

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, JANUARY 21, 2009

**7:00 p.m. Please note early start  
ROOM 209**

Chairman's Note: The Committee will receive an update on the automated trash pick-up trial at 7 PM.

**ITEMS TO BE DISCUSSED:**

**Public Hearing Assigned for January 21, 2009**

#4-09 JAMES H. WEXLER & FRANCES E. STOLL, 22 Exmoor Road, Newton Centre 02459 petitioning to extend a main drain from existing Manhole # 77-1600 in EXMOOR ROAD in a southeasterly direction 94' ± to a proposed manhole in front of 22 Exmoor Road. (Ward 8) [11-24-08 @11:53 AM]  
**PETITIONER TO PAY ENTIRE COST**

**Public Hearing Assigned for January 21, 2009**

#5-09 ATTY. PETER HARRINGTON on behalf of LaSalle Developers, LLC, petitioning for a common sewer main and easement in PINE MEADOW DRIVE from the existing sewer main in Pine Street northwesterly 250' to a proposed manhole in Pine Meadow Drive (a private way). **PETITIONER TO PAY ENTIRE COST** [11-24-08 @10:06 AM]

#304-07 LASALLE DEVELOPMENT, LLC, 210 Auburn Street, Auburndale, petitioning for construction of a common sewer in PINE MEADOW DRIVE EXTENSION from an existing sewer main in Pine Meadow Drive northwesterly 140' ± to a proposed sewer manhole in Pine Meadow Drive Extension. [03-30-07 @8:46 AM] **PETITIONER TO PAY ENTIRE COST**

#224-06(2) ALD. LINSKY, ALBRIGHT & JOHNSON, BAKER & SCHNIPPER requesting further deliberation on the conditions set forth in the Site Plan Approval Board Order relating to the Newton North High School project, considering possible expansion and modification of the conditions.

#385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11-21-07 @ 10:23 AM]

**ITEMS NOT SCHEDULED FOR DISCUSSION:**

**Public Hearing to be assigned for February 4, 2009**

#27-09 NATIONAL GRID petitioning for a grant of location to install and maintain 5' ± of 8" gas main in NORWOOD AVENUE from the existing 4" gas main in Norwood Avenue at 108 Norwood Avenue northerly to the existing 8" gas main in Norwood Avenue. [12/22/08 @ 2:00PM]

**REFERRED TO PUBLIC FACILITIES AND PROGRAMS & SERVICES**

- #8-09 ALD. HESS-MAHAN LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12-30-08 @9:55 AM]
- #457-08 ALD. LAPPIN AND SALVUCCI requesting discussion with NStar regarding the timely repair of City streetlights and the development of a standard response timeframe. [11-20-08 @ 12:51 PM]
- #368-08 ALD. LINSKY requesting approval of the Board of Aldermen of the design for improvements affecting the area where Walnut Street, Lowell Avenue and Watertown Street intersect including a traffic island, curb extensions and the dead ending of Lowell Avenue. [10-14-08 @ 12:53 PM]
- #342-08 ALD. SANGIOLO AND HARNEY requesting raised crosswalks/intersections at Grove and Cornell Streets and Grove Street and Pine Grove Avenue as approved by the Traffic Council to be funded with the Cabot, Cabot and Forbes Traffic Mitigation Fund for Lower Falls (Ward 4). [07-28-08 @ 11:35 AM]
- #341-08 NATIONAL GRID petitioning for a grant of location to install and maintain 80 ± of 6, 12” gas main from the existing 12” gas main in Lowell Avenue at Hull Street easterly to the existing 8” gas main across from Newton North High School and to install a new regulator station in HULL STREET (Ward 2). [09-26-08 @11:10 AM]

**REFERRED TO PROG. & SERV., PUB. FAC., AND LAND USE COMMITTEES**

- #329-08 ALD. JOHNSON, ALBRIGHT & LINSKY requesting amendment to §20-13, *Noise Ordinance*, of the City of Newton Ordinances to prohibit the City from exceeding the parameters of time and decibel restrictions unless it receives approval from the Land Use Committee of the Board of Aldermen. [09-02-08 @ 12:00 PM]
- #297-08 NSTAR ELECTRIC COMPANY petitioning for a grant of location to relocate Pole #223/5 on the westerly side of IRVING STREET ± 129’ north of Commonwealth Avenue (Ward 7). [07-21-08 @ 11:02 AM]
- #241-08 ALD. SCHNIPPER requesting an update on the progress of the design for the reconstruction of Needham Street. [6-13-08 @ 11:45 AM]
- #208-08 ALD. GENTILE, SALVUCCI AND SCHNIPPER requesting a discussion on establishing a permanent Building Committee in the City of Newton. [05-16-08 @11:47 AM]

**REFERRED TO COMMUNITY PRESERVATION & FINANCE COMMITTEES**

- #147-08 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$359,400, including \$2,000 for legal costs, be appropriated from the FY'08 Community Preservation Fund's historic resources and general reserves, for a project to rehabilitate and expand storage space for the research library and archives at the Newton History Museum, to preserve the existing collections, and enhance public access to the collections. [04-01-08 @ 4:10 PM]  
**COMMUNITY PRESERVATION APPROVED 6-0 on 4-29-08**

**REFERRED TO PROG. & SERV., PUB.FAC. AND FINANCE COMMITTEES**

- #89-08 ALD. PARKER requesting the following:
- A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
  - B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
  - C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds. [02-13-08 @ 12:07 PM]

Re-appointment by Board President

- #50-08 PRESIDENT BAKER recommending Joseph Michelson, 94 Park Avenue, Newton be re-appointed as an Aldermanic appointee to the DESIGNER SELECTION COMMITTEE, term of office to expire 12/31/09. [01-17-08 @ 3:48 PM]

Re-appointment by the Board President

- #48-08 ALD. BAKER recommending Lawrence Bauer, 42 Eliot Memorial Road, Newton, be re-appointed as an Aldermanic appointee to the DESIGNER SELECTION COMMITTEE, term of office to expire 12/31/09. [01-17-08 @ 3:48 PM]

Re-appointment by Board President

- #46-08 PRESIDENT BAKER recommending Robert O. Smith, P.E., 55 Chester Street, Newton Highlands be re-appointed as an Aldermanic appointee to the DESIGN REVIEW COMMITTEE, term of office to expire 12/31/09. [01-17-08 @ 3:48 PM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #31-08 ALD. COLETTI proposing a RESOLUTION to His Honor the Mayor expressing a no confidence vote pertaining to the current status of the Newton North High School Construction Project and related Financing Plan. [01-15-08 @ 11:14 AM]

**ITEM COMMITTED TO PUBLIC FACILITIES AND FINANCE ON 6/19/08**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #11-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,200,000 from bonded indebtedness for the purpose of funding the installation of four modular classrooms. [01-02-08 @ 4:53 P.M.]  
**B) \$1,225,000 from bonded indebtedness**

*NOTE: Letter received from Mayor on 1/4/08 requesting that appropriation amount be amended to \$1.3 million. Letters received 5/7 and 5/21 requesting that the funding source to capital stabilization for costs incurred for design work and the remaining \$1,225,000 from bonded indebtedness be voted no action necessary. Part A) \$75,000 from Capital Stabilization approved on 6/19/08.*

- #352-07 ALD. SANGIOLO AND PARKER request Turner Construction, Project Manger for the Newton North High School Project and the DEP representative overlooking this project to discuss the issues and concerns raised regarding asbestos removal, transportation and disposal for the Newton North site and also information on 5,000 cubic feet of loam being removed to the Elliot Street and Rumford Avenue Yards. [10-17-07 @ 11:54 AM]
- #351-07 ALD. PARKER AND SALVUCCI requesting that the Department of Public Works create an inventory and inspection regimen of bridges and culverts less than 20' in length and develop a maintenance plan for all city-owned bridges including those over 20', as recommended by the Undersecretary of Public Works at the Executive Office of Transportation, Robert Rooney. [10-17-07 @ 12:11 PM]
- #350-07 ALD. LINSKY requesting discussion with the utility companies regarding rectification of utility wires that are not mounted high enough on utility poles to avoid being torn down, thereby causing damage to persons and/or property. [10-17-07 @ 10:33 AM]
- #253-07 ALD. LINSKY ALBRIGHT, JOHNSON, HARNEY, SANGIOLO, SALVUCCI, MANSFIELD, BURG, SCHNIPPER requesting (1) a review as to how provisions of applicable ordinances, specifically 5-58, were implemented during the course of the Newton North project, and (2) consider proposed revisions of 5-58 including, but not limited to:
- (a) timely provision of documentation by the public building department to the Board of Aldermen and Design Review Committee;
  - (b) establishment of liaison committees to facilitate communications and input from neighborhoods affected by projects subject to this ordinance;
  - (c) approval of final design plans by the Board of Aldermen of projects subject to this ordinance;
  - (d) oversight during the construction phase of projects subject to this ordinance by appropriate Board committee(s) both in respect to approval of change orders as well as design changes; and
  - (e) generation of a required record detailing the entire construction process by the public building department to guide present and future oversight of projects subject to this ordinance. [08-07-07 @ 3:12 PM]
- #54-07 ALD. SANGIOLO requesting discussion with the School Department and the Public Buildings Department about giving the School Department increased control over maintenance of school building facilities thereby allowing the School Department to have direct authority to deploy/hire staff to make necessary repairs to their school facilities. [2-9-07 @ 1:46 PM]

- #451-06      KEYSPAN ENERGY petitioning for a grant of location to install and maintain 450' ± of 8" gas main in HULL STREET from the existing 8" gas main in Hull street at 90 Hull Street easterly to the existing 6" gas main in Hull Street at 60 Hull Street. All of which is to replace the existing 4" gas main in Hull Street, which is to be abandoned. [11-15-06 @11:19 AM
- #345-06      ALD. SCHNIPPER requesting that the contingency on smaller Public Buildings projects be increased from 5% to at least 8%.
- #294-06      ALD. SAMUELSON requesting creation of a method for the collection of parking meter receipts to ensure maximum collection.
- #280-06      ALD. SANGIOLO proposing an Ordinance to create a Building Committee made up of Finance, Construction and Building experts in addition to several Aldermen to oversee construction and renovation projects in all municipal buildings.
- #226-06      ALD. LINSKY requesting discussion of initiatives in respect to monitoring of water meter readings to better inform water and sewer users of significant increases in usage.
- #178-06      ALD. SCHNIPPER, LINSKY AND ALBRIGHT requesting a report on the commissioning of Newton South High School.
- #159-06      PRESIDENT BAKER & ALD. SCHNIPPER presenting the City of Newton Energy Action Plan for review and such action that may be appropriate by the Board of Aldermen.
- #155-06      JAMES A. BLACKBURN, 105 Wood End Road, Newton Highlands petitioning for laying out, grading and acceptance of WOOD END ROAD as a public way from the intersection of Mountfort Road westerly to the intersection of Nantucket Road (a distance of 360'±) to be the width of 45'.
- #152-06      PS&T COMMITTEE requesting discussion re Road Classification Design Types (as outlined by the Planning and Development Department) for future use as an overall management tool for the City.
- #84-06      COMMISSIONER OF PUBLIC WORKS requesting a waiver from the Board of Aldermen of surfacing materials used on the sidewalk of a public way in front of 161 Pond Brook Road, as provided in §26-47 of the City of Newton Ordinances.
- #83-06      ALD. SCHNIPPER & GENTILE requesting discussion with NStar regarding frequent power outages in the Newton Lower Falls area in particular Grayson Lane.
- #424-05      ALD. SANGIOLO & HARNEY requesting an update from the School Department regarding the energy audit that was begun during last year's budget review.

#467-04 ALD. YATES AND SCHNIPPER requesting a response from the Commissioner of Public Works to the findings of the Environmental Protection Agency that pollution enters the Charles River from Newton.

#386-04 ALD. SANGIOLO, HESS-MAHAN, JOHNSON, AND DANBERG proposing an ordinance to require that designers selected have LEED certification and include high performance/life cycle analysis for all municipal construction projects in the City of Newton.

**ITEM REFERRED BY PUBLIC SAFETY & TRANSPORTATION:**

#321-04(2) ALD. JOHNSON requesting a RESOLUTION to His Honor the Mayor requesting that he expeditiously as possible find funding to create traffic calming measures on Mill Street as requested by the Traffic Council.

#246-04 COMMISSIONER OF PUBLIC WORKS requesting approval of the 25% design plan submittal for Walnut Street from Homer Street to Centre Street including a small section of Centre Street to Route 9.

#178-04(2) ALD. LAPPIN requesting an update on progress and implementation of the construction information database.

#104-04 ALD. YATES requesting a report from the Chief of Police as to how the ordinance prohibiting the blockage of sidewalks with snow can be more easily enforced.

**REFERRED TO PUB FAC. AND PUB SAF & TRANS. COMMITTEES**

#35-04 ALD. SAMUELSON AND DANBERG requesting an ordinance amendment to Section 26-8 of the City of Newton Revised Ordinances, 2001 to require all property owners or residents to remove snow from sidewalks abutting their property.

#522-03 ALD. PARKER AND LENNON requesting an ordinance amendment to improve enforcement related to snow removal.

**REFERRED TO PROG. & SERV., PUB. FAC. AND FINANCE COMMITTEES**

#309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.

# 94-99 RALPH S. ROBERT 28 Richardson Road, Petition for Laying Out, Grading, and Acceptance of RICHARDSON ROAD from Route 9 northerly 180'± to be the width of 30 feet.

Respectfully submitted,

Sydra Schnipper, Chairman



# City of Newton

## PETITION FOR DRAIN AND SEWER

NOVEMBER 24 192008

To THE BOARD OF ALDERMEN:-

The undersigned believing that the public convenience and the public health require it, respectfully petition that a main drain and common sewer be constructed in

EXMOOR ROAD

*Insert street or way, or private lands, give names of owners.*

from IN FRONT OF 14/15 EXMOOR ROAD

to IN FRONT OF 22 EXMOOR ROAD

in that part of Newton called NEWTON CENTRE

Street  
08 NOV 24 AM 11:53  
CITY CLERK  
NEWTON, MA. 02159

Do not write here. Binding margin!

Signatures of petitioners here:	ADDRESSES
JAMES H. WEXLER	22 EXMOOR ROAD
FRANCES E. STOLL	22 EXMOOR ROAD
Petitioner to pay the entire cost	

In Board of Aldermen,  
Referred to Committee on Public Works

Clerk.

#4-09

22 Exmoor Road  
Newton, MA 02459  
November 24, 2008

City Clerk  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

**Re: Petition for Drain and Sewer**

Dear Sir/Madam:

Enclosed is a completed Petition for Drain and Sewer and four (4) sets of engineering plans. Our contact information is at the above address. We can be reached by telephone during the day at 617-244-3784.

Thank you.

Sincerely,



Frances E. Stoll and James H. Wexler

Enclosure

08 NOV 24 AM 11:53  
CITY CLERK  
NEWTON, MA 02459



**CITY OF NEWTON**  
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Sydra Schnipper, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: #22 Exmoor Road

Date: December 9, 2008

CC: Lou Taverna, PE Director of Utilities (via email)  
Shawna Sullivan, Associate City Clerk (via email)

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

*Stoll Residence Drainage Plan*  
*At*  
*22 Exmoor Road*  
*Prepared By: Sea Consultants Inc.*  
*Dated: 11-6-'08*

The proposal is to extend the existing storm drain main approximately 95-feet southwesterly to provide a drainage overflow connection to #22 Exmoor Road. This connection will receive runoff from the existing dwelling, and sump pump system.

1. The City's policy for runoff is to infiltrate on site the maximum extent that is feasible prior to allowing a connection to the City's drainage system. An on site soil evaluation needs to be performed to obtain the seasonal high groundwater elevation, and percolation rate in accordance to Title V. The proposed drainage system shall be within (20') of the test pit. The proposed drainage system should be 2' above the seasonal high groundwater elevation.
2. The engineer of record needs to provide documentation on the type of heating system at the dwelling. Since the basement has a sump pump, and if the dwelling is heated with oil, then an-oil separator will be required on site prior to the final connection to the City's drainage system.

3. The sewer, water and gas services to #14 Exmoor Road need to be indicated on the plan as the proposed drain pipe extension is shallow, and due to the alignment there may be a conflict between utilities and service connections.
4. A hydraulic capacity analysis of the downstream system is needed before final approval and connection to the City's Drainage System.
5. When a connection to the City's drainage system is proposed, prior to approval of this permit a Closed Circuit Television (CCTV) inspection shall be performed and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division [617-796-1020] 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore upon completion of the connection to the drainage system a Post - Construction video inspection shall also take place and witnessed as described above.
6. Due to the shallow depth of the system the proposed drain pipe shall be ductile iron pipe, to meet the City's Construction standards.
7. A detailed profile is needed that shows the following existing mains and associated service connections (sanitary sewer, water, and gas) and the proposed drain pipe to ensure that conflicts are not encountered between utilities. The slope of the proposed drain pipe needs to be labeled. The extent of the profile shall be the limits of construction.
8. The backfilling of the sewer main and services connection shall be with Control Density Fill (CDF) Type I-E Excavatable type.
9. If any service connections are disturbed by the contractor of record during construction, they shall be updated and replaced to the City's current Construction Standards.
10. All downstream catch basins shall be retrofitted with an approved type of siltation control devices during construction, details of the siltation control shall be submitted to the City Engineer. The contractor of record shall maintain these catch basins throughout the construction process, and ensure that street and private property flooding does not occur during construction.
11. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction equipment.
12. Upon final installation an As Built drawing [plan & profile] indicating rim, invert elevations, drain manholes, catch basins, and slopes shall be submitted in digital and hard copy (Mylar) format to the City Engineer.

13. The applicant's contractor shall apply for a Utility Connection and Street Opening Permit with the DPW prior to any construction.
14. The proposed main, manholes, and service connections shall be pressure tested in accordance to the City's Construction Standards. A representative of the Engineering Division shall witness the testing, 48-hours prior notification shall be given prior to the inspection.
15. The applicant's contractor shall apply for a Utility Connection and Street Permit with the DPW prior to any construction. Since this is a private way, no street opening permit will be required.
16. As of January 1, 2009, all trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit is required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*

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

# Final Label Report

#4-09

SBL	Owner	Number	Street	Unit
73033 0014	MILLER PAULINE & DONALD C	3	EXMOOR RD	
73036 0009	BALDUZZUI PIERLUIGI	8	EXMOOR RD	
73033 0015	SHOUL MELVIN I & ROHNA A	9	EXMOOR RD	
73036 0008	SIEGEL DEBORAH	14	EXMOOR RD	
73033 0016	DONOHUE STEPHEN J & ROMINA LAZZARIN	15	EXMOOR RD	
73036 0007	WEXLER JAMES H & STOLL FRANCES E	22	EXMOOR RD	
73033 0017	DAVIDSON GILBERT & BARBARA TRS	23	EXMOOR RD	
73036 0006	MARSON DEBORAH	28	EXMOOR RD	
73033 0017A	MOFFIE AMELIA J	303	WARD ST	



# City of Newton

#5-09

## PETITION FOR DRAIN AND SEWER

Nov 24

2008

To THE BOARD OF ALDERMEN:-

The undersigned believing that the public convenience and the public health require respectfully petition that a main drain and common sewer be constructed in

PINE MASON RD.

*Insert street or way, or private lands, give names of owners.*

from PINE STREET

to END APPROX. 270 FT.

in that part of Newton called

NOV 24 AM 10:06  
CITY CLERK  
NEWTON, MA. 02459

Do not write here. Binding marginal.

Signatures of petitioners here:	ADDRESSES
Peter Blawie for owner	Pine Mason Drive

In Board of Aldermen,  
Referred to Committee on Public Works

Clerk.

# HARRINGTON & HARRINGTON

ATTORNEYS AT LAW

505 WALTHAM STREET  
WEST NEWTON, MASSACHUSETTS 02465

TELEPHONE 617-558-7722  
FACSIMILE 617-527-4763

Peter F. Harrington  
James P. Harrington  
N. Jeanette Robinson

Jay W. Goldman  
Of Counsel

September 17, 2008

John Daghlian  
City of Newton  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

08 SEP 17 PM 3:13  
CITY CLERK  
NEWTON, MA. 02159

**RE: Pine Meadow Drive & Pinemeadow Drive Extension**

Dear John:

Enclosed please find the following:

1. Copy of a Municipal Easement in Pine Meadow Drive<sup>1</sup> with a copy of the plan attached. The easement is dated July 17, 2003. The Grantor, Auburn Development Corp has been dissolved. An original copy was sent to the City of Newton, but it was not filed with the Land Court by the City.
2. Copy of a Municipal Easement in Pinemeadow Drive Extension<sup>2</sup>, with a copy of the plan attached.
3. Mylar and two (2) copies of plan titled "As Built Utility and Easement Plan, Pinemeadow Drive, Newton, Massachusetts" by Verne T. Porter, Jr., PLS, dated March 30, 2006.
4. Letter from Verne T. Porter, Jr., dated August 26, 2008 in response to your memo of August 6, 2008.
5. Floppy disk containing copy of As Built Plan.

As per your request, I will file (record) the two easements with the Land Court. If you have any suggested corrections or comments, please contact me before the close of business on Monday, September 22, 2008 as I intend to file the Easements on Tuesday, September 23, 2008.

Sincerely,



Peter F. Harrington

RECEIVED  
ENGINEERING DEPT.  
02 SEP 17 PM 3:20

<sup>1</sup> The land Court Plan No. 7776B identifies the roadway as Pine Meadow Drive. The roadway is in Land Court land.

<sup>2</sup> The land Court Plan No. 7776D identifies the roadway as Pinemeadow Drive ext. The roadway is in Land Court land.

EASEMENT

LASALLE DEVELOPERS, LLC of Newton, MA (hereinafter the "GRANTOR"), hereby, for good and adequate consideration, grant to the City of Newton, a municipal corporation in Middlesex County, Massachusetts, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain, water mains, storm drains, sanitary sewer mains, with any manholes, pipes, conduits, drainage easements and other appurtenances thereto, and to do all acts incidental thereto, in, through and under the following described land:

Lot 16, Pinemeadow Drive Ext., as shown on Land Court Plan 7776D, filed Certificate Number 220309 in Book 1231, page 159.

RECORDED  
CITY CLERK  
NEWTON, MA 02459  
AUG 22 17 PM 3:13

For good and valuable consideration, the said grantor does hereby give, grant, transfer and deliver unto the city of Newton perpetual rights and easements to construct, inspect, repair, renew, replace, operated and forever maintain, water mains and sanitary sewer mains with any manholes, pipes, conduits and other appurtenances thereto that are now or hereafter constructed or installed in, through, or under the above described land by the grantor and the grantor's successors and assigns.

After any entry or work performed in said easement the grantee shall restore the property to its previous condition.

The undersigned's title to said land is derived from Auburn Development Corp. by deed dated December 22, 2000 and recorded in the Middlesex South District Registry of Deeds Book 32175 Page 178 and registered in the Middlesex South District Land Registration Office Document No. 1159202, Book 1231, Page 159.

Said land is free of encumbrances except for the following:

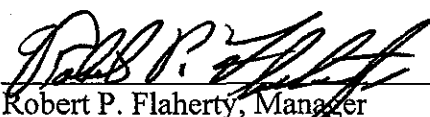
Order of Conditions, DEP File No. 239-338, in Bk. 28237 p. 251 & Doc. No. 1056824

Declaration and grant of covenants by Auburn Development Corp. dated 4/6/98 in Bk. 28665 p. 58 & Doc. No. 1067732

Easement in favor of Boston Edison Company & al. dated 12/4/98 in Bk. 29537 p. 76

Matters per Land Court Plan No. 7776-B & 7776-C

**IN WITNESS WHEREOF**, Robert P. Flaherty, Manager, signed, acknowledged and delivered this instrument in the name of LASALLE DEVELOPERS LLC on July 23, 2008.

  
Robert P. Flaherty, Manager


COMMONWEALTH OF MASSACHUSETTS


08 SEP 18 2008  
CITY CLERK  
NEWTON, MA.

Middlesex, ss.

July 18, 2008

On this \_\_\_\_\_ day of July, 2008, before me, the undersigned notary public personally appeared Robert P. Flaherty, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and he acknowledged the foregoing instrument in his capacity for LaSalle Developers, LLC, and that she signed it voluntarily for its stated purpose.

  
Peter F. Harrington, Notary Public  
My Commission Expires: September 7, 2012

 PETER F. HARRINGTON  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
September 7, 2012



EASEMENT

Auburn Development Corporation (hereinafter the "GRANTOR"), hereby, for good and adequate consideration, grant to the City of Newton, a municipal corporation in Middlesex County, Massachusetts, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain, water mains, storm drains, sanitary sewer mains, with any manholes, pipes, conduits, drainage easements and other appurtenances thereto, and to do all acts incidental thereto, in, through and under the following described land:

Lot 7, Pine Meadow Drive, as shown on Land Court Plan #7776B, sheet 2  
filed with Certificate of Title Number 210813

08 SEP 17 2003  
CITY OF NEWTON, MASS.  
RECORDED

For good and valuable consideration, the said grantor does hereby give, grant, transfer and deliver unto the city of Newton all water mains, storm drains, sanitary sewer mains, manholes, pipes conduits, drainage easements and all appurtenances thereto that are now or hereafter constructed or installed in, through, or under the above described land by the grantor and the grantor's successors and assigns.

After any entry or work performed in said easement the grantee shall restore the property to its previous condition.

Said land is free of encumbrances except for the following:

Order of Conditions, DEP File No. 239-338, in Bk. 28237 p. 251 & Doc. No. 1056824

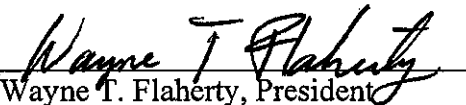
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Easement in favor of Boston Edison Company & al. dated 12/4/98 in Bk. 29537 p. 76

Matters per Land Court Plan No. 7776-B & 7776-C

For grantor's title, see deed of Auburn Development Corp., dated December 22, 2000, filed with the Middlesex Land Registration Office, as Document No.1159202 with Certificate of Title Number 210814.

**IN WITNESS WHEREOF**, Wayne T. Flaherty, President, signed, acknowledged and delivered this instrument in Auburn Development Corporation's name on July 17, 2003


  
Wayne T. Flaherty, President

COMMONWEALTH OF MASSACHUSETTS

July 17, 2003

Middlesex, ss.

Then personally appeared before me the above-named Wayne T. Flaherty and he acknowledged the foregoing instrument in his capacity for Auburn Development Corporation, and that the instrument is his free act and deed.

  
Peter F. Harrington, Notary Public  
My Commission Expires: 9 September 2005



PETER F. HARRINGTON  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
September 9, 2005

08 SEP 17 PM 3:14  
CITY CLERK  
NEWTON, MA. 02159

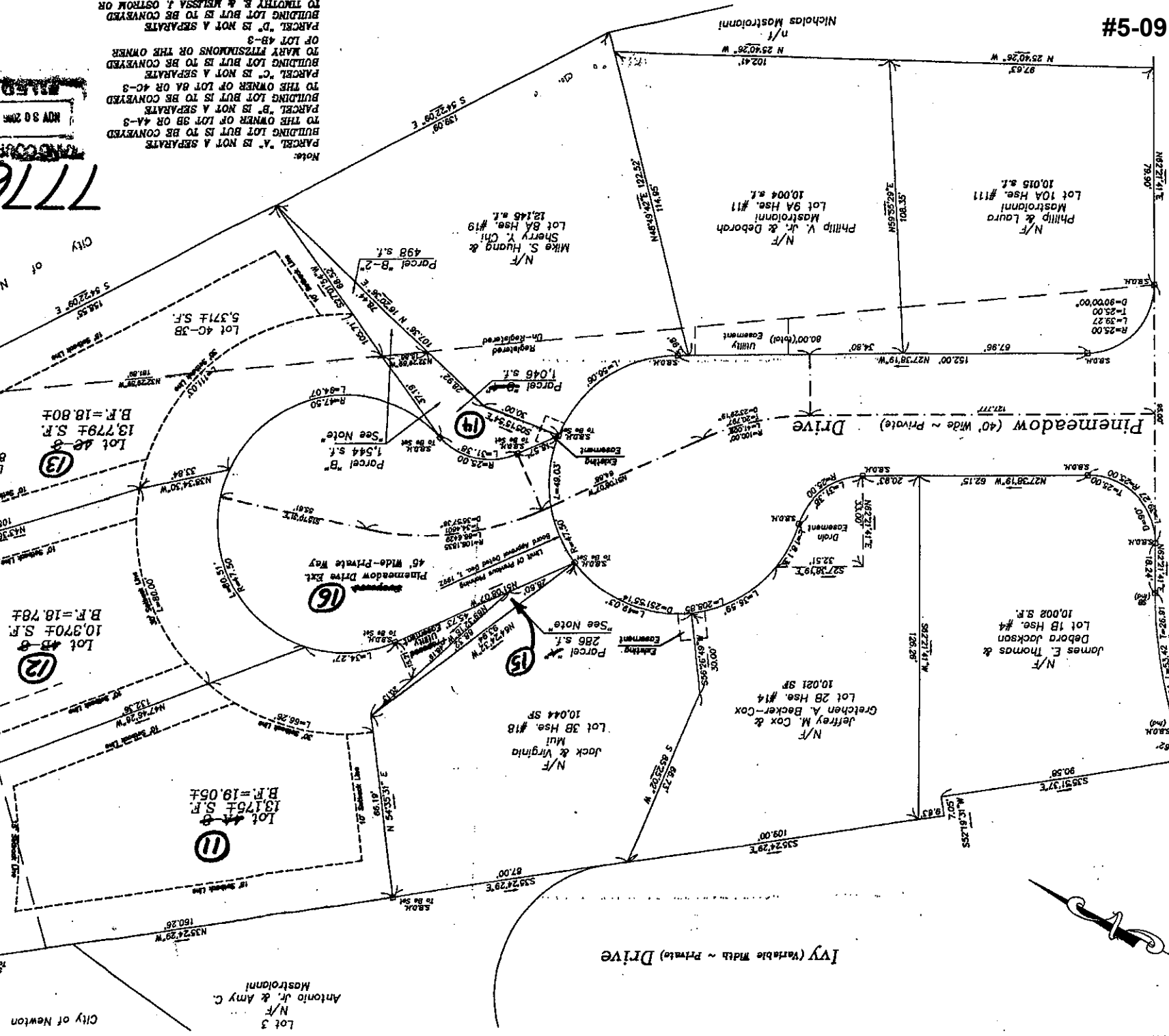
#5-09

Pine Street (40' Wide ~ Public)

Street

Ivy (Variable Width ~ Private) Drive

Pinemeadow (40' Wide ~ Private) Drive



Note:  
 PARCEL "A" IS NOT A SEPARATE BUILDING LOT BUT IS TO BE CONVEYED TO THE OWNER OF LOT 3B OR 4A-3  
 PARCEL "B" IS NOT A SEPARATE BUILDING LOT BUT IS TO BE CONVEYED TO THE OWNER OF LOT 3A OR 4C-3  
 PARCEL "C" IS NOT A SEPARATE BUILDING LOT BUT IS TO BE CONVEYED TO MANY FITSIMONS OR THE OWNER OF LOT 4B-3  
 PARCEL "D" IS NOT A SEPARATE BUILDING LOT BUT IS TO BE CONVEYED TO TIMOTHY E. & MELISSA I. OSTROM OR THE OWNER OF LOT 4C-3  
 Area of Proposed Lots=42,482 s.f.  
 Area of Lot 4B to be subdivided=51,292 s.f. (calc.)

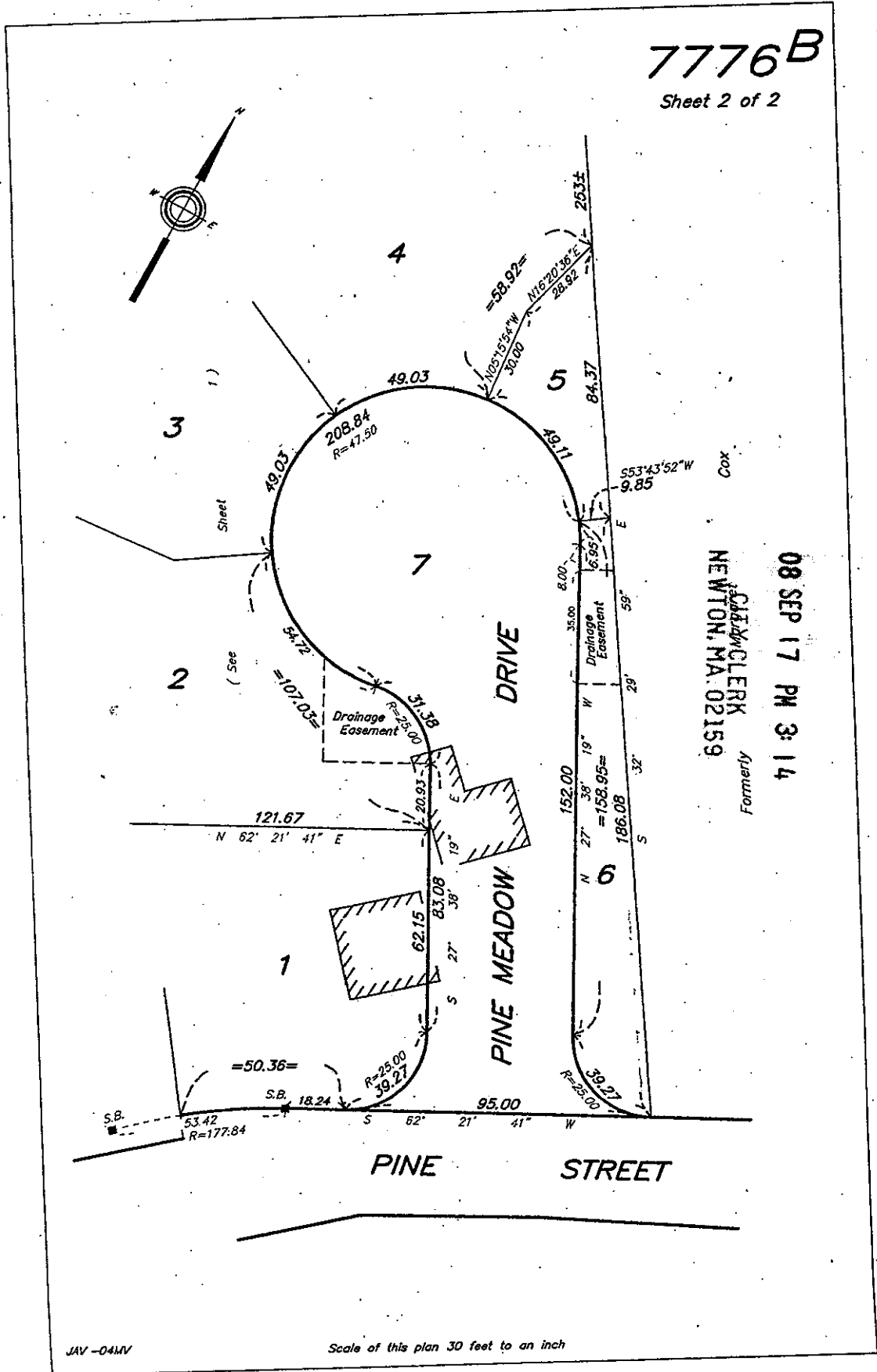
7776D

FILED  
 NOV 30 2006  
 TOWN OF NEWTON

RECORD DEPARTMENT  
 CITY OF NEWTON  
 100 STATE STREET  
 NEWTON, MASSACHUSETTS 02459  
 TEL: 781-552-3000  
 FAX: 781-552-3001  
 WWW.CITYOFNEWTON.MA.GOV

7776<sup>B</sup>

Sheet 2 of 2



08 SEP 17 PM 3:14  
CITY CLERK  
NEWTON, MA 02159  
Formerly

SEP 08 2008

#5-09

**VERNE T. PORTER JR. PLS**

LAND SURVEYORS - CIVIL ENGINEERS

354 ELLIOT STREET  
NEWTON, MA 02464  
TEL (617) 964-7170  
FAX (617) 964-7540  
VTPPLS@AOL.COM

August 26, 2008

City of Newton Engineering Department  
Lou Taverna, City Engineer  
John Daghlian, Associate City Engineer  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: As-built Pine Meadow Drive Newton

Dear Mr. Taverna

In response to the as-built memo dated August 6, 2008 we offer the following response.

08 SEP 17 PM 3:14  
CITY CLERK  
NEWTON, MA 02159

Sewer Main & Services:

1. Invert elevation at house for lot 9A is the responsibility of the builder of lot 9A not the developer.

Drainage:

1. Bearings and distances for all drain easements are shown and are available on the original subdivision plan.

Electric & Telephone:

1. The easement for hand hole Lots 2B & 3; this easement is 10 foot wide and parallel to the lot line which is radial to the curve and the ends are perpendicular to the lot line.
2. Easement for hand hole lots 4 & 8A; this easement is the same configuration as the one above.

Water:

1. The water service to lot 10A is feed from Pine Street not Pine Meadow Drive.

General:

1. The house footprint for lot 9A is the responsibility of the builder of lot 9A not the developer. No as-built was found in the Inspectional Services Department.
2. The as-built for Pine Meadow Drive extension is not part of this submission. That will be submitted by the developer at the time when it is complete.

If you are in need of any further information please do not hesitate to contact my office.

Sincerely,

Verne T. Porter Jr., PLS, EIT

Cc. Peter Harington, Esq.  
Robert Flaherty

08 SEP 17 PM 3:14  
CITY CLERK  
NEWTON, MA. 02159

**CITY OF NEWTON**  
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Sydra Schnipper, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: Pinemeadow Drive Extension

Date: December 16, 2008

CC: Lou Taverna, PE City Engineer (via email)  
Shawna Sullivan, Associate City Clerk (via email)  
Eileen McGettigan, Assistant City Solicitor (via email)

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

*Sewer Easement Plan  
Pinemeadow Drive Extension  
Prepared By: Verne T. Porter, Jr., PLS  
Dated: October 31, 2007  
&  
Easements Document from LaSalle Developers, LLC Dated: December 5, 2007  
And  
Easement Document from Auburn Development Corporation Dated: July 17, 2003*

Summary of Proposed Work:

The proposal is to extend the existing sanitary sewer main approximately 140-feet northwesterly to provide sanitary sewer service connections to a 3 lot residential subdivision approved by the Board of Survey April 3, 2006. The total easement area is 22,619 square feet which begins at the intersection of Pine Street and terminates at end of the private way layout for the new subdivision. The developer is funding 100% of the installation cost.

Requirements of Engineering Division:

1. Once the Board of Aldermen accept and approve the sanitary sewer main extension, the easement documents & plans shall be recorded at the Middlesex Registry of Deeds. Upon recording of the documents & plans, the developer shall submit original documentation (Instrument recordings) from the Registry to the City Engineer and City Clerk.
2. All installation, testing of the sanitary sewer main shall conform to the City's Construction Standards, and requirements of the Board of Survey approval dated April 11, 2006.

If you have any question please call me at 617-796-1023.



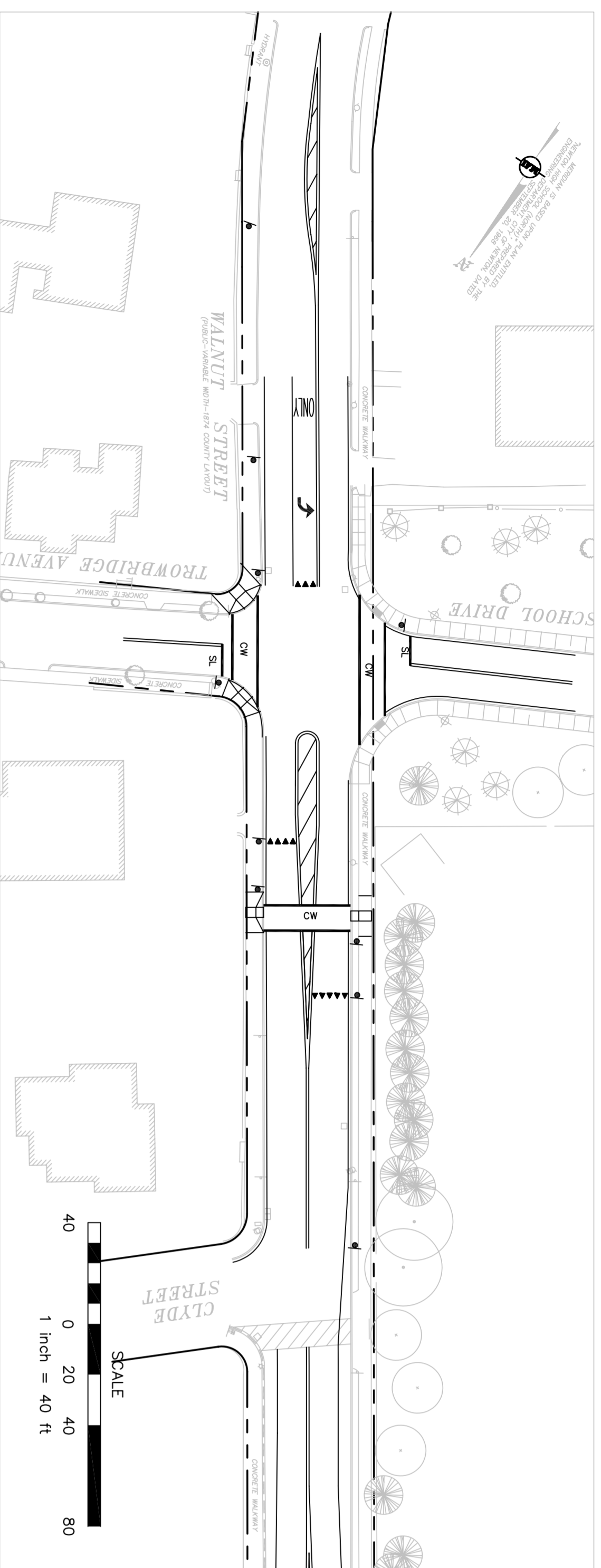
# Final Label Report

#5-09

SBL	Owner	Number	Street	Unit
44035 0091	JACKSON DEBORA	4	PINE MEADOW DR	
44035 0090	MASTROIANNI DEBORAH A	11	PINE MEADOW DR	
44035 0090D	BRESLAV ROMAN V	14	PINE MEADOW DR	
44035 0090C	MUI JACK & VIRGINIA	18	PINE MEADOW DR	
44035 0090A	HUANG MIKE S	19	PINE MEADOW DR	
44035 0090B	LASALLE DEVELOPERS LLC		PINE ST	
44035 0089	MASTROIANNI PHILIP L/E	101	PINE ST	

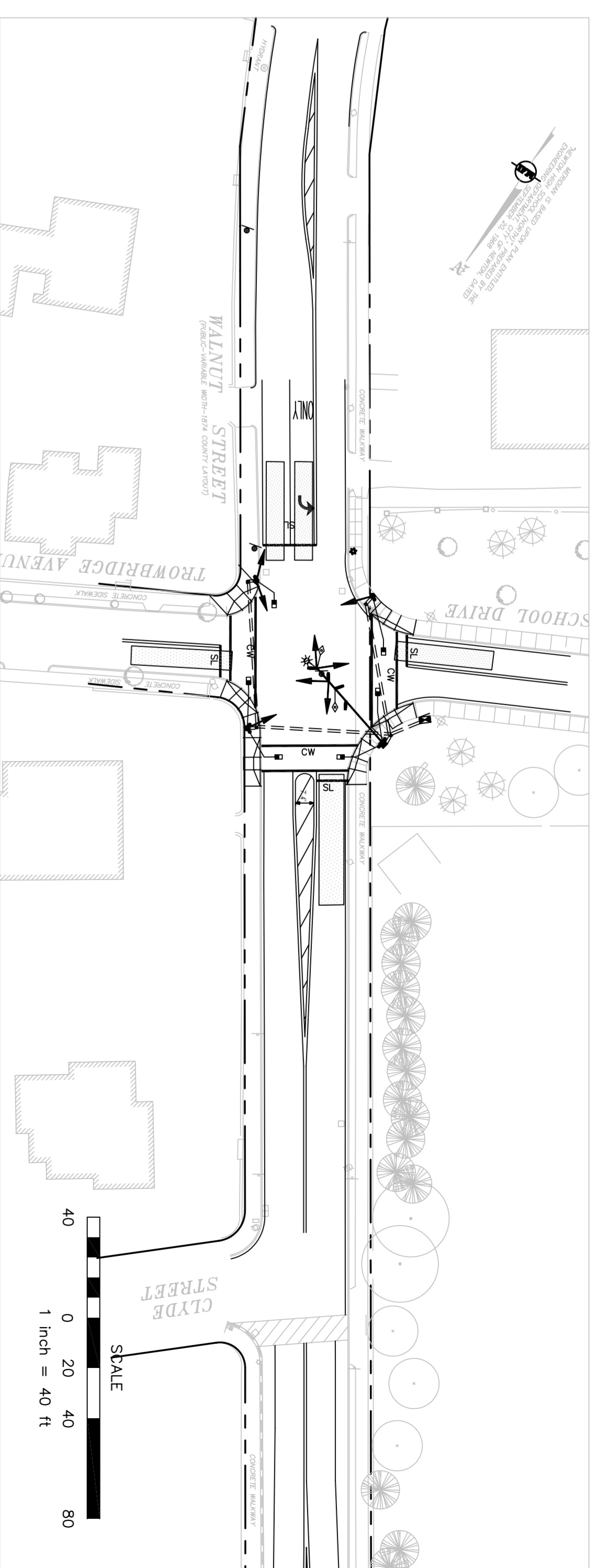
ALTERNATIVE 1:

NO TRAFFIC SIGNAL, NO TURN RESTRICTIONS



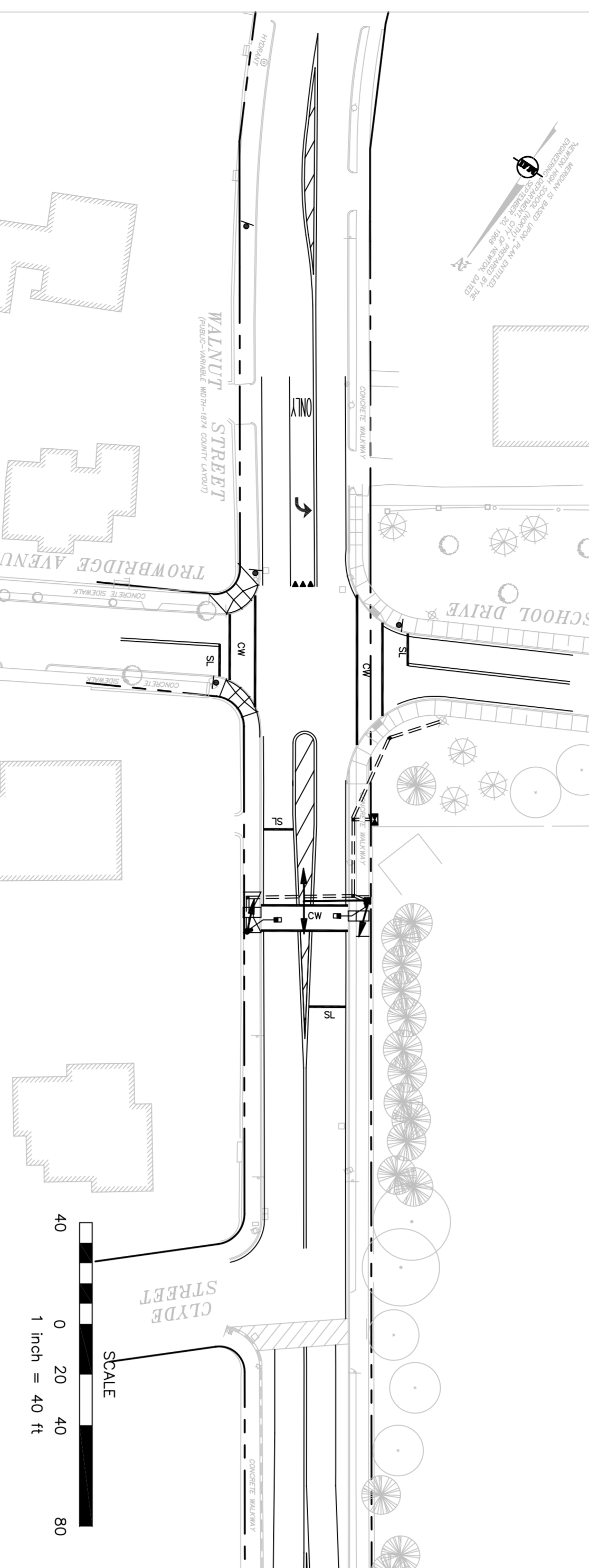
ALTERNATIVE 4:

FULL TRAFFIC SIGNAL, NO TURN RESTRICTIONS



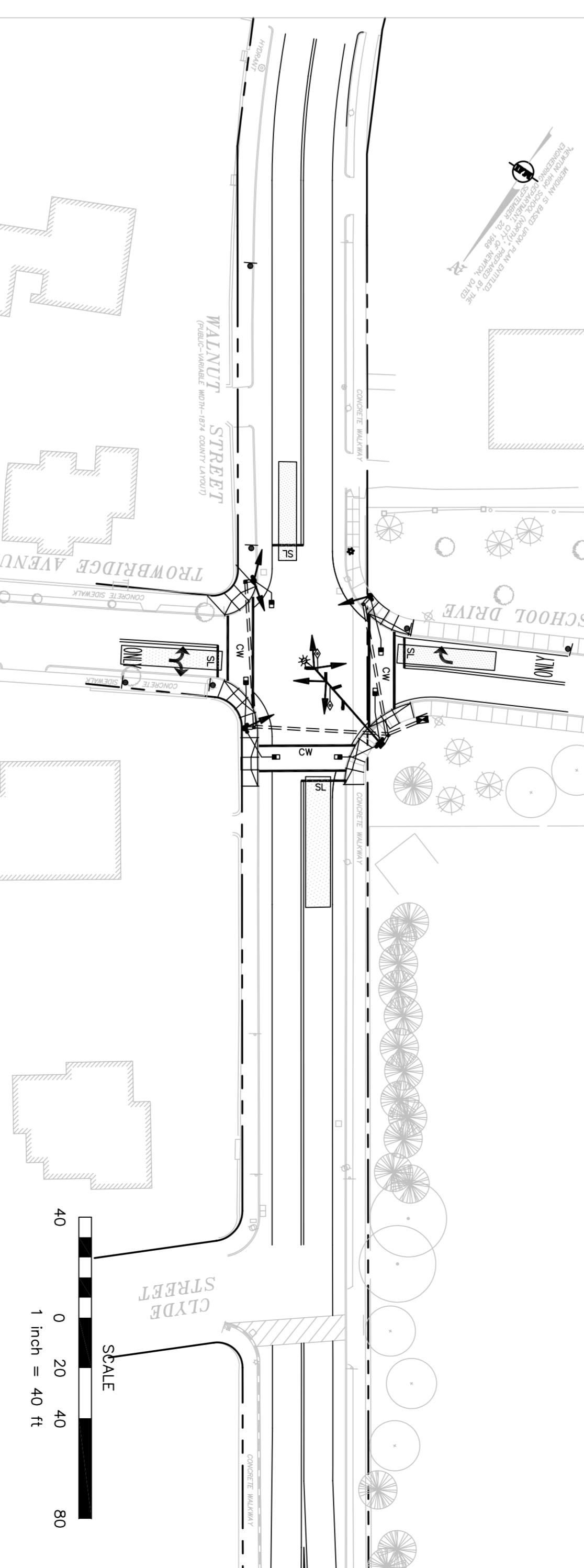
ALTERNATIVE 2:

MID-BLOCK PEDESTRIAN SIGNAL, NO TURN RESTRICTIONS



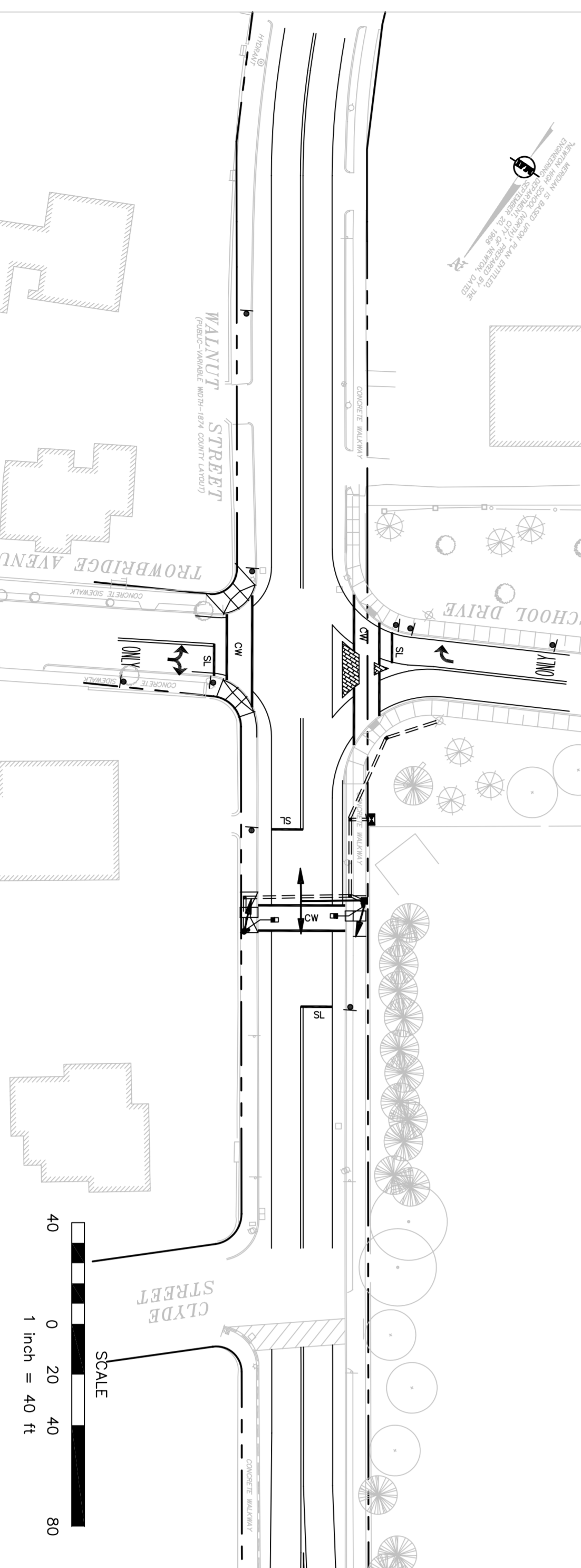
ALTERNATIVE 5:

FULL TRAFFIC SIGNAL, NO LEFT TURNS AT SCHOOL DRIVE & NO THROUGH MOVEMENT AT TROWBRIDGE AVE



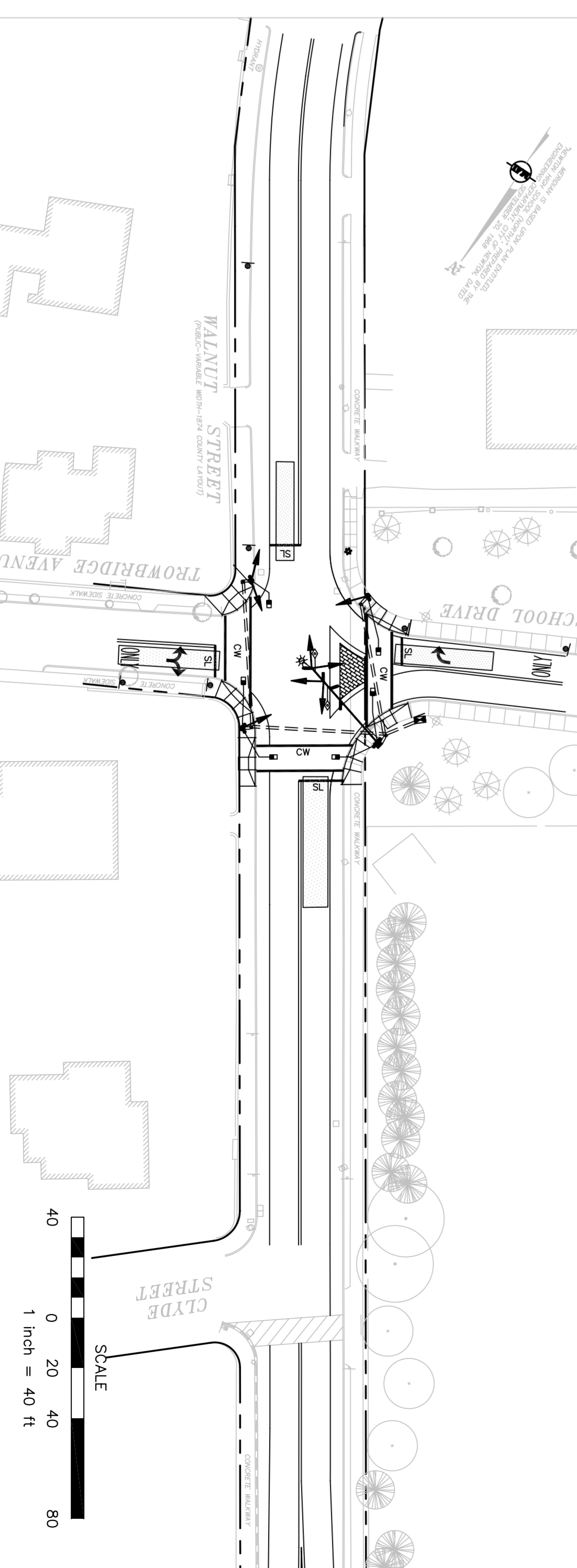
ALTERNATIVE 3:

MID-BLOCK PEDESTRIAN SIGNAL, NO LEFT TURNS AT SCHOOL DRIVE & NO THROUGH MOVEMENT AT TROWBRIDGE AVE (WITH TRAFFIC ISLAND)



ALTERNATIVE 6:

FULL TRAFFIC SIGNAL, NO LEFT TURNS AT SCHOOL DRIVE & NO THROUGH MOVEMENT AT TROWBRIDGE AVE (WITH TRAFFIC ISLAND)



PREPARED BY:



TITLE:

ALTERNATIVES 1 - 6  
 WALNUT STREET AT SCHOOL DRIVE/TROWBRIDGE AVENUE  
 (WITH AN ASSUMED ELM ROAD TRAFFIC PATTERN)

PREPARED FOR:

CITY OF NEWTON  
 1000 COMMONWEALTH AVENUE  
 NEWTON, MASSACHUSETTS 02459

CITY OF NEWTON

IN BOARD OF ALDERMEN

September 5, 2006

ORDERED:

That the Board of Aldermen finding that the public interest would be served by its action, hereby grants SITE PLAN APPROVAL to the City of Newton for construction of a new Newton North High School with related athletic facilities and other site improvements pursuant to the provisions of Sec. 5-58 of the Revised Ordinances of the City of Newton, in accordance with the recommendations of the Public Facilities Committee and subject to the following conditions:

Docket Number: 224-06

Petitioner: The Design Review Committee of the City of Newton

Location: Newton North High School, 360 Lowell Avenue, Ward 2, Newtonville, more specifically described as Section 24, Block 18, Lot 1, containing approximately 1,045,658 square feet of land.

Owner: City of Newton

Owner's Address: Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02159

To be used for: New Newton North High School and related athletic facilities (hereinafter referred to as the "Project")

Construction: Brick and glass façade

Explanatory note: All new construction of a municipal building requires Site Plan Approval pursuant to the provisions of Section 5-58 of the Revised Ordinances of the City of Newton.

The land referred to is zoned Public Use.

1. The building and site improvements for the new Newton North High School shall be constructed consistent with the Site Plan L1.0, which plan has been revised to show Option 5A, and the "Site Plan Approval Set," prepared by Gund Partnership, dated May 4, 2006, and on file with the City Clerk, which "Site Plan Approval Set" shall be amended and

supplemented as necessary to reflect the approved Option 5A Site Plan L1.0. The approved Site Plan and "Site Plan Approval Set" consists of the following plans:

- a. EX-1, Existing Conditions Plan;
- b. C-1, Utility Plan;
- c. L1.0, Site Plan, showing Option 5A and dated August 10, 2006;
- d. L2.0, Grading Plan;
- e. L3.0, Landscape Plan;
- f. A2.20, Plan Basement Level;
- g. A2.21, Plan First Level South;
- h. A2.22, Plan First Level North;
- i. A2.23, Plan Second Level South;
- j. A2.24, Plan Second Level North;
- k. A2.26, Plan Third Level North;
- l. A2.27, Plan Fourth Level South;
- m. A3.11, Building Elevations; and
- n. A3.21, Site Sections.

The building floorplans and elevations are subject to modification as the plans are developed during the Design Development and Construction Document phases of the Project. Pursuant to §5-54(c) of The Revised Ordinances of Newton, 2001, the Design Review Committee shall make periodic reviews of the Project's plans as it moves through the various design phases.

2. The Board of Aldermen acting through its Public Facilities Committee will receive regular updates and plans on the status of the Project, on the issues to be analyzed pursuant to the conditions contained in this board order.

3. During the Design Development phase, the Project's Design Team shall make a comparative design and associated financial analysis of the following alternatives:

- a) Building the multi-purpose playing field at grade rather than sinking it;

- b) Providing basement space for such of the mechanical equipment as may be relocated from the roof;
- c) Providing basement space above and beyond that needed for mechanicals to be used for secure storage;
- d) Adjusting the layout of Elm Road in the area of the bus waiting zone to maximize the opportunity to increase the landscape buffer between Elm Road and the abutting residential properties and narrowing the width of Elm Road to not more than thirty (30) feet;
- e) Providing a drop-off area or alternative vehicular entrance along Lowell Avenue and creating alternative traffic patterns on Elm Road;
- f) Covering the stairs leading from Hull Street into the east side of the site and developing a plan to better utilize Hull Street as a drop-off location;
- g) Designing the classroom building to allow expansion space for additional classrooms to be built later;
- h) Comparing different mechanical equipment systems and life-cycle costs of such systems;
- i) Developing a plan to mitigate noise to be generated by the HVAC system if located on the roof or on the ground; and,
- j) Creating an alternative bus drop-off area on Walnut Street.

4. The Public Works Commissioner shall recommend to the Board of Aldermen possible street improvements to promote safety on Walnut Street from Mill Street to Cabot Street, including at the intersection of Hull Street and Walnut Street. Such street improvements might include, but not be limited to, signage and the narrowing of the intersection at Hull Street and Walnut Street. Such improvements as approved by the City shall be undertaken as soon as possible and in no event later than the Project's opening.

5. The Design Team shall study the effect on traffic circulation if the turning movements are limited to a right turn into and out of the driveway to the project entrance on Walnut Street, and shall also study providing a pedestrian crossing north of such driveway. If the results of the said study so recommend, a traffic signal shall be considered by the City at such driveway. If approved by the Board of Aldermen, such signal shall be operational at the time of the Project's opening.

6. The City shall use best efforts to retain and protect the existing trees on the site along the north side of Hull Street to provide a landscape buffer for the adjacent residential properties.

7. No further parking spaces shall be added at the entrance on Trowbridge Avenue.

Under Suspension of Rules

Readings Waived and Approved

16 yeas (Aldermen Burg, Danberg, Fischman, Gentile, Hess-Mahan, Lappin, Lennon, Lipof, Merrill, Salvucci, Samuelson, Schnipper, Vances, Weisbuch, Yates, and Baker

7 nays (Aldermen Albright, Coletti, Harney, Johnson, Mansfield, Parker, and Sangiolo)

1 absent (Alderman Linsky)

EXECUTIVE DEPARTMENT

Approved: September 7, 2006

(SGD) DAVID A. OLSON  
City Clerk

(SGD) DAVID B. COHEN  
Mayor