

## Zoning & Planning Committee Agenda

City of Newton In City Council

Monday, November 25, 2024

7:00 pm City Council Chambers (Room 207)

The Zoning and Planning Committee will hold this meeting as a hybrid meeting on Monday, November 25, 2024 at 7:00 PM that the public may access in-person or virtually via Zoom. To attend this meeting via Zoom use this link: <u>https://newtonma-gov.zoom.us/j/86459215381</u> or call 1-646-558-8656 and use the following Meeting ID: 864 5921 5381.

#### Item Scheduled for Discussion:

#417-24 Appointment of Lori Yarvis to Economic Development Commission HER HONOR THE MAYOR appointing Lori Yarvis, 1469 Centre Street, Newton as a member of the Economic Development Commission for a term of office set to expire on October 30, 2026. (60 Days: 01/03/2025) **Chair's Note:** The Chair will entertain public comment regarding the inclusion of large residential buildings with central heating systems and a potential exemption for Newton Wellesley Hospital. #42-24 Request for Discussion and Ordinance to require energy use reporting COUNCILORS ALBRIGHT, DANBERG, and LEARY on behalf of the Newton Citizens Commission on Energy (NCCE), requesting discussion and an ordinance that would require large property owners (campuses and large commercial buildings) to report energy use and associated greenhouse gas emissions annually to the city of Newton, to be used to encourage reductions in said energy use and greenhouse gas emissions in accordance and support of the goals set forth in the Newton Climate Action Plan. Zoning & Planning Held 8-0 on 05/28/24 Zoning & Planning Held 5-0-1 (Councilor Danberg Abstaining) on 06/10/24 Zoning & Planning Held 7-0 on 07/22/24 Zoning & Planning Held 8-0 on 09/23/24 Zoning & Planning Held 8-0 on 10/28/24

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

#### **Referred to Zoning & Planning and Programs & Services Committees**

**#267-24** Request for discussion and possible amendments to require disclosure of any anticipated change in grade as part of a land use special permit application COUNCILORS BAKER, OLIVER, LEARY, KELLEY, GREENBERG, LAREDO, AND LUCAS requesting appropriate amendments to City ordinances, or the Rules of the Council, or both, to require disclosure of any change in grade anticipated from the original grade as part of a land use special permit application in addition to disclosure of such a grade change in any engineering drawings submitted with the special permit application.

Respectfully Submitted, R. Lisle Baker, Chair



Ruthanne Fuller Mayor City of Newton, Massachusetts

Office of the Mayor

**#417-24** Telephone (617) 796-110

(617) 796-110 TDD/TTY (617) 796-1089 Email rfuller@newtonma.gov

October 28, 2024

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Lori Yarvis of 1469 Centre Street, No.1, Newton as a member of the Economic Development Commission. Lori Yarvis' term of office shall expire on October 30, 2026 and the appointment is subject to your confirmation. Lori Yarvis will be completing Zach Knowlton's term which will end October 2026.

Thank you for your attention to this matter.

Warmly, .... Fuller

Ruthanne Fuller Mayor

Profile				
Lori		Yarvis		
First Name	Middle Initial	Last Name		
Email Address			_	
1469 Centre Street, No. 1				
Home Address			Suite or Apt	
Newton			MA	02461
City			State	Postal Code
What Ward do you live in?				
✓ Ward 6 Primary Phone	Alternate Pho	ne	_	
Archstone Law Group, PC	Attorney Job Title	and Shareholder	_	
Which Boards would you li	ke to ap	ply for?		
Economic Development Commi	ssion: Sub	mitted		
Ethnicity				
Caucasian/Non-Hispanic				
Gender				
Female				

#### Interests & Experiences

Please tell us about yourself and why you want to serve.

#### Why are you interested in serving on a board or commission?

My husband and I moved to Newton in 2002 from New York City. We were attracted by the diversity of the community and with two young daughters at the time, we were impressed by the school system and the amenities in the community. When our daughters graduated from college, and we decided to downsize, we stayed in Newton. Newton's thriving Village Centers and business community are significant assets. As a business lawyer, I am intimately familiar with the priorities business owners have when they are considering locating and growing their businesses. I also understand the issues they confront as they grow and thrive. As a Commissioner of the City of Newton Farm Commission, I have had an education in how the City's Commissions work and support the City and understand the duties and responsibilities of a Commissioner. I've already served several terms on the Farm Commission, would like to free my seat for another resident to so serve and would like to continue to volunteer my time and expertise on another Commision where my skillset can be put to productive use. I'd be honored to serve on the Economic Development Commission and to use the knowledge and experience I've acquired as a business attorney to support the City and its business community.

#### Resume.docx

Upload a Resume

#### LORI YARVIS

1469 Centre Street,	No
1	
Newton, MA 02461	

#### **PROFESSIONAL EXPERIENCE:**

Archstone Law Group, PC Newton, Massachusetts

Shareholder; Corporate and Transactional Attorney: Teams with her clients to help them achieve their goals while managing growth and staying legally compliant. Clients include health care practices and providers, professional services companies, food industry companies, manufacturers and distributors, retailers and wholesalers and nonprofit organizations. Helps clients add value to their companies by adopting best practices.

Representative engagements in health care include: starting medical and dental practices, reviewing employment agreements when providers join a practice, counseling practitioners and health care practices through transitions and acquisitions, buy/sell agreements, and succession planning and exit strategies like partner buyouts or sales to a hospital, health care system or private equity company.

Representative engagements in other industry sectors: counseling clients on issues such as corporate structure, financing, contracting, risk management, acquisitions, sales, transitions and buyouts, and succession and exit planning.

General representation includes the following business transactions: Buy in and buy out agreements, commercial leases, corporate restructuring and spin-offs, master service agreements, client, vendor, supplier, distributor and other contracts, shareholder and operating agreements, stock and asset acquisitions, and general legal advice and counsel regarding asset protection, contracts and business agreements, corporate and regulatory compliance, data privacy compliance, financing, commercial leasing and risk management.

#### Schlesinger and Buchbinder, LLP

2006-2011

Newton, Massachusetts

Corporate and Transactional Attorney: Represented closely held and family businesses in their commercial transactions; negotiated and drafted agreements and provided counsel regarding business and asset acquisitions and sales, commercial financing and other business transactions; advised start-ups; negotiated and drafted shareholder and operating agreements, commercial leases and third-party contracts; handled licensing and permitting; and provided outside general counsel to companies.

2011-Present

1999 - 2006

1992-1996

1987-1992

**Lori Yarvis, Attorney at Law** Newton, Massachusetts Park Slope, New York City

Solo Practitioner, Private Practice: Represented established businesses and emerging companies by providing a full range of business legal services including drafting and negotiating business contracts, providing legal representation for business transactions and providing outside general counsel.

#### Lawyers Alliance for New York

New York, New York

Senior Attorney: Provided direct legal assistance to social service and community development nonprofit organizations with emphasis on corporate, tax exempt and transactional areas.

#### Winston & Strawn

New York, New York

Associate: General corporate and commercial law practice with emphasis on asset-based lending. Drafted and negotiated loan and restructuring agreements and security documents; conducted closings.

#### Satterlee, Stephens, Burke & Burke

New York, New York1985 - 1987, Summer Associate 1984Associate: General practice with emphasis on corporate and commercial law.

#### PROFESSIONAL ACTIVITIES:

Harvard Law SchoolFall 2004Cambridge, MassachusettsClinical Instructor: Instructed and supervised students in Harvard Law School's ClinicalProgram.

Northeastern University Law SchoolSummer 2004Boston, MassachusettsAdjunct Professor: Taught a survey course of the laws governing nonprofit organizations.

Co-Chaired, Solo and Small Firm Section, Boston Bar Association 2008-2010

Volunteer, Economic Justice Project, Lawyers' Committee for Civil Rights under Law of the Boston Bar Association, Boston, MA

Volunteer, Conservation Law Foundation, Legal Services Food Hub, Boston, MA

Board Member, Clerk and Governance Committee Chair, English for New Bostonians, Inc.

Mentor, Big Brothers Big Sisters of Eastern Massachusetts, Big Futures Program

Former Commissioner, City of Newton Farm Commission, Newton Community Farm

#### ARTICLES AND PUBLICATIONS:

Article, "Massachusetts Data Breach Law Affects Small Business and Law Firms", <u>Boston Bar Association Solo and Small Firm Newsletter</u> (August 2009)

Article, "The Massachusetts Independent Contractor Law", <u>Boston Bar Association Solo</u> <u>and Small Firm Newsletter</u> (Summer 2008)

Article, "Keeping Your Company Legally Healthy", <u>Newton-Needham Chamber of</u> <u>Commerce InBusiness</u> (June 2007)

Article, "Spotlight on the Law-Shareholder Agreements", <u>Boston Bar Association Solo</u> <u>and Small Firm Newsletter</u> (March 2006)

Co-edited <u>Employment and Personnel: A Handbook</u>, Lawyers Alliance for New York (1995)

Co-edited the Fourth Edition of <u>Advising Nonprofits</u>, Lawyers Alliance for New York (1995)

Authored Fiscal Sponsorship Arrangements, Lawyers Alliance for New York (1992)

Note, "Signal Piracy: The Theft of United States Satellite Signals", 8 <u>Fordham</u> <u>International L.J.</u>, 62-95 (1985) Cited in "Worth Reading", <u>The National Law Journal</u> 5/13/85

#### **EDUCATION**:

#### Fordham University School of Law, New York, NY

J.D., May 1985 Business Editor, <u>International Law Journal</u>

#### Dartmouth College, Hanover, NH

A.B., <u>Magna Cum Laude</u>, June 1982 Major: English Literature

#### Phillips Andover Academy, Andover, MA

Diploma <u>Cum Laude</u>, June 1978

#### **BAR MEMBERSHIPS**:

New York State Bar and Federal Courts (S.D.N.Y. and E.D.N.Y.) 1986

New Jersey Bar 1986

Massachusetts Bar 2003

USA 500 New England Chapter

TO:	Zoning and Planning Committee
FROM:	Andrew S. Lee, Senior Assistant City Solicitor
SUBJECT:	Building Emissions Reduction and Disclosure Ordinance ("BERDO") Docket No. 42-24
DATE:	November 21, 2024

Attached to this cover letter are three different proposed versions of BERDO. Attachment A is a version of BERDO that requires emissions disclosure and reduction for non-residential buildings only. Attachment B is a version of BERDO that requires emissions disclosure for residential and non-residential buildings, and emissions reduction for non-residential buildings only. Attachment C is a version of BERDO that requires emissions disclosure and reduction for residential and non-residential buildings.

In redline on all three versions is a proposed provision to create an Advisory Commission to make recommendations on the establishment of the BERDO regulations and a provision providing an exemption from the emissions reduction requirements for hospital buildings.

# ATTACHMENT A

- **WHEREAS:** Buildings contribute to 64 percent of greenhouse gas emissions in the City of Newton; and
- **WHEREAS:** Non-Residential Buildings with over 20,000 Gross Floor Area contribute 23 percent of greenhouse gas emissions in the City of Newton; and
- **WHEREAS:** The City of Newton's Climate Action Plan details strategies to reduce carbon emissions from buildings; and
- **WHEREAS:** The Newton City Council unanimously passed a resolution in April 2022 declaring that the City should pass a Building Emissions and Reduction Ordinance.

## THEREFORE, THE FOLLOWING ORDINANCE IS ADOPTED:

## SECTION 1. Building Emissions Reduction and Disclosure

## (a) <u>Purpose</u>

It is the intent of this Ordinance to reduce the emissions of air pollutants, including greenhouse gases, from building energy consumption, and thereby to encourage efficient use of energy; to develop further investment in building a green economy, and to protect public health. To do so, the provisions of this Ordinance require the reporting and disclosure of annual energy use in all covered Buildings and compliance with emissions reduction requirements in accordance with this Ordinance.

### (b) **Definitions**

When used in this Ordinance, unless a contrary intention clearly appears, the following terms shall have the following meaning:

*Alternative Compliance Payment* means a per-metric ton payment based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance.

*BERDO Administrator* means the City employee designated as the individual employed to implement the BERDO program.

*Building* means a building that equals or exceeds 20,000 square feet in Gross Floor Area in which 50 percent or more of the Gross Floor Area, including hallways and other common spaces, are used for commercial, retail, office, professional, educational, or other non-residential purposes.

*Building Portfolio* means two or more Buildings, on one or more properties, provided that all Buildings within the Portfolio have the same Owner; for this purpose, a Building management company does not constitute an Owner.

*Building Use* means (i) space type as defined in the Regulations, which refers to the primary activity for which a given space is utilized, as entered into the EPA Energy Star Portfolio Manager reporting tool; or (ii) other activities as defined in Portfolio Manager or by the Regulations.

Carbon Dioxide Equivalent ( $CO_2e$ ) means greenhouse gas Emissions, including carbon dioxide, methane, and nitrous oxide.  $CO_2e$  shall be calculated using a methodology as set forth in the Regulations.

*Emergency Backup Generation/Backup Power* means a device or mechanism, such as battery storage, reciprocating internal combustion engine, or turbine, that serves solely as a secondary source of mechanical or electrical power whenever the primary Energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the Owner, occupant, or operator of a Building.

*Emissions* means the emission of greenhouse gases, measured in units of CO<sub>2</sub>e associated with the Energy used by a Building, excluding electricity.

*Emissions Factor* means CO<sub>2</sub>e calculated according to regional Energy and greenhouse gas factors as set forth in the Regulations.

*Energy* means electricity and any fuel source including, but not limited to, natural gas, fuel oil, propane and any other sources of Energy that the BERDO Administrator may designate in the Regulations.

*Portfolio Manager or EPA ENERGY STAR Portfolio Manager* means the U.S. Environmental Protection Agency's online tool for reporting and managing Building Energy data.

*Environmental Justice Population* means a neighborhood that meets one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the population; (iii) 25 percent or more of households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the state annual median income; or such other meaning as is adopted or amended by the Commonwealth's Executive Office of Energy and Environmental Affairs, by state statute, or defined in the Regulations.

*Gross Floor Area (GFA)* means the sum of the floor area of the Building measured from the exterior face of the exterior walls of the Building as per the City of Newton Assessors' records. The BERDO Administrator shall publish Regulations governing the calculation of Gross Floor Area, including types of areas that shall be excluded from the calculation.

*Hardship Compliance Plan* means alternative Emissions reduction targets and/or timelines for a Building or Building Portfolio.

*Individual Compliance Schedule* means an alternative timeline for complying with the Emissions Standards set forth in this Ordinance.

Owner means a Building's Owner of record, provided that the "Owner" may be deemed to include (i) multiple Owners in common ownership and (ii) the association or organization of unit Owners responsible for overall management in the case of a condominium. In the case of a Building subject to a lease that assigns maintenance, regulatory compliance, and/or capital improvement costs to Tenants with a term of at least 30 years, inclusive of all renewal options, the Owner may designate the lessee as "Owner" for purposes of compliance with this Ordinance; such designation must be provided in writing to the BERDO Administrator as required by the Regulations. An Owner may designate an agent to act on its behalf, including reporting as required by this Ordinance; provided, however, that any designation (i) must be provided in writing to the-BERDO Administrator, and (ii) does not relieve the Owner of any compliance obligation under this Ordinance.

*Regulations* means the Newton Building Emissions Reduction and Disclosure Regulations.

Tenant means any tenant of a Building covered by this Ordinance.

*Verification Year* means any year in which an Owner must report third-party verified reporting data. Verification Years will be the second reporting year for each building category following the enactment of this Ordinance, and every five years thereafter.

# City of Newton Proposed Building Emissions Reduction and Disclosure Ordinance (BERDO) NON-RESIDENTIAL ONLY November 25, 2024 (c) <u>Building Portfolios</u>

Building Portfolios must be approved by the BERDO Administrator and Building Portfolio Owners must submit documentation confirming eligibility as a Building Portfolio. Notwithstanding the approval of a Building Portfolio, Owners must continue to report the Energy use, Emissions data, and any other information required by this Ordinance for each individual Building. If a Building is removed from or added to a Building Portfolio for any reason, including transfer to a different Owner, the Building shall retain its individual reporting data and be subject to the Emissions standards, and the Building Portfolio shall be adjusted to reflect the removal or addition of the Building.

## (d) Energy and Emissions Reporting Required

## (i) Data Reporting Requirements

Each year, the Owner of each Building subject to reporting requirements shall accurately report to the BERDO Administrator, via the Portfolio Manager or other method as approved by the Regulations, the following information for the previous calendar year:

 (a) Energy use of each Building and other Building characteristics necessary to evaluate CO<sub>2</sub>e Emissions on a kilogram (kg) CO2e per square foot (SF) per year basis.

- (b) The primary Building Use(s) of each Building in accordance with the categories listed in the Portfolio Manager and the Regulations. Multiple primary Building Uses shall be reported, provided that each use occupies at least 10 percent of the Building's Gross Floor Area.
- (c) Contact information for Owners and any designated agents.

## (ii) Reporting Schedules

The initial reports shall occur according to the following schedule:

- 1. For every Building equal to or greater than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2025.
- 2. For every Building equal to or greater than 20,000 square feet Gross Floor Area but less than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2026.

Building Owners may apply to the BERDO Administrator for a one-time six-month extension of their reporting deadline.

## (e) **Direct Upload**

Provided that the necessary mechanisms already exist, Building Owners may authorize electric and gas utilities or other third party

to report Building-specific data on their behalf to the BERDO Administrator. Such authorization shall not create an obligation on the part of electrical and gas utilities or remove the obligation of Building Owners to comply with reporting requirements.

## (f) Equitable Emissions Investment Fund

The City Comptroller shall establish the Equitable Emissions Investment Fund (hereinafter, the "Fund") as a separate account, and deposit into the Fund all Alternative Compliance Payments, penalties and fees paid pursuant to this Ordinance.

The City may incur liabilities against and spend monies from the Fund.

At the discretion of the BERDO Administrator, and with approval by the Mayor, expenditures from the Fund may be made for the following purposes:

- a. Projects that benefit Environmental Justice Populations
- b. Costs incurred by the City in administering the program created pursuant to this Ordinance;
- c. Costs incurred by the City in complying with the program created pursuant to this Ordinance;
- d. Costs incurred by non-profit entities that operate within the City, including but not limited to entities that operate

affordable housing, in complying with the program created pursuant to this Ordinance;

- e. Other projects intended to reduce greenhouse gas emissions within the City; or
- f. Technical assistance to property owners subject to BERDO related to implementation of the requirements of this ordinance.

## (g) Data Verification

a. Building Owners shall self-certify their reporting data every year.

In a Building's second year of reporting, Building Owners shall provide a third-party verification of their reporting data for the previous year. For every Verification Year thereafter, Building Owners shall provide a third-party verification for the five calendar years prior to, but not including the current year. Third-party verifications must be performed by qualified Energy professionals, as defined by the Regulations, and submitted no later than the reporting deadline of the relevant year.

## (h) Building Emissions Reduction and Disclosure Regulations

The BERDO Administrator shall, with the approval of the mayor, promulgate Regulations to effectuate the purposes of this article.

# City of Newton Proposed Building Emissions Reduction and Disclosure Ordinance (BERDO) NON-RESIDENTIAL ONLY November 25, 2024 (i) BERDO Advisory Commission

- (1) There is hereby established a BERDO Advisory Commission to advise and make recommendations to the BERDO Administrator with regards to the establishment of the Regulations.
- (2) The BERDO Advisory Commission shall consist of not more than seven (7) members, appointed by the mayor with approval of the city council, and shall serve without compensation.
- (3) The members of the BERDO Advisory Commission shall have expertise in environmental justice, affordable housing, labor and worker's rights, workforce development, building engineering and energy, real estate development and management, public health and hospitals, architecture and historic preservation, or any combination thereof.
- (4) Upon the establishment of the Regulations, the BERDO Advisory Commission shall dissolve.
- (h)(j) Emissions Requirements

Each Building subject to the reporting requirements of this Ordinance shall comply with the CO<sub>2</sub>e Emissions standards set forth in Table 1 below; unless the Building Owner has received an approved Individual Compliance Schedule pursuant to the requirements in SECTION 1(m) or an approved Hardship Compliance Plan pursuant to SECTION 1(n); or is explicitly exempt as set forth in Section 1(1). Buildings must comply with the Emissions standards on an annual basis and compliance shall be measured as a total of kg of CO<sub>2</sub>e Emissions per square foot. Buildings will be subject to the emissions standards in Table 1

based on the schedule for each Tier and Building Category in Tables 2 through 5.



<b>Building Use</b>	Emission standards (kgCO2e/SF/yr)					
	Period 1	Period 2	Period 3	Period 4	Period 5	
Assembly	6.1	3.7	2.3	1.1	0.0	
College/University	9.5	5.7	3.5	1.5	0.0	
Education	4.1	2.8	1.9	0.9	0.0	
Food Sales & Service	6.8	4.4	3.2	1.5	0.0	
Healthcare	14.3	9.2	6.5	3.2	0.0	
Lodging	4.6	3.1	2.1	1.0	0.0	
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0	
Office	3.1	2.0	1.2	0.5	0.0	
Residential	4.6	2.8	1.7	0.8	0.0	
Retail	3.4	2.3	1.4	0.6	0.0	
Services	6.5	4.2	2.9	1.4	0.0	
Storage	2.5	1.8	1.3	0.6	0.0	
Technology/Science	14.6	10.7	6.7	2.8	0.0	

Table 1: CO<sub>2</sub>e Emissions Standards by Building Use

Table 2. Compliance Periods by Building Use—Tier 1 Buildings: Buildings equal to or greater than 100,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2027- 2032	2033- 2038	2039- 2044	2045- 2049	2050-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	-3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	_2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 3. Compliance Periods by Building Use—Tier 2 Buildings:Buildings equal to or greater than 50,000 square feet and less than100,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2028-	2034-	2040-	2045-	2050-
	2033	2039	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 4. Compliance Periods by Building Use—Tier 3 Buildings: Buildings equal to or greater than 35,000 square feet and less than 50,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO2e/SF/yr)				
	2029- 2034	2035- 2039	2040- 2044	2045- 2049	2050-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 5. Compliance Periods by Building Use—Tier 4 Buildings: Buildings equal to or greater than 20,000 square feet and less than 35,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO2e/SF/yr)				
	2030-	2035-	2040-	2045-	2050-
	2034	2039	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

#### (i)(k) Blended Emissions Standard

Buildings or Building Portfolios with more than one primary use may comply with a blended CO<sub>2</sub>e Emissions standard as defined by Regulation; provided, however, that a use may constitute a primary use only if it occupies at least 10 percent of a Building's

or Building Portfolio's Gross Floor Area. Building Owners using a blended CO<sub>2</sub>e Emissions standard must (i) designate the blended standard in annual reports to the BERDO Administrator, and (ii) provide documentation verifying the qualification of each primary use in annual reports to the BERDO Administrator for the first year a blended CO<sub>2</sub>e Emissions standard is used and in any subsequent year for which the blended Emissions standard or primary use(s) changes.

#### (j)(1) Energy Use Exempt from Emissions Requirements

- i. Electricity which is used by a covered Building or Building Portfolio is exempt from the CO2e Emissions Standard of this ordinance;
- Building Owners may deduct Energy used by Emergency Backup Generation/Backup Power supply equipment from a Building's total Energy use subject to the CO<sub>2</sub>e Emissions standard of this Ordinance. Such deduction shall only be permitted if the emergency Backup Generation/Backup Power provides Energy only to the Building or Building Portfolio; and the Building Owner annually reports: (i) Energy used by Emergency Backup Generation / Backup Power; (ii) the date(s), hour(s) and conditions that required the use of Emergency Backup Generation/Backup Power; and (iii) any other information required by the Regulations. Such reporting shall be subject to the self-certification and third-party verification procedures in SECTION 1(g). In the event that

Emergency Backup Generation/Backup Power serves, or has the potential to serve, multiple Buildings in a Building Portfolio, the Energy use from such activities shall be allocated to individual Buildings in proportion to the gross square footage of each Building.

ii.Buildings for which the primary use is a hospital or <del>11.</del>111. healthcare institution, which contain patient service and/or medical support areas subject to federal or state regulations or Facility Guidelines Institute ("FGI") guidelines, or continuity of operations standards, requiring back up generation for which the Owner elects to use a health care microgrid system (HCMS), or other system as set forth in the Regulations, to serve Essential Electrical Systems as defined under NFPA and CMS (Centers for Medicare and Medicaid Services) regulations are eligible for exemption from the CO2e Emissions Standard of this ordinance. The Owner shall request such exemption by submitting to the BERDO Administrator substantiating documentation and a certification letter of compliance with the applicable standards or regulations signed by the design engineer, who shall be a duly certified professional engineer, and the BERDO Administrator shall confirm in writing the applicability of this statutory exemption. The Owner of such Buildings shall report to the BERDO Administrator at any time, but in no event less frequently than every 5 years, which of its Buildings meet the criteria for this exemption.

# City of Newton Proposed Building Emissions Reduction and Disclosure Ordinance (BERDO) NON-RESIDENTIAL ONLY November 25, 2024 (k)(m) Individual Compliance Schedules

Owners of Buildings or Building Portfolios may apply for an Individual Compliance Schedule as an alternative to the CO<sub>2</sub>e Emissions standard reduction schedule in Tables 2 through 5. Individual Compliance Schedules must establish declining CO<sub>2</sub>e Emissions standards in 5- to 6-year increments, and such standards must (i) decline on a linear basis, (ii) reduce Emissions 40 percent by period 3, and (iii) reduce Emissions 100 percent by period 5; and

Use a baseline from any year between 2013 and the first required reporting year, provided, however, that the Building or Building Portfolio Owner provides documentation of Energy use, Gross Floor Area, and relevant Emissions Factors by the Building or Building Portfolio for the selected baseline year and the year in which an Individual Compliance Schedule is requested, in accordance with the data verification requirements of this Ordinance and the Regulations.

A Building or Building Portfolio that failed to comply with previous reporting requirements may use an Individual Compliance Schedule; provided, however, that the necessary data has been submitted to the BERDO Administrator and any applicable penalties for past non-compliance are paid in full.

Individual Compliance Schedules must be approved by the BERDO Administrator. Building and Building Portfolio Owners must submit the information required in this Ordinance, and any

other documentation specified in the Regulations, when requesting an Individual Compliance Schedule. The BERDO Administrator may include additional conditions on the approval of Individual Compliance Plans, consistent with the Regulations.

## (1)(n) Hardship Compliance Plans

A Building Owner may apply to the BERDO Administrator for a Hardship Compliance Plan if there are extraordinary characteristics or circumstances associated with the Building in complying with the Emissions standards in this Ordinance. Such characteristics or circumstances may include historic Building designations, use of the Building for hospital or healthcare institutions, pre-existing long-term Energy contracts without reopeners, or extraordinary financial hardship. Implementation guidelines will be further detailed in the Regulations. The application, review process, and conditions for Hardship Compliance Plans shall be set forth in the Regulations. The BERDO Administrator shall have sole discretion in approving Hardship Compliance Plans; such plans may include alternative Emissions standards and timelines for compliance. The BERDO Administrator may include additional conditions on the approval of Hardship Compliance Plans consistent with the Regulations.

#### (m)(o) Alternative Compliance Payments

Owners of Buildings or Building Portfolios may mitigate CO2e Emissions from Energy use by making Alternative Compliance Payments. The price of an Alternative Compliance Payment shall

be based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance. The initial cost of an Alternative Compliance Payment shall be \$234 per metric ton of CO2e. The cost of an Alternative Compliance Payment shall be reviewed every five years by the BERDO Administrator, which shall make recommended adjustments, if any, to the City Council.

#### (n)(p) Preservation of Documents

Building Owners shall preserve records and information (i) required to be submitted by this Ordinance and/or (ii) submitted pursuant to this Ordinance in order to demonstrate compliance with the Emissions standards, including but not limited to information regarding Building Uses, Emissions Factors, compliance mechanisms outlined in this Ordinance, Individual Compliance Schedules, and Hardship Compliance Plans, for such time as set forth in the Regulations, and shall make such records available for inspection and audit by the BERDO Administrator upon request.

#### (0)(q) Obligation to Request and Report Information

Where a unit or other space in a Building is occupied by a Tenant and the unit or space is separately metered, the Tenant of such space shall, within 30 days of request by the Owner and in a form to be determined by the BERDO Administrator, provide all information that cannot otherwise be acquired by the Owner and that is needed to comply with the requirements of this Ordinance.

Failure by Tenant to comply with the requirements of this Ordinance may result in penalties as provided in this Ordinance.

- 1. The Owner may request information related to the Tenant's metered Energy and other related information for the previous calendar year no earlier than January 1 and no later than January 31 of any year in which the Owner is required to report such information.
- 2. Failure of any Tenant to report the information required in this Ordinance does not relieve the Owner of the obligation to report.
- 3. Where an Owner of a Building is unable to obtain complete Energy use data due to the failure of any Tenant to report the information required, the Owner shall use values or formulas established by the BERDO Administrator to estimate whole Building Energy use.

#### (p)(r) Disclosure

The BERDO Administrator shall make Energy and Emissions information for Buildings available to the public on the City's website no later than November 30 of every year, except for 2025, in which it shall make such information available to the public no later than December 15, 2025. Such disclosure shall include, at a minimum, Building identification, Energy use intensity, CO<sub>2</sub>e Emissions per square foot, and Emissions compliance status.

Before any such disclosure, the BERDO Administrator shall subject all data to a quality-assurance/quality-control process.

- 1. At least 30 Days prior to disclosure, the BERDO Administrator shall provide Building Owners an opportunity to review the accuracy of information to be disclosed.
- 2. The Building Administrator shall also, from time to time, publicly report on implementation of, compliance with, and overall results from this Ordinance.

## (q)(s) Enforcement for Failure to Comply with this Ordinance

Any violation of this ordinance shall be punishable by a fine of three hundred (\$300.00) dollars per day for each day the violation continues. Each day a violation continues shall constitute a separate offense. Where noncriminal disposition of this section by civil fine has been provided for in sections 17-22 and 17-23 of these ordinances, as amended, pursuant to the authority granted by M.G.L. c. 40, section 21D, said violation may be enforced in the manner provided in such statute. Penalties under this section will not be levied prior to the third year of the effective date of the emissions requirement.

#### (r)(t) Notice

Within two months of the adoption of this Ordinance, notification concerning reporting and disclosure obligations and emissions reductions obligations shall be provided to Owners subject to the requirements of this Ordinance.

This notice, and any other notice required by this Ordinance shall be delivered to the contact information in the Assessor's database unless an Owner provides alternative contact information to the City Assessor's office.

SECTION 2. If any provision of this ordinance is held invalid by a court of competent jurisdiction, then such provision should be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance shall be effective upon passage.

#42-24

# ATTACHMENT B

- **WHEREAS:** Buildings contribute to 64 percent of greenhouse gas emissions in the City of Newton; and
- WHEREAS: Buildings with over 20,000 Gross Floor Area contribute 28 percent of greenhouse gas emissions in the City of Newton; and
- WHEREAS: The City of Newton's Climate Action Plan details strategies to reduce carbon emissions from buildings; and
- **WHEREAS:** The Newton City Council unanimously passed a resolution in April 2022 declaring that the City should pass a Building Emissions and Reduction Ordinance.

#### THEREFORE, THE FOLLOWING ORDINANCE IS ADOPTED:

#### SECTION 1. Building Emissions Reduction and Disclosure

#### (a) <u>Purpose</u>

It is the intent of this Ordinance to reduce the emissions of air pollutants, including greenhouse gases, from building energy consumption, and thereby to encourage efficient use of energy; to develop further investment in building a green economy, and to protect public health. To do so, the provisions of this Ordinance require the reporting and disclosure of annual energy use in all

covered Buildings and compliance with emissions reduction requirements in accordance with this Ordinance.

#### (b) **Definitions**

When used in this Ordinance, unless a contrary intention clearly appears, the following terms shall have the following meaning:

*Alternative Compliance Payment* means a per-metric ton payment based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance.

*BERDO Administrator* means the City employee designated as the individual employed to implement the BERDO program.

*Building* means a building that equals or exceeds 20,000 square feet in Gross Floor Area.

*Building Portfolio* means two or more Buildings, on one or more properties, provided that all Buildings within the Portfolio have the same Owner; for this purpose, a Building management company does not constitute an Owner.

*Building Use* means (i) space type as defined in the Regulations, which refers to the primary activity for which a given space is utilized, as entered into the EPA Energy Star Portfolio Manager reporting tool; or (ii) other activities as defined in Portfolio Manager or by the Regulations.

Carbon Dioxide Equivalent ( $CO_2e$ ) means greenhouse gas Emissions, including carbon dioxide, methane, and nitrous oxide.  $CO_2e$  shall be calculated using a methodology as set forth in the Regulations.

*Emergency Backup Generation/Backup Power* means a device or mechanism, such as battery storage, reciprocating internal combustion engine, or turbine, that serves solely as a secondary source of mechanical or electrical power whenever the primary Energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the Owner, occupant, or operator of a Building.

*Emissions* means the emission of greenhouse gases, measured in units of CO<sub>2</sub>e associated with the Energy used by a Building, excluding electricity.

*Emissions Factor* means CO<sub>2</sub>e calculated according to regional Energy and greenhouse gas factors as set forth in the Regulations.

*Energy* means electricity and any fuel source including, but not limited to, natural gas, fuel oil, propane and any other sources of Energy that the BERDO Administrator may designate in the Regulations.

*Portfolio Manager or EPA ENERGY STAR Portfolio Manager* means the U.S. Environmental Protection Agency's online tool for reporting and managing Building Energy data.

*Environmental Justice Population* means a neighborhood that meets one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the population; (iii) 25 percent or more of households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the state annual median income; or such other meaning as is adopted or amended by the Commonwealth's Executive Office of Energy and Environmental Affairs, by state statute, or defined in the Regulations.

*Gross Floor Area (GFA)* means the sum of the floor area of the Building measured from the exterior face of the exterior walls of the Building as per the City of Newton Assessors' records. The BERDO Administrator shall publish Regulations governing the calculation of Gross Floor Area, including types of areas that shall be excluded from the calculation.

*Hardship Compliance Plan* means alternative Emissions reduction targets and/or timelines for a Building or Building Portfolio.

*Individual Compliance Schedule* means an alternative timeline for complying with the Emissions Standards set forth in this Ordinance.

*Non-Residential Building* means a Building in which 50 percent or more of the Gross Floor Area, including hallways and other common spaces, are used for commercial, retail, office, professional, educational, or other non-residential purposes.

Owner means a Building's Owner of record, provided that the "Owner" may be deemed to include (i) multiple Owners in common ownership and (ii) the association or organization of unit Owners responsible for overall management in the case of a condominium. In the case of a Building subject to a lease that assigns maintenance, regulatory compliance, and/or capital improvement costs to Tenants with a term of at least 30 years, inclusive of all renewal options, the Owner may designate the lessee as "Owner" for purposes of compliance with this Ordinance; such designation must be provided in writing to the BERDO Administrator as required by the Regulations. An Owner may designate an agent to act on its behalf, including reporting as required by this Ordinance; provided, however, that any designation (i) must be provided in writing to the—BERDO Administrator, and (ii) does not relieve the Owner of any compliance obligation under this Ordinance.

*Regulations* means the Newton Building Emissions Reduction and Disclosure Regulations.

*Residential Building* means a Building in which 50 percent or more of the Gross Floor Area, including hallways and other common spaces, are used for residential purposes, and the Building utilizes one or more centralized heating systems to heat occupant spaces.

Tenant means any tenant of a Building covered by this Ordinance.

*Verification Year* means any year in which an Owner must report third-party verified reporting data. Verification Years will be the second reporting year for each building category following the enactment of this Ordinance, and every five years thereafter.

#### (c) **Building Portfolios**

Building Portfolios must be approved by the BERDO Administrator and Building Portfolio Owners must submit documentation confirming eligibility as a Building Portfolio. Notwithstanding the approval of a Building Portfolio, Owners must continue to report the Energy use, Emissions data, and any other information required by this Ordinance for each individual Building. If a Building is removed from or added to a Building Portfolio for any reason, including transfer to a different Owner, the Building shall retain its individual reporting data and be subject to the Emissions standards, and the Building Portfolio shall be adjusted to reflect the removal or addition of the Building.

November 25, 2024

#### (d) Energy and Emissions Reporting Required

(i) Data Reporting Requirements

Each year, the Owner of each Building subject to reporting requirements shall accurately report to the BERDO Administrator, via the Portfolio Manager or other method as approved by the Regulations, the following information for the previous calendar year:

- (a) Energy use of each Building and other Building characteristics necessary to evaluate CO<sub>2</sub>e Emissions on a kilogram (kg) CO2e per square foot (SF) per year basis.
- (b) The primary Building Use(s) of each Building in accordance with the categories listed in the Portfolio Manager and the Regulations. Multiple primary Building Uses shall be reported, provided that each use occupies at least 10 percent of the Building's Gross Floor Area.
- (c) Contact information for Owners and any designated agents.

#### (ii) <u>Reporting Schedules</u>

The initial reports shall occur according to the following schedule:

- 1. For every Non-Residential Building equal to or greater than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2025.
- 2. For every Non-Residential Building equal to or greater than 20,000 square feet Gross Floor Area but less than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2026.
- 3. For every Residential Building, the first report shall be submitted no later than September 15, 2026.

Building Owners may apply to the BERDO Administrator for a one-time six-month extension of their reporting deadline.

#### (e) Direct Upload

Provided that the necessary mechanisms already exist, Building Owners may authorize electric and gas utilities or other third party to report Building-specific data on their behalf to the BERDO Administrator. Such authorization shall not create an obligation on the part of electrical and gas utilities or remove the obligation of Building Owners to comply with reporting requirements.

#### (f) Equitable Emissions Investment Fund

The City Comptroller shall establish the Equitable Emissions Investment Fund (hereinafter, the "Fund") as a separate account,

and deposit into the Fund all Alternative Compliance Payments, penalties and fees paid pursuant to this Ordinance.

The City may incur liabilities against and spend monies from the Fund.

At the discretion of the BERDO Administrator, and with approval by the Mayor, expenditures from the Fund may be made for the following purposes:

- a. Projects that benefit Environmental Justice Populations
- b. Costs incurred by the City in administering the program created pursuant to this Ordinance;
- c. Costs incurred by the City in complying with the program created pursuant to this Ordinance;
- d. Costs incurred by non-profit entities that operate within the City, including but not limited to entities that operate affordable housing, in complying with the program created pursuant to this Ordinance;
- e. Other projects intended to reduce greenhouse gas emissions within the City; or

f. Technical assistance to property owners subject to BERDO related to implementation of the requirements of this ordinance.

#### (g) Data Verification

a. Building Owners shall self-certify their reporting data every year.

In a Building's second year of reporting, Building Owners shall provide a third-party verification of their reporting data for the previous year. For every Verification Year thereafter, Building Owners shall provide a third-party verification for the five calendar years prior to, but not including the current year. Third-party verifications must be performed by qualified Energy professionals, as defined by the Regulations, and submitted no later than the reporting deadline of the relevant year.

(h) Building Emissions Reduction and Disclosure Regulations

The BERDO Administrator shall, with the approval of the mayor, promulgate Regulations to effectuate the purposes of this article.

#### (i) **BERDO Advisory Commission**

(1) There is hereby established a BERDO Advisory Commission to advise and make recommendations to the BERDO

Administrator with regards to the establishment of the Regulations.

- (2) The BERDO Advisory Commission shall consist of not more than seven (7) members, appointed by the mayor with approval of the city council, and shall serve without compensation.
- (3) The members of the BERDO Advisory Commission shall have expertise in environmental justice, affordable housing, labor and worker's rights, workforce development, building engineering
   and energy, real estate development and management, public health and hospitals, architecture and historic preservation, or any combination thereof.
- (4) Upon the establishment of the Regulations, the BERDO Advisory Commission shall dissolve.

#### (h)(j) Emissions Requirements

Each Building subject to the reporting requirements of this Ordinance shall comply with the CO<sub>2</sub>e Emissions standards set forth in Table 1 below; unless the Building Owner has received an approved Individual Compliance Schedule pursuant to the requirements in SECTION 1(m) or an approved Hardship Compliance Plan pursuant to SECTION 1(n); or is explicitly exempt as set forth in Section 1(1). Buildings must comply with the Emissions standards on an annual basis and compliance shall be measured as a total of kg of CO<sub>2</sub>e Emissions per square foot. Buildings will be subject to the emissions standards in Table 1 based on the schedule for each Tier and Building Category in Tables 2 through 5.

# DRAFT

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)					
	Period 1	Period 2	Period 3	Period 4	Period 5	
Assembly	6.1	3.7	2.3	1.1	0.0	
College/University	9.5	5.7	3.5	1.5	0.0	
Education	4.1	2.8	1.9	0.9	0.0	
Food Sales & Service	6.8	4.4	3.2	1.5	0.0	
Healthcare	14.3	9.2	6.5	3.2	0.0	
Lodging	4.6	3.1	2.1	1.0	0.0	
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0	
Office	3.1	2.0	1.2	0.5	0.0	
Residential	4.6	2.8	1.7	0.8	0.0	
Retail	3.4	2.3	1.4	0.6	0.0	
Services	6.5	4.2	2.9	1.4	0.0	
Storage	2.5	1.8	1.3	0.6	0.0	
Technology/Science	14.6	10.7	6.7	2.8	0.0	

#### Table 1: CO<sub>2</sub>e Emissions Standards by Building Use

Table 2. Compliance Periods by Building Use—Tier 1 Buildings: Non-Residential Buildings equal to or greater than 100,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2027-	2033-	2039-	2045-	2050-
	2032	2038	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 3. Compliance Periods by Building Use—Tier 2 Buildings: Non-Residential Buildings equal to or greater than 50,000 square feet and less than 100,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO2e/SF/yr)				
	2028-	2034-	2040-	2045-	2050-
	2033	2039	2044	2049	2000
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 4. Compliance Periods by Building Use—Tier 3 Buildings: Non-Residential Buildings equal to or greater than 35,000 square feet and less than 50,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2029-	2035-	2040-	2045-	2050-
	2034	2039	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 5. Compliance Periods by Building Use—Tier 4 Buildings: Non-Residential Buildings equal to or greater than 20,000 square feet and less than 35,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2030-	2035-	2040-	2045-	2050-
	2034	2039	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

#### (i)(k) Blended Emissions Standard

Buildings or Building Portfolios with more than one primary use may comply with a blended CO<sub>2</sub>e Emissions standard as defined

by Regulation; provided, however, that a use may constitute a primary use only if it occupies at least 10 percent of a Building's

or Building Portfolio's Gross Floor Area. Building Owners using a blended CO<sub>2</sub>e Emissions standard must (i) designate the blended standard in annual reports to the BERDO Administrator, and (ii) provide documentation verifying the qualification of each primary use in annual reports to the BERDO Administrator for the first year a blended CO<sub>2</sub>e Emissions standard is used and in any subsequent year for which the blended Emissions standard or primary use(s) changes.

#### (j)(1) Energy Use Exempt from Emissions Requirements

- i. Electricity which is used by a covered Building or Building Portfolio is exempt from the CO2e Emissions Standard of this ordinance;
- Building Owners may deduct Energy used by Emergency Backup Generation/Backup Power supply equipment from a Building's total Energy use subject to the CO<sub>2</sub>e Emissions standard of this Ordinance. Such deduction shall only be permitted if the emergency Backup Generation/Backup Power provides Energy only to the Building or Building Portfolio; and the Building Owner annually reports: (i) Energy used by Emergency Backup Generation / Backup Power; (ii) the date(s), hour(s) and conditions that required the use of Emergency Backup Generation/Backup Power; and (iii) any

other information required by the Regulations. Such reporting shall be subject to the self-certification and third-party verification procedures in SECTION 1(g). In the event that Emergency Backup Generation/Backup Power serves, or has the potential to serve, multiple Buildings in a Building Portfolio, the Energy use from such activities shall be allocated to individual Buildings in proportion to the gross square footage of each Building.

ii.Buildings for which the primary use is a hospital or <del>11.</del>111. healthcare institution, which contain patient service and/or medical support areas subject to federal or state regulations or Facility Guidelines Institute ("FGI") guidelines, or continuity of operations standards, requiring back up generation for which the Owner elects to use a health care microgrid system (HCMS), or other system as set forth in the Regulations, to serve Essential Electrical Systems as defined under NFPA and CMS (Centers for Medicare and Medicaid Services) regulations are eligible for exemption from the CO2e Emissions Standard of this ordinance. The Owner shall request such exemption by submitting to the BERDO Administrator substantiating documentation and a certification letter of compliance with the applicable standards or regulations signed by the design engineer, who shall be a duly certified professional engineer, and the BERDO Administrator shall confirm in writing the applicability of this statutory exemption. The Owner of such Buildings shall report to the BERDO Administrator at any

time, but in no event less frequently than every 5 years, which of its Buildings meet the criteria for this exemption.

#### (k)(m) Individual Compliance Schedules

Owners of Buildings or Building Portfolios may apply for an Individual Compliance Schedule as an alternative to the CO<sub>2</sub>e Emissions standard reduction schedule in Tables 2 through 5. Individual Compliance Schedules must establish declining CO<sub>2</sub>e Emissions standards in 5- to 6-year increments, and such standards must (i) decline on a linear basis, (ii) reduce Emissions 40 percent by period 3, and (iii) reduce Emissions 100 percent by period 5; and

Use a baseline from any year between 2013 and the first required reporting year, provided, however, that the Building or Building Portfolio Owner provides documentation of Energy use, Gross Floor Area, and relevant Emissions Factors by the Building or Building Portfolio for the selected baseline year and the year in which an Individual Compliance Schedule is requested, in accordance with the data verification requirements of this Ordinance and the Regulations.

A Building or Building Portfolio that failed to comply with previous reporting requirements may use an Individual Compliance Schedule; provided, however, that the necessary data

has been submitted to the BERDO Administrator and any applicable penalties for past non-compliance are paid in full.

Individual Compliance Schedules must be approved by the BERDO Administrator. Building and Building Portfolio Owners must submit the information required in this Ordinance, and any other documentation specified in the Regulations, when requesting an Individual Compliance Schedule. The BERDO Administrator may include additional conditions on the approval of Individual Compliance Plans, consistent with the Regulations.

#### (1)(n) Hardship Compliance Plans

A Building Owner may apply to the BERDO Administrator for a Hardship Compliance Plan if there are extraordinary characteristics or circumstances associated with the Building in complying with the Emissions standards in this Ordinance. Such characteristics or circumstances may include historic Building designations, <u>use of</u> <u>the Building for hospital or healthcare institutions</u>, pre-existing long-term Energy contracts without reopeners, or extraordinary financial hardship. Implementation guidelines will be further detailed in the Regulations. The application, review process, and conditions for Hardship Compliance Plans shall be set forth in the Regulations. The BERDO Administrator shall have sole discretion in approving Hardship Compliance Plans; such plans may include alternative Emissions standards and timelines for compliance. The BERDO Administrator may include additional conditions on the

approval of Hardship Compliance Plans consistent with the Regulations.

#### (m)(o) Alternative Compliance Payments

Owners of Buildings or Building Portfolios may mitigate CO2e Emissions from Energy use by making Alternative Compliance Payments. The price of an Alternative Compliance Payment shall be based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance. The initial cost of an Alternative Compliance Payment shall be \$234 per metric ton of CO2e. The cost of an Alternative Compliance Payment shall be reviewed every five years by the BERDO Administrator, which shall make recommended adjustments, if any, to the City Council.

#### (n)(p) Preservation of Documents

Building Owners shall preserve records and information (i) required to be submitted by this Ordinance and/or (ii) submitted pursuant to this Ordinance in order to demonstrate compliance with the Emissions standards, including but not limited to information regarding Building Uses, Emissions Factors, compliance mechanisms outlined in this Ordinance, Individual Compliance Schedules, and Hardship Compliance Plans, for such time as set forth in the Regulations, and shall make such records available for inspection and audit by the BERDO Administrator upon request.

#### (0)(q) Obligation to Request and Report Information

Where a unit or other space in a Building is occupied by a Tenant and the unit or space is separately metered, the Tenant of such space shall, within 30 days of request by the Owner and in a form to be determined by the BERDO Administrator, provide all information that cannot otherwise be acquired by the Owner and that is needed to comply with the requirements of this Ordinance. Failure by Tenant to comply with the requirements of this Ordinance may result in penalties as provided in this Ordinance.

- 1. The Owner may request information related to the Tenant's metered Energy and other related information for the previous calendar year no earlier than January 1 and no later than January 31 of any year in which the Owner is required to report such information.
- 2. Failure of any Tenant to report the information required in this Ordinance does not relieve the Owner of the obligation to report.
- 3. Where an Owner of a Building is unable to obtain complete Energy use data due to the failure of any Tenant to report the information required, the Owner shall use values or formulas established by the BERDO Administrator to estimate whole Building Energy use.

#### (p)(r) Disclosure

The BERDO Administrator shall make Energy and Emissions information for Buildings available to the public on the City's website no later than November 30 of every year, except for 2025, in which it shall make such information available to the public no later than December 15, 2025. Such disclosure shall include, at a minimum, Building identification, Energy use intensity, CO<sub>2</sub>e Emissions per square foot, and Emissions compliance status. Before any such disclosure, the BERDO Administrator shall subject all data to a quality-assurance/quality-control process.

- 1. At least 30 Days prior to disclosure, the BERDO Administrator shall provide Building Owners an opportunity to review the accuracy of information to be disclosed.
- 2. The Building Administrator shall also, from time to time, publicly report on implementation of, compliance with, and overall results from this Ordinance.

#### (q)(s) Enforcement for Failure to Comply with this Ordinance

Any violation of this ordinance shall be punishable by a fine of three hundred (\$300.00) dollars per day for each day the violation continues. Each day a violation continues shall constitute a separate offense. Where noncriminal disposition of this section by

civil fine has been provided for in sections 17-22 and 17-23 of these ordinances, as amended, pursuant to the authority granted by M.G.L. c. 40, section 21D, said violation may be enforced in the manner provided in such statute. Penalties under this section will not be levied prior to the third year of the effective date of the emissions requirement.

#### (r)(t) Notice

Within two months of the adoption of this Ordinance, notification concerning reporting and disclosure obligations and emissions reductions obligations shall be provided to Owners subject to the requirements of this Ordinance.

This notice, and any other notice required by this Ordinance shall be delivered to the contact information in the Assessor's database unless an Owner provides alternative contact information to the City Assessor's office.

SECTION 2. If any provision of this ordinance is held invalid by a court of competent jurisdiction, then such provision should be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance shall be effective upon passage.

#42-24

# ATTACHMENT C

- **WHEREAS:** Buildings contribute to 64 percent of greenhouse gas emissions in the City of Newton; and
- WHEREAS: Buildings with over 20,000 Gross Floor Area contribute 28 percent of greenhouse gas emissions in the City of Newton; and
- WHEREAS: The City of Newton's Climate Action Plan details strategies to reduce carbon emissions from buildings; and
- **WHEREAS:** The Newton City Council unanimously passed a resolution in April 2022 declaring that the City should pass a Building Emissions and Reduction Ordinance.

#### THEREFORE, THE FOLLOWING ORDINANCE IS ADOPTED:

#### SECTION 1. Building Emissions Reduction and Disclosure

#### (a) <u>Purpose</u>

It is the intent of this Ordinance to reduce the emissions of air pollutants, including greenhouse gases, from building energy consumption, and thereby to encourage efficient use of energy; to develop further investment in building a green economy, and to protect public health. To do so, the provisions of this Ordinance require the reporting and disclosure of annual energy use in all covered Buildings and compliance with emissions reduction requirements in accordance with this Ordinance.

#### (b) **Definitions**

When used in this Ordinance, unless a contrary intention clearly appears, the following terms shall have the following meaning:

*Alternative Compliance Payment* means a per-metric ton payment based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance.

*BERDO Administrator* means the City employee designated as the individual employed to implement the BERDO program.

*Building* means a building that equals or exceeds 20,000 square feet in Gross Floor Area.

*Building Portfolio* means two or more Buildings, on one or more properties, provided that all Buildings within the Portfolio have the same Owner; for this purpose, a Building management company does not constitute an Owner.

*Building Use* means (i) space type as defined in the Regulations, which refers to the primary activity for which a given space is utilized, as entered into the EPA Energy Star Portfolio Manager reporting tool; or (ii) other activities as defined in Portfolio Manager or by the Regulations.

*Carbon Dioxide Equivalent (CO<sub>2</sub>e)* means greenhouse gas Emissions, including carbon dioxide, methane, and nitrous oxide.

CO<sub>2</sub>e shall be calculated using a methodology as set forth in the Regulations.

*Emergency Backup Generation/Backup Power* means a device or mechanism, such as battery storage, reciprocating internal combustion engine, or turbine, that serves solely as a secondary source of mechanical or electrical power whenever the primary Energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the Owner, occupant, or operator of a Building.

*Emissions* means the emission of greenhouse gases, measured in units of CO<sub>2</sub>e associated with the Energy used by a Building, excluding electricity.

*Emissions Factor* means CO<sub>2</sub>e calculated according to regional Energy and greenhouse gas factors as set forth in the Regulations.

*Energy* means electricity and any fuel source including, but not limited to, natural gas, fuel oil, propane and any other sources of Energy that the BERDO Administrator may designate in the Regulations.

*Portfolio Manager or EPA ENERGY STAR Portfolio Manager* means the U.S. Environmental Protection Agency's online tool for reporting and managing Building Energy data.

*Environmental Justice Population* means a neighborhood that meets one or more of the following criteria: (i) the annual median

household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the population; (iii) 25 percent or more of households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the state annual median income; or such other meaning as is adopted or amended by the Commonwealth's Executive Office of Energy and Environmental Affairs, by state statute, or defined in the Regulations.

*Gross Floor Area (GFA)* means the sum of the floor area of the Building measured from the exterior face of the exterior walls of the Building as per the City of Newton Assessors' records. The BERDO Administrator shall publish Regulations governing the calculation of Gross Floor Area, including types of areas that shall be excluded from the calculation.

*Hardship Compliance Plan* means alternative Emissions reduction targets and/or timelines for a Building or Building Portfolio.

*Individual Compliance Schedule* means an alternative timeline for complying with the Emissions Standards set forth in this Ordinance.

*Non-Residential Building* means a Building in which 50 percent or more of the Gross Floor Area, including hallways and other

common spaces, are used for commercial, retail, office, professional, educational, or other non-residential purposes.

Owner means a Building's Owner of record, provided that the "Owner" may be deemed to include (i) multiple Owners in common ownership and (ii) the association or organization of unit Owners responsible for overall management in the case of a condominium. In the case of a Building subject to a lease that assigns maintenance, regulatory compliance, and/or capital improvement costs to Tenants with a term of at least 30 years, inclusive of all renewal options, the Owner may designate the lessee as "Owner" for purposes of compliance with this Ordinance; such designation must be provided in writing to the BERDO Administrator as required by the Regulations. An Owner may designate an agent to act on its behalf, including reporting as required by this Ordinance; provided, however, that any designation (i) must be provided in writing to the—BERDO Administrator, and (ii) does not relieve the Owner of any compliance obligation under this Ordinance.

*Regulations* means the Newton Building Emissions Reduction and Disclosure Regulations.

*Residential Building* means a Building in which 50 percent or more of the Gross Floor Area, including hallways and other common spaces, are used for residential purposes, and the Building utilizes one or more centralized heating systems to heat occupant spaces.

Tenant means any tenant of a Building covered by this Ordinance.

*Verification Year* means any year in which an Owner must report third-party verified reporting data. Verification Years will be the second reporting year for each building category following the enactment of this Ordinance, and every five years thereafter.

#### (c) **Building Portfolios**

Building Portfolios must be approved by the BERDO Administrator and Building Portfolio Owners must submit documentation confirming eligibility as a Building Portfolio. Notwithstanding the approval of a Building Portfolio, Owners must continue to report the Energy use, Emissions data, and any other information required by this Ordinance for each individual Building. If a Building is removed from or added to a Building Portfolio for any reason, including transfer to a different Owner, the Building shall retain its individual reporting data and be subject to the Emissions standards, and the Building Portfolio shall be adjusted to reflect the removal or addition of the Building.

#### (d) Energy and Emissions Reporting Required

#### (i) Data Reporting Requirements

Each year, the Owner of each Building subject to reporting requirements shall accurately report to the BERDO Administrator, via the Portfolio Manager or other method as approved by the Regulations, the following information for the previous calendar year:

- (a) Energy use of each Building and other Building characteristics necessary to evaluate CO<sub>2</sub>e Emissions on a kilogram (kg) CO2e per square foot (SF) per year basis.
- (b) The primary Building Use(s) of each Building in accordance with the categories listed in the Portfolio Manager and the Regulations. Multiple primary Building Uses shall be reported, provided that each use occupies at least 10 percent of the Building's Gross Floor Area.
- (c) Contact information for Owners and any designated agents.
- (ii) Reporting Schedules

The initial reports shall occur according to the following schedule:

- 1. For every Non-Residential Building equal to or greater than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2025.
- 2. For every Non-Residential Building equal to or greater than 20,000 square feet Gross Floor Area but less than 100,000 square feet Gross Floor Area, the first report shall be submitted no later than September 15, 2026.
- 3. For every Residential Building, the first report shall be submitted no later than September 15, 2026.

Building Owners may apply to the BERDO Administrator for a one-time six-month extension of their reporting deadline.

#### (e) **<u>Direct Upload</u>**

Provided that the necessary mechanisms already exist, Building Owners may authorize electric and gas utilities or other third party to report Building-specific data on their behalf to the BERDO Administrator. Such authorization shall not create an obligation on the part of electrical and gas utilities or remove the obligation of Building Owners to comply with reporting requirements.

#### (f) Equitable Emissions Investment Fund

The City Comptroller shall establish the Equitable Emissions Investment Fund (hereinafter, the "Fund") as a separate account, and deposit into the Fund all Alternative Compliance Payments, penalties and fees paid pursuant to this Ordinance.

The City may incur liabilities against and spend monies from the Fund.

At the discretion of the BERDO Administrator, and with approval by the Mayor, expenditures from the Fund may be made for the following purposes:

a. Projects that benefit Environmental Justice Populations

- b. Costs incurred by the City in administering the program created pursuant to this Ordinance;
- c. Costs incurred by the City in complying with the program created pursuant to this Ordinance;
- d. Costs incurred by non-profit entities that operate within the City, including but not limited to entities that operate affordable housing, in complying with the program created pursuant to this Ordinance;
- e. Other projects intended to reduce greenhouse gas emissions within the City; or
- f. Technical assistance to property owners subject to BERDO related to implementation of the requirements of this ordinance.

#### (g) Data Verification

a. Building Owners shall self-certify their reporting data every year.

In a Building's second year of reporting, Building Owners shall provide a third-party verification of their reporting data for the previous year. For every Verification Year thereafter, Building Owners shall provide a third-party verification for the five calendar years prior to, but not including the current year. Third-party verifications must be performed by qualified Energy professionals,

as defined by the Regulations, and submitted no later than the reporting deadline of the relevant year.

#### (h) Building Emissions Reduction and Disclosure Regulations

The BERDO Administrator shall, with the approval of the mayor, promulgate Regulations to effectuate the purposes of this article.

#### (i) BERDO Advisory Commission

- (1) There is hereby established a BERDO Advisory Commission to advise and make recommendations to the BERDO Administrator with regards to the establishment of the Regulations.
- (2) The BERDO Advisory Commission shall consist of not more than seven (7) members, appointed by the mayor with approval of the city council, and shall serve without compensation.
- (3) The members of the BERDO Advisory Commission shall have expertise in environmental justice, affordable housing, labor and worker's rights, workforce development, building engineering and energy, real estate development and management, public health and hospitals, architecture and historic preservation, or any combination thereof.
- (4) Upon the establishment of the Regulations, the BERDO Advisory Commission shall dissolve.

#### (h)(j) Emissions Requirements

Each Building subject to the reporting requirements of this Ordinance shall comply with the CO<sub>2</sub>e Emissions standards set

forth in Table 1 below; unless the Building Owner has received an approved Individual Compliance Schedule pursuant to the requirements in SECTION 1(m) or an approved Hardship Compliance Plan pursuant to SECTION 1(n); or is explicitly exempt as set forth in Section 1(1). Buildings must comply with the Emissions standards on an annual basis and compliance shall be measured as a total of kg of CO<sub>2</sub>e Emissions per square foot. Buildings will be subject to the emissions standards in Table 1 based on the schedule for each Tier and Building Category in Tables 2 through 5.

<b>Building Use</b>	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	Period 1	Period 2	Period 3	Period 4	Period 5
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 1: CO<sub>2</sub>e Emissions Standards by Building Use

Table 2. Compliance Periods by Building Use—Tier 1 Buildings: Non-Residential Buildings equal to or greater than 100,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2027- 2032	2033- 2038	2039- 2044	2045- 2049	2050-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	-3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	_2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 3. Compliance Periods by Building Use—Tier 2 Buildings: Non-Residential Buildings equal to or greater than 50,000 square feet and less than 100,000 square feet Gross Floor Area.

Building Use	Emi	Emission standards (kgCO2e/SF/yr)				
	2028-	2034-	2040-	2045-	2050-	
	2033	2039	2044	2049	2030-	
Assembly	6.1	3.7	2.3	1.1	0.0	
College/University	9.5	5.7	3.5	1.5	0.0	
Education	4.1	2.8	1.9	0.9	0.0	
Food Sales & Service	6.8	4.4	3.2	1.5	0.0	
Healthcare	14.3	9.2	6.5	3.2	0.0	
Lodging	4.6	3.1	2.1	1.0	0.0	
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0	
Office	3.1	2.0	1.2	0.5	0.0	
Residential	4.6	2.8	1.7	0.8	0.0	
Retail	3.4	2.3	1.4	0.6	0.0	
Services	6.5	4.2	2.9	1.4	0.0	
Storage	2.5	1.8	1.3	0.6	0.0	
Technology/Science	14.6	10.7	6.7	2.8	0.0	

Table 4. Compliance Periods by Building Use—Tier 3 Buildings: Residential Buildings equal to or greater than 50,000 Square Feet and Non-Residential Buildings equal to or greater than 35,000 square feet and less than 50,000 square feet Gross Floor Area.

Building Use	Emi	ssion star	ndards (kg	gCO <sub>2</sub> e/SF	'/yr)
	2029- 2034	2035- 2039	2040- 2044	2045- 2049	2050-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 5. Compliance Periods by Building Use—Tier 4 Buildings: Non-Residential Buildings equal to or greater than 20,000 square feet and less than 35,000 square feet Gross Floor Area.

Building Use	Emission standards (kgCO <sub>2</sub> e/SF/yr)				/yr)
	2030-	2035-	2040-	2045-	2050-
	2034	2039	2044	2049	2030-
Assembly	6.1	3.7	2.3	1.1	0.0
College/University	9.5	5.7	3.5	1.5	0.0
Education	4.1	2.8	1.9	0.9	0.0
Food Sales & Service	6.8	4.4	3.2	1.5	0.0
Healthcare	14.3	9.2	6.5	3.2	0.0
Lodging	4.6	3.1	2.1	1.0	0.0
Manufacturing/Industrial	3.9	2.9	2.2	1.0	0.0
Office	3.1	2.0	1.2	0.5	0.0
Residential	4.6	2.8	1.7	0.8	0.0
Retail	3.4	2.3	1.4	0.6	0.0
Services	6.5	4.2	2.9	1.4	0.0
Storage	2.5	1.8	1.3	0.6	0.0
Technology/Science	14.6	10.7	6.7	2.8	0.0

Table 6. Compliance Periods by Building Use—Tier 5 Buildings: Residential Buildings equal to or greater than 20,000 square feet and less than 50,000 square feet Gross Floor Area.

<b>Building use</b>	Emission standards (kgCO <sub>2</sub> e/SF/yr)				
	2031-	2035-	2040-	2045-	2050-
	2034	2039	2044	2049	2030-
Residential	4.6	2.8	1.7	0.8	0.0

### (i)(k) Blended Emissions Standard

Buildings or Building Portfolios with more than one primary use may comply with a blended CO<sub>2</sub>e Emissions standard as defined by Regulation; provided, however, that a use may constitute a primary use only if it occupies at least 10 percent of a Building's

or Building Portfolio's Gross Floor Area. Building Owners using a blended CO<sub>2</sub>e Emissions standard must (i) designate the blended standard in annual reports to the BERDO Administrator, and (ii) provide documentation verifying the qualification of each primary use in annual reports to the BERDO Administrator for the first year a blended CO<sub>2</sub>e Emissions standard is used and in any subsequent year for which the blended Emissions standard or primary use(s) changes.

### (j)(1) Energy Use Exempt from Emissions Requirements

- i. Electricity which is used by a covered Building or Building Portfolio is exempt from the CO2e Emissions Standard of this ordinance;
- ii. Building Owners may deduct Energy used by Emergency Backup Generation/Backup Power supply equipment from a Building's total Energy use subject to the CO<sub>2</sub>e Emissions standard of this Ordinance. Such deduction shall only be permitted if the emergency Backup Generation/Backup Power provides Energy only to the Building or Building Portfolio; and the Building Owner annually reports: (i) Energy used by Emergency Backup Generation / Backup Power; (ii) the date(s), hour(s) and conditions that required the use of Emergency Backup Generation/Backup Power; and (iii) any other information required by the Regulations. Such reporting shall be subject to the self-certification and third-party verification procedures in SECTION 1(g). In the event that Emergency Backup Generation/Backup Power serves, or has the potential to serve, multiple Buildings in a Building Portfolio, the Energy use from such activities shall be allocated to individual Buildings in proportion to the gross square footage of each Building.
- ii. Buildings for which the primary use is a hospital or healthcare institution, which contain patient service and/or medical support areas subject to federal or state regulations or Facility Guidelines Institute ("FGI") guidelines, or continuity of operations standards, requiring back up generation for which the Owner elects to use a health care microgrid system

(HCMS), or other system as set forth in the Regulations, to serve Essential Electrical Systems as defined under NFPA and CMS (Centers for Medicare and Medicaid Services) regulations are eligible for exemption from the CO2e Emissions Standard of this ordinance. The Owner shall request such exemption by submitting to the BERDO Administrator substantiating documentation and a certification letter of compliance with the applicable standards or regulations signed by the design engineer, who shall be a duly certified professional engineer, and the BERDO Administrator shall confirm in writing the applicability of this statutory exemption. The Owner of such Buildings shall report to the BERDO Administrator at any time, but in no event less frequently than every 5 years, which of its Buildings meet the criteria for this exemption.

### (k)(m) Individual Compliance Schedules

Owners of Buildings or Building Portfolios may apply for an Individual Compliance Schedule as an alternative to the CO<sub>2</sub>e Emissions standard reduction schedule in Tables 2 through 5. Individual Compliance Schedules must establish declining CO<sub>2</sub>e Emissions standards in 5- to 6-year increments, and such standards must (i) decline on a linear basis, (ii) reduce Emissions 40 percent by period 3, and (iii) reduce Emissions 100 percent by period 5; and

Use a baseline from any year between 2013 and the first required reporting year, provided, however, that the Building or Building

Portfolio Owner provides documentation of Energy use, Gross Floor Area, and relevant Emissions Factors by the Building or Building Portfolio for the selected baseline year and the year in which an Individual Compliance Schedule is requested, in accordance with the data verification requirements of this Ordinance and the Regulations.

A Building or Building Portfolio that failed to comply with previous reporting requirements may use an Individual Compliance Schedule; provided, however, that the necessary data has been submitted to the BERDO Administrator and any applicable penalties for past non-compliance are paid in full.

Individual Compliance Schedules must be approved by the BERDO Administrator. Building and Building Portfolio Owners must submit the information required in this Ordinance, and any other documentation specified in the Regulations, when requesting an Individual Compliance Schedule. The BERDO Administrator may include additional conditions on the approval of Individual Compliance Plans, consistent with the Regulations.

## (1)(n) Hardship Compliance Plans

A Building Owner may apply to the BERDO Administrator for a Hardship Compliance Plan if there are extraordinary characteristics or circumstances associated with the Building in complying with the Emissions standards in this Ordinance. Such characteristics or circumstances may include historic Building designations, <u>use of</u> <u>the Building for hospital or healthcare institutions</u>, pre-existing

long-term Energy contracts without reopeners, or extraordinary financial hardship. Implementation guidelines will be further detailed in the Regulations. The application, review process, and conditions for Hardship Compliance Plans shall be set forth in the Regulations. The BERDO Administrator shall have sole discretion in approving Hardship Compliance Plans; such plans may include alternative Emissions standards and timelines for compliance. The BERDO Administrator may include additional conditions on the approval of Hardship Compliance Plans consistent with the Regulations.

### (m)(o) Alternative Compliance Payments

Owners of Buildings or Building Portfolios may mitigate CO2e Emissions from Energy use by making Alternative Compliance Payments. The price of an Alternative Compliance Payment shall be based on the average cost per metric ton of CO2e to decarbonize Buildings subject to this Ordinance. The initial cost of an Alternative Compliance Payment shall be \$234 per metric ton of CO2e. The cost of an Alternative Compliance Payment shall be reviewed every five years by the BERDO Administrator, which shall make recommended adjustments, if any, to the City Council.

### (n)(p) Preservation of Documents

Building Owners shall preserve records and information (i) required to be submitted by this Ordinance and/or (ii) submitted pursuant to this Ordinance in order to demonstrate compliance with the Emissions standards, including but not limited to

information regarding Building Uses, Emissions Factors, compliance mechanisms outlined in this Ordinance, Individual Compliance Schedules, and Hardship Compliance Plans, for such time as set forth in the Regulations, and shall make such records available for inspection and audit by the BERDO Administrator upon request.

### (o)(q) Obligation to Request and Report Information

Where a unit or other space in a Building is occupied by a Tenant and the unit or space is separately metered, the Tenant of such space shall, within 30 days of request by the Owner and in a form to be determined by the BERDO Administrator, provide all information that cannot otherwise be acquired by the Owner and that is needed to comply with the requirements of this Ordinance. Failure by Tenant to comply with the requirements of this Ordinance may result in penalties as provided in this Ordinance.

- 1. The Owner may request information related to the Tenant's metered Energy and other related information for the previous calendar year no earlier than January 1 and no later than January 31 of any year in which the Owner is required to report such information.
- 2. Failure of any Tenant to report the information required in this Ordinance does not relieve the Owner of the obligation to report.

3. Where an Owner of a Building is unable to obtain complete Energy use data due to the failure of any Tenant to report the information required, the Owner shall use values or formulas established by the BERDO Administrator to estimate whole Building Energy use.

### (p)(r) Disclosure

The BERDO Administrator shall make Energy and Emissions information for Buildings available to the public on the City's website no later than November 30 of every year, except for 2025, in which it shall make such information available to the public no later than December 15, 2025. Such disclosure shall include, at a minimum, Building identification, Energy use intensity, CO<sub>2</sub>e Emissions per square foot, and Emissions compliance status. Before any such disclosure, the BERDO Administrator shall subject all data to a quality-assurance/quality-control process.

- 1. At least 30 Days prior to disclosure, the BERDO Administrator shall provide Building Owners an opportunity to review the accuracy of information to be disclosed.
- 2. The Building Administrator shall also, from time to time, publicly report on implementation of, compliance with, and overall results from this Ordinance.

### (q)(s) Enforcement for Failure to Comply with this Ordinance

Any violation of this ordinance shall be punishable by a fine of three hundred (\$300.00) dollars per day for each day the violation continues. Each day a violation continues shall constitute a separate offense. Where noncriminal disposition of this section by civil fine has been provided for in sections 17-22 and 17-23 of these ordinances, as amended, pursuant to the authority granted by M.G.L. c. 40, section 21D, said violation may be enforced in the manner provided in such statute. Penalties under this section will not be levied prior to the third year of the effective date of the emissions requirement.

### (r)(t) Notice

Within two months of the adoption of this Ordinance, notification concerning reporting and disclosure obligations and emissions reductions obligations shall be provided to Owners subject to the requirements of this Ordinance.

This notice, and any other notice required by this Ordinance shall be delivered to the contact information in the Assessor's database unless an Owner provides alternative contact information to the City Assessor's office.

SECTION 2. If any provision of this ordinance is held invalid by a court of competent jurisdiction, then such provision should be considered

separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance shall be effective upon passage.





## Memorandum

- TO: WILLIAM FERGUSON | CITY OF NEWTON, MA
- FROM: PHILIP EASH-GATES AND LUCY METZ | SYNAPSE ENERGY ECONOMICS
- DATE: NOVEMBER 22, 2024
- RE: NEWTON BERDO BUILDINGS LIST DEVELOPMENT

### Summary

Synapse is working for the Newton Climate and Sustainability Team to support the implementation of BERDO. Part of our work is developing a replicable, well-documented method for determining which buildings should be regulated by BERDO. Here, we summarize which buildings the ordinance covers, describe the steps we used to create the list of covered buildings, and present preliminary analysis of the building list.

Using 2024 data, there are 385 buildings in Newton that BERDO will regulate, including 282 commercial buildings and 103 residential buildings. The covered buildings have a combined floor area of 25.3 million square feet, which is 20 percent of the total building floor area in Newton, and belong to 241 distinct owners. The three entities with the most covered buildings are Boston College (41 buildings), the City of Newton (34 buildings), and Lasell University (20 buildings).

Residential buildings are not currently included in Newton's proposed BERDO but are included on the covered building list in anticipation that this sector will be added to BERDO at a later date. The list of covered residential buildings is still being finalized. Synapse is preparing to work with building owners to determine if any of the residential buildings currently included on the covered building list do not have centralized heating, in which case they will be exempt from BERDO. In addition, there are 29 residential condominium complexes with a combined area of 2.7 million square feet that are included on the covered building list and in the totals above based on the total floor area of the complex rather than the area of individual buildings, which is not currently known. Synapse is working with the Newton Assessors' Office to determine which of these complexes contain individual buildings that are large enough to be covered by BERDO and will adjust the covered buildings list accordingly.

### **Criteria for Covered Buildings**

Whether BERDO will regulate emissions from a building will depend on its gross floor area (GFA). With a few exceptions, discussed below, BERDO will cover all individual buildings with GFA greater than or equal to 20,000 square feet. Details by building type are listed below and summarized in Figure 1.

- **Non-residential buildings**: The ordinance will cover all non-residential buildings with GFA that equals or exceeds 20,000 square feet.
- **Residential buildings:** The ordinance will cover all residential buildings with GFA that equals or exceeds 20,000 square feet and that have centralized heating systems. This includes apartment and condominium buildings.
- **Government buildings**: The ordinance will cover city buildings. Other government buildings (county, state, and federal) will be exempt.
- **Building portfolios**: Owners of more than one covered building may apply for a blended emissions standard for all buildings in the portfolio.
- **Mixed-use buildings**: Owners of covered buildings that contain more than one use type in the same building may apply for a blended emissions standard for each mixed-use building.
- Campuses: Campus buildings will be considered individually, and the ordinance will cover only those buildings with footprints of at least 20,000 square feet. For any district energy systems or campus central plants that serve both covered and non-covered buildings,<sup>1</sup> Synapse recommends that Newton calculate the emissions intensity of steam generated at the central plant. Covered buildings would need to be metered individually to assess the emissions attributable to each one. Alternatively, owners of campuses may apply to include all campus buildings (including those less than 20,000 square feet) within a building portfolio; if all buildings on a central plant are included in a single, approved building portfolio, individual buildings do not need to be metered separately for central plant energy use.
- **Condominiums**: Residential and non-residential condominiums will be included based on total building square footage, rather than the area of individual units.
- Exempt properties: There are three types of properties that Boston's ordinance covers but that Newton plans to exempt. These include (1) residential buildings with 15 or more units but GFA less than 20,000 square feet, (2) multiple buildings located on the same parcel whose individual areas are each less than 20,000 square feet but whose collective area is greater than 20,000 square feet, and (3) portfolios of buildings buildings with the same owner that are located on different parcels—whose individual areas are each less than 20,000 square feet but whose collective area is at least 20,000 square feet.

<sup>&</sup>lt;sup>1</sup> The Boston College central steam plant is located in Newton, but serves buildings in both Newton and Boston. According to the <u>International District Energy Association</u>, the former Andover Newton Theological School campus also has a district heating system, which we recommend investigating further.

Implementation of Newton BERDO will take place in stages. Buildings will be divided into four implementation tiers based on their size, and each tier will have a different start date for compliance. See Table 3 for a description of the buildings included in each tier.

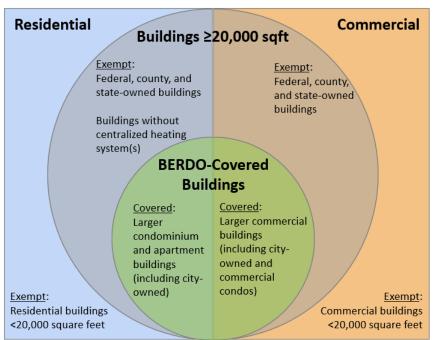


Figure 1: Summary of BERDO coverage by building type

### **Definition of Gross Floor Area**

To determine which Newton buildings will be covered by BERDO, we first established a detailed definition of the GFA that the ordinance applies to. We aligned our definition to Energy Star Portfolio Manager, a benchmarking tool for building emissions and water and energy use developed by the U.S. EPA. In general, ESPM defines GFA as all area within the "outside surface of the exterior walls of the building."<sup>2</sup> Table 1Table 1 shows an abbreviated list of area types that the ESPM definition includes and excludes, and supplementary Table 4 contains additional details.

<sup>&</sup>lt;sup>2</sup> Energy Star Portfolio Manager Glossary. Available at: <u>https://portfoliomanager.energystar.gov/pm/glossary</u>.

Table 1: Summary of the floor area types used to determine BERDO coverage

Included in GFA	Excluded from GFA
Interior living spaces	Unfinished attics
Storage areas	<ul> <li>Parking (driveways, garages)</li> </ul>
Basements (unfinished or finished)	<ul> <li>Patios, decks, and porches</li> </ul>
Finished attics	Exterior loading docks
Stairwells and elevator shafts	Cabanas, sheds, and other detached structures
Storage rooms	Crawl spaces and the interstitial plenum space
Mechanical equipment rooms	between floors

Source: Portfolio Manager Glossary, FAQ, and Synapse communication with U.S. EPA's technical consultant

### **Process for Building List Development**

### Data from the Assessor's Office

We started with two datasets from the Newton Assessors' Office: a parcel dataset and an area code<sup>3</sup> dataset. Both datasets are current as of July 1, 2024. The building list will need to be updated every year to account for additions, demolition, and new construction. Data for 2025 will be available July 1, 2025.

The parcel dataset contains information about each parcel of land in Newton. Key variables include:

- **ID number:** The dataset lists both the parcel ID (PID) and section-block-lot number (SBL), which city offices use to uniquely identify each parcel.
- Street address
- **Owner**: Contact information for the current owner.
- Use code: The use code indicates the parcel's property tax classification. Residential parcels have use codes that start with 1, commercial with 3, industrial with 4, golf courses with 8, tax exempt with 9, and multiple use with 0. The use code "995" estimates the total area in condominium complexes and is the only use code that gives a subtotal, meaning that the floor areas of condominium units are counted both under individual use codes and under a 995 total.
- Sequence number: Each condominium complex has a unique sequence number. For non-condo parcels, this value is blank.
- Number of buildings located on parcel
- **Other information**: The parcel dataset contains a variety of other information, including sale price, heating fuel type, number of apartments, etc. Note that the gross area reported in the parcel database is *not* equivalent to the BERDO GFA.

<sup>&</sup>lt;sup>3</sup> Area code refers to three-digit codes that correspond to different area types within or connected to a building. Examples of area types include: attic, basement, porch, garage, greenhouse, and deck.

The area code dataset lists the floor area in each building broken down by 104 area codes. To distinguish between multiple buildings located on the same parcel, it labels each entry with both a PID/SBL and a building ID number (BID). The area codes provide detailed information about the types of floor area in each building. We categorized each area code as included or excluded in the GFA, verifying our decisions with ESPM's technical consultant (Table 4).

Using the parcel dataset and area code dataset to develop the covered building list involves three broad steps: (1) assigning each building a unique ID, (2) calculating the covered GFA associated with that ID, and (3) assigning each covered building to an implementation tier. Condominiums and non-condo buildings must be processed separately.

### **Process for Non-Condo Data Analysis**

The steps to determine which non-condo buildings BERDO covers are as follows:

- 1. Using the area code dataset, assign each entry an identifier of "PID"-"BID". The composite identifier ensures that each building has a unique ID, even when there are multiple buildings on the same parcel.
- 2. Create a list of unique PID-BID identifiers and compare it to the parcel dataset. Remove any entry whose PID is associated with a sequence number, since these entries are condominiums and need to be analyzed separately. Also remove entries with use code 3421; these are also condos (primarily located on the Newton-Wellesley Hospital campus). Finally, remove any entry with a negative BID or a PID that does not appear in the parcel dataset; these buildings were deleted from the assessor's database at some point in the past. The remaining list of PID-BID identifiers contains a unique entry for every non-condo building in Newton.<sup>4</sup>
- 3. Using the lookup table of area codes (Table 4) and the area code dataset, sum the covered area associated with each building.
- 4. Filter for buildings with GFA greater than or equal to 20,000 square feet.
- 5. Adjust the GFA of any buildings that overlap the Newton city boundary. BERDO will only cover the percentage of building floor area located within Newton. As of 2024, this only substantively affects one covered building, BERDO ID 303-303, for which 74 percent of the floor area is located in Newton and covered by BERDO; the remainder is located in Watertown.
- 6. Review the list and remove any exempt government buildings. As of 2024, this includes one Middlesex County building, one Massachusetts Bay Transit Authority (MBTA)

<sup>&</sup>lt;sup>4</sup> Buildings under construction are listed in the tax assessor's database without sequence numbers, even if they may later become condominiums. For the purposes of developing the covered building list, we abided by the status of the building in the current tax assessor's database. BERDO coverage of these buildings is subject to change in future years' lists based on review of final construction documentation by the tax assessor's office.

buildings, and nine University of Massachusetts buildings.<sup>5</sup> There are not currently any federal buildings of at least 20,000 square feet, but federal buildings constructed in the future would be exempt. The remaining entries in the list are the non-condo covered buildings.

7. Classify each building as residential or non-residential. To determine if a building is residential, look at the use code of the associated parcel. All parcels whose use codes start with 1 are residential. Parcels with use codes 9700, 970R, and 970C are also residential; these are properties owned by Newton Housing Authority. PIDs 17344, 5290, 5930, and 13555 are apartment buildings owned by the City of Newton and should also be classified as residential. All other parcels are non-residential or mixed use.

Buildings with use codes starting with 013- or 031- are mixed use. In addition, buildings with area coded as "APT" for apartment need to be checked. Mixed use buildings should be assigned as residential or non-residential based on the type of floor area that accounts for the largest share of building GFA. As of 2024, six mixed use buildings are predominantly residential: 102924-72547, 16800-16800, 17-17, 17-73092, 12041-12041, 8846-8846. The remaining three mixed-use buildings (12040-12040, 16792-16792, and 26334-26334) are primarily non-residential.

8. Assign each covered building to one of the implementation tiers shown in Table 3, based on building square footage and type (residential or non-residential).

### **Process for Condo Data Analysis**

Condos require a different data analysis process because each unit is entered in the assessor's database with a separate PID, regardless of whether multiple units are located on the same parcel. In addition, the area in each condo complex is listed twice in the assessor's database; there are entries for the area of each individual unit and also an entry (with use code 995) that sums the total area in each complex. For example, a condo complex with two units would have three entries, one for each individual unit and one for the total area.

Units that belong to the same complex have the same sequence number.<sup>6</sup> The division of units between buildings within a complex cannot be calculated from either the parcel or area code dataset and must be determined manually by the assessor's office. The steps to determine which condo complexes may contain covered buildings are as follows:

1. Create a list of all unique sequence numbers in the parcel dataset.

<sup>&</sup>lt;sup>5</sup> The assessors' database shows that an apartment complex on Washington St. (PID 100849) has three owners, including MBTA. Discussion with the Assessors' Office indicated that the property is owned by National Development, which has a 99-year lease with the MBTA.

<sup>&</sup>lt;sup>6</sup> There is one non-residential condo complex (BERDO ID 3421-01) that does not have a sequence number. The complex contains 18 units and must be added to the covered building list manually. The units can be identified by filtering the parcel dataset for units located at 2000 Washington St.

- 2. Sum the BERDO-covered GFA (from the area code dataset) for all PIDs associated with a given sequence number, excluding entries with use code 995 and entries with negative BIDs. Create separate totals for residential and non-residential area in each complex. To determine if a unit is residential or non-residential, look at the associated use code. Condo use codes follow the same pattern as non-condo parcels: Residential use codes start with 1 or are 9700, 970R, and 970C. Units with use code 947C may either be residential or non-residential and must be categorized manually. They will generally be consistent with other units in the same complex. As of 2024, there are only five units with use code 947C. The units belong to the Newton Communications Access Center and Temple Reyim, and all five are non-residential.
- 3. Compare the summed area from step two to the 995 area associated with each sequence number, and record the larger of the two values as the complex area. The 995 area represents total complex area, including common areas, whereas the summed area excludes common areas. As a result, the 995 area is usually more accurate, but taking the larger of the 995 and summed area provides a safeguard against irregularities in the 995 data.
- 4. For condo complexes with at least 19,000 square feet of covered area (which leaves a margin of error for possible omission of common spaces), the assessor's office will need to determine whether there are any buildings with 20,000 square feet or more of non-residential area.

Note that as of November 2024, the list of covered condos is finalized for nonresidential condos only. For residential condos, Synapse narrowed the list of complexes that may contain covered buildings based on satellite imagery, but the assessor's office has not definitively determined which complexes contain covered buildings. Some residential condo complexes currently included on the list may not ultimately be covered or may not be covered in their entirety, depending on whether they contain any individual buildings that are large enough to be covered by BERDO and have centralized heating.

- 5. For these buildings, manually assign a unique ID of "sequence number"-"building number" (where building number is 01, 02, etc., based on how many covered buildings are located in the complex).<sup>7</sup>
- 6. Assign each building to one of the implementation tiers shown in Table 3, based on building square footage and building type (residential or non-residential).

While there are over a thousand condominium complexes in Newton, there are currently only five nonresidential complexes with at least 19,000 square feet of covered floor area, leading to six covered buildings. Table 2 provides more detail about these complexes. An additional 29 residential complexes have at least 19,000 square feet of covered area and may include buildings that are covered by BERDO.

<sup>&</sup>lt;sup>7</sup> The Golda Meir House (sequence number 1437) is an exception; its unique identifier is a combination of its PID and BID, as for a non-condo building.

Sequence	Description
Number	
780	The two commercial units in this complex are located in the same building and have
	combined area greater than 20,000 square feet, so the building is covered.
817	Unit 33-3 is a small standalone building and is not covered. The remaining six units are
	part of one large building that is covered.
1384	There are two four-story buildings in this complex. The bottom floors are commercial
	while the upper three floors are residential. All three floors of apartments in both
	buildings are listed as one condo unit for administrative purposes. We assign these
	buildings to a residential implementation tier because the majority of the GFA is
	residential apartments.
1438	This complex consists of one non-residential building that is divided into three
	condominium units. In the 2024 tax assessor's database, Temple Reyim is listed as the
	owner of all three units, but eventually ownership will be transferred to multiple
	entities. The units will likely share certain spaces in the building throughout the year.
None	This is the White building on the Newton-Wellesley Hospital campus. It consists of one
(BERDO ID	non-residential building that is divided into 18 condominium units. Over time, Newton-
3421-01)	Wellesley Hospital has been buying the units in this building.

Table 2: Information about covered condominium buildings

### Results

There are currently 385 BERDO-covered buildings, including 282 non-residential buildings and 103 residential buildings. The covered buildings have a combined GFA of 25.3 million square feet, which is 20 percent of the total building GFA in Newton. The list of covered residential buildings is still being finalized. Synapse is preparing to work with building owners to determine if any of the residential buildings currently included on the covered building list do not have centralized heating, in which case they will be exempt from BERDO. In addition, there are 29 residential condominium complexes with a combined area of 2.7 million square feet that are included in the totals above based on the total floor area of the complex rather than the area of individual buildings, which is not currently known. Synapse is working with the Newton Assessors' Office to determine which of these complexes contain individual buildings that are large enough to be covered by BERDO and will adjust the covered buildings list accordingly.

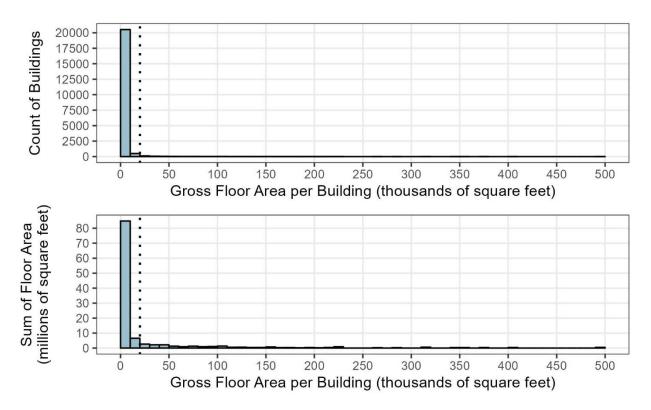
Table 3 shows the breakdown of buildings by implementation tier. Figure **2** and Figure **3** show the distribution of buildings in Newton by size category. While the vast majority of buildings in Newton are less than 20,000 square feet, the BERDO-covered buildings account for an outsized proportion of GFA, since they are the largest buildings. Figure **2** shows data for all non-condo buildings while Figure **3** shows covered buildings only.

Table 3: Summary of covered buildings in each implementation tier

Tier	Description	Number of Buildings	Total GFA (sq ft)
1	Non-residential, ≥100,000 sq ft	47	8,415,242
2	Non-residential, 50,000–99,999 sq ft	68	4,789,198
3	Non-residential, 35,000–49,999 sq ft	64	2,711,552
5	Residential, ≥50,000 sq ft	33	4,628,675
4	Non-residential, 20,000–34,999 sq ft	103	2,749,095
5	Residential, 20,000–49,999 sq ft	70	2,024,251
Total	All covered buildings	385	25,318,013

Note: Table includes preliminary values for residential buildings. Residential buildings without centralized heating will be removed from the list. In addition, Synapse will work with the assessors' office to finalize the list of covered residential condo buildings.





The dotted line marks the area cutoff for BERDO. Figure omits condominiums, which account for about 9 percent of total building gross floor area in Newton.

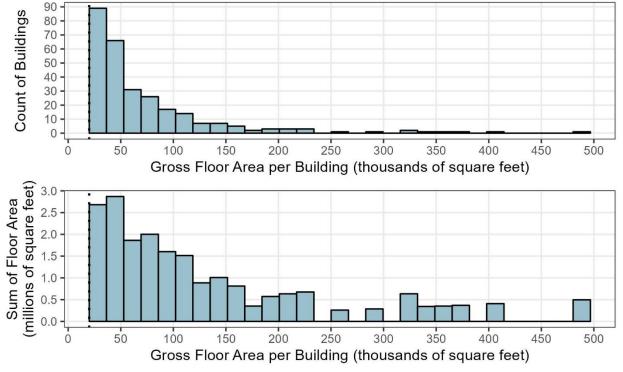


Figure 3: Number of buildings (upper panel) and total gross floor area (lower panel) in each building size category, covered buildings only

The covered buildings (not including residential condominiums) belong to 212 owners, 79 percent of whom own one covered building, 12 percent of whom own two to four buildings, and 3 percent of whom own five or more covered buildings. The remaining 6 percent own partial buildings (i.e., a condo unit within a covered building that does not include the entire building). In total, only 14 out of the 212 obligated parties own non-residential condominiums; the remaining 198 own non-condo buildings. There may be up to an additional 29 obligated parties who own residential condominiums, bringing the total number of obligated parties up to 241. Synapse is working with the assessors' office to finalize the list of obligated residential condo owners. Newton-Wellesley Hospital is the only obligated party that owns both covered condo units and non-condo buildings.

The owners of five or more buildings are Boston College (41 buildings), the City of Newton (34 buildings), Lasell University (20 buildings), the Roman Catholic Archdiocese of Boston (seven buildings), the Chestnut Hill Shopping Center (six buildings), Newton Housing Authority (five buildings), and the Donato D. Capasso Trust (five buildings).

The dotted line marks the area cutoff for BERDO. Figure omits residential condominiums, which will contribute up to 2.7 million additional square feet of covered floor area.

## Supplementary Tables

Table 4: BERDO coverage of the 104 area codes in the assessor's database

<u>Code</u>	<b>Description</b>	Covered?
10S	10 Stories	Yes
AOF	Office, (Average)	Yes
APT	Apartment	Yes
AUG	Gas Station	No
AUR	Auto Repair	Yes
AUS	Auto Sales	Yes
BAS	First Floor	Yes
BAY	Вау	Yes
BL1	Basement Living 33%	Yes
BL2	Basement Living 25%	Yes
BL3	Basement Living 50%	Yes
BL4	Basement Living 75%	Yes
BL5	Basement Living 100%	Yes
BMC	Basement Commercial	Yes
BMR	Basement Retail	Yes
BMS	Commercial Bsmt Storage	Yes
BR1	Basement Recreation 33%	Yes
BR2	Basement Recreation 25%	Yes
BR3	Basement Recreation 50%	Yes
BR4	Basement Recreation 75%	Yes
BR5	Basement Recreation 100%	Yes
CA1	Commercial Finish Attic 10%	Yes
CA2	Commercial Finish Attic 25%	Yes
CA3	Commercial Finish Attic 50%	Yes
CA4	Commercial Finish Attic 66%	Yes
CA5	Commercial Finish Attic 75%	Yes
CA6	Commercial Finish Attic 90%	Yes
CAN	Canopy	No
CB1	Comm Finished Bsmt 25%	Yes
CB2	Comm Finished Bsmt 33%	Yes
CB3	Comm Finished Bsmt 50%	Yes
CB4	Comm Finished Bsmt 75%	Yes
CB5	Comm Finished Bsmt 100%	Yes
CDN	Canopy, detached	No
CLP	Loading Platform, Finished	No
COM	Commercial	Yes

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FA4Finished Attic 75%YesFA5Finished Attic 100%YesFATAttic, FinishedYesFBMBasement, FinishedYesFCBCabana, Enclosed, FinishedNoFCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFGRGarage, FrameNoFSPPorch, Screen, FramedNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYes			
FA5Finished Attic 100%YesFATAttic, FinishedYesFBMBasement, FinishedYesFCBCabana, Enclosed, FinishedNoFCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFGRGarage, FrameNoFSPPorch, Enclosed, FramedNoFSPPorch, Screen, FramedNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPTOPatioNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	_		
FATAttic, FinishedYesFBMBasement, FinishedYesFCBCabana, Enclosed, FinishedNoFCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFGRGarage, FrameNoFSPPorch, Enclosed, FramedNoFSPPorch, Screen, FramedNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPTOPatioNoPTOPatioNoRANRetail AnchorYesRECRec RoomYes	FA4	Finished Attic 75%	Yes
FBMBasement, FinishedYesFCBCabana, Enclosed, FinishedNoFCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FA5		Yes
FCBCabana, Enclosed, FinishedNoFCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FAT	Attic, Finished	Yes
FCPCarportNoFDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOVROverhangNoPKGParking GarageNoPTOPatioNoRECRec RoomYesRFTRefreshment StandYes	FBM	Basement, Finished	Yes
FDGGarage, framed, detachedNoFDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRECRec RoomYesRFTRefreshment StandYes	FCB	Cabana, Enclosed, Finished	No
FDUUtility, finished, detachedNoFEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRECRec RoomYesRFTRefreshment StandYes	FCP	Carport	No
FEPPorch, Enclosed, FramedNoFGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FDG	Garage, framed, detached	No
FGRGarage, FrameNoFHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRECRec RoomYes	FDU	Utility, finished, detached	No
FHSHalf Story, FinishedYesFOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FEP	Porch, Enclosed, Framed	No
FOPFramed Open PorchNoFSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRANRetail AnchorYesRFTRefreshment StandYes	FGR	Garage, Frame	No
FSPPorch, Screen, FramedNoFSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRECRec RoomYesRFTRefreshment StandYes	FHS	Half Story, Finished	Yes
FSTUtility, FinishedYesFUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPTOPatioNoRECRec RoomYesRFTRefreshment StandYes	FOP	Framed Open Porch	No
FUSUpper Story, FinishedYesGRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FSP	Porch, Screen, Framed	No
GRNGreen HouseNoH&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FST	Utility, Finished	Yes
H&AHeating & A/CYesINDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	FUS	Upper Story, Finished	Yes
INDIndustrialYesODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	GRN	Green House	No
ODKOpen deckNoOQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	H&A	Heating & A/C	Yes
OQSOne Qrt StoryYesOVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	IND	Industrial	Yes
OVROverhangNoPKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	ODK	Open deck	No
PKGParking GarageNoPOLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	OQS	One Qrt Story	Yes
POLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	OVR	Overhang	No
POLPoolNoPTOPatioNoRANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	PKG	Parking Garage	No
RANRetail AnchorYesRECRec RoomYesRFTRefreshment StandYes	POL		No
RECRec RoomYesRFTRefreshment StandYes	PTO	Patio	No
RECRec RoomYesRFTRefreshment StandYes	RAN	Retail Anchor	Yes
RFT Refreshment Stand Yes	REC		Yes
RML Retail Mall Yes			

RSF	Restaurant, Fast Food	Yes
RST	Restaurant	Yes
RTL	Retail, Large	Yes
RTS	Retail, Small	Yes
SDA	Store Display Area	Yes
SPA	Service Production Area	Yes
STP	Stoop	No
TQS	Three Quarter Story	Yes
UA1	Unfinished Attic 25% Area	No
UA2	Unfinished Attic 50% Area	No
UA3	Unfinished Attic 75% Area	No
UA4	Unfinished Attic 100% Area	No
UAT	Attic, Unfinished	No
UBM	Basement, Unfinished	Yes
UDG	Garage, unfinished, detached	No
UDS	Porch, screen, unfinished, detach	No
UDU	Utility, unfinished, detached	No
UEP	Porch, Enclosed, Unfinished	No
UFN	Unfinished Area	No
UGR	Garage, Under	No
UHS	Half Story, Unfinished	Yes
ULP	Loading Platform, Unfinished	No
UNK	Other	No
UOP	Porch, Open, Unfinished	No
USP	Porch, Screen, Unfinished	No
UST	Utility, Storage, Unfinished	Yes
UUS	Upper Story, Unfinished	Yes
WDK	Deck, Wood	No
WSD	Warehouse Distribution	Yes
WSI	Warehouse Industrial Support	Yes
WSS	Warehouse Storage	Yes

### List of Buildings Covered by Newton BERDO

Publication date: November 2024

#### Prepared by Synapse Energy Economics for the City of Newton.

#### Purpose of the Buildings List

This list identifies the buildings that will be covered by Newton's Building Emissions Reduction and Disclosure Ordinance (BERDO). It draws on data from the tax assessor's database, which is updated annually in July. The list currently uses 2024 data.

Residential buildings are not currently included in Newton's proposed BERDO but are included on this list in anticipation that the sector will be added to BERDO at a later date by action of the Newton City Council. As of November 2024, the list of covered residential condos is still being finalized. Some complexes may be removed from the list if they do not contain any individual buildings of at least 20,000 square feet or do not use one or more centralized heating systems. Similarly, any residential buildings on the main covered buildings list that do not have centralized heating will be removed from the list.

#### Criteria for BERDO Coverage

With a few exceptions, BERDO will cover all individual buildings with gross floor area (GFA) greater than or equal to 20,000 square feet. Details by building type are listed below.

•Non-residential buildings: The ordinance will cover all non-residential buildings with GFA that equals or exceeds 20,000 square feet. •Residential buildings: The ordinance will cover all residential buildings with GFA that equals or exceeds 20,000 square feet and that have centralized heating systems.

Government buildings: The ordinance will cover city buildings. Other government buildings (county, state, and federal) will be exempt.
 Campuses: Campus buildings will be considered individually, and the ordinance will cover only those buildings with footprints of at least 20,000 square feet.
 Condominiums: Both residential and non-residential condominiums will be included based on total building square footage, rather than the area of individual units.

•Exempt properties: There are three types of properties that Boston's ordinance covers but that Newton plans to exempt. These include (1) residential buildings with 15 or more units but GFA less than 20,000 square feet, (2) multiple buildings located on the same parcel whose individual areas are each less than 20,000 square feet, and (3) portfolios of buildings—buildings with the same owner that are located on different parcels—whose individual areas are each less than 20,000 square feet but whose collective area is at least 20,000 square feet.

Implementation of Newton BERDO will take place in stages. Buildings will be divided into implementation tiers based on their size and type (residential or nonresidential), and each tier will have a different deadline for compliance. Additional details on the implementation tiers will be published at a later date.

### Commercial Buildings Covered by BERDO (November 22, 2024) Blue text indicates non-residential condo. See "Commercial condo owners" tab for information on ownership of covered non-residential condos.

	Identification	т	ype of Building	Building Size	Buildi	ng Street Address				Owner Contact Information				-
Newton				Gross Floor Area										
BERDO ID 10437-10437	PID SBL 10437 43029 0024	Use Code	Use Code Meaning GENERAL OFFICE BUILDING	(square feet) 496,707	Nol No2 269 269-287	Street GROVE ST	Unit	Current Owner I BIG GRP 275 GROVE OWNER LLC	Current Owner2	Current Owner Care of C/O BARINGS LLC	Current Mailing Address 300 SOUTH TRYON ST STE 2500	Current City CHARLOTTE	Current State	Current Zip 28202
4728-71617	4728 24018 0001	3400 9340	TAX EXEMPT	496,707 408,281	269 269-287 457 457	WALNUT ST		CITY OF NEWTON	SCHOOL DEPT-NEWTON NORTH HIGH	C/O BARINGS LLC	1000 COMM AVE	NEWTON	NC MA	02459
23530-23530	23530 81051 0047	9340	TAX EXEMPT	370.066	140 140	BRANDEIS RD		CITY OF NEWTON	SCHOOL DEPT-NEWTON SOUTH HIGH		1000 COMM AVE	NEWTON	MA	02459
101049-71366	101049 55001 0001Z	9550	TAX EXEMPT	352,704	2014 2014	WASHINGTON ST		NEWTON-WELLESLEY HOSPITAL	SCHOOL DEPTHAEWTON SOUTH HIGH	C/O PARTNERS HEALTHCARE	399 REVOLUTION DR STE 310	SOMERVILLE	MA	02145-1461
9060-9060	9060 41023 0018	3000	HOTELS	343,862	2345 2345	COMMONWEALTH AVE		CHSP NEWTON LLC		CHSP NEWTON LLC TAX DEPT	1775 TYSONS BLVD 7TH FLR	MCLEAN	VA	22102
1479-1479	1479 13018 0001	940C	TAX EXEMPT	316.851	785 785	CENTRE ST		BOSTON ACADEMY OF THE SACRED HEART	NEWTON COUNTRY DAY SCHOOL		785 CENTRE ST	NEWTON	MA	02458
23703-23703	23703 82002 0001	3420	MEDICAL OFFICE BUILDING	286.928	300 300	BOYLSTON ST		ATRIUM WELLNESS CENTER II LLC		C/O BULFINCH COMP INC	116 HUNTINGTON AVE STE 600	BOSTON	MA	02116
27189-27189	27189 84034 0002C	3400	GENERAL OFFICE BUILDING	260.552	75 75-95	WELLS AVE		TCD 234 MA WELLS PROPERTY LLC		C/O TAURUS INVSMT HOLDINGS LLC	2 INTERNATIONAL PLACE STE 2710	BOSTON	MA	02110
19821-19821	19821 65008 0100	3230	SHOPPING CENTER-MALL	228,483	199 199	BOYLSTON ST		MALL AT CHESTNUT HILL LLC			P O BOX 6120	INDIANAPOLIS	IN	46206-6120
303-303	303 11012 0011	3220	DEPARTMENT-DISCOUNT ST	165,960	148 148	CALIFORNIA ST		K F REALTY ASSOCIATES		C/O STOP & SHOP/R E DEPT	PO BOX 6500	CARLISLE	PA	17013
17910-50299	17910 63009 0002	942C	TAX EXEMPT	220,035	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
17910-71798	17910 63009 0002	942C	TAX EXEMPT	216,046	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
1815-50051	1815 14001 0014	4020	MANUFACTURE OFFICE	212,911	49 49-55	CHAPEL ST		CHAPELBRIDGE PARK ASSOCIATES		C/O WILLIAM POORVU	55 CHAPEL ST	NEWTON	MA	02458
26303-26303	26303 83030 0011	3160	STORAGE-WAREHOUSE-DIST	205,675	300 300	NEEDHAM ST		300 NEEDHAM STREET LLC		C/O NOLAN PROPERTIES GROUP	P O BOX 191	WAYZATA	MN	55391
23859-23859	23859 82002 0011	3230	SHOPPING CENTER-MALL	193,165	200 200-220	BOYLSTON ST		CHS COMMERCIAL OWNER LLC		C/O NE DEVELOPMENT	75 PARK PLAZA	BOSTON	MA	02116
19820-19820	19820 65008 0099B	3230	SHOPPING CENTER-MALL	186,000	225 225	BOYLSTON ST		BLOOMINGDALES INC		C/O MACYS TAX DEPT	145 PROGRESS PLACE	SPRINGDALE	OH	45246
2824-2824	2824 21022 0002	9340	TAX EXEMPT	178,371	21 21	MINOT PL		CITY OF NEWTON	SCHOOL DEPT-F A DAY MIDDLE SCHOOL		1000 COMM AVE	NEWTON	MA	02459
20365-20365	20365 71005 0001	3400	GENERAL OFFICE BUILDING	174,699	283 283-291	CENTRE ST		NEWTON MA OWNER LLC		C/O SARACEN PROPERTIES	275 WASHINGTON ST	NEWTON	MA	02458
17910-50291 12399-12399	17910 63009 0002 12399 51035 0001	942C 4020	TAX EXEMPT MANUFACTURE OFFICE	159,859	140 140 1234 1234	COMMONWEALTH AVE CHESTNUT ST		TRUSTEES OF BOSTON COLLEGE MAURUURU PROPERTIES LLC	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD 1234 CHESTNUT ST	CHESTNUT HILL NEWTON	MA MA	02467 02464
22534-22534	22534 81005 0011	4020 9340	TAX EXEMPT	155,765	1234 1234	MEADOWBROOK RD		CITY OF NEWTON	SCHOOL DEPT-BROWN MIDDLE SCHOOL		1234 CHESTNUT ST 1000 COMM AVE	NEWTON	MA	02464
22534-22534 1574-50047	22534 81005 0011 1574 13021 0003	9340 942R	TAX EXEMPT TAX EXEMPT	151,232	125 125 885 885	CENTRE ST		CITY OF NEWTON TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	NEWTON CHESTNUT HILL	MA MA	02459 02467
1574-50047	1574 13021 0003	942R 942C	TAX EXEMPT TAX EXEMPT	150,989	885 885	CENTRE ST COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE DONALDSON HOUSE	90 COLLEGE RD 90 COLLEGE RD	CHESTNUT HILL CHESTNUT HILL	MA	02467 02467
20371-20371	20371 71007 0002	3400	GENERAL OFFICE BUILDING	140,228	235 235-241	WASHINGTON ST		ARP BORROWER INC	2 2 JOST THEREIT GENERAL COUNSEL	C/O THE BMB GROUP	255 WASHINGTON ST STE 270	NEWTON	MA	02458-1632
1811-1811	1811 14001 0011	4010	MANUFACTURE WAREHOUS	139,192	95 95	CHAPEL ST		STORAGE ACOUISITION NEWTON	CHAPEL STREET LLC	C/O EXTRA SPACE STORAGE INC	PO BOX 71870	SALT LAKE CITY	UT	84171
17910-50294	17910 63009 0002	942C	TAX EXEMPT	136,336	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
27195-27195	27195 84034 0002K	3400	GENERAL OFFICE BUILDING	133,888	2 2	WELLS AVE		WELLS AVENUE LLC	C/O THE CCS COMPANIES	C/O THE CCS COMPANIES	20 PICKERING ST 2ND FL	NEEDHAM	MA	02492
17911-50304	17911 63009 0002A	945C	TAX EXEMPT	127,826	90 90-100	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
18342-50328	18342 63037 0026	3230	SHOPPING CENTER-MALL	127,821	33 33-55	BOYLSTON ST		CHESTNUT HILL SHOPPING CENTER LLC			33 BOYLSTON ST STE 3000	CHESTNUT HILL	MA	02467
17911-50303	17911 63009 0002A	945C	TAX EXEMPT	127,047	90 90-100	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
17910-50298	17910 63009 0002	942C	TAX EXEMPT	125,824	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
18341-50326	18341 63037 0025	3230	SHOPPING CENTER-MALL	125,022	1 1-27	BOYLSTON ST		CHESTNUT HILL SHOPPING CENTER LLC			33 BOYLSTON ST STE 3000	CHESTNUT HILL	MA	02467
26433-26433	26433 83035 0004	957C	TAX EXEMPT	119,650	333 333	NAHANTON ST		JEWISH COMM CTR OF GR BOSTON INC		C/O RANDI FEDERMAN VP	333 NAHANTON ST	NEWTON	MA	02459
19818-19818	19818 65008 0099	3230	SHOPPING CENTER-MALL	118,085	175 175	BOYLSTON ST		BLOOMINGDALES INC		C/O MACY'S TAX DEPT	145 PROGRESS PLACE	SPRINGDALE	ОН	45246
21061-21061	21061 72010 0001	9340	TAX EXEMPT	112,827	42 42	VERNON ST		CITY OF NEWTON	SCHOOL DEPT-BIGELOW MIDDLE SCHOOL		1000 COMM AVE	NEWTON	MA	02459
906-906	906 12016 0008	3160	STORAGE-WAREHOUSE-DIST	111,092	255 255-257	NEWTONVILLE AVE		CS SDP NEWTONVILLE LLC	PTA CS 117		PO BOX 320099	ALEXANDRIA	VA	22320
17910-50297	17910 63009 0002	942C	TAX EXEMPT	108,141	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
4387-4387	4387 23020 0006	4300	TELEPHONE EXCHANGE STA	107,804	787 787	WASHINGTON ST		VERIZON		C/O DUFF & PHELPS	P O BOX 2749	ADDISON	TX	75001
11714-11714	11714 51001 0006	3400	GENERAL OFFICE BUILDING	106,163	365 365-381	ELLIOT ST		ECHO BRIDGE L L C		C/O HAYNES MANAGEMENT INC	34 WASHINGTON ST STE DEC7	WELLESLEY	MA	02481
18388-18388	18388 64003 0005	934C	TAX EXEMPT	104,914	330 330	HOMER ST		CITY OF NEWTON	NEWTON FREE LIBRARY		1000 COMM AVE	NEWTON	MA	02459
9268-9268	9268 41031 0006	3160	STORAGE-WAREHOUSE-DIST	104,655	137 137	RUMFORD AVE		ESS BRISTOL NEWTON LLC		C/O EXTRA SPACE STORAGE INC	PO BOX 71870	SALT LAKE CITY	UT	84171
20360-20360	20360 71004 0005	3400	GENERAL OFFICE BUILDING	103,356	303 303-321	WASHINGTON ST		GCP WASH LLC	GCP WASH I LLC ET AL	C/O GCP MANAGEMENT LLC	70 HASTINGS ST LL-I	WELLESLEY	MA	02481
17910-50302 23554-23554	17910 63009 0002 23554 81051 0052	942C 9340	TAX EXEMPT TAX EXEMPT	102,400	140 140	COMMONWEALTH AVE WHEELER RD		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL SCHOOL DEPT-OAK HILL	DONALDSON HOUSE	90 COLLEGE RD 1000 COMM AVE	CHESTNUT HILL NEWTON	MA MA	02467 02459
23554-23554	23554 81051 0052	9340 942C	TAX EXEMPT TAX EXEMPT	102,107	130 130	COMMONWEALTH AVE		CITY OF NEWTON TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02459
26302-26302	26302 83030 0010	4040	R & D FACILITIES	100,855	140 140	CHARLEMONT ST		NORTHLAND 160 CHARLEMONT LLC	CIO JOS IN HEREINT GENERAL COUNSEL	C/O NORTHLAND INV CORP	2150 WASHINGTON ST	NEWTON	MA	02462
102077-71882	102077 12003 0004AC		TAX FXFMPT	99.251	15 15	WAI NUT PK		CITY OF NEWTON	PUBLIC BUILDINGS DIRECTOR	C/O NORTHLAND INV CORP	52 FULIOT ST	NEWTON	MA	02461
17911-17911	17911 63009 0002A	945C	TAX EXEMPT	97,469	90 90-100	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
1996-1996	1996 14008 0010	3400	GENERAL OFFICE BUILDING	96,586	320 320	NEVADA ST		ONE NEVADA REALTY LLC		5011125501110052	99 MANDALAY RD	NEWTON	MA	02459
5233-5233	5233 31004 0013	3400	GENERAL OFFICE BUILDING	96,080	1210 1210-1230	WASHINGTON ST		DIV WASHINGTON LLC		C/O THE DAVIS COMPANIES	125 HIGH ST 21ST FL	BOSTON	MA	02110
27198-27198	27198 84034 0002R	9400	TAX EXEMPT	94,092	125 125	WELLS AVE		SOLOMON SCHECHTER DAY SCHOOL	GREATER BOSTON INC		125 WELLS AVE	NEWTON	MA	02461
3499-3499	3499 22008 0008	9340	TAX EXEMPT	91,925	229 229	CABOT ST		CITY OF NEWTON	SCHOOL DEPT-CABOT		1000 COMM AVE	NEWTON	MA	02459
17910-50289	17910 63009 0002	942C	TAX EXEMPT	91,603	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
27188-27188	27188 84034 0002B	3400	GENERAL OFFICE BUILDING	90,525	7 7-57	WELLS AVE		TCD 234 MA WELLS PROPERTY LLC		C/O TAURUS INVSMT HOLDINGS LLC	2 INTERNATIONAL PLACE STE 2710	BOSTON	MA	02110
18341-18341	18341 63037 0025	3230	SHOPPING CENTER-MALL	90,487	1 1-27	BOYLSTON ST		CHESTNUT HILL SHOPPING CENTER LLC			33 BOYLSTON ST STE 3000	CHESTNUT HILL	MA	02467
20175-20175	20175 65019 0045A	942C	TAX EXEMPT	86,827		LANGLEY RD		WINTHROP PARK SCHOOL INC			1188 CENTRE ST	NEWTON	MA	02459
27187-27187	27187 84034 0002A	942C	TAX EXEMPT	85,788	11	WELLS AVE		WILLIAM JAMES COLLEGE INC			ONE WELLS AVE	NEWTON	MA	02459
9552-9552	9552 42011 0004	3000	HOTELS	85,681	399 399	GROVE ST		MS RIVERSIDE FEE OWNER LLC			275 GROVE ST SUITE 2-150	AUBURNDALE	MA	02466
25030-25030	25030 82021 0001	9340	TAX EXEMPT	82,909	250 250	BROOKLINE ST		CITY OF NEWTON	SCHOOL DEPT-MEMORIAL SPAULDING		1000 COMM AVE	NEWTON	MA	02459
4427-4427	4427 24001 0001	3240	SUPERMARKET	82,762	33 33-41	AUSTIN ST		STAR MARKETS COMPANY INC		C/O PARADIGM TAX GROUP	PO BOX 800729	DALLAS	тх	75380-0729
1812-1812	1812 14001 0012	4040	R & D FACILITIES	82,554	59 59-85	CHAPEL ST		CHAPEL BUSINESS PARTNERS LLC		C/O KS PARTNERS	150 EAST 58TH ST 21ST FLR	NEW YORK	NY	10155
12040-12040	12040 51016 0010	959C	TAX EXEMPT	82,248	277 277	ELLIOT ST		STONE INST & NEWTON HOME AGED PEOPL		C/O JEAN M THURSTON	277 ELLIOT ST	NEWTON	MA	02464
17999-50314	17999 63015 0001	942C	TAX EXEMPT	81,453	147 147-201	HAMMOND ST		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
9533-9533	9533 42009 0017	3040	NURSING HOMES	81,306	2101 2101	WASHINGTON ST		2101 WASHINGTON STREET LLC		C/O CARE REALTY LLC	173 BRIDGE PLAZA NORTH	FORT LEE	NJ	07024
17910-50296	17910 63009 0002	942C	TAX EXEMPT	79,701	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
21656-50370	21656 73001 0016	943C 3400	TAX EXEMPT GENERAL OFFICE BUILDING	79,536 79,503	790 790 1330 1330-1340	CENTRE ST CENTRE ST		TRUSTEES OF BOSTON COLLEGE HACKEL ALLAN R TR		C/O OFFICE OF GENERAL COUNSEL	140 COMMONWEALTH AVE 1330 CENTRE ST	CHESTNUT HILL NEWTON CENTRE	MA	02467 02459
									CLICOL DERT. JERVICE COURSE				r1A MA	
14825-14825	14825 54013 0003 10134 43010 0009	9340 942C	TAX EXEMPT TAX EXEMPT	78,670 77,317	30 30 204 204-220	BEETHOVEN AVE WOODI AND RD		CITY OF NEWTON LASELL UNIVERSITY	SCHOOL DEPT - ZERVAS SCHOOL		100 WALNUT ST 1844 COMMONWEALTH AVE	NEWTON AUBURNDALF	MA MA	02460
10134-50184	17912 63009 0003	942C 942C	TAX EXEMPT	75,787	204 204-220 86 86	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02465
907-907	907 12017 0001	942C 958C	TAX EXEMPT TAX EXEMPT	75,787	276 276			WEST SUBURBAN YOUNG MEN'S	C/O JOS M HERLIHT GENERAL COUNSEL CHRISTIAN ASSOCIATION	WEST SUBURBAN YMCA CONDO UN I	276 CHURCH ST	NEWTON	MA	02467
907-907	907 12017 0001 1574 13021 0003	958C 942R	TAX EXEMPT	75,492	885 885	CHURCH ST CENTRE ST		TRUSTEES OF BOSTON COLLEGE	C/O IOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02458 02467
26999-26999	26999 84019 0002	942K 940C	TAX EXEMPT TAX EXEMPT	75,324	60 60	STEIN CIR		SOLOMON SCHECHTER DAY SCHOOL INC	C/O JOS M HERLIHT GENERAL COUNSEL C/O CLAUDIA BORDEN	C/O CLAUDIA BORDEN	60 STEIN CIR	NEWTON	MA	02467
18347-18347	18347 64001 0001	9310	TAX EXEMPT	73,416	1000 1000	COMMONWEALTH AVE		CITY OF NEWTON	2.2. SCHOOM DOMDEN	L. L. SDIODIC DONDER	1000 COMMONWEALTH AVE	NEWTON	MA	02459
17910-50292	17910 63009 0002	942C	TAX EXEMPT	72,862	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
20179-20179	20179 65019 0046	9340	TAX EXEMPT	71,496	280 280	CYPRESS ST		CITY OF NEWTON	SCHOOL DEPT-BOWEN		1000 COMM AVE	NEWTON	MA	02459
2431-2431	2431 14023 0009	3400	GENERAL OFFICE BUILDING	71,340	29 29	CRAFTS ST		CAPASSO-CRAFTS ST LLC			49 LEXINGTON ST	NEWTON	MA	02465
26256-26256	26256 83028 0082	4000	MANUFACTURING OPERATIO	70,971	50 50	INDUSTRIAL PL		MATERION NEWTON INC		C/O MATERION CORP TAX DEPT	6070 PARKLAND BLVD	MAYFIELD HEIGHTS	он	44124
26230-26230	26301 83030 0009	4000	MANUFACTURING OPERATIO	69.522	56 56	CHRISTINA ST		NORTHLAND 56 CHRISTINA LLC		C/O NORTHLAND INVESTMENT CORP	2150 WASHINGTON ST	NEWTON	MA	02462
17910-50293	17910 63009 0002	942C	TAX EXEMPT	67,496	140 140	COMMONWEALTH AVE		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
18342-18342	18342 63037 0026	3230	SHOPPING CENTER-MALL	67,344	33 33-55	BOYLSTON ST		CHESTNUT HILL SHOPPING CENTER LLC			33 BOYLSTON ST STE 3000	CHESTNUT HILL	MA	02467
19286-19286	19286 65008 0003	9600	TAX EXEMPT	67,136	300 300	HAMMOND POND PKWY		TRUSTEES OF BOSTON COLLEGE		C/O FVP OFFICE	140 COMMONWEALTH AVE	CHESTNUT HILL	MA	02467
	15464 55001 0015B		MEDICAL OFFICE BUILDING	66.612	2014 2014	WASHINGTON ST		NEWTON-WELLESLEY HOSPITAL		C/O MASS GENERAL BRIGHAM	399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145

647-72140	15647 55010 0056 102078 14023 0006CA		TAX EXEMPT TAX EXEMPT	65,866 65,826	1697 1697 575 575	BEACON ST WASHINGTON ST	CITY OF NEWTON ROMAN CATH ARCHD OF BOSTON CORP	SCHOOL DEPT-ANGIER SCHOOL	C/O DEARBORN ACADEMY	1000 COMM AVE 575 WASHINGTON ST	NEWTON NEWTON	MA MA	02459 02458
464-50275	15464 55001 0015B	3420	MEDICAL OFFICE BUILDING	65,516	2014 2014	WASHINGTON ST	NEWTON-WELLESLEY HOSPITAL		C/O MASS GENERAL BRIGHAM	399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145
266-12266	12266 51028 0008	3400	GENERAL OFFICE BUILDING	65,404	233 233	NEEDHAM ST	MSIC PROPERTIES LLC		C/O CONCORD PROPERTY MNGT	I MAIN ST	CONCORD	MA	01742
82-25782	25782 83006 0011	9340	TAX EXEMPT	64 922	191 191	DEDHAM ST	CITY OF NEWTON	SCHOOL DEPT-COUNTRYSIDE	CIO CONCORD INOPERITI HINGT	1000 COMM AVE	NEWTON	MA	07459
2-4082 91-27191	4082 23004 0010 27191 84034 0002E	9340	TAX EXEMPT	62,529	100 100	WALNUT ST	CITY OF NEWTON	EDUCATIONAL CENTER		100 WALNUT ST	NEWTONVILLE NEWTON	MA	02460
		958C	TAX EXEMPT	61,992	135 135	WELLS AVE	THE WEST SUBURBAN YMCA			276 CHURCH ST		MA	02458
3-1573	1573 13021 0002	942C	TAX EXEMPT	61,420	855 855	CENTRE ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
25-11325	11325 44023 0001	3160	STORAGE-WAREHOUSE-DIST	59,563	84 84-94	ROWE ST	72-94 ROWE STREET LLC		C/O CALARE PROPERTIES INC	30 SPEEN ST	FRAMINGHAM	MA	01701
1-8401	8401 34037 0021	9340	TAX EXEMPT	58,913	125 125	DERBY ST	CITY OF NEWTON	SCHOOL DEPT-FRANKLIN		1000 COMM AVE	NEWTON	MA	02459
0-6240	6240 32021 0005	9340	TAX EXEMPT	58,282	170 170	TEMPLE ST	CITY OF NEWTON	SCHOOL DEPT-NEW PIERCE		1000 COMM AVE	NEWTON CENTRE	MA	02459
4-50048	1574 13021 0003	942R	TAX EXEMPT	58,168	885 885	CENTRE ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	0246
40-4040	4040 23001 0020	9340	TAX EXEMPT	58,114	225 225	NEVADA ST	CITY OF NEWTON	CARR SCHOOL		1000 COMMONWEALTH AVE	NEWTON	MA	02459
914-17914	17914 63009 0005	942C	TAX EXEMPT	57,653	50 50-60	COMMONWEALTH AVE	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	0246
74-71507	1574 13021 0003	942R	TAX EXEMPT	57,466	885 885	CENTRE ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
60-5960	5960 32004 0001	960C	TAX EXEMPT	56,808	60 60	HIGHLAND ST	THE SECOND CHURCH IN NEWTON			60 HIGHLAND ST	WEST NEWTON	MA	02465
462-10462	10462 43031 0003	9340	TAX EXEMPT	56,785	141 141	GROVE ST	CITY OF NEWTON	SCHOOL DEPT-WILLIAMS		1000 COMM AVE	NEWTON	MA	02459
277-12277	12277 51028 0012	3250	SMALL RETAIL STORE	55,973	131 131-181	NEEDHAM ST	WELLFORD CORP		C/O CROSSPOINT ASSOCIATES INC	188 NEEDHAM ST STE 255	NEWTON	MA	02464
82-50114	4282 23015 0027	939C	TAX EXEMPT	55,946	90 90	CRAFTS ST	CITY OF NEWTON	STREET DEPT		1000 COMM AVE	NEWTON	MA	02459
350-27350	27350 84034A0003	3400	GENERAL OFFICE BUILDING	54,960	180 180	WELLS AVE	180 WELLS REALTY LLC	C/O INTRUM CORP	C/O INTRUM CORP	180 WELLS AVE STE 100	NEWTON	MA	02459
	26333 83031 0025	957C	TAX EXEMPT	54,680	25 25-27	CHRISTINA ST	BARRY L PRICE REHAB CENTER INC	CONTROPTCORP	C/O MICHAEL PAGNOZZI VP	27 CHRISTINA ST	NEWTON	MA	02455
333-26333		95/C											
999-17999	17999 63015 0001	942C	TAX EXEMPT	54,534	147 147-201	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
134-54116	10134 43010 0009	942C	TAX EXEMPT	54,480	204 204-220	WOODLAND RD	LASELL UNIVERSITY			1844 COMMONWEALTH AVE	AUBURNDALE	MA	02466
491-14491	14491 53040 0013	8050	GOLF (CH 61B)	54,180	326 326-358	FULLER ST WAB	BRAE BURN COUNTRY CLUB			326 FULLER ST	WEST NEWTON	MA	02465
217-50285	17217 62012 0005	3400	GENERAL OFFICE BUILDING	54,077	1330 1330-1340	CENTRE ST	HACKEL ALLAN R TR			1330 CENTRE ST	NEWTON CENTRE	MA	02459
7-827	827 12009 0009	3300	CAR SALES & SERVICE	53,294	371 371	WASHINGTON ST	AVON THORNTON LLC			75 NORTH BEACON ST	BOSTON	MA	02134
811-16811	16811 61036 0009	3250	SMALL RETAIL STORE	52,504	93 93-105	UNION ST	UNION REALTY TRUST		C/O BOSTON DEV GROUP	93 UNION ST STE 315	NEWTON CENTRE	MA	02459
910-17910	17910 63009 0002	942C	TAX EXEMPT	51,077	140 140	COMMONWEALTH AVE	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
95-9395	9395 41035 0014	3400	GENERAL OFFICE BUILDING	50,596	130 130	RUMFORD AVE	PACKARD COVE ASSOCIATES LLP	,	C/O CAPASSO REALTY CORP	49 LEXINGTON ST	NEWTON	MA	02465
43-54119	10143 43010 0018	942R	TAX EXEMPT	49.988	80 80-88	MAPLE ST. AUB	LASELL UNIVERSITY			1844 COMMONWEALTH AVE	AUBURNDALE	MA	02466
535-50199	10535 43038 0002	942C	TAX EXEMPT	49,908	10 10-12	STUDIO RD	LASELL UNIVERSITY			1844 COMMONWEALTH AVE	AUBURNDALE	MA	02466
689-11689	10535 43038 0002	9340	TAX EXEMPT	49,848	171 171	PINE ST	CITY OF NEWTON	SCHOOL DEPT - BURR SCHOOL		100 WALNUT ST	NEWTON	MA	02460
669-11689 86-4386	4386 23020 0002	9340 3300	CAR SALES & SERVICE	49,848	773 773	WASHINGTON ST	MMAG RE HOLDINGS-NEWTON LLC	SCHOOL DELL & BOAR SCHOOL	C/O MCGOVERN AUTO DEALERSHIP	27 NEWBURY ST	PEABODY	MA	01960
									C/O PICGOVERN AUTO DEALERSHIP				
982-18982	18982 64032 0005	9340	TAX EXEMPT	49,339	149 149	PLEASANT ST CTR	CITY OF NEWTON	SCHOOL DEPT-MASON RICE		1000 COMM AVE	NEWTON	MA	02459
49-4349	4349 23017 0001	3240	SUPERMARKET	49,207	641 641	WASHINGTON ST	647 WASHINGTON ST CO LLC		C/O BENENSON CAP PRTNRS LLC	708 THIRD AVE	NEW YORK	NY	10017
998-50309	17998 63014 0011	945C	TAX EXEMPT	49,200	180 180-200	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
9-459	459 11020 0001	9340	TAX EXEMPT	49,103	191 191	PEARL ST	CITY OF NEWTON	SCHOOL DEPT-LINCOLN ELIOT SCHOOL		1000 COMM AVE	NEWTON	MA	02459
117-22117	22117 73032 0001	960C	TAX EXEMPT	49,024	385 385	WARD ST	TEMPLE EMANUEL			385 WARD ST	NEWTON	MA	02459
1049-71368	101049 55001 0001Z	9550	TAX EXEMPT	48,196	2014 2014	WASHINGTON ST	NEWTON-WELLESLEY HOSPITAL		C/O PARTNERS HEALTHCARE	399 REVOLUTION DR STE 310	SOMERVILLE	MA	02145
72-50045	1572 13021 0001	942R	TAX EXEMPT	47,866	825 825	CENTRE ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
725-25725	25725 83003 0046	3250	SMALL RETAIL STORE	47.817	66 66	WINCHESTER ST	WINCHESTER 66 LLC		BOSTON SHOWCASE COMPANY	66 WINCHESTER ST	NEWTON	MA	02461
39-9889	9889 42032 0034	3400	GENERAL OFFICE BUILDING	46.939	2223 2223	WASHINGTON ST	NEWTON EXECUTIVE PARK L P		C/O J F WHITE PROPERTIES	I GATEWAY CTR SUITE 500	NEWTON	MA	02458
81-1481	1481 13018 0003	944C	TAX EXEMPT	46.901	58 58	RICHMOND RD	BOSTON ACADEMY OF THE SACRED HEART	NEWTON COUNTRY DAY SCHOOL		785 CENTRE ST	NEWTON	MA	02458
7-50033	687 12003 0004	940C	TAX EXEMPT	46.639	55 55	WALNUT PK	CONGREGATION SISTERS OF ST IOSEPH		C/O LEILA HOGAN CSI	637 CAMBRIDGE ST	BRIGHTON	MA	02135
277-72754	12277 51028 0012	3250	SMALL RETAIL STORE	46.626	131 131-181	NEEDHAM ST	WELLFORD CORP				NEWTON	MA	02135
									C/O CROSSPOINT ASSOCIATES INC	188 NEEDHAM ST STE 255			
74-9874	9874 42032 0007	3400	GENERAL OFFICE BUILDING	45,916	2221 2221	WASHINGTON ST	NEWTON EXECUTIVE PARK L P		C/O J F WHITE PROPERTIES	I GATEWAY CTR SUITE 500	NEWTON	MA	02458
95-1995	1995 14008 0009	4020	MANUFACTURE OFFICE	45,505	471 471	WATERTOWN ST	ONE NEVADA REALTY LLC			99 MANDALAY RD	NEWTON	MA	02459
341-11341	11341 44023 0016A	4040	R & D FACILITIES	44,618	47 47	CRESCENT ST	77 ROWE STREET LLC		C/O CALARE PROPERTIES INC	30 SPEEN ST	FRAMINGHAM	MA	01701
201-27201	27201 84034 0002U	3400	GENERAL OFFICE BUILDING	43,801	199 199	WELLS AVE	TCD 234 MA WELLS PROPERTY LLC		C/O TAURUS INVSMT HOLDINGS LLC	TWO INTERNATION PLACE STE 2710	BOSTON	MA	02110
334-26334	26334 83031 0026	0310	MIXED USE	43,501	320 320-322	NEEDHAM ST	320 NEEDHAM DE LLC		C/O BULFINCH COMP INC	116 HUNTINGTON AVE STE 600	BOSTON	MA	02116
902-21902	21902 73016 0021	9340	TAX EXEMPT	43,280	10 10	DOLPHIN RD	CITY OF NEWTON	SCHOOL DEPT-WARD		1000 COMM AVE	NEWTON	MA	02459
2334-72122	102334 12011 0001H	3000	HOTELS	43.242	296 296-334	WASHINGTON ST H	WHITE THOMAS I TR	HOTEL TENANT		I GATEWAY CTR STE 500	NEWTON	MA	02458
265-18265	18265 63031 0010	940C	TAX EXEMPT	43.124	142 142	ESSEX RD	CHESTNUT HILL SCHOOL INC		C/O TAMARA SCHURDAK	428 HAMMOND ST	CHESTNUT HILL	MA	02467
295-12295	12295 51029 0001	3400	GENERAL OFFICE BUILDING	43,124	44 44	MECHANIC ST	COLA REALTY LLC		CIO TANARA SCHORDAR	44 MECHANIC ST	NEWTON	MA	02464
92-2492	2492 21002 0002	3400	GENERAL OFFICE BUILDING	43,019	33	BRIDGE ST	BEMIS MILLUC		C/O VECTOR CONTROLS INC	3 BRIDGE ST STE BIOD	NEWTON	MA	02464
15-50052	1815 14001 0014	4020	MANUFACTURE OFFICE	42,800	49 49-55	CHAPEL ST	CHAPELBRIDGE PARK ASSOCIATES		C/O WILLIAM POORVU	55 CHAPEL ST	NEWTON	MA	02458
433-50392	26433 83035 0004	957C	TAX EXEMPT	42,776	333 333	NAHANTON ST	JEWISH COMM CTR OF GR BOSTON INC		C/O RANDI FEDERMAN VP	333 NAHANTON ST	NEWTON	MA	02459
999-50311	17999 63015 0001	942C	TAX EXEMPT	42,435	147 147-201	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
999-50313	17999 63015 0001	942C	TAX EXEMPT	42,435	147 147-201	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
359-71804	23859 82002 0011	3230	SHOPPING CENTER-MALL	42,423	200 200-220	BOYLSTON ST	CHS COMMERCIAL OWNER LLC		C/O NE DEVELOPMENT	75 PARK PLAZA	BOSTON	MA	02116
87-5487	5487 31016 0001	3400	GENERAL OFFICE BUILDING	42,228	989 989-1003	WATERTOWN ST	COMPROPS LIMITED PTNRSHP		C/O INTRUM CORP	180 WELLS AVE STE 100	NEWTON	MA	02459
194-27194	27194 84034 0002H	3420	MEDICAL OFFICE BUILDING	42,022	159 159	WELLS AVE	SLD WELLS LLC			25 DARTMOUTH ST	WESTWOOD	MA	02090
57-9867	9867 42031 0015	3400	GENERAL OFFICE BUILDING	41,896	2310 2310	WASHINGTON ST	NDNE WASHINGTON STREET LMTD PRTNSHP		C/O NAT DEV OF NEW ENGLAND	2310 WASHINGTON ST	NEWTON LWR FLS	MA	02462
88-5488	5488 31016 0003	954C	TAX EXEMPT	41.892	492 492	WALTHAM ST	NEWTON COMMUNITY SERVICE CENTERS IN		C/O MAUREEN LISTER	492 WALTHAM ST	NEWTON	MA	02465
2-6912	6912 33004 0004	9430	TAX EXEMPT	41,784	1505 1505	WASHINGTON ST	ROMAN CATH ARCHD OF BOSTON CORP	THE LEARNING PREP HIGH SCHOOL		1507 WASHINGTON ST	NEWTON	MA	02465
19-3329	3329 22004 0015	3400	GENERAL OFFICE BUILDING	41,610	288 288	WALNUT ST	SPENCER BRADFORD A	KATZ JEFFREY & RESNICK MARC TRS	288 WALNUT ST RLTY TRUST	100 FELTON ST STE 201	WALTHAM	MA	02463
17-3327	26258 83028 0084	3400	SMALL RETAIL STORE	41,610	188 188-192	NEEDHAM ST	188 NEEDHAM ST LTD PTNRSHP	TO CE JOT NET & RESPICE CONCETRS	C/O CROSSPOINT ASSOCIATES INC	188 NEEDHAM ST STE 255	NEWTON	MA	02453
158-26258 934-20934	26258 83028 0084 20934 72002 0003	3250 9340	SMALL RETAIL STORE TAX EXEMPT	41,476	188 188-192	VERNON ST	IBB NEEDHAM ST LTD PTNRSHP CITY OF NEWTON	SCHOOL DEPT-UNDERWOOD	CIG CRUSSFULINT ASSUCIATES INC	188 NEEDHAM ST STE 255 1000 COMM AVE	NEWTON	MA	02464
3-2823	2823 21022 0001A	9340	TAX EXEMPT	41,019	687 687	WATERTOWN ST	CITY OF NEWTON	SCHOOL DEPT-HORACE MANN		100 WALNUT ST	NEWTON	MA	02460
98-17998	17998 63014 0011	945C	TAX EXEMPT	41,000	180 180-200	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02463
998-50308	17998 63014 0011	945C	TAX EXEMPT	41,000	180 180-200	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02463
99-27199	27199 84034 0002S	3400	GENERAL OFFICE BUILDING	40,968	181 181	WELLS AVE	EAST-WEST ENTERPRISES CO LTD		C/O OASIS CONSULTING INC	181 WELLS AVE SUITE 102	NEWTON	MA	0245
30-20930	20930 72001 0012	3400	GENERAL OFFICE BUILDING	40,519	400 400	CENTRE ST	ABP BORROWER INC		C/O THE RMR GROUP	255 WASHINGTON ST STE 270	NEWTON	MA	0245
41-50325	18341 63037 0025	3230	SHOPPING CENTER-MALL	40,000	1 1-27	BOYLSTON ST	CHESTNUT HILL SHOPPING CENTER LLC			33 BOYLSTON ST STE 3000	CHESTNUT HILL	MA	0246
82-16782	16782 61033 0002	3400	GENERAL OFFICE BUILDING	39,516	10 10	LANGLEY RD	NEWTON LANGLEY LIMITED PARTNERSHIP		C/O BRENTANDY REAL ESTATE INC	10 LANGLEY RD STE 103	NEWTON	MA	0245
56-14256	14256 53029 0002A	3250	SMALL RETAIL STORE	39,510	2 2-12	WINDSOR RD	SULLIVAN GREGORY T TR	DTS TRUST	C/O PREFERRED REALTY CORP	251 HARVARD ST STE 12	BROOKLINE	MA	0244
03-71521	18303 63033 0021	941C	TAX EXEMPT	39,315	50 50	MIDDLESEX RD	BRIMMER & MAY SCHOOL			69 MIDDLESEX RD	CHESTNUT HILL	MA	0246
5-5795	5795 31028 0012	944C	TAX EXEMPT	38,788	50 50	ALBEMARLE RD	FESSENDEN SCHOOL			215 ALBEMARLE RD	WEST NEWTON	MA	0246
5-5795 )4-26504	5795 31028 0012 26504 83036 0004	944C 8050	TAX EXEMPT GOLF (CH 61B)	38,788 38,498	483 483-655	ALBEMARLE RD DEDHAM ST	FESSENDEN SCHOOL CHARLES RIVER COUNTRY CLUB INC			215 ALBEMARLE RD 483 DEDHAM ST		MA	0246
-5289	5289 31007 0023	3040	NURSING HOMES	38,352	25 25	ARMORY ST	GPH WEST NEWTON LLC			P O BOX 160488	ALTAMONTE SPRING		3271
2-3302	3302 22001 0017	4010	MANUFACTURE WAREHOUS	37,557	287 287	NEWTONVILLE AVE	POFCO NEWTONVILLE AVE LLC			234 CONGRESS ST	BOSTON	MA	0221
7-4397	4397 23022 0006	3400	GENERAL OFFICE BUILDING	37,339	246 246-254	WALNUT ST	HANLON PATRICIA A TR	WALNUT STREET REALTY TRUST	C/O MOUNT VERNON COMPANY	516 WESTERN AVE	BRIGHTON	MA	0213
58-17858	17858 63008 0014	940C	TAX EXEMPT	37,334	20 20	MANET RD	MISS FRANCISCAN SIS IMMACULATE CONC	MT ALVERNIA ACADEMY		20 MANET RD	NEWTON	MA	0245
213-71526	101213 65019 0045AA	940C	TAX EXEMPT	37.223	101 101-239	HERRICK RD	WINTHROP PARK SCHOOL INC			1188 CENTRE ST	NEWTON	MA	0245
0-3300	3300 22001 0014	9570	TAX EXEMPT	36.663	281 281	NEWTONVILLE AVE	CRADLES TO CRAYONS INC			281 NEWTONVILLE AVE	NEWTON	MA	0245
0-3300 73-12273	12273 51028 0008G	9570 3250	SMALL RETAIL STORE	36,663	281 281 225 225	NEEDHAM ST	NORTHLAND 215 NEEDHAM LLC		C/O NORTHLAND INV CO	2150 WASHINGTON ST	NEWTON	MA	0246
		3230							CO NORTHLAND INV CO				0210
2-5792	5792 31028 0009	944C	TAX EXEMPT	35,820	215 215	ALBEMARLE RD	FESSENDEN SCHOOL			215 ALBEMARLE RD	WEST NEWTON	MA	0246
999-50310	17999 63015 0001	942C	TAX EXEMPT	35,752	147 147-201	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
369-11369	11369 44025 0010	3240	SUPERMARKET	35,678	2034 2034-2060	COMMONWEALTH AVE	TA AUBURNDALE LLC			ONE FEDERAL ST 17TH FLR	BOSTON	MA	02110
		8050	GOLF (CH 61B)	35,503	1897 1897	WASHINGTON ST	WOODLAND GOLF CLUB OF AUBURNDALE			1897 WASHINGTON ST	AUBURNDALE	MA	02466
98-10698 10-71535	10698 43046 0011 17910 63009 0002	942C	TAX EXEMPT	35,382	140 140	COMMONWEALTH AVE	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	0246

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NameNa															
Norm				960C	TAX EXEMPT	35,200	1317 1317	CENTRE ST	ROMAN CATH ARCHD OF BOSTON CORP		C/O SACRED HEART	66 BROOKS DR	BRAINTREE	MA	02184-0100 22116-7699
Normal											10800.000				
Instrat     Instrat    Instrat     Instrat	26252	2-26252	26252 83028 0078	3250	SMALL RETAIL STORE	34,460	230 230	NEEDHAM ST				86 WASHINGTON ST STE I	HOLLISTON	MA	01746
No.															02458
Norm         Norm <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>															
Name											C/O TREASURER				
No. </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>C/O INTRUM CORP</td> <td>C/O INTRUM CORP</td> <td></td> <td></td> <td></td> <td></td>										C/O INTRUM CORP	C/O INTRUM CORP				
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Image         Image <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>188 FIRENZE INIZIATIVE LLC</td><td></td><td></td><td></td><td></td><td></td><td></td></t<>									188 FIRENZE INIZIATIVE LLC						
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Note         Note <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>C/O INVESTMENT PROPERTIES LTD</td><td></td><td></td><td></td><td></td></t<>											C/O INVESTMENT PROPERTIES LTD				
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No.     No. </td <td></td> <td>02462</td>															02462
No.         No.        No.         No.         No. <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>C/O JOS M HERLIHY GENERAL COUNSEL</td> <td></td> <td></td> <td></td> <td></td> <td></td>										C/O JOS M HERLIHY GENERAL COUNSEL					
NormalNorm											C/O MARK DEVELOPMENT				
No.     No. </td <td></td>															
BARDER         BARDER        BARDER         BARDER        BARDER        BARDER         BARDER        BARDER        BARDER															02465
Norm         Norm </td <td></td> <td>C/O CREATIVE DEV MNGMT LLC</td> <td></td> <td></td> <td></td> <td></td>											C/O CREATIVE DEV MNGMT LLC				
Index     Index    Index    <	17179	-50282	17179 62009 0006	9400	TAX EXEMPT	31,062	64 64-90	CRESCENT AVE	ROMAN CATH ARCHD OF BOSTON CORP	RE: SACRED HEART NEWTON-MONTESSORI		66 BROOKS DR	BRAINTREE	MA	02184-0100
NameNumber											SMC TRUST				02472
No.N										AT CHESTNUT HILL					
No.         No. <td></td> <td></td> <td></td> <td>4000</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>C/O MATERION CORP TAX DEPT</td> <td></td> <td></td> <td>OH</td> <td></td>				4000							C/O MATERION CORP TAX DEPT			OH	
Image         Market Mark				3400							C/O FASTPORT RE SERVICES			MA	
No.         No. <td></td> <td>02459</td>															02459
No.     No. </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>NUTMEG REALTY TRUST</td> <td></td> <td></td> <td></td> <td></td> <td>02459</td>										NUTMEG REALTY TRUST					02459
No.     No. </td <td></td> <td>C/O WILLIAM POORVU</td> <td></td> <td></td> <td></td> <td>02458</td>											C/O WILLIAM POORVU				02458
Net         Net <td></td> <td>429 CENTRE ST</td> <td></td> <td></td> <td></td>												429 CENTRE ST			
mb     mb<										HKS PROPERTIES LLC T/C					
New Net											C/O TREASURER				
No.     No. </td <td></td> <td>C/O MARK DEVELOPMENT</td> <td></td> <td></td> <td></td> <td>02466</td>											C/O MARK DEVELOPMENT				02466
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Inten	16808	3-16808	16808 61036 0006									93 UNION ST STE 315		MA	02459
No.     No. </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>C/O JOS M HERLIHY GENERAL COUNSEL</td> <td></td> <td></td> <td></td> <td></td> <td>02467</td>										C/O JOS M HERLIHY GENERAL COUNSEL					02467
IND     IND </td <td></td> <td>02184-0100</td>															02184-0100
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127.47.17.17.17.27.47.27.47.17.27.47.27.47.17.27.47.47.17.47.47.47.47.47.47.47.47.47.47.47.47.47	17999	9-50315	17999 63015 0001	942C	TAX EXEMPT	27,554	147 147-201	HAMMOND ST	TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
NSIND <th< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>ACCONCIA WILLIAM G TRS</td><td></td><td></td><td></td><td></td><td>78703</td></th<>										ACCONCIA WILLIAM G TRS					78703
No.N											C/O CENTRE ST REALTY TRUST				02465-2122
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Image: Marting Martin											C/O SUSAN BUTTERWORTH				02466
bit     bit </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>PATTERSON JANET TRS</td> <td>THE NEWTON CENTRE TRUST</td> <td></td> <td></td> <td></td> <td></td>										PATTERSON JANET TRS	THE NEWTON CENTRE TRUST				
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97.47         97.3         97.3         97.4 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td>204 204-220</td><td></td><td></td><td></td><td></td><td>1844 COMMONWEALTH AVE</td><td></td><td></td><td></td></t<>							204 204-220					1844 COMMONWEALTH AVE			
bits         bits <td>6972-</td> <td></td> <td></td> <td>935C</td> <td>TAX EXEMPT</td> <td></td> <td>1321 1321</td> <td></td> <td>CITY OF NEWTON</td> <td>POLICE DEPT</td> <td></td> <td></td> <td>NEWTON</td> <td>MA</td> <td>02459</td>	6972-			935C	TAX EXEMPT		1321 1321		CITY OF NEWTON	POLICE DEPT			NEWTON	MA	02459
Holds         Holds <th< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>02465</td></th<>															02465
Sign 2005         Sign 2005         VICT NAT TOTAL STREPT         2480         2392.59         VICT NATIONAL PERCENCIPAL         231.200 NICT ON TABLE ON TOTAL STREPT         21.5 ARBINALE ON TOTAL STREPT         21.5 ARBINALE ON TOTAL STREPT         21.5 ARBINALE ON TOTAL         20.5 ARBINA											C/O DAVID SELLERS EXEC DIR				
Birling         Birling         Varial         Varia										661 669 WASHINGTON ST REALTY TRUST					
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1 024-297       02492 000       MC       TXX EXEMPT       121 100       157 157       TSP152 MARK DAVE CARMPT       1245       1245       1245       121 100       MC EXEMPT       1245       121 100       MC EXEMPT       121 1000       MC											C/O CAPASSO REALTY CORP				
Sology 2023         2023					TAX EXEMPT	24,610		TEMPLE ST	TEMPLE SHALOM OF NEWTON			175 TEMPLE ST		MA	02465
Protocol         Protocol         MANUFACTURING OPEATT         24.24         91.93         BODDER ST         HPUIL         Head															02459
1         294         2914         2914         160         160         NEMORY         NECCO [ONIN] TR         CCO [ONIN] TR         NEMORY         NEMORY <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>C/O CROSSPOINT ASSOCIATES</td><td></td><td></td><td></td><td></td></t<>											C/O CROSSPOINT ASSOCIATES				
P8 995 995 995 993 001         M00         GRABAL OFFICE BULDING         227 227         WASHINGTON ST         NEWTON EXECUTE FARK L P         C0 J FWHTE PROPERTIS         I GATEWAY CTR SUTESO         NEWTON         MA         0933           687.401         477 2008 000         H02         TAX EXEMPT         23.58         NUMUT PK         COMERATION SISTENS OF ST JOSEP         C0 J FWHTE PROPERTIS         I GATEWAY CTR SUTESO         NEWTON         MA         0933           1635-1635         1635 4038 000         H2C         TAX EXEMPT         23.58         NUMUT PK         COMERATION SISTENS OF ST JOSEP         1844 COMMONWALTH AVE         NUMUT N         MA         0234           2635-1635         2635 80200         H04         K a D FACILITIS         23.46         45 45         RUDONS TONE L         HTME RETH AVODAH         C10 CALARE ROPERTIS         6070 FAX LEPE H         MA         PA         02436           1843-1837         1843-18370         Store Stare S															
eff         447         1000 000 4         MC         TAX EXEMPT         21.60         55.5         WALNUT PK         CONGREGATION SETES OF ST JOSEPH         COOLELA HOGAN CSJ         67.7         100.7         ABRUTON         MA         0.235           1635-1635         1635-1635         1635 4038 000         440         R AD COMMANEALTH AVE         100.001         STODE IA         NUBURNALE         MA         0.236           2559-2532         2538 9020 000         440         R AD CALTERS         23.44         33.3         INDUSTRAL PL         MATERION NORTON INC         CIO MATERION CORPT AVAD EPT         GOV PARKLAND BUND         MAYTELD HEIGHTS         0.44         10701           11340-10327         11340-40370005         3100         STORAGE WAREHOUSE DIST         CANESKAREHOUSE DIST         ANTERION NORTON INC         CIO MATERION CORPT AVAD EPT         GOV PARKLAND BUND         MAYTELD HEIGHTS         0.44         10701           11340-10327         11342-60370005         3100         STORAGE WAREHOUSE DIST         CIO STORE LA         SSSSTON STORE ILL         NOTTON INC         SSSSTON STORE ILL         NOTTON INC         CIO ALEAR PROPERTIES INC         PARAL         0.016         30.9500000000000000000000000000000000000											C/O   F WHITE PROPERTIES				02464 02458
In <td></td> <td>BRIGHTON</td> <td></td> <td>02135</td>													BRIGHTON		02135
SPR 258         SPR 258 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>LASELL UNIVERSITY</td><td></td><td>-</td><td></td><td></td><td>MA</td><td></td></t<>									LASELL UNIVERSITY		-			MA	
Install								PUDDING STONE LN						MA	
In Sep - 302718/259/2<															
1284-23852384-238523023000400General OFFCE BULDING12.78230250BOYISTON STOP200 BOYISTON STOP </td <td></td> <td>CIO CALAKE PROPERTIES INC</td> <td></td> <td></td> <td></td> <td></td>											CIO CALAKE PROPERTIES INC				
S28         S28 <td></td> <td>C/O N E DEVELOPMENT</td> <td></td> <td></td> <td></td> <td>0246/</td>											C/O N E DEVELOPMENT				0246/
In Star 1302         Mark         TAX DEXEMPT         22,4         88 585         Centre ST         Trustes OF BOTON COLLEGE         C/D (S) HERLIH' GENERAL COUNSEL         DONALDSON HOLSON         90 COLLEGE RD         CHESTINUT HILL         Mail         CM23           1918-91018         9118 64008         640         TAX DEXEMPT         21,55         007 1097         CHESTINUT HILL         Mail         CM23         CM23         PARE TAX         NEWTON         Mail         CM24	25549	9-50387	25549 82041 0007		TAX EXEMPT	22,660	45 45	PUDDING STONE LN	TEMPLE BETH AVODAH			45 PUDDING STONE LA	NEWTON		02459
1989-50287         7138 4000 0014         40C         TAX DEXMPT         21.82         20.0         MANET RD         MSS RANCEGAN SIS IMMACULATE CONC         MT ALVERNIA ACADEMY         20 MANET RD         NEWTON         MA         0.943           5865-50307         40C         TAX DEXMPT         21.84         250.30         WAILT MAY         ESSINDEN SCHOOL         21.5 ALBEMAR ED         VEST NEWTON         MA         0.943           19476-71809         10476-1802         74X DEXMPT         21.84         250.30         WAILT MAY         ESSINDEN SCHOOL         184 COMMONWEALTH AVE         ALBUNINDALE         MA         0.2464           373-3737         373 72 7005 002         23.0         SMALL ETAL STORE         21.5 ALBEMAR ED         VENTON NILE MA         CPTO FORMONWEALTH AVE         ALBUNINDALE         MA         0.2464           10475-71807         16376 40020         74X DEXMPT         21.80         SMALT AND NOVEL         MA         0.2464           10475-8020         16075-8020         74X DEXMPT         21.80         SMALT AND NOVEL         MA         0.2458           251-3251         26251 80268 0077         23.90         SMALL AVE         NEWTON NELL AND HOUNDER DEXCHITEL         SMANETAND         NEWTON         MA         0.2459           251-3251	1574-	50046	1574 13021 0003					CENTRE ST		C/O JOS M HERLIHY GENERAL COUNSEL			CHESTNUT HILL	MA	
5865-50136         5865-31028 0079         940C         TAX EXEMPT         21,84         250 250         WALTHAM ST         ESSENDEN SCHOOL         215 ALBEMABLE RD         WEST NEWTON         MA         02455           10476-71807         10476-41032 000         4/20         TAX EXEMPT         21,84         117 117         WOODLAND RD         LAELL UNIVERSITY         1844 COMMONWALETA AVE         NBURDALE         MA         02465           3373-3379         3379 20020         95C         TAX EXEMPT         21,84         456 456-40         NEWTON NLE AVE         NEWTON MASONIC ASSOLATES INC         1844 COMMONWALE AVE         NEWTON         MA         02463           16779-5027         16779 61022 0002         95C         TAX EXEMPT         21,58         255 5.000         NEWTON         FRE DEPT         164 CENTRE ST         NEWTON         MA         02463           26251-6232         26318 103007         1250         SHALL RETAL STORE         164 CENTRE ST         NEWTON         MA         02463           26251-6232         26318 103007         1250         SHALL RETAL STORE         NEWTON         MA         02463           26351-6232         26318 103007         1250         124 424         NEEDHAMST         FCOR NOVENDELEL         NEWTON         NEWTON <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>ATTN TREASURER</td><td></td><td></td><td></td><td>02459-1510</td></t<>											ATTN TREASURER				02459-1510
Information										MT ALVERNIA ACADEMY					02458
3379-3379         3379 22055 0032         326         SMALL RETAIL STORE         456.456.460         NEWTON/ILLE AVE         NEWTON MASONIC ASSOCIATES INC         460 NEWTON/ILLE AVE         NEWTON/ILLE AVE         0.2400           1677-90279         1677 61032 002         95.C         TAX EXEMPT         21.58         25.5         VILLOW ST         CITY OF NEWTON         FRE DEPT         1164 CENTRE ST         NEWTON         MA         0.2460           2625-12625         2625 1026.5         201.5         SMALL RETAIL STORE         21.51         24.44         NEDH ANHATS T         FOX HOUNDS FOREFILS LL         84 WASHINGTON STST L         HOULD NO.5         0.01746           2749-7379         2749 840340000         340         GERSAL OFFICE BUILDING         21.58         20.00         WELLS AVE         81/VELLS MANAGEMENT LLC         200 WELLS AVE         NEWTON         MA         0.749           1629-18029         1204 50.010 10         54C         TAX EXEMPT         21.49         84.406.81T         COUR HUNDRED BEACON CORP         CIO PAT TERBOHL         NEWTON         MA         0.2430           120452-18029         21.495.01         348 344.000         840.02         140.52.000.02         CIO PAT TERBOHL         113.500 LSTONT         CHESTINUT HILL         MA         0.2430           120452-1															
IAT79-50279         IATS 40120         VISC         TAX EXEMPT         21.50         25.5         WILLOW ST         CITY OF NEWTON         FRE DEPT         III de CENTRE ST         NEWTON         Mal         0.213           24251-26251         26251 80208 0007         25.00         SMALL RETAIL STORE         21.11         244 244         NEEDHAM ST         FOX AND HOUNDS FROPERTIES LLC         86 WASHINGTON ST STE I         HOLLISTON         MA         0.124           2734-27349         27349         9249 4044002         400         GENERAL CHICE EMULDING         21.00         WELLAWE         NEEDHAM ST         FOX AND HOUNDS FROPERTIES LLC         86 WASHINGTON ST STE I         HOLLISTON         MA         0.2439           1039-10029         1029 43016.006         95C         TAX EXEMPT         21.04         84 BACON ST         COUR HUNDRED BEACON CORP         CIO PAT TETBOHL         125 BO'LISTON ST         CHESTINUT HILL         MA         0.2439           21465-21464         21465 70004         9426         TAX EXEMPT         21.38         84 BAGENTST         CARROUL COURS ACT THE BUND INCC         CIO PAT TETBOHL         125 BO'LISTON ST         CHESTINUT HILL         MA         0.2439           21465-21464         21465 70004         9426         TAX EXEMPT         21.34         SARROUL COURS ACT THE BUND IN															02466
24251-26251         26251         83028         SMALL RETAIL STORE         21,511         244         NEEDHAM ST         FOX AND HOUNDS PROPERTIES LLC         86 WASHINGTON ST STE I         HOLLISTON         MA         01746           2739-27349         27349         8003         GRNBAL OFFICE BUILDING         21,508         200 300         WELLS AVE         81 WELLS MANAGEMENT LLC         200 WELLS AVE         86 WASHINGTON ST STE I         HOLLISTON         MA         02459           18029-18029         18029-50106         95.0         TAX EXEMPT         21,40         364 384-400         500 R HUNDRED BEACON CORP         CIO PAT TETBOHL         1125 BOYLSTON ST         CHESTNUT HILL         MA         02459           21645-21645         21645         301650         95.0         TAX EXEMPT         21,40         364 384-00         SEGUENTST         CARNOL LOTTER FOR THE BLIND INC         CIO GREGORY J DOINNELLY CEO         770 CENTRE ST         NEWTON         MA         02459										FIRE DEPT					
18029-18029 18029 63016 0016 956C TAX EXEMPT 21,401 384 384-400 BEACON ST FOUR HUNDRED BEACON CORP C/O PAT TIETBOHL 1125 BOYLSTON ST CHESTNUT HILL MA 02467 21645-21645 21645 73001 0004 943C TAX EXEMPT 21,346 SARGENT ST CARROLL CENTER FOR THE BLIND INC C/O GREGORY JONNELLY CEO 770 CENTRE ST NEWTON MA 02458		-26251	26251 83028 0077	3250		21,511			FOX AND HOUNDS PROPERTIES LLC			86 WASHINGTON ST STE I		MA	01746
21645-21645 21645 73001 0004 943C TAX EXEMPT 21,346 SARGENT ST CARROLL CENTER FOR THE BLIND INC CIO GREGORY JONNELLY CEO 770 CENTRE ST NEWTON MA 02458															
							384 384-400								
							279 270 205								
	12720-	0	2.23 14023 0003		DOX CALFIFT	21,237	217 217-273		NOT STATE AND A ROLD OF BOSTON COMP	CO CONCEAD THEF OF CHRISTIANS	STREET OF TOOTH CENTER	273 NOATIS STREET			02730

101475-71625	101475 22005 0032Z	954C	TAX EXEMPT		21,014	456 456-460	NEWTONVILLE AVE		NEWTON MASONIC ASSOCIATES INC			P O BOX 216	NEWTONVILLE	MA	02460
1801-1801	1801 14001 0001	3250	SMALL RETAIL STORE		20,995	337 337-349	WATERTOWN ST		MAY NINETEEN FAMILY LP		C/O LSTG MANAGEMENT	P O BOX 95026	NEWTON	MA	02495
2183-2183	2183 14014 0036	3250	SMALL RETAIL STORE		20,991	132 132-136	ADAMS ST		SEWALL RICHARD D	MAZZOLA ANTHONY L TRS	COLUMBUS REALTY TRUST	P O BOX 95044	NEWTON	MA	02495
1574-54114	1574 13021 0003	942R	TAX EXEMPT		20,678	885 885	CENTRE ST		TRUSTEES OF BOSTON COLLEGE	C/O JOS M HERLIHY GENERAL COUNSEL	DONALDSON HOUSE	90 COLLEGE RD	CHESTNUT HILL	MA	02467
7284-7284	7284 33025 0001	3690	OTHER CULTURAL PROPERTI		20,621	35 35	WEBSTER ST		NEWTON CULTURAL ALLIANCE INC		C/O ADRIENNE HARTZELL KNUDSEN	P O BOX 610225	NEWTON	MA	02459
7123-7123	7123 33017 0024	3210	HARDWARE-HEAT-PLUMBING	d ::	20,570	10 10	WESTWOOD ST		BARJAN REALTY CO		C/O THE PORTLAND GROUP	P O BOX 583	FRAMINGHAM	MA	01704
27357-27357	27357 84034A0007	3400	GENERAL OFFICE BUILDING		20,535	100 100	WELLS AVE		WRP REALTY INC TR	WELLS RIVERPARK REALTY TRUST	C/O BLUESTONE REALTY LLC	100 WELLS AVE STE 100	NEWTON	MA	02459
12268-12268	12268 51028 0008B	3220	DEPARTMENT-DISCOUNT ST		20,400	201 201	NEEDHAM ST		201 NEEDHAM STREET OWNER LLC		C/O ALTUS GROUP US INC	PO BOX 1550	COCKEYSVILLE	MD	21030
4282-4282	4282 23015 0027	939C	TAX EXEMPT		20,218	90 90	CRAFTS ST		CITY OF NEWTON	STREET DEPT		1000 COMM AVE	NEWTON	MA	02459
3380-3380	3380 22005 0033	3250	SMALL RETAIL STORE		20,172	304 304-306	WALNUT ST		JH REAL ESTATE LLC			45 CHESTER ST	NEWTON	MA	02461
9343-9343	9343 41032 0001	3400	GENERAL OFFICE BUILDING		20,000	241 241-247	RIVERVIEW AVE		PACKARD COVE ASSOCIATES LLP			49 LEXINGTON ST	NEWTON	MA	02465
12272-12272	12272 51028 0008F	3160	STORAGE-WAREHOUSE-DIST		20,000	50 50	TOWER RD		NORTHLAND 50 TOWER ROAD LLC			2150 WASHINGTON ST	NEWTON	MA	02462
10691-10691	10691 43045 0034	1131	APARTMENT (100+ UNITS)	1	12,881	160 160	STANTON AVE	Α	JCHE GOLDA LP		C/O JEWISH COMM HOUSING	30 WALLINGFORD RD	BRIGHTON	MA	02135
780-01	Multiple Multiple	N/A	Commercial condos		33,779	109	109 OAK ST	Multiple	Multiple						
817-01	Multiple Multiple	N/A	Commercial condos		63,156	19 19-31	NEEDHAM ST	Multiple	Multiple						
1438-01	Multiple Multiple	N/A	Commercial condos		51,512	1858 1	858 WASHINGTON ST	Multiple	Multiple						
3421-01	Multiple Multiple	N/A	Commercial condos		25,148	2000 2000	WASHINGTON ST	Multiple	Multiple						

#### Residential Buildings Covered by BERDO (November 22, 2024)

Blue text indicates mixed-use condo that is predominantly residential. See "Commercial condo owners" tab for information on ownership of these condos. See "Residential condos" tab for information on covered condos that are solely residential.

	Identification	т	ype of Building	Building Size	Build	ing Street Address				Owner Contact Information				
ewton RDO ID	PID SBL	Use Code	Use Code Meaning	Gross Floor Area	Nol No2	Street	Unit	Current Owner!	Current Owner2	Current Owner Care of	Current Mailing Address	Current City	Current State	Current Zip
282-50241		Use Code	APARTMENT (100+ UNITS)	(square feet) 319.023	109 109	NEEDHAM ST	Unit	OAMA NEWTON LLC	Current Owner2	C/O ABACUS CAPITAL GROUP LLC	100 PARK AVE STE 3500	Current City NEW YORK	NY	Loo 17
-17		0130	MIXED USE	228,559	2 2-4	LOS ANGELES ST		THE RESIDENCES ON THE CHARLES LLP		CIO ABACOS CATITAL GROOF LEC	37 WALNUT ST STE 110	WELLESLEY HILLS	MA	02481
878-23878	23878 82002 0020	113C	APARTMENT (100+ UNITS)	194,695	160 160	BOYLSTON ST		AVALON AT CHESTNUT HILL INC		C/O AVALONBAY COMMUNITIES INC	4040 WILSON BLVD STE 1000	ARLINGTON	VA	22203
782-12282	12282 51028 0017	LISC	APARTMENT (100+ UNITS)	165.415	109 109	NEEDHAM ST		OAMA NEWTON LLC		C/O ABACUS CAPITAL GROUP LLC	100 PARK AVE STE 3500	NEW YORK	NY	10017
0849-71196	100849 43045 0030Z	113C	APARTMENT (100+ UNITS)	164,969	1938 1938-1946	WASHINGTON ST		MASS BAY TRANSIT AUTHORITY	ARBORPOINT	C/O NAT DEVELOPMENT	2310 WASHINGTON ST	NEWTON	MA	02462
0107-70622	100107 82037 0095	1120	APARTMENT (9-99 UNITS)	143,591	200 200	ESTATE DR		HANCOCK ESTATES LLC			300 INDEPENDENCE DR	CHESTNUT HILL	MA	02467
435-26435	26435 83035 0004B	125C	CONGREGATE HOUSING	116,362	677 677	WINCHESTER ST		ICHE COLEMAN LP	C/O JCHE INC	C/O JCHE INC	30 WALLINGFORD RD	BOSTON	MA	02135
85-3485	3485 22007 0048	126C	ASSISTED LIVING	107.653	280 280	NEWTONVILLE AVE		KRE-BSL HUSKY CABOT PK LLC		C/O ALTUS GROUP	PO BOX 92129	SOUTHLAKE	TX	76092
912-20912	20912 72001 0004	126C	ASSISTED LIVING	106,043	430 430	CENTRE ST		KRE-BSL HUSKY EVANS PARK LLC		C/O ALTUS GROUP	PO BOX 92129	SOUTHLAKE	TX	76092
878-71699		113C	APARTMENT (100+ UNITS)	105,450	160 160	BOYLSTON ST		AVALON AT CHESTNUT HILL INC		C/O AVALONBAY COMMUNITIES INC	4040 WILSON BLVD STE 1000	ARLINGTON	VA	22203
8-758	758 12006 0005	126R	ASSISTED LIVING	99,580	431 431	WASHINGTON ST		431 WASHINGTON STREET LLC	C/O SUNRISE SR LIVING	TAX DEPT	7902 WESTPARK DR	MCLEAN	VA	22102
66-9866	9866 42031 0013	126C	ASSISTED LIVING	90,126	2300 2300	WASHINGTON ST		KRE-BSL HUSKY FALLS LLC		C/O ALTUS GROUP	PO BPC 92129	SOUTHLAKE	TX	76092
2924-72547	102924 24009 0015Z	0130	MIXED USE	89,859	28 28	AUSTIN ST		CITY OF NEWTON LESSOR	AUSTIN STREET PARTNERS LLC	C/O DINOSAUR CAPITAL PARTNERS	28 AUSTIN ST	NEWTON	MA	02460
344-17344	17344 62016 0013	939C	TAX EXEMPT	81,737	77	HEREWARD RD		CITY OF NEWTON		C/O NEWTON COMM DEV FOUNDATION	425 WATERTOWN ST 205	NEWTON	MA	02465
945-14945	14945 54022 0004	1120	APARTMENT (9-99 UNITS)	74,425	1114 1114	BEACON ST		BEACON 1114 LLC			109 HIGHLAND ST 203	NEEDHAM	MA	02494
95-6295	6295 32024 0006	125C	CONGREGATE HOUSING	71,908	1600 1600	WASHINGTON ST		WARREN HOUSE ASSOCIATES		C/O NEWTON COMM DEV FOUNDATION	425 WATERTOWN ST STE 205	NEWTON	MA	02458
695-50204	10695 43046 0004	125C	CONGREGATE HOUSING	70,384		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
8181-72782	108181 12001 0032A	112C	APARTMENT (9-99 UNITS)	66,920	111-111	JOHN F KENNEDY CIR		NEWTON HOUSING AUTHORITY	JACKSON GARDENS		82 LINCOLN ST	NEWTON	MA	02459
75-9275	9275 41031 0016	112C	APARTMENT (9-99 UNITS)	47,301	155 155-163	LEXINGTON ST		CAPASSO DONATO D TR		C/O CAPASSO REALTY CORP	49 LEXINGTON ST	NEWTON	MA	02465
30-5930	5930 32003 0001	93 I R	TAX EXEMPT	46,980	88 88	CHESTNUT ST		CITY OF NEWTON		C/O MERIDETH MGMT PIERCE SCHL	ONE BRIDGE ST STE 300	NEWTON	MA	02458
8102-72703	108102 65019 0045AB	126R	ASSISTED LIVING	40,636	157 157	HERRICK RD	1	BSL NEWTON DEVELOPMENT LLC		BENCHMARK SENIOR LIVING	201 JONES RD	WALTHAM	MA	02451
-73092	17 11002 0007	0130	MIXED USE	40,316	2 2-4	LOS ANGELES ST		THE RESIDENCES ON THE CHARLES LLP			37 WALNUT ST STE 110	WELLESLEY HILLS	MA	02481
0600-71035	100600 61033 0010	1120	APARTMENT (9-99 UNITS)	38,100	195 195	SUMNER ST		NEWTON COMMUNITY DEVELOPMENT	FOUNDATION II INC		425 WATERTOWN ST STE 205	NEWTON	MA	02458
800-16800	16800 61035 0006	0134	MIXED USE	37,963	17 17-31	HERRICK RD		ROTHMAN GEORGE & STUART J TRS	HERRICK ROAD REALTY TRUST	C/O FIRST CAMBRIDGE RLTY CORP	907 MASSACHUSETTS AVE	CAMBRIDGE	MA	02139
288-17288	17288 62014 0007	970C	TAX EXEMPT	36,520	19 19-21	PARKER ST		NEWTON HOUSING AUTHORITY			82 LINCOLN ST	NEWTON	MA	02461
05-4405	4405 23023 0012	112C	APARTMENT (9-99 UNITS)	35,875	230 230	WALNUT ST		WALNUT TERR LLC		THE MOUNT VERNON CO	516 WESTERN AVE	BRIGHTON	MA	02135
467-24467	24467 82004 0080	112C	APARTMENT (9-99 UNITS)	34,751	135 135	FLORENCE ST		CAPASSO PAUL E TR	FLORENCE STREET REALTY TRUST	C/O CAPASSO REALTY CORP	49 LEXINGTON ST	NEWTON	MA	02465
9-309	309 11012 0020A	1250	CONGREGATE HOUSING	34,314	241 241	WATERTOWN ST		NONANTUM VILLAGE PLACE INC		C/O CASCAP INC	810 MEMORIAL DR STE 107	CAMBRIDGE	MA	02139
90-5290	5290 31007 0027	9220	TAX EXEMPT	33,317	1135 1135-1137	WASHINGTON ST		CITY OF NEWTON			1000 COMMONWEALTH AVE	NEWTON CENTRE	MA	02459
49-2249	2249 14015 0033	112C	APARTMENT (9-99 UNITS)	32,648	175 175	ADAMS ST		SYNH LLC			1249 BEACON ST	BROOKLINE	MA	02446
72-9672	9672 42021 0001A	970C	TAX EXEMPT	32,628	545 545	GROVE ST		NEWTON HOUSING AUTHORITY	HAMILTON GROVE		82 LINCOLN ST	NEWTON	MA	02461
555-13555	13555 52041 0001B	931C	TAX EXEMPT	31,479	82 82	LINCOLN ST		CITY OF NEWTON	NEWTON HOUSING AUTHORITY		1000 COMM AVE	NEWTON	MA	02459
695-50212	10695 43046 0004	125C	CONGREGATE HOUSING	31,386		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
48-2648	2648 21012 0015	112C	APARTMENT (9-99 UNITS)	31,286	55 55	FARWELL ST		CAPASSO ASSOCIATES LTD PTNRSHP			49 LEXINGTON ST	NEWTON	MA	02465
94-6294	6294 32024 0003	112C	APARTMENT (9-99 UNITS)	30,036	1650 1650-1660	WASHINGTON ST		PINTO MARIO	STARIKOV FRED TRS	E WASHINGTON RLTY TRUST	11 JOHN ST	NEWTON CENTRE	MA	02459
748-21748	21748 73008 0009	1010	SINGLE FAMILY	29,994	48 48	SARGENT ST		DAVIS ANNE M	C/O JAMES DAVIS	JDJ FAM OFFICE SERV	P O BOX 962049	BOSTON	MA	02196
85-9385	9385 41035 0002	1120	APARTMENT (9-99 UNITS)	29,208	15 15	LEXINGTON ST		CAPASSO-CITYLINE LLC			49 LEXINGTON ST	NEWTON	MA	02465
43-8743	8743 41009 0001	112C	APARTMENT (9-99 UNITS)	27,175	2340 2340-2366	COMMONWEALTH AVE		IODICE MICHAEL F TR		C/O JA WOOD MANAGEMENT	594 MARRETT RD STE 16	LEXINGTON	MA	02421
695-50211	10695 43046 0004	125C	CONGREGATE HOUSING	26,960		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
695-50206	10695 43046 0004	125C	CONGREGATE HOUSING	26,940		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
8-308	308 11012 0020	9700	TAX EXEMPT	26,075	237 237-251	WATERTOWN ST		NEWTON HOUSING AUTHORITY	NONANTUM VILLAGE		82 LINCOLN ST	NEWTON	MA	02461
68-9768	9768 42027 0014	112C	APARTMENT (9-99 UNITS)	25,542	151 151-155	CONCORD ST		CAPASSO DONATO D TR		C/O CAPASSO REALTY CORP	49 LEXINGTON ST	NEWTON	MA	02465
695-50208	10695 43046 0004	125C	CONGREGATE HOUSING	25,260		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
76-9276	9276 41031 0017	112C	APARTMENT (9-99 UNITS)	24,570	181 181	LEXINGTON ST		CAPASSO DONATO D TR		C/O CAPASSO REALTY CORP	49 LEXINGTON ST	NEWTON	MA	02465
695-10695	10695 43046 0004	125C	CONGREGATE HOUSING	24,080		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
1-881	881 12013 0012	112C	APARTMENT (9-99 UNITS)	23,707	457 457	CENTRE ST		NEWTON 457 LLC			896 BEACON ST	BOSTON	MA	02215
695-50202	10695 43046 0004	125C	CONGREGATE HOUSING	23,376		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
794-20794	20794 71035 0015	112C	APARTMENT (9-99 UNITS)	23,328	40 40-46	PARK ST		PARK FARLOW LLC			159 CAMBRIDGE ST	ALLSTON	MA	02134
695-50205	10695 43046 0004	125C	CONGREGATE HOUSING	23,307		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
41-71199	2641 21012 0006	112C	APARTMENT (9-99 UNITS)	23,190	129 129-151	NORTH ST NVL		ALBEMARLE PARTNERS LLC			2 INTERNATIONAL PL #2410	BOSTON	MA	02110
695-50209		125C	CONGREGATE HOUSING	23,132		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
45-8745	8745 41009 0002	112C	APARTMENT (9-99 UNITS)	22,930	2300 2300-2320	COMMONWEALTH AVE		CHATHAM PROPERTIES L L C		C/O JA WOOD MANAGEMENT	594 MARRETT RD STE 16	LEXINGTON	MA	02421
45-50165		112C	APARTMENT (9-99 UNITS)	22,930	2300 2300-2320	COMMONWEALTH AVE		CHATHAM PROPERTIES L L C		C/O JA WOOD MANAGEMENT	594 MARRETT RD STE 16	LEXINGTON	MA	02421
45-71205	8745 41009 0002	112C	APARTMENT (9-99 UNITS)	22,930	2300 2300-2320	COMMONWEALTH AVE		CHATHAM PROPERTIES L L C		C/O JA WOOD MANAGEMENT	594 MARRETT RD STE 16	LEXINGTON	MA	02421
695-50207	10695 43046 0004	125C	CONGREGATE HOUSING	22,820		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
316-10316		970C	TAX EXEMPT	22,608	234 234	CENTRAL ST		NEWTON HOUSING AUTHORITY	CENTENARY VILLAGE		82 LINCOLN ST	NEWTON HGLDS	MA	02461
473-23473		1010	SINGLE FAMILY	22,489	95 95	DUDLEY RD		KAUFER STEPHEN			95 DUDLEY RD	NEWTON	MA	02459
002-18002		1010	SINGLE FAMILY	22,318	481 481	HAMMOND ST		CHESTNUT HILL FOUNDATION INC			481 HAMMOND ST	CHESTNUT HILL	MA	02467
041-12041	12041 51016 0011	0134	MIXED USE	22,146	287 287-301	ELLIOT ST		G&CLLC			119 CHAPEL ST	NEWTON	MA	02458
590-16590	16590 61022 0001	1010	SINGLE FAMILY	22,052	98 98	MONTVALE RD		FEIGENBAUM LAURA A TR	THE NINETY-SIX MONTVALE RD RLTY TR		98 MONTVALE RD	NEWTON	MA	02459
50-2650	2650 21012 0018	112C	APARTMENT (9-99 UNITS)	21,798	83 83-87	FARWELL ST		ALBEMARLE PARTNERS LLC			2 INTERNATIONAL PL #2410	BOSTON	MA	02110
870-19870	19870 65011 0004	1120	APARTMENT (9-99 UNITS)	21,212	50 50	JACKSON ST		50 JACKSON STREET LLC		FARZIN KIANI	512 GLEN RD	WESTON	MA	02493
74-9274	9274 41031 0014	112C	APARTMENT (9-99 UNITS)	21,120	145 145	LEXINGTON ST		CAPASSO PAUL E & JERROD	CAPASSO CHARLES & SHERRY E GP		49 LEXINGTON ST	NEWTON	MA	02465
696-71208	10696 43046 0008	113C	APARTMENT (100+ UNITS)	21,040	264 264-290	GROVE ST		WOODLAND PARK PARTNERS LLC		C/O THE HAMILTON CO	39 BRIGHTON AVE	BOSTON	MA	02134
696-71209	10696 43046 0008	113C	APARTMENT (100+ UNITS)	21,040	264 264-290	GROVE ST		WOODLAND PARK PARTNERS LLC		C/O THE HAMILTON CO	39 BRIGHTON AVE	BOSTON	MA	02134
696-71211	10696 43046 0008	113C	APARTMENT (100+ UNITS)	21,040	264 264-290	GROVE ST		WOODLAND PARK PARTNERS LLC		C/O THE HAMILTON CO	39 BRIGHTON AVE	BOSTON	MA	02134
41-71200	2641 21012 0006	112C	APARTMENT (9-99 UNITS)	20,874	129 129-151	NORTH ST NVL		ALBEMARLE PARTNERS LLC			2 INTERNATIONAL PL #2410	BOSTON	MA	02110
862-17862	17862 63008 0019	112C	APARTMENT (9-99 UNITS)	20,800	219 219	COMMONWEALTH AVE		ZEE 219 COMMONWEALTH LLC		C/O CHARLESGATE PRPTY MGMNT	867 BOYLSTON ST 3RD FLR	BOSTON	MA	02119
003-15003	15003 54022 0049	112C	APARTMENT (9-99 UNITS)	20,756	77 77	BEACONWOOD RD		CAPASSO DONATO D TR			49 LEXINGTON ST	WEST NEWTON	MA	02465
695-71361	10695 43046 0004	125C	CONGREGATE HOUSING	20,388		OAK RIDGE/SEMINARY		LASELL UNIVERSITY		C/O LASELL VILLAGE	120 SEMINARY AVE	AUBURNDALE	MA	02466
46-8846	8846 41014 0010	0130	MIXED USE	20,046	283 283	MELROSE ST		TURTLE LANE LLC		C/O VILLAGE INVESTMENTS	77 OLDHAM RD	NEWTON	MA	02465
	10460 43031 0001	1120	APARTMENT (9-99 UNITS)	21,624	136 136-144	HANCOCK ST		NEWTON GROVE LLC			2 TAMMIE RD	HOPEDALE	MA	01747
460-71928					000 000 070	WASHINGTON ST	Multiple	Molecula						
460-71928 84-01	Multiple Multiple	N/A	Commercial condos with apartn	147,069	839 839-853	WASHINGTON ST	multiple	Fuitiple						

#### Residential Condo Complexes that Contain Covered Buildings (November 22, 2024)

As of November 2024, the list of covered residential condos is still being finalized. Some complexes may be removed from the list if they do not contain any individual buildings of at least 20,000 square feet or do not use one or more centralized heating system

Building I	dentification		Building S	street Address	Complex	Size			Owner Contact Informat	ion			
Newton BERD	0		U		Number Gross F	loor Area							
ID	Sequence No.	Nol	No2	Street	of Units (square	feet)	Current Owner I	Current Owner2	Current Mailing Address Line I	Current Mailing Address Line 2	Current City	Current State	Current Zip
064-TBD	064		250 250	HAMMOND POND PKWY	425	485,440	TOWERS OF CHESTNUT HILL		250 HAMMOND POND PKWY	-	CHESTNUT HILL	MA	02467
083-TBD	083	Multiple	401-439	DEDHAM ST	66	290,484							
078-TBD	078	Multiple	77-79	FLORENCE ST	213	206,432	HAMPTON PLACE CONDOMINIUM		1959 HARBOR VIEW CIRCLE		FORT LAUDERDALE	FL	33327
077-01	077		280 280	BOYLSTON ST	152	189,420	IMPERIAL TOWERS COND ASSO		280 BOYLSTON ST		CHESTNUT HILL	MA	02467
II4-TBD	114		99 99	FLORENCE ST	75	170,190	THE FARM AT CHESTNUT HILL	ATTN MARYBETH	99 FLORENCE ST		CHESTNUT HILL	MA	02467
085-TBD	085		210 210	NAHANTON ST	108	158,650	NAHANTON WOODS CONDO TRUS	C/O BRIGS LLC	185 DUDLEY ST		ROXBURY	MA	02119
147-TBD	147	Multiple	207-297	NAHANTON ST	37	154,928	LEDGEBROOK CONDOS	C/O DANNIN MNGMNT CORP	PO BOX 117		BROOKLINE	MA	02446
501-TBD	501	Multiple	336-346	BOYLSTON ST	36	91,115	THE RESIDENCES AT CHESTNUT HILL		PO BOX 117		BROOKLINE	MA	02446
1227-01	1227		77 77	COURT ST	36	58,445	77 COURT CONDOMINIUM TRUST	C/O DANNIN MANAGEMENT	PO BOX 117		BROOKLINE	MA	02446
855-01	855	Multiple	27-29	COMMONWEALTH AVE	57	53,327		C/O HOFELLER COMPANY	PO BOX 1347		BROOKLINE	MA	02446
033-TBD	033	Multiple	83-91	STANIFORD ST	26	50,440	RIVERWOOD CONDO	C/O J.A. WOOD MANAGEMENT	594 MARRETT RD STE# 21		LEXINGTON	MA	02421
057-TBD	057	Multiple	33-53	PAUL ST	52	49,490							
701-01	701		350 350	BOYLSTON ST	22	47,949	THE RESIDENCES AT CHESTNUT HILL		PO BOX 117		BROOKLINE	MA	02446
022-TBD	022	Multiple	86-112	WASHINGTON PK	25	45,702	CLAFLIN PARK CONDO	C/O SENNE	I LEWIS WHARF		BOSTON	MA	02110
040-01	040		51 51	PETTEE ST	33	45,002	FALLS RIDGE CONDOMINIUMS	C/O ROTENBERG MANAGEMENT	45 BARTLETT CRESCENT SUITE #7		BROOKLINE	MA	02446
061-01	061		209 209	COMMONWEALTH AVE	15	43,239	COMMONWEALTH CONDOMINIUM	C/O ROBERT MARCUS REAL ESTATE	42 GLEN AVE		NEWTON CENTER	MA	02459
082-TBD	082	Multiple	303-309	WINCHESTER ST	20	40,835	ADVANTAGE PROPERTY MANAGEMENT		PO BOX 590637		NEWTON CENTRE	MA	02459
343-TBD	343	Multiple	1111-1123	BEACON ST	12	40,016							
079-01	079	Multiple	26-70	OBER RD	22	30,069							
161-01	161	Multiple	611-621	WATERTOWN ST	27	28,126	REGENCY CONDOMINIUM TRUST	C/O PREMIER PROPERTY SOUUTIONS	190 HIGH ST 6TH FLOOR		BOSTON	MA	02110
230-01	230		209 209	RIVERVIEW AVE	30	26,547	GRANDVIEW CONDOMINIMUM	C/O F & F PROPERTY MANAGEMENT	209 RIVERVIEW AVE		NEWTON	MA	02466
1518-01	1518		20 20	KINMONTH RD	24	26,266							
146-01	146	Multiple	447-449	LOWELL AVE	17	25,122	CLAFLIN SCHOOL CONDOS	C/O THE STEFANELLI CO INC	P.O. BOX 320542		WEST ROXBURY	MA	02132
015-01	015		935 935	WASHINGTON ST	17	23,379	TOP NOTCH CLEANING, INC		121 MYSTIC AVE SUITE 7		MEDFORD	MA	02155
828-01	828		391 391	WALNUT ST	11	23,018	JESSICA LOWENPHAL	OXFORD HOUSE CONDO TRUST	391 WALNUT ST	APT 9	NEWTONVILLE	MA	02460
1386-01	1386		68 68	LOS ANGELES ST	20	22,048	THE GATEWAY CONDO ASSOCIATION		68 LOS ANGELES ST #IP		NEWTON	MA	02458
188-TBD	188	Multiple	130-136	BOYLSTON ST	143	155 470	HAMMOND PARK TRUST	C/O BARKAN MGMT CO.	34A HAMMOND POND PKWY		CHESTNUT HILL	MA	02467
100-160	100	Multiple	2-34	HAMMOND POND PKWY	143	133,477	HAPPOID PARK TROST	C/O BARRAIN HIGHT CO.	34A HAMMOND FOIND FRWI		CHESTINOT HILL	MA	02467
333-TBD	333	Multiple	3-69	TANGLEWOOD RD	28	88,523							
555-100		Multiple	49-51	FLORENCE ST	20	00,525							
144-TBD	144	Multiple Multiple	72 3-11	LINCOLN ST ERIE AVE	24	31,102	THE HIGHLANDS CONDOMINIUM	C/O CERTIFIED PROPERTY MANAGMENT	1195 BEACON ST		BROOKLINE	MA	02446

#### Owner Contact Information for Covered Commercial Condos (November 22, 2024)

	Buil	ding Identificatio	n		Buildi	ng Street Addres	s		Owner Contact Information						T
Newton	Sequence	-				-									
BERDO ID	No.	PID	SBL	Nol	No2	Street	Unit	Current Owner I	Current Owner2	Current Owner Care of	Current Mailing Address	Current City	Current State	Current Zip	Notes
1384-01	1384	111742	21029 0010A	839	839-853	WASHINGTON ST	2	WASHINGTON PL OWNER LLC	2	C/O MARK DEVELOPMENT	275 GROVE ST SUITE 2-150	AUBURNDALE	MA	02466	
	1384	111743	21029 0010B	839	839-853	WASHINGTON ST	3	WASHINGTON PL OWNER LLC	2	C/O MARK DEVELOPMENT	275 GROVE ST SUITE 2-150	AUBURNDALE	MA	02466	This unit is split between buildings 1384-01 and 1384-02
1384-02	1384	3056	21029 0010	839	839-853	WASHINGTON ST	1	WASHINGTON PL OWNER LLC	:	CVS HEALTH #107 02	I CVS DRIVE MC 2320	WOONSOCKET	RI	02895	
	1384	111743	21029 0010B	839	839-853	WASHINGTON ST	3	WASHINGTON PL OWNER LLC	2	C/O MARK DEVELOPMENT	275 GROVE ST SUITE 2-150	AUBURNDALE	MA	02466	This unit is split between buildings 1384-01 and 1384-02
780-01	780	12677	51046 0001	109	109	OAK ST	1	CEC OAK RLTY LLC			109 OAK ST AND 5 SWEET ST	NEWTON	MA	02464	
	780	100586	51046 0001A	109	109	OAK ST	2	109 OAK STREET PROPERTIES L	LC	C/O ALEXANDRA PROPERT	111234 CHESTNUT ST	NEWTON UPR FLS	MA	02464	
817-01	817	100769	51028 0025A	19	19-31	NEEDHAM ST	21-2	75-85 MAIN ST REALTY LLC			281 ELIOT ST	CHESTNUT HILL	MA	02467	
	817	12288	51028 0025	19	19-31	NEEDHAM ST	21-1	75-85 MAIN STREET RLTY LLC			281 ELIOT ST	CHESTNUT HILL	MA	02467	
	817	100766	51028 0025D	19	19-31	NEEDHAM ST	5	UBC 5 EQUITY PARTNERS LLC			150 EAST 58TH ST STE 2000	NEW YORK	NY	10155	
	817	100767	51028 0025C	19	19-31	NEEDHAM ST	4	KSKIM UBC EQUITY PARTNERS	LLC	C/O KS PARTNERS	150 EAST 58TH ST 21ST FLR	NEW YORK	NY	10155	
	817	102735	51028 0025E	19	19-31	NEEDHAM ST	5A	NEWTON COMMUNICATIONS	ACCESS CTR IN		19-31 NEEDHAM ST 5A	NEWTON	MA	02461	
	817	102736	51028 0025F	19	19-31	NEEDHAM ST	5B	NEWTON COMMUNICATIONS	ACCESS CTR IN		19-31 NEEDHAM ST 5B	NEWTON	MA	02461	
1438-01	1438	10642	43044 0007	1858	1858	WASHINGTON ST	1	TEMPLE REYIM			1858 WASHINGTON ST	AUBURNDALE	MA	02466	
	1438	117935	43044 0007B	1858	1858	WASHINGTON ST	2	TEMPLE REYIM			1858 WASHINGTON ST	AUBURNDALE	MA	02466	
	1438	117936	43044 0007C	1858	1858	WASHINGTON ST	3	TEMPLE REYIM			1858 WASHINGTON ST	AUBURNDALE	MA	02466	
3421-01	N/A	15465	55001 0015BA	2000	2000	WASHINGTON ST	IA	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15466	55001 0015BB	2000	2000	WASHINGTON ST	IB	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15467	55001 0015BC	2000	2000	WASHINGTON ST	IC	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15468	55001 0015BD	2000	2000	WASHINGTON ST	ID	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15469	55001 0015BE	2000	2000	WASHINGTON ST	IE	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15470	55001 0015BF	2000	2000	WASHINGTON ST	2A	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15471	55001 0015BG	2000	2000	WASHINGTON ST	2B	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15472	55001 0015BH	2000	2000	WASHINGTON ST	2C	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15473	55001 0015BI	2000	2000	WASHINGTON ST	2D	DRISCOLL DANIEL MD TR	KAMADA REALTY TRUS	т	2000 WASHINGTON ST UN 2D	NEWTON	MA	02462	
	N/A	15474	55001 0015BJ	2000	2000	WASHINGTON ST	2E	LEVIN MICHAEL			2000 WASHINGTON ST UN 2E	NEWTON LWR FLS	MA	02462	
	N/A	15475	55001 0015BK	2000	2000	WASHINGTON ST	3A1	AUDIBO LLC			4 CHARLES RIVER CT	WELLESLEY	MA	02482	
	N/A	15476	55001 0015BL	2000	2000	WASHINGTON ST	3A2	KLINGENSTEIN R JAMES			32 WAUWINET RD	NEWTON	MA	02465	
	N/A	15477	55001 0015BM	2000	2000	WASHINGTON ST	3A3	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15478	55001 0015BN	2000	2000	WASHINGTON ST	3B	NEWTON-WELLESLEY HOSPITA			A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15479	55001 0015BO	2000	2000	WASHINGTON ST	3C	NEWTON-WELLESLEY HOSPITA			A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15480	55001 0015BP	2000	2000	WASHINGTON ST	3D	NEWTON-WELLESLEY HOSPITA			A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15481	55001 0015BQ	2000	2000	WASHINGTON ST	3E	NEWTON-WELLESLEY HOSPITA	AL	C/O MASS GENERAL BRIGH	A 399 REVOLUTION DR STE 1345	SOMERVILLE	MA	02145	
	N/A	15482	55001 0015BR	2000	2000	WASHINGTON ST	3F	LEIBOLE MARC A MD	ECLS REAL ESTATE LLC		40 WALNUT ST STE 101	WELLESLEY	MA	02481	



### City of Newton, Massachusetts

Office of the Mayor

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#42-24

November 22, 2024

Newton Zoning and Planning Committee Newton City Council !000 Commonwealth Avenue Newton, MA 02459

Subject: Response to 11-18-24 letter to ZAP from Newton-Wellesley Hospital

Dear Committee Members:

The City of Newton and the Newton-Wellesley Hospital have been meeting since May 2022 to discuss the Newton BERDO ordinance and its application to the hospital. We have been meeting more frequently over the past two months to try to reach agreement on specific ordinance language. Our goal from the outset was to design a BERDO that addresses the hospital's unique concerns. The City has attempted to reach a compromise, but the hospital has been unwilling to back off from its insistence on a total exemption from BERDO for its hospital buildings. Let me be clear that the Newton BERDO does not, and will not, interfere with Newton Wellesley-Hospital's (NWH) compliance with federal regulations or their ability to use natural gas needed for compliance. These are the main concerns expressed by NWH in their letter to the Committee. Our letter responds to those concerns.

The City has applied three primary principles to its BERDO ordinance language relative to NWH.

- 1. Compliance with the federal hospital regulations and patient care are the priorities over compliance with Newton's BERDO. But, having a BERDO in place provides the impetus to make sure that emissions reduction is part of their calculus.
- 2. Compliance flexibility. Partial compliance with BERDO is better than no compliance.
- 3. The ordinance is not the last word on BERDO compliance. The regulations will provide additional flexibility to NWH.

Flexibility is provided in Newton's BERDO for hospitals and healthcare. Under Section 1 (j) ii:

- 1. backup generation is exempt from BERDO which is an important provision due to the federal requirement for a secondary power source and could be used wholly or in part to comply with the federal regulations,
- 2. microgrids (including cogeneration) are eligible for exemption from BERDO with documentation provided by a licensed professional engineer,
- 3. other systems as set forth in regulations which are needed to meet federal requirements are eligible for exemption from BERDO with documentation from a PE and,
- 4. Under Section 1 (I) hospitals and healthcare institutions are eligible for Hardship Compliance Plans which may include alternative emissions standards and timelines for compliance. The document that MGB is

developing as described by Mr. Philbin and Messervy in their Nov 18<sup>th</sup> letter to ZAP (page 1, paragraph 4, last sentence) could be the basis for that plan.

NWH is in compliance with Newton BERDO until 2039 which provides a significant amount of time for the hospital to develop its plan for compliance with federal requirements, develop the plan they mention in their November 18<sup>th</sup> letter to ZAP for "eliminating their contribution to climate change" and for the City to develop BERDO regulations that are compatible with those plans. Because they have already reduced emissions considerably, if they prepare an individual compliance schedule as I recommended, they may be in compliance until as far as 2045.

It has been difficult trying to reach agreement on ordinance language with NWH. They appear to be supportive of BERDO and emissions reduction but ultimately, the only position they are willing to accept is a complete exemption of their hospital buildings. They have expressed support for BERDO and emissions reduction in their last two letters to ZAP, only to continue to lobby for an exemption.

#### Letter from NWH to ZAP of 10-28-24

"We have never objected to Newton adopting a BERDO Ordinance that includes the Hospital; and in fact, we support the City adopting a BERDO Ordinance."

#### Letter from NWH to ZAP of 11-18-24

"Some of our system's collective actions to take leadership on decarbonization include launching the Climate and Sustainability Leadership Council at Mass General Brigham. This group is responsible for organizing a strategy for achieving our goals in three principal areas: eliminating our contribution to climate change and pollution .... The Council has embarked on an ambitious effort to quantify all direct and indirect contributions of climate-harming emissions, with an eye toward establishing a timeline and process for reducing and ultimately eliminating our contribution to climate change. "

In the interest of brevity, I have tried to provide brief responses to some of the comments made by NWH in the 10 questions which they prepared for City Councilors. I would be glad to respond in more detail or to any further questions.

1. Question: What efforts has Newton-Wellesley Hospital made to share its concerns with the City?

We have had multiple meetings beginning in May 2022. The only option that the hospital has offered in multiple drafts, is an outright exemption for all hospital buildings.

2. Question: What is the primary reason for the hospital to request an exemption from the BERDO ordinance?

The City has provided flexibility options described previously that would enable the hospital to meet federal requirements and patient care priorities and use natural gas if necessary, without incurring compliance penalties.

3. Question: What is unique about the hospital that distinguishes it from all other building types?

The City has addressed these requirements by providing flexibility options specifically for hospitals and healthcare institutions that would enable them to use natural gas. It is also possible to heat and cool areas of the hospital using heat pumps thus, gradually reducing reliance on natural gas.

4. Please share information about the hospital's ongoing commitments to energy efficiency and carbon emissions reductions.

The hospital has made significant improvements to its facilities and GHG emissions. In a memo to them on August 30, 2024, I suggested that we would be willing to help them develop an individual compliance schedule based on these accomplishments, that we think could keep them in compliance with BERDO beyond 2039 and possibly up to 2045. An individual compliance schedule is a flexibility option in BERDO that is available to all building owners.

# 5. Question: Why is the comparison to Boston BERDO unacceptable to the Hospital?

The City has been interested in how the MGB's experience in Boston could be helpful in the design of the Newton BERDO. As a result of this, we have provided an exemption, that is not available in Boston, for microgrids (including cogeneration) and other systems.

The requirement for a secondary energy infrastructure, which is already available for Boston hospitals, has nothing to do with BERDO. This is a federal requirement. Newton's BERDO provides NWH with the flexibility to meet this requirement without interference or fines.

# 6. Question: What limitations are placed on the hospital by the City's proposed hospital BERDO provisions?

BERDO places no limitations on the hospital until 2039 because they are in compliance until then, or possibly as far as 2045 if they complete an individual compliance schedule as I have suggested.

The City has also specifically provided for microgrids and other systems in Section 1 (j) as mentioned previously. Also, back up generation is exempt from BERDO. The hardship compliance plan can provide a process for NWH to achieve its goal of developing a "timeline and process for reducing and ultimately eliminating our contribution to climate change "which is the expressed goal of MGB in their November 18<sup>th</sup> letter.

#### 7. Question: Does the City's position raise legal issues for you?

Hardship compliance plan regulations will be prepared with input from an advisory commission, not solely by the BERDO Administrator, and will be approved by the Mayor. The BERDO Administrator is supervised by the Co-Director of Energy and Climate. Regulations will include input by stakeholders and an advisory commission and will be updated periodically. Since the hospital is in compliance with BERDO until 2039, there will be ample time for development of BERDO regulations pertaining to the hospital as it develops its plan for compliance with the federal regulations.

Hardship compliance plans may include alternative emissions standards and timelines for compliance. These words are included in the ordinance for a reason.

The hospital's concern about providing "a second source of energy above and beyond the electric grid", is provided for in BERDO by exempting backup generation and providing for microgrids and other systems.

8. Question: What is the city's language trying to accomplish specifically with respect to the hospital buildings?

No one from the City has ever said, either publicly or privately, that our intention is to hold the hospitals feet to the fire in terms of eliminating the use of natural gas as a second source of heat

and power. We have always worked to understand the hospital's unique needs and come up with a compromise that could include the use of natural gas if necessary. The hospital's insistence on a complete exemption is not a compromise. The City is not trying to eliminate the hospital from relying on natural gas for heat and power if it is the only reasonable option. We have provided options for continued use of natural gas, but not a complete exemption. The hospital has indicated in their November 18<sup>th</sup> letter to ZAP that it can reduce emissions and wants to eliminate their contribution to climate change. We also think that they can reduce their use of gas and still meet federal standards and patient care priorities.

# 9. Question: Why is the hardship compliance plan not an acceptable outcome for the hospital?

There will be little or no fines if the hospital uses the flexibility options provided in BERDO. They have plenty of time to plan and implement emissions reduction measures and work with the City to develop a hardship compliance plan. We have cooperated by providing flexibility options in BERDO for the hospital. Not agreeing with the hospital's request for a complete exemption, is not being uncooperative. The hardship compliance plan option will give the hospital the option of implementing the plan that MGB's Climate and Sustainability Leadership Council is developing.

10. Question: Why should the City Council reject the recommendation of the City's sustainability team and instead adopt the exemption provision being recommended by the hospital? The City is not choosing technologies for the hospital. We are establishing standards. By definition, an emission standard is technology neutral and only regulates emissions. The only technology specifically mentioned is microgrids, which was suggested by the hospital in a September 28<sup>th</sup> email to me along with providing us the federal CMS regulations that allow for use of microgrids to meet hospital requirements for a secondary source of electricity.

NWH is an important part of the Newton community. We look forward to working with them and to help them continue to thrive in Newton as part of our community sustainability efforts, rather than on their own through a complete exemption.

Sincerely,

Bill Ferguson

William H. Ferguson Co-Director of Energy and Climate



### City of Newton, Massachusetts

Office of the Mayor

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#42-24

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November 22, 2024

Newton Zoning and Planning Committee Newton City Council !000 Commonwealth Avenue Newton, MA 02459

Subject: Adding Large Residential Buildings to BERDO

Dear Committee Members:

I am writing to remind the Committee of the City's position relative to including large residential buildings in BERDO, which has not changed since we submitted the ordinance in May 2024. The ordinance which we submitted in May addresses only non-residential buildings. Our presentation to the Committee noted that the City proposes to add large residential buildings next year.

Our concern, then and now, is that there are issues surrounding the residential buildings sector that may complicate passage of a Newton BERDO by the Council as it did in Cambridge recently. Large residential buildings include three subsectors: low-income affordable housing, market priced housing and condominiums. A fourth category is naturally occurring affordable housing. It has been the City's plan to spend more time trying to better understand issues affecting each of these categories and determine ways to address them before adding residential buildings to the scope of the BERDO ordinance.

Large non-residential buildings covered by BERDO represent 23% of the total emissions of the City of Newton. Large residential buildings represent 5% of the total emissions. 5% is not insignificant but, may not be worth risking or delaying getting to work on the 23%.

Although we have been helpful in drafting the Danburg amendment, which includes large residential buildings, and also by doing some research for the NCCE, our position has not changed, and we are not planning to advocate for including residential buildings in BERDO at this time.

However, if the City Council decides to pass a BERDO that includes residential, we will work to make it successful.

2

Sincerely,

Bill Ferguson

William H. Ferguson Co-Director of Energy and Climate

#### **Newton BERDO**

Timeline for Tier 1-Non-residential Buildings >= 100,000 SF (47 buildings)

Milestone	2024	2025	2026	2027	2028	2029
BERDO Passes City Council	Dec					
Training on Energy Reporting provided.		Mar-Sept	Feb-Sept	Feb-Sept	Feb-Sept	Feb-Sept
Energy Report due for prior year energy use.					Sept (for 2027 use)	Sept (for 2028 use)
BERDO Compliance workshops			Oct-Dec	Oct-Dec	Oct-Dec	Oct-Dec
Emissions standard in effect for Tier 1 Buildings.				Jan-Dec	Jan-Dec	Jan-Dec
Fines in effect for Tier 1 Buildings.						Jan-Dec

#### Training on Energy Reporting provided.

This traning will be providied jointly by the City's consultant and the utilities. It will address use of Energy Star Portfolio Manager and how to obtain utility data.

#### BERDO Compliance workshops.

The workshops will address how to participate in various flexiibility options provided under BERDO. This includes individual compliance schedules, portfolios, hardship compliance plans, and calculation of alternative compliance payments.

The workshops will also address strategies for compliance with emissions standards including presentations by the utilities on programs and resources that are available, and from vendors and equipmentment manufacturers offering services and equipment for building decarbonization and electrification.

#### Newton BERDO

Timeline for Tier 3- Buildings: Non-residential Bldgs 35,000 to 49,999 SF and Residential Buildings >= 50,000 SF

Milestone	2024	2025	2026	2027	2028	2029	2030	2031
BERDO Passes City Council	Dec							
Training on Energy Reporting provided.		Mar-Sept	Feb-Sept	Feb-Sept	Feb-Sept	Feb-Sept	Feb-Sept	Feb-Sept
Energy Report due for prior year energy use.			Sept (for 2025 use)	Sept (for 2026 use)		Sept (for 2028 use)	Sept (for 2028 use)	Sept (for 2028 use)
BERDO Compliance workshops			Oct-Dec	Oct-Dec	Oct-Dec	Oct-Dec	Oct-Dec	Oct-Dec
Emissions standard in effect for Tier 3 Buildings.						Jan-Dec	Jan-Dec	Jan-Dec
Fines in effect for Tier 3 Buildings.								Jan-Dec

#### Training on Energy Reporting provided.

This traning will be providied jointly by the City's consultant and the utilities. It will address use of Energy Star Portfolio Manager and how to obtain utility data.

#### BERDO Compliance workshops.

The workshops will address how to participate in various flexiibility options provided under BERDO. This includes individual compliance schedules, portfolios, hardship compliance plans, and calculation of alternative compliance payments.

The workshops will also address strategies for compliance with emissions standards including presentations by the utilties on programs and resources that are available, and from vendors and equipmentment manufacturers offering services and equipment for building decarbonization and electrification.



### City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1142 TDD/TTY (617) 796-1089 www.ncwtonma.gov

Barney Heath Director

### MEMORANDUM

DATE: November 22, 2024

- **TO:**R. Lisle Baker, Chair, Zoning & Planning CommitteeMembers of the Zoning & Planning Committee
- **FROM:** Barney Heath, Director, Department of Planning and Development Jennifer Caira, Deputy Director, Department of Planning and Development Zachery LeMel, Chief of Long Range Planning Nora Masler, Planning Associate
- RE: #267-24 Request for discussion and possible amendments to require disclosure of any anticipated change in grade as part of a land use special permit application COUNCILORS BAKER, OLIVER, LEARY, KELLEY, GREENBERG, LAREDO, AND LUCAS requesting appropriate amendments to City ordinances, or the Rules of the Council, or both, to require disclosure of any change in grade anticipated from the original grade as part of a land use special permit application in addition to disclosure of such a grade change in any engineering drawings submitted with the special permit application.
- MEETING: November 25, 2024

CC: City Council Planning Board Anthony Ciccariello, Commissioner of Inspectional Services Jonathan Yeo, Chief Operating Officer Alissa O. Giuliani, City Solicitor

#### Overview

Docket item #267-24 is requesting the disclosure of grade changes in special permit applications. While information regarding existing and proposed grading has always been provided, Planning staff have been working with the City Council to highlight proposed changes in grade in new development while also amending the zoning to disincentivize these grade changes. Increasing the grade above what is existing is typical in new construction for a variety of reasons including, creating a basement that is exempt from floor area ratio calculations, accommodating stormwater runoff, the presence of high groundwater, and/or providing an underground stormwater detention system.

Ruthanne Fuller Mayor Below is a brief summary of the ways grade changes are illustrated and regulated:

- Civil site plans: Section 7.4.4.D of the zoning ordinance requires all special permit applications to submit plans with existing and proposed topography of the subject lot at 2-foot intervals (most smaller projects provide 1-foot intervals). Site plans also are required to include the calculation of the average grade and building height calculations for the proposed development. Site plans also typically include the grade of the first floor of the proposed building.
- Training: Planning staff recently conducted a training for City Councilors on reading plans, primarily focusing on site plans and understanding the grade changes and retaining walls. The training was recorded and can be seen <u>here</u> (passcode: \$#jX4r&L).
- Recent zoning amendments: The City Council recently passed amendments intended to further regulate the use of retaining walls and grade changes. Instead of only regulating retaining walls within the setback, all retaining walls over 4-feet in height anywhere on the site now require a special permit. Additionally, the zoning ordinance has historically measured height based upon proposed grade. Starting January 1, 2025, height will be measured based upon the existing pre-development grade, limiting the ability to raise the grade of the site and then still build to the maximum height.
- NewGov application changes: In response to concerns about grading changes, Planning staff have updated the special permit application in NewGov to ask if the existing grade will be changed by one foot or more. If the answer is yes, the applicant is required to submit site sections through the site that show the existing and proposed grades along with the existing and proposed buildings. Several of these have been submitted so far and Planning staff will continue to work with the Council and applicants to understand if these visuals are helpful and/or how they could better illustrate the grade changes on site.
- Planning memos: Planning staff have also been expanding upon the analysis of grade changes and retaining walls in the memos to the land use committee for special permits.

### Recommendation

Planning staff do not believe additional ordinance changes are necessary at this point. Once the retaining wall and height measurement changes have been in effect longer, applied to both by right and special permit projects, and more site sections have been submitted for special permits it would be helpful to revisit and see if additional modifications or materials are needed.