors such as something as drug dealers. I think that we need to have far more foresight, I want to quote Oliver Wendell Holmes who said something along the lines of “the right of you to do with your fist ends at the line of my jaw,” and I will say that a gun has a far larger range than a fist.

Jack Manning, River Street, I have my license to carry and own firearms, I support small businesses. I believe everybody in the country has a right to self-defense. I do not judge when people need to defend themselves, some people must defend themselves against weapons. If you need a weapon to defend yourself, you might as well have the best one manufactured by humankind. I think these zoning restrictions are a bit over restrictive, they seem almost draconian. I do not like the idea of my taxes going toward fighting lawsuits against these restrictions.

Chris Klaehn, 26 Page Road, what do you need out of a school safety or community safety? A gun shop so close to Cabot's is simply wrong. I do not know why you would need a gun, in Newton. I want to voice my great appreciation to the city councilors who are finding ways to prevent this store. I hope every cent goes into defending, not having a gun store in our community. I attended a gun safety class, although I do not own a gun. The timing of this gun shop is wrong. We have seen mass shootings, all over this country. Please do not bring this awful business to our town.

Michael Baccari, Adam Street, Gun laws do not have loopholes, plain and simple. If you get your gun taken away, you cannot buy another gun, plain and simple. I have several guns in my home, all locked safely. They are not killing anybody, they do not kill people, people kill people. Mental health is the underlying issue here that nobody wants to talk about, and that is the fact.

Peter Bruce, I looked up the percent of murders involving firearms in the US by state, the top 10 states are virtually all in the south, except for Illinois. Massachusetts has among the least; it is down in the bottom 10. It seems like the high amount of regulation has a strong correlation with keeping us safe, at least from murders maybe not from suicides. I want to thank the, the City Council and the Planning Department for the careful work that they have done on this. If we had a different Supreme Court, I would be supportive of the people that want to ban guns, but it seems like the best we can do is to have strict zoning. Regarding Rumford Avenue as a choice, I think the stress on their families of knowing that there was a gun store near there is something that should be considered because I think that there are sensitive areas around there.

Henry Nadel, Suffolk Road, I am 16 years old. I have heard a lot of people talking about what this means for youth in Newton. I want to tell you as a kid in Newton because I know a lot of people who face mental health issues. If you have a kid in Newton, they know people who face

mental health issues that is non debatable, it is just how it is in our city, and everywhere. This will not change whether a gun shop opens or not, but it will have an effect. Last year, my best friend was cutting himself and his parents sent him to rehab. The scariest thought in my mind is, what if he came back and there was a gun store on his block. It is not okay, it is not safe for youth in Newton, it is not safe for anyone. Whether you are a kid or adult, we all face mental health issues. There is stuff we need to change in our city, having weapons of mass destruction, so easily accessible to adults and youth alike is only going to exacerbate our problems. It is only going to make it worse and make kids feel unsafe.

Jane Franz 12 Glastonbury Road, I think that Rumford Avenue needs to be looked at very carefully. Perhaps, a bit more buffering needs to happen. I am not sure that Washington Street is the best location for a gun store.

Elise Gladstone, 12 Eppings Street, I am a social worker. We are in a mental health crisis right now for all the reasons that everyone knows. I am sure there's background checks and so forth for people getting guns, but what about the people who do not have any mental health background issues. If you check, they will be fine but because of what is going on a little bit unprecedented. There is psychiatric stuff that is popping up I see it all the time with people. If I have read the regulations correctly, it states if you have a mental health issue, and you get denied or you get a gun taken away from a mental health issue or substance abuse issue. Five years later, you can have a professional saying you are healed from that, I do not know anyone who are healed from substance abuse or healed enough.

Sallee Lipshutz, 24 Radcliffe Road, I support smart zoning and the draft ordinance alternative #5 to regulate firearms dealers fire ranges and gunsmiths. My only hesitation with the recommendation is with the video surveillance described in Section II 17 videotaping at point of purchase is unnecessary and serves no additional security purpose other than to intimidate purchasers, browsers and cause them to be reluctant to enter the establishment. I would be wary of offering Second Amendment advocacy groups, the wedge to challenge this legislation successfully in the current conservative Supreme Court. We could risk loss of much control of this regulation. If the nation's highest court were to determine it too burdensome. it was stated that video surveillance a point of purchase would dissuade employees from irregular or illegal practices, if employee mischief is worrisome. I would suggest going beyond the background check and extend the background checks of those employees to a nationwide database.

Todd Liao 71 Sutherland Road, I am Asian. I want to remind people about the elephant in the room as the pandemic has created this environment of Asian hate where Asian community are being viewed or scapegoated. There are a lot of hate crimes against Asians, and I am concerned about minority groups, especially the Asian community. The opening of this gun shop increases the risk of hate crimes and gun violence. In the more recent shooting, where there were eight Asians who were killed or injured, I believe the guy who committed the crime, also passed the background check and lawfully obtained the gun. I disagree with gun advocates that say there is no loophole in gun control. That is false, there are a lot of guns. Gun violence

is committed by people who obtained the firearms lawfully. I urge you to consider mental health crisis and responsible gun owners pass the background checks for every person. There is always a first timer, who does not have a criminal record who does not have a record of mental health issue. It does not mean that they are completely safe.

Charlotte McGowan, Sergeant Park, I am kind of stunned at all the testimony. I think the most impressive testimony to me was the physician who talked about looking at the people who are victims of gunshots. I do not understand why anybody needs guns at all. Newton should be a safe city. We are fortunate to live in this wonderful city and this city does not need a gun shop.

Councilor Krintzman motioned to close the public hearing. Committee members agreed 8-0.

A member of the Planning Board made a motion to close the public hearing, Members agreed 8-0-1, Mr. Heath abstaining.

Councilor Krintzman, made a motion to hold this item until 7:00 p.m. on Thursday, May 13, 2021. Committee members agreed 8-0.

At approximately 10:30 p.m., the Committee adjourned.

Respectfully Submitted,

Deborah J. Crossley, Chair