



Setti D. Warren
Mayor

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James Freas
Acting Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: February 3, 2015
Land Use Action Date: March 3, 2015
Board of Aldermen Action Date: March 16, 2015
90-Day Expiration Date: May 4, 2015

DATE: January 30, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner 

SUBJECT: **Petition #360-14**, 112 NEEDHAM STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to demolish an existing two-story commercial building and construct a new 2½-story commercial building approximately 29' in height with a parking facility including waivers from front and side setbacks and lot area requirements; the number of parking stalls; end stall maneuvering space; and off-street loading requirement and Floor Area Ratio up to 1.5 at **112 Needham Street**, Ward 8, on land known as SBL 83, 12, 7, containing approx. 7,500 sq. ft. of land in a district zoned Mixed Use 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-19(d)(11), (15) and (m), and 30-19(h)(2)e) and, 30-19(l) Table of Off-Street Loading Requirements 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.



112 Needham Street

EXECUTIVE SUMMARY

The property at 112 Needham Street consists of a 7,500 square foot lot in a Mixed Use 2 zoning district, improved with a two-story commercial building and six parking stalls. The existing structure is nonconforming, as it is located within the setbacks and its parking facilities do not meet the requirements of the Newton Zoning Ordinance (NZO). The petitioner is proposing to demolish the existing building and to construct a new 2½-story commercial building with parking and storage on the ground floor, office space on the second floor, and storage/mechanical space in the ½-story. The petitioner is seeking a special permit to extend the nonconforming structure, to exceed the Floor Area Ratio (FAR), building height, and number of stories allowed by right, to waive one parking stall, to waive the end stall maneuvering space requirement, and to waive off-street loading requirements. The staff of the Newton Historical Commission found that the existing building was not preferably preserved (**ATTACHMENT A**).

The existing commercial building comprises most of the site, and the pull-in parking stalls comprise the entire frontage of the lot. The petitioner is proposing to expand the footprint of the existing building by approximately 613 square feet and the height of the building by an additional half-story, or approximately ten feet. The petitioner will also close a portion of the existing curb cut, and will provide a new sidewalk and landscaping in front of the property. The front façade of the proposed building will consist of a brick material with architectural details; however a portion of the middle of the building will be open with parking stalls visible on the ground floor.

The petitioner has indicated that they will own and operate the office space for their real estate management company, Arin Realty Company which has five employees and is currently located on Lincoln Street in Newton Highlands. The petitioner also noted that some of their employees do not work full time in the office, and that the ten parking stalls are sufficient for their business needs. Based on the type of business and number of employees, the number of proposed parking stalls appears adequate. Furthermore, due to the size of the lot there is limited ability to provide the number of parking stalls required by the NZO for most types of uses.

While the Planning Department would prefer to see larger consolidation of lots within the Needham Street corridor that would allow for parking in the rear of sites and a more activated ground floor, it has no authority to force such consolidations on property owners. The Planning Department believes that the proposed project is an improvement to site, particularly in terms of safety for vehicles exiting the site and in terms of the materials of the front façade. To further improve the proposed building from the streetscape and the pedestrian environment, the Planning Department suggests utilizing a brick façade on the sides of the building and enclosing a greater portion of the ground floor, reducing the curb cut/garage entrance to 20 feet, using the ground floor windows for display in order to hide views of the parking area, and provide an awning on both sides of the front façade of the building.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- Literal compliance with the parking requirements, including the number of parking stalls on the site, is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest. (§30-19(d)(11),(15) and §30-19(m))
- The proposed building will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood. (§30-21(b))
- The specific site is an appropriate location for the proposed building and office use. (§30-24(d)(1))
- The proposed building and office use, as developed and operated will not adversely affect the neighborhood. (§30-24(d)(2))
- There will be no nuisance or serious hazard to vehicles or pedestrians (§30-24(d)(3))
- Access to the site over streets is appropriate for the types and number of vehicles involved. (§30-24(d)(4))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located in the Needham Street commercial corridor between Rockland Ave and Columbia Ave across from the McDonalds restaurant. The land uses within the corridor consist of mostly retail, service and office types of uses (**ATTACHMENT B**). The site is located within a Mixed Use 2 zoning district (**ATTACHMENT C**).

B. Site

The site consists of a 7,500 square foot lot improved with a two-story commercial building with retail space, and six parking stalls located in front of the building. The location of the parking stalls requires cars to back out into Needham Street to exit. The site does not have any significant grading or landscaping.

The existing building is nonconforming because it is located in the side and front setback and does not have adequate parking facilities. The Planning Department

believes that the existing building façade and parking layout detracts from the streetscape.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is proposing to replace the existing 4,747 square foot retail use with an office use. The office space will be used for the owner's real estate management company, Arin Realty Co., which is currently located on Lincoln Street in Newton Highlands. The petitioner will use the office space for its five employees and property records and will use the ground floor storage space for its equipment. The Planning Department does not have any concerns with the proposed change in use, as the proposed use is allowed by right in this zoning district.

B. Building and Site Design

The proposed building will consist of 2½ stories with an FAR of 1.43. The ground floor will consist of ten parking stalls, including one handicap accessible stall, 1,328 square feet of storage space, an elevator, and a trash room; the second floor will consist of 5,360 square feet of office space; and the half-story will be used for the mechanical equipment and additional storage. The front façade of the building will consist of brick with soldier courses and a metal cornice, whereas the side and rear of the building will consist of a cementitious or stucco siding in contrasting colors. The ground floor will be open along a portion of the ground floor of the building which will allow portions of the parking to be visible from the public way. The building will have a sloped roof to allow for the additional half-story.

The proposed site plan will expand the footprint of the building by a total of 613 square feet, and will decrease the front setback by two feet, increase the side (south) by .8 feet, decrease the side setback (north) by .8 feet, and increase the rear setback by 4.4 feet. The proposed site plan will also create a new sidewalk along the front property line and provide landscaping, including street trees, in front of the property. The petitioner is proposing two drywells in front of the building and trench drains along the side and rear of the property that will collect runoff.

The Planning Department believes that the proposed building and site changes, and therefore the special permit relief requested, will be an improvement over the existing conditions, both from an aesthetic and functional perspective. The proposed building will provide a front façade with a brick material and architectural details that will be more visually appealing than the current structure and the existing pull in parking stalls. The proposed site plan will also close a portion of the

curb cut and add much needed landscaping to the corridor. However, the Planning Department believes that additional changes could further improve/activate the proposed project and its impact on the streetscape and pedestrian environment. These improvements include enclosing a greater portion of the ground floor so that the parking is not visible from the public way, continuing the brick façade around the sides of the building, reducing the curb cut/garage entrance to 20 feet, providing displays in the ground floor windows to engage pedestrians, and add an awning on both sides of the front façade of the building.

C. Traffic and Parking

The petitioner submitted a Traffic Assessment report from MDM Transportation Consultants (**ATTACHMENT D**), which projected trips generated by the existing and proposed uses based on the published ITE trip rates. The report found that there would be a net decrease in the amount of traffic from the site with the proposed use, even with the additional commercial space.

The change of use from retail to office and the additional storage space increases the number of onsite parking stalls required by the NZO from 18 to 23. The petitioner is proposing to increase the number of parking stalls on the site from six to ten. Because there is an existing parking credit on the site, the requested parking waiver is only one stall. The Planning Department believes that a parking waiver is reasonable, as the size of the site provides limited opportunity for expansion. The Planning Department notes that if the storage space on the ground floor were removed it may be possible that one or two more stalls could be accommodated. While the additional stalls would eliminate the need for a parking waiver, it would still fall significantly short of the spaces required by the use under the NZO calculation. The Planning Department believes that the parking layout, which will remove the current back-out parking, will be a significant improvement in terms of safety.

The petitioner has indicated that there are five employees of the family-owned/run company, some of which only work part-time, and that because they are a real estate management company, there are very few customers/tenants visiting the site. Therefore the employees will occupy a maximum of five of the ten parking stalls, leaving five stalls for the occasional customer/tenant. Based on this information it appears that despite the significant parking deficit as calculated under the NZO, the proposed number of parking stalls is adequate for the use.

D. Landscape Screening

The petitioner is proposing to plant several trees and bushes along the front of the building. The Planning Department believes this will be a significant

improvement over the existing conditions on the site, and to the corridor, which has minimal vegetation along the frontage.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum (**ATTACHMENT E**) provides an analysis of the proposal with regard to zoning. The petitioner is seeking the following reliefs:

- Section 30-21(b), and Section 30-15, Table 3, to allow for the extension and reconstruction of a nonconforming structure as to side and front setbacks
- Section 30-15, Table 3, to exceed FAR of 1.0 but less than 1.5
- Section 30-15, Table 3, to allow a 2½-story building
- Section 30-15, Table 3, to allow a building height greater than 24 feet but less than 36 feet
- Section 30-19(d)(11) and (15), and Section 30-19(m), to waive one parking stall
- Section 30-19(h)(2)(e), and Section 30-19(m), to allow end maneuvering aisles of less than five feet to a wall
- Section 30-19(l) and Table of Off-Street Loading Requirements, to waive the off-street loading requirements for structures 5,000 to 50,000 square feet in gross floor area

B. Engineering Review

The Engineering Division Memorandum, (**ATTACHMENT F**), provides an analysis of the proposal with regard to engineering issues. The Associate City Engineer notes that a drainage system is provided on the site but that a drainage study and report was not provided. The Associate City Engineer also recommends removing the infiltration trench along the property lines as it is located too close to the property line, and expanding the drainage system in front of the building. The petitioner will be required to obtain approval from the Engineering Division prior to receiving a building permit, if the special permit is approved.

C. Historical Commission Review

The staff of the Newton Historical Commission found that the existing structure was not preferably preserved (**ATTACHMENT A**).

V. PETITIONER'S RESPONSIBILITIES

The petitioner should consider the suggestions made by the Planning Department regarding the proposed materials used for the side facades of the building, increasing the enclosed portion of the garage, reducing the width of the curb cut/garage entrance, providing displays in the ground floor windows, and providing an additional awning on the front of the proposed building. The petitioner should also address the recommendations in the Engineering Division Memorandum to enlarge the drainage system in front of the building and to remove the trench drains.

ATTACHMENTS:

- Attachment A:** NHC Determination
- Attachment B:** Land Use Map
- Attachment C:** Zoning Map
- Attachment D:** Traffic Study
- Attachment E:** Zoning Review Memorandum
- Attachment F:** Engineering Memorandum



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Candace Havens
Director

REQUEST FOR DEMOLITION REVIEW

DATE RECEIVED: _____

PROJECT #: _____

PROJECT ADDRESS: 112 Needham Street

PROJECT INFORMATION

TYPE OF DEMOLITION: PARTIAL ** TOTAL

(** "Partial" demolition of a structure is the alteration or removal of over 50% of any single exterior wall surface or roof structure. Each is calculated by square footage.)

STRUCTURE TO BE DEMOLISHED (Check all that apply):

HOUSE GARAGE SHED NON-RESIDENTIAL BUILDING OTHER

IF OTHER, PLEASE DESCRIBE: _____

WHAT YEAR WAS THE STRUCTURE BUILT: 1952

IS THE STRUCTURE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES? YES NO

DESCRIPTION OF THE DEMOLITION REQUEST BELOW (Briefly describe the project):

The applicant proposes to demolish the existing single-story commercial building and replace it with a new commercial building.

IF KNOWN, BRIEFLY DESCRIBE THE KNOWN HISTORY OF THE PROPERTY:

THE REVIEW APPLICATION SHOULD INCLUDE THE FOLLOWING INFORMATION

REQUIRED DOCUMENTATION:

- PHOTOGRAPHS OF THE AFFECTED STRUCTURE FROM THE FRONT, REAR, AND SIDES AND STREET.
- ASSESSOR'S MAP SHOWING PROPERTY LOCATION
- BUILDING ELEVATION PLANS 11" X 17" OR SMALLER (FOR PARTIAL DEMOLITIONS ONLY).

SUGGESTED DOCUMENTS:

- BUILDING ELEVATION PLANS OR SKETCHES 11" X 17" OR SMALLER
- BUILDING PRODUCT/MATERIAL INFORMATION
- SITE PLAN
- PHOTOS OF NEIGHBORHOOD

APPLICATION AUTHORIZATION

PROPERTY OWNER: 112 Needham ST LLC
(Print name)

Stephen Buelbeide 7-1-14
(Signature name) (Date)

ATTORNEY FOR OWNER

(All plans **MUST** be dated, drawn to scale, and clearly labeled. An inaccurate or incomplete application will **NOT** be accepted. Please review the reverse of this form for additional information.)

NOTE: This Application MUST be accompanied by a General Permit Application.



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Director

GENERAL PERMIT APPLICATION

PROJECT #: 14070008 ZONING DISTRICT: MU-2 DATE RECEIVED: 7/2/14

PROJECT DESCRIPTION:

The applicant proposes to demolish the existing single story commercial building and replace it with a new commercial building.

PROPERTY LOCATION INFORMATION

STREET ADDRESS: 112 Needham Street CITY/ZIP: Newton 02461

LEGAL DESCRIPTION (SECTION, BLOCK, LOT): 83 012 0007

PROPERTY OWNER INFORMATION

NAME: 112 Needham ST LLC PHONE: N/A ALT. PHONE: N/A

MAILING ADDRESS: N/A E-MAIL ADDRESS: N/A

PROPERTY OWNER CONSENT

I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:

- 1. This application for a land use permit or administrative approval for development on my (our) property is made with my permission.
- 2. I (we) grant permission for officials and employees of the City of Newton to access my property for the purposes of this application.

X Stephen J. Buchbinder, attorney for owner 7-1-14
(Property Owner Signature) (Date)

X _____ (Date)

NOTICE: The City of Newton staff may need access to the subject property during regular business hours and will attempt to contact the applicant/agent prior to any visit. Further, members of a regulatory authority of the city may visit the property as well.

APPLICANT / AGENT INFORMATION

NAME: Stephen J. Buchbinder, Esquire PHONE: 617-965-3500 ALT. PHONE: N/A

MAILING ADDRESS: 1200 Walnut Street, Newton 02461 E-MAIL ADDRESS: sjbuchbinder@sab-law.com

X Stephen J. Buchbinder 7-1-14
(Applicant/Agent Signature) (Date)

NOTICE: The applicant/agent is the primary contact and may be any individual representing the establishment or property owner. The applicant/agent must also be legally authorized to make decisions on behalf of the Property Owner(s) in regards to the application.

OFFICE USE ONLY BELOW THIS LINE

CHECK APPROPRIATE PERMIT OR REVIEW PROCESS (CHECK ALL BEING SUBMITTED)	
<input type="checkbox"/> Zoning Review Application	<input type="checkbox"/> Comprehensive Permit
<input type="checkbox"/> Administrative Site Plan Review	<input type="checkbox"/> Variance Application
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Historic Preservation Review
<input type="checkbox"/> Special Permit/Site Plan Approval	<input type="checkbox"/> Conservation Commission Review
<input type="checkbox"/> Fence Appeal	<input type="checkbox"/> Other, describe _____
Comments: _____	PERMIT INTAKE INITIALS AND DATE STAMP

NOTE: This form MUST accompany all other Department of Planning and Development applications.

To Be Completed By Applicant



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Candace Havens
Director

Newton Historical Commission Demolition Review Decision

Date: 7/3/2014 Zoning & Dev. Review Project# 14060008

Address of structure: 112 Needham Street

Type of building : Commercial building

If partial demolition, feature to be demolished is _____

The building or structure:

- is _____ is not in a National Register or local historic district not visible from a public way.
- is _____ is not on the National Register or eligible for listing.
- is _____ is not importantly associated with historic person(s), events, or architectural or social history
- is _____ is not historically or architecturally important for period, style, architect, builder, or context.
- is _____ is not located within 150 feet of a historic district and contextually similar.

is **NOT HISTORIC** as defined by the Newton Demolition Delay Ordinance.
Demolition is not delayed and no further review is required.

is _____ **HISTORIC** as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

_____ **APPROVES** the proposed project based upon materials submitted see below for conditions (if any).
Demolition is not delayed, further staff review may be required.

_____ **DOES NOT APPROVE** and the project requires
Newton Historical Commission review (See below).

The Newton Historical Commission finds the building or structure:

is _____ **NOT PREFERABLY PRESERVED**
Demolition is not delayed and no further review is required.

is _____ **PREFERABLY PRESERVED – (SEE BELOW).**

Delay of Demolition:

_____ is in effect until _____

_____ has been waived - see attached for conditions

Determination made by:

 NHC

Please Note: if demolition does not occur within two years of the date of expiration of the demolition delay, the demolition will require a resubmittal to the Historical Commission for review and may result in another demolition delay.

Land Use Map 112 Needham Street

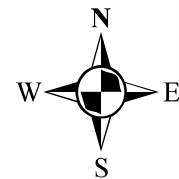
City of Newton,
Massachusetts

Legend

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Nonprofit Organizations
- Vacant Land

ATTACHMENT B

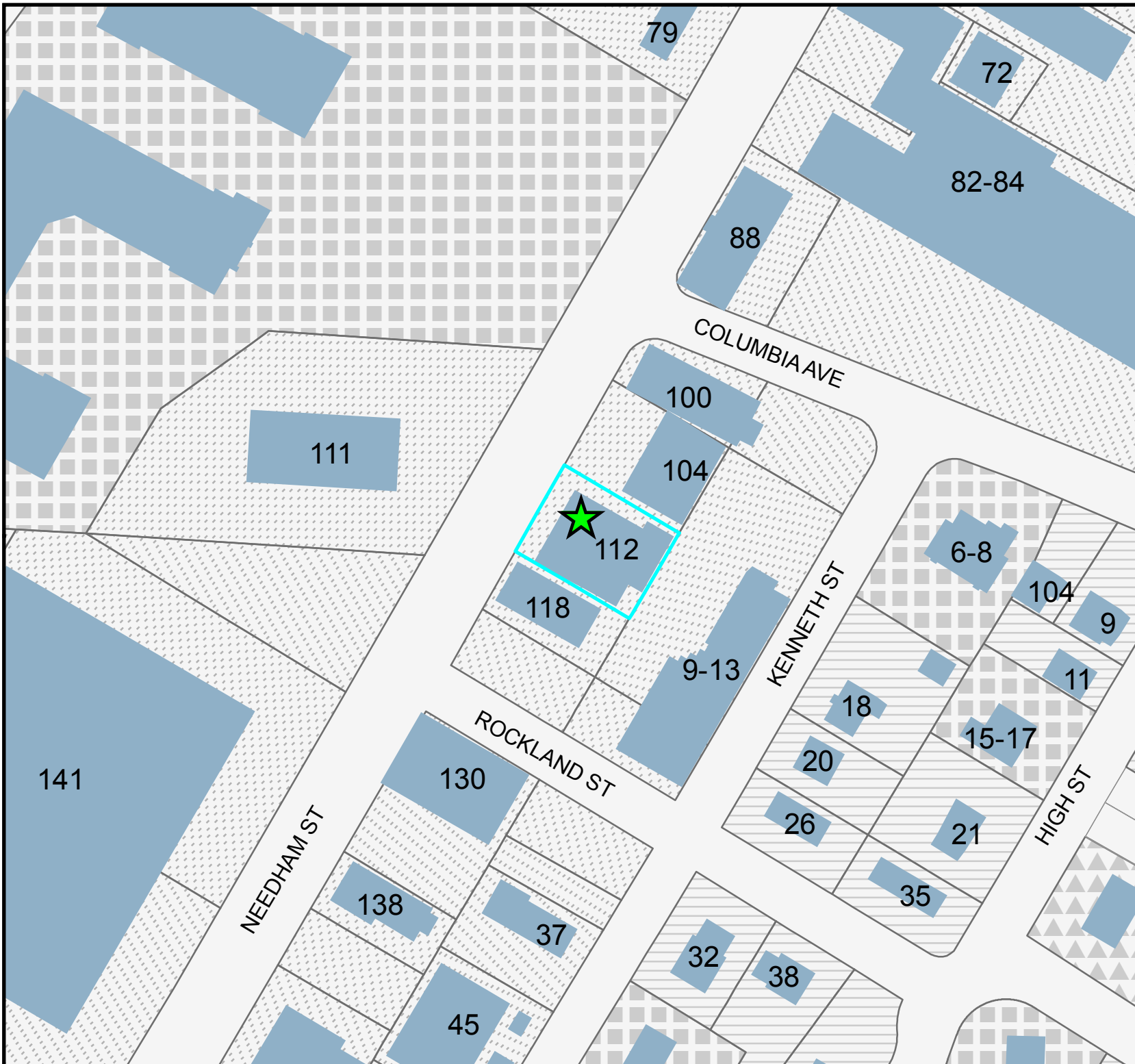


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

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

0 12.5 25 50 75 100 125
Feet

Map Date: January 28, 2015



Zoning Map 112 Needham Street

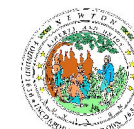
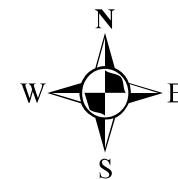
City of Newton,
Massachusetts

Legend

Zoning

- Multi-Residence 1
- Mixed Use 1
- Mixed Use 2

ATTACHMENT C

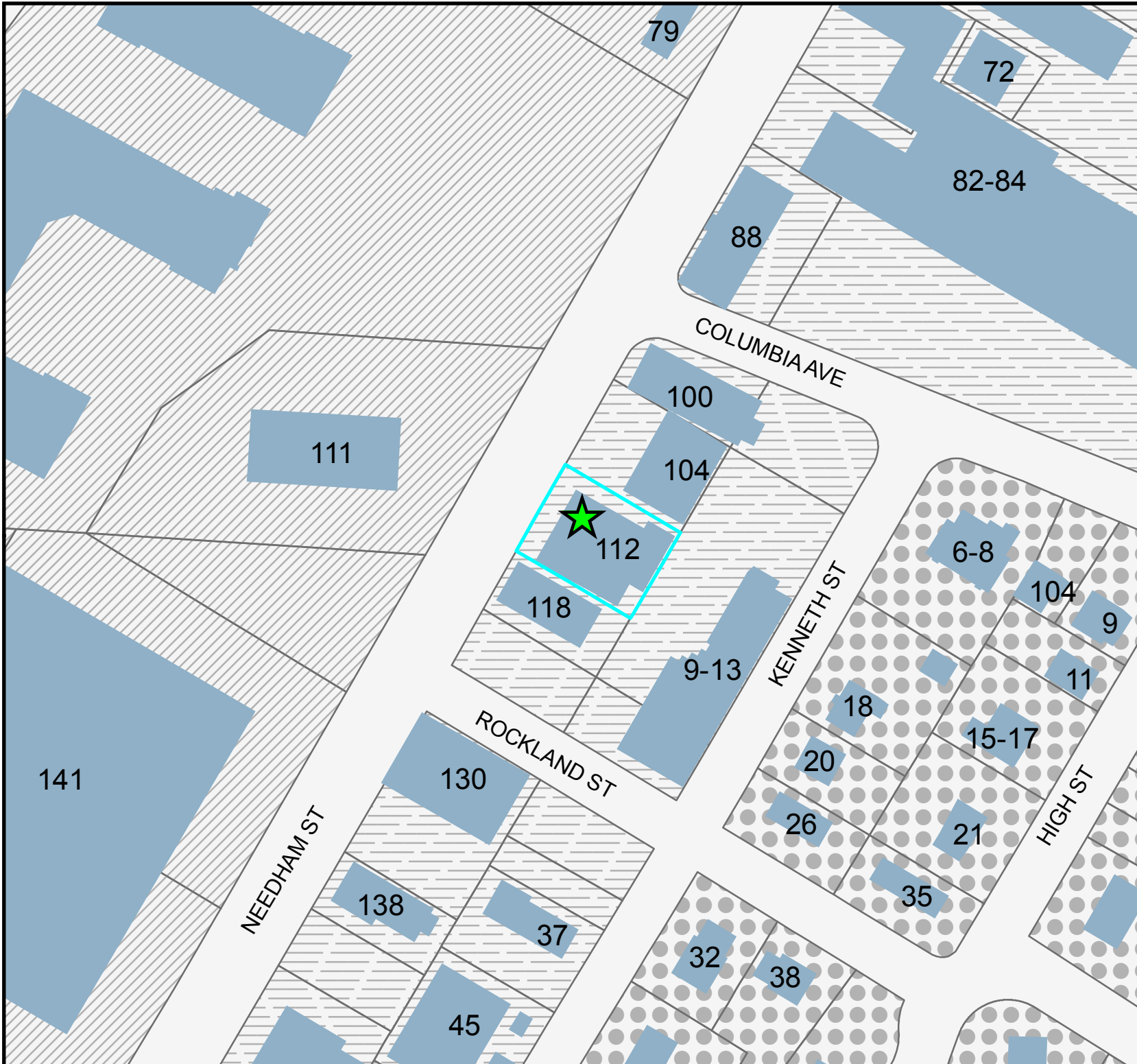


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CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

0 12.5 25 50 75 100 125
Feet

Map Date: January 28, 2015



PRINCIPALS

Robert J. Michaud, P.E.
Ronald D. Desrosiers, P.E., PTOE
Daniel J. Mills, P.E., PTOE

November 20, 2014

Mr. Franklin J. Schwarzer, II
Schlesinger and Buchbinder, LLP
1200 Walnut Street
Newton, MA 02461

Subject: Traffic Assessment – Proposed Office Redevelopment
112 Needham Street – Newton, Massachusetts

Dear Franklin:

MDM Transportation Consultants, Inc. (MDM) has prepared this technical letter to provide a traffic assessment of the proposed redevelopment of 112 Needham Street in Newton, Massachusetts. This letter discusses the proposed access and anticipated trip generation characteristics of the proposed office use as they relate to historical site conditions.

In summary, MDM finds that the proposed office development program generally results in reduced impact relative to historical retail use at the site. Furthermore, the proposed office development is a very low traffic generator that is estimated to generate one vehicle trip every 5 minutes during peak hours. The existing curb cut will be narrowed to provide a single driveway that is subject to Massachusetts Department of Transportation (MassDOT) design standards and will result in a reduction in vehicular conflicts and enhanced operating conditions.

PROJECT DESCRIPTION

Existing Site Conditions

The project site is an approximate 0.17-acre parcel located at 112 Needham Street in Newton, Massachusetts. The site is currently occupied by a 5,120± sf commercial building consisting of one retail tenant (Play It Again Video) and vacant retail space (recently occupied by JTC Printing). Access to the site is provided by a single, wide curb cut that extends the entire property frontage along Needham Street. On-site parking is provided with 6 marked parking spaces located perpendicular to the existing commercial building immediately adjacent to Needham Street requiring vehicles to back out onto Needham Street to exit the site.

Proposed Conditions

The current site development program includes razing the existing commercial building and constructing a 7,210± sf office building with 5,810± sf of office space designated for a single real estate office tenant and 1,400± sf of ancillary storage space. On-site parking will be provided on the first level of the proposed building with 11 marked parking spaces. The existing curb cut will be narrowed to provide a single driveway that is subject to Massachusetts Department of Transportation (MassDOT) design standards. The preliminary site layout prepared by R.E. Cameron & Associates, Inc. is presented in **Figure 1**.

EXISTING ROADWAY CHARACTERISTICS

Needham Street

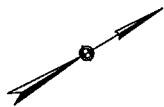
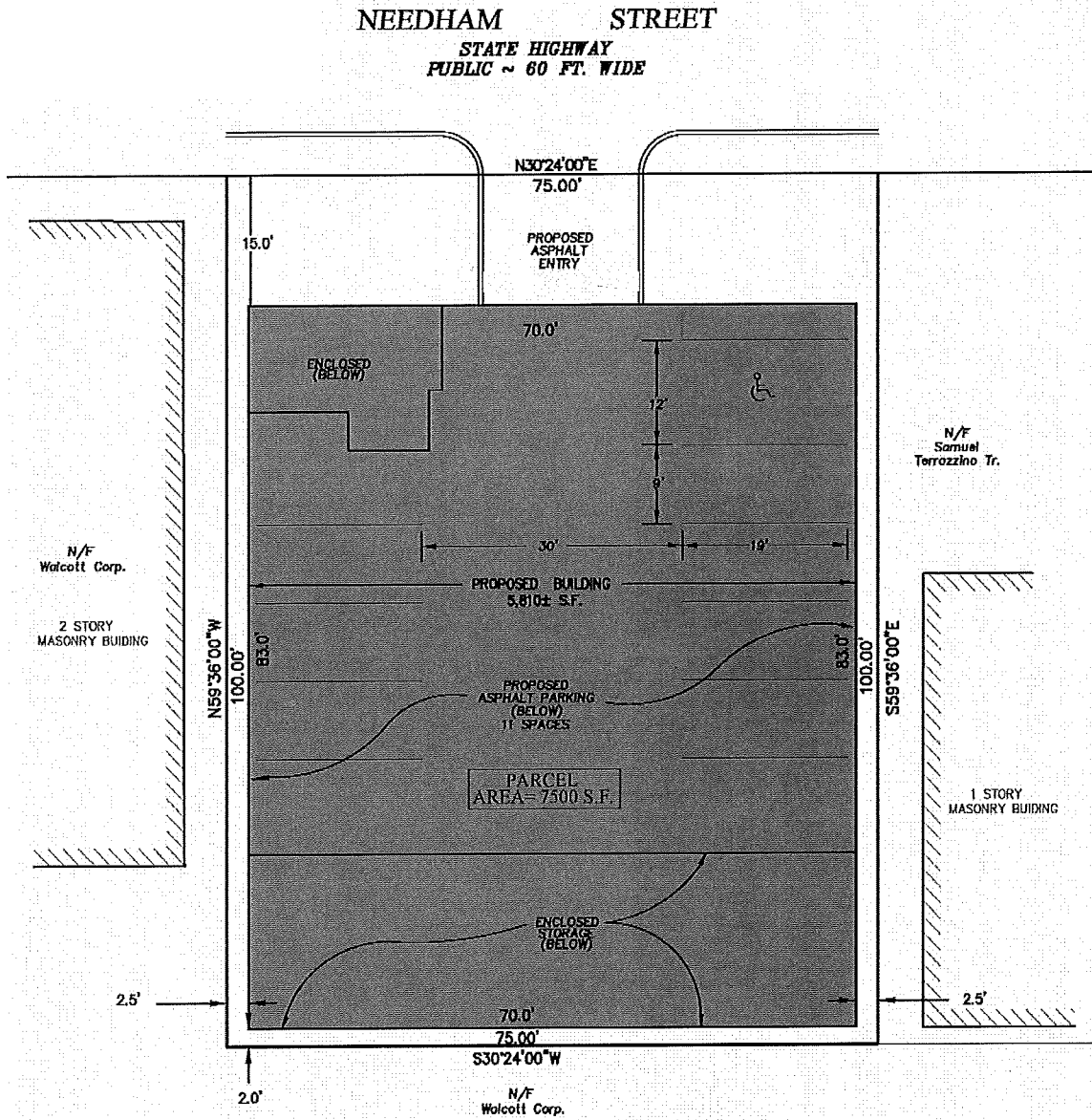
Needham Street is a State (MassDOT) jurisdiction roadway that is classified by the Massachusetts Department of Transportation (MassDOT) as an Urban Minor Arterial roadway. Needham Street generally provides one travel lane in each direction with a two-way left turn lane within the site vicinity that turns into an exclusive northbound left-turn lane for vehicles traveling through the nearby Needham Street/Columbia Avenue intersection. Sidewalks are currently provided on both sides of the roadway. Land use along Needham Street in the site vicinity is primarily commercial.

MassDOT is currently in the preliminary design phase of MassDOT Project No. 606635 which includes proposed geometric improvements along the Needham Street corridor, including in front of the site. Based on the Functional Design Report¹ (FDR) prepared for the MassDOT project, Needham Street in the site vicinity carries approximately 27,600 vehicles per day (vpd). The roadway project is expected to improve traffic flow along the corridor and enhance traffic operations in the site vicinity. Re-development of the site is not expected to preclude the implementation of these improvements.

Public Transportation Facilities

The Massachusetts Bay Transportation Authority (MBTA) operates the following bus line in the area. This bus route provides service along Needham Street with a stop in at the adjacent Needham Street/Columbia Avenue intersection. Specific route and schedule information is provided in the **Attachments**.

¹ *Functional Design Report, Highland Avenue/Needham Street/Winchester Street, Needham and Newton, Massachusetts, Project Nos. 601827 & 604344, prepared by Fay Spofford & Thorndike, LLC, May 2011.*



North
 Scale: Not to Scale

Site Plan Source: R.E. Cameron & Associates, Inc.

Figure 1

MDM TRANSPORTATION CONSULTANTS, INC.
 Planners & Engineers

Preliminary Site Layout

- **Route 59 – Needham Junction – Watertown Square:** This line provides service between the Needham Junction commuter rail station in Needham and Watertown Square in Watertown via Needham Street in Newton.

As a conservative measure, no credit (reduction) in site trips was taken in the following section as a result of the available public transportation services.

TRIP GENERATION ESTIMATES

The proposed development consists of a 7,210± sf office building. As a point of comparison, site trip generation characteristics for the proposed office use are compared to the existing retail uses at the site. **Table 1** presents a summary comparison of traffic generation for the existing and proposed uses based on trip rates published in ITE's *Trip Generation*². Trip generation calculations are provided in the **Attachments**.

TABLE 1
TRIP-GENERATION COMPARISON

<i>Peak Hour/ Direction of Travel</i>	SITE TRIPS		Net New Trips ³
	Existing Use (5.12 ksf Retail) ¹	Proposed Use (7.21 ksf Office) ²	
<i>Weekday Morning Peak Hour:</i>			
Entering	2	10	+8
Exiting	<u>2</u>	<u>1</u>	<u>-1</u>
Total	4	11	+7
<i>Weekday Evening Peak Hour:</i>			
Entering	6	2	-4
Exiting	<u>8</u>	<u>9</u>	<u>+1</u>
Total	14	11	-3
<i>Saturday Midday Peak Hour:</i>			
Entering	11	2	-9
Exiting	<u>10</u>	<u>1</u>	<u>-9</u>
Total	21	3	-18
<i>Weekday Daily:</i>	226	80	-146
<i>Saturday Daily:</i>	216	18	-198

¹ITE LUC 826 (Specialty Retail Center) trip rates applied to 5,120 sf without any adjustment for pass-by related trip activity.

²ITE LUC 710 (General Office Building) trip rates applied to 7,210 sf.

³ Proposed minus Existing trips.

²*Trip Generation*, Ninth Edition; Institute of Transportation Engineers; Washington, DC; 2012.

The proposed site programming as a 7,210± sf office building results in overall reduced traffic volumes compared to the historical 5,120± sf of retail use at the site with approximately 146 *fewer* vehicle trips on weekdays and 198 *fewer* vehicle trips on Saturdays. During the critical weekday morning and evening peak hours, the anticipated trip generation for the proposed office use is highly consistent with historical retail use of the site. During the Saturday midday peak hour, the proposed office use is expected to generate up to 18 *fewer* vehicle trips when compared to historical site retail use. Furthermore, traffic generated by the site may be reduced by the proximity of the site to the local public transportation system.

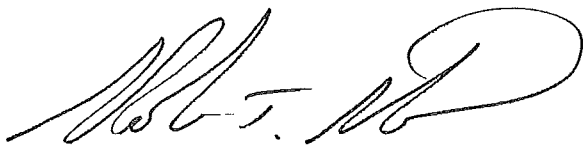
ESTIMATED TRAFFIC IMPACTS

The proposed development program generally results in a reduced impact relative to historical retail use of the site. The site will experience a reduction in traffic during the weekday evening and Saturday midday peak hours. No material change in trip generation is anticipated during the critical weekday morning peak hour with 1 additional vehicle trip every 8 minutes anticipated compared to historical site use – an amount that is imperceptible to the average motorist. Furthermore, the proposed site layout will minimize vehicular conflicts and enhance operations by formalizing a single access driveway along Needham Street and relocating parking further away from Needham Street

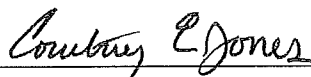
We trust that this technical letter provides sufficient justification for approval of the proposed project.

Sincerely,

MDM TRANSPORTATION CONSULTANTS, INC.



Robert J. Michaud, P.E.
Managing Principal



Courtney E. Jones, P.E.
Senior Transportation Engineer

APPENDIX

- Public Transportation Information
- Trip Generation Calculations

□ Public Transportation Information

52.59

Fall/August 30, 2014 - December 26, 2014

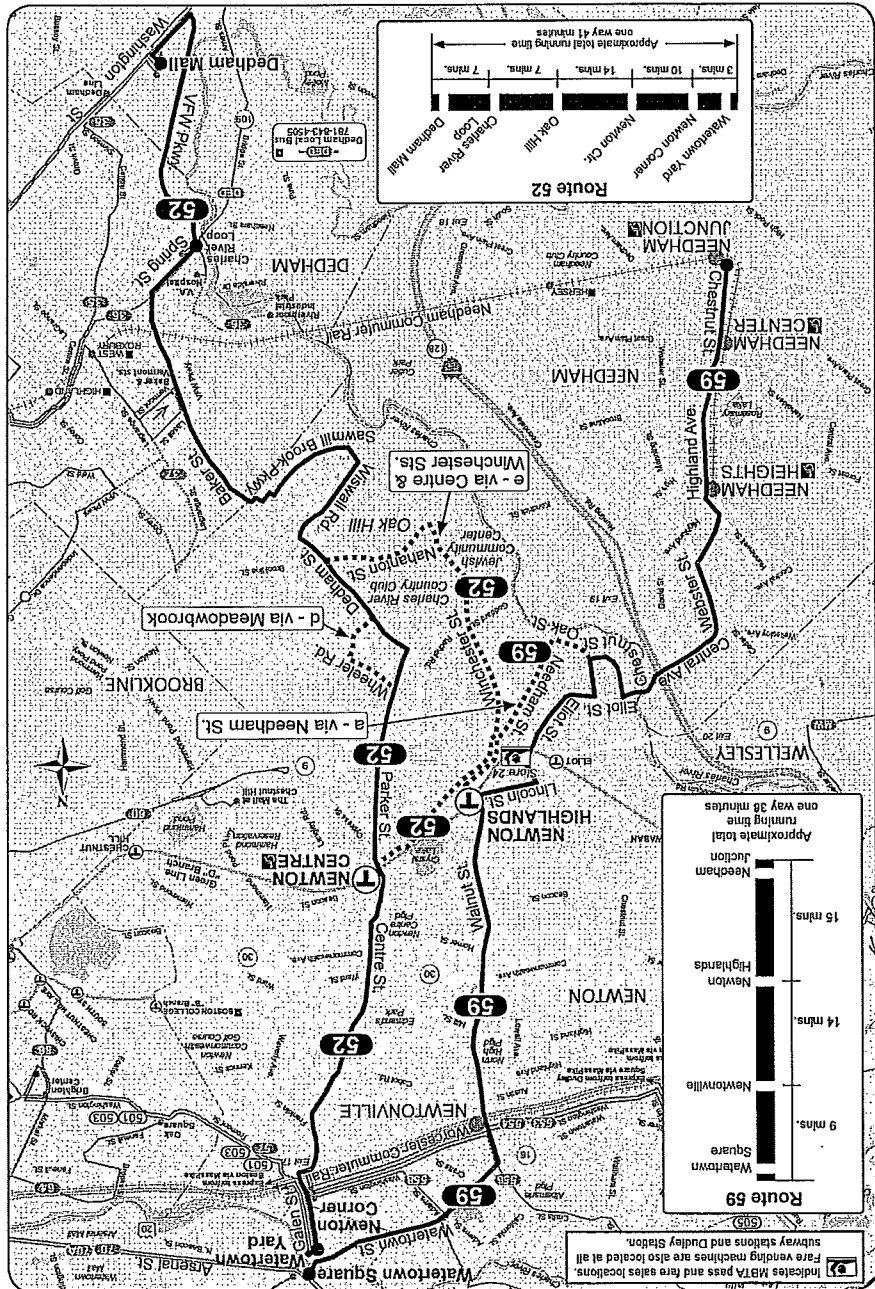
52 Dedham Mall or Charles River Loop - Watertown Yard

59 Needham Junction-Watertown Square

- Serving:
 - Newton Centre
 - Oak Hill
 - Newton Corner
 - Jewish Community Center
 - BC Law School
 - Needham Center
 - Needham Heights
 - Newton Highlands
 - Newtonville
 - Green Line
 - Needham Commuter Rail
 - Worcester Commuter Rail

Massachusetts Bay Transportation Authority **MBTA**

Information 617-222-3200 • 1-800-392-6100
(TTY) 617-222-5146 • www.mbta.com



Route 52 Dedham Mall or Charles River Loop - Watertown Yard

Route 59 Needham Junction - Watertown Square

52

Weekday

Weekday

59

Weekday

59

Saturday

59

Sunday

Inbound			Outbound			Inbound			Outbound			Inbound			Outbound			
Leave	Arrive	Stop	Leave	Arrive	Stop	Leave	Arrive	Stop	Leave	Arrive	Stop	Leave	Arrive	Stop	Leave	Arrive	Stop	
.....	6:15A	Dedham Mall	6:43A	7:00A	Watertown Yard	7:00A	7:10A	Charles River	7:31A	6:52A	6:52A	Watertown Square	7:31A	6:38A	6:38A	Needham Junction
.....	6:45	Newton Center	7:13	7:25	Watertown Yard	7:30	7:53	Newton Highlands	8:17	8:17	7:30	7:53	8:17	Watertown Square	8:31	8:31	8:31	Needham Junction
.....	7:05	Newton Center	7:26	7:40	Watertown Yard	7:45	8:08	Newton Highlands	8:43	8:43	8:08	8:31	8:43	Watertown Square	9:03	9:03	9:03	Needham Junction
.....	7:20	Newton Center	7:42	8:00	Watertown Yard	8:05	8:28	Newton Highlands	9:01	9:01	8:28	8:43	9:01	Watertown Square	9:33	9:33	9:33	Needham Junction
.....	7:45	Newton Center	8:07	8:30	Watertown Yard	8:35	9:08	Newton Highlands	9:21	9:21	8:43	9:08	9:21	Watertown Square	9:53	9:53	9:53	Needham Junction
.....	8:15	Newton Center	8:37	9:00	Watertown Yard	9:05	9:38	Newton Highlands	10:05	10:05	9:38	9:53	10:05	Watertown Square	10:42	10:42	10:42	Needham Junction
9:00	9:13	Newton Center	9:35	10:00	Watertown Yard	10:05	10:38	Newton Highlands	11:10	11:10	10:38	10:53	11:10	Watertown Square	11:42	11:42	11:42	Needham Junction
e10:30	10:36	Newton Center	11:06	12:45P	Watertown Yard	11:20	11:53	Newton Highlands	11:55	11:55	11:10	11:25	11:55	Watertown Square	12:37P	12:37P	12:37P	Needham Junction
12:00N	12:11P	Newton Center	12:39P	1:15P	Watertown Yard	12:25P	1:00P	Newton Highlands	12:42P	12:42P	12:00P	12:15P	12:42P	Watertown Square	1:13P	1:13P	1:13P	Needham Junction
d1:30P	1:34	Newton Center	2:11	2:47	Watertown Yard	2:15	2:46	Newton Highlands	3:23	3:23	12:42P	1:06	1:27	Watertown Square	1:57	1:57	1:57	Needham Junction
d2:20	2:24	Newton Center	3:00	3:40	Watertown Yard	3:00	3:12	Newton Highlands	3:33	3:33	1:06	1:27	2:08	Watertown Square	2:27	2:27	2:27	Needham Junction
d3:05	3:09	Newton Center	3:43	4:29	Watertown Yard	3:43	4:21	Newton Highlands	4:29	4:29	1:27	1:46	2:08	Watertown Square	2:44	2:44	2:44	Needham Junction
e3:50	3:54	Newton Center	4:29	5:16	Watertown Yard	4:29	5:08	Newton Highlands	5:16	5:16	2:08	2:27	2:44	Watertown Square	3:22	3:22	3:22	Needham Junction
e4:45	4:49	Newton Center	5:16	6:02	Watertown Yard	5:16	5:52	Newton Highlands	6:02	6:02	2:44	2:59	3:22	Watertown Square	3:57	3:57	3:57	Needham Junction
5:30	5:39	Newton Center	6:09	6:20	Watertown Yard	6:09	6:18	Newton Highlands	6:20	6:20	3:22	3:34	3:57	Watertown Square	4:34	4:34	4:34	Needham Junction
e6:10	6:14	Newton Center	6:37	6:50	Watertown Yard	6:37	6:52	Newton Highlands	7:23	7:23	3:57	4:08	4:34	Watertown Square	5:08	5:08	5:08	Needham Junction
e6:45	6:49	Newton Center	7:12	7:22	Watertown Yard	7:12	7:23	Newton Highlands	7:23	7:23	4:08	4:25	4:44	Watertown Square	5:43	5:43	5:43	Needham Junction
		Newton Center			Watertown Yard			Newton Highlands			4:25	4:44	5:08	Watertown Square	5:49	5:49	5:49	Needham Junction
		Newton Center			Watertown Yard			Newton Highlands			5:08	5:25	5:49	Watertown Square	6:24	6:24	6:24	Needham Junction
		Newton Center			Watertown Yard			Newton Highlands			5:25	5:49	6:17	Watertown Square	6:45	6:45	6:45	Needham Junction
		Newton Center			Watertown Yard			Newton Highlands			6:17	6:45	7:01	Watertown Square	7:02	7:02	7:02	Needham Junction
		Newton Center			Watertown Yard			Newton Highlands			7:01	7:33	7:33	Watertown Square	7:22	7:22	7:22	Needham Junction

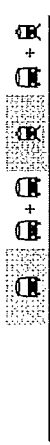
Route 52
Dedham Mall or Charles River Loop-
Watertown Yard

Route 59
Needham Junction-Watertown Square

b - To Newton Corner
d - Via Meadowbrook & Wheeler Roads
e - Via Centre & Winchester Streets
s - Does NOT run during school vacation

No Route 52 service on
Saturday or Sunday

All buses are accessible to persons with disabilities



Fare	Local Bus	Bus + Bus	Rapid Transit	Bus + Rapid Transit
CharlieCard	\$1.60	\$1.60	\$2.10	\$2.10
CharlieTicket	\$2.10	\$2.10	\$2.65	\$2.65
Cash-on-Board	\$2.10	\$4.20	\$2.65	\$4.75
Student CharlieCard	\$0.80	\$0.80	\$1.05	\$1.05
Senior CharlieCard	\$0.80	\$0.80	\$1.05	\$1.05

VALID PASSES: Local Pass (\$25/mo.), Monthly Local Bus (\$50/mo.), Student Pass (\$25/mo.), and express bus, commuter rail, and boat passes.
Transfer: Local Pass, Monthly Local Bus, Student Pass, and Student Pass transfer to other modes of transit.
Access: CharlieCard holders ride free and if using a guide, the guide rides free.
*** Requires Student CharlieCard, available to students through participating middle schools and high schools.
**** CharlieCard holders, available to Medicare cardholders, seniors 65+, and persons with disabilities.****

NOTE:
Approximate running time from Watertown Square to Newtonville Square is 7 minutes.
Approximate running time from Needham Junction to Newtonville Square is 25 minutes.
Approximate running time from Watertown Square to Homer and Walnut Streets is 11 minutes.
Approximate running time from Needham Junction to Homer and Walnut Streets is 16 minutes.

NOTE:
Approximate running time from Watertown Square to Newtonville Square is 7 minutes.
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Approximate running time from Needham Junction to Homer and Walnut Streets is 16 minutes.

Fall 2014 Holidays
October 13 & November 11: see Wednesday
September 1, November 27, & December 25: see Sunday

□ Trip Generation Calculations

Institute of Transportation Engineers (ITE) 9th Edition
Land Use Code (LUC) 826 - Specialty Retail Center

Average Vehicle Trips Ends vs: 1,000 Sq. Feet Gross Leasable Area
 Independent Variable (X): 5.12

AVERAGE WEEKDAY DAILY

T = 44.32 * (X) (Small Sample Size - Use with Caution)
 T = 44.32 * 5.12
 T = 226.92
 T = 226 vehicle trips
 with 50% (113 vpd) entering and 50% (113 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

$\frac{\text{ITE LUC 820 Weekday Morning Trip Rate}}{\text{ITE LUC 820 Weekday Evening Trip Rate}} = \frac{\text{ITE LUC 826 Weekday Morning Trip Rate}}{\text{ITE LUC 826 Weekday Evening Trip Rate}}$

$$\frac{0.96}{3.73} = \frac{(Y)}{2.71} \quad Y = 0.69747989$$

T = Y * 5.1
 T = 3.5711
 T = 4 vehicle trips
 with 62% (2 vph) entering and 38% (2 vph) exiting.

(same distribution split as ITE LUC 820 during the weekday morning peak hour of adjacent street traffic)

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 2.71 * (X) (Small Sample Size - Use with Caution)
 T = 2.71 * 5.1
 T = 13.88
 T = 14 vehicle trips
 with 44% (6 vph) entering and 56% (8 vph) exiting.

SATURDAY DAILY

T = 42.040 * (X) (Small Sample Size - Use with Caution)
 T = 42.040 * 5.12
 T = 215.24
 T = 216 vehicle trips
 with 50% (108 vpd) entering and 50% (108 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR

$\frac{\text{ITE LUC 820 Saturday Midday Trip Rate}}{\text{ITE LUC 820 Saturday Daily Trip Rate}} = \frac{\text{ITE LUC 826 Saturday Midday Trip Rate}}{\text{ITE LUC 826 Saturday Daily Trip Rate}}$

$$\frac{4.82}{49.97} = \frac{(Y)}{42.04} \quad Y = 4.05508905$$

T = Y * 5.1
 T = 20.762
 T = 21 vehicle trips
 with 52% (11 vph) entering and 48% (10 vph) exiting.

(same distribution split as ITE LUC 820 during the Saturday midday peak hour of generator)

**Institute of Transportation Engineers (ITE) 9th Edition
Land Use Code (LUC) 710 - General Office Building**

Average Vehicle Trips Ends vs: 1000 Sq. Feet Gross Floor Area
Independent Variable (X): 7.21

AVERAGE WEEKDAY DAILY

$$T = 11.03 * (X)$$

$$T = 11.03 * 7.21$$

$$T = 79.53$$

T = 80 vehicle trips
with 50% (40 vpd) entering and 50% (40 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 1.56 * (X)$$

$$T = 1.56 * 7.21$$

$$T = 11.25$$

T = 11 vehicle trips
with 88% (10 vph) entering and 12% (1 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 1.49 * (X)$$

$$T = 1.49 * 7.21$$

$$T = 10.74$$

T = 11 vehicle trips
with 17% (2 vph) entering and 83% (9 vph) exiting.

SATURDAY DAILY

$$T = 2.46 * (x)$$

$$T = 2.46 * 7.21$$

$$T = 17.74$$

T = 18 vehicle trips
with 50% (9 vpd) entering and 50% (9 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

$$T = 0.43 * (X)$$

$$T = 0.43 * 7.21$$

$$T = 3.10$$

T = 3 vehicle trips
with 54% (2 vph) entering and 46% (1 vph) exiting.



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

ATTACHMENT E

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: January 29, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Stephen J. Buchbinder, Attorney for the applicant
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming structure, to exceed FAR, building height and number of stories, and for a waiver from the number of parking stalls and the off-street loading requirements.

Applicant: 112 Needham Street, LLC	
Site: 112 Needham Street	SBL: 83012 0007
Zoning: MU2	Lot Area: 7,500 square feet
Current use: Vacant	Proposed use: Office

BACKGROUND:

The property at 112 Needham Street consists of a 7,500 square foot lot improved with a two-story commercial building built in 1952 and a surface parking area in front. The applicant proposes to demolish the existing structure and build a new two and one-half story commercial building. The proposed building will have a parking facility with 10 stalls and 1,300 square feet of storage on the first floor, and 5,360 square feet of office space on the second floor. An additional 2,393 square feet of unoccupied storage space will be located in the half-story above the second floor.

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

- Zoning Review Application, prepared Stephen J. Buchbinder, Attorney, dated 8/25/2014
- Newton Historical Commission Demolition Review Decision, dated 7/3/2014
- Parking calculation
- FAR worksheet
- Average Grade Plane Calculation Worksheet, prepared by David Andersson, dated 8/15/2014
- Parcel Map, prepared by R.E. Cameron & Associates, Inc, dated 4/29/2014, revised 7/1/2014 and 8/14/2014

- Existing Conditions Plan, prepared by R.E. Cameron & Associates, Inc, dated 8/18/2014
- Proposed Conditions, prepared by R.E. Cameron & Associates, Inc, dated 8/18/2014, revised 1/14/2015
- Floor Plans and Elevations, signed and stamped by Jonathan Leavitt, dated 8/20/2014, revised 1/14/2015
- Landscape Plan, signed and stamped by Jonathan Leavitt, dated 8/20/2014

ADMINISTRATIVE DETERMINATIONS:

1. The existing building is nonconforming due to 2.2 foot and 5.8 foot side setbacks, where 7.5 feet is required. The applicant proposes 3 and 5 foot side setbacks for the proposed building. To build to a 3 setback requires a special permit to extend a nonconforming structure, per Section 30-21(b) of the Ordinance.
2. The proposed floor area ratio for the new building is 1.43. An FAR of 1.00 to 1.50 is allowed by special permit per Section 30-15, Table 3.
3. The applicant proposes to replace the existing two-story building with a two and one-half story building. Per Section 30-15, Table 3, a building up to three stories is allowed by special permit.
4. The proposed building has a height of 29 feet. Section 30-15, Table 3 allows for buildings with heights up to 36 feet by special permit.
5. The applicant proposes to build a street-level parking garage with 10 parking stalls. The proposed building will have 5,360 square feet of office space and 1,300 square feet of storage. Section 30-19(d)(11) requires one stall per every 250 square feet of office space. Section 30-19(d)(15) requires one stall for 2,500 square feet of storage space. The parking requirement for the new building and use is 23 stalls. The previous retail use of the site required 18 stalls, where six were physically available in front of the store backing out on to Needham Street. When utilizing the A-B+C equation found in 30-19(c)(2)(a), where:

A (stalls required for proposed use [23]) – B (stalls required for previous use [18]) + C (stalls available previously [6]) = the required number of stalls is **11**

The applicant proposes a parking garage with 11 stalls, therefore, a waiver of one stall is required.

6. The previous building was 4,747 square feet. The applicant proposes to build a new structure with a 5,360 square foot first-floor parking facility and storage, and 5,360 square feet of office space on the second floor. The additional square footage requires the applicant to meet the off-street loading requirements for structures from 5,000 to 50,000 square feet, per Section 30-19, Table of Off-Street Loading Requirements. A special permit is necessary to waive this requirement.

Mixed Use 2	Required	Existing	Proposed
Lot Area	10,000 square feet	7,500 square feet	No change
Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	29 ft. 7.5 ft. 0 ft.	17.5 feet 2.2/5.8 feet 0.6 feet	15 feet 3.0/5.0 feet 5 feet
Floor Area Ratio	1.00 (1.50 by SP)	.83	1.43
Building Height	24 feet (36' by SP)	19.7 feet	29 feet
Maximum Number of Stories	2 (3 by SP)	2	2.5

7. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-21(b)	To allow for extension and reconstruction of a nonconforming structure	S.P. per §30-24
§30-15, Table 3	To exceed FAR of 1.0 but less than 1.5	S.P. per §30-24
§30-15, Table 3	To allow a 2.5 story building	S.P. per §30-24
§30-15, Table 3	To allow a building height greater than 24 but less than 36 feet	S.P. per §30-24
§30-19(d)(11) §30-19(d)(15) §30-19(m)	To waive one parking stall	S.P. per §30-24
§30-19, Table of Off-Street Loading Req's	To waive the off-street loading requirements for structures 5,000 to 50,000 square feet in gross floor area	S.P. per §30-24

**CITY OF NEWTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

MEMORANDUM

To: Alderman Mark Laredo, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 112 Needham Street

Date: January 30, 2015

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

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

*Proposed Conditions
112 Needham Street
Newton, MA
Prepared by: R.E. Cameron & Associates Inc.
Dated: 1/14/15*

Executive Summary:

An existing one story commercial building is to be razed and a new two story building with on-site parking on the ground floor and retail space above is proposed. The plan indicates that an on-site drainage system is proposed, however; no drainage study or report was received for evaluation. Furthermore the infiltration trench that surrounds the building is too close to the property lines; the engineer of record should consider expanding the proposed system in the front of the property and eliminate the infiltration trench. The applicant will have to apply to MassDOT for the proposed modifications of the curb cut on the state road. The site plan does not indicate any proposed grading for

the final product. Finished grades are needed and the plans should be stamped by a Professional Engineer.

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.
3. A temporary construction safety fence is needed surrounding the property for the duration of the project.

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. An on-site soil evaluation needs to be performed to obtain the seasonal high groundwater elevation, percolation rate in accordance to Title V. This information must be submitted with the drainage study. The locations of these tests need to be shown on the site plan and must be performed within 25-feet of a proposed system.

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 sewer manhole is needed where there is 90° bend in the flow of the sewerage.
2. 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.
3. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the main and the site then 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. ***This note must be added to the final approved plans.***
4. Use City of Newton Details as they are in PDF format on the City's website.
5. 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.
6. As Needham Street has been repaved within the last year, the utility trenches and roadway will have to be milled 25' on both sides of the utility trenches from curb line to curb line; then paved with 1-1/2" of Type I-1 Bituminous Concrete. This is a state road and will require MassDOT approvals.
7. 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.***

8. 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.***

Water:

1. Water service(s) are needed for the building. A minimum 1" Type K copper service is needed for the project.
2. The Newton Fire Department and or the State Building Code may require a fire suppression system for the proposed building the applicant must submitted plans to the Newton Fire Department for review & approval.
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. 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 in 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 Permits with the MassDOT. Utilities Connection permit 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. *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.