



Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, September 6, 2023

The Public Facilities Committee will hold this meeting as a virtual meeting on Wednesday, September 6, 2023, at 7:00 PM. To view this meeting using Zoom use this link: <https://newtonma.gov.zoom.us/j/81958078103> or call 1-646-558-8656 and use the following Meeting ID: 819 5807 8103

Item Scheduled for Discussion:

Public Hearing

#301-23

Request for water main extensions in Washington Street

KATHERINE B. ADAMS, ATTORNEY FOR MARK KEMPTON LLC 275 GROVE STREET

NEWTON, MA 02466 petitioning for the extension of the City's water main from Washington Street approximately +/- 620-feet in a north -northwesterly direction connecting to the existing main in Dustan Street.

PETITIONER TO PAY ENTIRE COST

Public Hearing

#302-23

Request for a grant of location in 201 Needham Street

COMCAST, ASTOUND, CROWN CASTLE, TTC SYSTEMS, and VERIZON

on behalf of NORTHLAND DEVELOPMENT LLC petition for a grant of location for installing underground telecommunications conduit and infrastructure crossing Needham Street to serve Newton Northland Development and neighboring community.

[201 Needham Street – Petition Documents](#)

Public Hearing

#303-23

Request for a grant of location in 925 Chestnut Street

CAMBRIDGE NETWORK SOLUTIONS petition for a grant of location to install underground conduit for fiber installation, which includes picking up proposed fiber running along Chestnut St. from a newly installed pole riser at pole #116 on the north side of Boylston Street and then beneath both the east and west bound lanes of Boylston Street. This run will then terminate at a newly placed pole riser, just south of Boylston Street. This fiber conduit will be run approximately +/- 252 feet and will then be run north and south of the utility poles in an aerial fashion.

[925 Chestnut Street – Petition Documents](#)

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.

Public Hearing

#304-23 Request for a grant of location in 743 Chestnut Street

CAMBRIDGE NETWORK SOLUTIONS petition for a grant of location to install approximately 190 feet of underground conduit from utility pole # 85/92 and extend southerly 190-feet to utility pole 85/94. The proposed alignment is near the westerly gutter line of Chestnut Street that received Hot-in Place overlay last construction season.

[743 Chestnut Street – Petition Documents](#)

Chair's Note: *The Committee will join the Public Safety and Transportation Committee at the following link to discuss item #69-22. (<https://newtonma-gov.zoom.us/j/82047868635>)*

Referred to Public Facilities and Public Safety & Transportation Committees

#69-22 Requesting a discussion regarding snow clearing, operations and enforcement
COUNCILORS DOWNS, BOWMAN, MARKIEWICZ, GROSSMAN, MALAKIE, WRIGHT, KELLEY AND NOEL requesting a discussion with the Department of Public Works and the Police Department regarding residential and commercial sidewalk snow clearing, operations and enforcement.

Public Facilities Held 7-0 on 06/08/22

Public Safety & Transportation Held 7-0 on 06/08/22

Respectfully submitted,

Alison M. Leary, Chair

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

Memorandum

To: Councilor Alison Leary, Facilities Committee Chair.
From: John Daghlian, Associate City Engineer
Re: Dunstan East Development Project Water Main Extension Petition
Date: August 21, 2023
CC: Jim Mcgonagle, Commissioner
Shawna Sullivan, Chief of Staff
Lou Taverna, PE City Engineer
Thomas Fitzgerald, Director of Utilities
Doug Valovcin, Deputy Director
Evan Cudmore, Committee Clerk

In reference to the above location, the following are my comments for a plan entitled:

EASEMENT PLAN OF LAND
MARK DEVELOPMENT, LLC.
1149, 1151, 1157, 1169, 1171-1173, 1179, & 1185 WASHINGTON STREET,
12, 18, 24, & 25 KEMPTON PLACE, 32 & 34 DUNSTAN STREET
LOTS 28, 28A, 29, 30, 32, 33, 35, 36, 37, 38, 40, 41 & 42 BLOCK 7, MAP 31
CITY OF NEWTON, MIDDLESEX COUNTY
COMMONWEALTH OF MASSACHUSETTS

Dated: 8-15-2023

Executive Summary:

This petition requests the extension of the City's water main from Washington Street approximately +/- 620-feet in a north-northwesterly direction and connects to the existing main in Dustan Street. The 8-inch water main extension is necessary to accommodate the construction of the mixed-use residential project approved by the Zoning Board of Appeals in the

Comprehensive Permit #09-19(2). The petitioner will install the water main and appurtenances at their cost and upon completion, chlorinating, and testing in accordance with the DPW Standards the main will become part of the City water distribution system.

The new water main will provide a looped system to improve water quality and pressure for the neighborhood. The petitioner is granting an easement for access and future maintenance of the new water main. The width of the easement is 13-feet; this is less than the DPW standard of 20 feet; however, the 13 feet represents the full width of the paved roadway through the development.

Prior to acceptance of the tested main the applicants engineer shall submit a full-scale as built of the new main with swing ties to all gate values, hydrants, bends & thrust blocks in both PDF and mylar formats stamped by the engineer of record.

Upon approval by the City Council the proposed easement plan shall be recorded at the Middlesex Registry of Deeds and a copy of the recording instrument shall be submitted to the Engineering Division.

Conditions & Special Provisions:

1. The Director of utilities shall review and approve the Finalized utility connection plan reflecting the above changes that meets the minimal design standards of the City of Newton must be submitted for approval by the contractor of record with appropriate Bonds & Insurance. The Engineering Division makes no representations and assumes no responsibility for the design(s) in terms of suitability for the particular site conditions or of the functionality or performance of any items constructed in accordance with the design(s). The City of Newton assumes no liabilities for design assumption, error or omissions by the Engineer of Record. A preconstruction meeting shall be required with the Utilities & Engineering Division and the Newton Fire department.
2. All trenches within Washington Street shall be milled 1-1/2" deep and overlaid with Type I-1 HMA curb line to curb line and 25' beyond the limits of the trench in both directions. The limits will be determined in the field by the City Engineer.
3. If any service connections are disturbed by the contractor of record during construction, they shall be updated and replaced to the City's current Construction Standards.
4. All downstream catch basins shall be retrofitted with an approved type of siltation control devices, details of this shall be submitted to the City Engineer. The contractor of record shall maintain these catch basins throughout the construction process and ensure that street and property flooding does not occur during construction.
5. The test results shall be submitted in type written report format to the City Engineer.
6. Any sidewalk closures shall comply with DPW Sidewalk detour checklist.

7. The applicant's contractor shall apply for a Utility Connection, Trench, and Street Opening Permits with the DPW prior to any construction.
8. With the exception of natural gas utilities, all excavation with the Public Right-of-Way shall be backfilled with Control Density Fill (CDF) Type I-E Excavatable type.
9. The contractor of record shall verify if an 8M permit is needed from the Massachusetts Water Authority (MWRA).
10. The contractor of record shall obtain a Trench, Street Opening, Sidewalk Crossing, and Utility Connection Permits with the DPW prior to construction.
11. The contractor of record shall obtain appropriate Permits with the Inspectional Services Department for all electrical, telecommunications construction.
12. The contractor of record shall contact the Newton Police Department 48 hours in advanced and arrange for Police detail to help residents & commuters navigate around the construction activity.

If you have any questions or concerns, please call me at 617-796-1023.

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
KATHRYN K. WINTERS
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
ADAM M. SCHECTER

1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267
TELEPHONE (617) 965-3500
FAX (617)-965-6824
www.sab-law.com

E-Mail: kadams@sab-law.com

August 18, 2023

BY ELECTRONIC MAIL

Ms. Cassidy Flynn
Committee Clerk
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: 1185 Washington Street (the "Property")

Dear Cassidy,

Enclosed please find a Petition for Water Main Extension in addition to an Easement Plan prepared by Control Point Associates, Inc. dated August 15, 2023. The plan has been signed by the Associate City Engineer.

By way of background, the enclosed Petition seeks to extend the existing City of Newton water main located on Washington Street adjacent to the intersection of Washington Street and Dunstan Street. The water extension is necessary to accommodate the construction of the mixed-use residential project approved by the Zoning Board of Appeals in Comprehensive Permit #09-19(2), and the petitioner's intention is that the relocation be conditional upon the exercise of that Comprehensive Permit. The petitioner will perform all work necessary for the proposed extension and bear the associated costs.

Please feel free to call me if you have any questions.

Sincerely,


Katherine Braucher Adams /bc

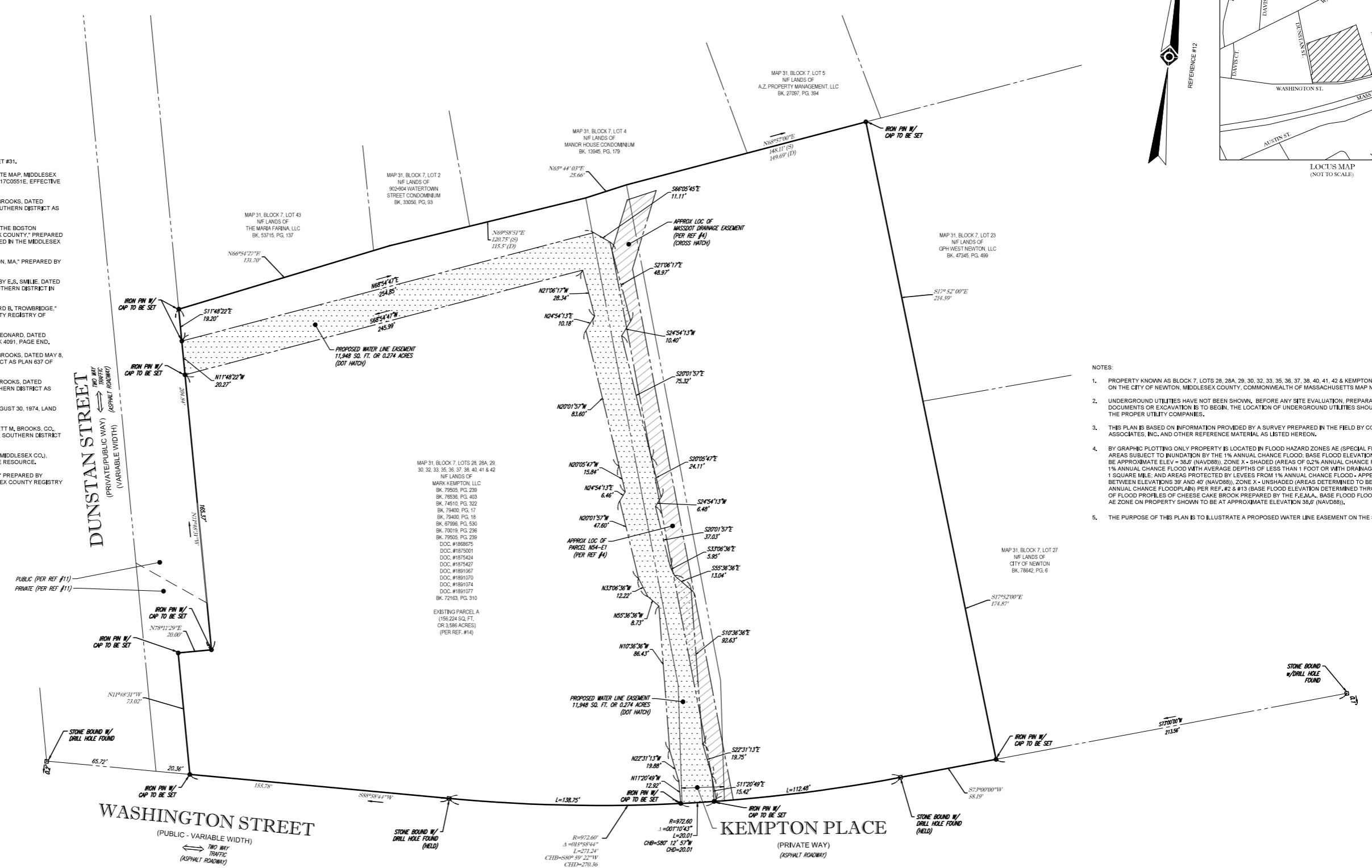
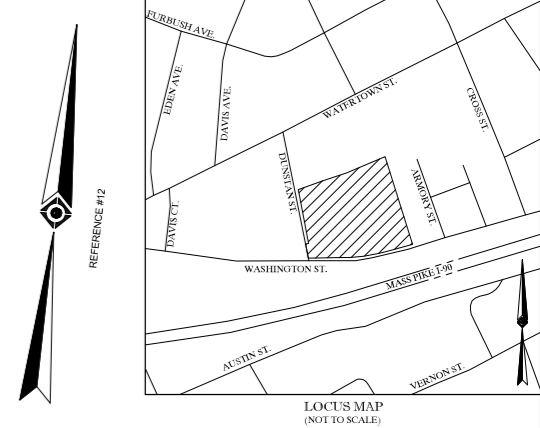
enclosures

cc: (By electronic mail, w/enclosures)
Mr. John Daghlian, Associate City Engineer
Jonah Temple, Associate City Solicitor

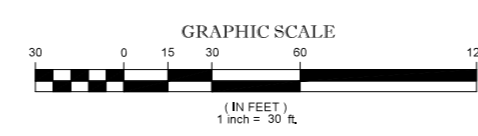
FOR REGISTRY USE ONLY

REFERENCES:

1. THE TAX ASSESSOR'S MAP OF NEWTON, MIDDLESEX COUNTY, MASSACHUSETTS, SHEET #31.
2. MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, MIDDLESEX COUNTY, MASSACHUSETTS (ALL JURISDICTIONS) PANEL 551 OF 656," MAP NUMBER 25017C0551E, EFFECTIVE DATE: JUNE 4, 2016.
3. MAP ENTITLED "PLAN OF LAND IN WEST NEWTON-MASS.," PREPARED BY EVERETT M. BROOKS, DATED DECEMBER 19, 1927, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT AS PLAN 52 OF 1928.
4. MAP ENTITLED "PLAN FOR THE LOCATION OF AN EXPRESS TOLL HIGHWAY KNOWN AS 'THE BOSTON EXTENSION OF THE MASSACHUSETTS TURNPIKE' IN THE CITY OF NEWTON, MIDDLESEX COUNTY," PREPARED BY THE MASSACHUSETTS TURNPIKE AUTHORITY, DATED FEBRUARY 28, 1963, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS AS PLAN 361 OF 1963.
5. MAP ENTITLED "FFCA ACQUISITION CORPORATION 1169 WASHINGTON STREET, NEWTON, MA," PREPARED BY B.E.C.M. INCORPORATED, DATED JUNE 21, 1999.
6. MAP ENTITLED "PLAN OF THE JERMAIN ESTATE IN WEST NEWTON, MASS.," PREPARED BY E.S. SMILE, DATED NOVEMBER 7, 1887, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT IN PLAN BOOK 94, BOOK 33.
7. MAP ENTITLED "PLAN OF LAND IN WEST NEWTON BELONGING TO THE HEIRS OF EDWARD B. TROWBRIDGE," PREPARED BY E.S. SMILE, DATED JUNE 28, 1915, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT IN BOOK 4091, PAGE END.
8. MAP ENTITLED "PLAN OF LAND OWNED BY ALFRED C. FURBUSH," PREPARED BY W. E. LEONARD, DATED MARCH 24, 1916, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS IN BOOK 4091, PAGE END.
9. MAP ENTITLED "PLAN OF LAND IN WEST NEWTON-MASS.," PREPARED BY EVERETT M. BROOKS, DATED MAY 8, 1937, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT AS PLAN 637 OF 1937.
10. MAP ENTITLED "PLAN OF LAND IN WEST NEWTON-MASS.," PREPARED BY EVERETT M. BROOKS, DATED AUGUST 14, 1939, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT AS PLAN 688 OF 1939.
11. MAP ENTITLED "PLAN OF LAND IN NEWTON," PREPARED BY PHILIP F. JONES, DATED AUGUST 30, 1974, LAND COURT CASE 38919A.
12. MAP ENTITLED "SUBDIVISION PLAN OF LAND IN NEWTON, MASS.," PREPARED BY EVERETT M. BROOKS, CO., DATED MARCH 21, 1958, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT AS PLAN 1361 OF 1958.
13. MAP ENTITLED "FEDERAL EMERGENCY MANAGEMENT AGENCY, CITY OF NEWTON, MA (MIDDLESEX CO.), FLOOD PROFILES, CHEESE CAKE BROOK - MAP 134P," PREPARED BY THE F.E.M.A. - ONLINE RESOURCE.
14. MAP ENTITLED "APPROVAL NOT REQUIRED PLAN OF LAND, MARK DEVELOPMENT, LLC.," PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED JUNE 26, 2023, RECORDED IN THE MIDDLESEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT AS PLAN 416 OF 2023.



- NOTES:
1. PROPERTY KNOWN AS BLOCK 7, LOTS 28, 29, 30, 32, 33, 35, 36, 37, 38, 40, 41, 42 & KEMPTON PLACE AS SHOWN ON THE CITY OF NEWTON, MIDDLESEX COUNTY, COMMONWEALTH OF MASSACHUSETTS MAP NO. 31.
 2. UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN. BEFORE ANY SITE EVALUATION, PREPARATION OF DESIGN DOCUMENTS OR EXCAVATION IS TO BEGIN, THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES.
 3. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 4. BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONES AE (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BASE FLOOD ELEVATIONS DETERMINED TO BE APPROXIMATE ELEV = 38.6' (NAVD83)), ZONE X - SHADED (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD - APPEARS TO BE BETWEEN ELEVATIONS 39' AND 40' (NAVD83)), ZONE X - UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER REF. #2 & #13 (BASE FLOOD ELEVATION DETERMINED THROUGH EXAMINATION OF FLOOD PROFILES OF CHEESE CAKE BROOK PREPARED BY THE F.E.M.A., BASE FLOOD FLOOD ELEVATION FOR AE ZONE ON PROPERTY SHOWN TO BE AT APPROXIMATE ELEVATION 38.6' (NAVD83)).
 5. THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE A PROPOSED WATER LINE EASEMENT ON THE SUBJECT PARCEL.



<p>THIS IS TO CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS. NO NEW RIGHT OF WAY LINES OR BOUNDARY LINES ARE BEING CREATED AND THE INTERIOR BOUNDARY LINES ARE BEING REMOVED TO CONSOLIDATE MULTIPLE LOTS INTO A SINGLE LOT.</p> <p>NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RAISED IMPRESSION OR STAMPED WITH A BLACK INK SEAL</p>		<p>FIELD DATE -</p> <p>FIELD BOOK NO. -</p> <p>FIELD BOOK PG. -</p> <p>FIELD CREW -</p> <p>DRAWN E.G.F.</p> <p>REVIEWED E.LOC</p>	<p>EASEMENT PLAN OF LAND MARK DEVELOPMENT, LLC. 1149, 1151, 1157, 1169, 1171-1173, 1179, & 1185 WASHINGTON STREET, 12, 18, 24, & 25 KEMPTON PLACE, 32 & 34 DUNSTAN STREET LOTS 28, 28A, 29, 30, 32, 33, 35, 36, 37, 38, 40, 41 & 42 BLOCK 7, MAP 31 CITY OF NEWTON, MIDDLESEX COUNTY COMMONWEALTH OF MASSACHUSETTS</p> <p>CONTROL POINT ASSOCIATES, INC. 352 TURNPIKE ROAD SOUTHBOROUGH, MA 01772 508.948.3000 • 508.948.3003 FAX</p> <p>ALBANY, NY 518.217.0100 BOSTON, MA 617.400.3311 CHAUFONT, PA 215.712.8800 MANHATTAN, NY 646.760.4111 MT LAUREL, NJ 609.572.0999 WARREN, NJ 908.660.9999</p>
<p>GERRY L. HOLDRIGHT, PLS MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #49211</p>		<p>DATE 8-15-2023</p> <p>SCALE 1"=30'</p> <p>FILE NO. 03-160095-00</p> <p>DWG. NO. 1 OF 1</p>	

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THE COMMONWEALTH OF MASSACHUSETTS REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO OBTAIN THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH, TO CONTACT THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION AT 1-800-452-6000.

MARK KEMPTON LLC
275 GROVE ST SUITE 2-150
AUBURNDALE, MA 02466

TEE GEE LLC
26 WASHINGTON ST
WELLESLEY HILLS, MA 02481

DONATO FRANK A TR
DUNSTAN ST 25 RLTY TRUST
1231 WASHINGTON ST STE 2
WEST NEWTON, MA 02465-2122

DONATO STEVEN J TR
WASHINGTON ST 1191 TRST
1231 WASHINGTON ST STE 2
WEST NEWTON, MA 02465-2122

DONATO MARK F & STEVEN J
WASHINGTON ST 1203
1231 WASHINGTON ST STE 2
WEST NEWTON, MA 02465-2122

MARK KEMPTON LLC
275 GROVE ST SUITE 2-150
NEWTON, MA 02466

MARK KEMPTON LLC
275 GROVE ST SUITE 2-150
NEWTON, MA 02466

MARK KEMPTON LLC
275 GROVE ST SUITE 2-150
NEWTON, MA 02466

MARK KEMPTON LLC
275 GROVE ST SUITE 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST STE 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST STE 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST UN 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST UN 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST UN 2-150
AUBURNDALE, MA 02466

MARK KEMPTON LLC
275 GROVE ST SUITE 2-105
NEWTON, MA 02466

MARK KEMPTON LLC
275 GROVE ST SUITE 2-105
NEWTON, MA 02466

201 NEEDHAM STREET OWNER
PO BOX 1550
COCKEYSVILLE, MD 21030

AGY PROPERTIES LLC
30 TOWER RD
NEWTON, MA 02464

APT LENDING LLC
36 GREEN HILL RD
BROOKLINE, MA 02445

JIFFY LUBE INTERNATIONAL
RE SIGNORE LLC
P O BOX 4369
HOUSTON, TX 77210-4369

NORTHLAND 215 NEEDHAM LLC
2150 WASHINGTON ST
NEWTON, MA 02462

WELLFORD CORP
188 NEEDHAM ST STE 255
NEWTON, MA 02464

210 NEEDHAM ST LTD
188 NEEDHAM ST STE 255
NEWTON, MA 02464

188 NEEDHAM ST LTD
188 NEEDHAM ST STE 255
NEWTON, MA 02464

HELEN JORDAN TR
HELEN JORDAN TRUST
925 CHESTNUT ST
WABAN, MA 02468

OBRIEN MARY ANN
918 CHESTNUT ST
WABAN, MA 02468

SMITH LAWRENCE D & CAROL
SMITH REALTY TRUST
920 CHESTNUT ST
WABAN, MA 02468

LI JINGYING TR
JINGYING LI REAL ESTATE
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YOUSSEF STEPHANIE
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LAIBSON CAROL R
744 QUINOBEQUIN RD
WABAN, MA 02468

FRANCO DAVID P
743 CHESTNUT ST
WABAN, MA 02468

CHESARONE ALLAN F
20 WYMAN ST
WABAN, MA 02468

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WABAN, MA 02468

OSTROWSKY JOHNATHAN M
WRIGHT KATHLEEN T
737 CHESTNUT ST
WABAN, MA 02468

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743 CHESTNUT ST
WABAN, MA 02468

GAO JUNSHUN
749 CHESTNUT ST
WABAN, MA 02468

GAO JUNLI
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MASS BAY TRANS AUTHORITY
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BOSTON, MA 02116

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WABAN, MA 02468

VALTCHINOV VLADIMIR
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