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Candace Havens
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	August 13, 2013
Land Use Action Date:	October 15, 2013
Board of Aldermen Action Date:	October 21, 2013
90-Day Expiration Date:	November 11, 2013

DATE: August 9, 2013

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner

SUBJECT: **Petition #218-13(2)**, FALLON DEVELOPMENT INC, for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision to construct two single-family dwellings, including relief to locate the proposed rear house further away from the proposed rear lot line at 131 OTIS STREET, Ward 2, Newtonville, on land known as SBL 24, 12, 16, containing approximately 48,677 square feet of land, in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(r), 30-15(r) Table 4 Footnote 3 of the City of Newton Rev Zoning Ord, 2012.

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.

131 Otis Street

EXECUTIVE SUMMARY

The property located at 131 Otis Street consists of a 48,677 square foot lot that was created in 1957. The previous owner of the property demolished the existing single-family dwelling and obtained a building permit to construct a new single-family dwelling on the lot. The foundation and part of the framing for the home were constructed before the prior owners abandoned the project and left the home unfinished, which is the state in which it presently exists today. The petitioner is proposing to divide the lot into two separate lots via a rear lot subdivision in order to develop two single-family homes on the site.

Per the provisions allowing the creation of a rear lot subdivision in residential districts, the two proposed lots must each obtain a Special Permit and must comply with two different sets of dimensional requirements. The front lot (Lot 1) must comply with the dimensional standards established in Section 30-15, Table 1 new lot. The rear lot (Lot 2) must comply with the dimensional standards set forth in Section 30-15, Table 4. While the proposed homes are quite large, each of the proposed structures complies with all the dimensional requirements. However, for Lot 2 to comply with the minimum frontage requirements the petitioner must also obtain a Special Permit to allow the frontage of the rear lot to be measured along the rear lot line of the front lot.

As proposed, the two single-family dwellings are somewhat out of scale with the surrounding residential buildings in the neighborhood. Two of the criteria that the Board must consider regarding a rear lot subdivision application are "**whether the proposed structure exceeds the respective average height of abutting residential buildings**," and "**the scale of a proposed building in relation to adjacent residential buildings**." Specifically, those residences abutting Otis Road to the east of the development and the residences along nearby Birch Hill Road and Walden Street, which are in a Single Residence 2 zoning district, contain more modest homes and lots. The residences and lots to the west of the proposed development are much larger than those proposed, but are in a Single Residence 1 zoning district. As a result, the massing and scale of the proposed residential buildings appear consistent with the surrounding development and creates a controlled transition between the two zoning districts.

The Department of Planning and Development has no concerns with the location or use of the proposed new residences, but recommends the petitioner consider a shared driveway arrangement.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

The petitioner's request for a rear lot subdivision is subject to the criteria set out in Sections 30-15(r)(1) and 30-15(r)(2)(a), in addition to the special permit/site plan approval criteria. Thus, when considering this request, the Board should consider whether:

- The proposed structure exceeds the respective average height of abutting residential buildings and structures.
- The scale of the proposed structure is compatible with adjacent structures and the character of the neighborhood.
- Topographical changes have been minimized so they do not adversely affect existing or proposed structures on-site or nearby, including structures used for accessory purposes.
- Proposed landscape screening is appropriate.
- Vehicular access, including for public safety equipment, is adequate and whether a common driveway could be included.
- If any historic or conservation benefit is provided or advanced by the proposed development.
- The location of structures used for accessory purposes or mechanical equipment on the new rear lot or on the abutting lots will not negatively impact either the proposed rear lot development or abutters' property.
- The siting of the structure complements the abutting residential buildings and structures.
- The neighbors will not be adversely affected by proposed lighting.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The property is located on the north side of Otis Street in Newtonville, approximately a block from Lowell Avenue. The surrounding neighborhood consists mostly of single-family residences. The project is located in a Single Residence 2 zoning district. Abutting the project site to the west is a Single Residence 1 zoning district. There is also a small pocket of Multi-Residence 1 located along Calvin Road to the southeast of the subject property.

B. Site

The property consists of 48,677 square feet of land, which will be subdivided so that the front lot has 20,699 square feet with 139 feet of frontage, and the rear lot will have 28,530 square feet of land with 139 feet of lot frontage, as well (the frontage of the rear lot was measured along the rear lot line of the front lot). The Single Residence 2 zone in this neighborhood consists of mostly modest houses on

average (~10,000 square foot) lots, while the adjacent Single Residence 1 zoning district can be characterized by large houses on large (minimum 25,000 square foot) lots. As proposed, it appears this project will provide a controlled transition between the two zoning districts.

The project site, excluding the existing house pad and driveway, contains a number of trees that vary by species, age and diameter. The trees are dispersed throughout the subject property, but are mostly concentrated along the property lines, visually buffering the site from adjacent properties. Additionally, the properties' topography varies from an elevation of 96 feet near Otis Street (southeast corner) to an elevation of 123 feet at the rear of the property (northwest corner). The existing driveway, constructed partially of asphalt and gravel, is located along the eastern side of the lot taking advantage of more gradual grades.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The site has been used as a single-family residence. The proposed use will be two single-family residences, each meeting all dimensional requirements.

B. Building and Site Design

According to the plans, the existing foundation and partially-constructed home on the site will be removed. The removal of the partially-constructed home will allow for the creation of a rear lot subdivision, creating two lots each developed with a single-family home. The proposed house on Lot 1 has been designed as a 2½-story colonial style house with a 3,264 square foot footprint. The proposed building has a Floor Area Ratio (FAR) of .32, where .33 is allowed by right, and a building height of 33.6 feet. The house has five bedrooms and a total area of 6,218 square feet. Building materials are not noted in the plans, but the elevation plans appear to show that the exterior of the structure will be clapboard.

The rear house on Lot 2 has been designed as a two-story English cottage-style house with a 3,652 square foot footprint and a total house size of approximately 5,300 square feet. The proposed building has an FAR of .17, where .20 is allowed by right, and a building height of 27.2 feet. The residence has an attached three-car garage. The house designed with on optional family room/library/master suite on the first floor and four bedrooms on the second floor. Building materials are not noted in the plans, but the elevation plans appear to show that the exterior of the structure will be clapboard and stone.

Per the Site Plan, the petitioner is proposing to keep the existing curb cut for the driveway accessing Lot 2 (the rear lot). The alignment of the proposed driveway for Lot 2 generally follows the alignment of the existing driveway. To access Lot 1, a new curb cut is proposed near the southwestern corner of the lot, almost directly across from the intersection of Walden Street.

To accommodate the steep topography of the site, the petitioner has incorporated four retaining walls into the design of the project, none of which are greater than four feet in height. To buffer the visual impacts of these retaining walls, the landscaping plan appears to show how different planting areas will be developed to screen these structures. The landscaping plan also appears to show planting areas will flank the proposed property lines, screening the mass of the new homes from abutters.

C. Parking and Circulation

To accommodate vehicular access, the proposed lots have each been designed with a driveway and three-car garage. Although the rear lot subdivision ordinance encourages petitioners to develop a common access drive for the lots in the development, the proposed property configuration has been designed with separate driveways.

The Department of Planning and Development has no particular concerns with this configuration, but recommend the petitioner consider developing a common access drive.

D. Lighting, Mechanicals, and Landscape Screening

The petitioner did not submit information on proposed lighting or mechanical equipment. Mechanical equipment should be located on plans prior to a working session to ensure that they will be sufficiently screened from abutting residences.

The proposed landscape plan indicates the preservation of numerous trees existing on the project site, as well as the planting of many evergreen and deciduous trees to provide screening of the development from the adjacent properties. However, the plan is unclear on what the caliper inches of the trees are. In order to confirm whether the proposed development complies with the Tree Preservation Ordinance, the applicant must file an application with the City's Tree Warden. The petitioner should submit a Tree Removal Plan and a revised Landscape Plan, clearly listing the caliper inches and locations of trees to be removed and planted. The petitioner should information on how existing trees will be protected during construction as well, prior to being scheduled for

a working session.

The petitioner held two separate neighborhood meetings to discuss the development proposal with neighbors and to identify potential concerns. As a result of the meeting, the petitioner identified the following issues raised by adjacent property owners:

1. The potential impacts of blasting; and
2. The adequacy of landscaping to screen the project after development.

Speaking to these concerns, the petitioner provided a draft Construction Management Plan **(ATTACHMENT A)**, suggested Blasting Conditions **(ATTACHMENT B)** and a revised Landscape Plan **(ATTACHMENT C)**.

If approved, the Department of Planning and Development recommends referencing these documents as part of the Board Order.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance): The Zoning Review Memorandum, dated June 6, 2013 **(ATTACHMENT D)**, provides an analysis of the proposal with regard to zoning. The petitioner is requesting a Special Permit/Site Plan Approval to allow the development of a rear lot subdivision, and to allow the frontage of the rear lot to be measured along the rear line of the lot in front.

B. Engineering Review: The Associate City Engineer, submitted an Engineering Review Memorandum (**ATTACHMENT E**), providing an analysis of the proposal with regard to engineering issues. According to the memorandum, the Engineering Division has some concerns regarding the proposed drainage systems and how runoff generated from the driveways and retaining walls will be infiltrated on site. The petitioner will be required to comply with all the recommendations put forth in the memorandum prior to issuance of a Building Permit.

The Department of Planning and Development notes there are no sidewalks along the north side of Otis Street, and recommends the petitioner consider installing a sidewalk along the entire length of the property since the property is located within walking distance to the Newton North High School. It has been determined by the Associate City Engineer that the installation of any length of sidewalk and curbing can improve stormwater management, which can help to prevent undercutting of the road surface, and improve pedestrian safety.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum the petitioner is seeking the following approvals or relief:

- Section 30-15(r)(2)(a) to allow the subdivision of a rear lot.
- Section 30-15(r)(1) to allow frontage to be measured along the rear line of the lots in front.

VI. PETITIONERS' RESPONSBILITIES

Prior to being scheduled for a working session the petitioner should:

1. Indicate the building materials for each home and location of mechanical equipment on plans;
2. Submit a Tree Removal Plan;
3. A revised Landscape Plan; and
4. Submit a copy of the proposed Site Plan to the Fire Department for review and approval.

ATTACHMENTS

Attachment A: Draft Construction Management Plan
Attachment B: Suggested Blasting Conditions
Attachment C: Revised Landscape Plan
Attachment D: Zoning Review Memorandum
Attachment E: Engineering Review Memorandum
Attachment F: Zoning Map
Attachment G: Land Use Map

PRELIMINARY CONSTRUCTION MANAGEMENT PLAN
PROJECT DESCRIPTION: REAR LOT SUBDIVISION WITH TWO DETACHED SINGLE FAMILY HOMES DEVELOPMENT PROJECT LOCATION: 131 OTIS STREET, NEWTONVILLE, MASS.
DATE OF PLAN: AUGUST __ , 2013

This is a preliminary construction management plan, and a more detailed final Construction Management Plan ("CMP") shall be submitted by the Petitioner with the application for a building permit in accordance with the provisions of Board Order 218-13(2). The final CMP shall at a minimum contain the following provisions:

1. The staging area and holding area for construction of 131 Otis Street will be located within the site so as to ensure safe and efficient construction with a minimum disruption to pedestrians and automobile traffic in the area, and so as to prevent the queuing of trucks waiting to deliver materials.

2. The contractor, subcontractors, and their respective employees shall try to limit the impacts of construction traffic and truck noise on adjacent residences along Otis Street through the enforcement of truck access in the following manner:

   A. Construction vehicles and equipment of all types for access to the site shall only use those streets specifically designated by the City of Newton Planning Department and Newton Police Department.

   B. Petitioner shall take appropriate steps to prevent vehicles exiting the site from carrying mud or construction debris onto surrounding streets.

3. Construction hours, excluding interior work, after a building has been fully enclosed, shall be limited to Monday through Friday 7 AM to 6 PM and Saturdays 9 AM to 5 PM. There will be no on site construction on Sundays and holidays except in cases of emergencies.

4. All drainage will be contained on site during construction. Erosion and sedimentation controls will be utilized to minimize construction disturbances to the site and to prevent such disturbances to abutting properties in accordance with the standard City of Newton Regulations and construction details, as approved by the City Engineer, and shall be in place before the commencement of excavation or earth removal.

5. To reduce emissions of fugitive dust and to minimize impacts on the local environment, a number of strictly enforced mitigation measures will be adhered to. These include:

   A. Using wetting agents on areas of exposed soil on a scheduled basis or as required;
   B. Using covered trucks for transportation of excavated material;
   C. Locating aggregate storage piles away from pedestrian activity and as far away as practical from residences on abutting properties;
   D. Minimizing storage of debris on-site;
   E. Monitoring of actual construction practices to ensure that unnecessary transfers and mechanical disturbances of loose materials are minimized;
   F. Periodic street and sidewalk cleaning to minimize dust accumulations;
   G. Controlling construction vehicles operating speeds on-site to minimize generation of dust.

6. Noise control and reduction measures

   A. Noise levels at the site shall comply with the City's Noise Control Ordinance, Section 20-13.

   B. Noise from heaters used during construction in winter conditions shall comply with the City's Noise Control Ordinance and any plastic sheeting used for weather protection shall be securely tied down to prevent flapping.

   C. Staging activities will be conducted in a manner that will minimize off-site impacts of noise. Noise producing staging activities will be conducted as far as practical from abutting residential properties. In addition, storage of bulk materials may be used as an intervening barrier between noise producing activities and noise sensitive locations. Additional methods to mitigate noise at the construction site include:

      i.) Use of appropriate mufflers on all equipment;
      ii.) Installing enclosures around the work area where stationary equipment is being used;
      iii.) Replacing specific construction operations and techniques by less noisy ones – e.g. using welding instead of riveting;
      iv.) Selecting the quietest of alternate items of equipment – e.g. electric instead of diesel powered equipment, hydraulic tools instead of pneumatic impact tools, where possible on the site and where available, for the work to be performed;
      v.) Scheduling equipment operations to keep aggregate noise levels low, to synchronize noisiest operations with times of highest ambient levels, and to maintain relatively uniform noise levels;
      vi.) Turning off idling equipment; and
      vii.) Locating noisy equipment as far as possible from sensitive areas.

7. Construction security fencing shall be installed and maintained along the perimeter of the site during construction. The site shall be gated at the rear of the access and egress driveways where each driveway meets the rear lot lines of the abutting residential properties fronting on Court Street.

8. The Petitioner shall carry out rodent inspection, monitoring and treatment before, during and at the completion of all demolition and foundation work for the proposed project. Rodent extermination prior to work start-up will consist of treatment of areas throughout the project areas, including interior and exterior of all building. During the construction process, regular service visits will be made in order to maintain effective rodent control levels. All rodent control activities will follow Integrated Pest Management practices.

9. Petitioner shall provide a tree preservation/protection plan to define the proposed method for protection of existing trees on the site that are marked "to be preserved" on the tree preservation plan.

10. The CMP shall designate a Project Manager with responsibility for all matters pertaining to the implementation of the construction management plan. The Project Manager will be identified to the Police Department, the Commissioner of Inspectional Services, the Aldermen and the abutters as the contact person for the project, and the Project Manager will provide the foregoing with telephone numbers for 24-hour, seven days a week communication. Throughout the pre-construction phase, the contractor will troubleshoot all aspects of the project to ensure an efficient jobsite mobilization while keeping the construction zone safe at all times. The site will be secured, isolated, and signed.

Dated:_____, 2003

STANDARD BLASTING CONDITIONS
FOR
SPECIAL PERMIT/SITE PLAN APPROVALS
RE: Special Permit # 218-13(2)

If blasting is to occur in connection with projects receiving Special Permit/Site Plan approvals that reference these Standard Blasting Conditions, then all blasting and drilling for the driveway, utility trenches, service trenches and/or structures, whenever, they are built, shall be carried out in accordance with federal, state and local blasting permit practices, and in accordance with the following conditions:

a. Selection of the Blasting Contractor

A blasting contractor, acceptable to both the Petitioner or his successors and assigns and the Newton Fire Department, shall be selected after review of the qualifications of such contractor by a qualified independent geotechnical blasting consultant who shall also be acceptable to both the Petitioner and or his successors and assigns and the Newton Fire Department.

b. Independent Blasting Consultant

An independent geotechnical-blasting consultant shall be selected and paid for by the Petitioner or his successors and assigns, subject to the approval of the Newton Fire Department. The consultant shall review the qualifications of the blasting contractor, and review the blasting plan prepared by the blasting contractor, check the calibration of the seismograph monitors, approve the location and installation of the seismograph monitors, and, if required by the Newton Fire Department, shall determine the blast limits throughout the blast period and shall consult with the Newton Fire Department on an as-needed basis throughout the blasting period.

c. Preblast Survey

A preblast survey shall be done in accordance with State law for the interior and exterior of all structures within 275 feet of the blast area.

d. Insurance Coverage

The blasting contractor shall carry at least $_ million in comprehensive liability insurance for damage to structures caused by underground explosion and collapse hazard. A certificate shall be submitted to the Newton Fire Department by the contractor documenting that the required coverage will be in force for the duration of the blasting at the site. If there is a general contractor or developer associated with the blasting, each shall carry a minimum of $_ million of comprehensive liability insurance.

e. Blasting Limits

The blasting contractor shall set charges at one-half (1/2) of the State blasting limits. However, if, based upon the recommendation of the independent blasting consultant, the Newton Fire Department feels that a lower limit is necessary to protect the site and the abutting residential neighbors, that lower limit shall be in effect.

f. Notification

Not less than 72 hours prior to the commencement of any period of blasting, the Petitioner or his successors and assigns shall send written notification to the immediate abutters within 275 feet of the blast area stating when the blasting period will begin. Such notification shall include an explanation of the warning procedures for blasting including soundings. The Petitioner or his successors and assigns shall send another letter notifying the same abutters that the blasting period has been completed. If these immediate abutters provide email addresses, then notifications may be given by email.

KLLA
Keith LeBlanc Landscape Architecture Inc.
535 Albany Street No. 5A
Boston, MA 02118-2500
t 617.426.6475
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Revisions

No	Date	Description
1	7-22-13	REVISED PLANTING

RESIDENTIAL DEVELOPMENT
FALLON CONSTRUCTION
131 OTIS ST.
NEWTON, MA

Scale: 1/8"=1'-0"
Project No: 1317
Date: 07-22-2013

LANDSCAPE PLAN

LI

Attachment D

Setti D. Warren
Mayor

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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 6, 2013

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Jason Rosenberg, Attorney representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow a rear-lot subdivision

Applicant: Fallon Development Inc	
Site: 131 Otis Street	**SBL:** 24 12 16
Zoning: SR2	**Lot Area:** 48,677 square feet
Current use: Vacant	**Proposed use:** Two single family dwellings

BACKGROUND:

The lot at 131 Otis Street was created in 1957. The prior owner of the property demolished an existing single family dwelling. A building permit was obtained to build one large single family dwelling, and a foundation was built. However, after erecting a few stud walls, the prior owner abandoned the project and left the site as it presently exists. The applicant proposes to remove the foundation and structures on the property and build two houses in accordance with Section 30-15(r) of the Newton Zoning Ordinance.

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

- Zoning Review Application, prepared by Jason Rosenberg, Attorney, dated 5/3/13
- Proposed Site Plan, prepared by Keith LaBlanc Landscape Architecture, dated 4/10/13
- Architectural Plans-Front House, prepared by Jan Gleysteen Architects, Architect, dated 4/9/13 including;
  - First Floor Plans
  - Exterior Elevations
  - Second Floor Plan

    - Third Floor Plan
- Architectural Plans – Rear House, prepared by Patrick Ahearn, Architect, dated 3/29/13 including;
    - Proposed Areas
    - Proposed First Floor Plan
    - Proposed Second Floor Plan
    - Proposed Front Exterior Elevation
    - Proposed Left Exterior Elevation
    - Proposed Rear Exterior Elevation
    - Proposed Right Exterior Elevation
- Drainage Calculations, signed and stamped by Michael Kosmo, Civil Engineer, dated 5/2/13
- Site Plan of Land, signed and stamped by Bruce Bradford, Surveyor, dated 5/2/13
- Area Plan, signed and stamped by Bruce Bradford, Surveyor and Michael Kosmo, Civil Engineer, dated 5/2/13

ADMINISTRATIVE DETERMINATIONS:

1. The two proposed lots are located in the SR2 zone. The front lot (Lot 1) must comply with the dimensional standards of Section 30-15, Table 1 for a post-1953 lot. The rear lot (Lot 2) must comply with the dimensional standards of Section 30-15, Table 4 (see chart below).

Front Lot (Lot 1) per Section 30-15 Table 1

SR1 Zone	Required/Allowed	Proposed
Lot Size	15,000 square feet	20,699 square feet
Frontage	100 feet	139.18 feet
Setbacks • Front • Side • Rear	 30 feet 15 feet 15 feet	 31.9 feet 19.7 feet 51.8 feet
Building Height	36 feet	33.6 feet
Maximum Stories	2.5	2.5
Max. Lot Coverage	20%	16.4%
Min. Open Space	65%	74%
Build Factor	25 max	11.04

Proposed Rear Lot (Lot 2), per Section 30-15 Table 4

SR2 Zone	Required/Allowed	Proposed
Lot Size	18,000 square feet	28,526 square feet
Frontage	100 feet*	+/- 170 feet*
Vehicle Access	20 feet	49.78 feet
Setbacks • Front • Side • Rear	 30 feet 23 feet 23 feet	 31.1 feet 23 feet 24.4 feet
FAR	0.20	0.19
Building Height	36 feet	27.2
Maximum Stories	2.5	2
Max. Lot Coverage	17%	14.3%
Min. Open Space	65%	72%
Build Factor	25 max	18.44

* May be measured along the rear lot line of the lots in front with a special permit from the Board of Aldermen under Section 30-15(r)(1).

2. The applicant proposes to create a rear lot per Section 30-15(r). To subdivide the land as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(r)(2)a).

3. To satisfy the minimum frontage requirement, the applicant must obtain a special permit per Section 30-15(r)(1) to measure lot frontage along the rear line of the lots in front.

4. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance	*Site*	*Action Required*
§30-15(r)(2)a)	Allow the subdivision of a rear lot	S.P. per §30-24
§30-15(r)(1)	Allow frontage to be measured along the rear line of the lots in front	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 – 131 Otis Street

Date: June 19, 2013

CC: Lou Taverna, PE City Engineer
Linda Finucane, Associate City Clerk
Alexandria Ananth, Sr. Planner

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

Site Plan of Land in
Newton, MA
131 Otis Street
Prepared by: Everett M. Brooks Company
Dated: May 2, 2013

Executive Summary:

The 48,677 square foot (1.11 acre) lot is being subdivided into two lots that if approved will require an Approval Not Required (ANR) plan in accordance to the G.L. chapter 41 sec. 81P. No drainage study was received at the time of the review; however the plans indicate that two overflow connections are being proposed. The engineer of record needs to justify why these connections are needed when the site provides ample area for on-site retainage of the runoff as required by DEP and the DPW. The rear lot also has uncontrolled flow of runoff from the roof area to a drain manhole and proposed connection to the City drainage system.

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 materials, parking of construction worker's vehicles, phasing of the project with

anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor. It shall also address any anticipated dewatering during construction, site safety & stability, and impact to abutting properties.

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. A drainage analysis needs to be performed based on the City of Newton's 100-year storm event of 6-inches over a 24-hour period. All runoff from impervious areas need to be infiltrated on site, for the project. The design of the proposed on site drainage system needs to comply with the MassDEP Stormwater Regulations and City Ordinances.

2. When a connection to the City's drainage system is proposed, prior to approval of the Building Permit a Closed Circuit Television (CCTV) inspection shall be performed and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore, upon completion of the connection to the drainage system a Post – Construction video inspection shall also take place and witnessed as described above. This is required regardless of the connection point, the intent is to ensure that there are no downstream blockages or damaged pipe so that the contractor of record is not held accountable for preexisting conditions.

3. A hydraulic capacity of the downstream drainage system needs to be evaluated and submitted to the Engineering Division. This study needs demonstrate that there will be no impact to the municipal drainage system, nor private or public property.

4. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to 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.

5. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all apparentness including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the homeowners.

6. Due to the steepness of the rear driveway, one catch basin will not be sufficient to capture the runoff. A second catch basin or trench drain upstream of the proposed catch basin should be incorporated in the design.

Environmental:

1. As the total site disturbance is over an acre, a Phase II General Construction (NPDES) Permit will need to be filed with DEP & EPA. A Stormwater Pollution Prevention Plan (SWPPP) will need to be developed.

Sewer:

1. A detailed profile is needed which shows the existing water main, proposed water service(s), sewer main and proposed sewer service(s) with the slopes and inverts labeled to ensure that there are no conflicts between the sewer services and the water service. The minimum slope for a service is 2.0%, with a maximum of 10%. Pipe material shall be 6" diameter SDR 35 PVC pipe within 10' of the dwelling then 4" pipe per Massachusetts State Plumbing Code. In order to verify the slopes and inverts of the proposed service connection, two manholes of the existing sanitary sewer system need to be identified on the plan with rim & invert elevations. The crown of the service connection & the sewer man need to match.

2. 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 may result in the delay of issuance of the Utility Connection Permit**.**

3. Use City of Newton Details in lieu of the details submitted.

4. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the city of Newton Construction Standards Detail Book.

5. All 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. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. 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.***

6. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer**.**

Water:

1. All water connections shall be chlorinated & pressure tested in accordance to AWWA and the City of Newton Construction Standards and Specifications prior to opening the connection to existing pipes.

2. Approval of the final configuration of the water service(s) shall be determined by the Utilities Division, the engineer of record should submit a plan to the Director of Utilities for approval

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.*

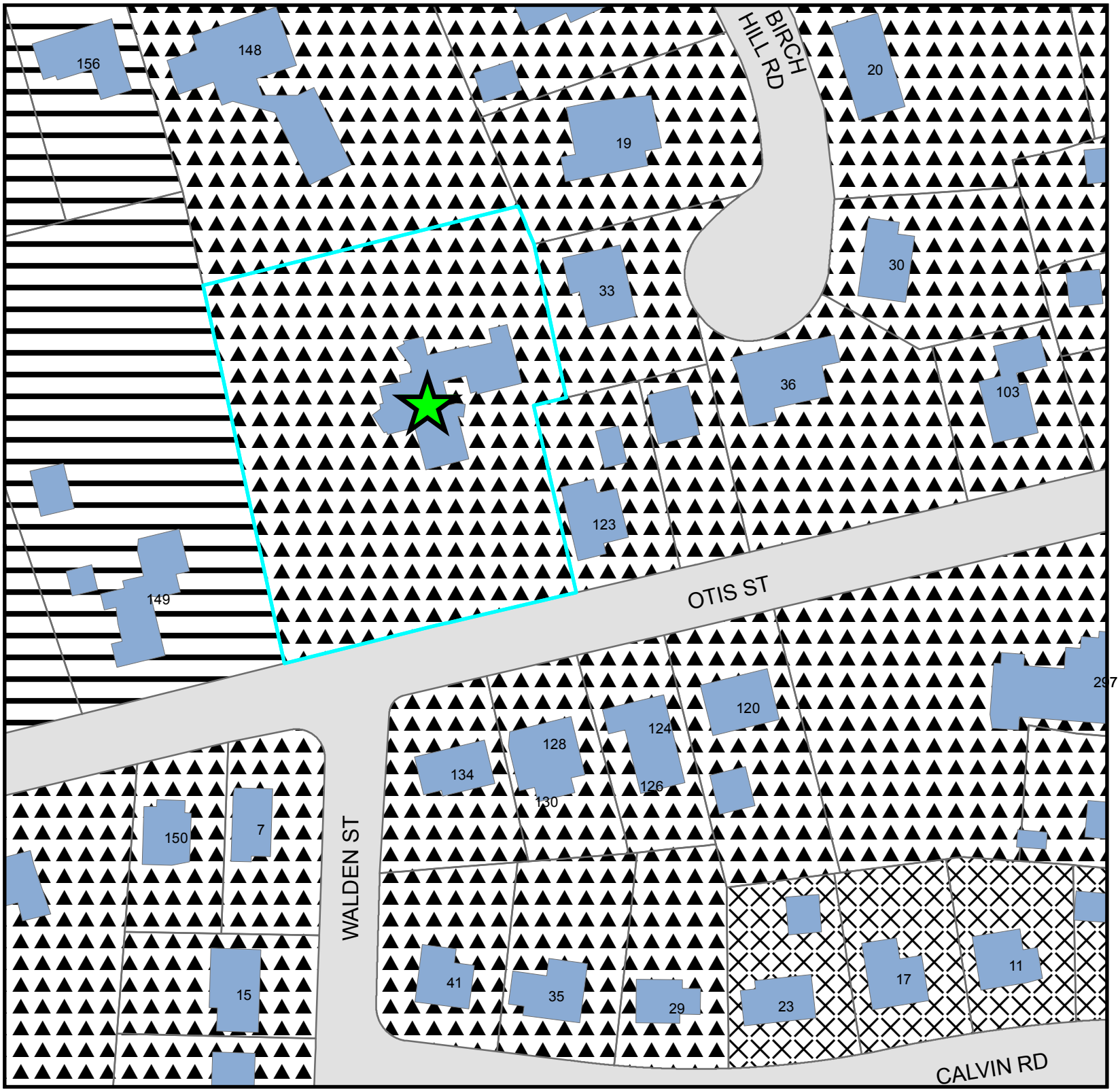
5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.

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.



218-13(2)

Zoning Map
131 Otis Street

City of Newton, Massachusetts

Legend

- Single Residence 1
- Single Residence 2
- Multi-Residence 1
- Building Outlines
- Property Boundaries

N
W E
S

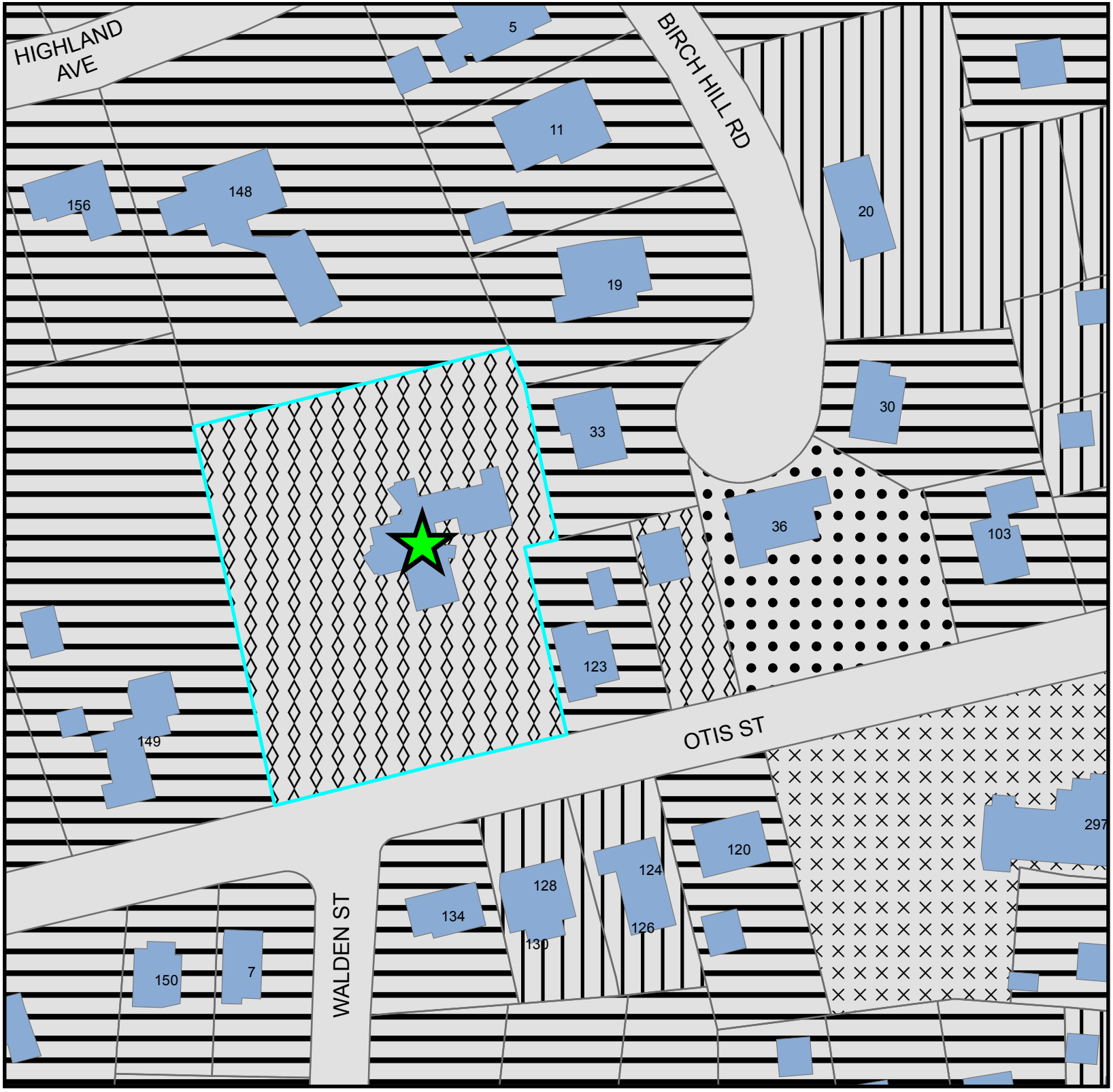
0 0.003 0.006 0.012 0.018 0.024
Miles

ATTACHMENT F

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 - Setti D. Warren
GIS Administrator - Douglas Greenfield

Map Date: August 02, 2013



218-13(2)

Land Use Map
131 Otis Street

City of Newton, Massachusetts

Legend

Land Use

Land Use

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Nonprofit Organizations
- Vacant Land
- Building Outlines

ATTACHMENT G

N
W E
S

0 12.525 50 75 100 125
Feet

NEWTON GIS

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