

**DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF NEWTON
Massachusetts**

INTER-OFFICE CORRESPONDENCE

DATE: October 16, 2013
TO: Bob DeRubeis, Commissioner of Parks and Recreation
FROM: Alexandra Ananth, Chief Planner
SUBJECT: Newton Highlands Playground
Request for Consistency

On September 1, 2013, the City's Development Review Team (DRT) met with Carol Schein to review the proposed Newton Highlands Playground project. The proposed enhancements to the park will significantly improve the usefulness of the football and baseball league fields including improvements to existing drainage problems.

Abutting businesses and park users currently park in the Right-Of-Way and the addition of 22 new playground parking stalls will significantly improve parking issues for both user groups.

The DRT expressed no concerns with the proposed project. Please contact the Planning Department if you have any questions.

CC: Planning Department File
City Clerk



CITY OF NEWTON, MASSACHUSETTS
Department of Planning and Development

Telephone
(617)-796-1120
Telefax
(617) 796-1086
TDD/TTY
(617) 796-1089

Setti D. Warren
Mayor

September 4, 2015

Bob DeRubeis, Commissioner
Newton Parks and Rec. Dept.
246 Dudley Rd.
Newton, MA 02459

RE: Order of Conditions and
Certificate of Understanding
Site: Newton Highlands Playground
DEP#: 239-738

Dear Mr. DeRubeis:

Enclosed please find the Order of Conditions (the Order) issued pursuant to the Wetlands Protection Act, General Laws, Ch. 131, Sec. 40 and pursuant to the Newton Floodplain/Watershed Protection Ordinance, Section 22-22, for the above-referenced project.

No work on the project may begin until the following requirements have been satisfied:

- You have read and understand the enclosed Order of Conditions (especially Newton's Findings and Special Conditions). It is the responsibility of the owner/applicant to ensure that all conditions and approved plans are complied with. Deviation from the approved plans or conditions may result in a stop work order or further enforcement, as well as the inability to obtain a Certificate of Compliance at project completion. Special Conditions include, but are not limited to:
 - a. A pre-construction site visit must be scheduled with the Conservation office
 - b. All aspects of the stormwater management system must be installed as per the plans. Any required or desired deviations from this plan shall be requested in writing of the Commission Office, who shall determine if said changes require filing a new Notice of Intent.
 - c. The knotweed patch on the northern end of the culverted stream shall be aggressively controlled, and then mowed consistently in an effort to eradicate this population.
 - d. To improve water quality in the adjacent wetlands and waterways, the use of herbicides and fertilizers shall be minimized and only slow-release, organic fertilizers shall be used (in conformance with City guidelines).

21. Prohibited activities include: No new connections to the culverted stream are permitted under this Order of Conditions.

- You have signed and returned to me the attached Certificate of Understanding.
- The 10-business day appeal period had elapsed. The appeal period begins on the date of issue (pages 1 and 11 of the Order).
- You have had the original Order recorded at the Middlesex South Registry of Deeds and have forwarded proof of recording to the Conservation Commission (see Condition 9 of the Order). The Order is not valid until it is properly recorded.
- The DEP file number sign has been erected at the project entrance (see Condition 10 of the Order).
- You have contacted the Conservation office to arrange for a "pre-construction site visit" to inspect and approve erosion controls, to submit the name(s) and phone number(s) of the parties responsible for work on the site (e.g., contractor, erosion control monitors, field engineer, and wetland scientist), and to discuss other matters of construction as applicable.
- Please note that there may be other requirements in your Order of Conditions that must occur before work may begin.

Upon completion of the project, you must submit:

- A "Request for a Certificate of Compliance" (state WPA Form 8a) and
- An engineer-stamped and signed "as-built plan" to the Conservation Commission stating that the work has been satisfactorily completed in compliance with the plans and the Order.

Once received, your Certificate of Compliance must be recorded at the Middlesex South Registry of Deeds and proof of recording sent to the Conservation office (as per the Wetlands Protection Regulations 310 CMR 10.05(9)(f)).

If you have any questions, please don't hesitate to contact the office at 617-796-1134. For the Commission,

Jennifer Steel, Sr. Environmental Planner

Enclosures: Order of Conditions

Certificate of Understanding

CC: Wetlands Division, DEP - NERO, 205B Lowell St., Wilmington, MA 01887

Conservation Commission

1000 Commonwealth Avenue, Newton, Massachusetts 02459

Email: jsteel@newtonma.gov



Setti D. Warren
Mayor

CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

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Certificate of Understanding re Conditions and Restrictions in Wetlands and Buffer Zones

Street Address: _____

DEP File # _____

Owner: _____

OOO Issue Date: _____

I, _____, one of the owners of _____, Newton, Massachusetts, do hereby acknowledge and understand that:

• A portion of my property lies within buffer zones and/or wetlands and that any new work within this area is subject to review and approval by the Conservation Commission,	<i>initials</i> _____
• I, as property owner, am responsible for all work on my property even if it is conducted by private contractors,	<i>initials</i> _____
• I have received and read and understand all the conditions established in the referenced Order of Conditions (OOO),	<i>initials</i> _____
• There are specific requirements PRIOR to the start of work,	<i>initials</i> _____
• There are specific requirements DURING construction and work,	<i>initials</i> _____
• There are specific requirements for getting a Certificate of Compliance once all work is complete, and	<i>initials</i> _____
• There are a number of ongoing/perpetual conditions that restrict the kind of landscaping and maintenance activities allowed within wetlands and/or buffer zones.	<i>initials</i> _____

I have carefully reviewed and understand all these requirements and agree to adhere to them.

(Signature)

(Printed Name)

(Date)

Please complete this form and return it to:

Jennifer Steel
Conservation Commission
1000 Commonwealth Avenue, Newton, Massachusetts 02459
Email: jsteel@newtonma.gov



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 239-738
 MassDEP File #
 eDEP Transaction #
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 City/Town

A. General Information

Please note:
 this form has
 been modified
 with added
 space to
 accommodate
 the Registry
 of Deeds
 Requirements

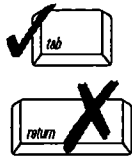
Important:
 When filling
 out forms on
 the
 computer,
 use only the
 tab key to
 move your
 cursor - do
 not use the
 return key.

1. From: Newton
 Conservation Commission

2. This issuance is for (check one):
 a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
 Bob DeRubeis
 a. First Name b. Last Name
 City of Newton, Parks and Rec. Depa
 c. Organization
 246 Dudley Rd.
 d. Mailing Address
 Newton MA 02459
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
 a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code



5. Project Location:
 16 Winchester St. (@ Dedham St.) Newton
 a. Street Address b. City/Town
 83-3-25
 c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s
 d. Latitude e. Longitude



**Massachusetts Department of Environmental Protection
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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex

a. County

5856

c. Book

b. Certificate Number (if registered land)

519

d. Page

7. Dates: Aug. 18, 2015 Sept. 3, 2015 Sept. 4, 2015
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Plans for Newton Highlands Playground Rehabilitation (10 sheets plus cover).

a. Plan Title

Spurr (Weston and Sampson)

b. Prepared By

August 18, 2015, (revised August 28)

d. Final Revision Date

Bruce Adams

c. Signed and Stamped by

1" = 20'

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. Public Water Supply
- b. Land Containing Shellfish
- c. Prevention of Pollution
- d. Private Water Supply
- e. Fisheries
- f. Protection of Wildlife Habitat
- g. Groundwater Supply
- h. Storm Damage Prevention
- i. Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



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B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	0 _____ a. square feet	0 _____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
14. <input type="checkbox"/> Coastal Dunes	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
15. <input type="checkbox"/> Coastal Banks	_____	_____		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____	_____		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____	_____		
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	_____		
	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____	_____		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	_____	_____	_____	_____
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	_____	_____	_____	_____
	g. square feet	h. square feet	i. square feet	j. square feet



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B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

 a. square feet of BVW _____ b. square feet of salt marsh _____
24. Stream Crossing(s):

 a. number of new stream crossings _____ b. number of replacement stream crossings _____

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 9/4/18 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 239-738"
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached "Findings and Special Conditions of the Newton Conservation Commission"

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The _____ hereby finds (check one that applies):

Conservation Commission

- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

9/4/15
 1. Date of Issuance

Please indicate the number of members who will sign this form.

6
 2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

by hand delivery on
9/4/15
 Date

by certified mail, return receipt requested, on

 Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 239-738
 MassDEP File # _____
 eDEP Transaction # _____
 Newton
 City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

 Project Location

 MassDEP File Number

Has been recorded at the Registry of Deeds of:

 County

 Book

 Page

for: _____
 Property Owner

and has been noted in the chain of title of the affected property in:

 Book

 Page

In accordance with the Order of Conditions issued on:

 Date

If recorded land, the instrument number identifying this transaction is:

 Instrument Number

If registered land, the document number identifying this transaction is:

 Document Number

 Signature of Applicant



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

1. Location of Project

a. Street Address

b. City/Town, Zip

c. Check number

d. Fee amount

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

4. DEP File Number:

B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

DEP File Number:

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Findings and Special Conditions of the Newton Conservation Commission
DEP#239-738, 16 Winchester St (@ Dedham St), Parks & Rec, Redevelop Newton Highlands Playground

Findings (considered as and given equal status ad special conditions)

- Owner: City of Newton, Parks and Rec. Department
- Applicant: Bob DeRubeis
- Representative: Weston and Sampson (Brandon Riley, Gene Bolinger)
- Existing Conditions: Football field, baseball field, open field, basketball courts, tennis courts, play area.
- Jurisdiction: Land Under Water and Waterways – stormwater quality and quantity considerations only. Because the perennial stream is in a box culvert under the playground, there is no Riverfront Area, BVW, or Bank. Because the applicant will only be altering the water entering the stream through existing piped connections, only stormwater standards are being addressed/regulated.
- Approved Project and Activities: The site is in need of rehabilitation and there is an interest in creating official/competition sized fields. Regrade and reconstruct entire grassy portion of the parcel, install handicapped accessible paths throughout the site, install under-drains for all newly constructed fields, install a new parking lot, incorporate new stormwater treatment systems. The applicant will be cutting and filling to level out playing fields, installing new underdrains and stone storage and augmenting soils to improve infiltration.
- NOTE: Because the site is low-lying and on poor soils, opportunities to infiltrate and use low impact development strategies was limited, but DEP stormwater standards have been met and stormwater quality and quantity should be improved on the site as a result of this project. (A detailed stormwater analysis was performed.)
- Final Approved Plans:
 - Plans for Newton Highlands Playground Rehabilitation, 16 Winchester St., by Spurr (Weston and Sampson), August 18, 2015, (revised August 28), 10 sheets and a cover sheet

General

- In case of emergencies, problems, or questions, contact: Jennifer Steel: 617-796-1134.
- 20. The Newton Conservation Commission shall retain the right to require the submittal of additional information or additional construction measures deemed necessary to ensure the protection of wetland resource areas
- 21. Violation of any condition stated herein may result in Enforcement Action.
- 22. In accordance with WPA Form #5, the following must occur in association with this Order:
 - a. This Order must be recorded at the Middlesex South Registry of Deeds prior to any work.
 - b. No activity shall commence until the Order has been recorded and the 10-day appeal period has passed.
 - c. This Order shall not serve to limit the rights of any claimant with legal standing.
 - d. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements.
 - e. Failure to comply with this Condition shall be considered cause for revocation of the Order.
 - f. A sign of minimum size 2'x2' shall be displayed clearly visible from the street, showing DEP File Number

Newton's Conditions

Specific to this Project

- 23. Required activities include:
 - a. A pre-construction site visit must be scheduled with the Conservation office
 - b. All aspects of the stormwater management system must be installed as per the plans. Any required or desired deviations from this plan shall be requested in writing of the Commission Office, who shall determine if said changes require filing a new Notice of Intent.
 - c. The knotweed patch on the northern end of the culverted stream shall be aggressively controlled, and then mowed consistently in an effort to eradicate this population.
 - d. To improve water quality in the adjacent wetlands and waterways, the use of herbicides and fertilizers shall be minimized and only slow-release, organic fertilizers shall be used (in conformance with City guidelines).
- 24. Prohibited activities include: No new connections to the culverted stream are permitted under this Order of Conditions.

Before Work Begins

- 25. Before any land disturbing activities may begin, the applicant must schedule a pre-construction site visit with:
 - a. Applicant or Applicant's Representative(s)

Findings and Special Conditions of the Newton Conservation Commission
DEP#239-738, 16 Winchester St (@ Dedham St), Parks & Rec, Redevelop Newton Highlands Playground

- b. Applicant's Construction Supervisor (person responsible for compliance with this Order and who may be held jointly responsible for any violations and the penalties under the law for said violations)
- c. Applicant's Contractor(s)
- d. Agent(s) of the Commission

At the pre-construction site visit the following will be checked by an agent of the Conservation Commission:

- e. Sedimentation/erosion controls are properly installed in the correct locations
 - f. DEP File number sign is clearly visible
 - g. Proof of Recording the Order has been supplied to the Conservation office
 - h. Contact information for those responsible for construction, sediment controls, and landscaping has been supplied to the Conservation office
 - i. Anticipated timeline has been supplied to the Conservation office
26. Before any work on-site begins, all other applicable federal, state &/or local permits and/or approvals must be obtained.
27. Notice shall be given to the Newton Conservation Commission no less than two (2) business days prior to the commencement of construction activities.
28. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The Applicant shall assure that all contractors, subcontractor and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions. Nothing in this paragraph shall limit or restrict the liability of the Applicant for violations of this Order.

During Construction

29. Appropriate erosion control measures must be installed and maintained during the construction period until the site is stable. All soils must be contained on the site. City streets shall be kept clean and catch basins in the immediate area shall be protected from eroding soils. They shall be installed as shown on the approved Plan and shall indicate the limit of work. Hay bales, for any purpose without explicit permission from the Commission, are prohibited by this Order. An adequate supply of extra erosion control materials shall be stored on-site at all times for repair or replacement.
30. A copy of the approved plans and Order of Conditions shall be kept on-site and available for review at all times. All contractors are expected to adhere to the approved plan and these Conditions.
31. Construction materials, vehicles, and earth shall be stored outside of the 100-foot buffer zone of wetland resource areas or 200-foot Riverfront Areas, unless otherwise demarcated and authorized on the approved plans. The storage of dumpsters, construction materials, and stockpiles in the floodplain is prohibited. All stockpiles shall have appropriate erosion controls.
32. Erosion control barriers shall be inspected regularly and maintained at all times. Earth shall not be backfilled against or allowed to overtop erosion control barriers. Silt and sand accumulating behind said barriers shall be removed regularly. If a breach of the erosion control barriers occurs, the Newton Conservation Commission shall be notified, and measures shall be taken to remediate said breach under the guidance of the Commission.
33. Erosion control barriers shall remain in place until a Certificate of Compliance is issued for said work or upon written authorization from the Newton Conservation Commission.
34. "Good housekeeping practices" shall be implemented at all times, including:
- a. appropriate limits to discharges within a Resource Area, Buffer Zone, or an area leading to a stormwater conveyance system
 - b. appropriate stockpile area management
 - c. appropriate limits to vehicle refueling, washing, etc.
 - d. appropriate litter management
 - e. appropriate controls for tire tracking

Findings and Special Conditions of the Newton Conservation Commission
DEP#239-738, 16 Winchester St (@ Dedham St), Parks & Rec, Redevelop Newton Highlands Playground

35. During the construction period and prior to issuance of a Certificate of Compliance, members and agents of the Conservation Commission shall have the right to inspect the applicant's project to evaluate compliance with the approved plans and these conditions.
36. Work shall be immediately halted on the site if an Agent of the Commission or DEP determines that any of the work is not in compliance with this Order of Conditions or Special Conditions.

Upon Completion of the Project

37. Upon completion of the project, all exposed soil areas shall be stabilized and re-vegetated. Any excess spoil material which is to remain on Applicant's premises and all areas of disturbed soil shall be left stabilized with mulch, grass or other plantings and protected against erosion and sedimentation. All materials not to remain on Applicant's premises shall be removed from said premises and disposed of in a legal manner.
38. Upon completion of the project, the Conservation Office shall be notified, and permission to remove sediment barriers and the DEP file number sign shall be sought.
39. Upon completion of the project, the applicant must apply for a Certificate of Compliance in accordance with DEP Condition #12, by submitting:
 - a. A completed "Request for Certificate of Compliance (WPA Form 8A)."
 - b. A written statement from a Professional Engineer registered in Massachusetts certifying that the work has been completed in substantial compliance with this Order of Conditions and the approved plans referenced herein (or approved revisions). If the completed work differs from that in the approved plans and conditions, the report must specify how the project differs.
 - c. An as-built plan signed and stamped by a professional land surveyor registered in Massachusetts. This plan will include all structures, grading (topography), drainage, and landscape features and plantings.

On-going Conditions

40. Certain conditions shall remain in effect in perpetuity and shall not expire upon completion of the project or the issuance of a Certificate of Compliance. These conditions are as follows:
 - a. To improve water quality in the adjacent wetlands and waterways, the use of herbicides and fertilizers shall be minimized and only slow-release, organic fertilizers shall be used (in conformance with City guidelines).

City of Newton



Design Review Committee
PUBLIC BUILDINGS DEPARTMENT
Arthur Cohen, Chairman
Joshua R. Morse, Commissioner
Telephone (617) 796-1600
FAX (617) 796-1601
TTY: (617) 796-1089
52 Elliot Street
Newton Highlands, MA 02461-1605

Setti D. Warren
Mayor

Joshua R. Morse
Commissioner of Public Buildings
Public Buildings Department
52 Elliot Street
Newton Highlands, MA 02461

October 21, 2015

RE: Newton Highlands Playground

SUBJECT: Construction Documents Program Certification

Dear Josh:

On Wednesday, 21 October 2015 a quorum of the Design Review Committee convened to review and discuss the comments and responses to the Construction Documents for the above referenced project.

Background

On 7 October 2015 the DRC met to review and vote on releasing for bids the Construction Documents for this project. At that meeting the project was presented by the project designer, Weston & Sampson (W&S), on behalf of the Newton Parks & Recreation Department. The DRC determined at that meeting that it wished to receive and review the specifications for the proposed prefabricated modular building. P&R provided the requested specifications and as a follow up to the comments and questions received from the Committee, the team reviewed the attached responses by W&S, dated October 20, 2015 with the DRC.

Design Review Committee Certification

Based on the review and discussion of the attached comments and responses, and with the requirement that the identified items are or will be addressed in the construction documents, in accordance with Section 5-54 of the City Ordinances the Design Review Committee voted to certify to the Commissioner of Public Buildings that the plans and specifications substantially meet the program requirements of the project.

Andrea Kelley moved to vote:

That to the best of the Committee's belief and understanding the construction documents produced by Weston & Sampson substantially meet the program requirements for the Newton Highlands Playground as developed by Newton Parks & Recreation and that said documents may be advertised for bidding by the Public Buildings and Parks & Recreation Commissioners in accordance with requirements of Chapter 149.

Jonathan Kantar Seconded the Motion

Votes to Approve Certification Seven (7)

Votes to Disapprove Certification Zero (0)

Abstentions Zero (0)

The project was certified by the DRC.

Sincerely,



Peter Barrer - Acting Co-Chair Design Review Committee

Enc: W&S Memorandum dated October 20, 2015

CC: Design Review Committee Members
 Joshua R. Morse, Public Buildings Commissioner
 Robert J. DeRubeis, Parks & Recreation Commissioner
 Carol Schein, NP&R

MEMORANDUM

TO: City of Newton Design Review Committee
FROM: Carol Schein-Newton Parks and Recreation
Gene Bolinger- Weston & Sampson
DATE: October 20, 2015
SUBJECT: Responses to DRC Questions + Comments

BUILDING RELATED COMMENTS

1. I believe the school department no longer uses Zurn fixtures because of several problems.

All Zurn fixtures have been removed from the specifications. American Standard is now specified for all bathroom fixtures.

2. I don't see any comments indicating that the plumbing shall be placed as to allow annual drain down for winter, including having all piping pitched to a central drain point?

The following paragraph has been added to Section 28888:

2.01 F Winterization

1. The restroom supplier is responsible for installing a single drain point for all water lines. In addition, there should be a double connection outside of the building to allow for the connection of an air compressor to blow out and drain all water lines in a quick and efficient manner lasting no more than 30 minutes.

3. Is this an electric point of use hot water heater? What is the department's track record with hot water heaters in auxiliary buildings like this?

Upon request by the Newton Public Buildings Department, the specified water heater has been changed to a Rinnai Tankless Water Heater.

4. Reference to "building" superstructure gives little detail re: treatment of embedded and exposed steel only calling for painting in some places.

Tube steel columns and wall cap to be hot dipped galvanized with a factory finish. Also, hollow metal doors and frames to be hot dipped galvanized with a factory finish. The drawings and specifications have been updated to provide more specificity to material treatment and finishes.

5. 1.05 A. Shop drawings should include electrical and plumbing layouts

The specifications have been revised to include electrical and plumbing layouts under the shop drawing submittal requirements.

6. Paragraph 2.02 A, 2.02 B, 2.02 G, See Arthur Cohen comment on ferrous materials.

Please refer to Item 4 above.

7. 2.03 Write clear statement about provisions for easily draining entire plumbing system seasonally.

Please refer to Item 2 above.

8. Paragraph 2.04 1. and 5. Solar powered lighting system. Confirm if in project, since not indicated on drawing we were shown.

Solar powered lighting and panels are not currently proposed for the project.

9. Include a spec for cement board exterior siding.

The following information has been added to Section 28888, 2.02-Materials, Paragraph F, Part 2:

- a. Mineral fiber cement composition board siding: cellulose fiber-reinforced cement plank siding with wood grain surface texture simulating wood bevel siding, nominal 6 inches by 5/16 inch, factory primed and finished with acrylic paint. Equal to James Hardie Building products, Inc., Orlando FL, product "Hardieplank Cedarmill C+" lap Siding. Siding shall conform to the following:
 1. ASTM Standard Specification C1186 Grade II, Type A
 2. Weight 2.3 pounds per square foot
 3. Flexural strength: Along direction of plank 2,300 psi (tested in accordance with ASTM C473) Across plank 2,900 psi (tested in accordance with ASTM C473)
 4. Tensile strength: Along direction of plank: 1,600 psi. Across plank 1,000 psi.

- b. Mineral fiber cement composition board beaded porch ceiling panel: nominal 12 feet by 16 inches by 1/4 inch thickness. Primed and finished with acrylic paint. Equal to James Hardie Building products, Inc., Orlando FL, product "HardieSoffit Beaded Porch Panel.

10. List three qualified vendors for building if necessary.

The following acceptable manufacturers have been added to the specifications: Hunter Knepsheid, CorWorth, and CXT Buildings.

11. Clarify if plumbing fixtures are stainless steel (per this spec) or porcelain (per spec as part of the overall project spec).

The revised specifications replaced stainless steel plumbing fixtures with porcelain. Porcelain fixtures were chosen to provide a less industrial look, as well as more comfort for park users in colder months (spring and fall).

SITE RELATED COMMENTS

1. Please research the feasibility of harvesting grey water on site for irrigation purposes.

Grey water harvesting for onsite irrigation use was researched and considered, but was ultimately determined to be unfeasible for the following reasons:

- **Issues with Water Collection:**
Unlike the Newton North High School project, or other similar projects that capture rainwater for irrigation, the Newton Highlands Playground project will not have large roof areas or synthetic turf fields that allow for efficient rainwater collection for storage. Rainwater would need to infiltrate through the multi-sport field and baseball field (both natural turf) and reach the underdrain systems, before it could be directed to storage areas. This presents a problem with efficiently capturing rainwater for reuse. Rainwater from minor storms will likely be absorbed by the soil and turf, while rainwater in major storm events will be lost to surface runoff once the soil profile is saturated.
- **High Seasonal Ground Water:**
Test pits performed on site revealed seasonal high ground water approximately 2' below existing finish grade. Due to high ground water, any underground storage tanks would require anchoring to avoid "floating" to the surface during inundated ground water conditions. The extra work associated with anchoring the tanks would drive up costs.
- **Project Costs:**
The price point for greywater storage and filtration systems for irrigation use is typically in excess of \$100,000. Given the issues associated with high ground water and concerns with rainwater harvesting efficiency, it was determined that the cost of this system outweighed the potential benefits. In lieu of a greywater storage system, the project is pursuing the installation of irrigation wells on site, to alleviate City water dependency and associated costs.

2. 02290 Fertilizer. Any special sustainability Newton requirements for fertilizer?

The City of Newton does not have any special sustainability requirements for fertilizer.

3. 02515- Underground water service piping is polyethylene. Is this OK with City requirements?

The water service from the mainline to the curb stop is copper per city standards. After the curb stop, the water service is polyethylene pipe to save costs. This represents an industry standard for similar municipal park projects. Weston & Sampson will confirm this is acceptable with the City Engineering Department prior to bidding.

4. 02800 Site Furnishings Many steel components listed, some powder coated, some not, question whether they meet Arthur Cohen's suggestion for galvanized. E.g. basketball post no coating listed.

All outdoor site furnishings will be constructed of stainless steel, galvanized steel, electrostatically power –coated steel, ductile iron, or aluminum. The specifications have been modified to provide additional information on site furniture materials.

6. 02822 check material of backstop. Liquid galvanize over welding acceptable?

Liquid galvanizing is a common technique used to repair hot dip galvanized steel that has been compromised due to field welding.

7. 05000 Misc. metals. Pipe rails, refers to post fabrication painting section 09900 which is not in the spec.

Pipe rails shall be stainless steel and will not require a painting specification section. References to section 09900-Painting have been removed from the specifications.

8. In the original design, there was a sidewalk that was along the "nose-in" parking spots. The new design removed the sidewalk and created a meandering path. Although I can appreciate the aesthetic appeal of the meandering path, it would seem safer for parents to be able to lead their children to an adjacent sidewalk, particularly if they had a stroller.

The sidewalk that was running along the "nose-in" parking spaces was eliminated for two main reasons. First, a sidewalk at this location would require the removal of several existing mature shade trees, eliminating much needed shade and screening from the adjacent commercial buildings. Second, proposed improvements to the existing nose-in parking along Upland Avenue are not within the scope of this project. Removing the sidewalk at this interface allows for greater design flexibility for future Upland Avenue improvements.

9. Please confirm that bike racks will be part of the park project.

There are currently four bike racks (providing storage for 8 bikes) proposed for the project. The final locations will be at park entrances.

From: gap4peace@aol.com [mailto:gap4peace@aol.com]
Sent: Saturday, November 14, 2015 3:28 PM
To: Alice Ingerson
Cc: Carol S. Schein; Lydia Scott; [members of the Commission on Disability]
Subject: **Newton Highlands Playground Construction Proposal to CPC –
Commission on Disability comments**

Alice -

The Commission On Disability reviewed the extensive plan for the Newton Highlands Playground and Athletic Field at its meeting on Monday, November 9th.

Carol Schein thoroughly explained the extensive preparation work and illustrated the final development upon completion. The development will include a football/lacrosse/soccer field, Little League baseball field, a basketball court, two tennis courts, as well as a youngster's playground. All will include appropriate seating, parking and accessible Field House.

In addition, a large open lawn area for such purposes as Frisbee playing. The rear of that property is undeveloped woods with several trails for walking and/or hiking. The Commission favorably views allocating funds for an accessible portion of the entire project.

The Commission, after seeing the plans and hearing Carol's narrative, discussed and then voted unanimously to support the project. We hope you will do the same.

Best,

Rob Caruso, Co-Chair
Girard A. Plante, Co-Chair
Commission On Disability