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City Council Reports Docket

November 3: Programs & Services, Public
Facilities
Public Facilities
November 4: Land Use
November 8: Zoning & Planning, Finance
November 9: Land Use

Page 577
7:00 p.m., Virtual
To be reported on
Monday, November 15, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Monday, November 15, 2021, Following the Committee of the Whole. To view this meeting use this link at the above date and time:
<https://us02web.zoom.us/j/82088256933>

One tap mobile

US: +13017158592,,82088256933#

Land line

US: +1 301 715 8592

Meeting ID: 820 8825 6933

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. Viewing a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Thursday, November 4, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Kelley, Markiewicz, Downs, Bowman and Laredo; also Present: Councilors Wright, Noel, Albright, Norton, Malakie, Krintzman and Danberg

#382-21

Petition to allow oversized dormer and increase nonconforming FAR at 9 Oak Terrace

DEREK BLOOM petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear, oversized dormer, further increasing the nonconforming FAR at 109 Oak Terrace, Ward 5, Newton Highlands, on land known as Section 52 Block 01 Lot 02, containing approximately 4,633 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 1.5.4.G.2.b, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 7-0 (Councilor Downs not Voting); Public Hearing Closed
11/04/2021

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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

- #360-21** **Petition to allow single-family attached dwellings at 50 Highland Avenue**
50 HIGHLAND REALTY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the existing structure and a second two-unit structure, allowing four single-family attached dwelling units in two buildings, to allow reduced side and rear setbacks and to allow a driveway within ten feet of the side lot line, 50 Highland Avenue, Ward 2, on land known as Section 24 Block 11 Lot 34, containing approximately 22,738 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 6-0 (Councilors Greenberg and Downs not Voting); Public Hearing Continued
- #29-21** **Amended Petition to allow single-family attached dwelling units at 145 Warren Street**
CIVICO DEVELOPMENT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow five single-family attached dwellings, to allow reduced side setbacks, to increase the allowed lot coverage, to allow a driveway within ten feet of the side lot line, to allow retaining walls greater than 4' within a setback, to waive three parking stalls and to allow a reduced driveway width at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13, 5.1.8.D.1, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued
- #125-21** **Petition to allow marijuana retailer at 740 Beacon Street**
THE GREEN LADY DISPENSARY II, INC/740 BEACON STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a recreational marijuana retail establishment, to allow parking in the side setback, to reduce dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements and to waive lighting requirements at 740 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lo 6, containing approximately 10,969 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, 5.1.8.A.1, 5.1.13, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued
- #215-21** **Petition to amend Council Order #289-18 for Garden Remedies**
GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18 to remove the appointment only conditions, amend the hours of operations to allow business operations, to remove the sign plan as a control document and to amend the site plan and landscape plan 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 of the City of Newton Rev Zoning Ord, 2017.
Public Hearing Closed 09/21/2021; Land Use Divided the Item into #215-21(A) Hours of Operation, #215-21(B) Removing Appointment Only, #215-21(C) Sign Plan and #215-21(D) Landscape Plan

#215-21(A) Hours of Operation - Land Use Approved 6-0

#215-21(B) Removing Appointment Only - Land Use Approved 3-2-1 (Councilors Greenberg and Lucas Opposed, Councilor Kelley abstaining)

#215-21(C) Sign Plan - Land Use Approval Failed to Carry 0-4-2 (Councilors Laredo, Lucas, Kelley and Greenberg Opposed, Councilors Downs and Lipof abstaining)

#215-21(D) Landscape Plan – Land Use Approved 6-0

City Council Recommitted to Land Use by Voice Vote on October 18, 2021

#215-21(A) Hours of Operation – Land Use Approved 8-0

#215-21(B) Removing Appointment Only – Land Use Approved 5-3-0 (Councilors Lucas, Markiewicz and Laredo Opposed)

#215-21(D) Landscape Plan – Land Use Approved 8-0

Referred to Land Use Committee

Tuesday, November 9, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Markiewicz, Downs, Bowman and Laredo; also Present: Councilors Albright, Wright, Norton, Oliver, Gentile and Leary

#33-21(3) Petition to amend Order #33-21 to allow Lab and Research facility at 275 Grove Street
ALEXANDRIA REAL ESTATE EQUITIES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Orders #40-97, #40-97(2) and #33-21 to amend the site plan, to allow a lab and research facility use and to allow height up to 96' and 8 stories at 275 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 29 Lot 24, containing approximately 487,578 sq. ft. of land in a district zoned BUSINESS USE 4. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.5.9.A, 4.1.3, 4.1.2.B.3 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved Subject to Second Call 8-0; Public Hearing Closed 11/09/2021

#333-21 Petition to allow four single-family attached dwelling at 34 Prescott Street
WHITEACRE PROPERTIES, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing single-family dwelling unit and carriage house into two, two-unit single-family attached dwelling units, to reduce require side and rear setbacks, to allow a driveway within 10' of the side lot line and parking within 20' of a boundary, to waive two parking stalls and to allow reduced parking stall width and depth at 34 Prescott Street, Ward 2, Newtonville, on land known as Section 23 Block 12 Lot 04, containing approximately 19,432 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13, 5.1.7.B.1, 5.1.7.B.2 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved Subject to Second Call 8-0; Public Hearing Closed 09/28/2021

City Council Recommitted on October 4, 2021

Land Use Approved 8-0; Public Hearing Closed 09/28/2021

- #293-21** **Petition to allow 28-unit dwelling at 967 Washington, 92&96 Walker Street**
ROGERS & COMPANY INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 28-unit three-story multi-family dwelling with underground parking, to waive 26 parking stalls and to alter and extend a non-conforming front setback at 967 Washington Street, 92 and 96 Walker Street, Ward 2, Newtonville, on land known as Section 21 Block 33 Lots 1-3, containing approximately 34,210 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued
- #71-20** **Amended Petition to allow 2734-unit multi-family dwelling at 1114 Beacon Street**
1114 BEACON STREET LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 34-unit multi-family dwelling greater than 20,000 sq. ft. of new gross floor area, a four-story structure up to 48' in height, to allow ground floor residential use, to allow an FAR of up to 2.0, a waiver for parking in the side setback, a waiver of the minimum stall depth requirements, relief to allow 1.25 parking stalls per unit, and a waiver of the sustainable design standards at 1114 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot 04, containing approximately 51,745 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4.A, 5.1.13, 5.1.7.A, 5.1.8.B.2, 5.1.8.D.2, 5.4.2.B, 5.12 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 11/09/2021
- #119-20** **Request to waive I&I fee for Special Permit #71-20 at 1114 Beacon Street**
1114 BEACON STREET LLC. Request an abatement of the infiltration/inflow mitigation fee pursuant to the City of Newton Revised Ordinances, Chapter 29 Section 29-170.
Land Use Held 8-0
- #304-21** **Request to Rezone 11 Florence Street**
SUNRISE DEVELOPMENT, INC petition to rezone 11 Florence Street, known as section 82 Block 04 Lot 49 from MULTI RESIDENCE 1 to BUSINESS USE 2.
Land Use Held 8-0; Public Hearing Continued
- #305-21** **Petition to construct elderly housing with services at 11 Florence and 318 Boylston St**
SUNRISE DEVELOPMENT, INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to elderly housing with services, to allow a development in excess of 20,000 sq. ft., to allow a four-story building, to allow a retaining wall greater than 4' in height within a setback, to allow free-standing signs, to allow parking in the front setback, to reduce the required parking stall length, to waiver perimeter screening requirements and to waive one foot candle lighting at 11 Florence Street, Ward 8, Newton Centre, on land known as Section 82 Block 04 Lots 47 and 49, containing approximately 82,945 sq. ft. of land in a district zoned BU2 (318 Boylston Street) and MR1 (11 Florence Street, to be rezoned to BU2). Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.2.10, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.4.2.B, 5.1.8.A.1, 5.1.13, 5.1.9, 5.1.8.B.2, 5.1.10.A.1, 5.13, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued

- #383-21** **Appointments to the Riverside Neighborhood Liaison Committee**
PRESIDENT ALBRIGHT appointing Ward 4 Councilors Markiewicz and Krintzman as co-chairs of the Riverside Neighborhood Liaison Committee as established in Condition 46 of Special Permit #27-20 granted on October 19, 2021 to MD 399 Grove Owner, LLC, Ramirez Concord, LLC, BH Normandy Riverside LLC for a mixed-use development with residences, retail, office, lab and research facilities and accessory and non-accessory parking facilities, adjacent to the Riverside MBTA station at 355 and 399 Grove Street in Ward 4.
Land Use Approved 8-0
- #312-20** **Petition to allow three-unit dwelling and extend lot area per unit at 350 Cabot St**
PETER LEIS AND JENNIFER STORO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert one unit within the existing two-family dwelling into two units, creating a three-unit multi-family dwelling in the SR2 district, extending the nonconforming residential two family and extending the nonconforming lot coverage at 350 Cabot Street, Ward 2, Newtonville, on land known as Section 22 Block 19 Lot 05, containing approximately 12,594 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal without Prejudice 8-0
- #217-21** **Petition to allow retail drive-in at 1021 Boylston Street**
1021 BOYLSTON STREET, LLC c/o JONATHAN BERNSTEIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to alter a nonconforming retail use to allow a retail drive-in business, to allow parking in the side and front setbacks and within five feet of the street, to allow a reduced required aisle width, to waive perimeter screening requirements and to waive outdoor lighting requirements at 1021 Boylston Street, Ward 5, Newton Highlands, on land known as Section 51 Block 26 Lot 03, containing approximately 17,280 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 7.8.2.C.2, 6.4.11 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal without Prejudice 8-0
- #89-20** **Petition to allow waivers for a rear lot subdivision at 40 Williston Road**
LAUREN AND DAVID BROOKS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision and construct a new single-family dwelling on the rear lot, requiring relief to exceed FAR on the front (from .40 to .42) and rear (from .24 to .30) lots, and to allow a retaining wall greater than four feet in the setback at 40 Williston Road, Ward 4, Auburndale, on land known as Section 43 Block 28 Lot 06, containing approximately 25,099 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10.A, 3.1.3, 3.1.9, 3.1.5, 3.1.10.C, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Withdrawal without Prejudice 8-0
- #301-21** **Petition to allow 27-unit mixed use building at 304-306 Walnut Street**
JH REAL ESTATE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 27-unit mixed use development in excess of 20,000 sq. ft., to allow a building height of 60' and FAR of 2.50, to allow five stories, to waive the minimum lot area per unit requirement, to reduce the side setback requirement, to reduce the setback requirement for portions of the building greater than 40' in height, to allow 1.25 parking stalls per dwelling unit, to

waive 37 parking stalls, to allow parking in the side setback, to allow parking within five feet of a building containing dwelling units, to waive the parking stall width requirement, to waive perimeter screening requirements and to waive lighting requirements at 304-306 Walnut Street, Ward 2, Newtonville, on land known as Section 22 Block 05 Lots 30 and 33, containing approximately 14,038 sq. ft. of land in a district zoned BU1 and MR1 (to be rezoned to MU4). Ref: Sec. 7.3.3, 7.4, 4.2.2.B.1, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.3, 4.2.5.A.2, 4.2.3, 4.2.5.A.4.b, 4.2.5.A.4, 4.2.5.A.4.c, 5.1.4, 5.1.4.A, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved Withdrawal without Prejudice 8-0

#300-21 Request to Rezone two parcels at 304-306 Walnut Street

JH REAL ESTATE LLC petition for to rezone two parcels; 304 Walnut Street (Section 22 Block 05 Lot 33) from Business Use 1 and 306 Walnut Street (Section 22 Block 05 Lot 30) from Multi Residence 1 to Mixed Use 4.

Land Use Approved Withdrawal without Prejudice 8-0

#427-20 Petition to allow a rear-lot subdivision at 41 Washington Street

JOSEPH AND SHEILA KEEGAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision to create two lots, abandon the two-family use in the existing structure and construct a single-family on the rear 12,000 sq. ft. lot, extending the existing non-conforming side setback at 41 Washington Street, Ward 1, Newton, on land known as Section 71 Block 29 Lot 07, containing approximately 25,902 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.1.5, 3.1.10, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved Withdrawal without Prejudice 8-0

Referred to Zoning Planning Committee

Monday, November 8, 2021

Present: Councilors Crossley (Chair), Danberg, Albright, Leary, Ryan, Wright, Krintzman and Baker; also present: Councilors Bowman, Lipof, Downs, Kelley, Malakie, Humphrey, Oliver, Lucas, Kalis and Greenberg

#180-21 Requesting a review and possible amendments to Section 4.2.5(A)

COUNCILORS LAREDO, LUCAS, LIPOF AND MARKIEWICZ requesting review of and possible amendments to Section 4.2.5(A) of the City of Newton Zoning Ordinance to clarify language concerning shadows and blocked views in the Mixed Use 4 district.

Zoning & Planning Held 8-0 on 09/13/21

Zoning & Planning Held 8-0 on 10/14/21; Public Hearing Scheduled for November 8, 2021

Zoning & Planning Held 8-0; Public Hearing Closed

Referred to Zoning & Planning and Programs and Services

#392-21 Authorization to acquire property at 163-144 Hancock Street and 169 Grove Street

HER HONOR THE MAYOR requesting authorization to acquire whether by purchase or friendly eminent domain the real properties which are portions of 136-144 Hancock Street

and 169 Grove Street, known as The Walker Center for Ecumenical Exchange.

Program & Services Approved 7-0 (Councilor Noel not voting) on 11/03/21

Zoning & Planning Approved 8-0

#438-20

Request for creation of Trust in Newton to support affordable housing development

COUNCILORS ALBRIGHT, CROSSLEY, HUMPHREY, DANBERG, MALAKIE, KELLEY, BOWMAN, KALIS, GREENBERG, DOWNS, WRIGHT, RYAN, NOEL, LEARY, LIPOF AND NORTON

requesting the Planning Department analyze mechanisms already in use in other cities and towns, identify funding sources, and create a Housing Trust in Newton to facilitate and foster the development of affordable housing in Newton.

Zoning & Planning Held 11/09/20, 03/22/21, 07/26/21, 09/27/21

Zoning & Planning Held 8-0

#88-20

Discussion and review relative to the draft Zoning Ordinance

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Zoning & Planning Held on 01/27/20, 02/10/20, 02/24/20, 03/09/20, 03/23/20, 04/13/20, 04/27/20, 05/19/20, 06/01/20, 06/15/20, 06/29/20, 07/09/20, 07/16/20, 08/13/20, 09/14/20, 10/01/20, 10/15/20, 11/05/20, 11/09/20, 12/14/20, 02/22/21, 03/08/21, 05/24/21, 07/08/21, 09/13/21, 10/25/21

Zoning & Planning Held 8-0

Referred to Programs & Services Committee

Wednesday, November 3, 2021

Present: Councilors Krintzman (Chair), Noel, Ryan, Humphrey, Greenberg, Wright, Albright, and Baker; also present: Councilors Downs, Gentile, Crossley, Laredo, Danberg, Kalis, and Leary

#366-21

Appointment of Sam Figler to the Newton Commonwealth Foundation

HER HONOR THE MAYOR appointing SAM FIGLER, 63 Sumner Street, Newton Centre, as a member of the NEWTON COMMONWEALTH FOUNDATION for a term to expire on October 30, 2024. (60 Days: 12/03/21)

Programs & Services Approved 7-0 (Councilor Baker not voting)

#399-21

Reappointment of Lori Yarvis to the Farm Commission

HER HONOR THE MAYOR reappointing LORI YARVIS, 1469 Centre Street No.1, Newton, as a member of the FARM COMMISSION for a term set to expire on October 31, 2024. (60 Days: 12/31/21)

Programs & Services Approved 8-0

Referred to Zoning & Planning and Programs & Services Committee

#362-21

Community Preservation Committee Annual Update to City Council

COMMUNITY PRESERVATION COMMITTEE CHAIR on behalf of the CPC, requesting a discussion with the City Council to provide an annual update on the status of the CPA

funds, the community preservation program and the ordinance in accordance with Sec 7-80 of the Ordinances.

Programs & Services voted No Action Necessary 8-0

Referred to Zoning & Planning and Programs and Services

#392-21

Authorization to acquire property at 163-144 Hancock Street and 169 Grove Street

HER HONOR THE MAYOR requesting authorization to acquire whether by purchase or friendly eminent domain the real properties which are portions of 136-144 Hancock Street and 169 Grove Street, known as The Walker Center for Ecumenical Exchange.

Programs & Services Approved 7-0 (Councilor Noel not voting)

#308-21

Request for discussion on COVID-19 vaccination mandate

COUNCILORS GENTILE, KALIS, MALAKIE, OLIVER, LAREDO, MARKIEWICZ, NORTON AND

WRIGHT requesting a discussion with the Human Resources and Health Departments about instituting a City of Newton policy mandating that all city employees be vaccinated against the COVID-19 virus.

Programs & Services Approved a Resolution in support of requiring COVID-19 vaccinations for all city employees to the Administration 7-0 (Councilor Noel not voting)

Referred to Public Facilities and Programs & Services Committee

#371-21

Update on the Lincoln-Eliot Elementary School project

HER HONOR THE MAYOR requesting the opportunity to provide a Lincoln-Eliot Elementary School project update to the Public Facilities and Programs & Services Committees.

Programs & Services Held 7-0 (Councilor Noel not voting)

Public Facilities Held 6-0 (Councilor Norton not voting)

Referred to Zoning & Planning and Programs & Services Committees

#154-21

Request for discussion zoning to support native plants and pollinators

COUNCILORS KELLEY, BOWMAN, DOWNS, AND NORTON requesting a discussion on increasing native plants and pollinator friendly plants in Newton. Discussion should include options to change zoning for both residential and commercial projects as well as increase such plantings on public lands. Native plants are environmentally more sustainable as they require less water and pesticides. Native plants attract a variety of birds, butterflies, and other wildlife by providing diverse habitats and food sources. Pollinator friendly plants can help support a healthy ecosystem, our Climate Action Goals, environmental sustainability and are needed to help refurbish native plants for biodiversity, bees and butterflies.

Programs & Services voted No Action Necessary 7-0 (Councilor Noel not voting)

#247-21

Prohibition of Single-Use Alcohol Containers

COUNCILORS NORTON, KELLEY, AND LEARY requesting the prohibition of the sale of miniature, single-use containers for alcoholic beverages in containers less than or equal to 100 milliliters.

Programs & Services voted No Action Necessary 7-0 (Councilor Noel not voting)

Referred to Public Facilities Committee

Wednesday, November 3, 2021

Present: Councilors Leary (Chair), Norton, Laredo, Kalis, Danberg, Gentile and Crossley; also present: Downs, Bowman, Krintzman, Noel, Ryan, Humphrey, Greenberg, Wright, Albright, Baker; absent: Councilor Kelley

#400-21 Petition for Grant of Location in Wells Ave

ROSCITI CONSTRUCTION COMPANY/CROWN CASTLE petitioning for a grant of location to install 188'± of 4" conduit from MH # 47/327 on Wells Ave to the proposed handhole in front of #145 Wells Ave then installing 68'± in a northeasterly direction from the proposed handhole to the building at #145 Wells Ave. (Ward 8)

Public Facilities voted No Action Necessary 7-0

#401-21 Amend Chapter 29, Section 160. Building Pipe Exemption

HER HONOR THE MAYOR requesting an ordinance amendment to Chapter 29, Section 160 of the Revised Ordinances to delete the following language: (a) the existing building sewer pipe(s) is less than twenty (20) years old; and re-letter the remaining sections.

Public Facilities Approved 7-0

Referred to Public Facilities and Finance Committees

#405-21 Reallocate \$277,739.25 for rehabilitation of the stormwater infrastructure

HER HONOR THE MAYOR requesting authorization to reallocate the Stormwater Fund surplus funds from the following accounts/ projects that have been completed for the rehabilitation of the stormwater infrastructure for the section of Chestnut Street between Beacon Street and Commonwealth Ave:

Laundry Brook Culvert Replacement-Cabot School (7203D401-586007)	\$130,257.25
Forest Grove Pump Station Rehabilitation (7204D401-586004)	\$147,482.00

Finance Approved 7-0 on 11/08/21

Public Facilities Approved 7-0

#317-21 Request for public way improvements on Grant Avenue

HER HONOR THE MAYOR requesting public way improvements pursuant to City Ordinance Section 26-51, specifically a pilot/trial of rubber speed cushions on Grant Avenue near Marshall Street between Beacon Street and Commonwealth Avenue

Public Facilities Approved Subject to Second Call 7-0

Referred to Public Facilities and Programs & Services Committee

#371-21 Update on the Lincoln-Eliot Elementary School project

HER HONOR THE MAYOR requesting the opportunity to provide a Lincoln-Eliot Elementary School project update to the Public Facilities and Programs & Services Committees.

Programs & Services Held 7-0 (Councilor Noel not voting) on 11/03/21

Public Facilities Held 6-0 (Councilor Norton not voting)

Referred to Finance Committee

Monday, November 8, 2021

Present: Councilors Grossman (Chair), Humphrey, Noel, Kalis, Oliver, Norton and Malakie; absent: Councilor Gentile

Referred to Public Facilities and Finance Committees

#405-21

Reallocate \$277,739.25 for rehabilitation of the stormwater infrastructure

HER HONOR THE MAYOR requesting authorization to reallocate the Stormwater Fund surplus funds from the following accounts/ projects that have been completed for the rehabilitation of the stormwater infrastructure for the section of Chestnut Street between Beacon Street and Commonwealth Ave:

Laundry Brook Culvert Replacement-Cabot School (7203D401-586007)	\$130,257.25
Forest Grove Pump Station Rehabilitation (7204D401-586004)	\$147,482.00

Public Facilities Approved 7-0 on 11/03/2021

Finance Approved 7-0

#195-21

Resolution to the Massachusetts General Court in support of real estate transfer fee local option

COUNCILORS HUMPHREY, MARKIEWICZ, MALAKIE, LIPOF, WRIGHT, CROSSLEY, NOEL, OLIVER, DOWNS, BOWMAN, NORTON, AND LUCAS offering a resolution to the Massachusetts General Court giving the sense of the Newton City Council that Newton and all other municipalities in the Commonwealth should be empowered to consider setting and implementing a reasonable local real estate transaction fee in appropriate circumstances, as proposed in S. 868 and H. 1377, to generate revenues for creating and preserving affordable housing.

Finance Approved 6-0-1 (Councilor Kalis abstaining)

#402-21

Reappointment of Antonio Bianchi as a Constable

HER HONOR THE MAYOR reappointing ANTONIO BIANCHI, 15 Colonial Avenue, Newton as a CONSTABLE for a term of office to expire on November 1, 2024. (60 days: 12/31/21)

Finance Approved 7-0