

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE AGENDA

WEDNESDAY, OCTOBER 15, 2008

**7:45 PM
ROOM 209**

ITEMS TO BE DISCUSSED:

Public Hearing to be Assigned for October 15, 2008

- 339-08 NATIONAL GRID petitioning for a grant of location to install and maintain 75 □□ of 4 □ gas main in UPLAND AVENUE at 193 Upland Avenue westerly to 194 Upland Avenue. (Ward 8) [09-04-08 □ 2:25 PM]

Public Hearing to be Assigned for October 15, 2008

- 340-08 NATIONAL GRID petitioning for a grant of location to install and maintain 60 □□ of 4 □ gas main and 11 □□ of service in MILTON STREET easterly to 4 Milton Street (Ward 4). [09-26-08 □ 11:11 AM]

Public Hearing to be Assigned for October 15, 2008

- 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]

- 358-08 HIS HONOR THE MAYOR requesting a boundary line resolution at 1012-1018 Chestnut Street located at the corner of Chestnut and Winter Streets. [09-30-08 □ 3:55PM]

Please note #357-08 and 329-08 will be discussed jointly with the Programs & Services Committee:

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

- 357-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty-five thousand dollars (\$25,000) from Budget Reserve for additional design options for the City properties at Crystal Lake. [09-30-08 □ 4:16 PM]

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]

- 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 PUBLIC FACILITIES AND FINANCE COMMITTEES

- 356-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend four million nine hundred fourteen thousand seven hundred sixty-eight dollars (\$4,914,768) from General Revenue □MSBA Reimbursements to the Capital Stabilization Fund for a portion of the long-range capital plan for Newton North High School, the fire stations, the fields at Newton South High School and \$3.5 million in annual capital expenditures. [09-30-08 □ 4:15 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- 355-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy five thousand dollars (\$75,000) from Budget Reserve to the Public Building Department Accounts for the costs related to the conversion of the boilers at City Hall and the Carr School from oil to natural gas. [09-30-08 □ 4:16 PM]
- 343-08 HIS HONOR THE MAYOR proposing that Chapter 25, **Public Works Department**, be amended by adding to **Section 25-1., Office and department established; appointment and removal.**, language designating the Public Works Commissioner as the official empowered to issue trench permits to bring the City into compliance with GL chapter 82A requiring permits for all trenches excavated on public and private property. [09-30-08 □ 4:15 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]
- #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.
- 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]

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]

□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

- 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]

ITEM RECOMMENDED 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]
- 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
- 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.

- 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.

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
MASSACHUSETTS

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 Ordinance submitted to the Board of Aldermen. Upon filing with the Board of Aldermen, the petitioner is responsible for insuring that the petition is complete and all required materials are submitted in order for review. Attached please find the City Engineer's Standard Requirements for Plans (h.)

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

IDENTIFICATION (Please Type or Print Clearly)

Company Name _____

Address _____

Phone Number 1 - 781 - 555-5555 Fax Number _____

Contact Person LAIR @ LP Co / 24:4 _____ Title LAIR

Signature _____ Date _____
Person filing application

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

Di. 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.

TO INSTALL AND MAINTAIN 75 FEET MORE OR LESS OF 4 INCH GAS MAIN IN UPLAND AVENUE NEWTON FROM THE EXISTING 4 INCH GAS MAIN IN UPLAND AVENUE @ HOUSE NO. 193 WESTERLY TO HOUSE NO. 194

B. Attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan AT N h / o - x ns - re Cf Date of Plan 7 - 4 - 0
A² r - / tie

4-c-5 Fri
c::c-k
D
cs(31)
PM 2:25

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

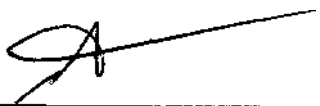
DATE AND COMMENTS:

RECOMMENDATIONS:

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fr-e & fz-- 4-1
C-re-oS S idg per 64.1 its required
from New to DPkt9
2 Not. for Eng. a-lee 4-6 4 4.01-5
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ARP. glalrEWPYAIPAIW shall be replaced
in kind to City of Newton
4-044.1 a.7 d seed grassed
concrete curbing shall be replaced or
broken 4-7d or reinstalled to original
2. Traffic shall be maintained.

IV. COMMENDATION TO PUBLIC FACILITIES COMMITTEE:



Commissioner, Public Works

9 /
Date

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

339 - 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 75 feet, more or less of 4 inch gas main in Upland Avenue, Newton.
From the existing 4 inch gas main in Upland Avenue □ House NO. 193 Westerly to House NO. 194.

Submitted is a set of plans of said gas mains.

DATE September 3, 2008

BY Harold R. Cooper
Harold R. Cooper ?□□□;
Permit Representa □
NEWTON CITY CLERK
08 SEP 2008

ORDER FOR GAS MAIN LOCATION _____LO _____

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 3, 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 _____
the City of _____, MA on the _____ day of _____ 20 ____

BY _____

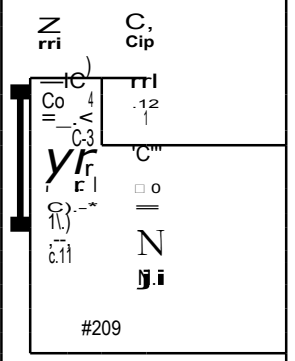
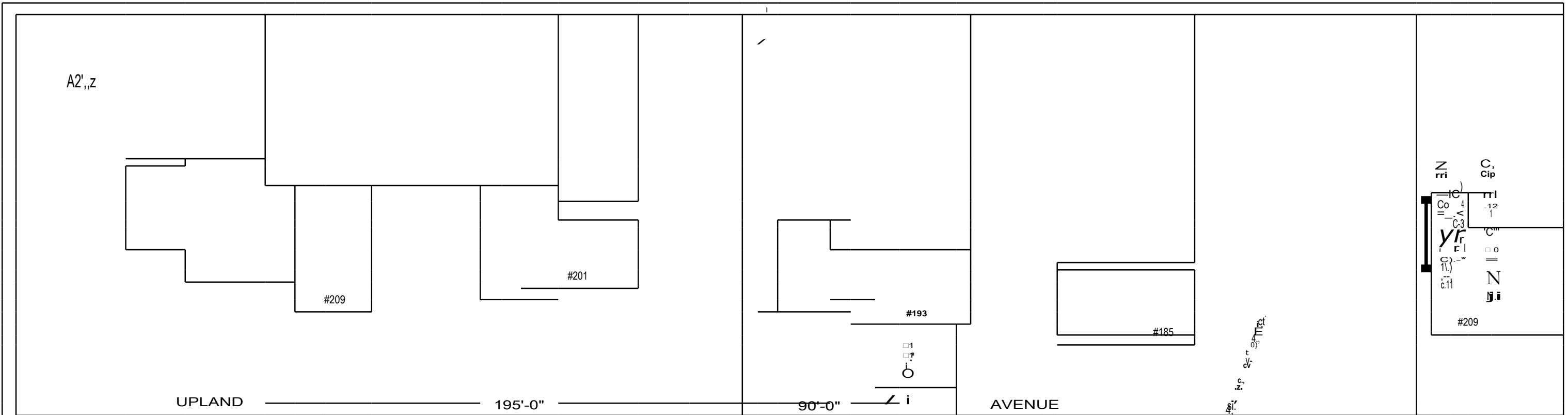
Title

MN # 144-8502-616325

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

#339-08

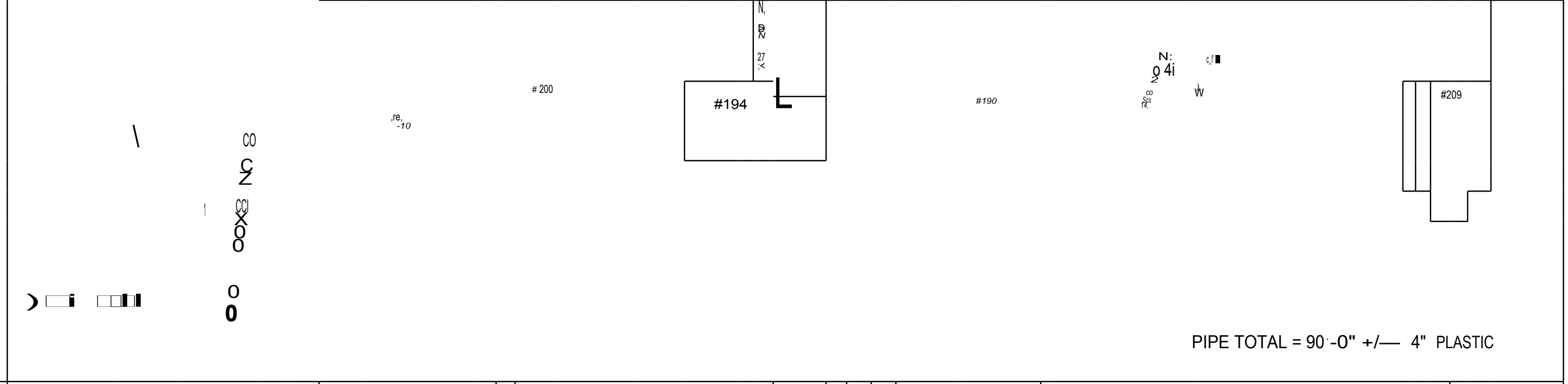
SBL	Owner	No1	No2	Street	Unit
83019 0018	BOGRAD BARRY	177		UPLAND AVE	
83020 0012	COOLIDGE DAVID B	184		UPLAND AVE	
83019 0019	LEE JOHN JHE-YUN	185		UPLAND AVE	
83020 0013	MACLENNAN ANDREW S & ELISE C	190		UPLAND AVE	
83019 0020	MARGOLIN ALEXEY & NARA	193		UPLAND AVE	
83020 0015	TARBOX JEFFREY J	194		UPLAND AVE	
83020 0016	MCDONOUGH JOHN P & SANDRA O	200		UPLAND AVE	
83019 0022	VERTES ROGER E & RINA C	201		UPLAND AVE	
83019 0023	SALETT LINDA S	209		UPLAND AVE	
83020 0017	TATTENBAUM MYRA THIM	210		UPLAND AVE	



EXISTING 4" BARE STEEL LP. GAS MAIN C.B.

PROPOSED 12" REINFORCED CONCRETE DRAIN PROPOSED 4" PLASTIC L.P. GAS MAIN PROPOSED 12" REINFORCED CONCRETE DRAIN EXISTING 4" BARE STEEL LP. GAS MAIN EXISTING WATER

EXISTING SEWER EXISTING SEWER EXISTING SEWER EXISTING SEWER



PIPE TOTAL = 90'-0" +/- 4" PLASTIC

- - - - - 10 MO
 ELECTRIC
 GAS
 WATER
 STORM DRAIN
 SANITARY SEWER
 TELEPHONE
 0 MANHOLE & NEIL
 a Fr: GMT
 eb CATCH BASIN
 -a MT.V. ME
 es SHUTOFF WOE
 1 TELEPHONE MANHOLE
 13114 C WHOLE
 0 SOW - STOW DRAIN MANHOLE
 0 SIM - SEWER MANHOLE

NOTE:
 THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT
 CALL BEFORE YOU DIG
 1-800-4-A-DIG
 MISSES AND MEET UNES COMPILED FROM AVAILABLE DATA SOURCES
 NO FIELD VERIFICATION PERFORMED

No.	DESCRIPTION	DATE	DILBY	OCNEY

nationalgrid
 52 SECOND AVENUE
 WALTHAM, MA 02451

OPERATIONS ENGINEERING
 PROPOSED LOCATION OF 4" PLASTIC L.P. GAS MAIN IN
 194 UPLAND AVENUE., NEWTON, MASSACHUSETTS
 ENGINEER: F.W.N.S.Jr. DATE: 8/25/2008 SIZE: 4" PRESSURE: LP MATERIAL: PLASTIC LENGTH: 250'-0" WORK ORDER NO.: 616325

SCALE: N.T.S.
 SHEET 1 OF 1
 DRAWNO. NO.
 GP - NEW
 616325-08-142

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 Plats.

CO
-1 C3 r-5
F421

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to Clerk of the City'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 Board of the Board. Petitioner has the right to file contested petition form to the Clerk of the Municipal 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, 796-1.213
Lou Taverna, City Engineer, 796-1020

L IDENTIFICATION (Please Type or Print Clearly)

Company Name _____

Address _____

Phone Number 781 _____ S-9' 2 O Fax Number _____

Contact Person Harold R. Cooper Title _____

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 _____

A. Write here or attach a description of the project including, location, proposed time frame for 4P34-O 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 APPROXIMATELY 60 FEET MORE OR LESS OF 4 INCH GAS MAIN AND 11 FEET OF 1 INCH SERVICE IN MILTON STREET NEWTON FROM THE EXISTING 4 INCH GAS MAIN IN MILTON
1. E/A C.4.C. S

Attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan _____ Date of Plan = 2006

CITY OF
NEWTON, MA
08 SEP 26

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 A COMMENTS:

J. Skra opening and sidewalk crossing permits required from Newton DPW
2. Notify Engineering 48 hours prior to work
3. Police detail required.
L. Taverna 9/30/08

RECOMMENDATIONS:

3. replaced in kind to original thickness
4. concrete sidewalk panels shall be replaced
57600 concrete curbing shall be replaced
6. 1-04" in and seed grassed areas.

VII. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

7. 1460.- 544.0 be maintained.



Commissioner, Public Works

10/6/08

Date

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

* - 91 - 0

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 60 feet, more or less of 4 inch gas main and 11 feet of 1 inch service in Milton Street, Newton.

From the existing 4 inch gas main in Milton Street Easterly to House NO. 4. Submitted is a set of plans of said gas mains.

DATE September 26, 2008

BY

Harold R. Cooper
Permit Representative C

08 SEP 26 11
CITY OF NEWTON, MA

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 26, 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 # 144-8502-626403

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

Label Report

#340-08

SBL	Owner	No1	No2	Street	Unit
44009 0012	TEMPESTA DANIEL D & MARGARET F	3		MILTON ST	
44010 0001	LEE SIU NGOR	4	6	MILTON ST	
44009 0013	MONCAYO KARLA	11		MILTON ST	
44010 0008	MELIA ROBERT L	12		MILTON ST	
44011 0018A	CARBONE MARIO & FRANCESCA	120		TOLMAN ST	
44011 0016	CARBONE MARIO & GIUSEPPINA	126		TOLMAN ST	
44008 0014	PIERCE CHRISTOPHER J			UNDERWOOD AVE	
44008 0012	PARKER JOHN T & MARILYN L	82		UNDERWOOD AVE	
44008 0011	VITONE DOMENIC J	86		UNDERWOOD AVE	

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 Plai

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Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to Clerk of the Board (Tice
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 _____

Address _____ **ec** _____

G7 I /4 _____

Phone Number 791 - 6 all--s- 9 2 0 Fax Number _____

Contact Person Harold R. Cooper Title _____

Signature Harold R. Cooper Date _____

Person filing application

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

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 80 feet, more or less of 6,12 inch gas main and also install a new regulator station in Hull Street, Newton.

From the existing 12 inch gas main in Lowell Avenue @ Hull Street Easterly to the existing 8 inch gas main across from Newton North High School.

Submitted is a set of plans of said gas mains.

DATE September 26, 2008

BY Harold R. Cooper
Harold R. Cooper (13)
Permit Representative

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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 26, 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 _____ the City of _____, MA on the _____ day of _____ 20 _____

BY _____

Title

MN # 144-8502-542542

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

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 APPROXIMATELY 80 FEET MORE OR LESS OF 6" x 8" INCH GAS MAIN ALSO INSTALL A NEW REGULATOR STATION IN HULL ST. NEWTON FROM THE EXISTING 12 INCH GAS MAIN IN LOWELL AVE. @ HULL ST. EASTERLY TO THE EXISTING 8 INCH GAS MAIN ACROSS FROM
iucA-rc9 < 0 11 / 4. S C 1. 16

B. Attach -a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan _____ Date of Plan 9-2-08

08 SEP 2
CITY
NEWTON

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

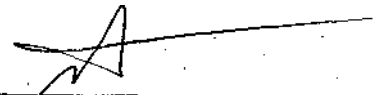
DATE AND COMMENTS:

10/2-09a
1. paving and sidewalk crossing permits required from Newton DPH
2. Not for Engineering 48 hour prior to work
3. Police 1-0-4-1 required

RECOMMENDATIONS:

36 111474/4-4ml-1 eiDele.--^ .04-7 eka
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IV. RECOMMENDATION PUBLIC FACILITIES COMMITTEE:

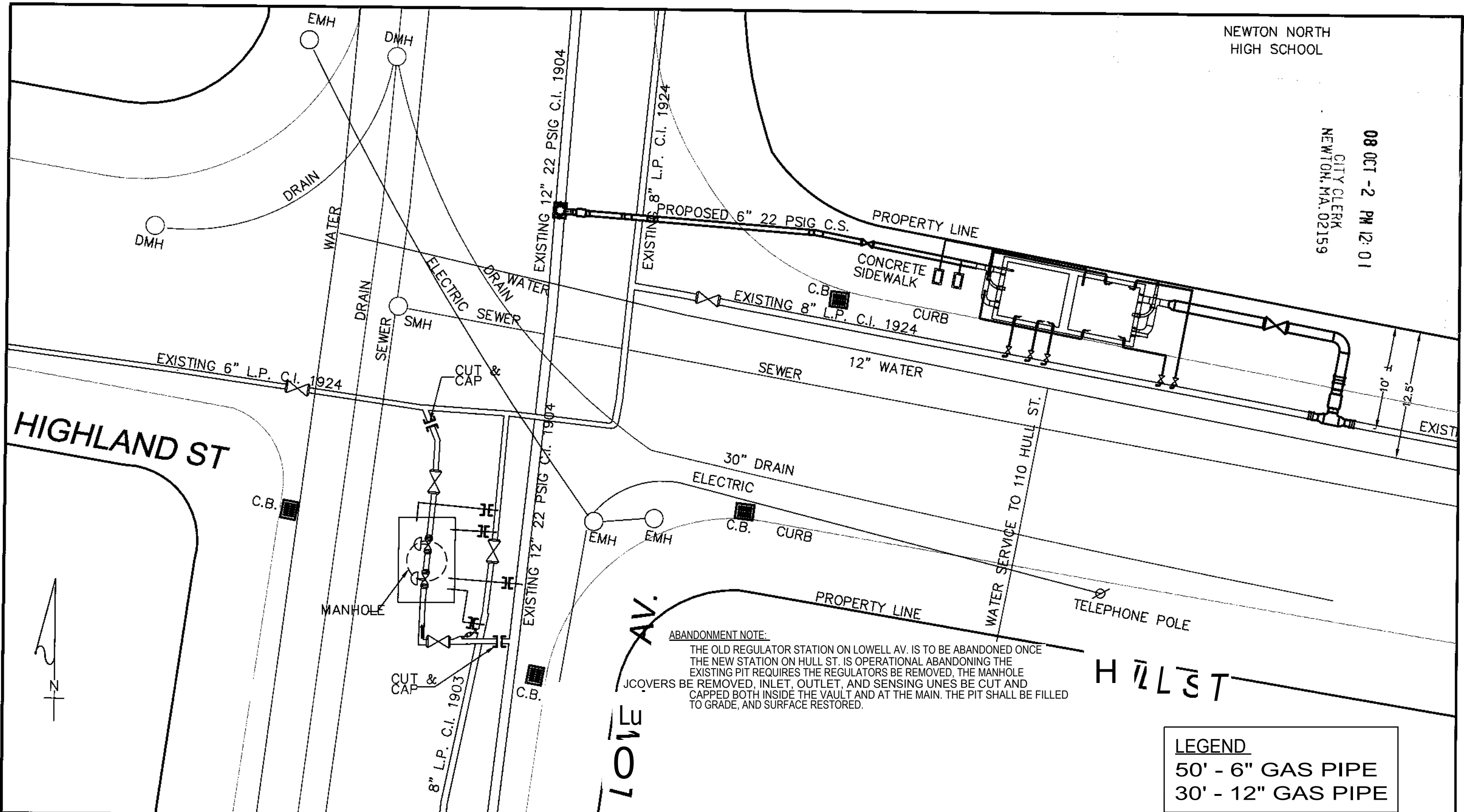

Comm]. toner, Public Works

10/2/08
Date

Final Label Report

#341-08

SBL	Owner	No1	No2	Street	Unit
24030 0021	FASH WILLIAM L JR & BARBARA W	70		HULL ST	
24030 0020	GORDON RICHARD D	78		HULL ST	
24028 0001	BAGDONAS EDWARD P & NATALIE R	90		HULL ST	
24028 0064	CATALANO JUDITH A	100		HULL ST	1
24028 0063	ENGLEHART PORTER SANDRA K	104		HULL ST	
24028 0062	GILMAN PETER A & ARLENE T	110		HULL ST	
24021 0004	SMYLY DAVID L	377		LOWELL AVE	
24025 0026	LEACY HARRY M & MARION A	387		LOWELL AVE	
24028 0061	LAVALLE BARRY J & BARBARA J	392		LOWELL AVE	
24025 0025A	POLNAREV ALEC	393	395	LOWELL AVE	2
24025 0025	TABANSKY YURIY & IZOBELLA	393	395	LOWELL AVE	1



ABANDONMENT NOTE:
THE OLD REGULATOR STATION ON LOWELL AV. IS TO BE ABANDONED ONCE THE NEW STATION ON HULL ST. IS OPERATIONAL ABANDONING THE EXISTING PIT REQUIRES THE REGULATORS BE REMOVED, THE MANHOLE JOCKERS BE REMOVED, INLET, OUTLET, AND SENSING UNES BE CUT AND CAPPED BOTH INSIDE THE VAULT AND AT THE MAIN. THE PIT SHALL BE FILLED TO GRADE, AND SURFACE RESTORED.

LEGEND
50' - 6" GAS PIPE
30' - 12" GAS PIPE

- NEW GAS
- ELECTRIC
- GAS
- WATER
- STORM DRAIN
- SANITARY SEWER
- TELEPHONE

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 UNES COMPILED FROM AVAILABLE DATA SOURCES
NO FIELD VERIFICATION PERFORMED

nationaigrid
52 Second Av.
Waltham, Massachusetts

OPERATIONS ENGINEERING
PROPOSED LOCATION OF NEW REGULATOR STATION AND
ABANDONMENT OF OLD REGULATOR STATION
HULL ST. 0 LOWELL AV., NEWTON, MA.

ENGR/DRFMAN	DATE:	SIZE:	PRESSURE	MATERIAL:	ENGINEER	WORK ORDER NO.
M.J.O./C.M.F.	9/22/2008	N/A	LP.	N/A	M. O'BRIEN	542542

SCALE: 1" = 10'-0"
SHEET 1 OF 1
DRAWING NO.
GP-NEW-542542-08-178

348-08

G. MICHAEL PEIRCE, ESQ.

ATTORNEY AT LAW

September 30, 2008

08 SEP 30 PM 6:15
CITY CLERK
NEWTON, MA. 02159

IN HAND DELIVERY


Sydra Schnipper, Chairman
Public Facilities Committee
Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02466

Re: Winter Street boundary line resolution

Dear Alderman Schnipper:

I am writing on behalf of John and Marie Logan, as they as the owners (by real estate trust) for many years of the property at 1012-1018 Chestnut Street, on the corner of Chestnut and Winter Streets in Upper Falls. I represent the Logans in connection with seeking to resolve a boundary/title issue which was created in 1837 when their (many person removed) predecessors conveyed certain land to the Inhabitants of Newton to provide for the initial layout of Winter Street.

In order to resolve a boundary issues raised by that 150 year old document I and Jason Rosenberg, on behalf of the bank financing the purchase of this property) have meet with Mayor Cohen seeking that he request that the Board of Aldermen authorize him to execute a document essentially disclaiming any interest in a 282 square foot piece of land underneath their building. I anticipate that he will file that information this week but in order to comply with board rules I would appreciate it if you would accept this letter as the docketing of that request. I of course will discuss this matter in greater detail with you and the committee when you meet on October 15th if the matter can be placed on your agenda, time being of the essence for the parties.

Very yours,

G. Michael Peirce

Cc: Mayor David B. Cohen (via hand delivery)
John and Marie Logan (via e-mail)
Jason Rosenberg, Esq. (via e-mail)

Newton Wellesley Executive Office Park
60 Walnut Street, 4th Floor • Wellesley, Massachusetts 02481
Tel: 781-239-0400 Fax: 877-243-0405
mpeirce@gmpeircelaw.com

FLOOD ZONE:

LOCUS IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED FROM FEMA. 11000 INSURANCE FLOOD RATE MAP COMMUNITY PANEL NO. 250208 0003 0 DATE: 6/4/1990

ALTA ACSAI AND 777F SURVEY

-13X

THIS IS 70 CER77F THAT MIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND 777E SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSAI AND NSPS IN 1992 AND INCLUDES ITEMS 34, 49 & 10 OF TABLE A THEREOF, AND (P) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATE) OF AN URBAN SURVEY

I CERTIFY THAT AT THE PROPERTY LINES SHOWN HEREON ARE THE LINES DIVIDING EXISTING OWNERSHIP, AND THE LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS

REGISTERED LAND SURVEYOR / 28520 DA7E- IN THE COMMONWEALTH OF MASSACHUSETTS DAM OF SURVEY JULY 17, 2005

PLAN REFERENCE:

LOCUS DEED: BOOK 19800 PAGE 469, BOOK 15460 PAGE 529 LICENSE BOOK 377 PAGE 130-132 PLAN REFERENCE CITY OF NEWTON PLAN /19218, PLAN BOOK 124 PLAN 40 LAND COURT /15920 PLAN BOOK 12 PLAN 22419, PLAN BOOK 7801 PAGE 260 PLAN 1573 OF 1951 PLAN BY APEX ASSOCIATES DATED: 1/1NE 4 1984 CALC. BOOK FOR WIDENING JUNE 22, 1925 PAGE 106 UTILITY NO. 1

UNDERGROUND LOCATIONS AS SHOWN HEREON ARE TAKEN FROM AVAILABLE RECORD INFORMATION AND ARE APPROXIMATE ONLY BEFORE PLANNING ANY CONSTRUCTION THE VARIOUS UTILITY COMPANY ENGINEERING DEPARTMENTS SHOULD BE CONSULTED.

LEGAL DESCRIPTION:

A certain parcel of land situated in Newton, Middlesex County Massachusetts on Chestnut and Winter Streets and being described as follows:

PARCEL ONE

Beginning at a point at the southeasterly intersection of Chestnut and Winter Streets; thence North 87° 03' 30" East eighty five and 35/100 (85.35) feet by the southerly sideline of Winter Street; thence

By parcel two as herein after described in two courses South 00° 15' 24" East eighty and 50/100 (80.50) feet and South 85° 38' 27" West fifty eight and 50/100 (58.50) feet to the easterly sideline of Chestnut Street; thence

By said easterly sideline in two courses North 26° 02' 04" West thirty two and 44/100 (32.44) feet and North 14° 13' 10" West fifty three and 04/100 (53.04) feet to the point of beginning.

Said parcel contains 40181 square feet of land.

PARCEL 2

Beginning at the northeasterly corner of parcel one herein before described on the southerly sideline of Winter Street; thence

North 87° 03' 30" East by said southerly sideline twenty nine and 40/100 (29.40) feet; thence

In four courses by land now or formerly of Frederick I. Young, jr. South 00° 44' 07" West twelve and 00/100 (12.00) feet, South 89° 15' 57" East seven and 00/100 (7.00) feet, South 00° 44' 03" West thirty five and 00/100 (35.00) feet and North 89° 15' 57" West seven and 00/100 (7.00) feet; thence

South 00° 44' 03" West by land of said Young, jr. and /and now or formerly of John F. Neville, jr. sixty eight and 71/100 (68.71) feet; thence

South 87° 47' 57" West by land of said Neville, jr. seventy and 30/100 (70.30) feet to the easterly sideline of Chestnut Street; thence

By said easterly sideline in two courses by a curve to the left with a radius of four hundred forty one and 85/100 (441.85) feet on arc length of one and 70/100 (1.70) feet and North 26° 02' 04" West thirty three and 85/100 (33.85) feet to the southerly sideline of parcel one; thence

By parcel one in two courses North 85° 38' 27" East fifty eight and 50/100 (58.50) feet and North 00° 15' 24" West eighty and 50/100 (80.50) feet to the point of beginning.

Said parcel contains 5,2301 square feet of land.

LIMIT OF RESERVATION

Beginning at a point at the southeasterly intersection of Chestnut and Winter Streets; thence

North 87° 03' 39" East two and 89/100 (2.89) feet by the southerly sideline of Winter Street to the true point of beginning; thence

North 08° 41' 53" West six and 90/100 (6.90) feet; thence

North 80° 47' 28" East four and 71/100 (4.71) feet; thence

North 08° 40' 33" West zero and 55/100 (0.55) feet; thence

North 81° 12' 35" East twenty four and 56/100 (24.56) feet; thence

South 07° 23' 15" East three and 71/100 (3.71) feet thence

North 82° 36' 45" East three and 30/100 (3.30) feet to the southerly sideline of Winter Street; thence

South 87° 03' 30" West by said southerly sideline thirty two and 48/100 (32.48) feet to the true point of beginning.

Said parcel contains 2821 square feet of land.

LEGEND

- STORM SEWER
024BINADON SEWER
SANITARY SEWER
WATER MAIN
OVERHEAD ELECT-
UNDER GROUND DEMO
GAS MAIN
CONTOUR
BUILDING
PICKET FENCE
CHAINLINK FENCE
PROPERTY LINE
W/ BEARING DISTANCE
CONIFEROUS TREE
DECIDUOUS TREE
SIGN POST
LIGHT POLE
GAS VALVE
WATER VALVE
MIN. POLE
DRAINAGE MANHOLE
SEWER MANHOLE
FIRE HYDRANT
CATCH BASIN
FIRE CALL BOX
MAIL BOX
MONITORING WELL
ELECTRIC MANHOLE
TOP OF STONE EL
BOTTOM OF STONE EL
TOP OF WALL EL
BOTTOM OF WALL EL

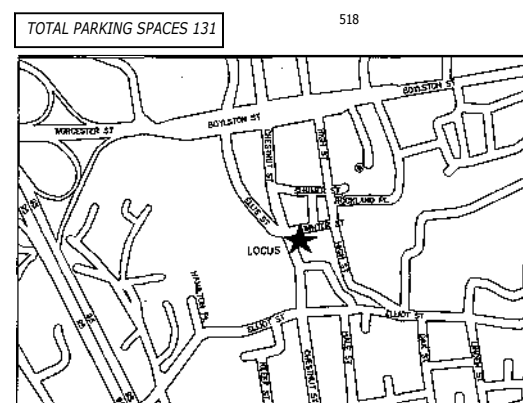
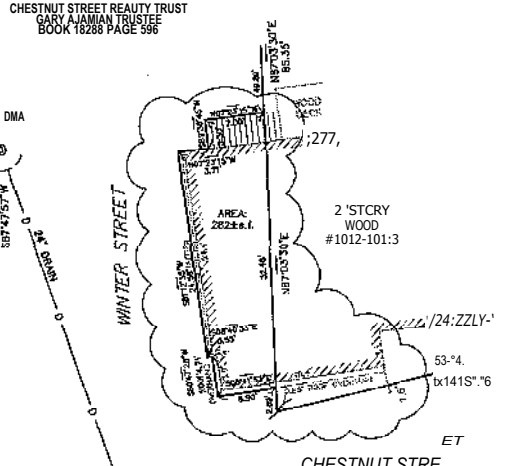
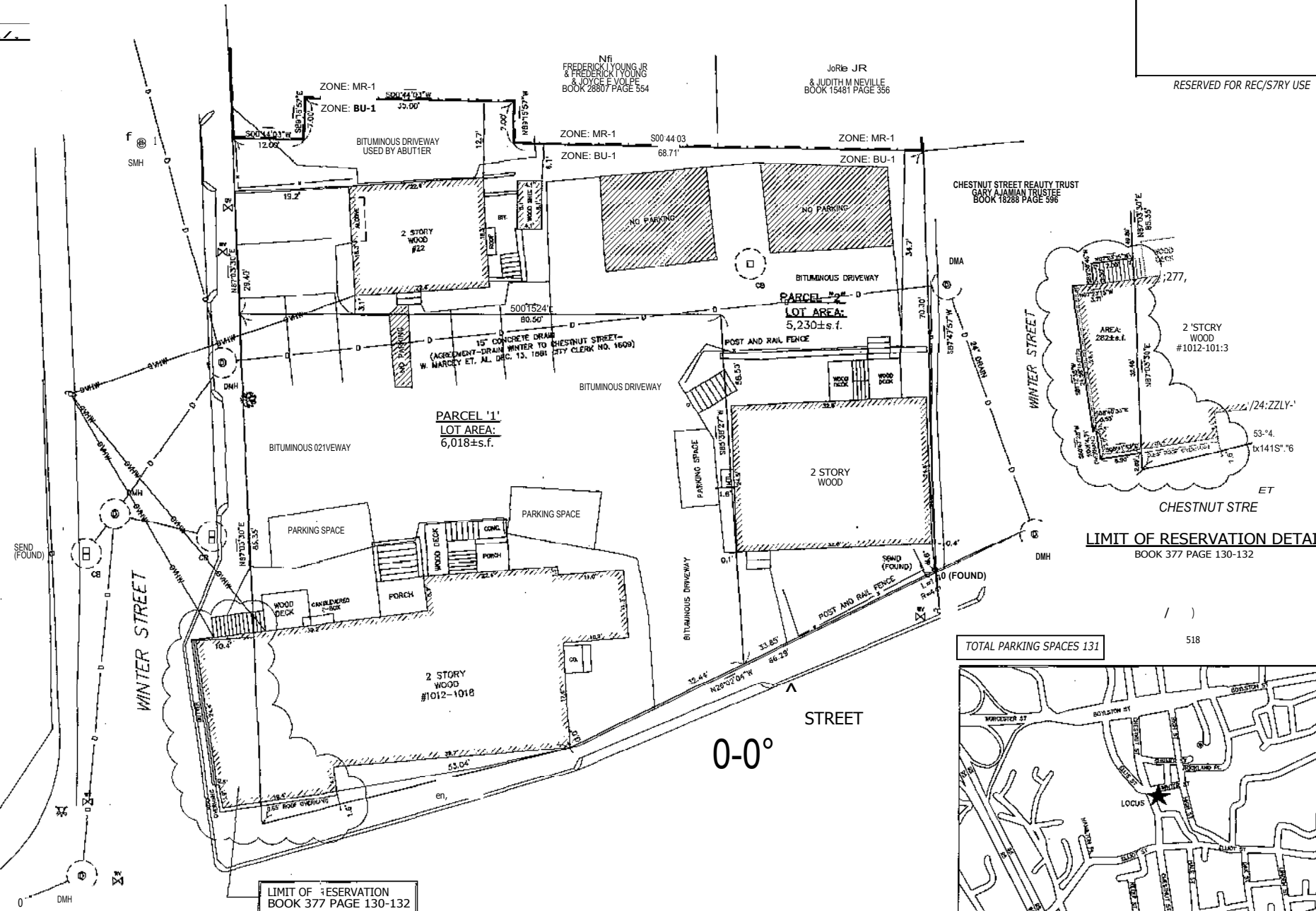
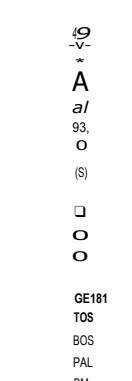
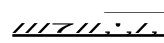


Table with title 'ALTA / ACSM LAND TITLE PLAN' and 'NEWTON, MASSACHUSETTS'. It lists owner information (VIP ASSOCIATES, INC.), date (07/28/08), scale (1"=10'), and project number (08179).



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

41-57tp
eph
(617) 796-1100
Telefax
(617) 796-1113
TDD
(617) 796-1089
E-mail
dcollen@newtonma.gov

September 29, 2008

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to appropriate twenty-five thousand dollars (\$25,000) from budget reserve for additional design options for the city property at Crystal Lake. This additional work will incorporate both the properties on Rogers Street and Lake Ave, which is in addition to the original scope of the study. This change to the scope of the work is the recommendation of the Crystal Lake Task Force.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen

David B. Cohen
Mayor

DB C : srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

DEDICATED TO COMMUNITY EXCELLENCE



PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, MA, COMMISSIONER

Telephone (617) 796-1600

FAX (617) 796-1601

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen
Mayor

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03

September 23, 2008

Mayor David B. Cohen
Newton City Hall
1000 Commonwealth Avenue
Newton , MA 02459

RE: Crystal Lake Master Plan Additional Funding Request

Dear Mayor Cohen:

In accordance with a recommendation from the Crystal Lake Task Force, the Public Buildings Department respectfully requests the sum of \$25,000.00 for additional Master Plan design options, cost estimating and phasing plans.. This additional request would incorporate the city-owned parcel of land on the lake in front of 230 Lake Avenue, which was not within the original scope of services provided by the firm of Raymond Design Associates, Inc. in conjunction with Pressley Associates. This funding will also include the cost of additional meetings and public presentations.

A copy of the additional funding proposal from Raymond Design Associates is attached.

Should you have any questions regarding the above, please do not hesitate to contact my office.

Sincerely,

A. Nicholas Parnell, AIA
Public Buildings Commissioner

ANP:dla

CC: Susan Burstein, Chief Budget Officer
David C. Wilkinson, Comptroller
Amy Yuhasz, Community Development Program Manager
Fran Towle, Commissioner of Parks and Recreation

351, oe



Raymond Design Associates, Inc.
222 North Street, Hingham, Massachusetts 02043
Telephone 781-749-5530

08 SEP 30 PM 4 10
CITY CLERK
NEWTON, MA 02459

August 28, 2008

Mr. Nicholas Parnell, MA
Public Buildings Commissioner
Department of Public Buildings
51 Elliot Street
Newton, MA 02459

Re: Additional Services Proposal
Crystal Lake Master Plan

Dear Nick:

Raymond Design Associates, in conjunction with Pressley Associates, has prepared an Additional Services Proposal for the Crystal Lake Master Plan Project. As you may know, we are nearing the end of our current scope of work on the contract, and the City and the Crystal Lake Task Force are eager for additional design options which will require not only time to develop, but 4 additional meetings and 2 additional public presentations. In addition; the city has recently added the 230 Lake Avenue acquisition to our scope, and there have been specific requests in regard to additional cost estimating and phasing plans involving this parcel.

Our next scheduled Task Force meeting is scheduled to take place on September 10. Because this upcoming meeting is covered under the attached Additional Services Proposal, we would appreciate a verbal response as soon as possible.

Please contact me if you have questions, require changes to the Proposal or if there are other procedural requirements that must be met. I can be reached at 781-561-5270.

Sincerely Yours,
Raymond Design Associates, Inc.

A handwritten signature in black ink, appearing to read "Gene S. Raymond Jr.", with a small dot at the end.

Gene S. Raymond Jr., MA
President

Additional Services - Crystal Lake Park Master Plan - Newton, Massachusetts

August 27, 2008

NEWTON CITY

RAYMOND DESIGN ASSOCIATES FEE DETAIL

Extended Architectural Design Schedule	Prtn JPM	Lump sum	Tptei Hrscp
Conference calls + client coordination	3		3
Revised and additional options -	32		32
Cost Estimates for a Additional Options & Phasing.		\$500	
Coordination With Pressley-	5		5
Pre-Task Force Meetings w/ City Departments (2)	8		8
Task Force Meetings (2) - includes presentation preparation time	16		16
Total Hours:	61.00		61
Hourly Rate:	\$135.00		
Total Fees:	\$8,236.00	\$500	8 7:3

RDA Reimbursable Expenses	
Travel mileage allowance	\$100.00
Printing allowance	\$230.00
Total	\$330.00

PRESSLEY ASSOCIATES FEE DETAIL

Extended Landscape Design Schedul	a	PM	LA	Total Hrs
Conference calls + client coordination	a	3		6
Revised and additional options, sections, and cost estimates (incl. phasing)	6	38	44	88
230 Lake Avenue Property site access design'	2	8	8	18
coordination with RDA	1	4		5
Pre-Task Force Meetings w/ City Departments (2)		6		6
Task Force Meetings (2) - includes presentation preparation time	a	8	8	24
Total Hours:	17.0	64.00	60.00	141
Hourly Rate:	\$225.00	\$90.00	\$75.00	
Total Fees:	\$1,825.00	\$5,760.00	\$4,600.00	14485.9i

With the acquisition of 230 Lake Avenue conservation areas, pedestrian access from this new property will be explored (once topo surveys from the City of Newton are obtained)

Travel mileage allowance	\$50.00
Printing allowance	\$300.00
Total	\$350.00

ARTICLE II. NOISE
as amended by Z-32, 7/14/08

Sec. 20-13. Noise control.

(a) This ordinance may be cited as the "Noise Control Ordinance of the City of Newton."

(b) *Declaration of findings and policy.* Whereas excessive sound is a serious hazard to the public health and welfare, safety, and the quality of life; and whereas a substantial body of science and technology exists by which excessive sound may be substantially abated; and, whereas the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health or welfare or safety or degrade the quality of life; now therefor it is the policy of the City of Newton to prevent excessive sound which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(c) *Scope.* This ordinance shall apply to the control of all sound originating within the limits of the City of Newton except as follows:

- (1) the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work or in training exercises related to emergency activities; and
- (2) all snow clearance activities; and
- (3) any program or activity supervised by the parks and recreation department of the city in effect and as it exists on June 1, 1983.

(d) *Definitions.* For the purposes of this ordinance the following words and phrases shall have the meanings respectively ascribed to them by this section:

Construction and demolition: Any excavation, highway construction, land development or land clearing work, or the erection, demolition, alteration, repair, or relocation of any building or structure, which uses powered equipment such as backhoes, trucks, tractors, excavators, earth moving equipment, compressors, motorized, or power hand tools, manual tools, or equipment of a similar nature as well as two-way radios or other communication equipment; or use of any equipment for recycling, screening, separating, or any other processing of soil, rocks, concrete, asphalt or other raw material.

Electronic devices: any radio, tape recorder or player, television, phonograph, public address system, loudspeaker, amplified musical instrument or any other similar device, except two-way communication radios.

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work: any work performed for the purpose of preventing or alleviating the

physical trauma or property damage threatened or caused by an emergency.

Gross vehicle weight rating (GVWR): the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Motorcycle: any unenclosed motor vehicle having two or three wheels in contact with the ground, including, but not limited to, motor scooters, minibikes, and mopeds.

Motor vehicles: any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, snowmobiles, dune buggies, or racing vehicles, but not including motorcycles.

Noise pollution: a condition caused by a noise source that increases noise levels 10dB(A) or more above background noise level, except that if the noise source produces a tonal sound, an increase at 5dB(A) or more above background noise level is sufficient to cause noise pollution.

Tonal sound: any sound that is judged by a listener to have the characteristics of a pure tone, whine, hum or buzz.

(e) *Noise Pollution prohibited.*

- (1) No person shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions permit the establishment or continuation of a condition of noise pollution caused by a noise source (other than a dog or bird) owned, leased, kept, or controlled by such person, or caused by any activity of such person.
- (2) When the offending noise source is located in public spaces, noise measurements shall be made at, and noise pollution determinations made in relation to, any location a passerby might reasonably occupy. When the offending noise source is located on private property, noise measurements shall be made at, and noise pollution determinations made in relation to, the boundary line of the property within which the offending source is located, or as close thereto as feasible.
- (3) All noise level measurements made pursuant to subsection (e) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(f) *Time Restrictions.*

- (1) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from all electric

motors and/or internal combustion engines employed in yard, garden, or grounds maintenance is prohibited except during the following time periods:

(A) Between 7:00 a.m. and 8:00 p.m. on weekdays; or

(B) Between 9:30 a.m. and 8:00 p.m. on Saturdays, Sundays and legal holidays as established in section 2-26 of these revised ordinances.

(2) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from construction and demolition activity is prohibited except during the following time periods:

(A) Between 7:00 a.m. and 7:00 p.m. on weekdays; or

(B) Between: 8:00 a.m. and 7:00 p.m. on Saturdays;

(C) Generation of any noise from construction and demolition activity is prohibited at any hour on Sundays and legal holidays as established in section 2-26 of these revised ordinances, except by permit issued in accordance with subsection (h)(1).

(3) All public address loudspeakers, either mobile or stationary, shall be prohibited from operating every evening from 9:00 p.m. until 7:00 a.m. the following morning.

(4) No automobile, motorcycle, truck or vehicle-mounted refrigeration equipment or other motorized vehicle shall be left running when not in traffic, within three hundred (300) feet of any dwelling, hotel or residence, for a period of greater than five (5) minutes.

(5) Between the hours of midnight and 6:00 a.m. deliveries and pick-ups for commercial or business purposes are prohibited within 300 feet of any dwelling within a residential zone excepting deliveries to such dwellings, deliveries of gasoline to gasoline stations, deliveries or pick-ups at state or federal governmental offices and any other commercial or business delivery or pick-up operation that does not increase noise levels 5dB(A) or more above background noise level. For purposes of this subsection, "deliveries" and "pick-ups" shall include the loading and unloading of a vehicle.

(6) Between the hours of 7:00 p.m. and 7:00 a.m. trash collection shall be prohibited within five hundred (500) feet of any dwelling.

(7) Between the hours of 11:00 p.m. and 7:00 a.m. no person or persons shall disturb the peace by causing or allowing to be made any unreasonable or excessive noise, including but not limited to such noise resulting from the operation of any electronic device, or from the playing of any band or orchestra, or from the making of excessive outcries, exclamations, or loud singing or any other excessive noise by a person or group of persons, provided however, that any performance, concert, establishment, band group or person who has received and

maintains a valid license or permit from any department, board, or commission of the City of Newton authorized to issue such license or permit shall be exempt from the provisions of this section. Unreasonable or excessive noise for the purposes of this section shall be defined as 5dB(A) or more above background level when measured not closer than the lot line of a residential lot or from the nearest affected dwelling unit.

(g) *Maximum Noise Levels.* Notwithstanding the provisions of subsections (e)(1) and (e)(2), the following are the maximum noise levels that are permitted for the specified noise sources:

Maximum noise level dB(A) permitted:

(1) *Vehicles*

Vehicle Class	Stationary or Moving,
All vehicles over 10,000 lbs. GVW or GCWR	□ □ □ □ . 86
All Motorcycles	□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ 82
Automobiles and light trucks	□ □ □ □ □ □ □ □ □ □ □ □ .. 75

Noise measurements shall be made at a distance of fifty (50) feet from the closest point of pass-by of a source or fifty (50) feet from a stationary vehicle.

(2) *Construction equipment.*

Maximum noise level dB(A) permitted:

Backhoe, bulldozer, concrete mixer, dump truck, loader, paver, pneumatic tools, roller, scraper □ □ □ □ □ □ □ 90

Air compressor □ □ □ □ □ □ .85

Generator □ □ □ □ □ □ □ □ . 90

Electric drills, sanders, saws (except chainsaws) or other power tools of all types, whether hand held or otherwise □ . 75

Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(3) *Yard, Garden, or Grounds Maintenance Equipment*

(i) Maximum noise level dB(A) permitted:

Commercial Chipper, 3 1/2 inch or greater limb capacity (running at full speed but not chipping). □ □ □ □ □ □ □ □ □ □ □ □ □ □ ...90

Commercial truck-mounted leaf vacuum □ □ □ □ □ □ □ □ □ □ ..90

All other equipment, including home tractor, leaf blower, lawn mower or trimmer □ ..□ 65

Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(ii) *Transition period.* Notwithstanding the maximum maintenance equipment noise levels listed in subsection (3)(i), maximum noise levels dB(A) for all yard, garden, or grounds maintenance equipment, excluding commercial chippers and vacuums shall be as follows:

1. Maximum noise level dB(A) permitted up to two (2) years after effective date of this Section:

a) Home tractor, leaf blower □ □ □ □ □ □ □ □ □ □ ..80

b) Lawn mower or trimmer □ □ □ □ □ □ □ □ □ □ □ □ 75

2. Maximum noise level dB(A) permitted from two (2) years to four (4) years after effective date of this section, all equipment □ □ ..□ 70

(4) *Maximum Noise Level Exclusions.* The following devices shall be exempt from the maximum noise limitations set forth in subsection (g)(2): jack hammers, pavement breakers; pile drivers, rock drills, provided that effective noise barriers are used to shield nearby areas from a condition of noise pollution. The time limitations contained in subsection (f)(2) shall still apply.

(5) *Tonal Sound Corrections.* When a tonal sound is emitted by a noise source specified in subsections (g)(1), (g)(2) and (g)(3) herein, the limit on maximum noise levels shall be 5dB(A) lower than as specified in subsections (g)(1), (g)(2) and (g)(3).

(6) *Maximum Noise Levels for HVAC systems.* No person shall operate any air conditioning, refrigeration or heating equipment for any residence or other structure or operate any pumping, filtering or heating equipment for any pool or reservoir in such manner as to create any noise which would cause the noise level on the premises of any other occupied property or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the background noise level by more than 5dB(A). This provision shall not apply, however, to periodic or emergency maintenance or testing of such equipment reasonably necessary to maintain such equipment in good working order. Noise

measurements and noise pollution determinations shall be taken in accordance with subsections (e)(2) and (e)(3).

(7) *Alternative Measurement Procedures.* If it is not possible to make a good noise level measurement at the distance specified in subsections (g)(1), (g)(2) and (g)(3), measurement may be made at an alternate distance and the noise level subsequently calculated for the specified distance. Calculations shall be made in accordance with established engineering procedures.

(8) All noise-level measurements made pursuant to subsection (g) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(h) *Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.*

(1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the board of aldermen promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the board of aldermen and to each ward alderman for the affected ward.

(2) The mayor or his designee may extend to a specified date the time for compliance with this ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

(i) *Judicial Review.* Any person aggrieved by the grant or denial of a permit pursuant to subsection (h)(1) or an extension of time pursuant to subsection (h)(2) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

(j) *Penalties.* Violation of any of the provisions of this section shall constitute a

misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed one hundred dollars (\$100.00). Each day that such violation continues shall be considered to be a separate offense.

(k) *Non-criminal disposition.* In addition to the penalties set forth in subsection (j), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 20-20 and 20-21 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 20-21(c) and 20-21(d).

(l) *Severability.* If any provision(s) of this ordinance or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. R-331, 6-20-83; Ord. No. T-62, 12-4-89; Ord. No. T-200, 12-16-91; Ord. No. V-286, 3-6-00; Ord. Z-32, 7-14-08)

Cross reference □ Sounding warning devices on motor vehicles, □19-72; noise by hawkers and peddlers, □17-26;

That the Revised Ordinances of Newton 2007, as amended be and are hereby further amended by adding the following additional paragraph to both subsection (c) and subsection (d) of Section 20-21, *Enforcing persons and revised ordinances subject to civil fine*:

Section 20-13 Noise Control

() Any Offense □ □ □ □ ..\$50.00