

CITY OF NEWTON
IN BOARD OF ALDERMEN
LAND USE COMMITTEE AGENDA
TUESDAY, MAY 6, 2014

7:00 PM
Room 222

#108-14 WABAN IMPROVEMENT SOCIETY requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold the 10TH ANNUAL WABAN VILLAGE DAY on Sunday, May 18, 2014.

Please see attached.

Public Hearing opened on March 3, 2014, continued to this evening:

#43-14 SALOMEH SADRI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an accessory apartment in a single-family dwelling at 21 COURT STREET, Ward 2, NEWTONVILLE, on land known as SBL 23, 16, 13, containing approximately 5,498 sq. ft. in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(h), 30-19(d)(19), 30-19(g) and (1) and (2) of the City of Newton Rev Zoning Ord, 2012.

Public Hearing opened on April 8, 2014; continued to May 6.

#70-14 JOHN J. ROCHE, INC./ROBERT J. MARINICK FAMILY TRUST OF 1996 petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE and STRUCTURE to add a new pre-fabricated spray booth adjacent to an existing auto body shop and for related waivers from dimensional parking requirements, landscaping, and lighting requirements at 740 BEACON STREET (and O UNION STREET) on land known as SBL 61, 38, 5 and 6, containing a total of 10,888 sq. ft. of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-11(g)(2), 30-19(h), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

(Please note Aldermen Laredo and Lipof are recused.)

Please see attachments.

Respectfully submitted,

Marc C. Laredo, Chairman

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov or 617-796-1145. For Telecommunications Relay Service dial 711.

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2014 MAR 25 AM 9:57

David A. Olson, CMC
Newton, MA 02459

City of Newton
Board of Alderman
City of Newton
1000 Commonwealth Avenue
Newton, MA 02465

March 24, 2014

Dear Board of Alderman,;

As a representative of the Waban Improvement Society and working with the Waban Area Council, I am writing to request a permit to close certain streets in Waban Square on Sunday, May 18, 2014 for the purpose of having a Village Day. This will be the Tenth Annual Waban Village Day. The streets that we would like to close are the parts of Woodward Street from Pine Ridge Road to Beacon Street, and Wyman Street from the Waban Post Office to its intersection with Woodward Street. The hours of the Village Day are from 11 AM to 3 PM, although we would like to close the streets from 7:30am to 3:30 PM. This year we will be doing a Fun Run, like last year, within the boundaries of Waban, beginning at 10 AM. It would be greatly appreciated if there could be one cruiser that remains at Windsor and Beacon Streets to deal with traffic and one cruiser following the last biker.

I am aware that we will need to contact the Newton Fire Department as well as the Departments of Public Works, and Parks and Recreation. A final request must also be sent to the Board of Alderman, as well as to the Licensing Commission and the Health Department. Please contact me as soon as possible to confirm that this is feasible. I can be reached at 617-818-1654, tabilel@yahoo.com, or by writing to me at 1935 Beacon Street., Waban, MA 02468.

Thank you in advance for your consideration of this matter.

Sincerely,

Theresa Fitzpatrick

David A. Olson

From: Theresa Fitzpatrick <tabilei@yahoo.com>
Sent: Monday, March 24, 2014 1:49 PM
To: David F. Turocy
Cc: Howard Mintz; Bruce A. Proia; Carolyn K. Stapleton; jdanila@newtonma.gov; David A. Olson; Angela Clark; John J. Babcock; John Rice; Sallee Lipshutz
Subject: Waban Village Day - 10th Annual -Sunday, May 18, 2014 --- Assistance Needed

March 24, 2014

Mr. David Turocy
Commissioner
Department of Public Works
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

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2014 MAR 24 PM 2:23
David A. Olson, CMC
Newton, MA 02459

Re: Waban Village Day
Sunday, May 18, 2014

Dear Mr. Turocy:

The Waban Neighborhood Area Council (WAC) is sponsoring the Waban Improvement Society's (WIS) 10th annual Waban Village Day on **Sunday, May 18, 2014**. We would appreciate your assistance with the following:

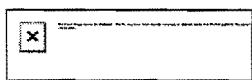
1. That Woodward Street (from Beacon to Chestnut), Pine Ridge Road (from Woodward to Chestnut Street) and Wyman Street (from Woodward to Chestnut) be closed from 7:30AM to 3:00 PM on May 18, 2014;
2. The WAC/WIS will also be holding it's 9th Annual Fun Run, which starts at Beacon Street and Woodward and goes along Waban Avenue to Quinobequin, to Larkspur to Collins and back to Beacon Street to Woodward. This run begins at 10am -10:30am.
3. That we are supplied with the necessary barriers to close off Woodward Street and the respective Village Day area. We need **15 sawhorses and 15 orange cones**. Please drop off sawhorses and orange cones on **Friday, May 16** at the Waban Library Center side lawn near the parking lot at Woodward Street.
4. That we are given the necessary **10 blue garbage barrels and 10 green recycling barrels**. Please drop these off at the

Waban Library Center (1608 Beacon Street) on Friday, May, 16.

5. No Parking sign along Wyman Street (between Woodward and the T parking lot) and along Woodward Street (between Beacon and the Pine Ridge/Woodward split)

In addition to the above, subject to the appropriate approvals and procurement of an Entertainment License, we will also have kiddy rides on Wyman Street (in front of Starbucks) and musical performances on Woodward Street in front of the Waban Library Center.

Should you have questions or concerns regarding any of the above, please call me 617-818-1654.



Much thanks,

Theresa Fitzpatrick
Waban Village Day
President

ccs:

Chief Bruce Proia, Fire Department
Captain Howard Mintz, Traffic Division, Police Department
Sergeant John Babcock
Jim Danilla, Traffic Engineer
Carol Stapleton, Newton Parks & Recreation
Angie Clark, DPW
Newton Board of Aldermen
Waban Area Council
Waban Improvement Society

~~~~~  
Theresa Fitzpatrick  
617.332.1654 (h)

# City of Newton, Massachusetts

Petitioner's response to the Board Alderman's inquiries  
For hearing continued to May 6, 2014

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2014 APR 28 PM 3: 31

David A. Olson, CMC  
Newton, MA 02459

Petition #70-14 ...to add a new prefabricated spray booth adjacent to an existing auto body shop

John J. Roche, Inc.



## Inquiries developed by the City of Newton's Board of Alderman

- **Air Quality/Treatment Inquiry** - An analysis of the existing and proposed Air Treatment Systems and how they compare to the MassDEP's Standards for Air Quality Conditions.
- **Noise Inquiry** - An examination of the current and proposed tools and equipment that effect noise levels in proximity to John J. Roche, Inc.'s operations.
- **Disposal Inquiry** - A review of the current and proposed procedures for the storage of vehicle parts and other generated waste. (Note: Particular attention was paid to the area between the existing structure and the MBTA rail line).
- **Screening Inquiry** - An examination of the proposed screening measures and their impact to the abutters visual obstruction of the property.

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John J. Roche, Inc. - Petition # 70-14

## Air Quality/Treatment Inquiry

To control and/or reduce the output of Volatile Organic Compounds (VOC's), and to ensure that auto body shops operate in an environmentally friendly manner, the Massachusetts Department of Environmental Protection (MassDEP) has developed guidelines for compliant Spray Booth operation. Representative guidelines include:

- Maximum level of Volatile Organic Compounds (VOC's) per gallon – 5.2 pounds
- Minimum level of a filter's particulate control efficiency – 97%
- Maximum velocity of air into the exhaust system – 200 feet per minute
- Minimum velocity of air out of the stack – 40 feet per second
- Stack discharge position – 10' above roof OR 35' above ground
- Coverage of high volume low pressure (HVLP) spray guns – 65%

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Newton, MA 02459

John J. Roche, Inc. – Petition # 70-14



# Air Quality/Treatment Inquiry - continued

| Regulation                                         | MassDEP         | Current         | Proposed        |
|----------------------------------------------------|-----------------|-----------------|-----------------|
| Max pounds of VOC's per gallon                     | 5.2             | 5.2             | 2.1-3.5         |
| Min filter particulate control efficiency          | 97.0%           | 97.0%           | 98.5%           |
| Max velocity of air into system                    | 200 feet/minute | 200 feet/minute | 200 feet/minute |
| Min velocity of air out of stack                   | 40 feet/second  | 40 feet/second  | 40 feet/second  |
| Min stack discharge distance (from roof)           | 10'             | 10'             | 12'-15'         |
| Min coverage of high volume low pressure spray gun | 65%             | 65%             | 65%             |

The greatest benefit of the proposed Spray Booth will be derived by **changing from solvent-based to water-based paint**. The reduction in VOC's per gallon, as well as the increased filter efficiency, will have a dramatic impact on reducing the overall pollutant level.

| Regulation Category                       | Current | Proposed    |
|-------------------------------------------|---------|-------------|
| High volume low pressure (HVLP) overspray | 35%     | 35%         |
| Filter inefficiency                       | 3%      | 1.5%        |
| Pounds of VOC's per gallon                | 5.2     | 2.1-3.5     |
| Potential pounds of VOC's per gallon      | .0546   | .0111-.0184 |

Accordingly, the proposed Spray Booth will be 3-5 times more effective at controlling VOC's

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John J. Roche, Inc. - Petition # 70-14



## Noise Inquiry

The Company has assessed both existing and proposed tools and equipment that contribute to the overall noise level in proximity to operations.

| Tool/Equipment           | Function                    | Duration per use (minutes) | Uses per week | Estimated Decibels-* |
|--------------------------|-----------------------------|----------------------------|---------------|----------------------|
| Air Hammer               | Cutting Auto Panels         | 15-45                      | 2-3           | 102                  |
| Whizzer                  | Cutting Other Metal         | 15-30                      | 3-4           | 80                   |
| #1 Compressor            | Air Tools, Spray Guns, etc. | 5-10                       | Daily         | 75                   |
| #2 Compressor            | Air Tools, Spray Guns, etc. | 5-10                       | Daily         | 85                   |
| Exhaust Fan (1)          | Air Treatment               | 30-60                      | Daily         | 90                   |
| Mixer (1)                | Mixing Solvent-based Paint  | 10-30                      | 3-4           | 100                  |
| Proposed Spray Booth (2) | Miscellaneous               | Various                    | Daily         | 75                   |

\*-Decibels estimated at distances of 1-5 meters

(1) Equipment eliminated with proposed Spray Booth Installation

(2) Equipment that will be added with the proposed Spray Booth installation

The proposed Spray Booth installation will eliminate 2 of the 3 tools/equipment with the highest decibel level. In contrast, the new Spray Booth will operate at an estimated decibel level at or below all other current tools/equipment.

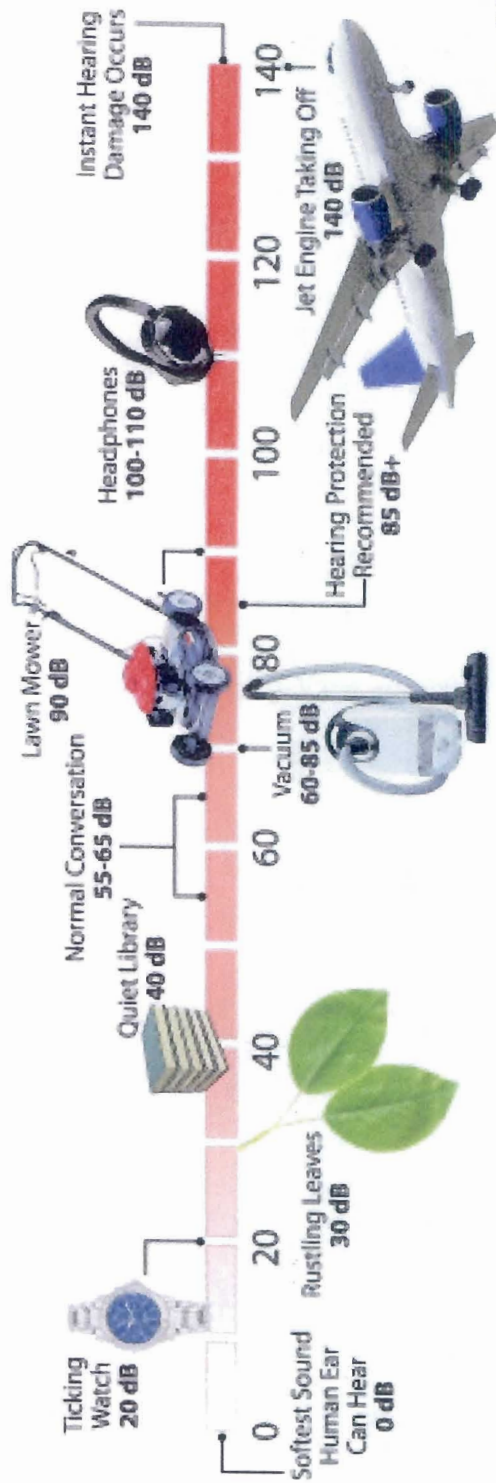
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Newton, MA 02459

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## Noise Inquiry - continued



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Inasmuch as the proximate decibel level of the Company's tools/equipment is determined at 1-5 meters, the audible impact of John J. Roche, Inc.'s operations to primary and/or secondary abutters appears to be negligible.

John J. Roche, Inc. - Petition # 70-14



## Disposal Inquiry – Vehicle Parts

During the normal course of business operations, John J. Roche, Inc. replaces damaged vehicle parts that in turn, need to be disposed of. Though our primary storage area for these parts is inside of the building, at times we have had to resort to storing some items outdoors while awaiting for their removal.

In order to create a more orderly environment – and to benefit the visual perspective of our abutters - we are entering into an agreement with a scrap metal dealer to remove these items 1-2 times per week.

To demonstrate our commitment to this issue, we have already conducted a complete clean up of the area. The following page shows a 'before' and 'after' view of the property.

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David A. Olson, CMC  
Newton, MA 02459

John J. Roche, Inc. – Petition # 70-14

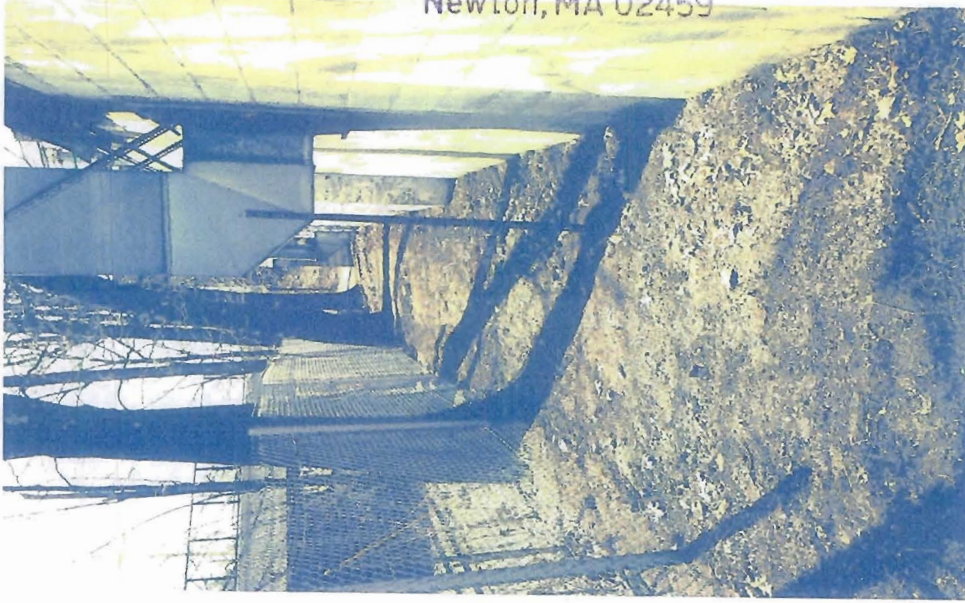


**Disposal Inquiry – Vehicle Parts**

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David A. Olson, CMC  
Newton, MA 02459



After



Before

John J. Roche, Inc. – Petition # 70-14

## Disposal Inquiry – Other Waste

John J. Roche, Inc. currently utilizes a four (4) yard dumpster positioned adjacent to the fence separating John J. Roche, Inc. and the MBTA rail line.

In order to eliminate this dumpster from the view of abutters, as well as maintain a more efficient waste disposal/recycling program, the Company will replace the 4 (four) yard dumpster with two 2-3 yard dumpsters. These smaller dumpsters will be kept inside the shop and will be picked up on a more frequent basis to avoid overflow.

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David A. Olson, CMC  
Newton, MA 02459

John J. Roche, Inc. – Petition # 70-14



## Screening Inquiry

John J. Roche, Inc. has agreed to make a number of improvements to the property. These improvements include measures that will positively impact the abutters visual perspective.

- The installation of an 8' wooden stockade fence alongside the current chain link fence separating the Company from the MBTA rail line
- The planting of an estimated seven (7) 6'-8' American Arborvitae in the corner of the lot facing Langley Road. Based on their height, it is estimated that these trees will have a caliper of 1" -1.5". According to the plan, they will be installed in two rows – four (4) Arborvitae in the row closest to Langley Road with an additional three (3) trees planted in the next row.

Based on our assessment of these planned initiatives, we believe that the visual obstruction of the property will increase for all primary and secondary abutters.

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David A. Olson, CMC  
Newton, MA 02459

John J. Roche, Inc. – Petition # 70-14



## In Conclusion

Thank you for the opportunity to respond to the Board of Alderman's inquiries.

We are confident that the proposed Spray Booth will have a positive impact on not only the environment but on our employees and abutters as well.

Furthermore, as John J. Roche, Inc. has demonstrated a willingness to accommodate the Board's requests, we are hopeful that you recognize our on-going commitment to improve the Newton Center business community and that these efforts will reflect favorably on your decision to approve of our application.

Thank you in advance for your time and attention,

Nancy Marinick  
President  
John J. Roche, Inc.

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John J. Roche, Inc. – Petition # 70-14