



Petition: #234-24  
Public Hearing:  
6/4/2024

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459  
617-796-1120

Ruthanne Fuller  
Mayor

Barney S. Heath  
Director

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**PUBLIC HEARING MEMORANDUM**

**DATE:** May 30, 2024

**TO:** City Council

**FROM:** Barney S. Heath, Director of Planning and Development  
Katie Whewell, Chief Planner for Current Planning  
Cat Kemmett, Senior Planner

**SUBJECT:** **Petition #234-24**, for SPECIAL PERMIT/SITE PLAN APPROVAL Request to extend the nonconforming use by constructing improvements to the club house pavilion, a snack shack, to amend Special Permits #234-10 and #449-22 at 1897 & 1947 Washington Street

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.



**1897 Washington Street**

## **Project Description**

### **Background**

The subject property located at 1897 Washington Street is a 53-acre parcel (or 2,291,142 square feet) that is one of several lots that comprise the 128-acre Woodland Golf Club of Auburndale (the petitioner or “Club”). The site is improved with several buildings, parking areas, and other structures related to the golf operations on the site. Established in the early 1900s, the Club predates zoning, and is a legally nonconforming use in the residential Single Use 1 zone.

The site has several special permits which have allowed for changes and expansions on the site to facilities and operations since 1948. Each special permit is independent of the others and remains in full force and effect when a new special permit is issued. These special permits and amendments include the following:

- #93267 – Removal of sand and gravel on site
- #202-56 – Permission to erect a swimming pool
- #341-56 – Permission to construct a snack bar and locker room
- #474-61 – Permission to construct a metal building for the storage of golf carts
- #204-82 – Permission to construct a new storage building
- #205-82 – Permission to build a refreshment and restroom building
- #2-83 – Permission to add golf cart storage
- #517-83 – Permission to renovate clubhouse and dining area
- #101-87 – Permission to create pool and pool house
- #234-10 – Permission for new pool house building, food service building and patio deck, and to amend the approved site plan
- #449-22 – Permission to upgrade tennis and racquet facilities with the addition of four paddle courts, a multi-use court, and a warming hut with sanitary facilities and associated surface parking

### **Amendment Request**

The Club proposes several changes to the site in this petition, summarized below.

- The area around the first hole of the golf course will be regraded, and an existing retaining wall removed. The existing “starter building” will be removed with a new similarly sized building of under 200 square feet constructed in approximately the same location.
- The existing snack shack located at the 4th hole will be demolished, and a replacement will be constructed a short distance from the original location. The cart paths that connect to the snack shack will be re-configured and some pavers added around the new building.
- The existing outdoor dining terrace will be improved with an open-air canopy. As proposed, some hardscape will be added near the front of the club house, and modifications will be made to the existing building loading area.

Because no dimensional controls are set forth for a clubhouse use, the petitioner seeks a determination of the appropriateness of the setbacks for the proposed canopy and snack shack.

**Analysis**

Planning staff are generally not concerned with the proposed extension of the nonconforming use on the site. The Club has operated their facilities in the neighborhood for many years, and it appears to coexist without issue with the residential uses nearby in the SR-1 district. Though there will be an overall increase in hardscape of 2,089 square feet on the site associated with the work proposed, the total amount of impervious area is minimal in relation to the overall open space on the site. Staff believe the setbacks proposed for the canopy and snack shack are appropriate for the site, given the location of the proposed work is near the interior of a large site, located far from any residential abutters. At the request of the Inspectional Services Department to eliminate the need to check numerous special permits at the building permit phase for any renovation to the site, Planning Staff have consolidated prior special permits' conditions and referenced plans in the attached draft order.

**Zoning Relief Requested:**

For more details around the zoning analysis please refer to **Attachment A**.

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Amend Special Permits #234-10 and #449-22 to extend the nonconforming use	S.P. per §7.3.3
§3.1.2.A.3	To determine appropriate dimensional requirements	S.P. per §7.3.3

I. Criteria for Consideration per §7.3.3. and/or §7.8.2.C.2:

- The specific site is an appropriate location for the proposed amendments to Council Order #234-10 and #449-22 (7.3.3.C.1)
- The site resulting from the amendments to Council Order #234-10 and #449-22 will adversely impact the neighborhood (§7.3.3.C.2)
- The site resulting from the amendments to Council Order #234-10 and #449-22 will create a 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)
- The extension of the nonconforming use will be substantially more detrimental than the existing nonconforming use is to the neighborhood (§7.8.2.C.2)

## II. Project Proposal and Site Characteristics

### A. Site

The Club site is comprised of several large parcels that span both the Single-Residence 1 and Single Residence 2 district. The majority of the surrounding area is zoned residential, with the exception of some manufacturing and business districts west of the Club. Land uses in close proximity include many single and multifamily homes, Lasell Village, the Brae Burn Country Club, and Riverside Station. The Club property as a whole is bisected by the MBTA Green Line tracks and is bounded by the Woodland stop to the east, the Riverside stop to the west, Route 95 to the south, and residential areas to the north. Vehicular access is provided via a paved driveway off of Washington Street.

The subject property is located close to the MBTA right-of-way and has frontage on Washington Street. Several structures related to the operations of the Club are scattered on the site along with fairways, putting greens, some fencing located along the Washington Street frontage, and paved asphalt cart paths. Several retaining walls are located in this portion of the Club, including portions of Runaway Brook which are lined with retaining walls.

Portions of the property lie within sensitive ecological areas. Because some of the work proposed in the vicinity of the 4th hole lies within the 100-foot buffer zone associated with Runaway Brook, an intermittent stream, and a local Floodplain/Watershed Protection District, the Newton Conservation Commission has jurisdiction over that portion of the site.

## III. Project Description and Analysis

### A. Land Use

If approved, the subject property will continue to be used as a golf course and country club with additional outdoor sport courts.

### B. Site Design

The Club proposes several changes to the site, outlined below.

#### **1<sup>st</sup> Hole Site Work**

The Club proposes to modify the tee complex near the first hole by lowering the tee area and nearby driving range by approximately 3-4 feet. The area dedicated to the putting green and driving range in this area will increase.

The small starter building in this area will be removed and replaced, and non-permeable pavers installed in the immediate area around the new starter building. The petitioner has stated that the final design for the starter building has not been finalized yet, but they anticipate it will be slightly larger than what is in place now. The Planning Department requests revised plans that show the final dimensions for this structure and recommends limiting the size of this structure to what is indicated on the proposed site plan, which is a 12-foot by 12-foot square shaped structure. The cart paths in this area will be reconfigured and repaved with asphalt, and a parking area for carts added near the starter building. Approximately 750 square feet of additional impervious surface will be added in this area.

In a narrative provided by the Club, they stated that these changes are required because the stairs to access the elevated tee box need repair and the proposed improvements will enhance safety and accessibility. Because the regrading of the area near the first hole is not within a wetland resource area and is set far back from any abutting properties, it should have minimal impact on the neighborhood.

Existing Conditions- 1<sup>st</sup> Hole

Proposed Conditions- 1<sup>st</sup> Hole



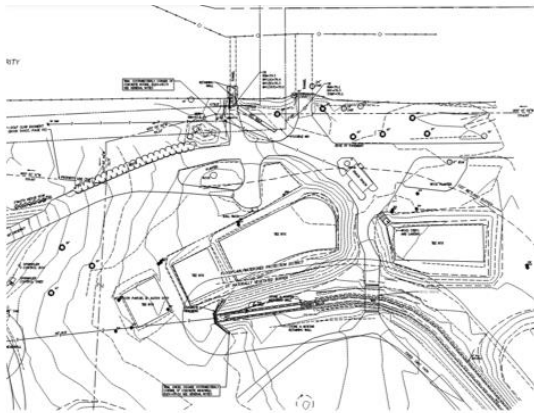
#### 4<sup>th</sup> Hole Site Work

The Club proposes to demolish the existing snack shack in the vicinity of the 4th hole and replace it with a new building and seating area. The new snack shack will be relocated further away from Runaway Brook to the northeast of its current location. The building will be 15 feet tall and consist of 350 square feet, with patio and seating located outside on approximately 350 square feet of pavers.

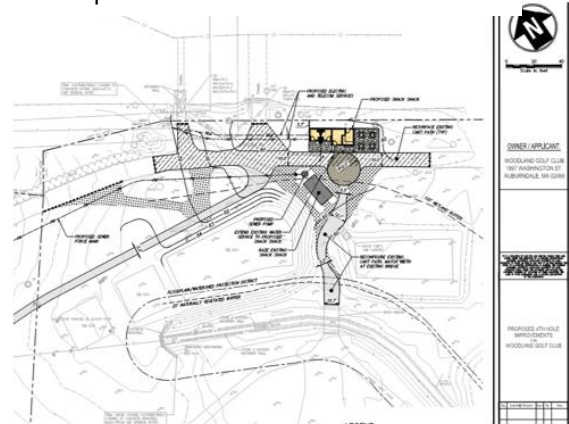
Portions of the existing cart path will be removed and replaced, while other portions will be removed. A new 5.5-foot-wide cart path will connect an existing driveway crossing Runaway Brook to the snack shack. Overall, the work proposed in this area will result in a reduction in impervious area of approximately 275 square feet.

Planning staff note that the new location of the snack shack is roughly five and a half feet from the lot line and MBTA right of way, but far out of view for residential abutters. Staff are not concerned with the proposed setback as the abutting parcel is also part of the Club's property. However, because it is within 30 feet of the right of way, the Club must receive a license agreement for the proposed work from the MBTA. Based on the site plans provided, there appear to be several trees that may need to be removed to facilitate the relocation of the snack shack. Staff request clarification from the petitioner regarding which trees will be removed and recommend replacing the lost trees elsewhere on the property.

Existing Conditions- 4th Hole



Proposed Conditions- 4th Hole



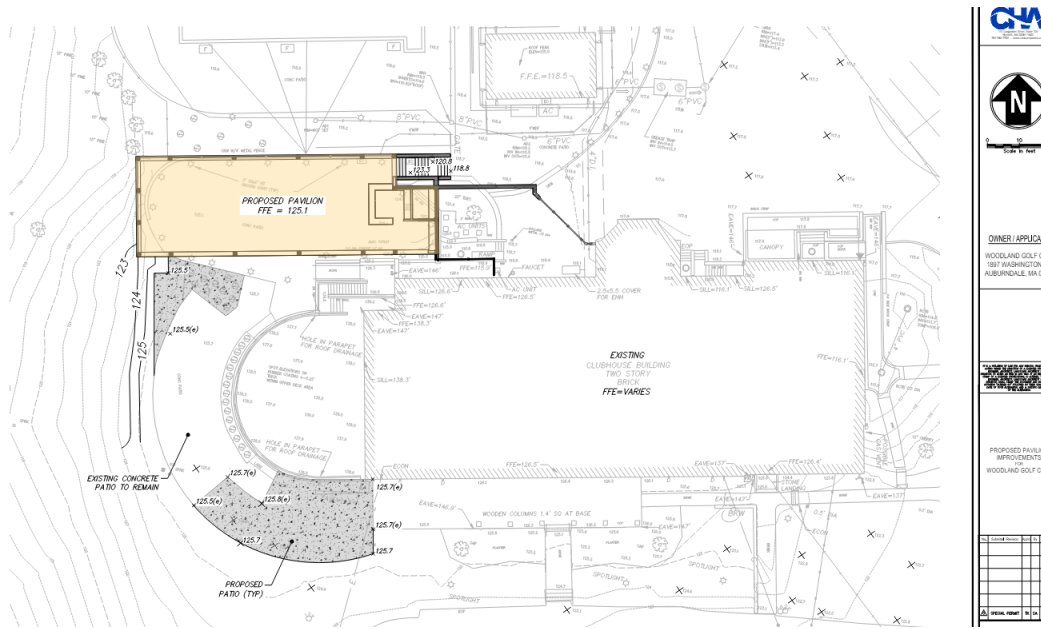
### Terrace Pavilion Work

The petitioner proposes to cover the existing outdoor dining terrace at the clubhouse building near the center of the site with a canopy. The proposed construction will square off and enlarge the rounded corner on the existing terrace and reconfigure the existing retaining wall by the terrace. New additional hardscape will be added near the front corner of the club house and the loading area will be reconfigured to accommodate an enlarged service area. As proposed, this work will result in approximately 1,614 of additional impervious area.

A new retaining wall that will be approximately three feet in height and a new four-foot-tall fence made of white PVC are proposed by the service area. A new firepit will be installed in the open-air patio section, which will be natural gas and not burn solid fuel. The current number of dining seats is 90, and will remain the same with the proposed alterations. The front setback for the pavilion will remain the same, at 545.5 feet, and

the side setbacks will remain the same at 337.8 feet. The rear setback will decrease from 1,203 feet to 1,138.2 feet. Staff believe these setbacks are appropriate as the building is set back far enough that the small reduction in the size of the rear setback will have a negligible impact.

### Proposed Pavilion Plan



#### IV. Interdepartmental Review:

##### A. Conservation Commission Review

At a public hearing of the Newton Historical Commission (NHC) held on May 2, 2024, the NHC voted to issue an Order of Conditions for the proposed project.

**(Attachment B)** Should this special permit amendment be approved by the Land Use Committee, the special conditions in this Order of Conditions will also apply in addition to any conditions imposed in the special permit.

#### 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.

**ATTACHMENTS:**

- Attachment A:** Zoning Review Memorandum
- Attachment B:** NHC conditions
- Attachment C:** DRAFT Council order



Middlesex South Registry of Deeds  
Electronically Recorded Document

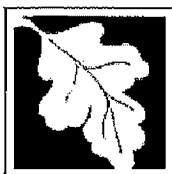
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Recording Information

Document Number	: 49484
Document Type	: ORD
Recorded Date	: May 14, 2024
Recorded Time	: 03:04:46 PM
Recorded Book and Page	: 82768 / 431
Number of Pages(including cover sheet)	: 19
Receipt Number	: 2997430
Recording Fee	: \$105.00

**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.middlesexsouthregistry.com](http://www.middlesexsouthregistry.com)



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
239-974  
MassDEP File #  
eDEP Transaction #  
Newton  
City/Town

### A. General Information

**Please note:**  
this form has  
been modified  
with added  
space to  
accommodate  
the Registry  
of Deeds  
Requirements

**Important:**  
When filling  
out forms on  
the  
computer,  
use only the  
tab key to  
move your  
cursor - do  
not use the  
return key.

1. From: Newton  
Conservation Commission

2. This issuance is for  
(check one): a.  Order of Conditions b.  Amended Order of Conditions

3. To: Applicant:

Chad a. First Name Becker b. Last Name  
Woodland Golf Club c. Organization  
1897 Washington St d. Mailing Address  
Auburndale e. City/Town MA f. State 02466 g. Zip Code

4. Property Owner (if different from applicant):

a. First Name  b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town  f. State  g. Zip Code

5. Project Location:

1897 Washington St a. Street Address Newton b. City/Town  
 c. Assessor's Map/Plat Number  d. Parcel/Lot Number  
Latitude and Longitude, if known:        
d. Latitude e. Longitude



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### A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Middlesex South
- |             |  |
|-------------|--|
| a. County   | b. Certificate Number (if registered land) |
| <u>7337</u> | <u>390</u>                                 |
| c. Book     | d. Page                                    |
7. Dates: 4/4/24 5/2/24 5/3/24  
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):  
see Findings and Special Conditions pg 10A for a complete list of approved plans
- |                                      |                        |                          |
|--------------------------------------|------------------------|--------------------------|
| a. Plan Title                        | b. Prepared By         | c. Signed and Stamped by |
|                                      |                        |                          |
|                                      | d. Final Revision Date | e. Scale                 |
|                                      |                        |                          |
| f. Additional Plan or Document Title | g. Date                |                          |
|                                      |                        |                          |

### B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

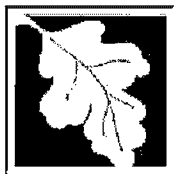
- |   |  |   |
|---|--|---|
| a. <input checked="" type="checkbox"/> Public Water Supply  | b. <input type="checkbox"/> Land Containing Shellfish          | c. <input checked="" type="checkbox"/> Prevention of Pollution        |
| d. <input checked="" type="checkbox"/> Private Water Supply | e. <input checked="" type="checkbox"/> Fisheries               | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply   | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control                  |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved subject to:**

- a.  the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.





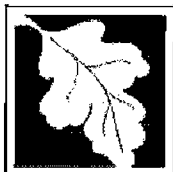
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**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



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## B. Findings (cont.)

\*#23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23.  Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

24.  Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

## C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. The work is a maintenance dredging project as provided for in the Act; or
  - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
  - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 5/3/27 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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### C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,
 

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number            239-974            "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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### C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1)  is subject to the Massachusetts Stormwater Standards
  - (2)  is NOT subject to the Massachusetts Stormwater Standards

**If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
  - i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
  - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
  - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;





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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



**Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands**

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

239-974

MassDEP File #

eDEP Transaction #

Newton

City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

**See attached "Findings and Special Conditions of the Newton Conservation Commission" pages 10-A et seq.**

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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## D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No
2. The Newton Conservation Commission hereby finds (check one that applies):

- a.  that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:
- |                                  |              |
|----------------------------------|--------------|
| <u>City Floodplain Ordinance</u> | <u>22-22</u> |
| 1. Municipal Ordinance or Bylaw  | 2. Citation  |

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b.  that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
- |                                  |              |
|----------------------------------|--------------|
| <u>City Floodplain Ordinance</u> | <u>22-22</u> |
| 1. Municipal Ordinance or Bylaw  | 2. Citation  |
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
- The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

If "yes" above is checked, please see attached "Findings and Special Conditions of the Newton Conservation Commission" pages 10-A et seq.

Findings and Conditions of the Newton Conservation Commission  
DEP #239-974, 2011 Washington St, Woodland Golf Club; Reconfiguration of cart paths; demo and reconstruction of the snack shack near the Club's fourth hole and maintenance facility

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**Findings (considered as and given equal status as site-specific conditions)**

<u>Site:</u>	2011 Washington St
<u>Owner/Applicant:</u>	Chad Becker Woodland Golf Club 2011 Washington St Auburndale, MA 02466 cbecker@woodlandgolfclub.com
<u>Representative:</u>	Mary Kate Schneeweis mschneeweis@bealsandthomas.com 508-366-0560
<u>Date of Issuance:</u>	May 3, 2024

Existing Conditions: A paved plaza around a small building (snack shack), a paved pathway, fairway turf.

Approved Project Summary:

- Demolish the existing snack shack in the vicinity of the 4th hole and replace it with a new structure and seating area
- Install new sewer force main between the turf facility building and the new snack shack for the bathrooms therein
- Remove portions of the existing cart path, replace other portions.

Approved Project Purpose:

- Construct a new snack shack further from the stream and with bathroom facilities and a seating area.

Final Approved Plans

- Site Development Plans for Woodland Golf Club 4th Hole Improvements; prepared by CHA Consulting, Signed and stamped by Tyler King, P.E., 4/3/24
  - C-001 Title Sheet
  - C-002 Notes Sheet
  - C-003 Existing Conditions Plan
  - C-004 Demolition & Erosion Control Plan
  - C-101 Site Layout Plan
  - C-201 Grading & Drainage Plan
  - C-301 Utility Plan
  - C-601 Site Details - 1
  - C-602 Site Details – 2
- Proposed Site Development Plans for Woodland Golf Club 4th Hole Improvements; prepared by CHA Consulting
  - C-801 Conservation Commission Exhibit, dated 4/23/2024 (Note that a landscaped island is incorrectly colored green as “existing impervious area to be removed”).

Plan Revisions

- Any required or desired changes to the above approved plans shall be requested via new proposed plans and a memo indicating all proposed plan changes. Relatively minor changes resulting in the same or decreased impacts may be administratively approved. If the project purpose or scope changes substantially, the Commission may require an amended OOC or new Notice of Intent.
- The Newton Conservation Commission retains the right to require the submittal of additional information or impose additional conditions deemed necessary to ensure the protection of wetland resource areas.

Jurisdiction and Reasons for Approval (Impact Analysis)

- Buffer Zone: The area is fully developed with a snack shack and paved cart paths that traverse maintained turf. The area is and actively used by patrons. The stream in the project area is channelized and walled with not woody vegetation along its banks. The project results in a small increase in impervious area within the 100-foot Buffer Zone. Due to the vegetated nature of the site, the project will not reduce the infiltration capacity of the area. Trees within the limit of work will be protected. Erosion controls in the form of filter socks will be maintained adjacent to Runaway Brook, and existing catch basins will be protected with silt sacks, to preclude sedimentation of downgradient resource areas during construction.

Limit of Work: The sediment control line shall be the limit of work.

Findings and Conditions of the Newton Conservation Commission  
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Work shall be immediately halted on the site if an Agent of the Commission or DEP determines that any of the work is not in compliance with this Order of Conditions or Special Conditions.

Responsibility: Should any damage occur during the project, the applicant or any successor shall be responsible for the full cost of restoration of the wetland to the satisfaction of the Commission.

In case of emergencies, problems, or questions, contact: Jennifer Steel: 617-796-1134.

#### **Site-Specific Conditions Prior to the Start of Work**

21. Tree protection of the two trees closest to the new cart path must be installed prior to construction of the new cart path. Tree protection shall be in the form of orange snow fence staked at the dripline of the trees.
22. Sediment controls must be installed to protect the stream from land disturbing activities. Layout and overall extent may be reduced from what is shown on the approved plans as long as such reduction is approved by Conservation Office staff at the time of the pre-construction site visit.
23. The applicant shall inform the Conservation Office of the species of native trees to be planted as shown on the approved plans.

#### **General Conditions Prior to the Start of Work**

24. If there are any changes to the approved plans referenced in this Order, prior to the start of any building, ground, or vegetation disturbance on the site, a pdf of the final civil and landscape plans and a memo enumerating every/any change from the approved plans referenced in this Order must be submitted to the Conservation Office via the NewGov system. The Conservation Office will review and approve the changes if/as appropriate.
25. The applicant must schedule and attend a pre-construction site visit with the applicant, construction supervisor and Conservation agent, to review and provide the following.
  - a. A signed Certificate of Understanding (attached to the Order of Conditions cover letter).
  - b. Contact information (for working and non-working hours) for those responsible for site compliance.
  - c. The anticipated timeline.
  - d. Proof of Recording the Order (Note: the proof of recording must be submitted to the Conservation Office through the City's online permitting system.)
  - e. DEP File number sign (minimum size 2'x2', clearly visible from the street)
  - f. Sedimentation/erosion controls (properly installed in the correct locations)
  - g. Protection of all trees and shrubs that are due to remain within the limit of work and as necessary outside the limit of work. This may include orange snow fence installed at the dripline, mulch and plywood sheets over the roots, and/or boards tied to the trunk.
26. To ensure broad understanding of and compliance with this Order, the applicant must:
  - a. Ensure that all personnel performing the permitted work are aware of the permit's terms and conditions.
  - b. Include this document in all contracts, subcontracts, and specifications associated with the proposed work. Thereafter, the contractor will be held jointly liable for any violation of this Order.

#### **Site-Specific Conditions During Work**

27. As mitigation for the increase of impervious area and new impervious area closer to the stream (and for the removal of mature native trees close to the Buffer Zone and to improve the overall ecological health of the area), six native canopy trees shall be planted as shown on plan sheet C-801. The trees must be thriving after two growing seasons for a Certificate of Compliance to be provided.
28. The "low-mow" strips along the stream channel already implemented by the Golf Club and shown on plan sheet C-801 shall be maintained as such.

#### **General Conditions During Work**

29. A copy of the approved plans and Order of Conditions shall be always on-site and available. All contractors must adhere to the approved plan and conditions.
30. Erosion controls:
  - a. Erosion controls must be inspected and maintained during construction; any breach shall be remediated.
  - b. An adequate supply of extra erosion control materials shall be stored on-site.

Findings and Conditions of the Newton Conservation Commission  
DEP #239-974, 2011 Washington St, Woodland Golf Club; Reconfiguration of cart paths; demo and reconstruction of the snack shack near the Club's fourth hole and maintenance facility

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- c. Erosion control shall remain in place until the Conservation Office provides written authorization for removal.
31. "Good housekeeping practices" shall be implemented at all times, including:
- a. appropriate limits to stormwater discharges
  - b. appropriate stockpile area management
  - c. appropriate limits to vehicle refueling, washing, etc.
  - d. appropriate litter management
  - e. appropriate controls for tire tracking
32. If any trees intended to be protected within the project area die within 2 years of the start of construction as a result of the construction or have been demonstrably harmed by construction activities, they shall be replaced at a ratio of 2:1 with native canopy saplings (of roughly 2 caliper inches).
33. The Applicant must inform the Commission of any violation of this Order and any other project related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day and must take appropriate action to mitigate impacts from such spill or accident.

**General Conditions After Work has been Completed**

34. The applicant must arrange to receive a "civil engineering" as-built plan signed and stamped by a professional engineer and/or land surveyor registered in Massachusetts. This plan must include all structures, hardscape, grading (topography), mature trees, and landscape features (e.g., edge of lawn).
35. The applicant must arrange to receive a written statement from a Professional Engineer registered in Massachusetts certifying that the work has been completed in substantial compliance with this Order of Conditions and the approved plans referenced herein (or approved revisions). If the completed work differs from that in the approved plans and conditions, the report must specify how the project differs.
36. The applicant must apply for a Certificate of Compliance in accordance with DEP Condition #12, by submitting to the Conservation Office:
- a. A completed WPA Form 8A: Request for Certificate of Compliance
  - b. A civil engineering as-built plan as described above
  - c. A written statement from a Professional Engineer as described above



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
239-974  
MassDEP File #

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Newton  
City/Town

**E. Signatures**

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

5/3/24  
1. Date of Issuance

Please indicate the number of members who will sign this form.  
This Order must be signed by a majority of the Conservation Commission.

6  
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

I, Jennifer Steel, Chief Environmental Planner of the City of Newton, am authorized to execute on behalf of the members of the City of Newton Conservation Commission all Determinations of Applicability, Orders of Condition, and Certificates of Compliance pursuant to the Commission's vote dated April 2, 2020, and recorded with the Middlesex South District Registry of Deeds in Book 74537, Page 433.

*Jennifer Steel* 5/3/2024

Signature  
s/ Daniel Green  
Signature  
s/ Susan Lunin  
Signature

Printed Name  
Daniel Green  
Printed Name  
Susan Lunin  
Printed Name

Signature  
s/ Judith Hepburn  
Signature  
s/ Kathy Cade  
Signature  
s/ Ellen Katz  
Signature  
s/ Leigh Gilligan  
Signature

Printed Name  
Judith Hepburn  
Printed Name  
Kathy Cade  
Printed Name  
Ellen Katz  
Printed Name  
Leigh Gilligan  
Printed Name

by hand delivery on  
Date

by certified mail, return receipt requested, on 5/3/2024  
to Beards & Thomas, Southborough



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
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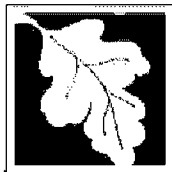
## F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.





**Massachusetts Department of Environmental Protection**  
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**WPA Form 5 – Order of Conditions**  
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Provided by MassDEP:  
239-974  
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Newton  
City/Town

**G. Recording Information**

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

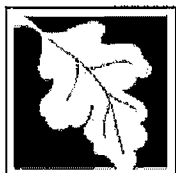
If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee  
Transmittal Form**

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. Request Information**

1. Location of Project

a. Street Address	b. City/Town, Zip
c. Check number	d. Fee amount

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)	

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)	

4. DEP File Number:

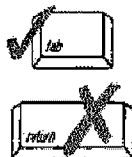
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**B. Instructions**

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**Request for Departmental Action Fee**  
**Transmittal Form**

DEP File Number:

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**B. Instructions (cont.)**

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

DRAFT #234-24  
1897 Washington Street

CITY OF NEWTON  
IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permits #234-10 and #449-22 and previous special permits on the site to allow improvements to the club house pavilion and to allow a snack shack at the 4th hole, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefore, through its Chair, Andrea Kelley:

1. The site in a SR-1 district is an appropriate location for the project as designed because the proposed construction is set far into to the petitioner's property with minimal visibility from nearby dwellings and public rights of way. (§7.3.3.C.1)
2. The project as designed will not adversely affect the neighborhood because the improvements will result in a negligible percentage increase in impervious surface due to the large size of the site. (§7.3.3.C.2)
3. The project as designed will not create a nuisance or serious hazard to vehicles or pedestrians because vehicular access and car parking for the facility will remain the same, and the renovation will improve the pedestrian accessibility within the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)
5. The proposed extension of the nonconforming use will not be substantially more detrimental than the existing nonconforming use is to the neighborhood because the use on this site predates the zoning code. The work proposed will improve the functionality of the site's operations, and the setbacks proposed are sufficient to ensure the increase in building size and impervious area will not harm the neighborhood. (§7.8.2.C.2)

PETITION NUMBER: #234-24

PETITIONER: Woodland Golf Club of Auburndale

LOCATION: 1897 Washington Street, Ward 4, in Auburndale on land known

as Sec 43, Block 46, Lot 11, containing approx. 2,291,142 sq. ft.  
of land

OWNER: Woodland Golf Club of Auburndale

ADDRESS OF OWNER: 1897 Washington Street  
Auburndale, MA 02466

TO BE USED FOR: Renovations to club house pavilion, site work, and  
relocation and reconstruction of snack shack

EXPLANATORY NOTE: Special Permit per §7.3.3 to:

- Amend Special Permits #234-10 and #449-22 to extend the nonconforming use (§3.4.1 and §7.8.2.C.2)
- Determine appropriate dimensional requirements (§3.1.2.A.3)

ZONING: Single Residence District 1 and Single Residence District 2

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping, and other site features shall be located and constructed consistent with the following plans:
  - a. "Proposed storage building, landscaping, and site lighting plan," by Norman A. Homsy, Architect, dated 3/15/82.
  - b. "Elevations, Storage Building, Woodland Golf Club, DWG. No. 3, dated 3/12/82 and Floor Plan, Storage Building DWG. No. 1 dated 3/12/82," by Norman A. Homsy, Architect, dated 3/15/82.
  - c. "Proposed refreshment building, Survey No. 2m Plan of Land in Newton at Woodland Golf Course, Revised 4/13/82 as per public hearing of 4/12/82," Dwg. No. Survey #1, Survey #2, and DWG. No. L-1 by Norman A. Homsy, Architect
  - d. "Elevations, Refreshment Building Woodland Golf Club Dwg. No. A-2, dated 3/12/82 and Floor Plan, Refreshment Building, Dwg. No. A-1, dated 3/21/82," by Norman A. Homsy, Architect
  - e. "Plan of Land in Newton, Mass. Woodland Golf Club" and "Site plan, Woodland Country Club SP-1" dated July 22, 1983 by CBT Architects
  - f. "First Floor, Second Floor A-1, M-1; Basement A-2, M-2, North Elevation, South Elevation Woodland Country Club" dated July 22, 1983 by CBT Architects.
  - g. "Woodland Country Club Pool/Bathhouse," dated Jan. 29, 1987 by Livermore, Edwards and Associates
  - h. Engineering plans dated Feb. 12, 1987 by Robert J. Parenti, P.E.

- i. "Bath House Plan A-1, Elevations A-3, Elevations and Building sections A-4" dated January 29, 1987 by Livermore, Edwards, and Associates
- j. "Master Site Plan, Woodland Golf Club, 1897 Washington Street, Auburndale, MA", September 29, 2010, signed and stamped by Kelly Killeen, Professional Engineer.
- k. "Swimming Pool Area Project, 1897 Washington Street, Auburndale, MA, Proposed Conditions Site Plan", April 9, 2010, signed and stamped by Kelly Killeen, Professional Engineer.
- l. "Woodland Golf Club-Pool Area Buildings, Planting Plan", April 9, 2010, by Kattman Corporation, not stamped.
- m. "Terrace Detail, Woodland Golf Club", September 23, 2010 by Coler and Colantonio, neither signed nor stamped.
- n. A set of plans entitled "Site Development Plans for Woodland Golf Club Racquet Courts, 1897 Washington Street, Auburndale, MSA 02446," prepared by CHA, dated August 24, 2022, stamped and signed by Kelly Killeen, Registered Professional Engineer, August 24, 2022, comprised of the following sheets:
  - i. Title Sheet (C-001)
  - ii. Notes Sheet (C-002)
  - iii. Existing Conditions Plan (C-003)
  - iv. Demolition & Erosion Control Plan (C-004)
  - v. Site Layout Plan (C-101)
  - vi. Grading and Drainage Plan (C-201)
  - vii. Utility Plan (C-301)
  - viii. Site Details- 1 (C-601)
  - ix. Site Details- 2 (C-602)
  - x. Site Details- 3 (C-603)
  - xi. Site Details- 4 (C-604)
  - xii. Site Details- 5 (C-605)
  - xiii. Lighting Plan (C-901)
- o. A set of architectural plans entitled "Woodland Golf Club, Paddle Convenience Facility, 1897 Washington St, Auburndale, MA," prepared by Rob Bramhall Architects, dated August 24, 2022, signed and stamped by Robert A. Bramhall, comprised of the following sheets:
  - i. Title Sheet (A000)(*note: neither signed nor stamped*)
  - ii. Basement Plan (A100)
  - iii. First Floor Plan (A101)
  - iv. Exterior Elevations (A201)
  - v. Exterior Elevations (A202)
- p. A set of plans entitled "Woodland Golf Club Racquet Courts 1897 Washington Street, Auburndale, MSA 02446," prepared by CHA, dated April 26, 2024, stamped and signed by Tyler King, Registered Professional Engineer, April 26, 2024, comprised of the following sheets:

- i. 1<sup>st</sup> Hole Improvements (C-101)
  - ii. 4<sup>th</sup> Hole Improvements (CP-001)
  - iii. 4<sup>th</sup> Hole Improvements (A1)
  - iv. 4<sup>th</sup> Hole Improvements (A2)
  - v. 4<sup>th</sup> Hole Improvements (A3)
  - vi. Pavilion concept plan (CP-001)
  - vii. Pavilion & Site Improvements Plan (A1)
  - viii. Pavilion Exterior Elevations (A2)
2. Except as amended by this Council Order, all conditions set out in prior Board and/or Council Orders granted for the property shall remain unchanged and in effect.
3. Use of the parcel's driveway on Washington Street shall be used only for maintenance/service vehicles.
4. Walsingham Street shall not be used to supply, service or provide patrons to the snack bar during its construction or subsequent operation.
5. The hours of operation for the snack bar shall be limited to the hours from 9AM to 5PM.
6. Subject to the approval of the Director of Planning and Development, a close-weaved, stockade type fence shall be substituted for the existing cyclone fence and evergreen trees shall be substituted for the proposed maple trees along the Grove Street frontage.
7. The property owner shall maintain landscaping materials and the site in good condition and shall annually evaluate the new and existing landscaping covered by this Special Permit and replace all dead or diseased plantings with comparable materials.
8. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the Petitioner has:
  - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
  - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.
9. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with for the portion of the project for which occupancy is requested and the Petitioner has:
  - a. Filed with the Clerk of the Board, the Department of Inspectional Services and the Department of Planning and Development a statement by a registered architect or registered engineer certifying compliance with Condition #1;

- b. Obtained approval from the City Engineer certifying that all engineering details for the portion of the Project for which a certificate of occupancy is requested have been constructed to standards of the City of Newton Public Works Department.