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Candace Havens
Director

MEMORANDUM

Public Hearing Date: February 14, 2012
Land Use Action Date: April 10, 2012
Board of Aldermen Action Date: April 17, 2012
90-Day Expiration Date: May 8, 2012

DATE: February 10, 2012

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Eve Tapper, Chief Planner for Current Planning ^{ET}
Derek Valentine, Senior Land Use Planner

SUBJECT: Petition #10-12 by DT-ARCO, LLC/IERACI REALTY TRUST for a SPECIAL PERMIT and SITE PLAN APPROVAL, to relocate an existing two-family dwelling and construct a new structure containing two additional attached dwelling units for a total of four attached dwellings in two structures at 37 ELM STREET, Ward 3, West Newton, on land known as SBL 33, 23, 20, containing approximately 25,000 sq. ft. of land in a district zoned MULTI-RESIDENCE 1. Ref: Sect. 30-24, 30-23, 30-9(b)(5)(a) and (b), 30-15(t) 1-4 of the City of Newton Rev Zoning Ord, 2007.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



EXECUTIVE SUMMARY

The site is currently improved with an 1880's Victorian two-family home that has been significantly altered since its original construction. It was likely converted from its origins as a single-family residence sometime in the early to mid-twentieth century. The building is vinyl sided with later additions on the rear of the structure and two accessory outbuildings of later vintage than the main house. The proposal is to remove these later additions, leaving only the original portion of the historic home. The petitioner is also proposing to move the house from its current location just north of center on the lot and repositioning it so that it is central on the lot, highlighting the prominence of the historic structure. Following the removal of the rear additions and the outbuildings, an addition would be constructed to the rear of the repositioned residence. The newly-expanded historic structure will house two attached residential units and a second structure will be added behind it which will contain two additional dwelling units for a total of four units in two structures.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this petition, the Board should determine whether the following apply:

- 1) Four single family attached dwelling units in two buildings are appropriate.
- 2) Side setbacks of 15.5 and 15.9 feet and a rear setback of 16.2 feet where 25 feet is required are appropriate because literal compliance is impracticable.
- 3) A lot coverage of 28.4% where a maximum of 25% is allowed by right is appropriate because literal compliance is impracticable.
- 4) A driveway closer than ten feet from the side lot line is appropriate.
- 5) A dormer greater than 50% of the exterior wall next below, without a continuous roof-line overhang, closer than three feet to the building end wall nearest the dormer, and projecting above the main ridgeline is appropriate.

CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD



Rear of Existing House

Rear Yard

Front of Existing House

A. Neighborhood and Zoning

The site is located on Elm Street between Webster Street and River Street in West Newton, just north of the West Newton Playground. The neighborhood

features a mix of multi-family and single-family residential uses in structures of similar 1880s-1920s vintage. The site is located in a vast area within the Multi-Residence 1 zone.

B. Site

The site consists of 25,000 square feet of land in a Multi-Residence 1 zone. It is improved with an 1880's Victorian, a potting shed with attached greenhouse and a detached garage. The principal dwelling is located close to the northern property line with two driveways and curb cuts servicing the property.

II. PROJECT DESCRIPTION AND ANALYSIS

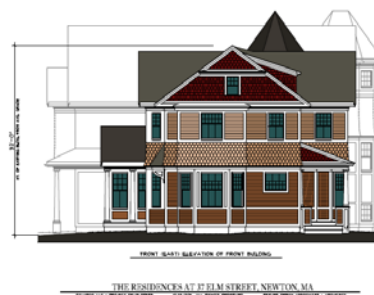
A. Land Use

The proposal is to maintain the residential use of the property, reconfiguring the existing structure and adding a second structure accommodating four units in two buildings.

B. Building and Site Design



Proposed Front Elevation Building #2



Proposed Front Elevation Building #1

The overall style of the new construction components will be dictated by the historic structure and what it likely looked like prior to more contemporary alterations. The historic building will be moved from its present location near the northern property line and centered within the street view of the lot. It will be shifted 14.5 feet closer to the street in order to provide flexibility on the lot to add the proposed second building containing Units #3 and #4. The vinyl siding and other details deemed inappropriate to the period of origin of the house will be removed in favor of historically-appropriate clapboards and fish scale shingles. An approximately 12' by 17' rear addition of a more recent vintage will be removed.

The remaining portion of the relocated historic structure will be reconfigured and expanded to contain the first of four residential units on the property. This unit will offer 3,259 square feet of living space over two-and-one-half stories. Unit #2 will be

comprised entirely of new construction attached to the rear of Unit #1. It will feature 3,507 square feet of living space, also within two-and-one-half stories.

Although the petitioner's stated goal is to reestablish the prominence of the historic structure on the lot, it is important to note that the additions to the existing structure are substantial and will have a large street presence. The proposed roof line of the rear addition will project considerably above the ridgeline of the existing roof. The bulk of the rear addition will be larger overall than the existing house and will feature two tower elements which will be somewhat obtrusive as viewed from the public right-of-way. The Planning Department does note that the building materials appear to be historically appropriate and are effective in blending the original portion of the structure with the new rear addition. The petitioner has indicated that proposed materials will be wood products, however the material type has not been specified on architectural plans and this should be clarified on final plans prior to the working session.

Behind the relocated and expanded historic structure, at the rear of the lot, the petitioner is proposing a second building (Building #2) to contain Units #3 and #4. Both buildings will be separated by a common driveway, providing vehicular access to two front-loading two-car garages for Units #3 and #4, as well as a rear-loading garage for Unit #2. Building #2 is being proposed in close proximity to the rear property line. It will feature the same exterior finish program as the historic building (although this also needs to be clarified on plans). As with the historic building, Building #2 will require multiple forms of relief from the zoning ordinance for the configuration of the proposed dormers. This will be discussed later in the Technical Review. Units #3 and #4 will have identical floor plans with a total of 3,130 square feet each, on two-and-one-half stories.

Since the proposal is essentially a new construction project, it can reasonably be expected to comply with the 25% maximum lot coverage. The petitioner is proposing coverage of 28.4%. The petitioner has correctly indicated that the proposed unit density is consistent with the neighborhood average at 6,250 square feet of land per unit. However, the proposed units are quite large. A slight reduction in the size of each unit's footprint could result in conformance with the lot coverage requirements. This modification would still yield four units of approximately 3,000 square feet. A reduction in the size of the units may also minimize the bulk of the new construction in relation to the historic structure when viewed from the street. The Planning Department has calculated the existing average lot coverage in the immediate vicinity and the results are summarized in the following chart. The average lot coverage (including the subject lot with the existing house/garage) is 14.63%. The Department acknowledges that this figure is only as accurate as the data acquired from the Assessor's Database, however we believe it is accurate enough for comparison purposes.

Property Address	Lot Coverage
21 Elm Street	14%
26 Elm Street	29%
29 Elm Street	10%
31 Elm Street	14%
32 Elm Street	9.40%
37 Elm Street	8.90%
37 Elm Street Proposed	27%
38 Elm Street	14%
43/45 Elm Street	13%
46 Elm Street	26%
51 Elm Street	8%
Neighborhood Average	14.63% (excludes 37 Elm Proposed)



C. Parking and Circulation

The property will be serviced by a single driveway along the northern property line. This proposed driveway is wider than the existing driveway in order to provide adequate emergency access, but is essentially in the same location as the original driveway. The access has been reduced to one driveway and curb cut from the existing two. This will lead to increased safety for both pedestrians and motorists in the neighborhood. The petitioner should be expected to close the second curb cut as well as realign the other curb cut with the new proposed driveway width. In addition, the bituminous sidewalk and concrete curbing along the petitioner's frontage is in poor condition and should be replaced as mitigation for the increase in the volume of pedestrian and motorist traffic on and off of the site.

There are a number of elements on the conceptual site plan that are not consistent with the engineer-stamped plan by VTP Associates. The conceptual plan indicates that the driveway will consist of a mix of bituminous concrete and an alternative material (presumably brick or pavers). This will be an attractive element of the site design which will help to minimize the visual impact of the expansive driveway. The areas proposed as brick/pavers should be clearly shown on the surveyed plan. They should also correspond with the areas shown on the conceptual site plan as being brick/pavers.

Another inconsistency between the conceptual site plan and the engineered site plan involves the provision of a front sidewalk and patios for each unit. A sidewalk is shown on the conceptual plan linking the front door of the historic building to

the street. Patios are shown for all four units but were not included on the VTP site plan. The petitioner should clarify which, if any, of these patios will be included on the final plans.

D. Landscaping

A landscape plan was submitted under separate cover and details the soft and hardscape treatment of the site. The site currently features a number of mature landscape features, the focal point being a large Japanese maple within the front yard. Care has been taken to design the site so as not to negatively impact this tree. In addition, there is a 6' to 8' hemlock hedge along the northern property line and a mixed evergreen screen along parts of the southern property line. A privet hedge will remain along the street frontage. The existing screening along the property lines will be supplemented with additional evergreen material. A number of small-scale flowering trees and larger shade trees will be added throughout the site.

III. COMPREHENSIVE PLAN

The *2007 Comprehensive Plan* supports the preservation and continued residential use of historic homes. The proposal is consistent with this goal because it preserves a historic Victorian.

IV. TECHNICAL REVIEW

A. Technical Considerations

The petitioner is asking for a number of reliefs in order to complete the project as proposed. In order to locate four attached dwelling units in two groups, a special permit is required. Also, the present structure meets setback requirements for two-family use, but will require relief for lot coverage and rear and side setbacks for the proposed attached dwelling configuration. The driveway is currently located less than ten feet from the side property line. Although this is allowed for the current two-family use, relief is required to allow this condition to remain for attached dwelling units.

An ornamental tower is proposed as part of the new construction which projects above the main roof line and exceeds the maximum height of 36 feet in the MR 1 zone. However, this is an ornamental feature and is exempted from the height regulations.

The roof lines of the proposed structure are quite complex. A number of extensions on the roof have been deemed dormers by the Commissioner of Inspectional services. The dormers on the north elevation of the front building and the east and west elevations of the rear building require relief because their width exceeds 50% of the width of the wall next below. The dormer on the north

elevation of the front building (the turret) and the east elevation on the rear building do not have the required continuous skirt overhang. Dormers on the north elevation of the front building and west elevation of the rear building are proposed closer than three feet to the main building end wall closest to the dormer. Finally, the dormer on the north elevation of the front building projects above the main ridgeline, requiring a special permit.

B. Engineering Review

The Engineering Division of the Department of Public Works has submitted a memorandum dated February 2, 2012 (Attachment D). The petitioner will be required to submit actual percolation tests prior to receiving a permit. The petitioner should also replace the existing sidewalk. Although the Engineering memo has suggested granite curbs and cement sidewalks, the Planning Department believes that concrete curbing and a bituminous sidewalk is acceptable since that is what currently exists in the neighborhood. New water and sewer service should be provided to the buildings. Finally, the petitioner should be prepared to submit a construction management plan (CMP) prior to the issuance of a building permit. A sample CMP can be provided indicating the type of information and level of detail required.

C. Fire Department Review

The plans have been reviewed and approved by the Newton Fire Department for site design and access. The petitioner has provided the required 18' driveway width (includes the width of the adjacent paver walkway) in order to facilitate emergency access to the site. There is no proposal to provide sprinklers in either building, however they are not required.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum ("ATTACHMENT C"), the petitioners are seeking the following reliefs:

- Section 30-9(b)(5) to allow four attached dwellings in two buildings
- Section 30-15, Table 1 and 30-9(b)(5)(b) to allow side setbacks of 15.5 feet and 15.9 feet and a rear setback of 16.2 feet where 25 feet is required
- Section 30-15 Table 1 and 30-9(b)(5)(b) to allow a lot coverage of 28.4% where a maximum of 25% is allowed
- Section 30-9(b)(5)(a) and 30-9(b)(5)(b) to allow a driveway closer than 10 feet from the side lot line
- Section 30-15(t)(1-4) to allow a dormer greater than 50% of the exterior wall next below, without a continuous roof-line overhang, closer than three feet to

the building end wall nearest the dormer, and projecting above the main ridgeline

VI. PETITIONERS' RESPONSIBILITIES

- The petitioner should provide architectural plans which indicate specific exterior materials. This plan should also be stamped by the project architect.
- The petitioner should provide a revised site plan showing a single curb cut and clarifying the driveway material.
- The petitioner should provide a modified site plan showing the location of all walkways and patios.
- The plan should include a note indicating the intended replacement of the bituminous sidewalk and concrete curbing along the street frontage.
- The petitioner should comply with all requirements of the memorandum prepared by the Engineering Division of the Department of Public Works.
- The petitioner should submit a construction management plan prior to the issuance of a building permit.

ATTACHMENTS:

ATTACHMENT A: VICINITY LAND USE MAP

ATTACHMENT B: VICINITY ZONING MAP

ATTACHMENT C: ZONING REVIEW MEMO

ATTACHMENT D: ENGINEERING DEPARTMENT MEMO

37 Elm Street

Land Use

City of Newton,
Massachusetts



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
 Mayor - Seth D. Warren
 GIS Administrator - Douglas Greenfield



Attachment A

Map Date: February 07, 2012



37 Elm¹⁰⁻¹² Street Zoning

City of Newton,
Massachusetts

Legend

	Multi-Residence 1
	Multi-Residence 2
	Business 1
	Public Use



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CITY OF NEWTON, MASSACHUSETTS
 Mayor - Seth D. Warren
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Attachment B

Map Date: February 07, 2012





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Candace Havens

ZONING REVIEW MEMORANDUM

Date: January 11, 2012

To: John Lojek, Commissioner of Inspectional Services

From: Seth Zeren, Chief Zoning Code Official
Eve Tapper, Chief Planner for Current Planning ET

Cc: Terrence P. Morris, attorney representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

Re: **Request to allow four attached dwellings in two groups, waive the required side and rear setbacks and maximum permitted lot coverage, and permit dormers greater than 50% of the floor below, without a continuous roof-line overhang, closer than three feet from the main building end wall nearest the dormer, and projecting above the main ridgeline.**

Applicant: DT-ARCO, LLC	
Site: 37 Elm Street	SBL: 33023 0020
Zoning: MR1	Lot Area: 25,000 square feet
Current use: Two-family dwelling	Proposed use: Four attached dwellings

Background:

The property at 37 Elm Street consists of a 25,000 square foot lot that is currently improved with a two-family dwelling constructed in the 1880's, a detached two-car garage, and a detached accessory shed/greenhouse. The applicant proposes to relocate the existing primary structure to the middle of the lot and add an addition, demolish the existing accessory structures, and construct a new structure containing two additional attached dwelling units for a total of four attached dwellings in two structures.

The following review is based on plans and materials submitted to date as noted below.

- A letter, signed and stamped by Lawrence Z. Reeves, Architect, certifying compliance with the dormer and half-story calculations, dated 12/13/11
- Revised architectural plans, by Reeves Design Associates, Architect, unsigned and unstamped, dated 12/13/11

- Front (East) Elevation of Front Building
- Front (Courtyard) Elevation
- Left Side (South) Elevation of Front Building
- Left Side (South) Elevation of Rear Building
- Rear (West) Elevation of Front Building
- Rear (West) Elevation of Rear Building
- Right Side (North) Elevation of Front Building
- Floor Plans – Units #1 and #2, Main Floor Plan
- Floor Plans – Units #1 and #2, Upper Floor Plan
- Floor Plans – Units #1 and #2, Attic Floor Plan
- Floor Plans – Units #3 and #4, Main Floor Plan, Upper Floor Plan, Attic Floor Plan
- Revised site plan, by VTP Associates, Surveyor, unsigned and unstamped, dated 12/12/11, showing new building heights and average grade plan calculations
- Architectural plans showing rear building front elevation, by Reeves Design Associates, Architect, unsigned and unstamped, dated 12/7/11
- Architectural plans showing front building north elevation, by Reeves Design Associates, Architect, unsigned and unstamped, dated 12/7/11
- Architectural plans, by Reeves Design Associates, Architect, unsigned and unstamped, dated 11/23/11
- Proposed site plan, by VTP Associates, Surveyor, unsigned and unstamped, dated 11/23/11
- Existing site plan, by VTP Associates, Surveyor, unsigned and unstamped, dated 11/7/11

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to relocate, reconfigure, and add onto an existing two-family dwelling and to construct a new structure to the rear. The structures will contain four attached dwellings in two groups. Per the requirements of Section 30-9(b)(5), the applicant must obtain a special permit from the Board of Aldermen to allow the proposed use.
2. The property is in the MR1 zone and must comply with the dimensional standards of Section 30-15, Table 1 for attached dwellings (see chart below).

MR1 Zone	Required/Allowed	Existing	Proposed
Lot Size	15,000 square feet	25,000 square feet	No change
Lot Area per Unit	4,000 square feet	12,500 square feet	6,125 square feet
Frontage	80 feet	100 feet	No change
Setbacks			
● Front	25 feet	54.7 feet	40.2 feet
● Side	25 feet	15.6 feet*	15.5 feet
● Rear	25 feet	131.3 feet	16.2 feet
Building Height	36 feet	32 feet	35.11 feet**
Maximum Stories	2.5	2.5	No change
Max. Lot Coverage	25%	10.2%	28.4%
Min. Open Space	50%	69.6%	54.0%

* Conforming for current two-family use

** See #5 below

3. The proposed site plan shows structures that do not conform to the dimensional requirements of Section 30-15, Table 1. The applicant must obtain a special permit from the Board of Aldermen per

Section 30-9(b)(5)b) for an exception to the dimensional controls in Section 30-15, Table 1 for side and rear setbacks and maximum lot coverage.

4. Per Section 30-9(b)(5)a), no driveway for attached dwellings shall be located within ten feet of a side or rear lot line. The existing driveway is located less than ten feet from the side lot line. This condition is conforming for the existing two-family uses on the site. However, the applicant must obtain a special permit from the Board of Aldermen per Section 30-9(b)(5)b) to waive this requirement with the change of use to allow the driveway to remain where it is.
5. Per Section 30-15, Table 1, and Ordinance Z-91, structures in the MR1 zone are limited to 36 feet in height. The applicant's elevations show two ornamental towers, one of which is a dormer, which exceed this limit but which are allowed under the exception contained in the definition of height in Section 30-1.
6. Per Section 30-15(t), and Ordinance Z-20, dormers must meet certain criteria or obtain a special permit. A number of extensions beyond the roof are determined to be dormers. The applicant's plans for these dormers do not show compliance with the requirements of Section 30-15(t) and Ordinance Z-20. Dormers on the north elevation of the front building, and the east and west elevations of the rear building exceed 50% of the exterior wall next below, as required by Section 30-15(t)(1). The dormers on the east elevation of the rear building and the north elevation of the front building are not skirted by a continued roof overhang, as required by Section 30-15(t)(2). Dormers on the north elevation of the front building and the west elevation of the rear building are closer than three feet to the main building end wall nearest the dormer, as required by Section 30-15(t)(3). The dormer on the north elevation of the front building projects above the main roof ridgeline, which is not permitted per Section 30-15(t)(4). The applicant must obtain a special permit from the Board of Aldermen per Section 30-15(t) to build the dormers as proposed.
7. Per Section 30-19(d)(2), the parking requirement for attached dwellings is two stalls per dwelling unit. For four dwelling units, a total of eight parking stalls would be required. The applicant's site plan shows a total of eight parking stalls, satisfying this requirement. As the parking stalls are located within separate attached garages dedicated to each dwelling, they do not qualify as a single parking facility.
8. The site is currently improved with a two-family dwelling. The applicant proposes to add two additional dwelling units by special permit for a total of four dwellings. This increase does not trigger the inclusionary housing provisions of Section 30-24(f), which would apply to a residential project allowed by special permit that increases the number of existing units by more than two, per Section 30-24(f)(2).
9. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Use</i>	<i>Action Required</i>
§30-9(b)(5)	Allow four attached dwellings in two buildings	S.P. per §30-24
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§30-15, Table 1; §30-9(b)(5)b)	Allow side setbacks of 15.5 feet and 15.9 feet and a rear setback of 16.2 feet where 25 feet is required	S.P. per §30-24
§30-15, Table 1; §30-9(b)(5)b)	Allow a lot coverage of 28.4% where a maximum of 25% is allowed	S.P. per §30-24
§30-9(b)(5)a); §30-9(b)(5)b)	Allow a driveway closer than 10 feet from the side lot line	S.P. per §30-24
<i>Ordinance</i>	<i>Structure</i>	<i>Action Required</i>
§30-15(t)(1)-(4)	Allow a dormer greater than 50% of the exterior wall next below, without a continuous roof-line overhang, closer than three feet to the building end wall nearest the dormer, and projecting above the main ridgeline.	S.P. per §30-24

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Alderman Ted Hess-Mahan, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – #37 Elm Street

Date: February 2, 2012

CC: Lou Taverna, PE City Engineer (via email)
Linda Finucane, Associate City Clerk (via email)
Eve Tapper, Chief Planner (via email)
Derek Valentine, Planner (via email)

In reference to the above site, I have the following comments for a plan entitled:

Topographic Site Plan
Showing Proposed Conditions at 37 Elm Street
Newton, MA
Prepared by: VTP Associates, Inc.
Dated: December 12, 2011

Executive Summary:

The project involves the demolition of an existing dwelling, and construction of three residential units on a just over a half acre site. The site is relatively flat having a two foot differential over 250 –foot depth lot. All new utilities are proposed for the development, and the engineer of record has designed an on site infiltration system that will collect all roof, and driveway stormwater runoff and infiltrate on site.

The drainage system design is based on an **assumed** percolation rate; the Engineering Division requires that an on-site soil evaluation is performed prior to the submission of the design. The engineer of record needs to perform these tests within 20-feet of each system and witnessed by a representative of the Engineering Division.

As a Public Benefit the applicant should improve the existing asphalt sidewalk & concrete curbing by install new cement sidewalks, driveway apron and new granite curbing. The existing southerly driveway apron shall be removed and remodeled as a sidewalk in compliance to the City's Construction Standards.

Construction Management:

1. A construction management plan is needed for this project. At a minimum it must address the following: staging site for construction equipment, construction material, construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.

Drainage:

1. On site soil evaluation is needed before approval of this plan. The testing shall be witnessed by the Engineering Division.
2. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by applicant, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
3. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the Homeowners Association.

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted to the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.

Sewer:

1. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the site and properly back filled. The Engineering Division must inspect this work; failure to having this work inspected my result in the delay of issuance of the Utility Connection Permit.
2. The new sewer service and/or structures shall be pressure tested or video taped after final installation is complete. Method of final inspection shall be determined solely by the construction inspector from the City Engineering Division. The sewer service will NOT be accepted until one of the two methods stated above is completed. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer. *This note must be added to the final approved plans.*

Water:

1. Due to the long length of the water service for the rear unit (#3) the proposed water service connection shall be 2" Type K Copper in lieu of the 1". Furthermore, one service connection shall be made and brought onto the property, with a master meter housed in a heat room of one of the units; the developer may then install submeters fro the remainder units.

General:

1. As of January 1, 2009, all trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
2. All tree removal shall comply with the City's Tree Ordinance.
3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility is question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*

4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*
5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.
6. Prior to Occupancy permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*
7. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work. *This note must be incorporated onto the site plan.*

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.