



Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, June 23, 2021

The Public Facilities Committee will hold this meeting as a virtual meeting on Wednesday, June 23, 2021 at 7:00 pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/89320277164> or call 1-646-558-8656 and use the following Meeting ID: 893 2027 7164

Item Scheduled for Discussion:

Public Hearing

#233-21 Eversource petition for Grant of Location in Church Street and Billings Park
EVERSOURCE ENERGY petitioning for a grant of location to install 177'± of conduit in a southwesterly direction from the existing pole (514/9) located in front of #67 Church Street to an existing handhole in front of #12 Billings Park. (Ward 1 & 7).

Public Hearing

#294-20 Discussion to require or encourage the use of efficient electric technology
COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS, LAREDO & HUMPHREY requesting a discussion with the Sustainability Team to consider creating an ordinance that may require and/or encourage the use of efficient electric technology for heating, cooling, hot water, cooking and other appliances in new and substantially renovated
Public Facilities Held 8-0 on 05/05/21

Referred to Zoning & Planning and Public Facilities Committees

#12-21 Request for energy efficiency analysis during construction
COUNCILORS CROSSLEY, BOWMAN AND ALBRIGHT requesting a discussion and possible ordinance to require that property owners who are proposing new construction or major renovations, submit an analysis and pricing for providing all electric high efficiency HVAC and appliances as an alternative to fossil fuel powered equipment.

Respectfully submitted,

Alison M. Leary, Chair

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

RECEIVED

2021 MAY 24 AM 8:37

CITY OF NEWTON
MASSACHUSETTSCITY CLERK
NEWTON, MA. 02459PETITION for GRANT OF LOCATION**To the Petitioner:**

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020

Cassidy Flynn, Clerk of the Public Facilities Committee 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)Company Name NSTAR ELECTRIC DBA EVERSOURCE ENGERGYAddress 200 Calvary Street Waltham, MA 02453Phone Number 617-776-7300 Fax Number 781-314-5165

Contact Person Richard M. Schifone Title Supervisor Rights and Permits

Signature *Richard M. Schifone* Date 05-24-21

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 50± feet of conduit in Church St and 127± feet of conduit in Billings Pk., Newton
W.O.#4590111

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan BILLINGS PK, NEWTON Date of plan 05-21-21

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department May 24, 2021

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

<p>This application is for an underground electrical service connection that originates at an existing utility pole #514/9 and extends southerly to #12 Billing Park to a handhole. Once the GOL is approved the contractor of record shall obtain a Street Opening, Sidewalk Crossing and Trench Permits from DPW. Upon completion an as built</p>	<p>plan shall be submitted to DPW. All restoration shall be per the Street Opening Permit. Pedestrian access through the construction zone shall be accommodated for the duration by the contractor and to the DPW requirements. May 24, 2021 <i>John Daghljan, Associate City Engineer</i></p>
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V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Shawna Sullivan

Digitally signed by Shawna Sullivan
 Date: 2021.05.24 14:29:33 -04'00'

Commissioner, Public Works

Date

May 24, 2021

City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Billings Park & Church Street
Newton, MA
W/O #4590111

Dear Members of the Council:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 50± feet of conduit in Church Street and approximately 127± feet of conduit in Billings Park.

This work is necessary to provide overhead/underground electric service to 12 Billings Park.

If you have any further questions, contact Maureen Carroll at (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Right and Permits, Supervisor

RMS/prg
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY FOR
LOCATION FOR CONDUITS AND MANHOLES**

To the **City Council** of the City of **Newton** Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **T. Thibault** dated **May 21, 2021** and filed herewith, under the following public way or ways of said City.

**Church Street - Southwesterly @ Billings Park from Pole 514/9, thence turning and running southerly
A distance of approximately 50± feet - conduit**

**Billings Park - Southerly @ Church Street, thence turning and running southeasterly
A distance of approximately 127± feet - conduit**

W/O #4590111

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

By: Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

Dated this 24th day of May, 2021

City of Newton, Massachusetts

Received and filed _____, 2021

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, May 24th, 2021

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

**Church Street - Southwesterly @ Billings Park from Pole 514/9, thence turning and running southerly
A distance of approximately 50± feet - conduit**

**Billings Park - Southerly @ Church Street, thence turning and running southeasterly
A distance of approximately 127± feet - conduit**

WO#4590111

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by **T. Thibault** dated **May 21, 2021**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the **City Council** or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2021

Mayor

CERTIFICATE

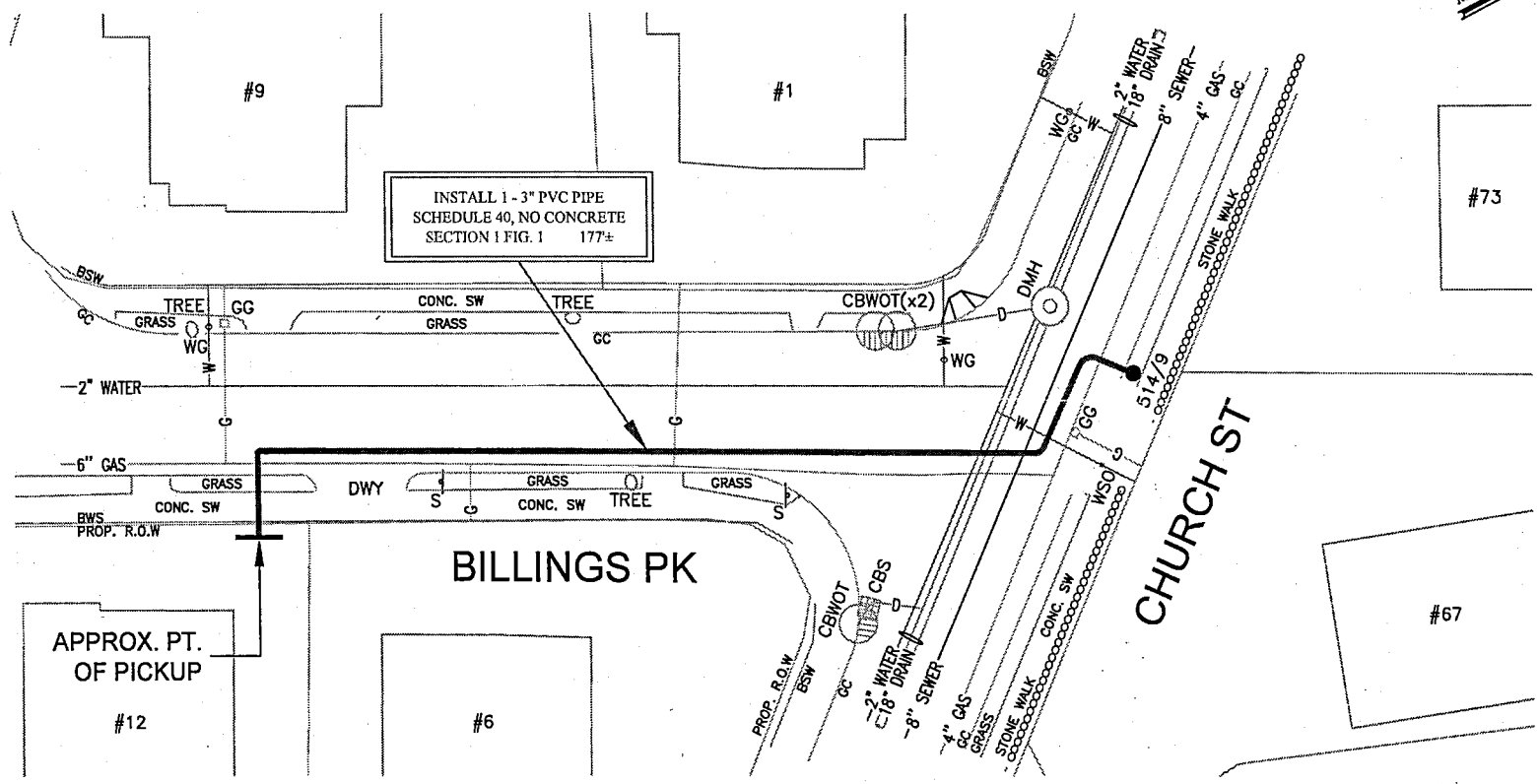
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2021, at **City Council** in the said City

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the City Council of the City of NEWTON Massachusetts duly adopted on the _____ day of _____, 2021 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of NEWTON, Massachusetts

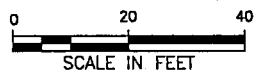
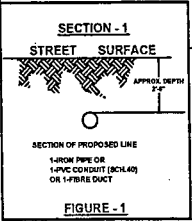


INSTALL 1 - 3" PVC PIPE
SCHEDULE 40, NO CONCRETE
SECTION 1 FIG. 1 177±

APPROX. PT.
OF PICKUP

BILLINGS PK

CHURCH ST



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NOR ITS COMPANY NOR ITS PARTNER, AFFILIATE, OFFICER, DIRECTOR, SHAREHOLDER, EMPLOYEE OR AGENT (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR HARM CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION. USE IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, HOLD HARMLESS AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR HARM.

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MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 76-21	NSTAR EVERSOURCE 1108 MASSACHUSETTS AVE. CONCORD, MASS. 02122
Ward #	
Work Order # 4590111	Plan of BILLINGS PK.
Surveyed by: BP/JC/SJ	NEWTON
Research by: JC	Showing PROPOSED CONDUIT LOCATION
Plotted by: LM	Proposed Structures: LM
Approved: T THIBAUT	Scale 1"=20' Date MAY 21, 2021
P#	SHEET 1 of 1

Final Label Report

233-21

SBL	Owner	Number	Street	Unit
72008 0021	ROTH JENNIFER A	1	BILLINGS PK	
72008 0020	KRIEGER ORRAN Y	6	BILLINGS PK	
72008 0024	MCCANN BATTAT J TR	9	BILLINGS PK	
72008 0019	HARRINGTON PAUL J J	12	BILLINGS PK	
72008 0018	BERKMAN PATIENCE B	24	BILLINGS PK	
72008 0017	TEYTELMAN LEV	28	BILLINGS PK	
72008 0023	LEWITT PETER L & MICHAEL M	39	BILLINGS PK	
72005 0026	NARAHARA JODI G & DAVID K	67	CHURCH ST	
72005 0027	COLE CAROL F	73	CHURCH ST	
72005 0028B	GRZEGORCZYK TOMASZ M	81	CHURCH ST	3
72005 0028A	GRZEGOREZYK TOMASZ M	81	CHURCH ST	2
72005 0028	GRZEGORCZYK TOMASZ	81	CHURCH ST	1
72008 0022	PIERCE JOHN W JR	82	CHURCH ST	
72008 0009	TILLOTSON GENINE AMADA	293	FRANKLIN ST	
72005 0025	BELKIN RICHARD & LAUFER MEREDITH J	149	PARK ST	

To: Alison Leary, Chair, Public Facilities Committee
From: Ann Berwick, Co-Director of Sustainability, for the Sustainability Team
Re: Electrification of new buildings and substantial renovations
Date: June 14, 2021

The purpose of this memo is to explain the views of the Sustainability Team on the draft Home Rule Petition and Ordinance on building electrification.

Why Double Down on Electricity?

Newton's Climate Action Plan's motto is "Use Less, Green the Rest." The "Use Less" actions are straightforward. To reduce greenhouse gas emissions, we need to use less energy (by insulating our homes, turning off lights when they are not in use, walking or biking instead of driving, etc.).

But surprisingly, perhaps, to "Green the Rest" we need to use more electricity and less fossil fuel. Burning fossil fuels is the main cause of climate change, because it results in the emission of greenhouse gases. Thankfully, we can make the electric grid cleaner and greener by generating electricity with cleaner, greener renewable sources, especially solar and wind. Renewables dramatically reduce the greenhouse gases from generating electricity.

In Newton, over 60% of our greenhouse gas emissions come from our homes, apartments, and commercial buildings. So, the way we heat and cool these buildings, heat our water, and keep the lights on matters a lot as we work to meet our City-wide greenhouse gas emission reduction goals.

Therefore, to "Green the Rest" we want to electrify everything we can with increasingly "green" electricity. (Massachusetts is on the verge of adding a lot of offshore wind power.) In other words, we can make electricity cleaner and greener, so we need to use electricity for more of the things for which we use energy.

Technological innovations are also helping us use more electricity. New electric heat pump technology for heating, cooling, and hot water are extremely efficient and significantly reduce greenhouse gas emissions.

How Can Newton Require that New Buildings and Major Renovations Be Electric?

Brookline, Arlington and Lexington have approved Home Rule petitions, which request that the Massachusetts Legislature allow their towns to require new buildings and major renovations to use electricity for heating, cooling, and hot water.

These new requirements would apply only to new construction and “substantially remodeled or rehabilitated” buildings (defined in the draft Newton electrification Ordinance as a renovation that affects 50% or more of the building floor area). We want new and remodeled buildings, which will last for many decades, to be fueled with clean, modern, efficient technology.

Should Newton Require Electric Induction Stoves as Well?

While people in Newton already have positive experiences with electric heat pumps for heating, cooling, and hot water, familiarity with electric induction stoves is less widespread. While we understand the argument for requiring them, many people are deeply devoted to their gas stoves. On balance, we prefer to wait to require electric induction stoves. It’s noteworthy that Brookline, Arlington, and Lexington are also exempting cooking from their proposed bylaws.

No Substantial Financial Burdens

Thankfully, electrifying new construction and significant renovations is relatively low cost and becoming more so.

Heat pumps for heating, cooling, and hot water are not currently a money-saver. The cost of purchasing and installing the equipment is fairly comparable to the cost of natural gas technology. But while the annual operating cost of heat pumps is slightly above that of a gas system (but below that of an oil system), the total annualized cost of installation and operation is well less than 1% of the annual cost of owning a new home in Newton. Additionally, the State intends to help make electrification more attractive financially by increasing the rebates for heat pump equipment and through other policies that will decrease the cost of renewable power and increase the costs of fossil fuels.

Conclusion

Newton arguably leads the State in addressing climate change. Electrification of new homes and major renovations is the right next step for Newton’s climate efforts and will be influential throughout the State.

Draft Proposed Home Rule Petition for Discussion

Date: June __, 2021

CHAPTER _____ AN ACT RELATIVE TO THE ELECTRIFICATION OF NEW AND SUBSTANTIALLY REMODELED OR REHABILITATED BUILDINGS IN THE CITY OF NEWTON

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the State Building Code; the Gas Code; M.G.L c. 142, sec. 13; M.G.L. c. 164, and any other general or special law to the contrary, the City of Newton may by ordinance require new and substantially remodeled or rehabilitated buildings to use electricity instead of fossil fuels for heating and cooling systems and hot water appliances.

SECTION 2. As used in this chapter, the following words shall have the following meaning unless the context clearly indicates a different meaning:

“Substantially remodeled or rehabilitated” means a renovation that affects 50% or more of the building floor area.

SECTION 3. An ordinance adopted under this Act may require new and substantially remodeled or rehabilitated buildings to use electricity instead of fossil fuels for heating and cooling systems and hot water appliances.

SECTION 4. The City of Newton may require that building permit applications for new and substantially remodeled or rehabilitated buildings identify the heating and cooling systems and hot water appliances that will be used in the building.

SECTION 5. The City of Newton may withhold the issuance of a building permit for a new or substantially remodeled or rehabilitated building that does not use electricity instead of fossil fuels for heating and cooling systems and hot water appliances.

SECTION 6. An ordinance adopted under this Act may provide for exemptions from and waivers of the requirement set forth in Section 3 herein.

SECTION 6. This act shall take effect upon its passage.

Draft Newton Electrification Ordinance

Purpose

The City of Newton adopts this Ordinance to require new and substantially remodeled or rehabilitated buildings to use electricity instead of fossil fuels for heating and cooling systems and hot water appliances. The Ordinance will protect the health and welfare of the City's inhabitants and the environment by reducing greenhouse gases, which cause climate change, and by reducing other air pollutants since electricity can be created by solar, wind and other fossil-free sources.

Definitions

"Substantially Remodeled or Rehabilitated" means a renovation that affects 50% or more of the building floor area.

Applicability of Electrification Requirements

Any building project that requires a building permit involving the construction of a new building or a Substantially Remodeled or Rehabilitated Building located or to be located in whole or in part within the City of Newton shall include the installation of heating and cooling systems and hot water appliances that are powered by electricity instead of fossil fuels.

Exceptions

The requirements under this Ordinance do not apply to any of the following:

- A. Indoor and outdoor cooking appliances.
- B. Outdoor heating appliances.
- C. Emergency generators.
- D. Appliances to produce potable or domestic hot water from centralized hot water systems in commercial buildings with a Gross Floor Area of at least 10,000 square feet, provided that the architect, engineer, or general

contractor on the project certifies by affidavit that no commercially available electric hot water heater exists that could meet the required hot water demand for less than 150% of installation costs, compared to a conventional fossil fuel hot water system.

Application Requirements

When applying for a building permit for a new or Substantially Remodeled or Rehabilitated Building, the applicant must submit documents with the application that identify the heating and cooling systems and hot water appliances that will be installed and used in the building. The submitted documents must include, at a minimum, XXX.

Compliance

The Commissioner of Inspectional Services shall not issue any building permit for the construction of a new or Substantially Remodeled or Rehabilitated Building unless the applicant submits the documentation set forth in Section XXX, Application Requirements. The Commissioner of Inspectional Services shall not issue a certificate of occupancy for any building subject to this article prior to inspection and confirmation that the heating and cooling systems and hot water appliances installed in the building comply with the applicant's documents submitted pursuant to Section XXX, Application Requirements.

Waivers

- A. The Commissioner of Inspectional Services may grant a waiver from the provisions of this Ordinance in the event that compliance makes a project financially infeasible or impractical to implement. Compliance with this Chapter may be considered infeasible or impractical to implement if, without limitation, as a result of factors beyond the control of the proponent, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable.
- A. Waiver requests shall be supported by a detailed cost comparison, including available rebates and credits.

- B. Waivers may be subject to reasonable conditions. Where possible, waivers shall be issued for specific portions of a project that are unviable or unsuitable to implement, rather than for entire projects.
- C. The Commissioner of Inspectional Services shall issue guidance on the granting of waivers and the imposition of conditions.

Effective Date

The requirements of this Article XXX shall not apply to any building permit, special permit or comprehensive permit issued prior to the effective date of XXX, 2021 [*insert date amendment approved by City Council and signed by Mayor*].

DRAFT