

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, SEPTEMBER 17, 2008

**7:45 PM**  
**ROOM 209**

**ITEMS TO BE DISCUSSED:**

**Public Hearing**

#308-08      BARRY & SANDY GURYAN, 41 Varick Hill Road, Waban, petitioning to extend a common sewer 90' ± in VARICK HILL ROAD from an existing sewer manhole (MH# 124) southwesterly to a proposed sewer manhole in front of 41 Varick Hill Road. (Ward 5) [08-25-08 @ 3:07 PM]  
**PETITIONER TO PAY ENTIRE COST**

**Public Hearing**

#330-08      NATIONAL GRID petitioning for a grant of location to install and maintain 50' ± of 4" gas main in HUNNEWELL AVENUE from the existing 4" gas main in Hunnewell Avenue southeasterly to House No 9 (Ward 1). [09-10-08 @ 2:19 PM]

**Public Hearing Continued**

#298-08      NATIONAL GRID petitioning for a grant of location to install and maintain 250' ± of 6" gas main in SYCAMORE ROAD from the existing 6" gas main in Redwood Road @ Sycamore Road easterly to House Nos. 22 and 27 (Ward 8). [07-24-08 @ 12:03 PM]

#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]

#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]

#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:**

**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]

**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.

#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]

#309-08 ALD. BAKER AND DANBERG requesting a discussion with the Commissioner of Public Works regarding street signage at intersections as well as signage and house number visibility in order to assist citizens and public safety personnel in locating addresses.

**REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES**

#294-08 SUPERINTENDENT YOUNG requesting a vote of the Board of Aldermen to complement the vote of the School Committee to instruct him to submit a statement to the Massachusetts School Building Authority confirming the City's top three priority elementary schools: Angier, Cabot and Zervas, with Angier being the first priority, by September 15, 2008. [07-24-08 @ 2:21 PM]

#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]

**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  
FINANCE HELD 7-0 (Johnson not voting) on 5-12-08**

**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**

- #34-08 ALD. COLETTI requesting that His Honor the Mayor immediately provide the latest "estimate" of the minimum price as per the Dimeo and Turner companies (for the Newton North High School Construction Project) to the Board of Aldermen with a date certain for the filing of a supplemental funding request. [01-15-08 @ 11:14AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #33-08 ALD. COLETTI requesting review of the scope of work and performance of Turner Construction and review of proposed 18-month extension of the Turner Construction contract. Included in discussion will be the process for review of future invoices of Dimeo and other vendor invoices by Turner. [01-15-08 @ 11:14 AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #32-08 ALD. COLETTI requesting discussion of Architect Services Contract and additional \$8 million revision to the Dorr Whittier Contract for additional services. [01-15-08 @ 11:14 a.m.]

**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]
- #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]
- #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**
- #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.
- #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.
- #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.

#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. ROBART 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

#308-08

# City of Newton

## PETITION FOR DRAIN AND SEWER



August 25, 2008

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

Varick Hill Rd

~~Street~~

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

from existing sewer MH # 124 ~~to~~ southwesterly

to proposed SMH to be located @ 41 Varick Hill Rd.

in that part of Newton called Waban

Do not write here. Binding margin!

Signatures of petitioners here:	ADDRESSES
Michael Skosno FOR BARRY & SANDY GURVAN	41 Varick Hill Rd NEWTON, MA 02459

08 AUG 25 PM 3:07  
CITY CLERK  
NEWTON, MA 02459

In Board of Aldermen, .....  
Referred to Committee on Public Works

Clerk.

August 25, 2008

Board of Aldermen  
Public Facilities Committee  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459  
Att: Shawna Sullivan

08 AUG 25 PM 3: 07  
CITY CLERK  
NEWTON, MA, 02159

RE: Varick Hill Road  
Sewer Extension

Dear Ms. Sullivan:

Enclosed please find ten (10) copies of the plan entitled "Sewer Connection Plan of Land in Newton, MA 41 Varick Hill Road", dated May 28, 2008.

On behalf of the owners of 41 Varick Hill Road, Barry & Sandy Guryan, we are petitioning to extend the existing sewer in Varick Hill Road by installing approximately 90 feet of 8-inch PVC sewer. The sewer will extend southwesterly from an existing sewer manhole (#124) to a proposed sewer manhole to be located in front of 41 Varick Hill Road. The existing on-site subsurface sewage disposal system at 41 Varick Hill Road will be abandoned and the property will connect to the proposed sewer extension.

If you have any questions regarding this information, please feel free to contact our office.

Very truly yours,

EVERETT M. BROOKS COMPANY



Michael S. Kosmo, P. E.



**CITY OF NEWTON**  
ENGINEERING DIVISION

MEMORANDUM

To: Ald. Sydra Schnipper, Facilities Committee Chair.

From: John Daghlian, Associate City Engineer

Re: #41 Varick Hill Road- Sanitary Sewer Main Extension

Date: September 8, 2008

CC: Lou Taverna, PE Director of Utilities (via email)  
Shawna Sullivan, Associate City Clerk (via email)  
Everett M. Brooks Co., (via email)

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In reference to the above location, I do not recommend approval at this time for a plan entitled:

*Sewer Connection Plan of Land at  
41 Varick Hill Road  
Prepared By: Everett M. Brooks Company  
Dated: May 28, 2008*

1. The proposal is to extend the existing sanitary sewer main approximately 120-feet southwesterly to provide a service connection to #41 Varick Hill Road. The service connection will be gravity flow from the dwelling to an on site pump chamber which will force the sewage up the hill to a sewer manhole located at said property then flow by gravity to the proposed 120-foot main extension.
2. The entire street has underground utilities (electric, telecommunications, gas etc...) that need to be located on the site plan. Based upon a site visit today there may be a conflict between the proposed sanitary sewer and the existing water main specifically near the fire hydrant. The minimum horizontal separation is 10'; if this is not achieved then the sanitary sewer main must be encased in concrete.
3. The engineer of record needs to determine whether or not the abutting homes along the proposed sewer main extension have sanitary sewer services, if they do not, then individual laterals shall be extended to the respective property lines at a minimum slope of 2% and capped for future connection.

#308-08

4. The backfilling of the sewer main and services connection shall be with Control Density Fill (CDF) Type I-E Excavatable type.
5. All downstream catch basins shall be retrofitted with an approved type of siltation control devices, details of this 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 property flooding does not occur during construction.
6. A permanent patch detail of the trench restoration is needed.
7. The contractor of record shall contact the Newton Police Department and arrange for Police Detail to help residents navigate around the construction equipment and since the street has underground nature gas main, the Police Officer can contact emergency response personnel.
8. 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.
9. The test results shall be submitted in type written report format to the City Engineer.
10. Upon final installation & testing of the sewer system an As Built drawing [plan & profile] indicating rim, invert elevations, and slopes shall be submitted in digital and hard copy format to the City Engineer.
11. The applicant's contractor shall apply for a Utility Connection and Street Opening Permit with the DPW prior to any construction.

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

CITY OF NEWTON  
MASSACHUSETTS

# 330-08

PETITION FOR GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the Public Works Department for a preliminary review before the applicant files the petition with the Board of Aldermen. The comments of the Public Works Commissioner will be part of the record submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petition will be scheduled for a public hearing before the Public Facilities Committee of the Board of Aldermen. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans

**Grant of Location Process:**

1. Applicant submits completed Petition Form and required materials to Clerk of the Board's Office
2. Engineering Division of Public Works conducts preliminary review and provides written comments (estimated timeframe two weeks)
3. If there is no conflict, the Public Works Department files Petition Form with the Clerk of the Board. Petitioner has the right to file contested petition form to the Clerk of the Board.
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

**Questions may be directed to:**

Shawna Sullivan, Committee Clerk, 796-1213  
Lou Taverna, City Engineer, 796-1020

08 SEP 15  
CITY CLERK  
NEWTON, MASS  
PM 3:15

**I. IDENTIFICATION (Please Type or Print Clearly)**

Company Name NATIONAL GRID

Address 52 SECOND AVE

WALTHAM MASS

Phone Number 1-781-466-5920 Fax Number \_\_\_\_\_

Contact Person HAROLD R. COOPER Title \_\_\_\_\_

Signature \_\_\_\_\_ Date 9-10-08  
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

RECEIVED  
BY ENGINEERING DEPT.  
SEP 10 P 3:31

**II. DESCRIPTION OF PROJECT: to be completed by petitioner**

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

#330-08

TO INSTALL AND MAINTAIN APPROXIMATELY 77 FEET, MORE OR LESS OF 4 INCH GAS MAIN IN HUNNEWELL AVENUE, NEWTON FROM THE EXISTING 4 INCH GAS MAIN IN HUNNEWELL AVENUE @ HOUSE NO. 12 EASTERLY TO THE END

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide: Title of Plan \_\_\_\_\_ Date of Plan \_\_\_\_\_

**III. PUBLIC WORKS DEPARTMENT REVIEW**

Date received by Public Works Department \_\_\_\_\_

08 SEP 10 PM 3:15  
CITY CLERK  
NEWTON, MA 02159

Check One:

Minor Project

Major Projects

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

**DATE AND COMMENTS:**


9/11/08  
1. Street opening and sidewalk crossing permits required from Newton DPW  
2. Notify Engineering 48 hours prior to work  
3. Existing 15" drain only has 3' ± cover on top of pipe  
R. J. O'Shea

**RECOMMENDATIONS:**

1. Extend new gas main along existing gas main alignment of 12' off street line. Cross new bituminous concrete sidewalk at 90°  
2. 36" minimum cover on all trenches  
3. Backfill shall be 95% compaction  
4. Bituminous concrete roadway shall be replaced in kind to original thickness and grade.  
5. Bituminous concrete sidewalk shall be replaced in kind to City of Newton specifications. Loam and seed gassed areas.

**IV. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE**

1. REVISE LOCATION OF PROPOSED GAS MAIN. SEE RECOMMENDATIONS. L. Stevens

  
\_\_\_\_\_  
Commissioner, Public Works

9/11/08  
\_\_\_\_\_  
Date

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

City of Newton / Board of Aldermen:-

#330-08

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 77 feet, more or less of 4 inch gas main in Hunnewell Avenue, Newton.

From the existing 4 inch gas main in Hunnewell Avenue @ House NO.12 Easterly to the end.

Submitted is a set of plans of said gas mains.

DATE September 10, 2008

BY Harold R. Cooper  
Harold R. Cooper  
Permit Representative

08 SEP 10 PM 3:10  
CITY CLERK  
NEWTON, MA 02459

ORDER FOR GAS MAIN LOCATION

City of Newton / Board of Aldermen:-

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the **City of Newton** substantially as described in the petition dated September 10, 2008 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_, MA on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

BY \_\_\_\_\_

\_\_\_\_\_  
Title

MN # 144-8502-625063

RETURN ORIGINAL TO THE PERMIT SECTION  
NATIONAL GRID  
52 SECOND AVENUE, WALTHAM, MA 02451  
RETAIN DUPLICATE FOR YOUR RECORDS

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

City of Newton / Board of Aldermen:-

#330-08

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 77 feet, more or less of 4 inch gas main in Hunnewell Avenue, Newton.

From the existing 4 inch gas main in Hunnewell Avenue @ House NO.12 Easterly to the end.

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BY Harold R. Cooper  
Harold R. Cooper  
Permit Representative

08 SEP 10 PM 3:10  
CITY CLERK  
NEWTON, MA 02459

ORDER FOR GAS MAIN LOCATION

City of Newton / Board of Aldermen:-

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the **City of Newton** substantially as described in the petition dated September 10, 2008 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_, MA on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

BY \_\_\_\_\_

\_\_\_\_\_  
Title

MN # 144-8502-625063

RETURN ORIGINAL TO THE PERMIT SECTION  
NATIONAL GRID  
52 SECOND AVENUE, WALTHAM, MA 02451  
RETAIN DUPLICATE FOR YOUR RECORDS

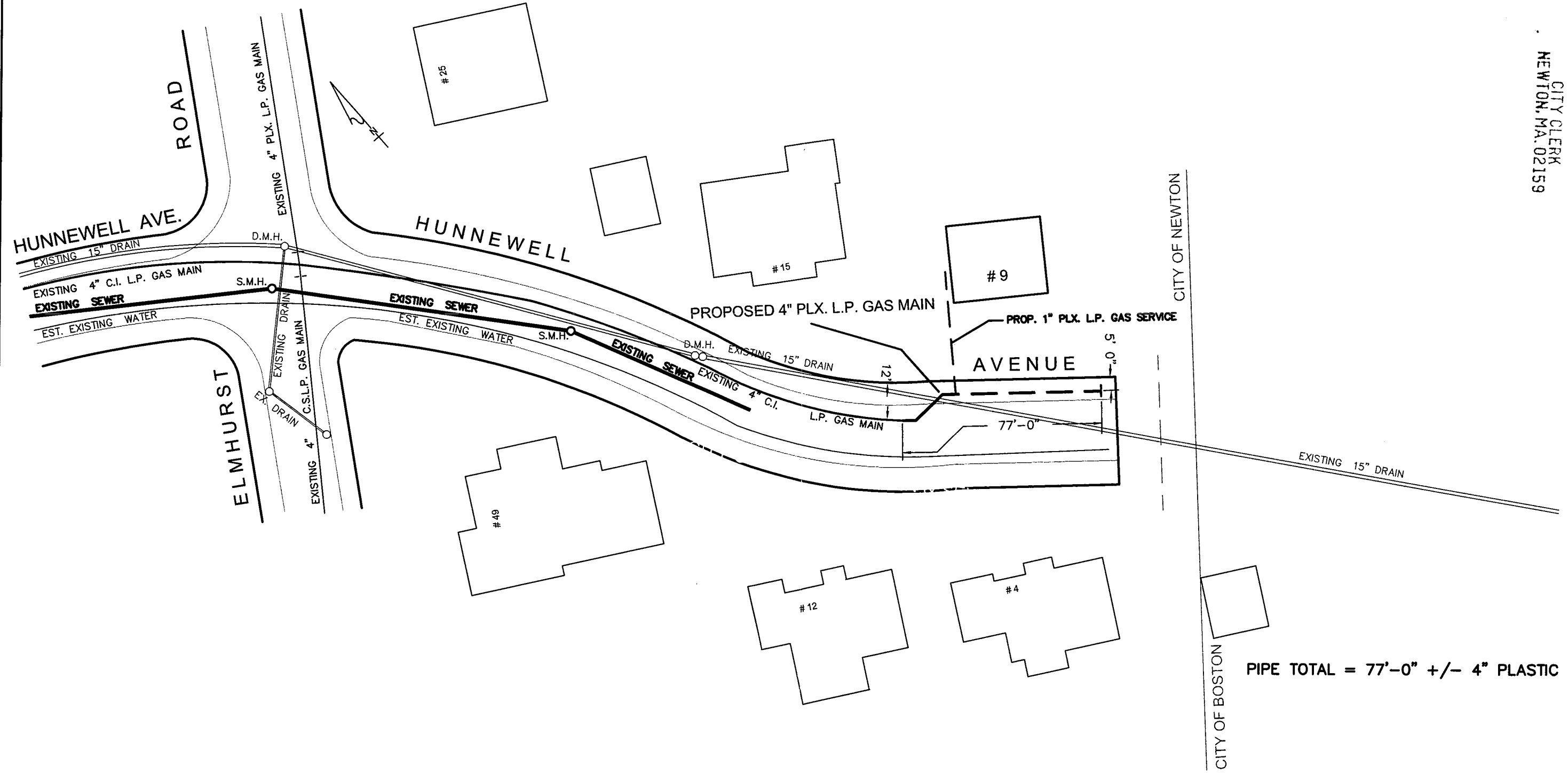
# Final Label Report

###

SBL	Owner	No1	No2	Street	Unit
71027 0001	INSKEEP JOSEPH G & BARBARA D	49		ELMHURST RD	
71027 0012	TENAGLIA MARIO & ANDREA L	4		HUNNEWELL AVE	
71026 0013	MT PROPERTIES LLC	9		HUNNEWELL AVE	
71027 0011	MALONEY RICHARD D & MARION R	12		HUNNEWELL AVE	
71026 0012	CARTY MARGARET	15		HUNNEWELL AVE	
71026 0010A	RENNING JAMES A	25		HUNNEWELL AVE	

CITY CLERK  
 NEWTON, MA. 02159

08 SEP 10 PM 3:10



PIPE TOTAL = 77'-0" +/- 4" PLASTIC

WATER MAIN INFORMATION NOT AVAILABLE FROM ENGR. CITY OF NEWTON

--- NEW GAS	⊙ MANHOLE & WELL
--- ELECTRIC	⊕ HYDRANT
--- GAS	⊞ CATCH BASIN
--- WATER	⊕ UTILITY POLE
--- STORM DRAIN	⊞ SHUTOFF VALVE
--- SANITARY SEWER	⊞ TMH - TELEPHONE MANHOLE
--- TELEPHONE	⊞ EMH - ELECTRIC MANHOLE
	⊞ SDMH - STORM DRAIN MANHOLE
	⊞ SMH - SEWER MANHOLE

NOTE:  
 THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT  
 CALL BEFORE YOU DIG  
 1-888-DIG-SAFE  
 UTILITIES AND STREET LINES COMPILED FROM AVAILABLE DATA SOURCES  
 NO FIELD VERIFICATION PERFORMED

NO.	DESCRIPTION	DATE	DR. BY	CK. BY	APP. BY

**nationalgrid**  
 52 SECOND AVENUE  
 WALTHAM, MA. 02451

OPERATIONS ENGINEERING						
PROPOSED LOCATION OF 4" PLASTIC L.P. GAS MAIN IN						
HUNNEWELL AVENUE, NEWTON, MA.						
ENGR./DRFTM	DATE	SIZE	PRESSURE	MATERIAL	LENGTH	WORK ORDER NO.
E.W./W.S.J.	9/10/2008	4"	L.P.	PLASTIC	77'-0"	813873

SCALE: N.T.S.  
 SHEET 1 OF 1  
 DRAWING NO.  
**GP-NEW-625063-08-165**



CITY OF NEWTON  
MASSACHUSETTS

#298-09

PETITION FOR GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the Public Works Department for a preliminary review before the applicant files the petition with the Board of Aldermen. The comments of the Public Works Commissioner will be part of the record submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petition will be scheduled for a public hearing before the Public Facilities Committee of the Board of Aldermen. **petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans

NEWTON CITY ENGINEER  
RECORDED  
09 JUL 24 PM 12:04

**Grant of Location Process:**

1. Applicant submits completed Petition Form and required materials to Clerk of the Board's Office
2. Engineering Division of Public Works conducts preliminary review and provides written comments (estimated timeframe two weeks)
3. If there is no conflict, the Public Works Department files Petition Form with the Clerk of the Board. Petitioner has the right to file contested petition form to the Clerk of the Board.
4. Board of Aldermen schedules petition for a public hearing before the Public Facilities Committee of the Board of Aldermen
5. Public Facilities Committee recommendations are forwarded to the Board of Aldermen for a final decision

**Questions may be directed to:**

Shawna Sullivan, Committee Clerk, 796-1213  
Lou Taverna, City Engineer, 796-1020

**I. IDENTIFICATION (Please Type or Print Clearly)**

Company Name NATIONAL GRIP

Address 52 SECOND AVE  
WALTHAM MASS

Phone Number 781-466-5920 Fax Number \_\_\_\_\_

Contact Person HAROLD R. COOPER Title PERMIT REPRESENTATIVE

Signature Harold R. Cooper Date \_\_\_\_\_  
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

#298-08

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

To INSTALL AND MAINTAIN 250 FEET  
6" PLASTIC GAS MAIN IN SYCAMORE ROAD  
NEWTON FROM THE EXISTING 6 INCH GAS MAIN  
IN REDWOOD RD. EASTERLY TO HOUSE  
27, 22, FOR NEW GAS SERVICE

NEWTON CITY ENGINEER  
08 JUL 24 PM 2:04  
159

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide:  
Title of Plan \_\_\_\_\_ Date of Plan \_\_\_\_\_

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department \_\_\_\_\_

Check One:

Minor Project

Major Projects

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

7/28/08

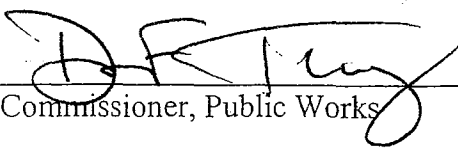
1. Street opening and sidewalk crossing permits required from Newton DPW
2. Notify Engineering 48 hours prior to work
3. Police detail required

B. J. O'Brien

RECOMMENDATIONS:

1. 36" minimum cover on all trenches
2. Backfill shall be 95% compaction
3. 13" turnings concrete roadway shall be replaced in kind to original thickness and grade
4. Concrete sidewalk panels shall be replaced in kind to City of Newton Specification Loam and seed grassed areas.
5. Concrete curbing shall be replaced broken and or reinstalled to original grade
6. Traffic shall be maintained on both roads

IV. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

DEPT Commissioner, Public Works 

9/22/08  
Date

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

# 288-08

City of Newton / Board of Aldermen:-

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 250 feet, more or less of 6 inch gas main in Sycamore Road, Newton.

From the existing 6 inch gas main in Redwood Road @ Sycamore Road Easterly to House NO. 22 and House NO. 27

Submitted is a set of plans of said gas mains.

DATE July 24, 2008

BY

*Harold R. Cooper*

Harold R. Cooper  
Permit Representative

08 JUL 24 PM 12:03  
CITY CLERK  
NEWTON, MA. 02459

ORDER FOR GAS MAIN LOCATION

City of Newton / Board of Aldermen:-

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the **City of Newton** substantially as described in the petition dated July 24, 2008 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_, MA on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

BY \_\_\_\_\_

\_\_\_\_\_  
Title

MN # 144-8502-613873

RETURN ORIGINAL TO THE PERMIT SECTION  
NATIONAL GRID  
52 SECOND AVENUE, WALTHAM, MA 02451  
RETAIN DUPLICATE FOR YOUR RECORDS

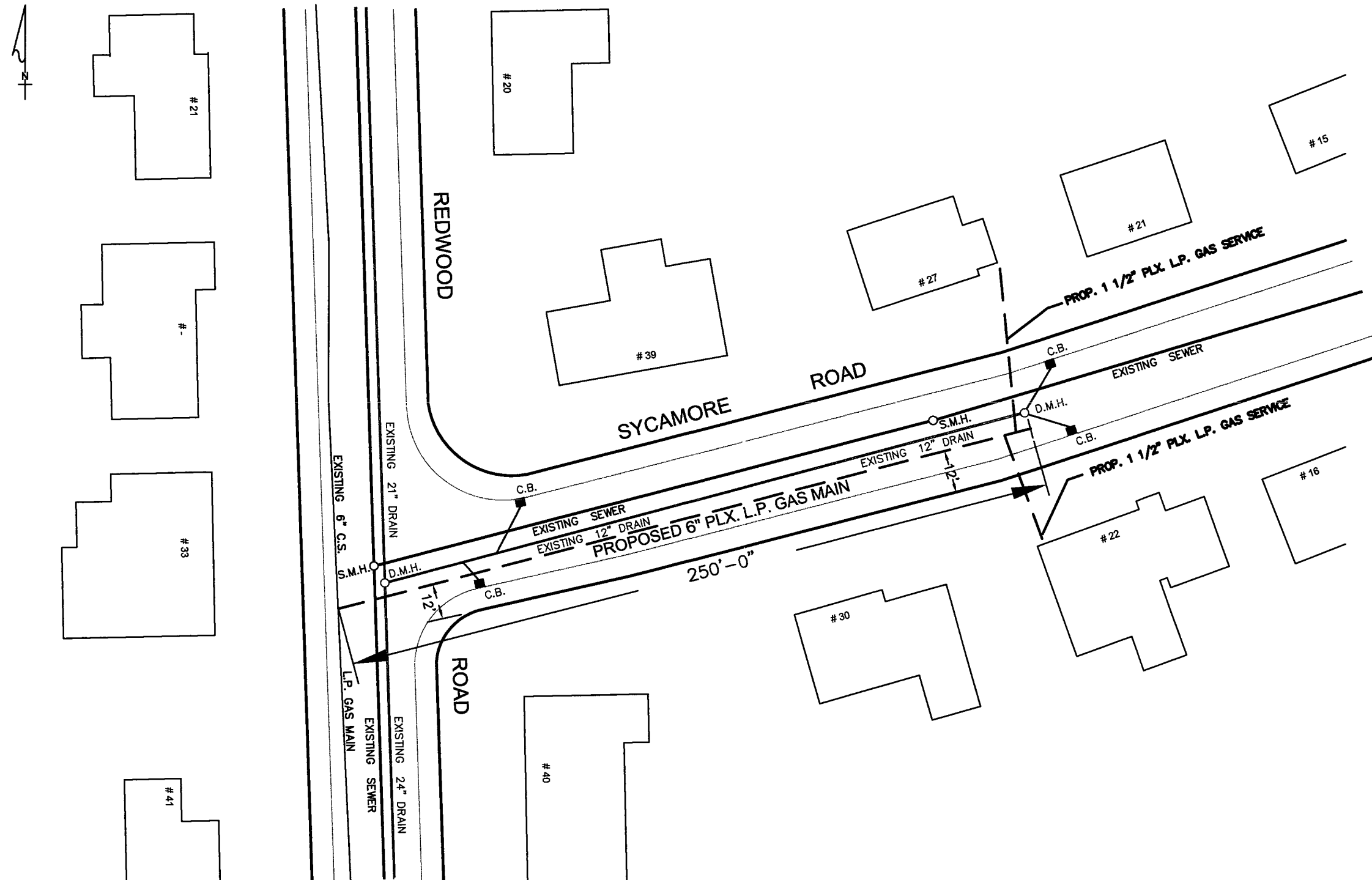
# Final Label Report

#298-08

SBL	Owner	No1	No2	Street	Unit
82024 0004	GOLDBERG RICHARD T & DOROTHY D	245		HARTMAN RD	
82023 0006	DING STEVEN Y	259		HARTMAN RD	
82015 0069	SAIVETZ RICHARD & CAROL	33		REDWOOD RD	
82023 0001	SASSON JOSEPH A & NANCY J	40		REDWOOD RD	
82015 0070	LEE HOWARD D TR	41		REDWOOD RD	
82015 0071	MIRKIS LEONID	49		REDWOOD RD	
82023 0005	LU HONG	8		SYCAMORE RD	
82024 0005	LU WEIDONG	15		SYCAMORE RD	
82023 0004	SOTIRIADIS FANI TR	16		SYCAMORE RD	
82024 0006	GEVA TAL & JUDITH	21		SYCAMORE RD	
82023 0003	LEVY HAROLD A & DORIS F	22		SYCAMORE RD	
82024 0007	KATZ LOUIS & RUTH	27		SYCAMORE RD	
82023 0002	BOROCHIN EUGENE J	30		SYCAMORE RD	
82024 0008	ALTSCHUL NOMEE D	39		SYCAMORE RD	

# 298-08

08 SEP 12 AM 11:36  
 CITY CLERK  
 NEWTON, MA. 02159



PIPE TOTAL = 250'-0" +/- 6" PLASTIC

WATER MAIN INFORMATION NOT AVAILABLE FROM ENGR. CITY OF NEWTON

<p><b>NEW GAS</b></p> <p>----- ELECTRIC</p> <p>----- GAS</p> <p>----- WATER</p> <p>----- STORM DRAIN</p> <p>----- SANITARY SEWER</p> <p>----- TELEPHONE</p>	<p>⊙ MANHOLE &amp; WELL</p> <p>⊕ HYDRANT</p> <p>⊞ CATCH BASIN</p> <p>⊟ UTILITY POLE</p> <p>⊠ SHUTOFF VALVE</p> <p>⊡ T.M.H. - TELEPHONE MANHOLE</p> <p>⊢ E.M.H. - ELECTRIC MANHOLE</p> <p>⊣ S.D.M.H. - STORM DRAIN MANHOLE</p> <p>⊤ S.M.H. - SEWER MANHOLE</p>
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**NOTE:**  
 THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT  
 CALL BEFORE YOU DIG  
 1-888-DIG-SAFE  
 UTILITIES AND STREET LINES COMPILED FROM AVAILABLE DATA SOURCES  
 NO FIELD VERIFICATION PERFORMED

NO.	DESCRIPTION	DATE	DR. BY	CK. BY	APP. BY
1	REVISED PROPOSED NEW GAS MAIN LOCATION	9/11/08	N.W.S.J.	N/A	H.R.C.

**nationalgrid**

52 SECOND AVENUE  
 WALTHAM, MA. 02451

OPERATIONS ENGINEERING  
 PROPOSED LOCATION OF 6" PLASTIC I.P. GAS MAIN IN  
**SYCAMORE ROAD & REDWOOD ROAD., NEWTON, MA.**

ENGR./DRFTMN	DATE	SIZE	PRESSURE	MATERIAL	LENGTH	WORK ORDER NO.
E.W./N.W.S.J.	7/22/2008	6"	L.P.	PLASTIC	250' - 0"	613873

SCALE: N.T.S.  
 SHEET 1 OF 1  
 DRAWING NO.  
**GP-NEW-**  
**613873-08-108**

existence prior to January 1, 1975. Such fence or wall shall be firmly secured at ground level and be so constructed and maintained as not to have openings, holes or gaps larger than four inches in any dimension, except for doors and gates, and except for picket fences in which case, however, the gaps between pickets shall not exceed four inches. A building may be used as part of such enclosure.

All gates or doors opening through such enclosure shall be of not less than the same height as the fence or wall and shall be equipped with a self-closing and self-catching device located not more than one foot below the top of the fence or wall for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Each such gate or door shall be kept locked at all times when the swimming pool enclosure is not in use.

No construction, installation or enlargement of private swimming pools shall be commenced until the commissioner of inspectional services has issued a building permit. Before work is commenced applicants shall submit an application, together with such plans and specifications as the commissioner of inspectional services may require. The commissioner of inspectional services shall review the application to determine whether the proposed work complies with the provisions of this subsection.

(c) All lighting of an outdoor private swimming pool or its enclosures shall be directed at the pool and the source of the light shall be shielded from view from any street or adjoining property.

(d) The provisions of this section shall not become applicable to private swimming pools in existence on the date of enactment of said section until the date six months subsequent to such date of enactment.

(e) Spas or hot tubs having a depth of no more than forty-eight (48) inches and no exterior dimension greater than eight (8) feet, equipped with a water circulating system shall be exempt from the fencing and self-closing gate requirements of section 5-19(b) provided the following conditions are met:

- (1) Such spas or hot tubs are equipped with a safety cover meeting the American Society for Testing and Materials (ASTM) F-1346-91 standard, as may hereafter be amended, now entitled "Standard Performance Specification for Safety Covers and Labeling Requirements For All Covers For Swimming Pools, Spas and Hot Tubs;"
- (2) The aforementioned safety cover shall be equipped with a locking device in order to keep the cover securely attached at all times when spas or hot tubs are not in actual use; and
- (3) Each such safety cover shall be kept securely attached and shall be securely locked at all times when spas or hot tubs are not in actual use, or are unattended. (Ord. No. S-143, 9-17-85; Ord. No. V-22, 6-19-95)

Secs. 5-20—5-34. Reserved.

**ARTICLE III. DESIGNER SELECTION COMMITTEE**

**Sec. 5-35. Established; purpose.**

A designer selection committee is hereby established to make recommendations to the mayor whenever an architect is to be engaged by the city for any purpose, and the mayor shall consult with this committee and shall select said architect from these recommendations. At least three (3) recommendations shall be offered and the mayor may request three (3) additional recommendations from which he shall make his selection. (Rev. Ords. 1973, § 2-346)

**Cross references**—Commissions and committees generally, Ch. 2, Art. VII; regulations governing appointment to and service on commissions and committees, § 2-8

**Sec. 5-36. Composition, appointment and compensation of members.**

When the public facility to be constructed is not under the jurisdiction of the school committee, the designer selection committee shall consist of six (6) members, three (3) of whom shall be appointed by the mayor, and three (3) of whom shall be selected by the board of aldermen. For school facilities, three (3) additional members shall be selected by the school committee. All of the persons serving on this committee shall serve without compensation and shall be residents of the city. (Rev. Ords. 1973, § 2-347)

**Sec. 5-37. Terms of members, vacancies, procedures.**

Members of the designer selection committee shall serve coterminous with the terms of their respective appointing authority. Vacancies in the committee shall be filled by appointment in the same manner by the designated appointing authority as the original appointments for the period of the unexpired term. The committee shall elect a chairman annually and establish rules and procedures. Committee members shall serve at the pleasure of their respective appointing authority. The public buildings department shall provide such assistance to the committee as is necessary for the exercise of the committee's responsibilities. Records of the committee shall be public documents. The committee shall make reports no less than annually to the respective appointing authorities. (Rev. Ords. 1973, § 2-348; Ord. No. 190, 12-20-76; Ord. No. 317, 2-20-79; Ord. No. S-301, 2-1-88)

**Secs. 5-38—5-53. Reserved.**

**ARTICLE IV. DESIGN REVIEW COMMITTEE**

**Sec. 5-54. Established.**

(a) A design review committee is hereby established to coordinate the design review process for any public facility which has been submitted to the committee by the mayor, board of aldermen or any other public agency or committee within the city.

(b) The design review committee shall examine the specifications prepared by the using agency and shall consult with the planning, public buildings and other city departments, or if appropriate, may request the public buildings commissioner to hire outside consultants to assist the design review committee in studying the feasibility of the proposed facility and shall consider to the extent the committee deems appropriate a range of solutions such as renewal, renovation or replacement within realistic budgetary limits and shall make a recommendation. The design review committee's study of the feasibility of the proposed facility shall include a review of indoor environmental health issues. The design review committee may make recommendations for specific program requirements for the proposed facility to address indoor environmental health issues. The design review committee shall include in its feasibility study a review of the proposed facility's use of natural resources and energy. The design review committee may make recommendations as to site planning, building design, or construction that contribute significantly to the proposed facility's efficient use and conservation of natural resources and energy. Whenever an architect is proposed to be engaged by the city in any design or consulting capacity, the design review committee shall review the contract between the city and the architect prior to its execution to assure that the scope of the work, as described in said contract, complies with the program requirements for the proposed public facility.

(c) The design review committee shall review the architect's solution for compliance with the program and time schedule requirements and shall evaluate the quality, appropriateness and functional attributes of the architect's solution. The committee shall have periodic meetings with the architect and hold periodic presentations and reviews and shall make reports as the project moves through the various stages of design to contract development. Prior to the issuance of bid documents, design review recommendations to the architect shall be made by the design review committee in writing to the commissioner of public buildings for his approval and issued from his office. The commissioner of public buildings shall not permit the construction contract to be advertised for public bid until the

design review committee certifies in writing that the plans and specifications substantially meet the program requirements of the project.

(d) During the construction of the public facility, the commissioner of public buildings shall consult with the design review committee concerning any changes in the plans or specifications that may affect the design or program of the facility and the committee shall act promptly on all matters before it. (Rev. Ords. 1973, § 2-361; Ord. No. 8, 8-12-74; Ord. No. 190, 12-20-76; Ord. No. S-301, 2-1-88; Ord. No. V-216, 12-21-98; Ord. No. Y-29, 7-9-07)

#### **Sec. 5-55. Composition, appointment and compensation of members.**

(a) Voting membership. The design review committee shall consist of twelve (12) permanent voting members, four (4) appointed by the mayor, four (4) selected by the board of aldermen, and four (4) selected by the school committee. There shall be two (2) additional voting members for each facility under design review, who are community representatives who shall represent the interests of the community in which the proposed facility is to be located, and who reside in the immediate area of the facility. One community representative shall be appointed by the mayor and one shall be selected by the board of aldermen. In the event that more than one facility shall comprise a project, and where the board of aldermen determines that the resulting number of community representatives for said project is unreasonably large, it may reduce the total number of community representatives required to not fewer than two. (Ord. No. R-142, 4-21-81)

(b) Nonvoting membership. There shall be the following nonvoting members of the design review committee: one alderman, one school committee member for school department building projects, the planning director or his designee, the head of the using agency or his designee, and the public buildings commissioner or his designee. The public buildings commissioner shall also serve as secretary of the design review committee. (Rev. Ords. 1973, § 2-362; Ord. No. 8, 8-12-74; Ord. No. S-301, 2-1-88)

**Cross references**—Regulations governing appointment and service on commissions and committees, § 2-8

#### **Sec. 5-56. Terms, vacancies and rules.**

(a) The members of the design review committee, excepting the community representatives, shall serve coterminous with the terms of their respective appointing authority. Vacancies in the committee shall be filled by appointment in the same manner by the same designated appointing authority as the original appointments for the period of the unexpired term. The term of community representatives shall expire upon final acceptance by the city of the facility for which they were appointed.

(b) The design review committee shall have such assistance as is reasonably necessary for the exercise of its responsibilities provided by the department of public buildings. The records of the design review committee shall be public documents. The design review committee shall elect a chairman annually and establish rules and procedures. Members shall serve at the pleasure of their respective appointing authority.

(c) It is the intent of this section that those participating in the design review process as voting members shall be a diversified group of interested citizens, independent of and not directly employed by city government, and that some of these members shall be professionally qualified.

(d) To the extent that citizens make themselves available to serve, there shall be at least one (1), but not more than two (2) voting members from each of the following professions: architect, general construction manager, electrical engineer, mechanical engineer, structural engineer, landscape architect. Professional qualifications of voting members are desirable in the fields of city planning, traffic engineering and real estate development, but shall not be required.

(e) Whenever a vacancy in voting membership occurs, the appointing authority shall make inquiry of the public buildings commissioner and the chairman of the design review committee as to whether an appointee with particular



professional qualifications is required, and after written response, the appointment shall be made so that the membership of the design review committee will be professionally balanced and will comply with the requirements and the intent of this section. Community representatives shall be appointed without regard for professional qualifications.

(f) No voting member of the design review committee shall hold an elected or salaried position with the city.

(g) All members shall serve without compensation and all voting members shall be residents of the city. All members shall serve until their successors take office.

(h) The two (2) voting members who are community representatives shall vote only on those matters concerning facilities for which they are appointed. (Rev. Ords. 1973, § 2-363; Ord. No. 8, 8-12-74; Ord. No. 190, 12-20-76; Ord. No. S-301, 2-1-88)

#### **Sec. 5-57. Other provisions.**

Any public corporation, agency, authority, commission or body of any such private organization which is empowered to construct a public or quasi-public facility within the city and which desires to submit itself to the jurisdiction of the design review committee, may enter into an agreement, in writing, with the city for this purpose, and thereafter the design review committee shall perform all of its functions and duties with respect to such facility. (Rev. Ords. 1973, § 2-364; Ord. No. 8, 8-12-74)

#### **Sec. 5-58. Site plan approval for construction or modification of municipal buildings and facilities.**

It shall be the policy of the city to apply similar standards of planning and control of density and environmental impact, when the city's public buildings and facilities are constructed or modified, as the city applies under chapter 30, Zoning, of the Revised Ordinances when petitions for changes in land use are initiated by its citizens or property owners. In implementing this policy for land in the public use district or otherwise classified city land, the prior establishment of a zoning classification or district (in accordance with section 30-4 of these Revised Ordinances) shall not be required.

(a) Whenever construction or modification of a municipal building or facility is undertaken which involves new construction or substantial change in usage, and which involves a change in: vehicular access; off-street parking requirements; site grading; drainage; landscape features; or service areas, the following procedures shall apply:

- (1) The executive department shall include in the architect's contract the requirement for preparation and submission of site plans suitable for review and approval in accordance with the procedure outlined in section 30-23 of these Revised Ordinances.
- (2) The department of planning and development shall maintain cognizance over the development of specifications, conceptual designs and site plans to determine the consistency and compatibility of such designs and plans with the city's comprehensive plan and other pertinent planning and analytical studies. The director of planning and development shall make written notification of this finding to the mayor, to the clerk of the board of aldermen, to the design review committee, and (in the case of school buildings) to the secretary of the school committee.
- (3) The design review committee shall consider the project plans, designs, and specifications not only in terms of the details of layout and construction of the building or facility, but also in terms of the site and its surrounding area. Consultations shall be made with such city departments and neighborhood groups as are considered necessary and appropriate.
- (4) Upon its approval of the initial design concept and prior to recommending that the project proceed to the

detailed design phase and to the preparation of construction drawings, the design review committee shall file with the clerk of the board of aldermen its approved site plan including building floor plans and architectural schematics, along with a formal petition for site plan approval in accordance with the procedure outlined in section 30-23 of these Revised Ordinances. The design review committee shall not be required to pay a filing fee for purposes of this section.

- (5) At the earliest opportunity, the board of aldermen shall for the purposes of this section assign that petition for public hearing before its committee dealing with matters of public buildings and this committee shall hold a public hearing. Due notice of such public hearing shall be given to the abutters of the proposed building or facility and to the abutters of such abutters. The committee shall deliberate and negotiate such changes to the site plan and affix such restrictions and conditions as are in the public interest, and it shall make its report to the board of aldermen within forty-five (45) days following the public hearing.
  - (6) The site plan, including building floor plans and architectural schematics, as formally approved by the board of aldermen and the mayor (and in the case of school buildings, by the school committee) shall become part of the final set of project plans and construction drawings, and they shall not be changed or altered in any manner without first being resubmitted to the design review committee and to the board of aldermen in accordance with steps (3), (4) and (5) above. The board of aldermen may waive a public hearing on a previously approved site plan if in its judgment the changes proposed are not of sufficient scope as to warrant a public hearing.
- (b) The board of aldermen shall not approve an appropriation of any funds for preparation of detailed construction drawings for a project applicable under this section until the requirements of (a)(1) through (a)(6) above have been satisfied.
- (c) The executive department shall not formally submit a project applicable under this section to competitive construction bid unless the requirements of (a)(1) through (a)(6) have been satisfied.
- (d) The requirements of this section that are not otherwise required by law or by the charter may be waived in whole or in part by a two-thirds (2/3) vote of those members of the board of aldermen present and voting. (Rev. Ords. 1973, § 2-365; Ord. No. 8, 8-12-74; Ord. No. 102, § 4, 12-15-75; Ord. No. V-195, 9-22-98)

#208-08

# The General Laws of Massachusetts

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## PART I. ADMINISTRATION OF THE GOVERNMENT

### TITLE XII. EDUCATION

#### CHAPTER 71. PUBLIC SCHOOLS

#### SCHOOLHOUSES

#### **Chapter 71: Section 68. Duties of towns to maintain schools; transportation of children; school building committee representation**

Go To:
<a href="#">Next Section</a>
<a href="#">Previous Section</a>
<a href="#">Chapter Table of Contents</a>
<a href="#">MGL Search Page</a>
<a href="#">General Court Home</a>
<a href="#">Mass.gov</a>

Section 68. Every town shall provide and maintain a sufficient number of schoolhouses, properly furnished and conveniently situated for the accommodation of all children therein entitled to attend the public schools. If the distance between a child's residence and the school he is entitled to attend exceeds two miles and the nearest school bus stop is more than one mile from such residence, and the school committee declines to furnish transportation, the department, upon appeal of the parent or guardian of the child, may require the town to furnish transportation for children in grades kindergarten through six for a part or for all of the distance between said child's residence and the school. If said distance exceeds three miles, and the distance between the child's residence and a school in an adjoining town giving substantially equivalent instruction is less than three miles, and the school committee declines to pay for tuition in such nearer school, and for transportation in case the distance thereto exceeds two miles, the department, upon like appeal, may require the town of residence to pay for tuition in such nearer school for children in grades kindergarten through six, and if necessary provide for transportation for a part or for the whole of said distance to, such nearer school for children in said grades. Nothing contained in the preceding two sentences shall be construed to limit the obligation of regional school districts to provide transportation for all school children in grades kindergarten through twelve, pursuant to the provisions in section sixteen C of this chapter. No school committee shall be compelled to furnish transportation on a private way. In the case of transportation provided to students that is not required by this section or by any other general or special law, a school committee may assess fees to the transported student up to an amount sufficient to cover the costs incurred by the district; provided, however, that no student eligible for free or reduced lunch, under the federal school lunch program, shall be required to pay the fee; and provided further, that a school committee may choose to exempt families at other income levels as it may determine. The school committee, unless the town otherwise directs, shall have general charge and superintendence of the schoolhouses, shall keep them in good order, and shall, at the expense of the town, procure a suitable place for the schools, if there is no schoolhouse, and provide fuel and all other things necessary for the comfort of the pupils. Each school shall comply with the requirements regarding pesticide applications as set forth in sections 6C to 6I, inclusive, of chapter 132B. Whenever a town shall undertake to provide a schoolhouse, the town shall appoint at least one member of the school committee, or its designee, to serve on the agency, board or committee to which the planning and construction or other acquisition of such schoolhouse is delegated.

## 963 CMR: MASSACHUSETTS SCHOOL BUILDING AUTHORITY

(3) School Building Committee.

(a) The Eligible Applicant shall formulate a school building committee for the purpose of generally monitoring the Application process and to advise the Eligible Applicant during the construction of an Approved Project.

(b) The school building committee shall be formed in accordance with the provisions of the Eligible Applicant's local charter and/or by-laws and it is recommended that the city, town, regional school district, or independent agricultural and technical school make a reasonable effort to include one or more of the following individuals: the local chief executive officer of the Eligible Applicant, or, in the case of a town whose local chief executive officer is a multi-party body, said body may elect one of its members to serve on the school building committee; the administrator or manager of a city or a town, where applicable; at least one member of the school committee, as required by M.G.L. c. 71, § 68; the superintendent of schools; the local official responsible for building maintenance; a representative of the office or body authorized by law to construct school buildings in that city, town or regional school district, or for that independent agricultural and technical school; the school principal from the subject school; a member who has knowledge of the educational mission and function of the facility; a local budget official or member of the local finance committee; members of the community with architecture, engineering and/or construction experience to provide advice relative to the effect of the Proposed Project on the community and to examine building design and construction in terms of its constructability.

(c) The Authority may hold "best practices" information sessions at varying geographic locations in the Commonwealth for the purposes of keeping school building committees up to date on regulatory and policy activities of the Authority.

(d) The Authority shall approve the composition and role of the school building committee which approval shall not be unreasonably withheld. Authority approval will be based on several factors, including, but not limited to:

1. past performance of the school building committee, the building committee, whether temporary or permanent, or any other committee responsible for the oversight, management, or administration of the construction of public buildings, and its individual members; and
2. the extent to which there is representation of the municipal government, school district personnel with management, educational and maintenance expertise, and representation of members of the local community with design and construction experience. After the approval of the school building committee by the Authority, if any, the Eligible Applicant shall notify the Authority in writing within 20 calendar days of any changes to the membership or the duties of said committee.

(e) The Eligible Applicant shall not delegate their fiduciary responsibilities to the School Building Committee.