

**Q & A****#282-16      5-58 Site plan approval for the relocation of modular classrooms**

DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec. 5-58, for site plan approval to relocate four (4) modular classrooms from the Zervas Elementary School as follows: two (2) modular classrooms to be located at Newton South High School and two (2) modular classrooms at Brown Middle School to provide additional classroom space. [08/18/16 @ 12:09 PM]

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**Q1: When was site specific design initiated and who paid for it?**

**A:** Initial design documents were requested and began in March 2016. Construction (bid) documents were then requested which were delivered as a Permit Set dated July 25, 2016. The School Department paid for all design and construction documents, using the on-call architects approved by Public Buildings.

**Q: When was it finally determined where to put the four Zervas modulars?**

**A:** Planning was refined throughout calendar year 2015 (FY15 and FY16) as enrollments were updated and overall priorities for the three grade levels of the stabilization programs were assessed. By way of history, with the opportunity for re-use of the Zervas modulars, planning began in the fall of 2014 to re-use the modulars for this high priority need. At that time, it was thought that the stabilization program would require all four modulars and serve multiple grade levels at the Newton South location. There was a funding request at that time and a discussion at the December 3, 2014 meeting of the public facilities committee; the item was held for future discussion. During 2015 it was determined that the stabilization program site at South should serve just the high school grade level, with two modulars providing sufficient space for improvement. The need for middle school space at Brown has been identified since 2013, and was incorporated into facilities planning although a potential solution was not yet identified. At the time, growth at Day was the highest, where growth of 200 students over the past six years was being addressed by the addition of six additional classrooms. Brown had growth of about 100 students in that same time period and enrolled a total of 743 students by 2013. Last year in 2015-16, Brown had enrollment of 780 students with enrollments projected to increase to almost 800 students in two of the next five years. The HMFH facilities assessment done in 2007 and updated in 2011 determined a capacity for Brown at 850 students. Since 2007, however, several district wide special education programs had to be situated at Brown. Today, there are three citywide programs housed at Brown including the Comprehensive Applied Behavior Analysis Program (ABA), the SPARK social pragmatics program serving students on the Autism spectrum, and the FOCUS program serving students with challenges in executive function and sensory awareness. Meeting student needs in combination with enrollment growth has resulted in crowded conditions and use of spaces within the building that are not the most suitable for their educational purpose.

**Q: When was it finally determined where to put the four Zervas modular?**

**A:** The vote of the School Committee was taken on May 9, 2016. History leading up to the vote is detailed in the previous answer.

**Q: How was it determined that the modular could be moved to the sites chosen by the School Department, without seeking the usual required approvals?**

**A:** It was never determined that the modular “could be moved to the sites chosen by the School Department without seeking the usual required approvals”. This process began because the Design Review Committee wanted detailed construction drawings of modulars whose detailed drawings had already been reviewed. This would have caused the City to incur a cost of \$80K - \$100K. The administration did not feel that was the highest and best use of City resources. Both administrations (both City and School) welcomed the input of the DRC on the site, but felt strongly that the modulars had already been designed. Therefore, the request was made of the City Council to waive the process. Since that time, DRC has reviewed the plans, provided their input, and so the waiver request should be “N.A.N.’d”

**Q: What is the review process or protocol for cutting trees on City property? Is it different on school property? Who initiated tree removal? What is the Tree Warden’s role and authority?**

**A:** All trees eight inches in diameter or greater on City owned land (with the exception of land designated as Conservation Land) are covered by the Public Tree Regulation ordinance. If a tree is dead, dying, or dangerous Forestry can proceed with the removal as deemed necessary. For eight inch diameter or greater trees that are not deemed dead, dying or dangerous inch for inch replacement is generally required and approval must be given by the Tree Warden (the duties of Tree Warden are assigned to the Director of Urban Forestry) prior to trees being removed. This process has been followed at all of the recent school site construction projects and Fire Station projects. If inch for inch replacement cannot be achieved on the site then money is transferred into an account for tree planting elsewhere.

The removal of trees is typically initiated by whoever is in charge of the land. In the case of Parks it would be parks and Rec., on school sites it would be School Department, at fire station land it is the Fire Department, etc. It is up to this entity to decide if the tree is to come down and why. The Tree Warden's role is to determine if the tree(s) require replacement and grant permission to cut down once the replacement process has been determined.

The process is the same at School sites. If the School Department or other entity managing a project determines trees need to be removed then they must get permission from the Tree Warden and replace trees as required.

The authority of the Tree Warden is to determine replacement requirements. Once it has been determined if replacement is required the Tree Warden will grant permission for the process to proceed.

In this particular case, Mike Cronin notified Public Buildings (Art Cabral) that some trees would need to be removed in preparation for the modular. Art then met Marc Welch at the site. He showed Marc the area where the modulars were to go and told Marc which trees he would need to cut down. About half the trees were in poor condition and did not require replacement, the others did. Marc provided him with the cost the project would need to pay for tree replacement, \$8,230. He indicated the project would pay so Marc told him he could proceed with the removal of the trees.

An exception to the above process is on Conservation Land and/or areas governed by Wetlands Protection Laws. In these cases Approval is needed from the Conservation Commission.

**Q: When was the stabilization program conceived? Is there a record of successfully reintegrating students? When did using the tin shed for the stabilization program begin? How was this determined? Were any improvements/changes made?**

**A:** HSP was conceived, over ten years ago, after the successful development and implementation of ESP (elementary school) and MSP (middle school). HSP successfully assists students, families, and the school district to find the next appropriate placement for students. Although many times there is a change in services or placement, the majority of students remain in district. Prior to HSP, students were placed out of district for 45 days. HSP has been a cost savings to the district by eliminating the need for most out of district 45 day placements. The mission of HSP is to create a safe and positive environment for high schools students in need of a 45-day diagnostic, therapeutic, and educational placement. Together with students, parents/guardians, educators, therapists, and other outside supports, HSP staff works to stabilize, evaluate, and transition the student to the next appropriate placement. The shed has always been the location of HSP. The Southside Program had used the space prior to HSP. Although the location was not ideal, the limited space available required Student Services to use this location.

#### **Programmatic changes**

HSP staff works to support students in their overall goals of earning credit while allowing space for therapeutic goals to be addressed as well. To that end, the programming has become more robust and includes the following staff:

1.0 English/special education teacher  
1.0 teaching assistant  
1.0 guidance counselor  
0.25 math teacher  
0.25 science teacher  
0.0527 art teacher  
0.05 music teacher

Consultation is provided by the Student Services Clinical Director and Assistant Director of Student Services.

#### **Building improvements**

The key room was opened and made available to use for tutoring space.

**Q: Could the School Department provide background related to Sandy Guryan's September 15, 2014 memo stating that the shed didn't meet building codes and was going to be demolished in 2015? Were repairs made to the shed to make it compliant with building codes? Why wasn't it demolished in 2015?**

**A:** The first plan was to take the shed out of service in 2015 and replace it with 4-modulars but this did not happen due to changing circumstances and the need to revisit all options; securing additional space at Brown Middle School due to enrollment increases became a priority, and the freeing up of space at the Ed Center due to the pending relocation of the preschool allowed for the middle school stabilization program to remain at the Ed Center. Repairs were made to meet the building codes of the era in which the shed was built. However, because the shed is a nonconforming structure, it cannot meet the most up to date building codes. With two versus four modulars added, there is space at the site for the building to be maintained (to be used

primarily for storage), with HSP continuing to access the bathrooms in the building. It was not demolished because it was still in use.

**Q: Where will the program held within the shed be housed prior to and during construction of the modulares?**

**A: The** programming for HSP will take place in their current location (across from South - green building). They will be flexible in using the space until the construction is complete. The HSP staff is meeting on 9/1/16 to discuss how to set up the space for the short term.

**Q: Who parks in the parking lot adjacent to the tin shed? When will the solar carports be installed in that lot and will the timing of that installation interfere with the construction of the modulares or access to parking?**

**A:** The parking lot adjacent to the tin shed is a student parking lot, and it is slated for solar carports at this time. The student parking lot will be temporarily relocated.

**Q: How long has it taken to determine where these modular should go and what discussions were had in Council.**

**A: 11/24/2014 Item is docketed** - #471-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of four hundred thousand dollars (\$400,000) from Free Cash to fund the design, construction, and relocation of modular buildings from Zervas Elementary School to Newton South High School for special education program needs. [11/24/14 @ 3:43 PM]

### **12/03/2014 Public Facilities Committee Report**

The School Department's Director of Operations Michael Cronin provided an introduction of a project that will move the modular classrooms at Zervas Elementary School to Newton South High School. Mr. Cronin explained that the student population at Lincoln-Eliot Elementary School is growing and the school needs more classroom space. In order to provide more space, the pre-school located at Lincoln-Eliot will need to be moved to the Education Center. The move of the pre-school will require a special education program at the Education Center move to Newton South High School. The plan is to house the special education program in either the modular classrooms from the Zervas Elementary School or an existing building on the site that could be rehabilitated.

The installation of the modular at Newton South High School would be required to go through the site plan approval process. The School Department will pay for the schematic and site plan design for the modular. The project is still in the early planning phase and further information will be provided to the Committee as it becomes available. The Administration would like the Committee to hold the item for a future discussion.

There was some concern among Committee members that the City was continuing to use modular classrooms to house students, especially at Newton South High School because additional space was added at the school during the recent renovations. When the School Department and Public Buildings Department comes back to the Committee for the site plan approval, more information will be available. Ald. Lappin moved hold on the item, which carried unanimously.

**01/07/2015:** The School Department is evaluating where to reuse the Zervas modular classrooms. They indicate possible relocation to NSHS. Commissioner Morse will update the Committee when a decision is made and a proposal available. If no decision is made prior to the demolition of Zervas, the modulares will be moved off-site.

**03/18/2015:** The School Committee is undecided on whether to move the modular classrooms from Zervas to NSHS. The move would cost more than anticipated and requested. The Administration requests that the Committee votes No Action Necessary. The Committee NANs the item.

**Q: Regarding recent experience relocating modular, what design/engineering and review processes (5-58) have we used and what is an expected time frame for moving the 5-58 process once requested?**

**A:** The Design Review Committee met on August 24<sup>th</sup> to review the plans for the modular classrooms at NSHS and Brown Middle School. They unanimously voted to approve 5-58 Site Plan Approval for the modulares at both schools. The City Council can assign a public hearing on 9/6, the project will be taken up in a joint meeting of Public Facilities and Programs and Services on the 9/7, and if approved it will be taken up at the next City Council meeting. There is then a 20 day waiting period before work can begin.