

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 5, 2014

Present: Ald. Crossley (Chairman), Lennon, Brousal-Glaser, Gentile, Danberg, Laredo, and Lappin

Absent: Ald. Albright

Also present: Ald. Johnson, Norton, Leary, Fuller, Hess-Mahan, Baker, and Yates

City staff present: Maureen Lemieux (Chief of Staff/Chief Financial Officer), David Turocy (Commissioner of Public Works), Lou Taverna (City Engineer), Rob Symanski (Financial Analyst), Jack Cowell (Capital Analyst), Keith Nastasia (Utilities Director), and Rob Garrity (Director of Sustainability)

#153-13      PUBLIC FACILITIES COMMITTEE requesting periodic updates on the progress of the citywide storm water system assessment needed to define the scope of repairs to the system, as well as methods of financing the assessment and an accounting of the storm water enterprise fund. [04/02/13 @ 11:02 AM]

**ACTION:**      **HELD 7-0**

**NOTE:**      The Chairman continued the discussion from October 1, 2014 on restructuring the storm water rate fee. At the previous meeting, the Committee discussed the possibility of restructuring the storm water rates based on Equivalent Residential Units (ERU). An ERU is equivalent to 2,600 square feet of impervious surface, which is the average impervious surface of a single-family residential lot. The previous discussion included the proposed storm water fee for residential properties, which would be somewhere in the neighborhood of \$65. For all other properties, including commercial and tax-exempt properties, the storm water fee would be approximately \$65 for the first ERU plus \$25 for each ERU thereafter. The new rates would help fund the much-needed improvements to the City's storm water infrastructure.

There is now new information available that impacts how the City would implement a storm water fee based on specific ERUs. Chief of Staff Maureen Lemieux explained that the current Geographic Information System (GIS) data that the City would use to calculate ERU to bill for the storm water dates back to 2005. In the past nine years, new development in Newton has changed and it is not possible to get an accurate reflection of exact impervious area without updated GIS data. The City expected to receive new GIS data through the State's aerial survey project, but this was put on hold. The Administration was counting on receiving the new GIS data to accurately develop the number of ERUs for commercial, industrial, and institutional properties. The Administration does not want to move forward with a new storm water rate based on exact ERUs without current GIS data.

The Law Department has been in contact with the Department of Revenue to determine what type of latitude the City has in terms of structuring the storm water fees. The City is fairly

constrained but it appears that the storm water fee could be a tiered system. The tiers would reflect flat charges for different ranges of impervious surface area on a lot, similar to the current water/sewer rates structures. The Administration has the data to implement this type of rate structure for Fiscal year 2016. The plan would be to implement this storm water rate structure in the interim between Fiscal Year 2016 and when the City gets updated GIS data. Although a storm water fee based on the exact number of ERUs of a property is more accurate, the tiered system based on impervious area is far more accurate than what the City has now. The Administration would like some direction from the Committee regarding whether to pursue the tiered rate structure for storm water. The Committee was supportive of the Administration continuing to investigate moving towards an interim-tiered system. Ald. Lappin moved hold, which carried unanimously.

### Questions & Comments

1. What time of the year do flyovers happen? (Danberg) **Typically, flyovers are done in April when there are no leaves on the trees and no snow on the ground for the clearest aerial photos.**
2. Will the City be differentiating between properties contribution to storm water run-off in the drainage systems? For example, will there be a difference in the storm water fee if somebody lives at the top of a hill, his or her driveway slopes down, all of their storm water goes into the storm drain versus somebody that lives in a low-lying area, and all of the water goes down onto their own property? (Danberg) **No. Ms. Lemieux does not believe the City could possibly differentiate. There are hills throughout the City. There are more than 25,000 water and sewer accounts. In addition, it is unlikely that State statute would allow the City to treat the example cases differently. The Chairman added that if a property has installed any storm water mitigation, the property owner is eligible to apply for a credit on their storm water fee. The credit is based on the degree to which a property mitigates its own storm water and the method that is used to mitigate.**
3. Will the City take into account any previous storm water mitigation done on a property? (Danberg) **Yes, the property owner would apply for storm water fee credits. The Administration and Board of Aldermen will need to reassess what the appropriate amount of storm water fee credits are for storm water mitigation. It will defeat the purpose of increasing the storm water rates to generate funding for storm water infrastructure improvements if the credits are too great and all of the properties with large amounts of impervious surface install mitigation systems.**

**The Engineering Division stated that other communities offer a maximum credit of 50% not the 75% that is the City's maximum amount of credit. There are various methods and degrees of storm water capture for properties. It could be something as simple as a dry well to something as complex as a vortex storm water unit that captures, separates and treats the storm water. The credit percentage depends on what type of system is installed on a property. The Engineering and Utilities Divisions of the Public**

**Works Department determine the amount of credit for properties that have installed storm water mitigation.**

4. How many special permits have required storm water mitigation on site? (Laredo)  
**Approximately 25-35 special permit applications are reviewed per year that require storm water retention over the past 10 years.**
5. The abatement process that the City employs is a little troubling in terms of what standards are being used and how the City is making decisions on how to credit fees. It seems the City is acting in a quasi-judicial role. How is the City making the determination on whether to give a reduction and what percentage of reduction is appropriate? (Laredo) **This is another area that needs to be hammered out. Many of the commercial establishments in the City have never applied for the credit because it was only \$150. It will completely change when the City starts charging a higher storm water fee.**
6. How are the standards for credits applied uniformly across the board? In addition, these determinations will take staff time, which is not a good use of resources. Understand the need for accurate data before the fees are set but the fee and credit needs to be a simple system to avoid creating a huge administrative burden. (Laredo) **There is likely a State law that requires the City has to provide an opportunity for property owners to opt out of the fee. The current City policy and method for assessing storm water credits is attached.**
7. The Committee should get input from the Law Department regarding what the City has to do in terms of offering credits before going forward. (Laredo)
8. Could you speak to how the credits have encouraged large commercial properties in other communities to install storm water mitigation? **It is a worthwhile goal; however, there is not a lot of experience with storm water fees based on impervious surface in communities in the New England area. Most of the communities in New England have relatively small fees but are moving towards fees based on impervious surface. The Commissioner stated that in the long-term range one of the goals should be to encourage property owners to capture storm water on site.**
9. It is worth going back to the baseline, which I understand is to start finding a way to have the cost of the storm water that is carried through the City system appropriately borne by the property owners that are generating the storm water. It is important to understand the legal context of implementing a new storm water fee. The City needs more revenue in the system to try to repair the system and one way of dealing with that is to raise the fees and get more revenue. The City is also trying to encourage property owners to mitigate storm water by installing retention systems. Do the storm water fees and credits have to be linked? The City may want to consider a staged response, which is an increase of a modest size in the storm water fee to keep the money coming into the system in order to address the needed storm water infrastructure system and move to the more sophisticated credit related system because

it takes time for somebody to install a storm water retention system. I am wondering whether we are tied completely to the State fly over. Is there any reason why the City cannot do its own flyover and get its own data? (Baker) **There is no reason that the City cannot do its own flyover. The flyover probably costs around \$50,000. The comments regarding the revenue and credit process is a policy issue that the City is going to have to address no matter how the City goes about raising the revenue because if the City gives to many credits and if every property owner decided to put in a mitigation system, the City is still facing approximately \$28 million worth of capital infrastructure improvements to the storm water system. There is a real push and pull with how to increase the revenue and how to reward property owners for doing what the City wants them to do but in the end, the City still has to raise the revenue. It is a challenge.**

10. The City is in an interesting situation where it needs to bring in funds for storm water infrastructure repair now but the details for a new fee systems are still being worked out, which are very important. It is increasingly clear that the City really does want to switch to impervious surface as it is much more directly related to the amount of the fee. How does the city make the switch in a graceful and logical way when the City needs the money now? One option is to stick with the current system and raise the fees until the switch to impervious surface can be done cleanly. The other option is to do an interim tiered structure based on ranges of amount of impervious surface. The City also has a sweet opportunity right now. The City's costs on sewer are going down, so if there is an increase to residents on the storm water fee their overall costs for water, sewer, and storm water will stay at an appropriate level of increase. It makes it a good time to increase the storm water fee, as it would not be particularly painful. (Fuller)
11. I understand that but one of the interesting challenges is matching up who benefits under each scenario. I think to do the nuanced piece and understand the impacts really are going to take more time than the City may have right now. (Baker) **It is possible that the City can come up with an interim solution right now. The Administration has committed to not raising the fees overall more than 3.9% in the foreseeable future. If the City is keeping the overall fees at 3.9% and the City is getting very large grant/large loans for the sewer system in Fiscal Year 2015, the City has an opportunity to move the numbers around without increasing the total impact to a user but to have more in the storm water fund and less in sewer.**
12. How does the fly over work in terms of establishing an ERU based storm water fee. (Danberg) **The fly over is necessary to gather the impervious surface area for all non-residential properties. The fly over would collect data on all properties but the data regarding impervious surface area is only needed for non-residential properties.**
13. How does the City recognize storm water retention systems that were installed in the past? (Danberg) **See above answer**

14. I think there is an interim solution. I would hate this fee to be a stick and not a carrot. There are a lot of people who struggle these days. The City raises taxes every year. The water bills are going up. People use water in different ways and the City needs to respect that, so when we talk about fees we need to look at how we can have a carrot and how we can have a stick that will allow the City to generate sufficient revenue but offer reasonable opportunity to get a reduction in the storm water fee. (Johnson)
15. How much money is the City going to spend on storm water improvements? The Administration is making a policy decision that the total increase in utility bills is going to be 3.9%. Because of lower sewer rates, the City can spend more on storm water improvements but it is still a policy decision on the 3.9% increase. The City derives significant benefit from implementing the new fee structure. It may be worthwhile for the City to go above the 3.9%, if there are long-term goals the City wants to accomplish. The City needs to raise the money, what is the best way of doing that? One alternative is the flat, which is the most extreme. The other is the impervious surface model. If you go with the impervious model, how does the City make it fair and accurate? My feeling is that I would prefer to get to fair and accurate as quickly as possible but if we cannot do it this year, I would prefer to go with the tiered system in the interim. I am not thrilled with having fixed rates because I do not think they are great. It more important to me that the City generates the funds to do the necessary work and then fine-tune the adjustment for fairness down the road. I am concerned about the process for credits for storm water retention. (Laredo)
16. Does the City have all of the residential impervious surface information data? (Lappin) **The Administration has the data to implement this type of rate structure for Fiscal Year 2016.**
17. Could the City use specific residential data to calculate a storm water fee based on ERU for each residential property? (Lappin) **There is no intention of charging every different residential property based down to the minute number of impervious square feet and that is why the average was calculated. The City must have a universal figure to base the storm water fee according to state statute, which requires a standardized unit of measure to base a fee on. The plan is to charge all residences one ERU. Every non-residential property is going to be charged based on the number of ERUs. The City can charge one rate for the first ERU and a different rate for every ERU thereafter. The City could not charge a certain rate for a residential ERU and a different rate for a commercial ERU. The intent is for every residential property to be charged at whatever the cost of the first ERU is.**
18. A tiny house will pay the same amount as some huge house. This does not seem to fall under fair and equitable. **If you think about it, the City of Newton has over 300 miles of roadways. I would presume that most of the City's storm water discharge is coming from the roads. All of the residents of the City use the roadways. The City does not assess the roadways. There is a basic cost to managing the storm water infrastructure, which serves everyone.**

19. The interim tiers are based on ERUs? (Lappin) **The tiers are still a work in progress to determine what the City can do. The City should be able to have a residential tiered system. The tiers for the coming year (FY16) would be based on a range of impervious surface area, not an ERU. For example, for either non-residential or residential if you have less than 10,000 square feet of impervious surface you pay \$75, if you have somewhere between 10,000 and 50,000 square feet of impervious surface, you pay \$150, if you have between 50,000 and 250,000 square feet of impervious surface, you pay \$1,000. The City already has the necessary data to implement the tiered system.**
20. Please provide a sample of what the tiers look like and examples of how it would impact residents and businesses. In addition, please provide a timeline for a City funded flyover, the cost of the flyover and if would make sense to do it with other communities. (Lappin)
21. The City could charge residents based on ERUs, once a flyover is done, which is really worth discussing. (Fuller)
22. If the City does an interim tiered system, how dramatic would the fee be for the average resident? (Brousal-Glaser) **Right now, the residential fee is \$25 a year. The expectation is that the fee will land between \$75 and \$85. If the City moves in the direction of second meters, there are two key things. If the City creates a micro-tier, it has the opportunity to protect the smaller consumer and there would need to be a determination on what to charge for the irrigation tier. Should the irrigation tier be at least equal to the dollar value of the highest water tier? If those things happen, the City would be able to lower the water bill for the smaller user because the irrigation water rate will be higher. Everybody's sewer rate needs to increase a bit because we are assuming that we will have up to 10% of sewer costs no longer able to be charged and then we would have this storm water piece. By the time we finish the entire package, the small user would not see more than a \$35 or \$40 increase for the year.**
23. There needs to be a clear plan for informing the community. (Crossley)

- #131-13 ALD. CROSSLEY, FULLER, SALVUCCI, JOHNSON, CICCONE requesting periodic updates and discussion, at the discretion of the members of the Public Facilities Committee or the Commissioner of Public Works, on the condition functioning, operations and management of all elements of the City sewer, water and storm water systems including the following:
- Water meters
  - Implementation of the ten project area strategic plan to remove infiltration in the City sewer system
  - Implementation of the long range strategic plan to repair and replace City water mains, especially to correct for fire flow

- Status of the City's Private Inflow Removal Program to resolve and disconnect illegal storm water connections to the City sewer system
- Current billing practices
- Rates analyses needed to facilitate an informed comparison of billing options to include the following options either alone or in combination: seasonal rates, second meters, tiered rates, frequency of billing, low income credits. [03/23/13 @ 11:13 AM]

**ACTION:**     **HELD 7-0**

**NOTE:**        The Committee's discussion was a continuation of the Committee's discussion on October 1, 2014 on the possibility of offering second water meters for outside water use and how the water and sewer rates could be restructured if the second meters are allowed. If outside water meters are to be allowed, the City would lose the sewer revenue. The City must recapture that revenue in order to maintain a self-sustaining utilities budget; so would need to restructure the water/sewer rates. One of the restructuring options that the Administration investigated was to add two tiers to the current three-tier water rate structure. A micro-tier (lowest) rate that would be applied to the first 0-10 HCFs of usage for every property owner, and a separate tier rate that would be applied only to outdoor water use. The sewer rate structure would also include the addition of a micro tier for 0-10 HCFs of sewer usage for every property owner. The rates within the tiers would depend on how many property owners opt for second water meters.

The Administration is looking for direction on three key things for implementation of an ordinance that allows for second water meters. Chief of Staff Maureen Lemieux would first like to be sure that the Committee supports moving forward with allowing separate meters for outside water usage. Secondly, it is important to know whether there is support to move to a five-tiered system for water that includes a micro-tier for 0-10 HCFs of water usage and an irrigation water tier. Thirdly, there needs to be direction from the Aldermen regarding what rate should be set for the outside water use.

The Administration provided the attached chart of the current water and sewer rates and examples of the proposed water and sewer rates with the additional tiers. The handout also included examples of the impact on the bills for users who install a second meter and those who do not. The sample rates are based on the assumption that the 1,000 highest water and sewer accounts would install a second meter for outside water use in the first year. The chart sets the micro-tier rate at \$5.50 per HCF from 0-10 HCFs and the irrigation rate at \$9.50 per HCF used. The examples illustrate that the small user is minimally impacted and that the installation of a second water meter would provide a benefit for users that use more than 40 HCFs of water on outside use, when the cost of installing a second meter is factored into the savings.

There was a unanimous consensus in Committee that the City should include a micro-tier and charge the highest rate for outdoor water use in order to protect small users and encourage water conservation. Some committee members would like further information on the impact of second water meters before supporting it but felt that the Administration should continue to move forward with the implementation process because the Aldermen cannot vote on the item without all of the information. Ald. Laredo moved hold on the item, which carried unanimously.

### Questions & Comments

1. I am troubled by the second meter idea because I feel like the sewers are for everybody and the water for irrigation, if there are second meters, should be at a very high rate. I think that ecologically it is a very strange message to send out to say, “Go ahead – green lawns are what Newton is pushing for here.” For so many peoples rates to go up so that some people can water their lawn and not be charged the sewer fee seems troubling. I know that it is more nuanced than that but that as a general idea I have trouble with the second meters. (Brousal-Glaser)
2. The second meter piece needs to be thought through. In 1997 the Utilities Director was not in favor of the idea of second water meters because of loss of revenue, they do not promote water conservation, it would be hard to regulate and costly to administer. I am providing a copy of the Comptroller’s Office analysis of total water consumption for the largest users in 1998 (attached). Chief of Staff Maureen Lemieux has an updated list that I hope she hands out. One of the challenges of this process is that the second meter beneficiaries may be a different class than you think they are. One of the questions that we really need to sort out is what is the impact of shifting to a higher rate for water users for those particular classes of use and shifting some of the burden to everyone else in the City. The other dimension of this is that flow a portion of the component of the sewer charge. Therefore, even if you want to treat outside water use differently almost half of the sewer fee is going to be a function of things other than flow. Part of the difficulty is that you have to take the non-flow cost and shift it around to other users in the system. It may make sense to give a partial sewer rate to the outside water used. The City really needs to determine who will benefit. I am not prepared to vote for second meters at this point. (Baker)
3. Is it possible to limit the use of second meters to residents only? (Gentile) **The Administration will find out and let the Aldermen know.**
4. If the City goes to a partial sewer charge, I may not be in favor of the highest rate for outdoor water but if there is no partial sewer charge, I am in favor of having the outdoor water at the highest tier. (Lennon) **The Administration has considered taking the fixed portion of the sewer rates and applying that to every user but the fixed portion is so large that the amount of money that would have to be appropriate to each user was substantial, which would really harm the smaller user. The City would almost have to create such a low fixed portion that it did not make sense because it was not really capturing anything; therefore, it was tossed out of the equation. The Administration has not done an analysis of applying a discounted sewer rate to the outside water because the data shows that water is not entering the sewer system.**
5. It would be useful to get the information regarding the possibility of only allowing outside meters to residential properties but I caution that even if the answer were yes, we would need



to think very carefully about if we wanted to do that. The City wants to be a welcoming community to our business partners as well as to our residential property owners. If you drive the businesses to put in wells for their irrigation, they are no longer buying water from the City. At that point, the City is no longer just losing the sewer charges but what those businesses would have contributed to pay for the fixed cost of the water side. We will need to look at second and third order consequences of what initially might be an attractive idea. (Fuller)

6. I think it is important to remember that people who have been using outside water have been providing relief to other people in the City. There has been a subsidy going on for many years. I would support a micro-tier and the higher tier for the outside water. However, I do not want the outside water rate to be so high that it creates a subsidy. Not every person that has an irrigation system is a multi-millionaire. (Johnson)
7. It would be helpful to understand how second meters would affect large commercial businesses and institutions. What are the relative shifts in costs? Will businesses and institutions see substantial savings if they install a second meter? (Baker) **The Administration will provide the data with assumptions for the top ten entities for water use.**
8. Could the City include ordinance language to provide discounts to people who already participate in federal and state programs that targeted to low-income people? (Yates)
9. How will the City do outreach to let property owners know that second water meters are available? **The Community Engagement Officer will join the Committee at the November 19<sup>th</sup> meeting to review an implementation plan for community outreach.**

Any additional questions should be submitted as soon as possible.

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#374-14      HIS HONOR THE MAYOR requesting authorization to appropriate the sum of sixty-five thousand dollars (\$65,000) from Free Cash to fund the installation of additional lighting around City Hall and the War Memorial. [10/15/14 @ 3:01 PM]

**ACTION:**      **APPROVED 7-0 WITH AN EMERGENCY PREAMBLE**

**NOTE:**      Director of Sustainability Rob Garrity presented the request for funding to install lighting around City Hall and the War Memorial. The new lighting is necessary to provide safe entrance and exit from City Hall and safe access to the parking areas around City Hall. Mr. Garrity provided the attached plan that identifies where the new street lamps would be sited. The map also includes the location of existing streetlights on Homer Street and Commonwealth Avenue and the positions of the building lights on City Hall and the War Memorial.

The plan is to add fifteen new streetlights around City Hall. Three new lights would be located in the front of City Hall in the area of the front circle at the rear of the fountain. There is one light planned for each of the two paths that cut through the City Hall ponds to City Hall near the Walnut Street path entrances. The Department of Public Works met with and received approval from the Conservation Commission for the lights in the front circle and the two lights on the paths. One new streetlight is placed on the Commonwealth Avenue side of City Hall at the side entrance path. One new lamp is being sited at the proposed elevator location at the Homer Street side of the War Memorial and one new lamp would be located at the picnic bench in Balsamo Park. The remaining seven lights will be located in the rear of City Hall around the War Memorial Circle.

The proposed new lights would be 14' pedestal lights similar to the existing lights at each end of City Hall Drive. The Historical Commission was consulted regarding the lights, which are in keeping with the historical nature of City Hall. Pictures of the proposed base, pole and lamp were attached to the agenda. The lights would be LED that diffuse light horizontally to light the entrances, paths, and sidewalks around City Hall and the War Memorial. Representatives of Holophane, the lighting manufacturer, and Dagle Electric, the City's streetlight contractor, met with Mr. Garrity and developed a plan for the location of the new lights.

There was concern expressed that areas of the Homer Street sidewalks and the paths through the City Hall ponds would not be sufficiently lit even with the addition of the new streetlights. Mr. Garrity responded that he believed that the new lights would provide a sufficient amount of light but if not, the wattage of the streetlights along Homer Street could be increased to light the sidewalks on the City Hall side of the street. Once the lights are installed, he will reassess the lighting around City Hall and address any areas that are not well lit.

The project is estimated to cost \$115,700 for materials and labor. The docket request is for an appropriation of \$65,000. The additional funds would be allocated from the existing streetlight fund, as there is an extra \$55,000 in that fund because of savings related to the LED streetlight replacement program.

The Chairman suggested that the item be voted with an emergency preamble, as the new lighting will greatly improve the safety of City employees and residents when entering and leaving City Hall. Ald. Lappin moved approval of the emergency preamble and the funding for the new streetlights, which carried unanimously.

**REFEERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#408-14 HIS HONOR THE MAYOR requesting authorization to borrow up to nine hundred seventeen thousand dollars (\$917,000) from the Massachusetts Water Resources Authority (MWRA) and authorization to expend an MWRA grant of two million seven hundred fifty-one dollars (\$2,751,000) as part of the MWRA interest free loan/grant program for the purpose of funding of sewer improvements to reduce infiltration and inflow. [10/28/14 @ 1:43 PM]

**ACTION:** **APPROVED 7-0**

**NOTE:** City Engineer Lou Taverna presented the request for authorization to borrow \$917,000 as an interest free loan offered by the Massachusetts Water Resources Authority (MWRA) and expend an MWRA grant of \$2,751,000. The loan and grant are being offered through the MWRA's Phase 9 Sewer Infiltration/Inflow Local Financial Assistance Program. The loan will be paid back in 10 installments over 10 years. The City will use the funds to continue with the 11-year capital plan to improve the sewer infrastructure. Ald. Laredo moved approval, which carried unanimously.

**REFEERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#407-14 **HIS HONOR THE MAYOR** requesting an amendment to the Water Revenue Budget by decreasing the Water Revenue Account by five hundred thousand dollars (\$500,000) and increasing the Transfer from Other Sources/Accumulated Water Fund Surplus by five hundred thousand dollars (\$500,000). [10/29/14 @ 11:20 AM]

**ACTION:** **APPROVED 7-0**

**NOTE:** Chief of Staff Maureen Lemieux presented the request to amend the Water Department's budget by shifting \$500,000 from a water revenue account to a water surplus account. The funds would not be spent, as the shift of funds is just a matter of housekeeping to avoid a 5% increase in the revenue account. Once the City sets the tax rate, the Department of Revenue reviews accounts and any account with a more than 5% increase is scrutinized. Ald. Danberg moved approval, which carried unanimously.

Respectfully submitted,

Deborah Crossley, Chairman

## Instructions and Guidelines for Stormwater Fee Credits

The City of Newton offers credits against the drain fee for service customers who undertake specific actions to reduce the impact of stormwater runoff on the public storm drainage system, or provide an on-going benefit related to stormwater management. Credits are evaluated based upon two categories 1) On-site stormwater management systems and 2) Stormwater Quality Treatment. Residential and non-residential properties may apply using the same form.

If a property owner, school or business wishes to obtain abatement for the storm drain fee, a completed application form with supporting documentation shall be submitted to the Stormwater Program Manager. Please attach to the application any plans, sketches or engineering reports that indicate the location of these structures (e.g., dry wells, leaching galleys, detention basins, etc.) and the area captured by these stormwater controls or best management practices.

The Stormwater Program Manager will review the application and conduct a site visit, if necessary, to determine the appropriate fee reduction based upon the following schedule.

	<u>Residential</u>	<u>Non-Residential</u>
Roof runoff captured and infiltrated:	25 to 50%	25 to 50%
Driveway / parking lot captured and infiltrated:	15 to 25%	25 to 50%
Stormwater Quality (pre-treatment prior to entering public drainage system):	10 to 20%	10 to 20%

Since house, building, driveway and/or parking lot areas vary greatly with the properties in Newton; a range of percentages is given so that a fair evaluation may be given to all applicants. The following are examples of how the above rate structure may be applied:

Single-family house with all roof leaders connected underground to a 500-gallon dry well sized to handle 7 inches of rain over a 24-hour period (100-year storm) = 50% deduction.

All driveway runoff is collected by a catch basin that conveys water to a second 500-gallon dry well, sized for the 100-year storm = 25% reduced fee.

Local gas station installs and maintains a Stormceptor™ such that all stormwater runoff on their property passes through this unit prior to entering the public drain = 20% deduction.

The total number of credits given to any property **cannot exceed 75% of the drain fee** for that property.

It is the responsibility of the property owner to apply for a credit and to provide the necessary supporting documentation with the application. Credit applications will only be reviewed if they are filled out completely. The review will be performed within four (4) weeks of receiving the application. Final approval of the application, if any, shall be made by the Commissioner of Public Works or his designee.



**§ 1. Authorization; connecting sewers; approval of plans; acquisition of lands by eminent domain or purchase; agreements with municipalities or districts; contracts**

A city or town may lay out, construct, maintain and operate a system or systems of common sewers and main drains in public or private ways for a part or the whole of its territory as they adjudge necessary for the public convenience or the public health with such connections and other works as may be required for a system or systems of sewerage and drainage, stormwater treatment and disposal, and sewage treatment and disposal. Such works for sewage treatment and disposal may include any wastewater treatment facility for treating, neutralizing or stabilizing sewage including treatment or disposal plants; the necessary intercepting, outfall and outlet sewers; pumping stations integral to such facilities; and equipment and appurtenances related to the foregoing. The works for drainage may include a stormwater treatment facility or measure of treating, or removing sediment or contaminants from, stormwater discharges. For the purposes of this chapter the word "sewage" shall mean wastewater from homes, public buildings, commercial or industrial establishments, or any combination thereof, and shall include any surface or ground water that may be present therein. For the purposes of this chapter, the word 'stormwater' shall mean surface runoff from precipitation.

A city or town may install and maintain, in any way therein where sanitary sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

No act shall be done except in the making of surveys, reports and other preliminary investigations, until the plan for said system or systems of sewerage and sewage treatment and disposal has been approved by the department of public health.

The aldermen of a city or selectmen, sewer commissioners, or road commissioners, acting for and on behalf of a city or town, may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in said city or town, necessary for accomplishing any purpose mentioned in this section, and may construct such sewers or drains under or over any bridge, railroad, railway, or public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers or drains and of maintaining and repairing the same, and may do any other thing proper or necessary for the purpose of this section; provided that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer or drain within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of telecommunications and energy. Any person injured in his property by such action may recover damages from such

**→ § 16. Charge for use of sewers**

The aldermen of any city or the sewer commissioners, selectmen or road commissioners of a town, may from time to time establish just and equitable annual charges for the use of common sewers and main drains and related stormwater facilities, which shall be paid by every person who enters his particular sewer therein. The money so received may be applied to the payment of the cost of maintenance and repairs of such sewers or of any debt contracted for sewer purposes. In establishing quarterly or annual charges for the use of main drains and related stormwater facilities, the city, town, or district may either charge a uniform fee for residential properties and a separate uniform fee for commercial properties or establish an annual charge based upon a uniform unit method; but, the charge shall be assessed in a fair and equitable manner. The annual charge shall be calculated to supplement other available funds as may be necessary to plan, construct, operate and maintain stormwater facilities and to conduct stormwater programs. The city, town or district may grant credits against the amount of the quarterly or annual charge to those property owners who maintain on-site functioning retention/detention basins or other filtration structures as approved by the stormwater utility, conservation commission, or other governmental entity with appropriate authority.

**CREDIT(S)**

Amended by St.1961, c. 311; St.2004, c. 149, § 139, 140, eff. July 1, 2004.

**HISTORICAL AND STATUTORY NOTES**

2005 Main Volume

St.1892, c. 245, § 1.

R.L.1902, c. 49, § 6.

St.1961, c. 311, approved March 30, 1961, in the first sentence, deleted the words "except Boston".

St.2004, c. 149, § 139, an emergency act, approved June 25, 2004, and by § 428 made effective July 1, 2004, in the first sentence, inserted "and main drains and related stormwater facilities".

Section 140 of St.2004, c. 149, added the third to fifth sentences.



Public Facilities Committee  
Outdoor Water Meter Examples

5-Nov-14 mll

<-----FY15 CURRENT WATER RATES----->

TIERS	0-20	21-70	71+	
HCF'S	1,889,272	595,878	604,779	3,089,929
RATES	\$ 5.84	\$ 7.00	\$ 8.41	
REVENUE	\$ 11,033,348	\$ 4,171,146	\$ 5,086,191	\$ 20,290,686

<-----FY16 3.9% INCREASE IN RATES----->

fy16 3.9% increase	\$ 6.07	\$ 7.27	\$ 8.74	
REVENUE	\$ 11,467,881	\$ 4,332,033	\$ 5,285,768	\$ 21,085,683

<-----PROPOSED WATER RATE STRUCTURE----->

	0-10	10-25	26-60	61+	irrigation	TOTAL HCF'S
HCF'S	1,229,766	831,438	279,014	407,412	342,299	3,089,929
RATES	\$ 5.50	\$ 6.50	\$ 7.30	\$ 8.90	\$ 9.50	
REVENUE	\$ 6,763,713	\$ 5,404,347	\$ 2,036,802	\$ 3,625,967	\$ 3,251,841	\$ 21,082,670



<-----FY15 CURRENT SEWER RATES----->

TIERS	0-20	21-70	71+	
HCF'S	1,889,272	595,878	604,779	3,089,929
RATES	\$ 8.60	\$ 10.33	\$ 12.40	
REVENUE	\$ 16,247,739	\$ 6,155,420	\$ 7,499,260	\$ 29,902,419

<-----FY16 3.9% INCREASE IN RATES----->

fy16 3.9% increase	\$ 8.94	\$ 10.73	\$ 12.88	
REVENUE	\$ 16,890,092	\$ 6,393,771	\$ 7,789,554	\$ 31,073,416

<-----FY16 PROPOSED SEWER RATE STRUCTURE----->

	0-10	10-25	26-60	61+	irrigation	TOTAL HCF'S
HCF'S	1,229,766	831,438	279,014	407,412	0	2,747,630
RATES	\$ 10.00	\$ 11.10	\$ 12.25	\$ 15.00	\$ -	
REVENUE	\$ 12,297,660	\$ 9,228,962	\$ 3,417,922	\$ 6,111,180	\$ -	\$ 31,055,723

Public Facilities Committee  
Outdoor Water Meter Examples

5-Nov-14 mil

	←-----PRE 2ND METERS-----→			←-----POST 2ND METERS-----→			TOTAL	%
	WATER	SEWER	TOTAL	WATER	SEWER	TOTAL		
Micro Tier Users 40 HCF's	\$ 243	\$ 358	\$ 600	\$ 220	\$ 400	\$ 620	3.26%	
ALL INSIDE 80 HCF's	\$ 486	\$ 715	\$ 1,201	\$ 480	\$ 844	\$ 1,324	10.26%	
55 HCF's IN/25 HCF's OUT	\$ 486	\$ 715	\$ 1,201	\$ 555	\$ 567	\$ 1,122	-6.60%	
ALL INSIDE 100 HCF's	\$ 631	\$ 895	\$ 1,526	\$ 610	\$ 1,066	\$ 1,676	9.86%	
65 HCF's IN/35 HCF's OUT	\$ 631	\$ 895	\$ 1,526	\$ 715	\$ 678	\$ 1,393	-8.72%	
75 HCF's IN/50 HCF's OUT	\$ 813	\$ 1,153	\$ 1,966	\$ 923	\$ 789	\$ 1,711	-12.95%	

CITY OF NEWTON, MASSACHUSETTS  
 ANALYSIS OF TOTAL WATER CONSUMPTION FOR 50 LARGEST ACCOUNTS  
 WITH SUMMER QUARTER WATER CONSUMPTION OF GREATER THAN 120% OF QUARTERLY AVERAGE FOR ALL OF 1998

	Average Quarterly Consumption (ft <sup>3</sup> )	Summer Quarter Consumption (ft <sup>3</sup> )	Summer as % Avg. Quarter	Summer Consumption In Excess of Avg.	Summer Excess Sewer Charge at Current Rate	Finance Committee Recommendation 28% Discount
Newton Wellesley Hospital	6,025	6,662	144%	2,637	14,957.83	3,889.04
2014 Washington Street						
HC Stark Inc.	2,893	3,904	135%	1,011	5,609.77	1,456.54
45 Industrial Place	1,432.50	1,820	127%	388	2,024.65	526.41
45 Industrial Place						
Boston College	1,244	4,165	335%	2,921	10,592.27	4,313.98
42 Tudor Road						
Marriott Hotel	6,708.50	9,178	137%	2,470	13,986.15	3,639.00
2345 Commonwealth Avenue						
SLC Operating LP	5,102.25	6,900	135%	1,798	10,133.58	2,634.73
328 Washington Street						
Mediplex of Newton	4,120.50	5,024	122%	904	4,991.65	1,297.83
2101 Washington Street						
Chestnut Hill Gardens	3,372	6,844	203%	3,472	19,760.52	5,137.74
250 Hammond Pond Parkway						
Groveland Assoc. LTP	2,741.25	3,787	138%	1,046	5,808.58	1,510.48
399 Grove Street						
Leventhal Sidman Jewish Center (1)	2,878.75	4,484	167%	1,605	10,176.71	2,645.94
333 Nahanton Street						
The Farm at Chestnut Hill (1)	2,480	5,092	208%	2,602	14,756.02	3,837.09
97 Florence Street						
Imperial Towers	2,400	3,442	143%	1,042	5,788.02	1,504.89
280 Boylston Street						
Julian Cohen	2,227.25	3,708	168%	1,481	8,310.63	2,160.82
175 Boylston Street						
Julian Cohen	2,018.25	2,828	130%	611	3,308.33	860.17
225 Boylston Street						
MBTA	2,116	8,057	380%	5,939	33,945.77	8,825.90
331 Grove Street	1,018	1,971	194%	953	5,276.27	1,371.83
MBTA						
Jewish Community Housing	1,809.75	2,361	130%	551	2,966.21	771.21
160 Stanton Avenue	1,002.75	1,348	134%	343	1,770.21	460.25
160 Stanton Avenue						
West Newton Health & Rehab	1,807.50	1,996	124%	389	2,030.40	527.90
25 Armory Street						
Newton Community Development Foundation	1,168.75	1,569	134%	399	2,092.21	543.87
7 Hereward Road						
Dennis Morgan	1,078.25	1,463	136%	385	2,008.83	522.30
20 Kimmonth Road						
Michael Iodice	991.50	1,637	165%	646	3,508.15	912.12
264 Grove Street						
Chatham Realty	973.50	1,656	170%	683	3,720.80	967.43
280 Grove Street						

(1) Existing garden meter  
 at this location



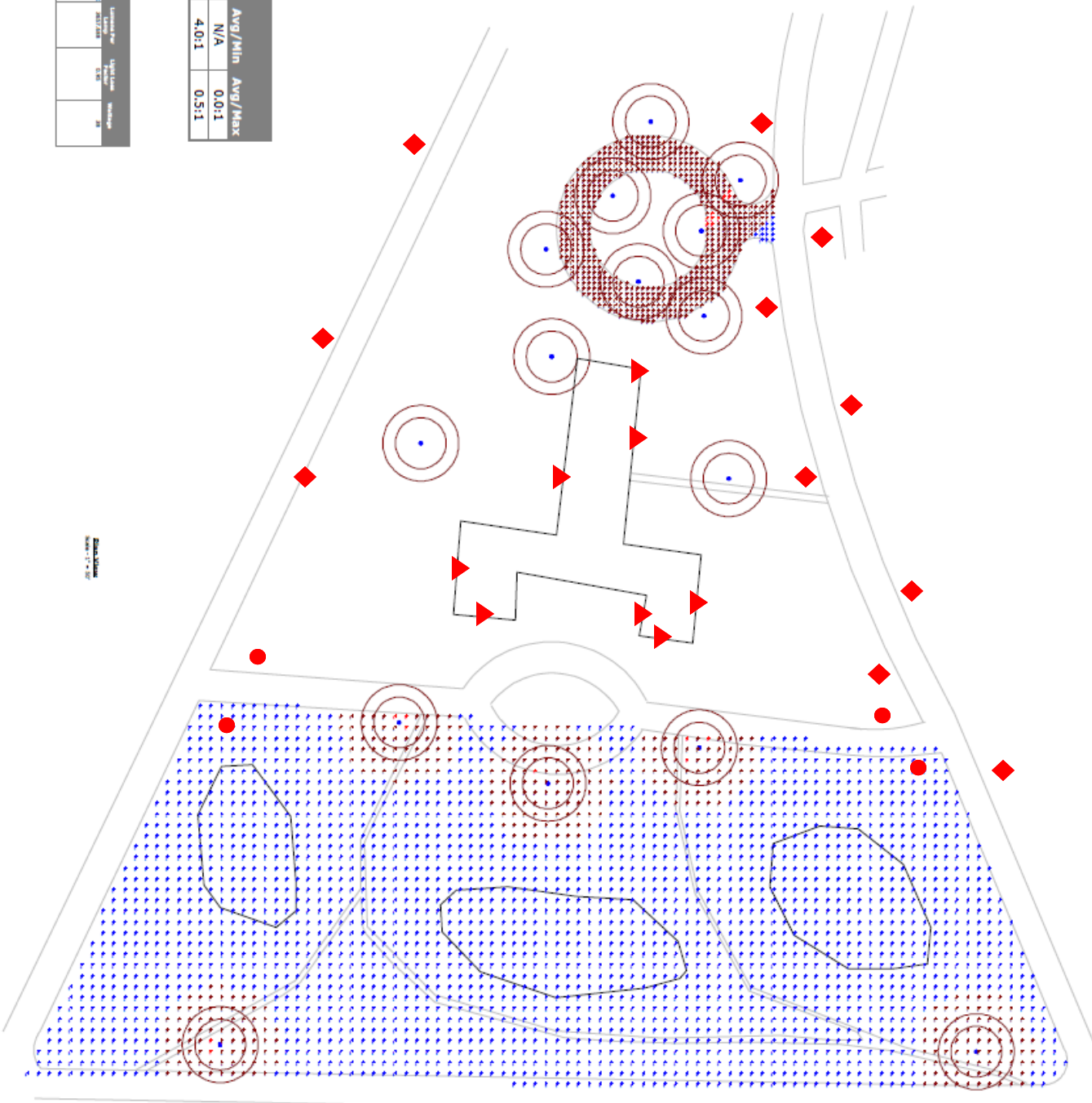
# #374-14

- ◆ Streetlights
- Pedestal lights
- ▶ Building lights



Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #3	+	0.0 fc	0.7 fc	0.0 fc	N/A	N/A
Circular Drive	+	0.4 fc	0.8 fc	0.1 fc	8.0:1	4.0:1

Luminaires Schedule						
Symbol	Quantity	Manufacturer	Catalog Number	Description	Lottery	Price
○	11	HAMILTON	14200-02-00-00-00-00	14200-02-00-00-00-00		



Scale: 1" = 30'