



Setti D. Warren
Mayor

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

#431-16
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: January 26, 2017
Land Use Action Date: April 11, 2017
City Council Action Date: April 17, 2017
90-Day Expiration Date: May 3, 2017

DATE: January 20, 2017

TO: City Council

FROM: Barney Heath, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: **Petition #431-16**, for SPECIAL PERMIT/SITE PLAN APPROVAL to allow three attached single-family dwellings, reduce frontage requirements for attached single family dwellings, reduce side setback requirements, allow parking within 20' of a side lot line and a driveway within 10' of a side lot line at **377 Langley Road**, Ward 6, Newton Centre, on land known as SBL 65019 0058, containing approximately 23,545 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. 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 City Council will want to consider in its discussion at a subsequent Working Session.



377 Langley Road

EXECUTIVE SUMMARY

The property at 377 Langley Road consists of a 23,545 square foot “old lot” set back from the street with a 120 foot long “flagpole” with 50 feet of frontage. Located within a Multi Residence 1 district, it was formerly the site of a recently razed single family residence constructed in 1951. The petitioner now proposes to construct three attached single-family dwellings on the property. To do so, the petitioner is seeking a special permit to allow three attached single-family dwellings, reduce frontage and side setback requirements, as well as to allow retaining walls four feet or higher in setbacks, parking within 20 feet of a side lot line and a driveway within 10 feet of a side lot line.

The Planning Department has concerns regarding the scale and dimensions of the proposed project. The size of the structure and the related inclusion of a third unit above the two that could be permitted by right apparently drives the need to require considerable relief from setback and other dimensional regulations, as well as the need for the installation of tall retaining walls within setbacks. The Planning Department therefore suggests, as discussed below, that the petitioner consider modifying the project to reduce the scope and type of zoning relief and therefore lessen its impact on abutting properties.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The site is an appropriate location for three attached single-family dwellings. (§7.3.3.C.1; §3.4.1)
- The site is an appropriate location for retaining walls four feet or higher in a setback (§7.3.3.C.1; §5.4.2.B)
- The proposed project as developed and operated will not adversely affect the surrounding neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
- Access to site is appropriate for the number and types of vehicles involved. (§7.3.3.C.4)
- Literal compliance with the frontage requirement for attached single-family dwellings in an MR1 district 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 or in the interest of safety or protection of environmental features (§3.2.4)
- Literal compliance with the side setback requirement for attached single family dwellings in an MR1 zoning district 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 or in the interest of safety or protection of environmental features (§3.2.4)

- Literal compliance with the parking requirements not allowing parking spaces within 20 feet of a boundary line 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 or in the interest of safety or protection of environmental features (§6.2.3.B.2; §3.2.4)
- Literal compliance with the parking requirements not allowing a driveway within 10 feet of a side or rear lot line 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 or in the interest of safety or protection of environmental features (§6.2.3.B.2; §3.2.4)

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on the west side of Langley Road, opposite its intersection with John Street. The neighborhood is mixed in both zoning and land use, with the areas to the north and the immediate east zoned as Multi-Residence 1 (MR1) and occupied by a mix of single- and two- family dwellings as well as several condominiums. The abutting property to the south is occupied by an 18 unit condominium building, it and two other properties across the street are zoned Multi-Residence 2 (MR2). Further to the south along Langley Road is a Business 1 (BU1) district that includes a mix of residential, commercial and mixed-use properties. The property is bordered to the west (rear) by the Bowen Elementary School and its playing fields which are zoned Public Use (PUB). Directly to the south of the school is a Newton Housing Authority development zoned Single Residence 2 (SR2) property and, to the west of that, a Single Residence 3 (SR3) district occupied by single family dwellings (**Attachments A and B**).

B. Site

The property is a 23,545 square feet “old lot” previously improved with a now-demolished single family residence constructed in 1951. The lot has 50 feet of frontage and a 120 foot long dogleg leading to the wider portion of the property at the rear of the lot. As the lot was created prior to the adoption of frontage requirements (when lots were measured by lot width not frontage), it is considered a lawfully created, nonconforming lot.

The site slopes downward approximately 26 feet from front to rear, with the steepest grades located in the rear of the lot. There appears to be several ledge outcroppings in the rear, as well as an existing retaining wall along the rear

property line. There is also an existing retaining wall along the southern property line that delineates the site from the parking area of the adjacent, higher property occupied by an 18-unit condominium.

The property has largely been cleared, having undergone significant site work, including the demolition of the former dwelling and the apparent removal of trees and other vegetation. The lot presently consists mostly of exposed soil, rock, and some demolition debris.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The proposed use of the site is three attached single-family dwellings with nine parking spaces, six within the structure's first floor level and three located along in the left side setback, along the southern property line.

The project is part of a larger scheme, aspects of which are discussed below, that also includes two adjacent properties (367 and 373 Langley Road) currently being redeveloped for residential use with two-family dwellings.

B. Building and Site Design

The petitioner is proposing to construct three attached dwelling units within a 10,936 square foot structure. Units 1, 2, and 3 of the proposed structure would measure 3,791, 3,740 and 3,407 square feet respectively. Each of the units would have living space on four levels of living space, and each would have a two-car garage on the first floor level of the structure.

The proposed dwelling would measure 35.5 feet in height, just below the allowed 36 feet. Given the topography of the site, the front and side elevations will present as two and a half stories; the rear elevation will read as three and a half as the downward grade allows for the rear wall of the basement level to be visible.

The property's lot coverage would be 29%, significantly higher than the 4.6% that existed when the site was occupied by the now-removed single-family dwelling, but below the maximum 30% allowed. Open space on the lot would decrease from the previously existing 83.5% to 57.7%, but remain above the required 50%. The Planning Department notes that given the topography of the site there is relatively little level open space in the rear of the property for use by residents.

The proposal's lot area per unit is 7,846 square feet, almost twice the minimum 4,000 square feet required. The NZO does not establish FAR requirements for single family attached dwellings, but the Planning Department notes that the proposed project's floor area ratio (FAR) is 0.46; for comparison, by right single- and two-family structures on a similarly sized lot in an MR1 district would be limited to an FAR of 0.39.

The property's front and rear setbacks of 25.2 and 67.1 feet, respectively, exceed the required 25 feet for both. However, the side setbacks of 9.4 feet (right) and 8.3 feet (left) are considerably less than the required 25 feet. The Planning Department notes that while it is not particularly concerned with the right setback to the extent it is adjacent to another property owned by the applicant and part of the common scheme referenced above, it is concerned that the proposed structure's location within the left setback is adjacent to the abutting 18-unit condominium property referenced above.

The site design features several retaining walls of varying heights, including some within setbacks that would exceed four feet in height. There is a retaining wall of up to six feet in height parallel to, and approximately 12 feet from, the rear of the structure. This wall will intersect with a retaining wall along much of the southern property line that will be higher than ten feet. In certain locations the portions of the subject property adjacent to the wall will be lower than the neighboring lot, in other locations (i.e., toward the back of the property) it will be higher. Also, additional retaining walls of varying height as tall as approximately seven and a half feet are proposed to extend from either side of the structure to the side property lines.

The Planning Department believes that, as designed, the project is somewhat inappropriate for the site given the proposed structure's size, dimensions and location on the lot. The Department therefore suggests that the proposed dwelling be modified, perhaps reconfigured and/or reduced in size by either eliminating one unit or, in the alternative, reducing the size(s) of one or more units. Such a modification, appropriately designed, could allow the project to both not require relief from the left side setback requirement and be more in line with the allowed FAR for a by-right development of the site.

C. Parking and Circulation

The site would be accessed along a driveway off Langley Road located along the left (southern) property line and within the "dog leg" referenced above. As the project is apparently part of a common scheme that includes two adjacent properties, the driveway will "fork off" to the right approximately 50 feet in from the street and enter the adjacent 373 Langley Road via its side lot line; the driveway will continue within the subject property to serve the proposed attached dwelling's garages (and exterior spaces) and exit the subject property via its right (north) side to serve the adjacent property at 367 Langley Road.

As proposed, portions of the driveway are located within 10 feet of the left side lot line. The Planning Department is not concerned with the relief requested to so locate the driveway as much of it is adjacent to the proposed retaining wall along the lot's southern property line and as such, that portion of the driveway would be approximately five feet lower than, and have limited visibility from, the abutting

property.

However, based upon information submitted by the petitioner, the driveway system will be within an access easement area located on portions of both the subject property and 373 Langley Road and portions of the driveway serving the subject property will be located within 373 Langley Road. The Planning Department recommends that in the event the current petition is approved, before any building permit is issued an easement agreement establishing the rights to such shared use be recorded at the Registry of Deeds and that this be made a condition of any such approval.

The project's site plan includes nine parking spaces: the six required spaces within the structure's first floor level and three additional exterior spaces located adjacent to the proposed driveway and within 20 feet of the left (southern) side property line. As there appears to be adequate space in front of the proposed attached garages to allow guest parking, the need for the three spaces close to the lot line is unclear. Further those three spaces seem to be of substandard sizes and it is not clear that three cars could be accommodated in the identified area. As such, in the event this petition is granted, the Planning Department recommends these spaces be eliminated from the final site plan and this be made a condition of any Order.

D. Landscaping & Screening

The petitioner has provided a landscape plan which shows retention of many of the existing, mature trees in the rear, sloped portion of the property that abuts the Bowen School's playing fields. The plan shows some ornamental plantings shown near the street and at the front of the dwelling.

As noted above, it appears that some previously existing trees may have been removed from the site; the petitioner should comply with the Tree Preservation Ordinance.

Much of the property's property lines are not landscaped. While this is likely a function of both the topography of the site and the presence of existing and proposed retaining walls along the left (south) property line, modifying the project's design as suggested above, including increasing the left side setback and eliminating the three parking spaces proposed along that lot line, would facilitate the installation of additional landscaping that would better screen the proposed structure from the property abutting to the south.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum (**Attachment C**) provides an analysis of the

proposal with regard to zoning. The petitioner is seeking special permits as per §7.3.3:

- to allow attached single-family dwellings in an MR1 zoning district (§3.4.1);
- to reduce the frontage requirement for attached single-family dwellings in an MR1 zoning district (§3.2.4);
- to reduce the side setback requirement for attached single-family dwellings in an MR1 zoning district (§3.2.4);
- to allow a retaining wall four feet or higher in a setback (§5.4.2.B);
- to allow parking within 20 feet of a side lot line for attached single-family dwellings in an MR1 zoning district (§6.2.3.B.2, §3.2.4);
- to allow a driveway within 10 feet of a side lot line for attached single-family dwellings in an MR1 zoning district (§6.2.3.B.2, §3.2.4).

B. Engineering Review

The Engineering Division Memorandum (**Attachment D**) provides an analysis of the proposal with regard to engineering issues.

The memorandum raises several issues the Engineering Division will need additional information for its review, including the results of some retesting of the soil, the location of the stormwater collection and infiltration system and details of the proposed retaining walls. The Engineering Division of Public Works will need to receive this material and review the project for conformance with the City of Newton Engineering Standards prior to the issuance of a building permit for the proposed work in the event this petition is approved.

The memo also notes that a construction management plan (CMP) will be required for this project (this requirement can be included in an Order for this petition).

C. Fire Department

The Fire Department had indicated that the project would need to have sprinklers and a fire department connection (FDC) for each unit or a hydrant on the property.

D. Newton Historical Commission

Newton Historical Commission staff found the previously existing structure not historically significant as defined by the demolition delay ordinance in March 2016. No further review is required.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time, but the petitioner should consider the Planning Department's recommendations.

ATTACHMENTS:

- Attachment A:** Land Use Map
- Attachment B:** Zoning Map
- Attachment C:** Zoning Review Memorandum
- Attachment D:** Engineering Review Memorandum

ATTACHMENT A

Existing Land Use 377 Langley Rd.

*City of Newton,
Massachusetts*

Legend

Land Use

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Mixed Use
- Open Space
- Nonprofit Organizations
- Vacant Land

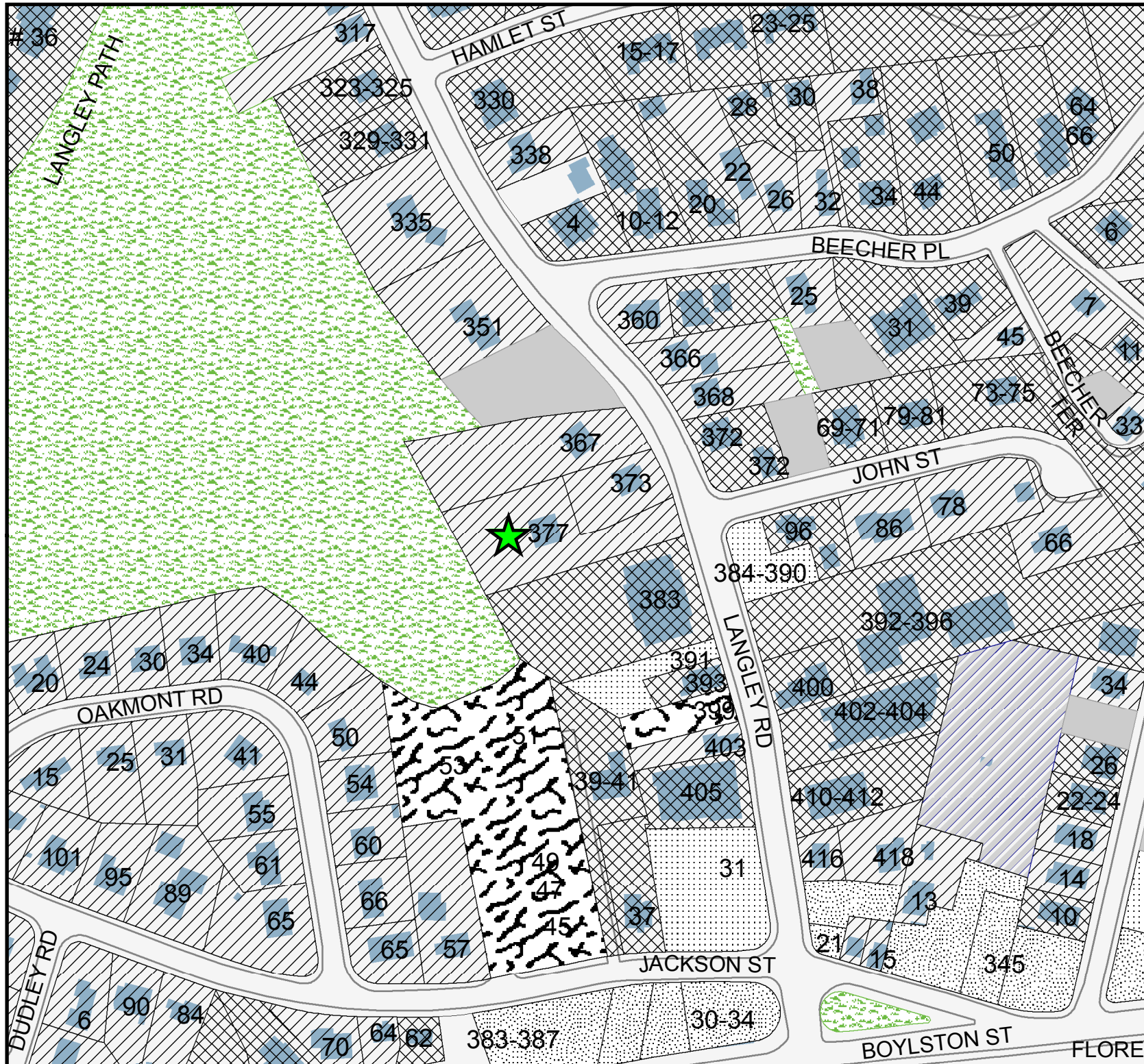


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

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

0 12.5 50 75 100 125 150 175 200 225
 Feet

Map Date: January 18, 2017








ATTACHMENT B

Zoning 377 Langley Rd.

City of Newton,
Massachusetts

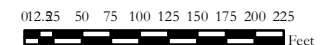
Legend

-  Single Residence 3
-  Multi-Residence 1
-  Multi-Residence 2
-  Business 1
-  Public Use

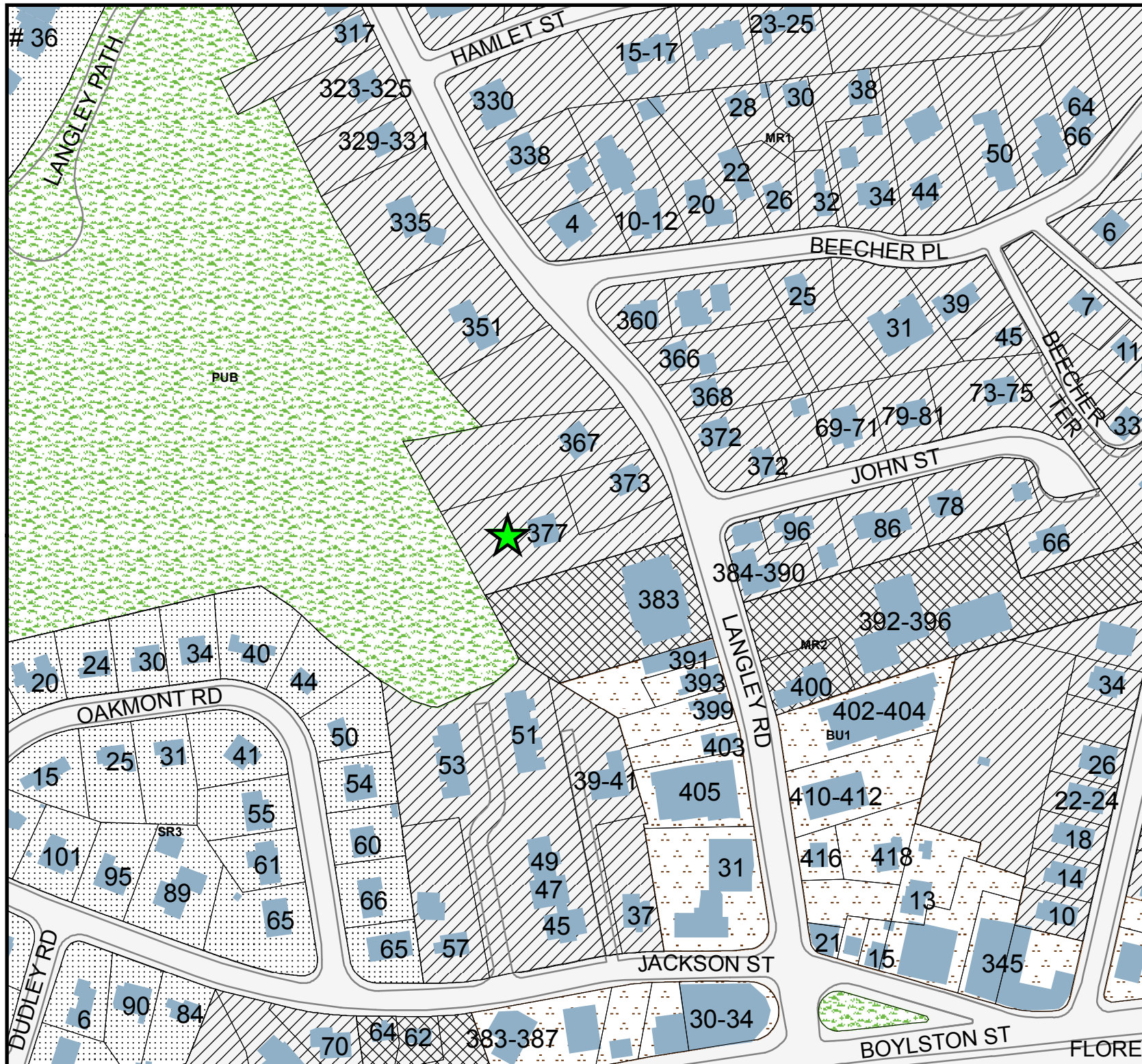


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

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



Map Date: January 18, 2017





Setti D. Warren
Mayor

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

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

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: January 9, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: 367-377 Langley Road LLC, applicant
Terrence P. Morris, attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow three attached dwellings

Applicant: 367-377 Langley Road LLC	
Site: 377 Langley Road	SBL: 65019 0058
Zoning: MR1	Lot Area: 23,545 square feet
Current use: Single family dwelling	Proposed use: Three attached dwellings

BACKGROUND:

The property at 377 Langley Street consists of 23,545 square feet and is improved with a single family residence constructed in 1951. The lot is an old lot and is set back from the street with a 120 foot long dogleg with 50 feet of frontage. The applicant proposes to raze the existing single family dwelling and construct three attached dwellings.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, dated 10/17/2016
- Site Plan, prepared by VTP Associates Inc, surveyor, dated 10/13/2016
- Elevation, dated 10/13/2016

ADMINISTRATIVE DETERMINATIONS:

1. The existing lot was created prior to the adoption of the requirements for frontage. At the time the lot was created, lots were measured not by frontage, but by lot width. The lot meets those requirements and is a lawfully created, nonconforming lot.
2. The applicant proposes to raze the existing dwelling on the property and construct three attached single-family dwellings. Per Section 3.4.1 a special permit is required to construct attached single family dwellings in the MR1 zoning district.
3. The existing lot has 51.7 feet of frontage, where 80 feet is required per Section 3.2.4. This same section allows the City Council to grant exceptions to dimensional requirements if literal compliance is impractical or not in the public interest. The applicant seeks a waiver from the frontage requirement.
4. The applicant proposes a side setback for the new structure of 8.3 feet, where 25 feet is required per Section 3.2.4. This same section allows the City Council to grant exceptions to dimensional requirements if literal compliance is impractical or not in the public interest. The applicant seeks a waiver from the side setback requirement.
5. There are retaining walls proposed in the setbacks with heights at or greater than four feet. Section 5.4.2.B requires a special permit for a retaining wall of four feet or greater in a setback.
6. Section 6.2.3.B.2 requires a special permit to construct a parking space within 20 feet of a boundary line and to locate a driveway within 10 feet of a side or rear lot line. Proposed parking is located on the side lot line, and the proposed driveway is within 10 feet of the same side lot line. A special permit waiving this prohibition is required.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	23,540 square feet	No change
Frontage	80 feet	51.7 feet	No change
Setbacks			
• Front	25 feet	27.5 feet	25.2 feet
• Side	25 feet	38.7 feet	8.3 feet
• Rear	25 feet	82.7 feet	67.1 feet
Building Height	36 feet		35.5 feet
Max Number of Stories	2.5		2.5
Lot Coverage	25%	4.6%	29%
Open Space	50%	83.5%	57.7%
Lot Area Per Unit	4,000 square feet		7,846 square feet

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§3.2.4	To reduce the frontage requirement for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§3.2.4	To reduce the side setback requirement for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§5.4.2.B	To allow a retaining wall four feet or higher in a setback	S.P. per §7.3.3
§6.2.3.B.2 §3.2.4	To allow parking within 20 feet of a side lot line for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§6.2.3.B.2 §3.2.4	To allow a driveway within 10 feet of a side lot line for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Mark Laredo, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 377 Langley Road

Date: December 15, 2016

CC: Lou Taverna, PE City Engineer
Nadia Khan, Committee Clerk
Alexandria Ananth, Chief Planner
Michael Gleba, Sr. Planner

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

Topographic Site Plan
Newton, MA
Showing Proposed Conditions at 377 Langley Road
Prepared by: VTP Associates, Inc.
Dated: December 7, 2016

Executive Summary:

This application entails the demolition of a one-story dwelling, and the erection of three residential units on 23,540 square foot (0.55 acre) lot. The site has 51 feet of frontage along Langley Road to the east, which has a high point of approximately 241-feet. The topography slopes downward towards the rear of the lot along the western property line at elevation 215-feet. The site does have some pockets of ledge as see on the attached photos and site plan.



Ledge outcrop looking towards the northern property line

The engineer of record has designed a stormwater collection and infiltration system to substantially reduce runoff from the site, and in conformance to the Department of Environmental Protection (DEP) and DPW Stormwater Policy. However, the test pits are not within 25-feet of the proposed systems, therefore the soils must be retested within this

limit for design assumptions and verification. Furthermore the systems are less than 10-feet from the property lines therefore; they will be required to have impervious barriers surrounding the systems.

The plans also indicate that a common driveway is to be constructed that will provide access to the neighboring properties at #367 and #373 Langley Road, it is not clear as to why these common driveways are needed or why they are proposed.

The details of the proposed retaining walls are needed. Portions of these walls are in excess of 15-feet, walls greater than 4-feet will need safety fence along its perimeter.

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. 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.
2. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by applicant, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.

3. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the 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. 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.
2. 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.
3. 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.***
4. 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. 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.
3. 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 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, improvements and limits of restoration work. The plan shall also include profiles of the various new utilities, indicating rim & invert elevations, slopes of pipes, pipe material, and swing ties from permanent building corners. ***This note must be incorporated onto the final contract plans.***

7. All site work including trench restoration must be completed before a Certificate of Occupancy is issued. *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.