



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, October 4, 2017

Present: Councilors Ciccone (Chair), Yates, Norton, Blazar, Fuller, Lipof and Cote

Absent: Councilor Harney

City Staff: Chief Bruce Proia, Newton Fire Department

Others Present: Damien Chaviano, Mark Development

Referred to Public Safety & Transportation and Zoning & Planning Committees

#314-17 Discussion regarding sprinkler system in any new construction projects

COUNCILOR NORTON, requesting a discussion with the Fire Department and ISD on how the city may implement a policy and/or ordinance, which clearly states when a sprinkler system is needed in any new construction projects. It shall be put into operation as soon as the necessary inspections have been completed and acceptable to all building and fire codes. [09/18/17 @ 9:24 AM]

Action: **Public Safety & Transportation No Action Necessary 7-0**

Note: Chief Proia joined the Committee for discussion on this item.

Chair Ciccone said that this item was docketed as a discussion due to residents expressing concerns inquiring if the City has a sprinkler system policy in place due to the number of recent fires in surrounding communities. Councilor Norton added that she docketed this item due to the number of recent fires in wood frame constructions, which were under-construction in Waltham, Dorchester and Weymouth.

Chief Proia stated that these fires occurred prior to the sprinkler systems being activated. Newton Fire Prevention has always worked with Newton developers expressing their concerns to implement to the best of their ability the National Fire Protection Association (NFPA) 241 standards. These standards safeguard construction, alteration, and demolition operations. The NFPA provides many recommendations that can be expensive to the developer such as a 24-hour night watchman, gates surrounding property, lights, fire hydrants, etc. Regardless, the Fire Department needs 24-hour access. The NFPA only provides recommendations; they are not code and not mandated. Chief Proia said that the department prefers a written plan including a fire watchman to walk construction sites each day conducting inspections and observing that there are no fire hazards.

Chief Proia explained the three different NFPA 241 standards for the installation of sprinkler systems:

NFPA 13 is a commercial sprinkler design standard focused on 100% sprinkler system including attics, closets and basements.

NFPA 13D is a residential sprinkler design standard focused on one and two family dwellings and manufactured homes, not including attics, closets and basements.

NFPA 13R is a residential sprinkler design standard focused on low-rise residential occupancies.

Mr. Chaviano stated that Mark Development would follow NFPA13 standards when constructing Washington Place in Newtonville. He explained that Mark Development would submit to the Fire Department their sprinkler system installation plan. Mark Development will be notifying the abutters of Washington Place this plan and continue to hold weekly meetings with the Fire Department to provide updates. Mark Development is in the process of working on a standpipe system allowing them to prevent a fire as each floor is built. Both site plans have been approved as part of the special permit process for Washington Place. The Fire Department has notified Mark Development of an additional fire hydrant location request. Mark Development is in the process of researching thermo-security camera systems and additional security measures.

Committee members Questions and Suggestions.

Questions:

- What is the City's policy after the inspection has been completed for an occupancy permit?
- Is the City permitted to make regulations tighter or stricter than the State recommends or requires?
- Will the State be upgrading sprinkler system requirements?
- What is the cost difference for installing 13, 13D, or 13R sprinkler systems?
- Can construction wood be treated making it more fire resistant?

Chief Proia answered that the occupancy permit is not signed until every sprinkler is 100% operational. The Fire Department coordinates its inspections with the Inspectional Services Department. Chief Proia stated that there is a sprinkler appeals board, which may not allow the City to be stricter. He then answered that Massachusetts Fire Chiefs were recently trying to prevail with a legislation requiring all new buildings and homes to have sprinkler systems. The Fire Chiefs did not prevail, but are on record stating that all new construction projects be mandated to have sprinkler systems. Chief Proia suggested contacting Inspectional Services Department regarding construction wood treatment.

Suggestions:

- Please provide a copy of the State Fire Chief report.
- Please create a sprinkler system installation document for public use to be placed on the City webpage.

Without further discussion, Councilor Norton made a motion for no action necessary. Council members agreed 7-0.

#139-17 **Possible Ordinance change regarding fines parking at a curb cut and at a fire hydrant**
COUNCILORS DANBERG, BLAZAR AND SCHWARTZ, requesting a discussion of and possible ordinance change regarding fines associated with a) reducing the fines with parking at a curb cut and b) increasing the fines when parking at a fire hydrant.
[04/20/17 @ 12:00 PM]

Action: **Public Safety & Transportation No Action Necessary 7-0**

Note: Chair Ciccone stated that on June 21, 2017 this item was held without discussion per the request of the administration.

Chair Ciccone then stated that Councilors Danberg, Blazar and Schwartz support a vote of no action necessary.

Clerk's Note: On September 27, 2017, David Koses, Transportation Coordinator provided an email, attached to the agenda stating the following: "Parking Control Officers now more consistently provide a photo of the violation when a citation is written for a vehicle parked at a curb cut. The PCO enters this photo along with the citation information into the eTIMS system, which are then visible by staff when an appeal is filed".

Without discussion, Councilor Blazar made a motion for no action necessary. Council members agreed 7-0.

#165-17 **Letter to the State in support of redesign of Auburndale Commuter Rail Station**
COUNCILORS ALBRIGHT AND FULLER, requesting a letter from the City Council (or those members of the City Council that are interested in signing) to the Secretary of Transportation Stephanie Pollack expressing strong support for the redesign and build with all deliberate speed of an accessible, two-platform Auburndale MBTA Commuter Rail Station that allows frequent service in two directions simultaneously while taking advantage of the funding that is available currently in the Fiscal Years 2017 – 2021 Massachusetts Department of Transportation Capital Investment Plan; and, the design and build of similar accessible, two-platform stations in West Newton and Newtonville. Accessible stations with frequent service are vital to the economic health, environmental needs, transit oriented development, employment access and transportation requirements of the residents and employees along this vital corridor in Newton. [05/30/17 @ 11:00 AM]

Action: **Public Safety & Transportation No Action Necessary 7-0**

Note: Councilor Fuller stated that the design of the Auburndale, Newtonville and West Newton MBTA commuter stops are accessible but because of the design, it means significant service limitations. City Councilors agreed that accessibility and frequent service are necessary. Therefore, writing a letter dated July 12, 2017 signed by fifteen City Councilors to Secretary & CEO, Stephanie Pollack, MBTA expressing concerns regarding the current design of the Auburndale station and how it may negatively impact service on the entire line. On July 24, 2017, City Councilors received

correspondence from Secretary Pollack assuring the Councilors that MassDOT remains committed to upgrading the station if a cost effective way can be found to do so.

Councilor Fuller stated that MassDOT has funding for the project. Councilor Norton stated that the way MassDOT prioritizes their projects Newton would not have made it. One hundred percent of the design was complete before promoting the design to the people responsible for the scheduling. Councilor Norton then stated that Representative Khan has worked for fifteen years to secure funding for the redesign of the Auburndale station, which was included in the CIP. Councilor Fuller added that in order to do this project correctly, the funding would have to be supplemented to complete all three stations. It is estimated, that each project will cost 13 million dollars. There is funding for just one station. Councilor Fuller then stated that in the future it is desirable to have a fourth stop in Newton Centre.

Committee Questions

Questions:

- How does this plan play into the Mayors bullet train desire to Worcester or Springfield?
- Does the MBTA have enough room to create these new tracks between stations?
- Is there a design plan for the Washington Street corridor?

Councilor Fuller answered yes, there is enough space to create these new tracks; platforms are an issue. A concrete answer is to be determined. She then stated that there is a vision for the Washington Street corridor.

A Committee member referenced Jeff Speck's video "A Complete Washington Street". This video can be found at this link www.nnchamber.com/news/WashingtonSt

Chair Ciccone stated that Councilors Albright and Fuller support a vote of no action necessary.

Without further discussion, Councilor Fuller made a motion for no action necessary. Council members agreed 7-0.

At approximately, 7:45 p.m., Councilor Yates made a motion to adjourn. Committee members agreed 7-0.

Respectfully submitted,

Allan Ciccone, Jr. Chair

Danielle Delaney

From: David Koses
Sent: Wednesday, September 27, 2017 4:37 PM
To: Danielle Delaney
Cc: Faye Morrison
Subject: RE: PS&T item clarification

Parking Control Officers now more consistently provide a photo of the violation when a citation is written for a vehicle parked at a curb cut. The PCO enters this photo along with the citation information into the eTIMS system, which are then visible by staff when an appeal is filed.

(Faye can correct me if I stated anything incorrectly.)

Thanks,
David

From: Danielle Delaney
Sent: Monday, September 25, 2017 4:47 PM
To: David Koses
Subject: PS&T item clarification

Hi David,
The 3 docketers support a vote of NAN in PS&T so that is what will be entertained on 10/4

For clarification purposes for Jay to announce you said that it is an internal practice now. Can you please explain what the process or practice will be?

#139-17 Possible Ordinance change regarding fines parking at a curb cut and at a fire hydrant
COUNCILORS DANBERG, BLAZAR AND SCHWARTZ, requesting a discussion of and possible ordinance change regarding fines associated with a) reducing the fines with parking at a curb cut and b) increasing the fines when parking at a fire hydrant. [04/20/17 @ 12:00 PM]

Thank you
Danielle Delaney
Committee Clerk
City Council
617-796-1211
ddelaney@newtonma.gov



Charles D. Baker, Governor
 Karyn E. Polito, Lieutenant Governor
 Stephanie Pollack, MassDOT Secretary & CEO

massDOT
 Massachusetts Department of Transportation

July 24, 2017

City of Newton
 City Council
 1000 Commonwealth Avenue
 Newton, MA 02459

Subject: Auburndale Commuter Rail Station

BOARD OF ELECTION
 COMMISSIONERS
 2017 AUG - 1 A 11:11
 NEWTON, MASS

Dear Council President Lennon and City Council members,

Thank you for your letter dated July 12, 2017. I agree that the May 4, 2017 meeting held with Councilors Norton and Albright representing the Newton City Council was helpful and productive. We fully understand your concerns regarding the MBTA's proposed redesign of the existing Auburndale Station and I want to assure you that we remain committed to upgrading the station if a cost effective way can be found to do so. However, it is critical that the MBTA avoid and minimize impacts to existing commuter rail service when planning, designing and constructing rail infrastructure improvement projects.

To ensure that a range of viable options have been considered, the MBTA is currently managing a new study being performed by VHB, the MBTA's consultant. The study will take a fresh look at potential station redesign concepts for Auburndale Station, including an assessment of the two-platform concept proposed by the Transit Matters advocates. In addition to the evaluation of Auburndale Station, the study will also look at operations and accessibility planning associated with all three Newton commuter rail stations – West Newton, Newtonville, and Auburndale Stations.

As a first step towards advancing a potential Auburndale Station redesign concept, the MBTA and VHB will meet with Transit Matters on July 27, 2017 to discuss their concepts for the Auburndale Station. Attendees will include MBTA Railroad Operations, MBTA Capital Delivery, VHB, and Mr. Ofsevit and Mr. Perry, both of Transit Matters.

Regarding concerns expressed related to the FY2018-2022 Capital Investment Plan (CIP) and funding availability for Auburndale Station, the final approved CIP includes a line item of \$20.3 million for the "Auburndale/Newton Station Accessibility" Project (ID P0170). Of this \$20.3 million, \$500,000 is programmed for FY18 for the study referenced above, the Newton Stations Conceptual Design and Operational Analyses Study. The remaining \$19.8 million is programmed from FY19 through FY22 for future station construction. As we work on the development of conceptual designs, it will be possible to establish a more specific budget and schedule for proceeding with the improvements to Auburndale Station.

We are committed to open communication and coordination between MassDOT, the MBTA, Representative Khan and the City of Newton regarding future development opportunities for the City of Newton and the surrounding community. We are happy to work with the City of Newton on the station improvements as well as planning for the involvement of outside developers at/near proposed station sites, as may be applicable, including the potential for future Transit Orientated Development (TOD) opportunities.

MassDOT and the MBTA understand this matter is of great concern to all members of the Newton community. But we all agree that the final design of a fully accessible Auburndale Station must also work also operationally with the other Newton Stations, and cannot degrade operations on the rest of the Worcester Line. This study is an important step in understanding all of the needs and working toward a resolution.

I look forward to continuing to work with the Representative Khan and the City of Newton on this important railroad infrastructure improvement and accessibility project. Thank you all for your continued co-operation.

Sincerely,



Stephanie Pollack
Secretary & CEO

Cc: Mayor Setti Warren
Representative Kay Khan
Senator Cynthia Creem
James Tesler, MassDOT
Steven Poftak, MBTA
Beth Larkin, MBTA
James Jackson, MBTA
Kim Dobosz, MBTA



July 12, 2017

Dear Secretary Pollack,

Thank you for taking the time to meet with Councilors Norton and Albright representing the Newton City Council on May 4 regarding the three Framingham- Worcester commuter rail stations. It was helpful to have the opportunity to hear and share with you our concerns about the current design of the Auburndale station and how it may negatively impact service on the entire line, as first publicized by the group Transit Matters.

The advocates from Transit Matters have proposed a two track solution for the three stations. At our meeting we talked about a two step process: first determine a redesign of the Auburndale station based on the Transit Matters proposal as soon as possible while taking into consideration a design that works for all three stations.

All three stations are critical to Newton commuters. Even more residents would likely use the commuter rail if the stations were accessible to those with mobility impairments. In addition major development is coming to Newtonville and Auburndale, and possibly also West Newton, and we would like to see more of those new residents be able to travel by train rather than add to our already-congested streets.

We understand that the draft 2018-2022 Capital Investment Plan (CIP) has removed the line item for the “Auburndale Station Redesign” and in its place is a “Newton Commuter Rail Stations Study”. We are concerned that this name change implies that the Auburndale station redesign would be substantially delayed. Representative Kay Khan has worked for fifteen years to secure funding for the redesign of the Auburndale station, which was included in the five year 2017 CIP, and we feel strongly that the identification of a flaw in that design should not jeopardize the whole project.

If the Transit Matters design is found to be feasible, we request the original line item – “Auburndale Station Redesign” – be maintained in the latest iteration of the CIP, and the project proceed closely in line with original timeline, according to the Transit Matters design.

This matter is of great concern to the people of Newton, including the disability community. We stand with Representative Khan regarding moving forward with the Auburndale station but we also want to impress upon you that we need a design that works for all three stations.

As more development comes to areas of Newton along the commuter rail corridor, we would like to recommend that developers help fund upgrades to the three stations, and having a plan to direct them to help with funding would make it much easier for us to have that conversation with them.

Thank you for your timely consideration of our concerns. We look forward to working with you to improve accessibility and quality of service to all Newton commuter rail riders.

Sincerely,

Susan Albright
Councilor at Large Ward 2

Jacob Auchincloss
Councilor at Large Ward 2

Barbara Brousal-Glaser
Councilor at Large Ward 3

James Cote
Councilor at Large Ward 3

Allan Ciccone Jr
Councilor at Large Ward 1

Deborah Crossley
Councilor at Large Ward 5

Ruthanne Fuller
Councilor at Large Ward 7

Leonard Gentile
Councilor at Large Ward 4

Jay Harney
Ward Councilor Ward 4

Theodore Hess-Mahan
Councilor at Large Ward 3

Alison Leary
Ward Councilor Ward 1

Scott Lennon
Councilor at Large Ward 1 and Council President

Emily Norton
Ward Councilor Ward 2

Amy Sangiolo
Councilor at large Ward 4

Greg Schwartz
Councilor at Large Ward 6

Cc: City Council
Mayor Setti Warren
Representative Kay Khan
Senator Cynthia Creem