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Mayor

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#201-17

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Barney Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	August 8, 2017
Land Use Action Date:	October 10, 2017
City Council Action Date:	October 16, 2017
90-Day Expiration Date:	November 6, 2017

DATE: August 4, 2017

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development
Neil Cronin, Senior Planner

SUBJECT: **Petition #201-17**, petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a three-story, 36 feet in height mixed use building with a floor area ratio of 1.49, allow waivers to the parking requirements, and waivers to the lot area per unit requirements at **386-394 Watertown Street**, Ward 1, Nonantum, on land known as SBL 14, 14, 35; 14, 14, 38; and 14, 14, 38 containing approximately 9,542 sf of land in a district zoned Business 1. Ref: Sec. §4.1.2.B.3, §4.1.3, §5.1.4, §5.11, 5.11.15.A and §7.3.3, of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



386-394 Watertown Street

EXECUTIVE SUMMARY

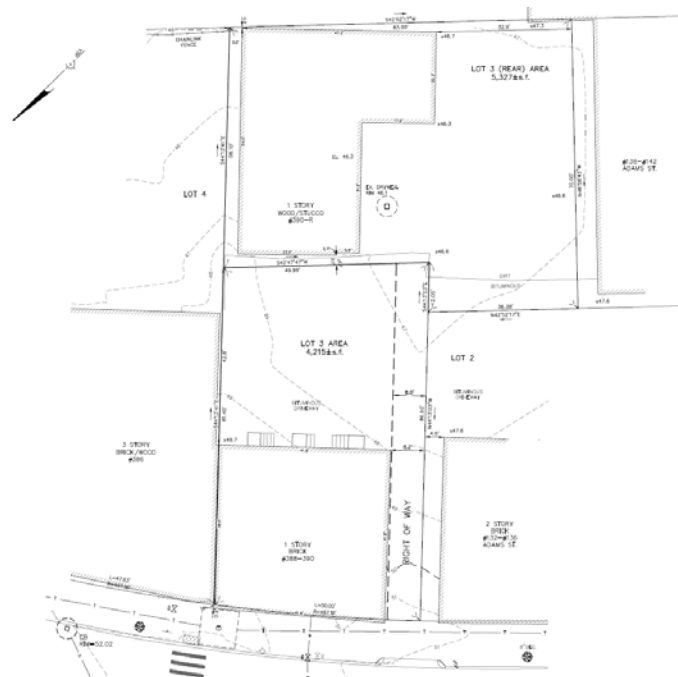
The property located at 386-394 Watertown Street is comprised of two lots totaling 9,542 square feet. The lot with frontage along Watertown Street is improved with a 4,215 one-story structure circa 1925 containing a barbershop and a pizzeria. The rear lot is approximately 5,527 square feet and contains a light industrial building constructed circa 1958. Both lots are located in the Business 1 (BU-1) zone in Nonantum. The petitioner is seeking to raze the existing structures and combine the lots to construct a three-story, mixed-use building with parking beneath the building, two commercial spaces on the ground floor, and two floors of residential space above totaling nine units. Therefore, the petitioner requires special permits to construct a 35 foot tall mixed use building with a floor area ratio (FAR) of 1.49, allow a reduction in parking ratio to 1.25 stalls per residential unit, and a density bonus in accordance with the Inclusionary Zoning provisions.

The Planning Department is supportive of mixed use developments that promote active, vibrant village centers. Staff believes this petition advances certain goals of the *Newton Comprehensive Plan*, as well as the City's Housing and Transportation Strategies. In short, those goals include diversifying the City's housing stock by providing smaller residential units, locating development within village centers close to basic amenities as well as public transportation, and retaining commercial space. Still, the Planning Department believes there are some outstanding issues the petitioner should address. As such, staff will continue to work with the petitioner in advance of a Working Session.

SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Council should consider whether:

- The specific site is an appropriate location for the proposed mixed use structure (§7.3.3.C.1.).
- The proposed project as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2.)
- There will be no nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3.).
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4.).
- Literal compliance with the parking requirements of the Newton Zoning Ordinance (NZO) is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features (§5.1.13.).



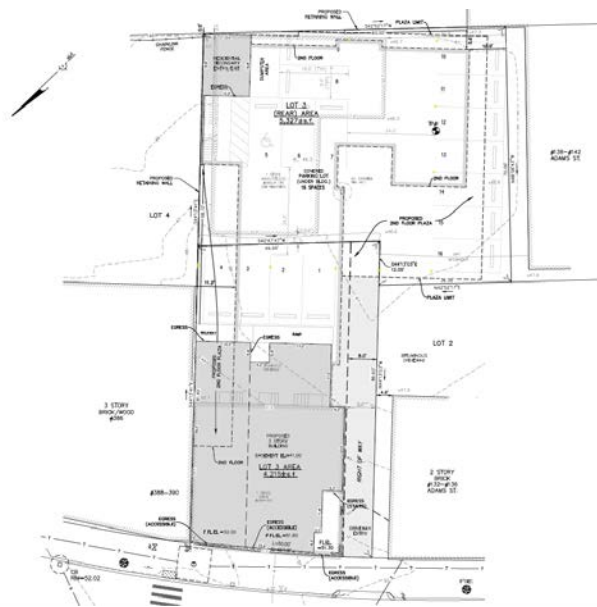
II. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is proposing to build a three-story mixed use development incorporating nine residential units and approximately 2,716 square feet of commercial space.

B. Site Design

The petitioner is proposing to raze the existing structures and construct a three-story mixed use building with two stories of residential space above two ground floor commercial uses and parking beneath the building. The footprint of the building is arranged in the shape of an “L”, to mirror the layout of the two lots. The structure will consume much of the lot, but retain the eight foot side setback to the right. As proposed, the structure is approximately 35 feet tall, totaling 14,204 square feet. The site plan indicates there are retaining walls proposed along the southern and eastern boundaries, but no dimensions are given. Staff suggests the petitioner clarify the height of the walls at a Working Session.



C. Building Design

The proposed building will be an example of Modern Traditional architecture constructed of brick and glass over a wooden frame to replicate the look of the existing Colonial Revival building located on the front lot. The front façade will feature three separate ground floor entrances; one each for the two commercial spaces and one entrance for the residences. On the second and third stories, the design utilizes balconies to provide some depth and visual interest from the street. There are two proposed plazas on the second floor, the plaza at the left side of the structure is not visible from the street and is approximately 825 square feet. This plaza will provide

natural light in addition to providing outdoor space; the larger plaza located at the right side of the structure is partially visible from the street and will serve as the exclusive outdoor space for certain tenants of the building.



The proposed structure will feature a triangular ornamental pediment at two locations visible from the street to incorporate look of the existing structure. The first location on the façade will help trademark the building, while the second location on the roof will screen the condensers on the roof from the street. Staff notes the principal roof height of the proposed structure is 35 feet tall, but the pediment will rise an additional three feet. The roof will be accessed by a full stairwell internal to the building, and is designed to support photovoltaic panels.

D. Commercial Space and Unit Mix

At the ground floor, the petitioner is proposing two commercial spaces of 475 square feet and 1,098 square feet. These spaces are expected to contain a personal service (barbershop) and a restaurant (pizzeria) use, respectively. The basement also includes some commercial space and the petitioner should clarify whether or not this space is accessory to the commercial space above. Regarding the residential units, eight of the nine units are two-bedroom units averaging 723 square feet, while the ninth unit (to be occupied by the petitioner) is a three-bedroom unit totaling 1,992 square feet. Two of the units will be deed-restricted in perpetuity to households earning up to 80% of the Boston Metro Area Median Income (AMI). The second and third stories of the structure are to be serviced by an elevator which is located in the back left corner of the parking facility.

The Planning Department believes the proposed structure fits the existing scale of the neighborhood as there are many three-story structures on Watertown Street. In addition, staff believes the ground floor commercial spaces are of a size which contributes to the vibrant village environment. Lastly, the housing units will help diversify Newton's housing stock due to their size combined with the fact that they will be serviced by an elevator.

E. Traffic and Parking

The design utilizes the existing curb cut at the northwest corner of the front lot along Watertown Street. This curb cut provides access to an approximately 85 foot long ROW and the proposed parking facility. Due to the site's grade change, the parking facility will be located underneath the second and third floors of the structure. This ROW is approximately eight feet wide and therefore does not allow for two-way traffic. As such, the petitioner is proposing to install a lighting system to both notify pedestrians on Watertown Street of vehicles exiting the parking facility, and other vehicles inside the parking facility. The parking facility contains 16 stalls, including one Americans with Disabilities Act (ADA) Accessible van stall. All stalls and drive aisles meet the Ordinance requirements for parking facilities containing over five stalls, with the exception of the existing eight foot ROW. Lastly, the parking facility is equipped with five electronic vehicle charging stations and has a dedicated space to store up to eight bicycles for the residents.

The Planning Department is supportive of the request to reduce the parking stall per unit ratio from two to 1.5 stalls per unit given the site is located within a village center and the stalls as well as the drive aisles are properly sized. However, the petitioner should provide a turning template plan showing the maneuverability of vehicles entering, parking, and exiting the proposed parking facility to the Engineering Division prior to being scheduled for a Working Session.

F. Landscape Screening

The petitioner did not submit a landscape plan with this petition. The architectural plans indicate that some plantings will be located on second floor deck to provide screening from the street. In addition, it is expected residents will add plantings to personalize their deck spaces. Staff notes the structure is proposed to consume much of the footprint of the lot, thereby not allowing for plantings on the site. However, staff believes the petitioner should work to identify potential locations for additional plantings.

G. Affordable and Fair Housing Policy

As the project is creating new dwelling units, the petitioner will be required to comply with the Inclusionary Zoning section of the Ordinance. The petitioner is seeking to utilize Section 5.11.15 of the Ordinance which allows for the lot area per unit to be decreased by as much as 25% in exchange for an additional inclusionary unit. The BU-1 zone requires a lot area per unit of 1,200 square feet, whereas the petition proposed with eight units would have a lot area per unit of 1192 square feet. If the petitioner applies this provision, the project will increase by one inclusionary unit and result in a lot area per unit of 1,060 square feet per unit.

This provision previously applied to the dimensional controls for buildings in residential districts and residential uses in non-residential districts i.e., the Business and Mixed Use zones, but was not carried over with the rest of the 2015 changes to

the Ordinance. Subsequently, the petitioner filed an amendment with the Zoning and Planning (ZAP) Committee to revise the language in order to make this petition eligible. The amendment was approved by ZAP on July 17, 2017. The item will be on the agenda of the City Council on Monday August 14, 2017.

If the amendment is approved by the City Council, two of the nine units will be available to low-and moderate income residents and shall be eligible for inclusion on the City's Subsidized Housing Inventory (SHI). These units will be permanently deed restricted as affordable to residents earning up to 80% of AMI; the remaining units are proposed as market rate.

The Planning Department notes the unit mix, including number and location of affordable units are intended to comply with the City's Local Preference Policy and Fair Housing Rules and Regulations. As such, the petitioner has submitted an Affirmative Fair Marketing and Resident Selection Plan which the Planning Department will review in advance of a Working Session.

H. Accessibility

The project is required to be compliant with ADA and Massachusetts Architectural Access Board (MAAB) regulations. All units are expected to be adaptable to those with disabilities and built to ADA and MAAB requirements. Specifically, one unit will be built as an ADA Accessible unit and all units will be accessible and visitable to those with disabilities. Regarding parking, the petitioner is proposing one ADA Van-accessible stall in the parking facility beneath the building, per Code.

I. Signage

The petitioner has not requested waivers from the Ordinance as to the number, size, location, and height of signs. As a result, all signs are expected to be by-right and subject to review and approval by the Urban Design Commission.

J. Project Phasing and Construction Management

Should this project be approved, a Construction Management Plan (CMP) will be required prior to the issuance of any building permits, and will be reviewed by the Commissioners of Inspectional Services, the Commissioner of Public Works and the Director of Planning and Development. Staff recommends construction activities and updates with local businesses and the Nonantum Area Council shall be part of the CMP.

III. CONSISTENCY WITH COMPREHENSIVE PLAN, TRANSPORTATION & HOUSING STRATEGIES

A. Comprehensive Plan

The proposed project meets several of the goals established in the *Comprehensive Plan*, including creating a diverse housing stock, adding affordable housing units, and encouraging a mix of uses near the City's transit nodes and village centers. These goals are summarized in following statements from Chapter 3:

- *“We need to encourage retention of existing housing and development of new housing that supports village centers, that is focused on public transportation, that increases the City’s affordable housing stock, or that further enhances the existing character and diversity of housing types”*
- *“Encourage mixed uses in business area and village commercial centers, particularly where public transportation is available.”*
- *“One-story buildings are often inefficient and a waste of expensive land so should be generally discouraged in village centers. Where overriding historic or scale considerations are not present, density incentives might be provided to owners or developers who are willing to develop multi-story buildings.”*
- *“Development considerations should also give weight to the classic “smart growth” principles of guiding growth to where it is best served by public transit, where it is closest to businesses...”*

The *Comprehensive Plan* also addresses the importance of the impact of development on neighborhoods, and states that *“We seek to assure development densities well related to both neighborhood character and infrastructure capacity.”* As such, it is important that this project is developed with the appropriate bulk and mass, and that the parking and traffic demands from the various uses can be accommodated without adversely affecting the surrounding neighborhood. The Planning Department believes this project achieves an appropriate balance of adding new units to the housing stock, and maintaining the quality of life for surrounding residents.

B. Housing Strategy

Akin to the *Comprehensive Plan*, the Planning Department believes this petition aligns with City’s Housing Strategy (the “Strategy”) to “build more cost-diverse housing...” Specifically, the Strategy aims to accomplish that objective with four principles found in Chapter 4:

- *“Pursue diverse housing choices to meet changing housing needs of a diverse population”.*
- *“Locate housing to promote access and choice.”*
- *“Balancing Housing Needs with the need for commercial space.”*
- *“Seek high-quality design that is responsive to context.”*

C. Transportation Strategy

Lastly, the proposed project also meets one of goals of the City’s recently adopted Transportation Strategy by creating a Smart Development. “Smart developments co-locate housing, office, retail, and other amenities with quality transportation choices; they provide amenities to encourage walking, bicycling, and taking transit...” The petition incorporates two tools of smart developments which are

vertical use mixing and reduced parking ratios.

IV. TECHNICAL REVIEW

D. Technical Considerations (Chapter 30, Newton Zoning Ordinance)

The Zoning Review Memorandum, dated June 12, 2017 provides an analysis of the proposal with regard to zoning (**Attachment C**).

E. Newton Historical Commission Review

The petitioner applied for the total demolition of the existing front building containing the barbershop and pizzeria. At the February 23, 2017 meeting of the Newton Historic Commission (NHC), the structure was found preferably preserved and a one-year delay was placed on its demolition. However, the petitioner appeared before the NHC again on July 27, 2017 and the demolition was approved subject to the approved plans. The rear structure was found not preferably preserved at an earlier date; therefore the petitioner can legally demolish that structure.

F. Engineering Review

Associate City Engineer, John Daghljan, reviewed this project for conformance with the City of Newton Engineering Standards (**Attachment D**). The petitioner should respond to the items presented in Mr. Daghljan's memo prior to being scheduled for a Working Session. Should this project be approved, this petition will be reviewed for again prior to the issuance of any building permits.

G. Fire Department Review

The petitioner has met with the City of Newton Fire Department and reviewed the proposed plans; it is expected the building garage will be sprinkled. The plans will be reviewed again prior to the issuance of any building permits should this project be approved.

H. Urban Design Commission Review

The Urban Design Commission (UDC) reviewed the project and provided comments on May 17, 2017. Overall, UDC approved of the project, but the review did not relate to signage. Should this project be approved, the petitioner will appear before the UDC for all proposed signage.

V. PETITIONER'S RESPONSIBILITIES

The petitioner should respond to the issues raised in this memorandum and other questions raised at the public hearing as necessary. Written responses to all significant issues should be provided for analysis by the Planning Department prior to being scheduled for additional public hearings. The Planning Department will prepare an updated memo prior to any future public hearings.

ATTACHMENTS:

- Attachment A:** Zoning Map
Attachment B: Land Use Map
Attachment C: Zoning Review Memorandum, dated June 12, 2017
Attachment D: Engineering Review Memorandum, dated July 18, 2017

Attachment A Zoning Map Watertown St., 386-394

*City of Newton,
Massachusetts*

Legend

- Multi-Residence 1
- Multi-Residence 2
- Business 1
- Business 2
- Manufacturing
- Public Use
- Building Outlines
- Surface Water
- Property Boundaries



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

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Feet













Map Date: August 01, 2017

Attachment B Land Use Map Watertown St., 386-394 City of Newton, Massachusetts

Legend

Land Use

Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Industrial
-  Mixed Use
-  Open Space
-  Nonprofit Organizations
-  Vacant Land
-  Tax Exempt
-  Building Outlines
-  Surface Water
-  Property Boundaries



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CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

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Feet

Map Date: July 27, 2017



Setti D. Warren
Mayor

Attachment C

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: June 12, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Terrence P. Morris, Attorney
John L. Mula, Applicant
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to construct a three-story mixed use building, FAR relief and associated parking waivers

Applicant: John L. Mula	
Site: 386-394 Watertown Street	SBL: 14014 0035, 14014 0037, 14014 0038
Zoning: BU1	Lot Area: 9,542 square feet
Current use: Barber and restaurant	Proposed use: Mixed use

BACKGROUND:

The subject site is comprised of three lots with a total area of 9,542 square feet in the BU1 zoning district. The approximately 4,215 square foot front lot at 386 Watertown Street is improved with a one-story commercial building constructed in 1925 housing a barbershop and a small pizza shop. The rear lot contains approximately 2,900 square feet and is improved with a light industrial building constructed in 1958. A third vacant lot is located adjacent to the rear lot containing approximately 2,430 square feet. A right of way runs along the southwesterly property line from Watertown Street to the rear lots.

The applicant proposes to raze the existing buildings and construct a new three-story mixed use building with commercial on the first floor, nine dwelling units above and parking for 16 vehicles in covered parking underneath the second level of the building.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Terrence P. Morris, attorney, dated 4/25/2017
- Topographic Site Plan, prepared by VTP Associates, dated 5/27/2017
- Ground level plan, signed and stamped by Ronald F. Jarek, architect, dated 3/23/2017
- Elevations, signed and stamped by Ronald F. Jarek, architect, dated 3/23/2017

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to raze the existing buildings and construct a three-story mixed use building. Per Section 4.1.2.B.3, a special permit is required to construct a three-story (up to 36 feet in height) building in the BU1 zoning district.
2. As the project is creating new dwelling units, it is subject to the provisions of Section 5.11, Inclusionary Zoning. It is required that no fewer than 15% of the proposed number of dwelling units be affordable, which in the case of nine new units is one affordable unit. Section 5.11.15.A allows for a density bonus equal to one unit for each additional inclusionary unit where lot area per unit is decreased by up to 25%. Utilizing this provision, the required lot area per unit may be reduced from 1,200 square feet per unit to 900 square feet per unit. The applicant is proposing to increase the number of affordable units from one to two, and to therefore take advantage of the density bonus to allow for a lot area per unit of 1,060 square feet.

The current language of Section 5.11.15.A provides for this density bonus for lot area per unit for those limits set forth in sections 3.1 and 3.2. These two sections provide the dimensional controls for the Single Residence (Section 3.1) and Multi Residence (Section 3.2) zoning districts. Prior to the 2015 changes to the Zoning Ordinance, this provision was found in Section 30-24(f)(16)(a), and referred to the dimensional controls found in Section 30-15 Table 1, which provided the controls for all residential districts and residential uses in non-residential districts, including Business and Mixed Use. The citation of the dimensional controls for residential projects in the Business and Mixed Use zoning districts was not carried over to the current language, though it would seem unintentionally. This zoning review presumes a change to the Zoning Ordinance which returns the Business and Mixed Use district dimensional controls to the density bonus provisions.

3. The proposed three-story building is 14,204 square feet, creating an FAR of 1.49, where 1.0 is the max allowed by right, and 1.5 is the max allowed by special permit for a three-story building per Section 4.1.3. To construct the project with an FAR of 1.49 requires a special permit. In the alternative, the density bonus provisions of Section 5.11.15.A allows also for a 25% increase in FAR, thereby increasing the by-right FAR from 1.0 to 1.25, thus reducing the margin of relief.
4. There are four parking stalls on site. The existing square footage of the commercial space is divided between a barbershop with 543 square feet, and a pizza store with 1,122 square feet and twelve seats maximum. Based on this information, the current parking requirement is:

Barbershop (Service Establishment): 4 stalls

Employees: 4 @ 1 per each 3 = 1.3 or 2 stalls

Square footage: 543 square feet @ 1 per each 300 square feet = 1.81 or 2 stalls

Pizza Store (restaurant): 5 stalls

Employees: 1 @ 1 per each 3 = 1 stall

Seats: 12 @ 1 per each 3 = 4 stalls

The applicant is proposing to add nine dwelling units to the property, while maintaining the two commercial uses with only slight modifications to the sizes of the commercial spaces. Per Section 5.1.4, two parking stalls per each dwelling unit are required. This section allows a reduction to 1.25 stalls per unit by special permit for a multi-family dwelling. The applicant proposes nine dwelling units, which requires 18 parking stalls. Utilizing the special permit reduction, the applicant is required to provide 12 stalls for the residential use.

The proposed parking requirement after construction is as follows:

Barbershop (Service Establishment): 4 stalls

Employees: 4 @ 1 per each 3 = 1.3 or 2 stalls

Square footage: 535 square feet @ 1 per each 300 square feet = 1.78 or 2 stalls

Pizza Store (restaurant): 5 stalls

Employees: 1 @ 1 per each 3 = 1 stall

Seats: 12 @ 1 per each 3 = 4 stalls

Dwelling Units: 12 stalls

9 dwelling units @ 1.25 stalls per dwelling unit by special permit = 12 stalls

A total of **21 stalls** are required after the proposed changes.

Applying the formula set forth in Section 5.1.3.B of A-B+C = Number of stalls required:

A = total number of stalls required for the proposed use (21)

B = number of stalls required for the existing use (9)

C = the number of stalls currently available (4)

The number of stalls required for the proposed expansion is calculated as follows:

A (21) – B(9) + C(4) = 16 stalls

The applicant is proposing a ground level parking area with 16 stalls, and therefore meets the parking requirements per Sections 5.1.3.B and 5.1.4.

BU1 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,542 square feet	No change
Frontage	80 feet	50 feet	No change
Setbacks <ul style="list-style-type: none">• Front• Side (left)• Side (right)• Rear	Average (0 feet) 0 feet 4.6 feet 0 feet	0 feet +/- 0 feet 8.2 feet 0.3 feet	No change 0 feet 8.0 feet 0 feet
Lot Area Per Unit	1,200 square feet	N/A	1,060 square feet
Building Height	36 feet (by SP)		36 feet
Max Number of Stories	3 (by SP)	1	3
FAR	1.25 (by density bonus) 1.5 (by SP)		1.49

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§4.1.2.B.3 §4.1.3	To allow a building with three stories and 36 feet in height	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	To allow an FAR of 1.49	S.P. per §7.3.3
§5.1.4	To allow a reduction in parking	S.P. per §7.3.3
§5.11 §5.11.15.A	Inclusionary housing provisions and density bonus	S.P. per §7.3.3

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Marc Laredo, Land Use Committee Chairman

From: John Daghlia, Associate City Engineer

Re: Special Permit – 386-394 Watertown Street

Date: July 18, 2017

CC: Lou Taverna, PE City Engineer
Nadia Khan, Committee Clerk
Neil Cronin, Sr. Planner

In reference to the above site, I have the following comments for a plan entitled:

*Topographic Site Plan
Newton, MA
Showing Proposed Conditions at #386-394 Watertown Street
Prepared by: VTP Associates Inc.
Dated: June 12, 2017*

Executive Summary:

This application entails the demolition of single story building and detached garage/storage building, and the construction of 9 unit residential building & commercial space on two lots totaling approximately 9,542 square foot (0.21 acre).

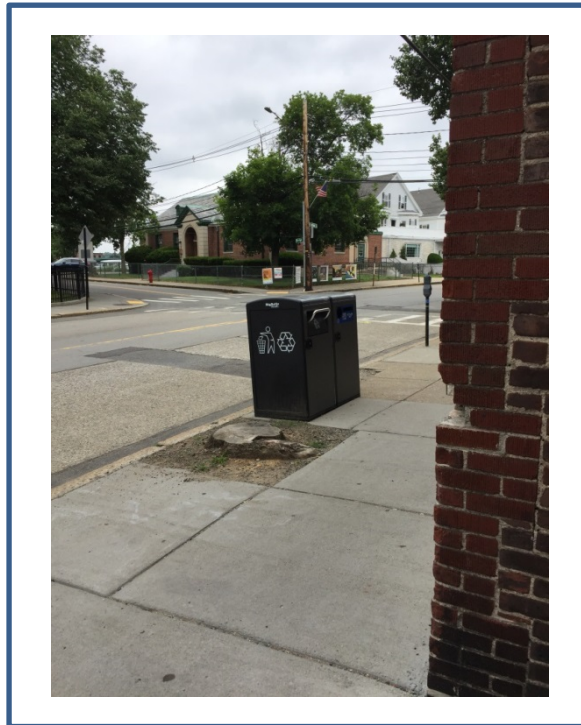


The site is relatively flat and is approximately 69% impervious surfaces (buildings & pavement). The engineer of record has designed a stormwater collection and infiltration system to substantially reduce runoff from the site, and in conformance to the Department of Environmental Protection (DEP) and DPW Stormwater Policy. An operations and maintenance plan is needed to address long-term maintenance for the proposed infiltration system.

If the special permit is approved an Approval Not Required (ANR) plan will be needed in accordance to Massachusetts General Laws Chapter 41 Section 81P requiring the two separate lots be combined into one lot.

A turning template plan is needed to demonstrate the maneuverability of vehicles entering, parking and exiting the proposed covered parking lot; it should be a separate plan showing the support columns from the plaza above and building's structural supports that will be within the footprint of the parking area. Since the parking is on grade but beneath the plaza and residential units above, the Fire Department may require a fire suppression system for the covered parking spaces.

Egress from the site may be difficult due to limited sight distance of the existing buildings; for pedestrian safety, it may be prudent to install a warning light & audible alarm to warn pedestrians when vehicles are exiting the site.



As a public benefit the sidewalk along the entire frontage should be updated to current standards.

The engineer of record needs to clarify how recycling and trash will be removed from the site since the proposed location of dumpster is beneath the building. Finally how and where will US mail be delivered, will it be a centralized mail box for the entire building?

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction equipment, construction materials, parking of construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor. It shall also address any anticipated dewatering during construction, site safety & stability, and impact to abutting properties.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.

Drainage:

1. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by applicant, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
2. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted to the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.

Sewer:

1. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the main and the site then properly back filled. The Engineering Division must inspect this work; failure to having this work inspected may result in the delay of issuance of the Utility Connection Permit.
2. Watertown Street is a concrete roadway, restoration of the utility trenches shall be reinforced concrete as originally designed, with two-way epoxy coated rebar; the slab shall be cut back to either a 1/3 or half of the slab depending upon the alignment of the utility trench in relation with the slab(s).
3. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the City of Newton Construction Standards Detail Book.
4. All new sewer service and/or structures shall be pressure tested or videotaped after final installation is complete. Method of final inspection shall be determined solely by the construction inspector from the City Engineering Division. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer. ***This note must be added to the final approved plans.***
5. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer.

Water:

1. Fire flow testing is required for the proposed fire suppression system. The applicant must coordinate this test with both the Newton Fire Department and the Utilities Division; representatives of each department shall witness the testing,

test results shall be submitted in a write report. Hydraulic calculation shall be submitted to the Newton Fire Department for approval.

2. For water quality issues a fire hydrant will be required at the end of the proposed water main. This hydrant will be utilized for flushing out the main as required.
3. All water connections shall be chlorinated & pressure tested in accordance to AWWA and the City of Newton Construction Standards and Specifications prior to opening the connection to existing pipes.
4. Approval of the final configuration of the water service(s) shall be determined by the Utilities Division, the engineer of record should submit a plan to the Director of Utilities for approval

General:

1. All trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
2. All tree removal shall comply with the City's Tree Ordinance.
3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility is question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*
4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*
5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.
6. Prior to Occupancy Permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading, improvements and limits of restoration work. The plan shall also include profiles of the various new utilities, indicating rim & invert elevations, slopes of pipes, pipe material,

and swing ties from permanent building corners. ***This note must be incorporated onto the final contract plans.***

7. All site work including trench restoration must be completed before a Certificate of Occupancy is issued. *This note must be incorporated onto the site plan.*

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.