



Ruthanne Fuller
Mayor

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

#293-21
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	September 21, 2021
Land Use Action Date:	December 14, 2021
City Council Action Date:	December 20, 2021
90-Day Expiration Date:	December 20, 2021

DATE: September 17, 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 #293-21, SPECIAL PERMIT/SITE PLAN APPROVAL** to allow a 28-unit three-story multi-family dwelling with underground parking, to waive 26 parking stalls and to alter and extend a non-conforming front setback at **967 Washington Street, 92 and 96 Walker Street**, Ward 2, Newtonville, on land known as Section 21 Block 33 Lots 1-3, containing approximately 34,210 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



967 Washington Street, 92 and 96 Walker Street

EXECUTIVE SUMMARY

The subject site is comprised of three lots at the corner of Washington and Walker streets located in a Multi Residence 3 (MR3) zoning district. Taken together, the three lots total 34,210 square feet in area. The property at 967-979 Washington Street is improved with a one-story mixed commercial building; 92 Walker Street is a single-family dwelling built in 1910; and 96 Walker Street is a two-family dwelling built in 1920. This memo assumes that the three separate parcels would be combined into a single lot.

The petitioner proposes to replace the existing structures on the property with a three-story, 28-unit, multi-family dwelling with 30 parking stalls in an underground parking garage. Per Section 3.4.1 of the Newton Zoning Ordinance (NZO), a special permit is required to allow a multi-family dwelling in the Multi Residence 3 district. As proposed, the project requires additional zoning relief.

The one-story building at 967 Washington Street has an existing nonconforming front setback of 1.8 feet where 15 feet is required per Sec. 3.2.6. As designed, the proposed building would have a setback of 8.8 feet. Such altering and extension of the nonconforming setback along Washington Street requires a special permit per Sec. 7.8.2.C.2.

The petitioner proposes to construct 28 dwelling units with 30 parking stalls in an underground garage. As Section 5.1.4 requires two parking stalls per dwelling unit, resulting in a requirement of 56 stalls for the 28 units, the proposed provision of only 30 stalls would require a waiver of 26 parking stalls per Secs. 5.1.4 and 5.1.13.

Also, per Sec. 5.11.4.B.5, the petitioner would be required to provide inclusionary zoning units. Of the 28 proposed rental units, four units (15%) must be affordable to households earning 50-80% of the Area Median Income (AMI) and one (2.5%) must be available to those earning up to 110% of the AMI.

As the proposed development, would include the construction of a building totaling 20,000 square feet or more of gross floor area, it would be required to meet the sustainable development requirements established by Sec. 5.13.

Given the project's location and the neighborhood's proximity to transit, the Planning Department is generally supportive of the proposed project, subject to certain issues discussed below and those that require the submission of additional information by the petitioner.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council should consider whether:

- The specific site is an appropriate location for the proposed three-story, twenty-eight-unit dwelling with thirty parking stalls (§7.3.3.C.1)

- The proposed three-story, twenty-eight -unit dwelling with thirty parking stalls, as developed and operated will adversely affect the neighborhood (§7.3.3.C.2)
- There will be a 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 planning building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy (§7.3.3.C.5)
- Literal compliance with the parking requirements of the Newton Zoning Ordinance (NZO) regarding the required number of parking stalls 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 subject property is located on the northeast corner of Washington Street and Walker Street. Located just to the north of the Massachusetts Turnpike, the immediate area is predominantly a mix single- two- and multi- family dwellings, an exception being one parcel of the subject property, namely 967-979 Washington Street which is a multi-storefront commercial building (**Attachment A**).

The subject parcels are within a Multi-Residence 3 (MR3) district that generally ranges to the east and west along Washington Street; a Multi-Residence 1 (MR1) district is located approximately 200 feet to the north (**Attachment B**).

B. Site

The subject site is comprised of three lots on the northeast corner of Washington and Walker streets that total 34,211 square feet in the aggregate:

1. 967-979 Washington Street, a 13,313 square foot lot currently improved with one-story multi-tenanted commercial building built in 1922;
2. 92 Walker Street, a 10,527 square feet lot with a single-family dwelling built in 1920 and a garage built two years later;
3. 96 Walker Street, a 10,371 square feet lot with a single-family dwelling built in 1910;

The parcels at 92 and 96 Walker Street are each served by curb cuts and driveways off that street, as is the rear (north) portion of 967-979 Washington Street. Sidewalks are located along all of the site's Washington and Walker frontages.

The combined site slopes upward approximately six feet from Washington Street northward. The rear of 967-979 Washington Street is mostly paved, and that lot features an approximately 600 square foot paved "plaza-like" area at the corner of Washington and Walker. The two residential lots feature lawn areas, shrubbery and several mature trees.

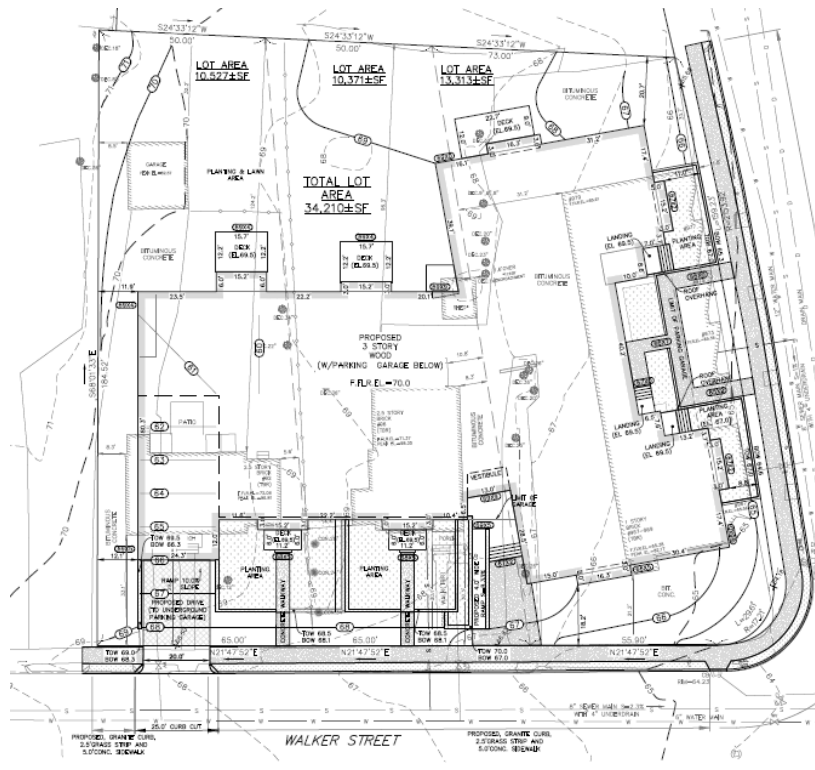
III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The principal use of the site would be a 28-unit multi-family dwelling.

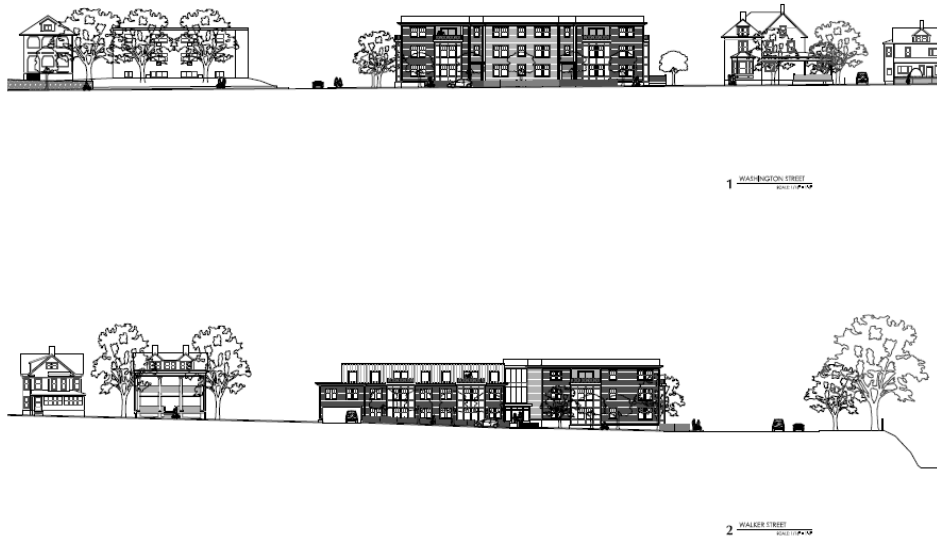
B. Building and Site Design

The petitioners are proposing to raze the existing structures on the site and construct on the combined parcel a flat-roofed, three-story, 28-unit multi-family dwelling with 30 parking stalls located in an underground garage.



Site plan

As for the unit mix, the dwelling's 28 units would include 1 one-bedroom, and twenty-seven two-bedroom units. The project's lot area per unit would be 1,222 square feet, slightly more the 1,200 square feet required in an MR3 district.



Comparative heights along Washington and Walker streets

The proposed dwelling meets the relevant dimensional standards for a multi-family dwelling in an MR3 district. Regarding the setbacks, the existing nonconforming front setback along Washington Street would be increase from 1.8 to 8.8 feet but remain less than the required 15 feet. The front setback along Walker Street would measure 18.2 feet, less than the existing 21.2 feet, but more than the required 15 feet. The east setback, considered the rear setback, would be 20.7 feet, less than the 33.7 feet currently existing at that location. The north setback, which is considered a side setback, would be 11.0 feet, greater than the current 8.3 feet. Both the rear (east) and side (north) setbacks would exceed the minimums required, i.e., ½ of the building heights at those locations.



1 WASHINGTON STREET



2 WALKER STREET

Washington and Walker street elevations

The dwelling's entrance would be located on Walker Street. This would likely have the effect of diminishing its presence on Washington Street, especially as only private space would be located on and face it. As such, the Planning Department suggests that the petitioner consider relocating the main entrance to the more prominent Washington Street.

The Planning Department also recommends that the petitioner provide additional information regarding the materials to be used on the structure's facades and the expected location of items such as transformers, HVAC units, gas meters, etc.

C. Traffic, Parking and Circulation

The project's design calls for the three existing curb cuts on Walker Street to be eliminated and for all of the underground parking stalls to be accessed from a new 20-foot-wide curb cut and driveway in the general area of the existing dwelling at 92 Walker Street. The petitioner is not seeking waivers from dimensional requirements for the garaged parking stalls and/or circulation aisles. That said, as discussed in the Engineering Division memorandum referenced below, the petitioner should provide a turning template plan of the garage showing adequate and safe maneuverability areas for

vehicle entering, exiting, and moving within, the garage.

Regarding the number of stalls, Sec. 5.1.4.A of the NZO requires the provision of two stalls per each of the 28 proposed dwelling units for a total of 56 stalls. The petitioner proposes to construct only 1.07 stalls per unit for a total of 30 parking stalls, 26 fewer than required. Three stalls would be provided with electric vehicle (EV) charging stations). The petitioner should identify the number of bicycle parking spaces to be located in the project, whether in the garage or elsewhere on the property.

While the Planning Department notes that site is served directly by the MBTA's 553 and 554 bus routes, and Newtonville commuter rail station is located approximately a third of a mile to the east, it also notes that the petitioner has not provided documentation supporting such a significant reduction in the number of parking spaces. As such, the Department recommends that the petitioner supply information that could be used to identify how the relevant criteria for such an exception (per Sec. 5.1.13) would be met for review by the City's Planning and Transportation staff.

D. Landscaping, Screening and Lighting

The petitioner submitted a landscape plan for the project site showing the proposed installation of a variety of trees and shrubs located mostly along the perimeter of the site, including 11 dogwoods along the back of the sidewalks along Washington and Walker streets and a copper beech at the corner. Eleven arborvitae are proposed along the east and north property boundaries. The northeast portion of the lot not occupied by the dwelling would be lawn area with shrubs along the building foundation and property lines. The Planning Department recommends that the petitioner provide a caliper inch analysis of the proposed tree removals and installations.

E. Inclusionary Zoning

As the project is creating 28 new dwelling units, the petitioner will be required to comply with the Inclusionary Zoning provisions of the NZO. The petitioner will be required to provide 15% of the 28 units at 50%-80% AMI (Tier 1) and an additional 2.5% at 110% AMI (Tier 2).

At the time of the writing of this memorandum, the petitioner has not submitted an Inclusionary Housing Plan (IHP) for review by the Planning Department's Housing staff. On September 16, the petitioner provided some preliminary information regarding the project's unit mix and floor plans that identified the five required inclusionary units and indicated that IHP information will be formally submitted subsequent to receiving feedback from Housing staff.

F. Accessibility

The project is required to be compliant with ADA and Massachusetts Architectural

Access Board (MAAB) regulations. All units are expected to be adaptable to those with disabilities and built to ADA and MAAB requirements. As such, all units should be accessible and visitable to those with disabilities. Regarding parking, the submitted plans show two ADA stalls located in the garage. The Planning Department requests that the petitioner confirm the project's fulfillment of applicable requirements.

G. Signage

The petitioner has not requested waivers from the Ordinance as to the number, size, location, and height of signs. As a result, any signs are expected to be by-right and subject to review and approval by the Urban Design Commission.

H. Sustainability and Conservation of Natural Resources

As the proposed multi-family structure will exceed 20,000 square feet it is subject to the so-called "fifth special permit criteria" (Sec. 7.3.3.3.5) to ensure the site planning, building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. It is also subject to the provisions and sustainable development requirements established by Sec. 5.13.

On September 14, 2021, the petitioner submitted information regarding aspects of the project related to sustainability. This material has been forwarded to City sustainability staff and Planning expects to receive comments in advance of a future public hearing on this petition. The Planning Department notes that petitioner has indicated that it intends to meet the requirements of Sec. 5.13 with LEED or Passive House certification and by providing a minimum of three electric vehicle charging stations. The petitioner should identify the proposed locations of these charging stations in the project plans.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). As detailed in that memorandum, as proposed the project requires a Special Permit per §7.3.3 to:

- allow a multi-family dwelling (§3.4.1)
- alter and extend a nonconforming front setback (§3.2.6, §7.8.2.C.2)
- waive 26 parking stalls (§5.1.4, §5.1.13)

B. Engineering Review

The Associate City Engineer submitted an Engineering Review Memorandum dated

September 14, 2021 (**Attachment D**), providing an analysis of the proposal with regard to engineering issues. These include the need to review vehicle turning templates for the basement level garage and a question about the reason why a monitoring well head is located to the rear of the commercial structure on Washington Street.

The petitioner should be prepared to any and all issues raised in the memo in advance of the public hearing and/or any subsequent working session(s).

C. Newton Historical Commission Review

On July 1, 2021, the Newton Historical Commission (NHC) found the existing structures at 967-979 Washington Street, 92 Walker Street and 96 Walker Street as “Not Preferably Preserved” and required no further review.

D. Urban Design Commission

On June 9, 2021 the Urban Design Commission reviewed the project as presented by the petitioner. Its comments can be found in its attached memorandum (**Attachment E**). Notable among those comments is the observation that there is no main entrance to the dwelling on Washington Street, a feature that could better integrate the building with the neighborhood and contribute to a stronger presence on Washington Street.

V. PETITIONER’S RESPONSIBILITIES

The petitioner should respond to the issues raised in this memorandum and other questions raised at the public hearing 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:** Land Use Map
- Attachment B:** Zoning Map
- Attachment C:** Zoning Review Memorandum
- Attachment D:** Engineering Division Review Memorandum
- Attachment E:** Urban Design Commission Memorandum

ATTACHMENT A







Land Use

**967-979
Washington St.
and
92 & 96 Walker St.**

*City of Newton,
Massachusetts*

Land Use

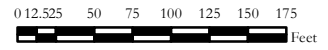
Land Use

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

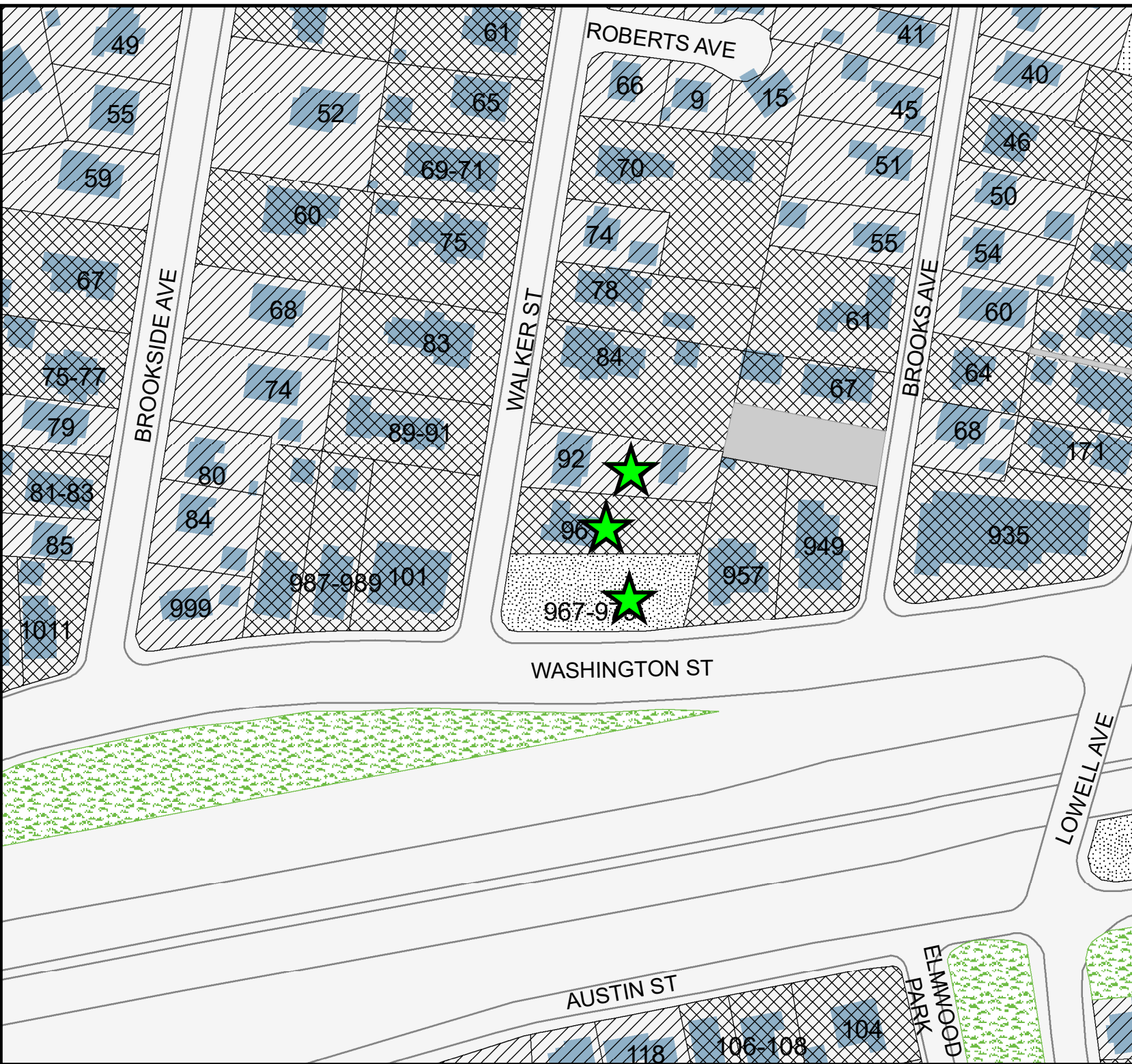


The information on this map is a Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications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

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



Map Date: September 14, 2021



ATTACHMENT B

Zoning

967-979

Washington St.
and
92 & 96 Walker St.

*City of Newton,
Massachusetts*

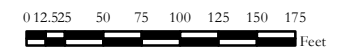
Legend

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



The information on this map is a 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



Map Date: September 14, 2021





Ruthanne Fuller
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: June 29, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Rogers & Company, Inc, Agent
David Boyajian, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow a 28-unit multi-family dwelling and to extend a nonconforming front setback

Applicant: David Boyajian	
Site: 967 Washington Street, 92 & 96 Walker Street	SBL: 21033 0001, 21033 0002, 21033 0003
Zoning: MR3	Lot Area: 34,210 square feet (combined)
Current use: Commercial and residential	Proposed use: 28-unit multi-family dwelling

BACKGROUND:

The subject site is comprised of three lots to be combined totaling 34,210 square feet at the corner of Washington and Walker Streets. The property on Washington Street is improved with a one-story mixed commercial building. The two parcels on Walker Street are single- (92 Walker Street) and two-family dwellings (96 Walker Street) built in 1910 and 1920. The petitioner proposes to raze the buildings and construct a 28-unit three-story multi-family dwelling with underground parking.

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

- Zoning Review Application, prepared by Rogers & Company, Inc, dated 5/11/2021
- Existing Conditions Plan, signed and stamped by Joseph R. Porter, surveyor, dated 6/29/2020, revised 9/29/2020
- Proposed Plot Plan, prepared by Joseph R. Porter, surveyor, dated 4/23/2021, revised 6/11/2021
- FAR calculation, signed and stamped by Alan J. Mayer, architect, dated 5/9/2021
- Floor Plans and Elevations, signed and stamped by Alan J. Mayer, architect, dated 5/26/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner intends to raze the three buildings and combine the lots to construct a three-story 28-unit multi-family dwelling with underground parking. Per section 3.4.1, a special permit is required to allow a multi-family dwelling in the Multi Residence 3 district.
2. The one-story building at 967 Washington Street has a nonconforming front setback of 1.8 feet where 15 feet is required per section 3.2.6. The petitioner proposes to raze the building and construct a new building with a proposed front setback of 8.8 feet, altering the nonconforming setback and extending it further along Washington Street requiring a special permit per section 7.8.2.C.2.
3. The petitioner proposes to construct 28 dwelling units with 30 parking stalls in an underground garage. Per section 5.1.4, two parking stalls are required per dwelling unit, resulting in a requirement of 56 stalls for the 28 units. A waiver of 26 parking stalls is required per sections 5.1.4 and 5.1.13.
4. Per section 5.11.4.B.5, 15% of the 28 proposed rental units must be affordable to 50-80% Area Median Income and 2.5% must be available to 110% Area Median Income. The petitioner must meet the requirement by providing four inclusionary units at 50-80% AMI and one unit at 110% AMI.
5. Proposed development in any zoning district that includes the construction or substantial reconstruction of one or more buildings totaling 20,000 square feet or more of gross floor area that also requires a special permit are required to meet the sustainable development requirements of section 5.13. The petitioner intends to meet the requirements of this section with LEED or Passive House certification and by providing a minimum of three electric vehicle charging stations.

MR3 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	34,210 square feet	No change
Frontage	80 feet	374 feet	No change
Setbacks			
• Front (Washington St)	15 feet	1.8 feet	8.8 feet
• Front (Walker St)	15 feet	21.2 feet	18.2 feet
• Side	11.04 feet (1/3 bldg ht)	8.3 feet	11.9 feet
• Rear	16.57 feet (1/2 bldg ht)	33.7 feet	20.7 feet
Building Height	42 feet	27 feet	33.1 feet
Max Number of Stories	3	2.5	3
Lot Area Per Unit	1,200 square feet	NA	1,222 square feet
Maximum Lot Coverage	45%	NA	44.3%
Minimum Open Space	30%	NA	52%

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	Request to allow a multi-family dwelling	S.P. per §7.3.3
§3.2.6 §7.8.2.C.2	Request to alter and extend a nonconforming front setback	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive 26 parking stalls	S.P. per §7.3.3

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 – 967- 979 Washington Street & 92 & 96 Walker Street

Date: September 14, 2021

CC: Barney Heath, Director of Planning
Jennifer Caira, Deputy Director
Lou Taverna, PE City Engineer
Anthony Ciccariello, Deputy Commissioner ISD
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:

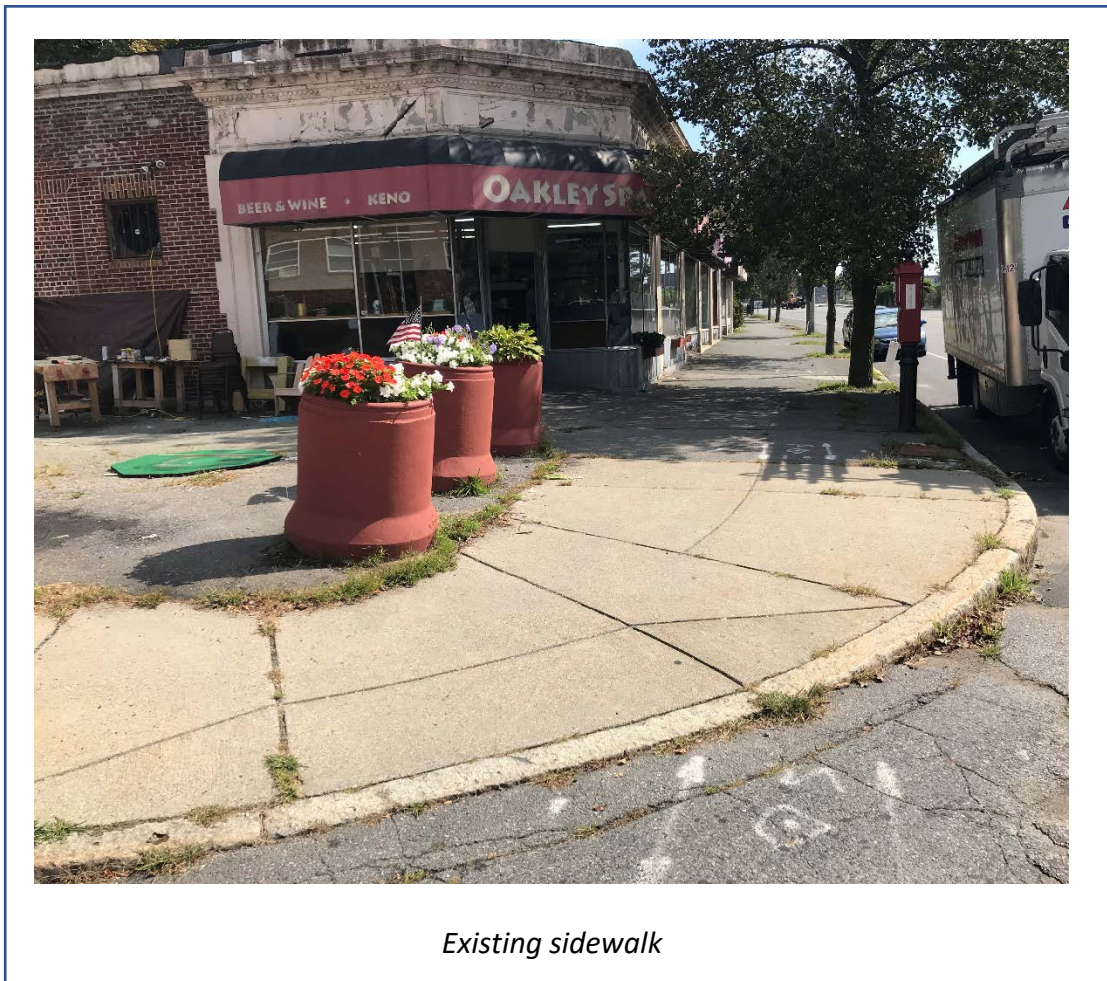
Zoning Plan Newton, Ma
Showing Proposed Conditions
#967- # 979 Washington Street & #92 & # 96 Walker Street
Prepared by: VTP Associates Inc.
Dated: July 26, 2021
Revised: August 25, 2021

Executive Summary:

This permit entails the demolition of an existing one-story concrete block retail space and two residential homes. 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 two separate lots to be combined into one lot. The three lots combined have a high point at elevation of 71-feet at the northwest corner and has a flat slope towards Washington Street at elevation 65-feet. The site consists of lawn areas for the two dwellings on Walker Street and essentially all pavement or roof surfaces on the Washington Street parcel. The sites as they

exist have no stormwater collection system other than gutters which discharge onto the surface without any stormwater treatment nor control, essentially everything sheets off to Walker Road & Washington Street. The proposed 3-story structure with 28-units will have underground parking for the residents the applicant should consider a heated driveway as the ramp is at 10% going into the garage, and a stormwater collection & infiltration system for the net impervious surfaces is proposed, an Operation and Maintenance plan is need for the proposed system.

Various landscape walls of varying height will provide flat landscaped areas along Walker Street & Washington Street. The plan indicates updating the sidewalks surrounding the property however there is no indication about updating the pedestrian curb cuts (aka hp ramps) at the intersection. Both curb cuts shall be update at this intersection to current DPW Standards.



During the site visit yesterday a monitoring well head was discovered in back of the laundry matte what is the status of this well, is it being monitored by DEP?



Monitoring Wellhead September 13, 2021

A turning template plan of various sized vehicles is need for the parking garage to demonstrate adequate and safe maneuvering of vehicle entering and exiting the underground garage. Although sight distance should not be an issue, a warning sign to pedestrians should be provided when vehicles are exiting the garage.

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.

Drainage:

1. 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. Existing water and sewer services to building(s) shall cut and capped at the respective mains and completely removed from the main(s) and its entire length and properly backfilled. The Engineering Division must inspect and approve this work, failure to having this work inspected will result in delay of issuance of the new Utility Connection or issuance of a Certificate of Occupancy.
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 with 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. 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.
7. 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.
8. Washington Street is a concrete roadway, restoration of the utility trenches shall be with reinforce concrete as originally designed with two-way epoxy coated rebar, the slab shall be cut back to either 1/3 or half of the slab depending upon the alignment of the utility trench in relations to the slab(s).

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. How will trash & recycling operations be addressed?
10. 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.
11. *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.

ATTACHMENT E



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
Urban Design Commission

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

Barney Heath
Director

DATE: August 17, 2021
TO: Neil Cronin, Chief Planner
FROM: Urban Design Commission
RE: 967 Washington Street
CC: Barney Heath, Director of Planning and Community Development
Jennifer Caira, Deputy Director
Land Use Committee of the City Council
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 June 9, 2021, the Newton Urban Design Commission reviewed the proposed project at 967 Washington Street for design. The Urban Design Commission had the following comments and recommendations:

The UDC commented that the project has come a long way, it is a tremendous improvement since UDC last reviewed this project. It will be a nice addition to the neighborhood.

- The UDC asked how the revised proposal compares to Washington Street Vision Plan. The applicant responded that this site is shown as 3 stories in the Plan, the dimensional requirements of the Vision Plan have been met.
- It will help to provide balconies, more articulation on the façade facing the house on Walker Street.
- Provide windows on the first floor, it will help to light up the garage but be careful to provide appropriate interior lighting for the garage, so it doesn't appear to be too harsh through the windows.
- Split the garage door in to two, it will be better visually and physically too. A large garage door going up and down will be very loud, especially for the unit above the garage door. If the doors are smaller, they will be less noisy. The applicant responded that they have space to provide it and it will also look better.
- The main entrance on Walker Street feels like a suburban office building. It appears that the doors are very deep into the building. It will be more welcoming if the main entrance doors can

move closer to the street. The applicant responded that there are two issues with it, one is the ramp length, and the other one is lot coverage. The UDC commented that maybe a porch could come forward.

- It is disappointing that there is no main entrance to this building from Washington Street, all the precedents shown in the neighborhood have doors on Washington Street. The applicant responded that there are three private unit entrances on Washington Street. The UDC responded that it is better to have public entrance into the building on Washington Street.
- The Washington Street elevation is done beautifully. The second story step down is good.
- The UDC also appreciates the scale reference drawings, they are very informative. Renderings really help to understand the project better.
- Washington Street façade
- The UDC recommended to look at the fenestration at the main entrance on Walker Street and make it more residential, make it more friendly from the street. There could also be some landscape elements that could come out to the street, so if a pedestrian is on Washington Street, it will be easier to see the entrance. Also, the windows above could look more like other windows. There is a pattern on the top floor that could be replicated around the corner.
- The flatness of the roof is bothersome, it doesn't relate to the other buildings on Washington Street.
- The parapet as shown in the rendering is taller and brighter than anticipated and the UDC recommended it should be softened by making it shorter, and / or there could be a pattern in it, so it is less of a block top. It will also help to make that element a darker color with lighter trim.