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Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	June 29, 2021
Land Use Action Date:	September 14, 2021
City Council Action Date:	September 20, 2021
90-Day Expiration Date:	September 27, 2021

DATE: June 25, 2021

TO: City Council

FROM: Barney S. Heath Director of Planning and Development
Neil Cronin, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: **Petition #179-21** for SPECIAL PERMIT/SITE PLAN APPROVAL to create a 6-acre development using land from 333 Nahanton Street to construct a 174-unit congregate living facility with amenity space, connected to the Coleman House via an enclosed walkway, on a new 218,583 subdivided portion of the lot, to determine density and dimensional controls, to allow assigned parking, to allow parking in the side setback, to allow parking within five feet of a building containing dwelling units, to allow reduced parking stall width and depth, to allow reduced accessible stalls, to allow reduced aisle width, to waive perimeter landscaping requirements, to waive lighting requirements for outdoor parking and to allow three years to exercise the special permit at **333 Nahanton Street** and **677 Winchester Street**, Ward 8, Newton Centre, on land known as Section 83 Block 35 Lots 04 and 04B, containing approximately 1,225,207 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 7.3.2.E, 3.4.1, 3.3.3.A.3, 3.1.2.A.3, 5.1.3.E, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A.1.i, 5.1.10.A.1 of the City of Newton Rev Zoning Ord, 2017.

Petition #201-21 for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit Council Orders #175-18, #147-79, #147-79(2), #292-93 to permit the sale of approximately 218,583 sq. ft. to 2Life Holdings to allow the construction of a congregate living facility, and to allow three years to exercise this amendment at **333 Nahanton Street**

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. Additional information may be presented at or after the public hearing that the Land Use Committee of the City Council will want to consider in its discussion at subsequent public hearings or working sessions.

EXECUTIVE SUMMARY

The subject site at 333 Nahanton Street and 677 Winchester Street two parcels in a Single Residence 1 zoning district (totaling 1,225,207 square feet) that are currently the site of the Leventhal Sideman Jewish Community Center (JCC) and Coleman House, a 5-story building containing 146 units of affordable elderly housing and associated accessory parking areas. The JCC was first constructed by Special Permit #147-79 in the 1980s and has been amended several times due to program changes and an expansion. Coleman House was also constructed in the 1980s and was approved as a Comprehensive Permit by the ZBA, #3-83. An eight-story addition was approved by ZBA decision #17-96 and added 46 to the original 100 units for a total of 146 units.

2Life Communities will acquire 218,583 square feet of land from the JCC site at 333 Nahanton Street and 36,955 square feet of land from Coleman House at 677 Winchester to create a 255,538 square-foot parcel for the development of “Opus,” a seven-story, 174-unit congregate living facility with two levels of underground garage parking. The project will also reroute an internal driveway that currently bisects the parcels containing the JCC. In addition to the new congregate living facility, 2Life will also construct a two-story building which connects Opus to Coleman House. This building will serve both buildings and include spaces for dining, fitness, a wellness clinic, arts and culture, life-long learning, intergenerational programs and community events as well as offices for staff and the care coordination team. The proposed outdoor spaces include areas for dining, a patio, walking paths, a courtyard with senior-specific fitness equipment, gardening and seating areas.

The units at Opus will be restricted to adults aged 62 and older who are financially “in the middle”. The project will comply with the Elderly Housing with Services section of the inclusionary zoning ordinance by providing nine units, containing a total of 15 beds, for residents making up to 80% of area median income (AMI). The petitioner has stated that the units are for adults who are financially “in the middle” and want to stay in Newton but are over-income for subsidized housing such as 2Life Communities’ Coleman and Golda Meir Houses and may not be able to afford market

rate senior housing.

To construct the project as proposed, amendments to the special permits and site plans associated with Council Order #175-18 and ZBA Decisions #3-83 and #17-96 are required to allow for the conveyance of land from the JCC and Coleman House parcels to create the third parcel for 2Life.

As Condition 13(f) of Special Permit #175-18 limits buildings to three stories on the JCC parcel, and a portion of the JCC parcel would be subdivided to create the Opus lot, the special permit condition must be amended to allow for an eight-story building.

As the only by-right residential use in the SR1 zoning district is single-family dwellings, a special permit is required per section 3.4.1 to construct a congregate living facility at this location. As a congregate living facility is only allowed by special permit and no dimensional and density controls are specified for it in Section 3.1 of the NZO, the City Council would need to determine the dimensional and density requirements for this use.

The proposal would also require several exceptions to relevant parking requirements in the NZO, including

- Waiving the restriction against parking stalls being assigned to specific tenants (Section 5.1.3.E).
- Allowing several parking stalls to be located within five feet of a side lot line (Section 5.1.8.A.1)
- Allowing an accessible stall to be located within five feet of the proposed building (Section 5.1.8.A.2)
- Allowing several 8’11” wide stalls (less than the 9 feet required)(Section 5.1.8.B.1)
- Allowing several stalls 17.6 feet in depth (less than the 19 feet required (Section 5.1.8.B.2)
- Allowing accessible stalls are all 8 feet in width with loading aisles of either 5 feet or 8 feet that meet State AAB requirements but are less that the minimum width of 12 feet required by the NZO (Sec. 5.1.8.B.4)
- Allowing 23.6-foot wide manuvering aisles in one location of each parking level, less than the minimum width of 24 feet for access aisles for 90-degree parking required (Section 5.1.8.C.1)
- Waiving the requirement that outdoor parking facilities containing more than five stalls require a strip of at least five feet in width of densely planted shrubs or trees at least 3.5 feet high at the time of planting that provide year-round screening section (Section 5.1.9.A.1.i)
- Waiving the requirement that outdoor parking facilities used at night to provide lighting maintaining a minimum density of one-foot candle on the entire surface (Section 5.1.10.A.1)

The Planning Department is generally supportive of the project as it will add needed elderly housing at a unique price point, while also providing affordable units. The proposed project

appears compatible with the existing Coleman House and JCC campus and will allow for increased and shared amenities between Coleman House and Opus. Additional information and reviews are needed to fully assess the site plan, building design, traffic and parking and the Planning Department will provide additional information at a future meeting.

I. REVIEW CRITERIA

When reviewing this request, the City Council should consider whether:

- The specific site is an appropriate location for the proposed mix of uses and structures, including a proposed congregate living facility, as designed, including the proposed density and dimensions. (§7.3.3.C.1.)
- The proposed project as developed and operated will not adversely affect the 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 the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4.)
- The site and buildings as designed, constructed, and operated will contribute significantly to the efficient use and conservation of natural resources and energy, including through some or all of the following: (a) minimizing operating energy; (b) minimizing the use of fossil fuels; (c) implementing a transportation plan that will minimize carbon footprint. (§7.3.3.C.5.)
- Literal compliance with the parking requirements of the Newton Zoning Ordinance (NZO) 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. (§5.1.13.)

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

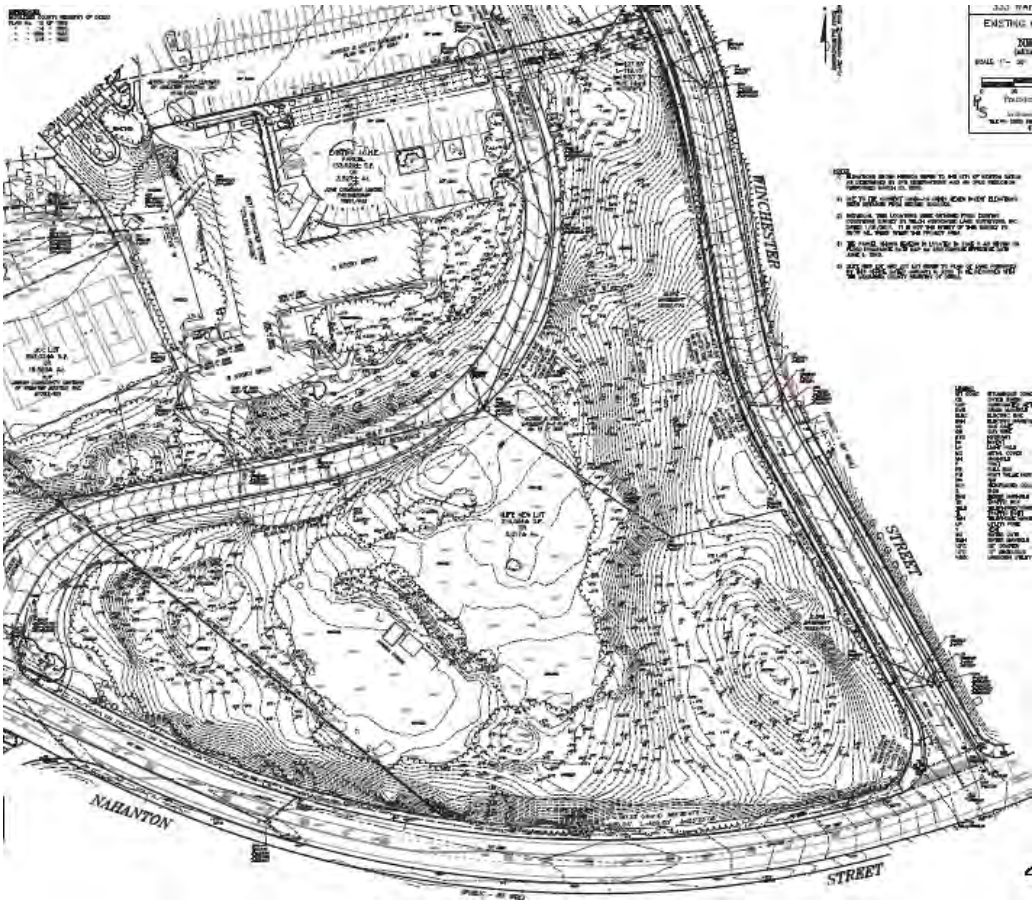
A. Neighborhood and Zoning

The project site is located at the northwest intersection of Nahanton Street and Winchester Street, at the site of the JCC campus and Coleman House. The site is zoned Single Residence 1 (SR1). Abutting the site to the north is the JCC and Coleman House (zoned SR1). Nahanton Park is located to the west of the site and is zoned Public Use (PUB). To the east is the Newton Community Farm (PUB) and land zoned Multi Residence 1 (MR1), containing a multi-family development. To the northeast is the Charles River Country Club, zoned SR1 and to the south is the Wells Avenue Office Park, zoned Limited Manufacturing (LM) **(Attachments A & B)**.

B. Site

The site is accessed from Nahanton Street where an access easement crosses a small portion of Nahanton Park and leads to an internal roadway that provides circulation through the JCC and Coleman House sites. The combined lot area of the existing JCC and Coleman House sites is approximately 1.2 million square feet and the new parcel to be created for Opus will be 255,538 square feet. The Opus parcel currently contains wooded area, an internal roadway, and a gravel lot used for overflow parking for the JCC. The site generally slopes down from Coleman House to Nahanton and Winchester Streets. There is a large, flat gravel area adjacent to the existing internal roadway with more significant slopes, including valleys and knolls, closer to Winchester and Nahanton Streets.

Existing uses on the larger site include the JCC Campus, 146 units of elderly housing, and surface parking areas.



Existing Site Plan

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

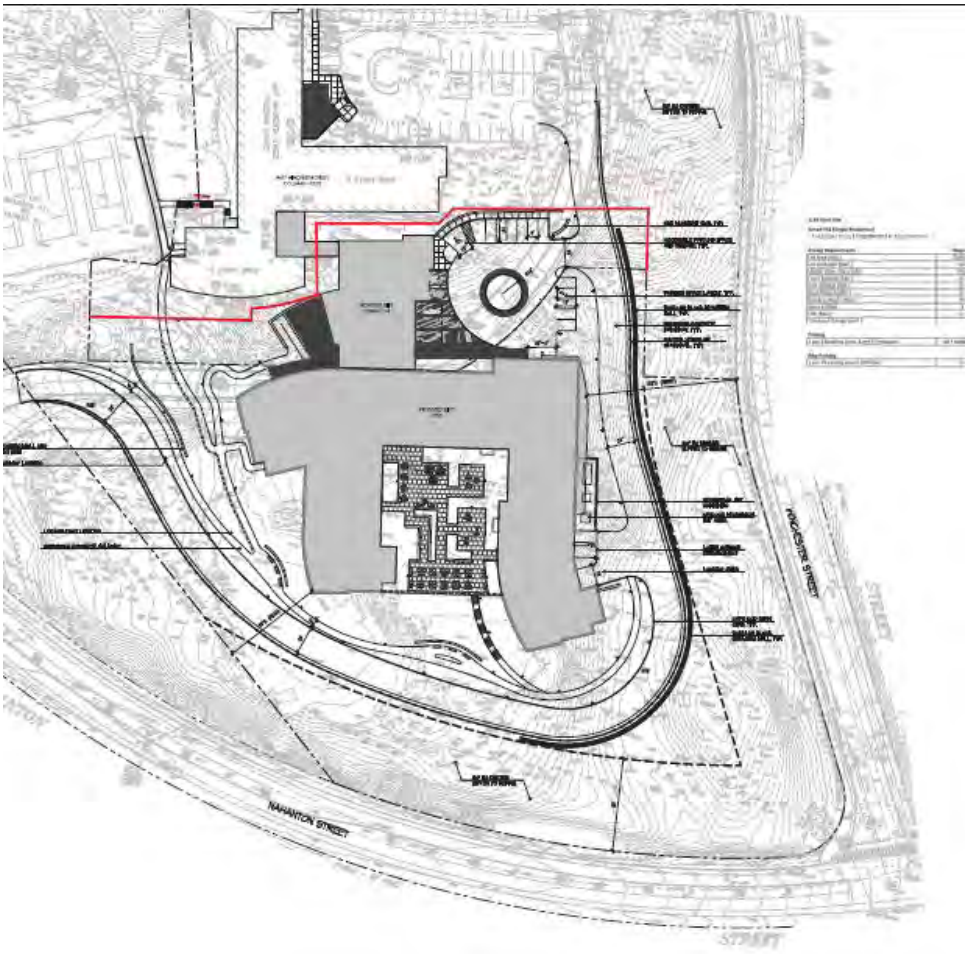
The petitioner is proposing to create a new parcel and build a seven-story congregate living facility with 174 units of housing for adults over the age of 62. The facility will contain a mix of one- and two-bedroom apartments, all with full sized kitchens, and designed to universal design standards intended to allow residents to stay in place as they age. The proposed building, Opus, will connect to the adjacent Coleman House via a two-story connector building. The connector building will include a new main entrance and amenity spaces for the Opus/Coleman community along with staff offices. The connector building is approximately 25,000 square feet and there is another 11,000 square feet of common space in Coleman House. Programs and services for residents of both buildings will be distributed throughout these common spaces. The proposal also includes outdoor spaces such as dining areas, a patio, walking paths, a courtyard with senior-specific fitness equipment, gardening and seating areas.

The units in Opus will be rental units with an entry fee the petitioner has called a "community share". The units at Opus are intended for middle income residents and will range in size from 650 square feet to 1,350 square feet. 60 percent of the units will be two-bedroom units and 40 percent will be one-bedroom.

The site is located in the SR1 zone, which allows for congregate living facilities by special permit. While congregate living facilities are allowed by special permit, no dimensional or density controls are specified for it in the zoning ordinance, the City Council to determine appropriate dimensional and density controls for the use.

B. Building and Site Design

The petitioner is proposing a new seven-story building to connect to the existing Coleman House building, an eight-story building. The buildings will be connected via a two-story building that will serve as an entrance and amenity space for residents of both buildings. The building is a U-shape with an internal courtyard area facing towards the southern end of the site. The upper floors step back along the ends of the site with the tallest portions of the building located towards the interior.



Proposed Site Plan

As detailed in the attached memorandum (**Attachment C**), the petitioner presented to the Urban Design Commission (UDC) on May 12th and the UDC commented that it is a "wonderful" project that will be a big asset to Newton. The UDC generally found the building to be handsome but found the stone base to be taller than human scale, resulting in a heavy feel to the building. They also recommended the petitioner consider further varying the heights and breaking down the massing further. The UDC was also concerned about the length of the corridors and lack of natural light in the corridors, and they recommended the petitioner consider adding a second elevator lobby to minimize the walking distance for elderly residents. The Planning Department requests that the petitioner provide updated building elevations which are at a larger scale and include material call outs and dimensions.

Proposed elevations- Nahanton St., Winchester St. and North

The proposed site plan reroutes the internal roadway to allow for the construction of the proposed building, connecting to the existing Coleman House. The roadway will loop around the southern end of the building and will connect to a circular driveway in front of the main entrance at the connector building. The roadway will then connect to the existing roadway, which provides access to the JCC campus. The reconfigured roadway will require significant retaining walls due to the steep grades onsite. The Associate City Engineer has requested additional information, including roadway cross sections. The UDC has also requested a full site section from the JCC or Coleman House down across the street to the farm to fully understand the slope difference.

The entry circular drive includes 13 surface parking stalls and landscaping. The UDC

found the landscape approach to be great, but they thought the connector building entrance was stark and could be softened with landscaping. The UDC also recommended creating a vision for the outdoor front entrance that includes space for residents and visitors to gather and not just keeping it as a drop-off area.

While the zoning ordinance does not provide dimensional standards, such as setbacks, for congregate living facilities, the proposed project maintains an 80-foot wide wooded buffer area along Nahanton and Winchester Streets. Within this buffer all existing dense vegetation is to remain. The Planning Department requests the petitioner provide additional information on the trees to be removed to allow for construction of the proposed building.

The Planning Department recommends that the petitioner provide the additional information requested by the UDC and Associate City Engineer and provide responses to the comments from the UDC.

The Planning Department has engaged Horsley Witten Group to conduct a peer review of the site design, landscaping, engineering, and stormwater.

C. Transportation, Traffic and Parking

The proposed site layout includes rerouting the internal roadway that provides access to the site from Nahanton Street. The roadway will lead to a circular driveway in front of the connector building, between Opus and Coleman House and connect to the existing roadway, which provides access to the JCC campus and parking areas. The circular driveway will include 13 surface parking stalls, will provide for pick up and drop off, and also provides access to the underground garage proposed at Opus. 2Life currently operates free transportation van services for residents as well as assisting residents in accessing MBTA's "the Ride", City-operated para-transit services, ride-hailing services, and delivery services. It is anticipated that these services will utilize the circular driveway.

There are currently 61 surface parking stalls available on the Coleman House property and 409 on the JCC campus. The proposed project includes the construction of 243 parking stalls; 230 in the garage under Opus and 13 in the circular driveway. The JCC will lose 65 surface stalls which are on the property to be conveyed for the construction of Opus, however these will be replaced by using 30 surface stalls from the adjacent Coleman House and an additional 35 stalls in the Opus garage. The remaining 238 stalls will be shared between Opus and Coleman House. The total provided parking stalls exceed the zoning requirements, however the petitioner has requested waivers from a number of parking operational and dimensional standards.

The petitioner should provide additional information regarding how loading and trash pick-up will operate on site.

The petitioner submitted a Traffic Impact Study prepared by Stantec and a Parking Study, also prepared by Stantec. The Planning Department has engaged BETA Group, Inc. to peer review these studies and the findings will be presented at a later public

hearing.

D. Lighting

The petitioner has submitted a photometric plan which shows no light spillover outside of the property. The photometric plan also shows little to no light in areas of the circular drive and main entry. The petitioner should provide additional information to ensure the entry lighting will be sufficient for the safety of residents and visitors.

E. Signage

The petitioner is not seeking any waivers for signage.

F. Housing

The proposed development will consist of 174 independent living rental units. Per Section 5.11.11. of the Inclusionary Zoning ordinance, Elder Housing with Services projects, such as the present proposal, must provide 5% of total beds as Inclusionary Beds designated affordable to eligible elderly households with annual gross incomes up to 80% AMI. With 280 total beds, 5% or 14 beds must be designated as affordable.

The following table shows the unit breakdown of all 174 units in the project:

Unit Type Info for Entire Project		
Total Units (proposed)		
1BR/1BA	4	2%
1BR/1.5BA	24	14%
1BR/1.5BA/Den	40	23%
2BR/1.5BA	28	16%
2BR/2BA	36	21%
2BR/2BA/Den	42	24%
Total	***174***	**100%**

Per Section 5.11.7.B. of the Inclusionary Zoning ordinance, the bedroom mix of Inclusionary Units must be equal to the bedroom mix of the market-rate units in the Inclusionary Housing Project. To comply with this provision, Opus proposes to provide 9 inclusionary units (with a total of 15 beds), consisting of the following unit mix:

1BR/1.5BA	1.0
1BR/1.5BA/Den	2.0
2BR/1.5BA	2.0
2BR/2BA	2.0
2BR/2BA/Den	2.0
Total	**9.00**

The final unit mix and location of inclusionary units shall be reviewed and approved by the Director of Planning and Development prior to the issuance of a building permit for the project, per Section 5.11.8. of the Inclusionary Zoning ordinance.

Prior to commencing any pre-sale or pre-marketing activities, the proponent must submit an Affirmative Fair Housing Marketing Plan to the Director for review and approval. Additionally, prior to the issuance of any temporary or final certificate of occupancy for any residential unit in the project, 2Life and the City must enter into a Regulatory Agreement and Declaration of Restrictive Covenants, in a form approved by the City of Newton Law Department, which will establish the affordability restriction for the inclusionary units in perpetuity.

The project must comply with all other applicable inclusionary zoning provisions of the Newton Zoning Ordinance, Section 5.11.11. - Elder Housing With Services.

G. Accessibility

The project is required to be compliant with ADA and MAAB regulations. All units are expected to be adaptable to those with disabilities and built to ADA and MAAB requirements. The petitioner has indicated that all units will be designed according to universal design standards, particularly kitchens and bathrooms, which will allow residents to stay in place as they age.

The petitioner should provide additional information regarding the number, dimensions, and location of ADA parking stalls.

H. Sustainability and Conservation of Natural Resources

The petitioner has submitted what it terms an “early stage energy narrative” that details the actions it intends to take to “minimize energy use, make use of renewable energy sources, and outline a transition towards net zero status in the future.” As indicated in the narrative, the petitioner intends to design and construct the development so that for approximately 70% of the exterior wall area of the residential portion of the building follows “Passive House” principles, including continuous insulation and minimized envelope air leakage, with continuous ventilation provided to all residences with “energy recovery ventilation.”

The Planning Department has circulated the relevant materials to City sustainability staff for comment in advance of a future public hearing on the petition.

IV. TECHNICAL REVIEW

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

As detailed in the attached Zoning Review Memorandum **(Attachment D)** that provides a complete analysis of the proposal with regard to zoning (including a table of required zoning relief), the proposed project requires several zoning reliefs, including:.

- Amend Special Permit #147-79(2) and (3)
- Amend Special Permit #292-93
- Amend Special Permit #175-18 to allow for the subdivision of the property for the creation of the lot for the 2Life construction.
- Special Permit per §7.3.3 to:
  - allow a congregate living facility (§3.4.1)
  - determine the density and dimensional controls (§3.2.2.A.3)
  - allow assigned parking (§5.1.3.E)
  - allow parking within the side setback (§5.1.8.A.1)
  - allow parking within five feet of a building containing dwelling units (§5.1.8.A.2)
  - allow reduced parking stall width (§5.1.8.B.1)
  - allow reduced parking stall depth (§5.1.8.B.2)
  - allow reduced accessible stalls (§5.1.8.B.4)
  - allow a reduced aisle width (§5.1.8.C.1)
  - waive perimeter landscaping requirements (§5.1.9.A.1.i)
  - waive lighting requirements for outdoor parking (§5.1.10.A.1)

Further, the proposal would also require the Zoning Board of Appeals to amend ZBA Decision #3-83 to allow for the conveyance of land from the JCC and Coleman House parcels to create the third parcel for 2Life and ZBA Decision #17-96 to allow for the conveyance of land from the JCC and Coleman House parcels to create the third parcel for 2Life.

B. Engineering Review

The attached Engineering Division Memorandum (**Attachment E**) provides an analysis of the proposal with regard to engineering issues. Among other topics, the memo notes that: a new sewer main extension is proposed from the intersection of Winchester and Nahanton Streets. The petitioner is to pay the cost

of this extension and the new main will be granted to the City to be part of the City's sanitary sewer system. The Associate City Engineer has requested additional information regarding the sewer extension. The proposed project also includes a stormwater collection system that includes infiltration and treatment for the new roof areas and portions of the new access road, designed in accordance with the Department of Environmental Protection and Department of Public Works Stormwater Regulations and Policies. The Associate City Engineer recommends the petitioner consider opportunities to divert the stormwater from portions of the roadway to rain gardens along the roadway shoulder or perforated pipe to allow for infiltration and treatment rather than directly connecting to the City's drainage system.

Also, the project will require an approved construction management (CMP) plan before the issuance of a building permit as well as an Operation and Maintenance (O&M) plan for the proposed drainage system and, as the project would involve the shifting of property lines and the creation of a new lot, an approved an Approval Not Required [ANR] plan will be required for filing at the Registry of Deeds.

V. PETITIONER'S RESPONSIBILITIES

The petitioner should respond to the issues raised in this memorandum and other questions raised at the public hearings as necessary. Written responses to all significant issues should be provided for analysis by the Planning Department prior to being scheduled for additional public hearings. The Planning Department will prepare an updated memo prior to any future public hearings.

ATTACHMENTS:

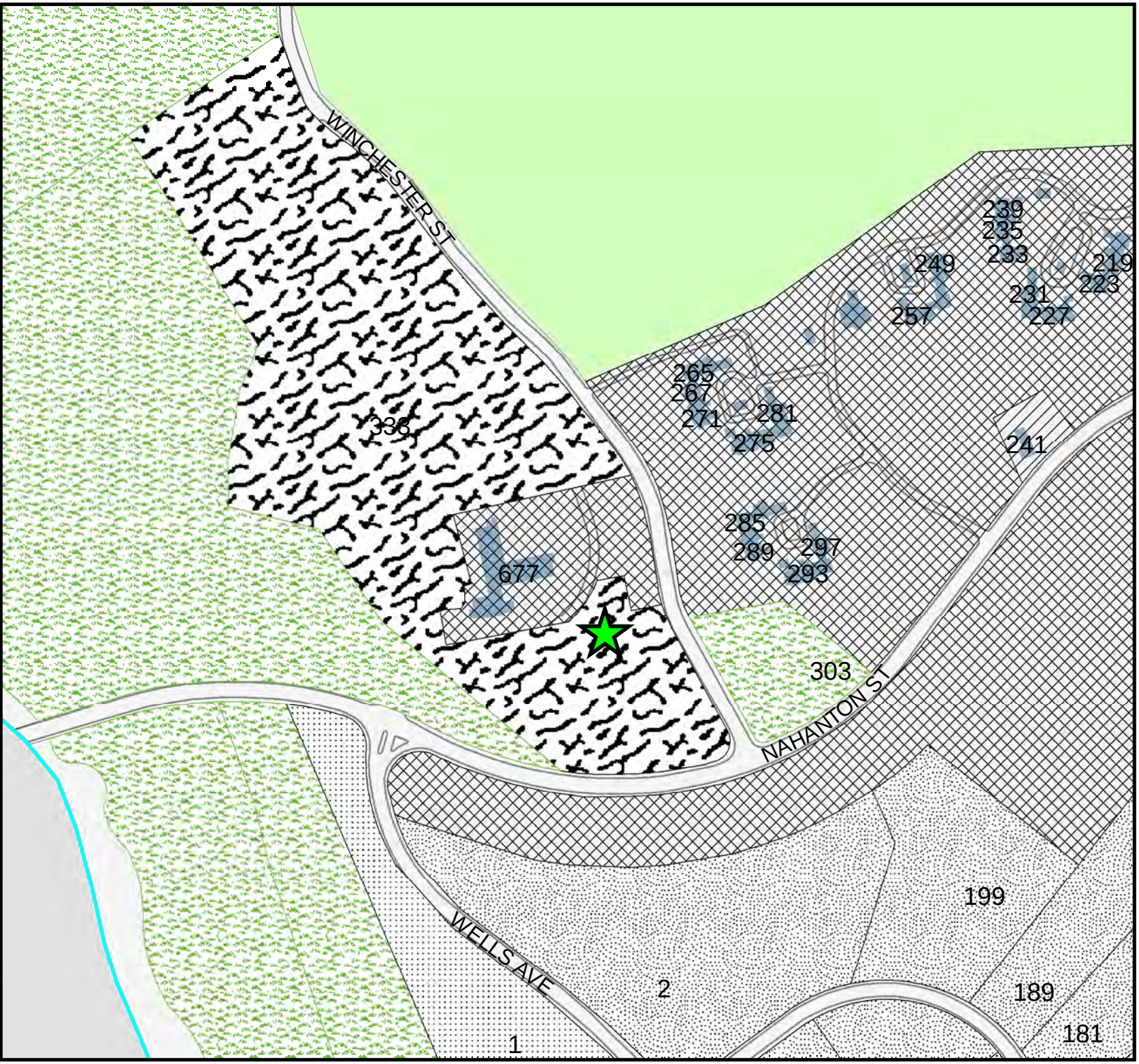
Attachment A: Zoning Map
Attachment B: Land Use Map
Attachment C: Urban Design Commission (UDC) Memorandum
Attachment D: Zoning Review Memorandum
Attachment E: Engineering Division Memorandum

ATTACHMENT A

Land Use

333 Nahanton St. and 677 Winchester St.

City of Newton, Massachusetts



Land Use

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Golf Course
- Open Space
- Private Educational
- Nonprofit Organizations

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NEWTON GIS

CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller
GIS Administrator - Douglas Greenfield

0 25 50 75 100 125 150 175 200 225 250 275 300 325 350 375 400 425 450 475 500 525 550 Feet

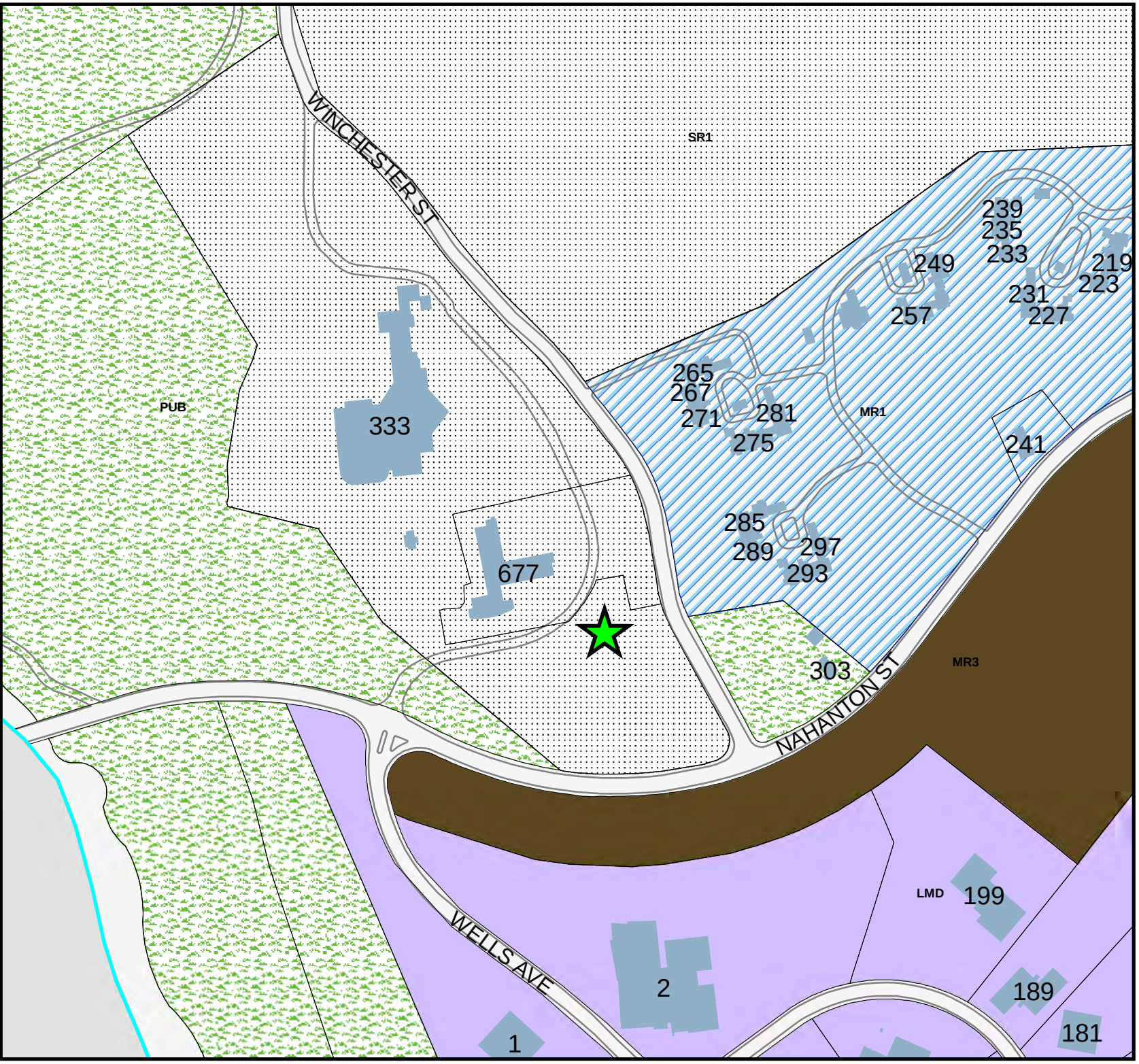
Map Date: June 21, 2021

ATTACHMENT B

Zoning

333 Nahanton St. and 677 Winchester St.

City of Newton, Massachusetts



- Single Residence 1
- Multi-Residence 1
- Multi-Residence 3
- Limited Manufacturing
- Public Use

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NEWTON GIS

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 - Ruthanne Fuller
GIS Administrator - Douglas Greenfield

0 25 50 75 100 125 150 175 200 225 250 275 300 325 350 375 400 425 450
Feet

Map Date: June 21, 2021

Ruthanne Fuller
Mayor

ATTACHMENT C

City of Newton, Massachusetts

Department of Planning and Development
Urban Design Commission

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Barney Heath
Director

DATE: June 11, 2021

TO: Neil Cronin, Chief Planner

FROM: Urban Design Commission

RE: 333 Nahanton Street and 677 Winchester Street – 2 Life Opus

CC: Land Use Committee of the City Council

Barney Heath, Director of Planning and Community Development

Jennifer Caira, Deputy Director

Petitioner

Section 22-80 of the Newton City Ordinances authorizes the Urban Design Commission to act in an advisory capacity on matters of urban design and beautification. At their regular meeting on May 12, 2021, the Newton Urban Design Commission reviewed the proposed project at 333 Nahanton Street and 677 Winchester Street – 2 Life Opus.

The Urban Design Commission (UDC) had the following comments and recommendations:

The UDC commented that this is a wonderful and a terrific project. This project will be a big asset to Newton. It's a phenomenal program of affordable housing for seniors. The UDC is looking forward to work with the applicant as the design progresses.

Site Plan, Circulation and Connectivity

- The UDC requested for an East-West site section down towards Winchester Street. The UDC commented that a big impact of this building will be how it fits on Winchester Street and how it affects the look from the Newton Community Farm. The UDC also asked to provide the impact of the road construction on the slope and how many trees will need to be removed to build the road and how they will be planted back and to also provide the planting program. The UDC also asked if a lot of slope will need to be removed to build at this site. The applicant responded that it's a hill site, the way the gravel lot and the building elevations play out, most of the road will be relatively on grade so they are able to respect an 80 feet setback and preserve all the existing trees. A lot of the trees around the gravel lot that will need to be removed are not of very high value, like invasive Norway Maple, etc. In summary, there are quite a few trees that will be removed but the applicant commented that they are putting

back higher value trees that will be maintained and will grow over time with a better tree canopy.

- The UDC recommended to create a vision for the outdoor front entrance area and not just keep it as a drop-off area. This could be a space where residents and visitors could gather. The UDC recommended to soften this space with landscaping, provide benches, and create a people oriented, more friendly space for visitors and residents.

Building Massing, Height and Architecture

- The UDC recommended the applicant study variation in height, especially from Winchester Street. It appears there is plenty of space from Nahanton Street, but it is relatively close to Winchester Street. It will be helpful to understand what it looks like if a person is standing at the Newton Community Farm. The UDC recommended that it may help to have a taller element towards the middle of the site and shorter building towards the edges. It will help to have variation in height which will help the building, it's a big building on this site.
- The UDC was concerned about the stone base of the building. It appears to be much taller than human scale and it feels very heavy. The massing of this building is much larger than Coleman House and it does require something to break the mass and the different colors proposed help to break the massing. The UDC also commented that the expression of the parking level with a lot of heavy stone feels like a fortress. It may help to bring down the scale of the building by extending some of the color panels to the bottom.
- The UDC commented that the building is handsome although this building doesn't play very well with Coleman House which is very monolithic. There is a change in scale from Coleman to this building. The window patterns in the building are good, they are broken up a little bit instead of stacked, that seems to help to make the building feel friendlier.
- The UDC was concerned about some of the interior spaces. It's a very long U-shaped building with a lot of corridor and there is no natural light coming into the corridors. Natural light will help to add more life into these long corridors. The UDC is also concerned about just having 1 elevator lobby, it is not enough for senior housing or any other kind of housing, it will be difficult for the occupant, particularly with the natural light issue. The applicant responded that they did have more elevator lobbies at one point but with 2 levels of parking at the base of the building, the applicant wanted to minimize how the cars could navigate that space, so it was clear and not problematic with multiple cores. The reason to have 1 elevator lobby was to centralize the entry in terms of vertical circulation. The applicant responded they will investigate ways to bring in more natural light. The UDC was also concerned that the corridors are too long for an elderly person to walk, so it will help to provide another elevator lobby.

Landscape, Streetscape and Public Open Space

- The UDC commented that rendering shown of the connector building entrance was very stark and recommends softening that area as part of the landscape, stormwater, etc. around the edges. UDC recognizes that it needs to be an easy drop-off area but can be softened. Maybe softening the landscape will work better with the stone.
- The UDC commented that the landscape approach is great, a nice selection of shrubs and trees, of pollinators and native species.

2 Life Opus Model:

- There was discussion about Opus and how this model will work. The UDC asked if these will be condominiums or rentals. The applicant responded that they are rentals but with a unique twist on an entry fee model which is called a “community share”. It will be structured in a combination of very affordable monthly rent together with a modest upfront contribution that helps to drive down the monthly cost, but it comes with a financial safety net.
- The UDC asked about the relationship of residents between Coleman House and Opus. Where is the interaction and what is the intent of how the two population will interact? The applicant responded that residents from both Coleman House and Opus will interact in the connector building. The connector building is about 25,000 square feet and there is also existing 11,000 square feet of common space in Coleman House. All the programs and services will be distributed throughout these two common spaces. There will be a range of offerings that will be of interest to everyone and available to everyone living in both Coleman House and Opus.
- The UDC asked about the size of the units and distribution of units. The applicant responded that size of the units ranges from 650 square feet (1-bedroom, 1 bath) to 1350 square feet (2-bedroom, 2 baths, and a den). 40% of the units will be 1-bedroom units and 60% will be 2-bedroom units.
- The UDC asked about the relationship between JCC and Opus. The applicant responded that they are still working on what the nature of that collaboration will be, but both have been wonderful neighbors for 40 years on the campus. Currently, some of the Coleman residents take advantage of discounted membership fee.

Public Comments:

The UDC also heard from the following member of the public:
Schuyler Larrabee

Mr. Larrabee commented that the length of the corridor is a big issue. It will not be an issue when you are ambulatory but when you get old, people might use a cane or a wheelchair or crutches or something similar, then the corridor starts to look very long because it will be a lot of work to walk these corridors. It is also important to see outdoors when you are in these corridors, people of middle age (young older adults) can become disoriented in big buildings with long corridors and no windows. There is an opportunity at the ends of these corridors to create some sunlight and some gathering spaces. A little lounge will help to create a community, and the neighbors can be indoors but not necessarily in their units. Regarding the exterior and stone base, it appears that the applicant is using very small pieces of stone laid up flat just a couple of inches thick. Small stone is very visibly just a veneer which is unfortunate. Foundation of big buildings generally tend to be supported on big pieces of stone which can be fake that are about 4-6 inches thick and laid up against concrete.

Additional materials requested:

- Full Site Section from JCC or Coleman House down across the street to the Farm to see the slope difference

ATTACHMENT D

Ruthanne Fuller
Mayor

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

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: May 5, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: 2Life Holdings LLC, Applicant
2Life Coleman Limited Partnership, Applicant
Jewish Community Center of Greater Boston, Inc, Applicant
Alan Schlesinger, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to amend Special Permits #175-18, #292-93, #147-79(2) and (3) and ZBA decisions #3-83 and #17-96 to subdivide the lots to create a third parcel and construct a congregate living facility

Applicants: 2Life Holdings LLC, 2Life Coleman Limited Partnership, Jewish Community Center of Greater Boston, Inc	
Site: 333 Nahanton Street and 677 Winchester Street	**SBL:** 83035 0004 and 83035 0004B
Zoning: SR1	**Lot Area:** 1,225,207 square feet
Current use: Vacant (part of the JCC and Coleman House properties)	**Proposed use:** Congregate Living Facility

BACKGROUND:

The proposed development is located on two parcels totaling 1,225,207 square feet; 333 Nahanton Street and 677 Winchester Street in the Single Residence 1 zoning district. The property located at 333 Nahanton Street is improved with the Leventhal Sidman Jewish Community Center (JCC) and associated accessory parking areas. The property at 677 Winchester Street is improved with Coleman House, a five-story building that contains elderly housing. The petitioner proposes to subdivide the

lot to create a 255,538 square foot separate lot and construct a 174-unit congregate living facility. The proposed facility will connect with the existing Coleman House via a one-story enclosed walkway and shared amenity space. The petitioner also proposes to construct two levels of underground garage parking. To construct the project as proposed, the petitioner requires an amendment to the existing special permit and comprehensive permit, as well as a new special permit.

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

- Zoning Review Application, prepared by Alan Schlesinger, attorney, submitted 3/3/2021
- Existing Conditions Plan, signed and stamped by Michael A. Pustizzi, surveyor, dated 3/9/2020
- JCC Campus Site Plan, prepared by Stantec, dated 3/3/2021
- Opus Site Plan, prepared by Stantec, dated 3/3/2021
- Coleman House Site Plan, prepared by Stantec, dated 3/3/2021
- Floor Plans and Elevations, prepared by Perkins Eastman, architects, dated 2/19/2020
- Special Permit #175-18, dated 4/17/2018
- Special Permit #292-93
- Special Permit #147-79(2) and (3)
- Comprehensive Permit Decisions #3-83 and #17-96

ADMINISTRATIVE DETERMINATIONS:

1. The proposed project will acquire land from both the JCC and the Coleman House. 2Life will acquire a 218,583 square foot portion of 333 Nahanton Street, the site of the JCC. The JCC was constructed by Special Permit #147-79 in the 1980s. The special permit has been amended several times for changes to the JCC program, with the most recent permit, Council Order #175-18 for an expansion project. An amendment to the special permit and site plan associated with Council Order #175-18 is required to allow for the subdivision of the property for the creation of the lot for the 2Life construction.

   The subject property will also be created in part with the acquisition of 36,955 square feet from 677 Winchester Street, the site of the Coleman House. Coleman House was constructed in the 1980s pursuant to the terms of ZBA Decision #3-83, a Comprehensive Permit. An eight-story addition adding 46 units to the existing 100 units was constructed pursuant to ZBA Decision #17-96.

   Amendments to the special permits and site plans associated with Council Order #175-18 and ZBA Decisions #3-83 and #17-96 are required to allow for the conveyance of land from the JCC and Coleman House parcels to create the third parcel for 2Life.

2. The petitioner proposes to construct a congregate living facility in the Single Residence 1 zoning district (SR1). Per section 3.4.1, a special permit is required.

3. The only by-right residential use in the SR1 zoning district is single-family dwellings. While congregate living facilities are a use allowed by special permit, no dimensional and density controls are specified for it in section 3.1. Section 3.1.2.A.3 states that in the instance where a dimensional or density control is not set forth for a use granted by special permit, then the most restrictive density or dimensional control applicable to such use in any district where the use is allowed by right would apply, unless otherwise required in the special permit. Congregate living

facilities are not allowed by right in any district, and thus the City Council determines the dimensional and density requirements for this use.

SR1 Zone	2Life Opus	JCC	Coleman House
Lot Size	218,583 square feet	852,995 square feet	116,674 square feet
Setbacks • Front • Side • Rear	 125 feet 0 feet 80 feet	 feet feet feet	 255 feet 0 feet 2 feet
Building Height	86.31 feet	feet	54 feet
Stories	7		8
Lot Area Per Unit	1,452 square feet	NA	799 square feet
FAR	1.28		1.07
Open Space	60%	74%	59%
Lot Coverage	25%	8.3%	19.9%

Per section 3.1.2.A.3, where a density or dimensional control is not set forth for a use granted by special permit, the most restrictive controls applicable to such use where it is allowed by right are applicable, unless otherwise determined by the City Council in the special permit.

Condition 13(f) of Special Permit #175-18 limits buildings to three stories on the JCC parcel. As a portion of the JCC parcel is being subdivided to create the Opus lot, the special permit condition must be amended to allow for an eight-story building.

4. There are 61 surface stalls available on the Coleman House property and 409 on the JCC campus. The petitioner proposes to construct 243 parking stalls on site; 230 in the garage under Opus and 13 surface stalls at the entry circle. The JCC campus will lose 65 stalls on the property to the conveyance and subsequent construction, however they will be replaced by using 30 surface stalls from the adjacent Coleman House surface parking and 35 in the Opus garage. The remaining 238 stalls will be available for shared use of residents and employees of the existing Coleman House and 2Life Opus.

	JCC	Coleman House	2Life Opus
Existing	409	60	NA
Proposed Visitor/Staff	409 344 on campus 30 Coleman surface 35 Opus garage	38 25 Opus garage 13 Entry Circle surface	
Proposed Residential	NA	60 30 Coleman surface 30 Opus garage	140 Opus garage
TOTAL	409	238	

Per section 5.1.4, a congregate living facility requires one parking stall per every two dwelling units, plus one stall for every three employees. With 174 dwelling units and 33 employees proposed at 2Life Opus, 98 parking stalls are required. Sixty stalls are existing for Coleman House and will remain available. The proposed 238 parking stalls available to 2Life Opus and Coleman

House satisfy the existing parking requirement for Coleman and the proposed parking requirement for Opus.

5. Section 5.1.3.E requires that parking stalls are not assigned to specific tenants. The petitioners seek a special permit to waive this restriction.

6. Per section 5.1.8.A.1, no parking stall may be located within any required setback distances from a street or side lot line. The petitioners propose to construct 13 surface parking stalls in an entry circle, a number of which are within five feet of the side lot line, requiring a special permit per section 5.1.13.

7. Section 5.1.8.A.2 requires that no outdoor parking locate within five feet of a building containing dwelling units. The accessible stall in the entry circle is within five feet of the proposed building, requiring a special permit per section 5.1.13.

8. Section 5.1.8.B.1 requires that parking stall widths are at least 9 feet. The petitioners propose several stalls which are 8'11" wide, requiring a special permit per section 5.1.13.

9. Section 5.1.8.B.2 requires parking stall lengths of at least 19 feet. The petitioners propose several stalls which are 17.6 feet in depth, requiring a special permit per section 5.1.13.

10. The proposed accessible stalls are all 8 feet in width with loading aisles of either 5 feet or 8 feet. Per section 5.1.8.B.4 accessible stalls require a minimum width of 12 feet. A special permit per section 5.1.13 is required. The proposed stalls meet the requirements for the AAB and the requested relief is relative to the local ordinance only.

11. Per section 5.1.8.C.1 requires a minimum width of 24 feet for access aisles for 90-degree parking. The petitioners propose a 23.6-foot wide aisle in one location of each level of parking, requiring a special permit per section 5.1.13.

12. Per section 5.1.9.A.1.i, outdoor parking facilities containing more than five stalls require a strip of at least five feet in width of densely planted shrubs or trees at least 3.5 feet high at the time of planting that provide year-round screening. The petitioners seek a special permit per section 5.1.13 to waive this requirement.

13. Section 5.1.10.A.1 requires outdoor parking facilities used at night to provide lighting maintaining a minimum density of one-foot candle on the entire surface. The petitioners seek a special permit per section 5.1.13 to waive this requirement.

14. Section 5.11.11.C requires that 5% of beds on site are required to be designated as affordable at at 80% AMI in all Elder Housing with Services projects. The proposed 174 units will have a total of 280 bedrooms. A total of 15 beds will be designated as at 80% AMI, which exceeds the 5%, or 14 beds required. Three beds will be in one bedroom units and the remaining twelve will be within six two-bedroom units.

See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		*Action Required*
	Amend Special Permit #147-79(2) and (3)	
	Amend Special Permit #292-93	
	Amend Special Permit #175-18	
	Amend ZBA Decision #3-83	
	Amend ZBA Decision #17-96	
§3.4.1	To allow a congregate living facility	S.P. per §7.3.3
§3.2.2.A.3	To determine the density and dimensional controls	S.P. per §7.3.3
§5.1.3.E	To allow assigned parking	S.P. per §7.3.3
§5.1.8.A.1	To allow parking within the side setback	S.P. per §7.3.3
§5.1.8.A.2	To allow parking within five feet of a building containing dwelling units	S.P. per §7.3.3
§5.1.8.B.1	To allow reduced parking stall width	S.P. per §7.3.3
§5.1.8.B.2	To allow reduced parking stall depth	S.P. per §7.3.3
§5.1.8.B.4	To allow reduced accessible stalls	S.P. per §7.3.3
§5.1.8.C.1	To allow a reduced aisle width	S.P. per §7.3.3
§5.1.9.A.1.i	To waive perimeter landscaping requirements	S.P. per §7.3.3
§5.1.10.A.1	To waive lighting requirements for outdoor parking	S.P. per §7.3.3

ATTACHMENT E

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Rick Lipof, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 2Life Opus Communities ~ Coleman House 667 Winchester Street & 333 Winchester Street

Date: June 9, 2021

CC: Barney Heath, Director of Planning
Jennifer Caira, Deputy Director
Lou Taverna, PE City Engineer
Nadia Khan, Committee Clerk
Neil Cronin, Chief Planner
Michael Gleba, Sr. Planner

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

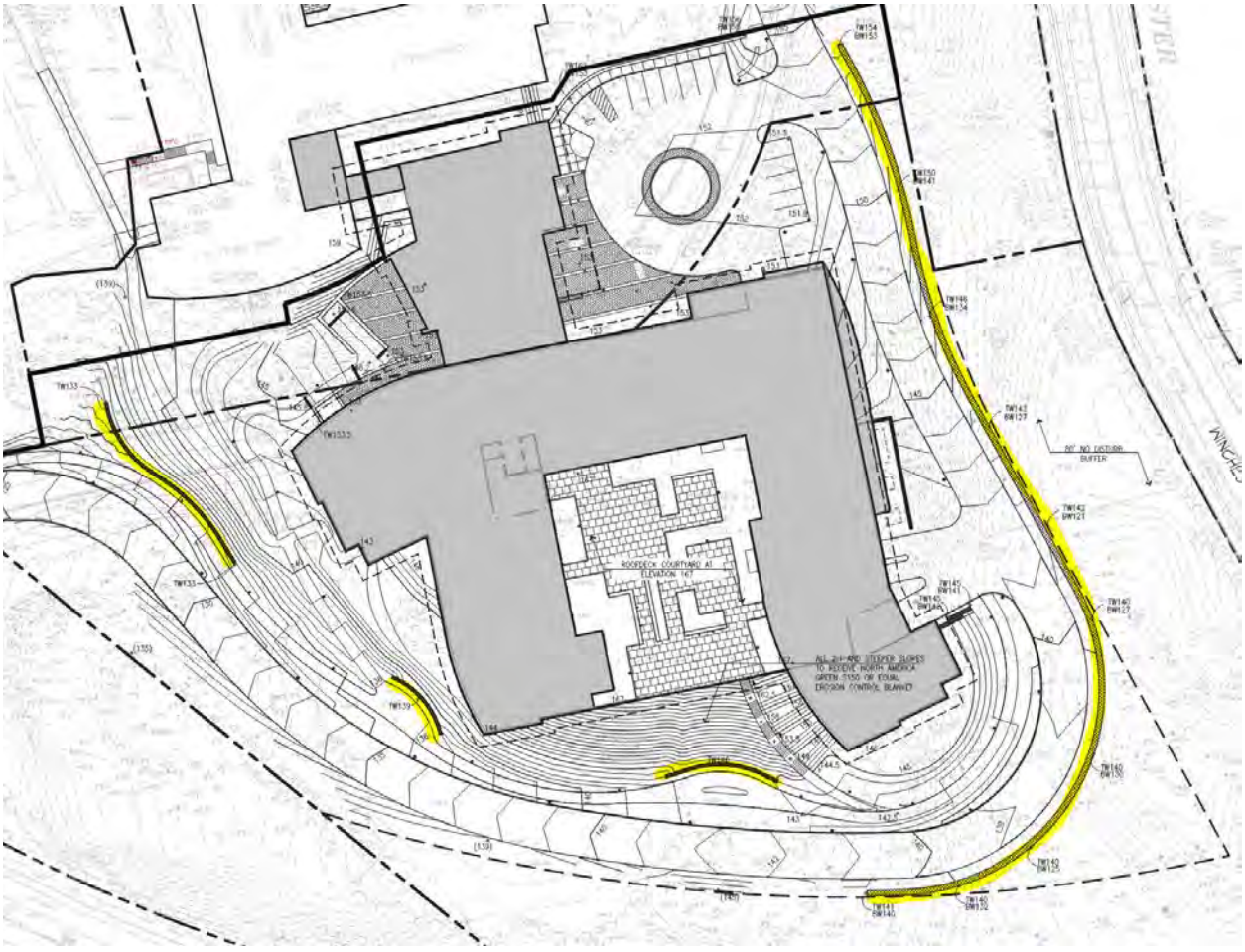
2Life- Coleman House
Special Permit Submission
Prepared by: Stantec Consulting PC
Dated: May 7, 2021

Executive Summary:

This application entails an addition onto the existing Coleman House building with a one-story circulation connection and a six-story residential building. The existing access road to the site is to be modified to a new orientation that will wrap around the perimeter of the new six-story building and reconnect at the top of the hill at its current circulation road. The mid portion of the existing road will be removed to make space available for the addition. The engineer of record needs to indicate if any blasting of ledge is expected for the new road alignment.

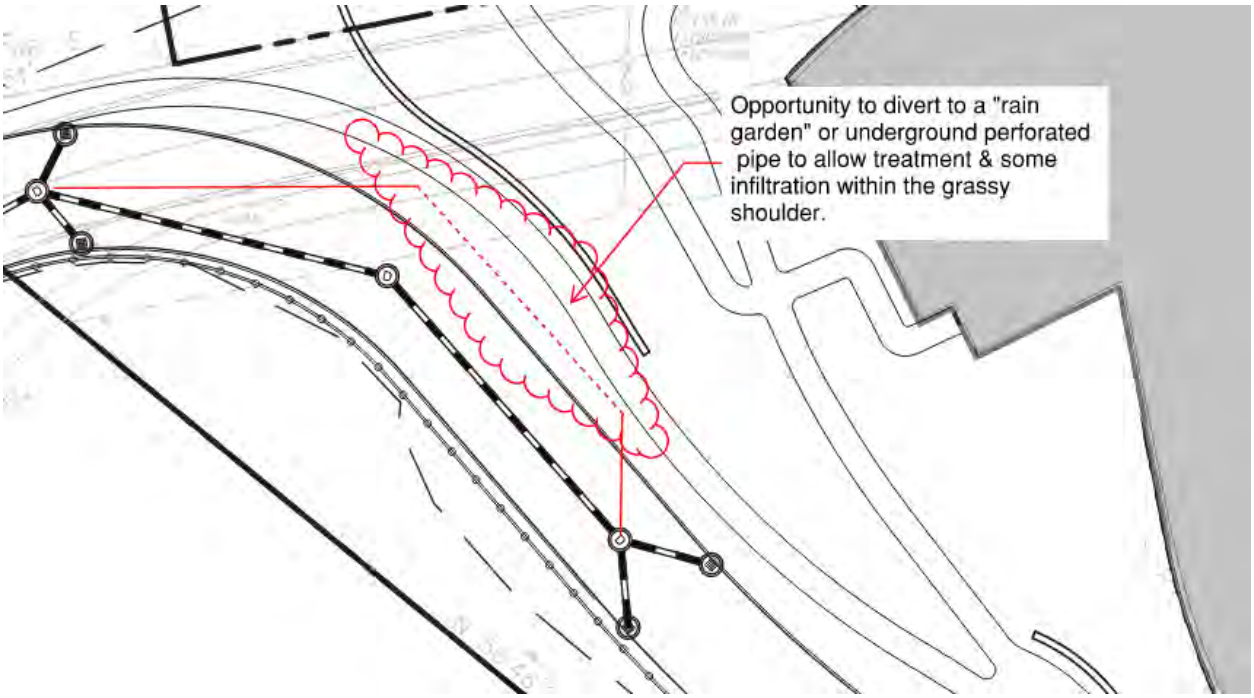
The site is over 5-acres and is current a mix of woodlands and open field. Portions of the site is currently being used to stockpile bulk materials (salt, gravel, loam, bark mulch). The new access

road appears to need some retaining walls based on the proposed grades, cross-sections and a road profile is needed to clarify the site plan. The site topography varies from north at elevation 150-feet to south at elevation 125-feet along Nahanton Street. Additionally, there is a valley in the southeast portion of the lot at elevation 125-feet then rises to a knoll at elevation 134-feet then drops towards Winchester Street at elevation 113-feet. Based on this topography a retaining wall is to be constructed approximately 560 feet long that varies in height from 1 foot at its ends to 21 feet at its midpoint to facilitate the construction of the new access road. This wall will have to be designed by a structure/geotechnical engineer as required by the Inspectional Services Department (ISD). A series of shorter walls are planned parallel to the alignment of the new access road these walls vary in height and length, wall over 4-feet in height will have the same ISD requirements, all walls over 4-feet also require a safety fence along the top of the wall.



Retaining walls highlighted

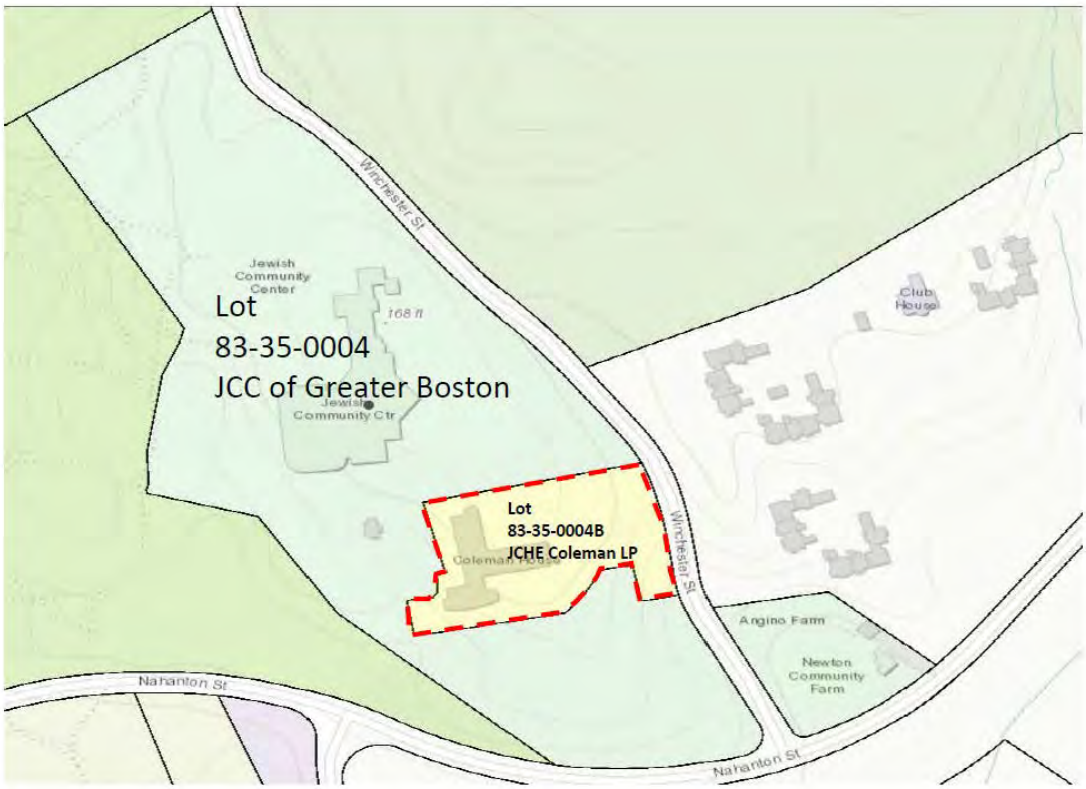
The design incorporates a stormwater collection system that includes infiltration and treatment for the new roof areas and portions of the new access road, designed in accordance with the DEP and DPW Stormwater Regulation & Policies. However, portions of the road, approximately 300 feet near Nahanton Street stormwater is only collected via catch basins and directly connect to the City's drainage system. I believe there is an opportunity to divert the pipe system to the grassy shoulders along the road to either rain gardens or perforated pipe to allow some infiltration/treatment rather than direct discharge.



Suggested opportunity to divert flow to a rain garden or underground infiltration for treatment.

A new sewer main extension [approximately 430 feet] is proposed from the intersection of Winchester Street & Nahanton Road to extend northerly to an end of the line sewer manhole. The cost of this is to be paid by the applicant, this will require approval for the Facilities Committee, once installed, inspected and tested, the new main will be granted to the City to be part of the City's sanitary sewer system. Detailed plan and profiles are needed for this main extension. Station 0+00 will be at the existing manhole at the intersection and each successive manhole shall be numbered with a station and offset from this point. Rim & invert elevations and pipe slopes will be required. Prior to construction soil borings shall be performed to identify the soil type and bearing capacity in the locations of the proposed manholes to avoid settlement. In 2017 Winchester Street underwent a hot-in-place recycling and microsurface pavement preservation, upon completion of the sewer main installation the road shall be paved curb line to curb line to the limits of construction.

According to the City's Assessors maps (see below) there are two lots, if the special permit is approved an Approval Not Required [ANR] plan will be required in accordance with Massachusetts General Laws Chapter 41 Section 81P requiring the division and/or combination of lots to be delineated for proper filing at the Registry of Deeds.



City Assessor Map

On Sheet LU-L102 the overall site plan shows multiple property lines (existing & proposed) clarification is needed on the combination and or elimination of lot lines with proper compass bearings and distance for each new lot line.

Sheet LU-L102

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction materials and equipment, parking for construction workers vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of the general contractor. It shall also address anticipated dewatering during construction, site safety & stability, siltation & dust control, and noise impact to abutters.

2. Stabilized driveway construction entrance(s) will be required for the duration of the construction which will provide a truck wash to prevent tracking of mud and silt onto City streets.

3. Catch basins within and downstream of the construction zone will be required to have siltation control installed for the duration of the project and must be identified on the site plan.

4. As the site disturbance will be greater than 1 -acre a Stormwater Pollution Prevention Plan (SWPPP) will be required prior to any construction, in addition to a NPDES Construction General Permit.

Drainage:

1. Pre & Post watershed maps (at a proper scale that is legible) are required that delineate control points and limits of the sub-basins. On-site soil evaluation is required to determine the seasonal high groundwater elevation, soil types and to identify any and all unsuitable soils (such as ledge, clay, peat, fill and others). On site soil testing that will include test pit(s) within 25 -feet of each proposed system and percolation test(s) must be schedule and witnessed by a representative of the Engineering Division. Soil logs shall be submitted on the site plan or drainage report and shall be certified by a Massachusetts Licensed Soil Evaluator and/or Professional Civil Engineer.

2. An Operations and Maintenance (O&M) plan for the long-term maintenance of the proposed stormwater management facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by the applicant/property owner, 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, trench drains, and pipe(s) are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E Investigation and report been performed on the site, if so, copies of the report should be submitted to the Newton Board of Health and Engineering Division.

2. Are there any existing underground oil or fuel tanks? Have they been removed, if they have been, evidence of the proper removal should be submitted to the Newton Fire Department and the Board of Health.

Sanitary Sewer & Domestic Water Service(s):

1. Prior to the Building Permit, borings within Winchester Street along the proposed alignment will be required at each manhole location and intermediate points between. These borings must be witnessed by the Engineering Division. The information obtained from these borings shall be put on the plan and profile when the applicant applies to the Facilities Committee.

2. All new sewer service(s) shall be pressure tested in accordance with the City Construction Specifications & Standards and inspected via Closed Circuit Television CCTV inspection after installation is completed. A copy of the video inspection and written report shall be submitted to the City Engineer or his representative. The sewer service will NOT be accepted until the two methods of inspection are completed AND witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until these tests are completed to the satisfaction of the City Engineer.

3. All sanitary sewer manhole(s) shall be vacuum tested in accordance to the City's Construction Standards & Specifications, the sewer service and manhole will NOT be accepted until the manhole(s) pass the testing requirements. 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 to the satisfaction of the City Engineer and a written report of the test results is submitted to the City Engineer.

4. With the exception of natural gas service(s), all utility trenches within the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E up to within 18-inches of the asphalt binder level, after which Dense Grade Gravel compacted to 95 % Proctor Testing shall be placed over the CDF. Details of this requirement is the Engineering Division website "Standard Construction Details".

5. Fire Flow testing is required for the proposed fire suppression system. The applicant must coordinate the fire flow test with both the Newton Fire Department and the Utilities Division, representative of each department shall witness the testing. Test results shall be submitted in a written report along with hydraulic calculations that demonstrate the required size of the fire suppression system, these calculations shall be submitted to the Newton Fire Department for approval, and copies give to the Engineering Division.

6. Due to the grade change between Winchester Street and the proposed finished grades of the 6th floor the engineer of record shall determine the pressure loss expected due to the difference in elevation. Based upon the findings a booster pump maybe required for the building to maintain adequate water pressure for fire suppression and domestic use.

7. For water quality issues & safety the applicant has two fire hydrants proposed water

8. All water services shall be chlorinated, and pressure tested in accordance with the AWWA and the City Construction Standards & Specifications prior to coming online. These tests MUST be witnessed by a representative of the Engineering Division.

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

Infiltration & Inflow:

- Will be addressed via a separate memo.

General:

1. 5 Year Moratorium – if at time of construction the roadway is under a 5-year moratorium, the roadway must be milled and paved gutter-to-gutter for a distance of 25 feet in each direction from the outermost trenches.

2. All trench excavation shall comply with Massachusetts General Law Chapter 82A, Trench Excavation Safety Requirements, and OSHA Standards to protect the general public from unauthorized access to unattended trenches or excavations. Trench Excavation Permit is required prior to any construction. This applies to all trenches on public and private property. *This note shall be incorporated onto the final plans.*

3. All tree removal shall comply with the City's Tree Ordinance.

4. The contractor of record 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 services 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 Engineer's Inspector has given their approval. *This note shall be incorporated onto the final plans.*

5. The applicant shall apply for a Building Permit with the Inspectional Services Department prior to ANY construction.

6. Before requesting a Certificate of Occupancy, an As Built plan shall be submitted to the Engineering Division in both digital and paper format. The plan shall show all utilities and final grades, any easements and improvements and limits of restoration. The plan shall include profiles of the various new utilities including but not limited to rim & invert elevations (City of Newton Datum), slopes of pipes, pipe materials, and swing ties from permanent building corners. The as built shall be stamped by both a Massachusetts Registered Professional Engineer and Registered Professional Land Surveyor. Once the As built plan is received the Engineering Division shall perform a final site inspection and then make a determination to issue a Certificate of Occupancy. *This note shall be incorporated onto the final plans.*

7. All site work including trench restoration, sidewalk, curb ,apron and loam border (where applicable) shall be completed before a Certificate of Occupancy is issued. *This note shall be incorporated onto the final plans.*

8. The contractor of record shall contact the Newton Police Department 48-hours in advanced and arrange for Police Detail to help residents and commuters navigate around the construction zone.

9. If any changes from the final approved design plan that are required due to unforeseen site conditions, the contractor of record shall contact the design engineer of record and submit revised design and stamped full scale plans for review and approval prior to continuing with construction.

10. *The engineer of record shall add the following attestation to the plans when applying for a building permit:*

    I certify that the construction so shown was inspected prior to backfill and that all work conforms with the Approved Plan and meets or exceeds the City of Newton Construction Standards.

    _____

    Signature

Note: If the plans are updated it is the responsibility of the applicant to provide all City Departments [ISD, Conservation Commission, Planning 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 at 617-796-1023.