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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
Stephen Pantalone, Senior Planner

SUBJECT: **Petition #229-13**, Needham Chestnut Realty, LLC, for SPECIAL PERMIT/SITE PLAN APPROVAL and for a NONCONFORMING STRUCTURE to demolish an existing single-story building of approximately 14,084 s.f. and construct a new single-story building containing approximately 7,140 s.f. to be used for retail and restaurant purposes and to waive certain dimensional requirements such as minimum aisle width, lighting, loading docket, interior landscaping, etc. at **170 Needham Street** Ward 8, on land known as SBL 83, 28, 2, containing approx. 24,422 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-13(b),(b)(1) and (5), 30-19(m), 30-19(h)(3), (j)(1), (1) 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.



170 Needham Street

EXECUTIVE SUMMARY

The property at 170 Needham Street consists of a 24,422 square foot lot improved with a one-story 14,084 square foot commercial building constructed in 1952. The petitioner is proposing to demolish the existing building and build a new 7,140 square foot one-story commercial building with parking in the rear. The new commercial building will include a restaurant and three retail spaces, which are nonconforming uses in Mixed Use 1 districts. The petitioner has not identified the specific businesses that will occupy the retail and restaurant spaces. The petitioner is requesting a special permit to allow nonconforming uses and the reconstruction of a nonconforming structure; to waive certain minimum aisle width, lighting, and loading dock requirements; and to waive certain landscaping, fencing or other dimensional requirements.

The proposed one-story building will face Needham Street and have entrances from Needham Street and the rear parking lot. The building will be broken into four stalls, with approximately 5,000 feet dedicated to retail space and the remaining dedicated to a restaurant. The reduction in the size of the proposed building from the existing building will accommodate a larger and more formalized parking lot than currently exists. The proposed parking lot will include lighting and landscaping and will have a total of 33 parking spaces. The number of parking spaces meets the zoning requirements for the proposed mix of uses.

The property abuts the South Meadow Brook, which will require the petitioner to file a notice of intent with the Conservation Commission and to receive approval before pulling permits. Conservation Commission approval of the proposed plan would be a condition of the special permit. The Conservation Commission may require mitigation on the site that requires redesigning the site plan, the severity of which will determine whether the petitioner needs to re-file the special permit request. However, as the petitioner is not adding additional impervious surface to the site and is decreasing the footprint of the building, it's possible the Conservation Commission may not require changes to the proposed site plan. The petitioner has indicated that they will present their project at the next available Conservation Commission hearing, currently scheduled for September 26th.

The site is within the Needham Street Corridor, which is undergoing a master planning process and whose streetscape is expected to undergo significant changes in the future. The Planning Department believes that the proposed site plan and building design advance the Department's vision for the Needham Street Corridor, and closely resemble the recently approved Needham Street Village Shops project at 55 Needham Street.

The Planning Department has minor concerns regarding the lighting and landscaping plans, as detailed in this memo, and also notes that the Conservation Commission may request additional adjustments to the site plan that could alter the special permit request. In addition, the Engineering Department raised concerns about the City's access to the trash gate for the South Meadow Brook at the Needham Street culvert, and the relocation and improvement of

the existing drainage pipe that runs through the site from Jaconnet Street to the Brook.

The Planning Department believes that the proposed uses, site plan, and building design will not adversely affect the neighborhood. The petitioner should provide updated plans that reflect both the Planning and Engineering Departments' concerns prior to a scheduled working session. The petitioner should also file a notice of intent with the Conservation Commission and present the project at the next available hearing.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed restaurant and retail uses will not adversely affect the neighborhood.
- The reconstruction of the structure is not substantially more detrimental than the existing nonconforming structure to the neighborhood.
- Access to parking is appropriate for the number of vehicles involved.
- The waiver of certain lighting requirements will not adversely affect the safety of vehicles and pedestrians on the site, or adversely affect adjacent property owners.
- The waiver of minimal aisle width requirements will not adversely affect the safety of vehicles or pedestrians on the site.
- The waiver of other dimensional, landscaping, fencing or other requirements with which the proposed plan does not comply is in the public interest, or in the interest of public safety or protection of environmental features.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on the Needham Street commercial corridor in Newton Upper Falls between Jaconnet Street and Tower Road. Jaconnet Street is a private way that connects Needham Street to Winchester Street. The Needham Street corridor is comprised of Mixed Use 1 and Mixed Use 2 zoning districts, and the site itself is zoned as Mixed Use 1. Outside of the corridor the land use and zoning is a mix of single- and multi-family residences.

The types of businesses that are adjacent to the site are mostly small retail/service stores (e.g., nail salon, bank, florist, fitness center), with some office space mixed in. The businesses are low-scale one to two-story buildings with surface parking lots in the front and rear.

The corridor is undergoing a comprehensive planning process to create the Needham Street Corridor Master plan. The Planning Department expects significant developments along the corridor in the future in conjunction with public investment in streetscape improvements.

B. Site

The site consists of 24,422 square feet of land and is improved with a one-story 14,084 square foot commercial building. The existing building was originally built for manufacturing, as is evident in its design which has minimal glazing and few architectural features. The existing building is set back 30 feet from Needham Street and its entrance is on Jaconnet Street. Parking is located in the rear of the building and on Jaconnet Street. Since Jaconnet Street is a private way there are no stripings or sidewalks on the portion of the street that runs along the site.

To the south of the site is the South Meadow Brook which is a tributary to the Charles River. The brook runs along the site and then under Needham Street through a culvert. The culvert has a trash gate that is maintained by the City through a parking lot. There is a drainage easement over the culvert between the site and the adjacent property.

The site has a slight slope to the southeast from Needham Street towards the rear of the building, and a significant grade at the southwest property line next to the culvert. The steep grading on the southwest property line is supported by a retaining wall.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The site was zoned as manufacturing until 1987, which allowed retail, office and storage uses by right, and did not require a minimum lot size. After the adoption of the Mixed Use 1 Zoning District in 1987 the lot size and uses became nonconforming. The site was used as Salett's Meat Market from 1970 to 2002, and for retail, storage and office uses since then. The site is currently occupied by Audio Visual Design.

The petitioner is proposing three retail spaces totaling approximately 5,000 square feet, and one restaurant space of approximately 2,000 square feet. The restaurant will have approximately 50 seats. The petitioner has not identified specific businesses at this time.

The Planning Department believes that additional retail and restaurant uses will

complement the existing retail uses along the corridor and the types of uses envisioned in the comprehensive plan. Examples of other retail and restaurant uses on the corridor include a nail salon, bank, dry cleaner, clothing store, Dominos, and CVS.

B. Building and Site Design

The petitioner is proposing to demolish the existing building and construct a new one-story 7,140 square foot commercial building with four commercial spaces. The new building will face Needham Street and will utilize a mostly brick façade with urban design elements such as metal and aluminum paneling, crushed stone and tile base, and glazing. The building will also feature a raised ceiling with glazing and a metal canopy on the corner of Needham Street and Jaconnet Street. The design will be similar to that of the Needham Street Village Shops project. Each of the commercial spaces will have entrances off of Needham Street and from the rear parking lot, as well as signage in the front of the building. The petitioner is asking to waive the requirement for a loading dock.

The proposed building will be set back 15 feet from Needham Street, which will be 15 feet closer to the property line than the existing building. The proposed site plan includes landscaping in the front, side and rear parking lot of the building.

The proposed site plan shows a new sidewalk on Jaconnet Street within the property line that will connect the front to the rear of the site. The petitioner confirmed that no other work is planned for Jaconnet Street. The parking lot in the rear of the building will be expanded and upgraded with new lighting and landscaping.

The Engineering Department Review Memo, as described further in IV.B, noted that the proposed location of the dumpster and transformer will impair access by the City to the trash gate at the Needham Street culvert. The Planning Department suggests the relocation of the dumpster and transformer closer to Jaconnet Street to ensure access to the trash gate and to further protect the Brook. The dumpster should be properly screened and enclosed.

The Planning Department believes that the proposed site plan and building design, with some exceptions for landscaping and lighting improvements, helps achieve the vision for the Needham Street Corridor as established in the Corridor Plan.

C. Parking and Circulation

Parking will be in the rear of the building and accessed from Jaconnet Street. The petitioner is proposing 33 parking stalls, which exceeds the requirement of 14

spaces as calculated by the zoning ordinance formula, and is ten more than currently exists. The Planning Department believes that the amount of parking will be adequate for the proposed uses.

The petitioner is requesting a special permit to allow for 23½-foot aisle widths where 24 feet is required. The Planning Department believes that the impact of the waiver requests for aisle widths will not significantly impact the parking or circulation for this project.

D. Landscape Screening

The proposed landscaping plan provides for shrubs and grass strips in front of the building on Needham Street, shrubs on Jaconnet Street, shrubs and crushed stone on the southwest side of the site, and a combination of trees and shrubs in the parking lot.

The Planning Department noted that it appears that the vegetation in the front of the building shown on the proposed site land may extend beyond the lot line, which would require permission from MDOT.

The proposed landscaping plan indicates that there is existing vegetation between the parking lot and the South Meadow Brook. However, during the Planning Department's site visit it was clear that there is no such existing vegetation, other than a grass strip. The site plans should accurately show the existing vegetation, and should provide an effective buffer between the parking lot and the brook. In their review the Conservation Commission may request additional mitigation through vegetation or other means.

The Planning Department also suggests that to the extent possible the petitioner should provide street trees on Needham Street and Jaconett Street, and a bench on Needham Street close to the bus stop. The suggested modifications to the site plan will help improve the aesthetics of the streetscape and the accessibility for pedestrians.

E. Lighting

The proposed lighting plan calls for three single 15-foot light poles, one back-to-back 15-foot light pole, and two wall-mounted flood lights in the rear of the building. The petitioner has requested a special permit to waive certain lighting requirements because the illumination in certain areas of the parking lot is below the required 1.0 foot candle, and because the illumination beyond the property line in certain areas is above 0.0.

While not included in the lighting illumination plan, the elevations indicate wall-

mounted down/up lighting fixtures on the building faces on Needham Street and Jaconnet Street.

The Planning Department believes that the lighting plan in the rear of the building could be improved from an aesthetic and illumination perspective by providing a greater quantity of lighting fixtures at lower scales that are more distributed throughout the site. At a minimum, the petitioner should revise the lighting plan to reduce the amount of excess lighting beyond the property line.

F. Signage

Based on the renderings in the proposed plans each retail space will have a wall-mounted sign on the building face on Needham Street, and there will be a larger sign over the canopy at the corner of Needham Street and Jaconnet Street. The Planning Department does not have any concerns with the signs shown in the elevations and renderings.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum, (**ATTACHMENT "A"**), provides an analysis of the proposal with regard to zoning. The petitioner is requesting a special permit to allow retail and restaurant uses in a Mixed Use 1 District, to allow for the reconstruction of a nonconforming structure, to waive the minimum aisle width requirement, to waive certain lighting requirements, to waive the requirement for a loading dock and to waive other dimensional, landscaping, fencing or other dimensional requirements.

B. Engineering Review

The Engineering Department memo raised two issues that should be addressed prior to being scheduled for a working session. The first issue is that the proposed location of the dumpster and transformer will block access to the trash gate at the culvert where the South Meadow Brook goes under Needham Street. The trash gate collects debris and is accessed by the City's Utilities Department through the parking lot. The City does not have an easement over the site. The Engineering Department suggests that the petitioner relocate the dumpster and transformer on the site plan, and that the City formalize an agreement with the petitioner to access the trash gate.

The second issue raised in the Engineering Department Memo is the functionality of the drainage plan and access to the drain pipe and manholes. The Engineering Department needs additional clarification regarding the use of the existing catch basin and the placement of the new "water quality" structure, and how they will

connect to the relocated drainage pipe. The Engineering Department also noted that easements by the City and abutters to the drainage system will be necessary since Jaconnet Street is a private way.

The Petitioner should revise the site plan to move the dumpster and transformer, and provide additional clarification on the drainage plan.

C. Fire Department Review

Fire Department review and sign-off is required prior to pulling permits.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following reliefs:

- Section 30-13(b)(1), to allow retail use in the Mixed Use 1 District
- Section 30-13(b)(5), to allow restaurant use in the Mixed Use 1 District
- Section 30-21(b), to allow for the reconstruction of a nonconforming structure
- Section 30-19(h)(3), to waive the minimum aisle width requirement
- Section 30-19(j)(1), to waive certain lighting requirements
- Section 30-19(l), to waive the requirement for a loading dock
- Section 30-19(m), to waive any other dimensional, landscaping, fencing or other requirements with which plans do not comply

VI. PETITIONERS' RESPONSIBILITIES

At the public hearing or prior to being scheduled for a working session:

- The petitioner should submit revised landscaping plans to accurately show the existing grass on the southwest side of site between the parking lot and the South Meadow Brook. The revised plans should also indicate proposed landscaping that will serve as a buffer between the parking lot and the brook.
- The petitioner should investigate alternative lighting plans to reduce light illumination beyond the site.
- The petitioner should investigate moving the dumpster and transformer on the proposed site plan to ensure access by the City to the trash gate at the Needham Street culvert.
- The petitioner should submit the proposed site plan to the Fire Department for review and approval.
- The petitioner should file a Notice of Intent with the Conservation Commission.

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum
- Attachment B:** Engineering Review Memorandum
- Attachment C:** Zoning Map
- Attachment D:** Land Use Map
- Attachment E:** Conservation Commission Wetland Filings Map



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Attachment A

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 17, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Alan Schlessinger, Attorney for the applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming use.

Applicant: Marc Kaplan, Needham Chestnut Realty LLC	
Site: 170 Needham Street	SBL: 83 28 2
Zoning: MU1	Lot Area: 24,422 square feet
Current use: Retail/office	Proposed use: Retail/restaurant

BACKGROUND:

The property at 170 Needham Street consists of a 24,422 square foot lot improved with a 14,084 square foot commercial building built in 1952 and a surface parking area. Originally office/industrial use, the property was used from 1970 to about 2002 as "Salett's Meat Market", a nonconforming retail use, and from 2002 on it has been used for retail, storage and office use. The applicants propose to raze the existing building and build a 7,140 square foot single story building containing restaurant and retail uses.

Prior to 1987 the property was zoned as Manufacturing. At the time, retail, office and storage uses were allowed as a matter of right and there was no minimum lot size in the Manufacturing District. The retail and storage uses became nonconforming in 1987 after the adoption of the Mixed Use zoning district. The lot area requirement increased to 40,000 square feet, thus making the 24,422 square foot lot nonconforming as well.

A special permit (BO #1093-70) was issued in 1971 permitting a free-standing sign on-site. This special permit was amended in 2003 to allow for updates to the sign.

A variance (BO 63-87) in 1987 allowed relief from the front setback requirement from Jaconet Street to locate housing for an additional freezer five feet from the lot line.

Finally, a special permit was granted to the prior owner of the property in 2000 allowing for the extension of the nonconforming use and parking to permit construction of a new retail building. The special permit was never exercised and expired. The property was then sold to the current owner and is being used partially as retail, partially as office and partially as storage for an audio visual store.

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

- Zoning Review Application, prepared Alan Schlesinger, Attorney, dated 5/15/13
- Land Court Plan 37224, dated as of 1/6/71, creating the lot
- Building Permit, dated 1/2/1952
- Transfer Certificate of Title, dated 2/14/13
- City of Newton Board Order #1093-70, dated 1/18/1971
- City of Newton Board Order #63-87, filed 2/18/1988
- City of Newton Board Order #167-00, dated 6/19/00
- City of Newton Board Order #203-03, dated 7/14/03
- Average Grade Plane Calculation Worksheet, prepared by Hilde Karpawich, Kelly Engineering Group, Inc, dated 5/13/13
- Engineering Plans
 - Existing Conditions Plan, signed and stamped by Steven M Horsfall, dated 5/13/13
 - Layout Plan, signed and stamped by David Noel Kelly, dated 5/13/13
- Architectural Plans, signed and stamped by Hans Strauch, dated 5/13/13
 - Schematic Floor Plan
 - Needham Street Elevation
 - Jaconnet Street Elevation
 - Side Elevation
 - Parking Lot Elevation
- Signage Plans
 - Floor Plan
 - Needham Street Elevation
 - Jaconnet Street Elevation
 - Side Elevation
 - Parking Lot Elevation

ADMINISTRATIVE DETERMINATIONS:

1. The applicant is proposing retail and restaurant use for the new building. According to Section 30-13(b)(1), a special permit is required to locate retail in the Mixed Use District, and a special permit is required for a restaurant use per 30-13(b)(5).
2. The lot has 27,178 square feet in a district where 40,000 square feet is required, and is therefore nonconforming. Section 30-21(b) allows the reconstruction of a nonconforming structure by special permit.
3. The applicant proposes to dedicate 5,000 square feet to a retail use and the remaining area will be dedicated to a restaurant use. Currently, the existing retail, office and storage uses on site require

48 parking stalls per Section 30-19 of the Ordinance, however 23 are physically available. Utilizing the formula found in Section 30-19(c)(2) of A-B+C

A (number of off-street stalls required for proposed use - 39) – B (number of stalls required by previous use - 48) + C (number of stalls located on premises - 23) = **14 spaces required**

The applicant is proposing to construct 33 parking stalls on site, therefore no parking waiver is required.

4. The applicant is proposing 23.5 foot aisle widths, where 24 feet is required per Section 30-19(h)(3) for 90 degree parking. A special permit is required to waive the minimum aisle width requirement.
5. The applicant is seeking a special permit to waive the requirements for lighting per Section 30-19(j) and the loading dock requirement per Section 30-19(l).
6. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-13(b)(1)	To allow retail use in the Mixed Use 1 District	S.P. per §30-24
§30-13(b)(5)	To allow restaurant use in the Mixed Use 1 District	S.P. per §30-24
§30-21(b)	To allow for the reconstruction of a nonconforming structure	S.P. per §30-24
§30-19(h)(3)	To waive the minimum aisle width requirement	S.P. per §30-24
§30-19(j)(1)	To waive certain lighting requirements	S.P. per §30-24
§30-19(l)	To waive the requirement for a loading dock	S.P. per §30-24
§30-19(m)	To waive any other dimensional, landscaping, fencing or other requirements with which plans do not comply	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 – 170 Needham Street

Date: July 31, 2013

CC: Lou Taverna, PE City Engineer
Frank Nichols, PE Special Projects
Ted Jerdee, Superintendent Utilities
Linda Finucane, Associate City Clerk
Alexandria Ananth, Chief Planner
James Freas, Chief Planner
Stephen Pantalone, Planner

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

*Retail Building
170 Needham Street
Newton, MA
Prepared by: Kelly Engineering Group, Inc.
Dated: 6/26/13*

Executive Summary:

The existing building on this lot is to be razed, and a new single story commercial building will be erected. The entire site is within the jurisdiction of the Newton Conservation Commission as it abuts South Meadow Brook.

The City has a trash grate at the inlet of the box culvert that lies between this property and #180 Needham Street. The trash grate collects debris that falls into South Meadow Brook; currently the City only has an easement along the brooks alignment. Access to this trash grate has been via the parking lot on #170 and based on a “*gentlemen’s agreement*” between the property owner and the Utilities Division, which has work all these years; however with the placement of the proposed transformer & dumpster, access will be hindered. I would recommend that the transformer & dumpster be relocated, and

if the access to South Meadow Brook & the trash grate via the new parking lot could be formalized in a format acceptable to the Law Department, it would be very helpful for the Utilities Division for future maintenance. (See photo).

Repaired Walls & Trash Grate: #170 is to the right in this photo.



An existing 15” reinforced concrete drainpipe from Jaconnet Street traverses this property and connects to the South Meadow Brook, which needs to be relocated. In concert with the relocation, a water quality structure should be installed prior to the final connection to South Meadow Brook; this will improve water quality being directed to the brook. Any construction or new landscape features within the limits of Needham Street will need a MassDOT Permit.

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. Based on the narrative of the Stormwater Management Report a double catch basin will be utilized to collect runoff from the parking lot, what is not clear is the existing double catch basin to be re-utilized, if so that has a direct connection to the South Meadow Brook and short circuits the proposed “water quality” structure. The configuration or placement of the water quality structure is not fulfilling its design intent in this case. It should be placed after the double catch basin and before the outfall at the brook.
2. The relocation of the 15” drain pipe needs an easement, the easement is needed for the legal rights of the abutting properties along Jaconnet Street (a private way) since they own to the centerline of the street. Furthermore, it appears that drainage from the abutting lots are piped into the drain manhole within Jaconnet Street. The easement would memorialize the access for maintenance.
3. Details of the recharge chambers are needed, specifically: invert, bottom of stone elevation, depth to ground water. The top of the entire system shall have filter fabric placed over the crushed wash stone, then a 3” layer of Peastone and finally covered with filter fabric.
4. 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. This is for the 15” connection into the box culvert of South Meadow Brook.
5. 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 chambers, catch basins, and pipes are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted 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. 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 they are in PDF format on the City's website.
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 videotaped 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. Fire flow testing is required for the proposed fire suppression system. The applicant must coordinate this test with both the Newton Fire Department and the Utilities Division; representatives of each department shall witness the testing, test results shall be submitted in a write report. Hydraulic calculation shall be submitted to the Newton Fire Department for approval.
2. For water quality issues a fire hydrant will be required at the end of the proposed water main. This hydrant will be utilized for flushing out the main as required.
3. 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.
4. 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. All site work must be completed for a Certificate of Occupancy. *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.

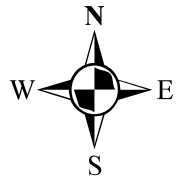
229-13 Zoning Map 170 Needham St.

*City of Newton,
Massachusetts*

Legend

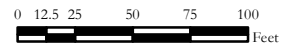
- Building Outlines
- Streets - Pavement Edge
- Streams**
 - Perennial
- Zoning**
 - Multi-Residence 1
 - Mixed Use 1
 - Mixed Use 2

ATTACHMENT C



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 08, 2013




229-13
Land Use Map
170 Needham St.

*City of Newton,
 Massachusetts*




Legend

-  Building Outlines
-  Streets - Pavement Edge

Streams

-  Perennial

Land Use

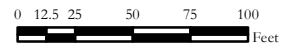
-  Single Family Residential
-  Multi-Family Residential
-  Commercial

ATTACHMENT D

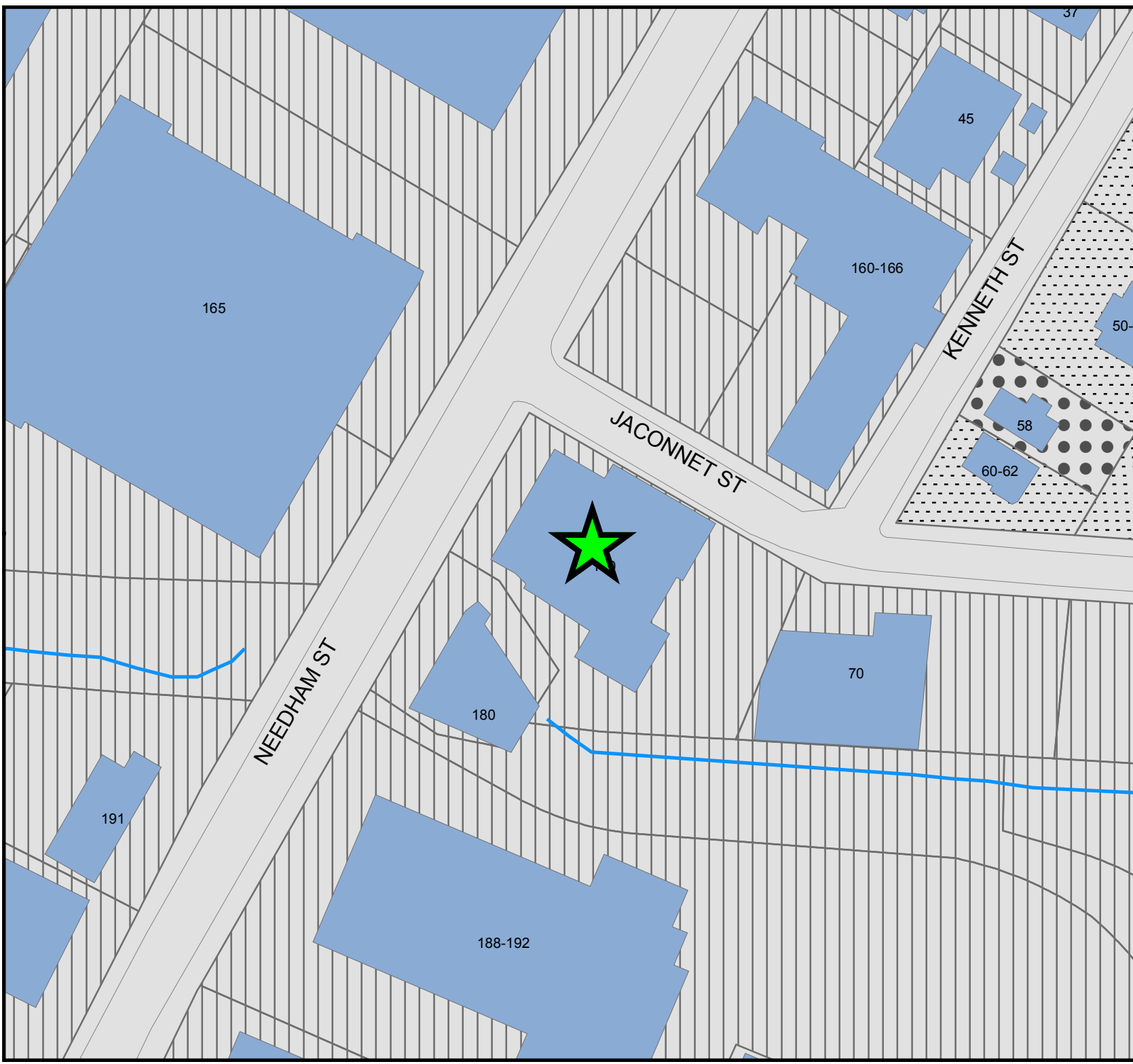


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CITY OF NEWTON, MASSACHUSETTS
 Mayor - Setti D. Warren
 GIS Administrator - Douglas Greenfield



Map Date: August 08, 2013



ConCom
Wetland Map
170 Needham St.

City of Newton,
Massachusetts

Legend

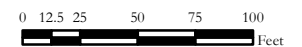
- Building Outlines
- Streams**
 - Perennial
 - ConCom Wetland Filings

ATTACHMENT E



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



Map Date: August 08, 2013

