



Programs & Services Committee **Report**

City of Newton **In City Council**

Wednesday, October 6, 2021

Present: Councilors Krintzman (Chair), Noel, Humphrey, Wright, Albright, Baker, and Greenberg

Absent: Councilor Ryan

Also Present: Councilors Markiewicz, Leary, Kelley, Crossley, Gentile, Kalis, Danberg, and Malakie

City Staff: Chris Sullivan, Acting City Clerk/Assistant City Clerk of Vital Records; Jen Caira, Deputy Director of Planning & Development; Josh Morse, Commissioner of Public Buildings; Jonathan Yeo, Chief Operating Officer; Alejandro Valcarce, Deputy Director of Public Buildings; Jayne Colino, Director of Senior Services; Jini Fairley, ADA Coordinator; Nathan Giacalone, Committee Clerk

#364-21 Request to set Early Voting Hours for the November 2, 2021 Municipal Election

ACTING CITY CLERK requesting to set early voting hours for the November 2, 2021 Municipal Election for one of the following options for dates, location, and times both at Newton City Hall, 1000 Commonwealth Avenue, Newton MA 02459: (1) Monday, October 25, 2021 to Friday, October 29, 2021 from 8:30 AM to 5:00 PM or; (2) Monday, October 25, 2021 to Friday, October 29, 2021 from 8:30 AM to 5:00 PM and Saturday, October 30, 2021 from 8:30 AM to Noon.

Action: **Programs & Services Approved Option (2) 7-0**

Notes: The Committee was joined for discussion on this item by Mr. Sullivan who described the two options for early voting hours before the Committee. He said that these hours would include Area Council elections as well. Each option has October 25-29, 8:30am to 5:00pm at Newton City Hall. Option 2 has an additional day of voting on Saturday, October 30 from 8:30am to Noon.

Discussion:

Why wouldn't we do Saturday?

This is a good idea and we wanted to give people the option of voting on Saturday. Mayoral elections typically lead to higher turnout, so we wanted this option. Mr. Sullivan later answered that it would have been a staffing concern that should easily be addressed.

Assuming there is no scheduling conflict with another event on Saturday, is there a reason you picked Noon as the Saturday end time?

The weekend before the election is crunch-time for City Hall staff, and the Clerk's Office is still down two positions. The process for generating the voter lists is also lengthy and prone to technical issues, especially when many communities are using the state's computer networks for this at the same time. Mr. Sullivan was concerned that running the hours longer on Saturday would encounter more of these problems.

I would just like to be sure that staff has capability for Saturday voting.

If we are going to allow early voting, we need Saturday. What is the cost differential to add Saturday, and when does the new clerk start?

The new Clerk will start on October 28, though she will not be that involved with the November election and acting largely as an observer. The cost of adding Saturday is low as it only requires hiring a few more poll workers and keeping the building open for a half-day.

Would it make more sense for this option to last from Tuesday to Saturday?

This is mostly a concern over taking the few hours to run the voting list after polls close on Saturday night rather than in the afternoon. This challenge is increased by having neither a full City Clerk nor an Assistant City Clerk of Elections in place. Running the voting lists could potentially last into Sunday morning and this could impact the integrity of the election.

How are the absentee ballots being handled with this election?

In-person early voters are checked in and scanned into the VRIS system and into the polling software. This data combines with the voting lists to show who has already voted. On the day of the election these early ballots are tabulated with the regular ballots.

Some elections offices in Massachusetts release lists of who has already voted ahead of time, is this something the Clerk's Office plans to do?

Mr. Sullivan answered that to his knowledge, the Clerk's Office has never done this and he has no plans on doing so.

Mr. Sullivan also explained that the VRIS system is not currently equipped to address the Area Council elections for mail-in voting based on the way their lines have been drawn.

Councilor Albright made a motion to approve Option 2 which carried 7-0.

Referred to Programs & Services Committees and Zoning & Planning Committees

#77-21

Request for review of Lab, Research and Development permitting process

COUNCILORS MARKIEWICZ, KRINTZMAN, CROSSLEY, LAREDO AND LIPOF requesting a discussion with Planning and Health and Human Services Departments in order to understand the process and controls under Chapter 30 and Chapter 12 of the City of Newton Ordinances, for obtaining Lab, Research and Development facility permits. (Ordinance 30 and Ordinance 12)

Action:

Zoning & Planning voted No Action Necessary 6-0 (Councilor Leary not voting) on 08/16/2021

Programs & Services voted No Action Necessary 7-0

Notes:

The Committee was joined by Ms. Caira for discussion on this item. Councilor Markiewicz introduced the item, saying that Ms. Caira already provided a thorough presentation on this topic at the ZAP meeting it was discussed at. He said that it is meant to encourage lab investment and development in Newton. There are already many controls and regulations in place for from all levels of government

and within the industry as well. These significant controls already in place make lab permitting and operation a tight process, and the coverage already in place from the City provides adequate protection.

Ms. Caira delivered a presentation to the Committee(attached). She said that laboratory research and development is a booming industry in Massachusetts and some of these companies are leaving higher cost urban areas for more affordable suburbs. Ms. Caira continued that the Council has adopted some new zoning guidelines to aid the lab development process in Newton. There are also strict regulations in place from OSHA and the EPA required for federal funding. Most of these companies also devote many resources to internal compliance as well. Ms. Caira said that Newton’s rDNA ordinance also offers significant regulation on the subject and that the Institutional Biosafety Committee must approve these plans as well. The Fire Department will also be playing a bigger role in the permitting process and will be training its officers for this. Ms. Caira closed her presentation by saying that no new ordinance amendments were recommended as this is already a well-regulated industry in Newton.

Ms. Caira was thanked by the Committee for her presentation.

A Committee member spoke about how some of these license parameters should be clarified regarding users of a property who are not categorized as a tenant or sub lessee. This is something the Law Department could help with. They continued that it would be odd if someone could change the legal form of their occupancy to avoid restrictions.

Councilor Wright made a motion to vote No Action Necessary which carried 7-0.

Referred to Programs & Services and Finance Committees

#120-21 Request for Ordinance Amendments to Sec. 27-21 of the Newton Ordinances
COUNCILORS MALAKIE, DOWNS, HUMPHREY, NORTON, WRIGHT, LIPOF, GREENBERG, LAREDO, GENTILE, BOWMAN AND RYAN requesting that Sec. 27-21 of Newton Ordinances be amended to increase the income limits for participation in the Senior Tax Work-off Program to adjust for wage and price inflation.

Action: Programs & Services Approved 7-0 to increase each of the three Tax Work-Off income limit brackets by \$10,000
Finance Approved 8-0 to increase each of the three Tax Work-Off income limit brackets by \$10,000 on 10/12/2021

Notes: The Committee was joined by Ms. Colino for discussion on this item.

Councilor Malakie introduced the item, reviewing that it was brought to her attention by a resident who said the eligibility levels have not been raised since the program began in 2003/2004. She said it has not come close to the \$100,000 limit, so raising the income limits would not make any budgetary impact and this gives a chance to prospective participants who are close to hitting the current income limits.

Ms. Colino agreed with Malakie, saying that this increase is also for people who have not applied as they are too far from the current income limits. Her proposal is to increase each limit by \$10,000, which would leave room in case this is not revisited anytime soon and serv as a buffer to bring more people

into the program. Recognizing that the past year has been challenging for placement, Ms. Colino said that there likely would not be an immediate impact from this and will put it in a great position for when pandemic conditions begin returning to normal. Additionally, not all participants work the maximum number of hours.

Discussion:

What is the value put on the work done by participants?

It is adjusted every year to the minimum wage, and hours change based on this. The refund to property tax cannot be changed on the local level and is capped at \$1,500.

For the work people can do in this program, if someone is, for example a retired IT professional, would their job be paid the same as someone performing receptionist duties?

Yes. This will be something to look into further as it will require more involvement from Human Resources as the policies involved in recruiting people at different pay levels are administered beyond Senior Services. State law also caps reimbursement for this program at minimum wage.

As a practical matter, paying different rates probably does not work in practice as the limit an individual is able to work off is relatively low, and paying someone a higher hourly rate would put an individual at the cap fairly quickly. There is also already the challenge of participants quitting in the middle of the year. We are already in a situation of participants agreeing to work until they hit their cap, then continue working without compensation. Ms. Colino clarified that there are participants who do projects that have a defined, rather than ongoing need.

There could probably be some short-term projects to make use of more specialized professional skills.

Why is the proposal only to raise the income limits by \$10,000 as it seems this may not catch up with inflation? Is there concern about raising it too much?

Nobody we know of has been removed from the program for this increment and the equal interval will help bring in more participants. Also it is a 25% increase which is significant.

Hopefully it will not take another 18 years to increase the program limits again.

Councilor Humphrey made a motion to approve the \$10,000 for each class of participant, which carried 7-0.

#354-21 Reappointment of Lucille Chansky to the Commission on Disability

HER HONOR THE MAYOR reappointing Lucille Chansky, 259 Jackson Street, Newton, as a member of the Commission on Disability for a term of office to expire on July 31, 2024. (60 Days: 11/19/21)

Action: Programs & Services Approved 7-0

Notes: Councilor Baker made a motion of Approval which carried 7-0.

#368-21 **Reappointment of Gloria Mastrocola Gavis to the Parks and Recreation Commission**
HER HONOR THE MAYOR reappointing GLORIA MASTROCOLA GAVRIS, 21 Monadnock Road, Newton, as the Ward 7 member of the PARKS AND RECREATION COMMISSION for a term to expire on September 30, 2024. (60 Days: 12/03/21)

Action: **Programs & Services Approved 7-0**

Notes: Councilor Bake made a motion of Approval which carried 7-0.

Referred to Public Facilities and Programs & Services Committee

#249-21 **Update on the NewCAL project**
HER HONOR THE MAYOR requesting the opportunity to provide a NewCAL project update to the Public Facilities and Programs & Services Committees.

Action: **Programs & Services Held 7-0**
Public Facilities Held 6-0

Notes: The Committee was joined by the Public Facilities Committee for discussion on this item along with Mr. Morse, Mr. Valcarce.

Mr. Morse said that this would be another opportunity to update both committees on the status of NewCAL. There has been a presentation to the Council on Aging, with the Design Review Committee and the community to follow on October 13th and the 21st. To review, Mr. Morse said the current plan is the new construction option at the Walnut Street location.

Dan Chen, a principal from the architect group then presented (presentation attached). He said that October will review the exterior treatment, with the facades reviewed in November with the final plans to be presented in December.

Mr. Chen described the setbacks on Walnut Street along with the parking situation. He said that the design is meant to emulate the granular nature of Newtonville and be open and welcoming, with the corner entrance being designed around this concept. There will be 31 parking spaces on site with additional drop-off areas available. There will be a roof deck on top of the two-story volume. Additionally, the setbacks will help prevent a canyon effect on the neighboring streets.

On landscaping, Mr. Chen said that the outdoor spaces are used to enhance the siting of the main building. Many trees currently onsite will either be saved or replanted. Additionally, many dedication plaques around the current site will be incorporated into either the new design or the surrounding area. Terraces and roof decks will provide more open-space access as well.

Mr. Chen reviewed each of the three stories. The ground floor is the lobby, lounge, teaching kitchen, and other multipurpose space. The second floor contains programming space, classrooms, and the gym. The third is activity spaces with the fitness center and game room. The main entry will be on grade, whereas the current building is above grade. The main lobby will be great area for socialization and impromptu meetings. He said that a core concept of the design is to open the building up to pedestrians and users, with terraces and roof decks helping for this purpose. Shade and coverage will help allow year-round usage on the roof deck. He said the two-story volume will align with most other buildings

on Walnut Street with the larger three-story building behind it. Solar panels will also be proposed for the roof.

Mr. Chen was thanked for his presentation by both committees.

Discussion:

This is a spectacular use of the space with lots of thought put into this design. It is good to see the setbacks and grade entrance. The parking/drop-off area is also well-done.

Could NewCAL become all electric with the exception of cooking?

We are looking at variable refrigerant flow with split heat pumps and there will be some gas for the kitchens. We are also looking at induction cooktops for the teaching kitchen, but this needs further study.

The roof deck seems to be an opportunity not fully realized as it could provide a small garden area. Needs something to encourage cultivation as giving people something else to care for is important. How are you dealing with those animals that get brought in?

Should the lighting in the building use more natural lighting on the inside? When sunshine is scarce how would NewCAL think about lighting as a compliment to the program? This should be a special opportunity for users and not just a building.

Will the gym have a locker room space?

These plans are still preliminary, but the final design should have space for people to store their belongings. We are still exploring these options.

West Newton is seeing lots of stormwater flooding, what are the plans to address this?

Entry will see grades slop away while complying with MA accessibility and this is all being taken into consideration.

Regarding the ultimate performance of the buildings, what is the quality of the building envelope and energy standard of the building with factors such as Passive House Standard?

We are targeting net-zero and designing the building with a combination of passive house and LEED, as well as maximizing solar panels and being mindful of embodied carbon.

Mr. Morse said that he was expecting to deliver another update and asked the committees to hold the item.

Please recognize the literature that shows people living in nursing homes do better when they have the opportunity to care for something which can be as small as a plant, that they should have the opportunity to serv and not just be served.

Yes, one successful area for this indoors could be an herb garden for the cooking programs.

Councilor Albright motioned to Hold for P&S which carried 7-0.

Councilor Crossley motioned to Hold for PF which carried 6-0.

Referred to Public Facilities and Programs & Services Committee

#371-21 Update on the Lincoln-Eliot Elementary School project

HER HONOR THE MAYOR requesting the opportunity to provide a Lincoln-Eliot Elementary School project update to the Public Facilities and Programs & Services Committees.

**Action: Programs & Services Held 7-0
Public Facilities Held 5-0 (Councilor Danberg not voting)**

Notes: The Committee was joined by the Public Facilities Committee for discussion on this item along with Mr. Morse

Mr. Morse delivered a presentation to the Committee (attached), reviewing the materials included in the committee agenda. He said that the School Committee voted on its version of the design matrix, which looks at the site at 150 Jackson Street which compares different options with new construction. The matrix shows the criteria used for evaluations of the project and Mr. Morse said work was being done recently on further establishing the criteria. He said that there will be meetings with the Lincoln Elliot School Building Committee, with further steps being to populate the matrix. Ultimately the matrix will be used to present a recommendation to the Mayor and City Council, and eventually Mr. Morse said that the Council will need to be approached for design funding and further input. October will see work with the community and the building committee. Mr. Morse said that as this is a large project, many factors are going into consideration and assured that a final product would meet all program goals.

He said that the plan is to break ground in summer, 2023 and complete the project by Summer, 2025. So far, the project is moving on schedule.

Both Committees thanked Mr. Morse for his presentation.

Discussion:

How old are the current buildings? Will there be an asbestos issue?

They date to the mid-1960s, and like all renovated buildings there will be asbestos, but the City will fully remediate and remove it.

Is the future community meeting on the project open to the public?

Yes, and we will push residents to provide feedback.

When will playground design be discussed?

This discussion will begin as early as the spring.

Are the four extra classrooms included in the design?

On September 20, the School Committee accepted the Newton Public Schools' revised program of 18 classrooms and 2 special education rooms. The building is sized to house 24 classrooms and a student population up to the high 400s. Design will include the siting for these classrooms on all options to not feel like an add-on as well as cushion for potential bubble years.

With closing Ward, there are those who live far away enough from Lincoln-Elliot that they wouldn't be

able to walk to school anymore.

Preservation of the green space would be great for outdoor classroom space. Could the auditorium be preserved?

Will Haywood House be built before this breaks ground?

Yes, we are sensitive to the community and the challenges it has faced, this is shown in our design planning. Residents have not been shy about feedback. We will get forestry crews in here as well as the plans leave greenspace in place. The building will be fully electric with lots of solar panels to target net zero.

Councilor Greenberg made a motion to Hold which carried 7-0.

Councilor Crossley made a motion to Hold which carried 5-0 (Councilor Danberg not voting).

Public Facilities adjourned at 8:39pm.

Referred to Programs & Services and Finance Committees

#295-20(B) Request for an amendment to the Newton dog ordinances

COUNCILORS ALBRIGHT, BAKER, KALIS, MALAKIE, MARKIEWICZ, DOWNS, NORTON, AND HUMPHREY requesting amendment of the relevant Newton ordinances relating to care and custody of dogs in public spaces, including licensing, leashing, paying for off-leash privileges in certain parks, and cleaning up, so as to allow staff involved in the supervision of Newton's parks and conservation areas to enforce those ordinances or regulations, including issuing non-criminal citations pursuant to G.L. c. 40, Sec. 21D, in addition to the enforcement provided by the Newton police.

Action: Programs and Services divided the item to create #295-20(A) to revise the ordinance language to extend off-leash enforcement to the Commissioner of Parks, Recreation & Culture, or their designee.

Programs & Services Approved #295-20(A) 7-0 on 06/24/2020

Finance Approved #295-20(A) on 07/13/2020

Programs & Services voted No Action Necessary on #295-20(B) 7-0

Finance voted No Action Necessary 8-0 on 10/12/2021

Notes: The Chair introduced the item, saying that along with item #165-21, these are lingering dog items with work to be done by the Off-Leash Task Force. The Committee Clerk was asked to email the Commissioner of Parks, Recreation and Culture to inform her of the items that have been voted NAN to make sure that the Task Force addresses these points.

Councilor Krintzman made a motion to vote No Action Necessary which carried 7-0.

Referred to Programs & Services and Finance Committees

#165-21

Request for changes to the off-leash dog ordinance

COUNCILORS KRINTZMAN AND ALBRIGHT requesting changes to the off-leash dog ordinance including, but not limited to, possible requirement that dogs be spayed or neutered for eligibility for an off-leash license; the fee for an off-lease registration and enforcement within the off-leash dog parks.

Action:

Programs & Services voted No Action Necessary 7-0

Finance voted No Action Necessary 8-0 on 10/12/2021

Notes:

Councilor Noel made a motion to vote No Action Necessary which carried 7-0.

The meeting adjourned at 9:02pm.

Respectfully Submitted,

Josh Krintzman, Chair

Municipal Election: November 2, 2021

In-Person Voting

- Option 1:
 - Newton City Hall
 - Monday-Friday: October 25 – October 29
 - 8:30 AM to 5:00 PM
- Option 2:
 - Newton City Hall
 - Monday-Friday: October 25 – October 29
 - 8:30 AM to 5:00 PM
 - Saturday: October 30
 - 8:30 AM to Noon

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2021 SEP 27 PM 4:19
CITY CLERK
NEWTON, MA. 02459

Challenges bringing Vote-By-Mail Option to Neighborhood Area Council Elections

Voter Registration Information System ("VRIS"):

- Limitations of the system.
 - Certification of nomination papers of candidates for Neighborhood Area Council.
 - Area Councils can cross more than one ward/precinct.
 - Area Councils can comprise of partial or whole streets.
 - Not citywide.
 - "VRIS" is unable to target select addresses or areas within a town/city.
 - Therefore, the certification process is done manually, by staff, as "VRIS" cannot determine which streets or addresses belong to an area council.
- Voting Lists.
 - Voting lists for Neighborhood Area Councils are created manually.
 - Containing select streets and addresses within a determined area of the City of Newton.
 - "VRIS" can generate voting lists but ONLY for an entire ward/precinct.
 - If this method was used non-Neighborhood Area Council voters would appear on these lists which could result in accidental votes.
- Vote-By-Mail.
 - Challenging due to the nature of Area Council Elections.
 - Applications and language specific to Area Council would have to be created.
 - Mailing and return labels would have to be generated daily.
 - Mailing materials for ballots would need to be created.
 - Three types of envelopes.
 - Not budgeted for additional costs.
 - All aspects would be a manual process.

- Solutions or Options:
 - Offering Early-Voting for Neighborhood Area Council Elections during Early Voting period at City Hall.
 - This would be a manual process not on Poll Pads.
 - Allowing Neighborhood Area Councils to hold and staff their elections on neighborhood's village day.
 - Paper ballots
 - Hand counted.
 - Unlike local, state, and federal elections there is no restriction on holding Neighborhood Area Council elections outdoors.

#-----21

Request to set Early Voting Hours for the November 2 Municipal Election

ACTING CITY CLERK requesting to set early voting hours for the November 2, 2021 Municipal Election for one of the following options for dates, location, and times both at Newton City Hall, 1000 Commonwealth Avenue, Newton MA 02459: (1) Monday, October 25, 2021 to Friday, October 29, 2021 from 8:30 AM to 5:00 PM or; (2) Monday, October 25, 2021 to Friday, October 29, 2021 from 8:30 AM to 5:00 PM and Saturday, October 30, 2021 from 8:30 AM to Noon.

#77-21

Lab and R&D Process

#77- 21
Zoning and Planning Committee
August 16, 2021
Department of Planning and Development





Laboratory and R&D

Biotech and R&D jobs are increasing in Massachusetts

New opportunities in places like Newton as companies leave higher cost urban areas

Consistent with economic goals to increase the commercial tax base and capitalize on highly skilled Newton workforce

Recent zoning updates, in partnership with EDC, have clarified and modernized R&D use definition and have allowed flexibility in building floor to floor heights

The use is highly regulated at the federal, state, and local level



Federal Regulations

OSHA and the EPA are the primary federal regulatory agencies for labs. EPA requires registration and OSHA is notified if there is an incident or complaint. OSHA compliance is also typically a requirement in lease agreements and for federal funding.

EPA:

- Resource Conservation and Recovery Act (RCRA) (40 CFR parts 239-282) - must register with EPA when generating hazardous waste and must collect in approved containers and dispose by an approved waste hauler



Federal Regulations

OHSA:

- Lab Standard: Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450)
- Hazard Communication (29 CFR 1910.1200)
- Bloodborne Pathogens (29 CFR 1910.1030)
- PPE - General Requirements (29 CFR 1910.132); Eye and face protection (29 CFR 1910.133); Respiratory protection (29 CFR 1910.134)
- Other standards depending upon the nature of the work



State Regulations

State oversight happens through the MA sanitary and plumbing codes, the Massachusetts Water Resources Authority (MWRA), and the Massachusetts Department of Environmental Protection (MassDEP)

MA Sanitary Code

- Minimum Requirement for the Management of Medical or Biological Waste (105 CMR 480) - regulations for the disposal and tracking of biomedical waste. State may do pop inspections.

MA Plumbing Code

- Sections related to laboratories (248 CMR 10) - linked to MWRA, regulates the piping for lab waste.



State Regulations

MWRA

- Sewer use (360 CMR 10) - requires a permit from MWRA. Initial inspection plus pop inspections and MWRA may conduct periodic water sampling.

MassDEP

- MA Hazardous Waste Regulations (310 CMR 30) - must register with EPA and MassDEP to dispose hazardous waste. Both agencies perform pop inspections.
- Air Pollution Control (310 CMR 7) - regulates emissions. Permits required at certain thresholds. MassDEP performs inspections.



Newton Regulations

Local regulations include zoning, rDNA ordinance, building code and fire code

Zoning Ordinance

- Laboratory, Research and Development (Section 6.5.9) allowed in all business, mixed use, and manufacturing zones either by-right or special permit. Ancillary manufacturing allowed per definition in Section 6.5.11
- Special permit required for additions or new buildings greater than 20,000 sf



Newton Regulations

rDNA Ordinance

- rDNA research and technology is regulated under Sections 12-21 - 12-30 of the Revised Ordinances of the City of Newton and NIH Guidelines
- rDNA is molecules that are constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in a living cell, or molecules that result from the replication of those described above
- rDNA must be reviewed and approved by the BioSafety Committee, which is comprised of nine members and must approve an rDNA research or technology. HHS issues a permit, which must be renewed annually



Newton Regulations

BioSafety Committee cont.

- Institutional Biosafety Committee (IBC) is established for each institution conducting rDNA research or technology. IBC includes Commissioner of HHS, two community reps with expertise in rDNA and/or safety issues, and three members of institution, including the safety officer
- IBC performs an initial inspection plus annual inspections and must meet at least once a year to enforce rDNA regulations
- rDNA requiring physical containment greater than biosafety level 3 is not permitted in Newton

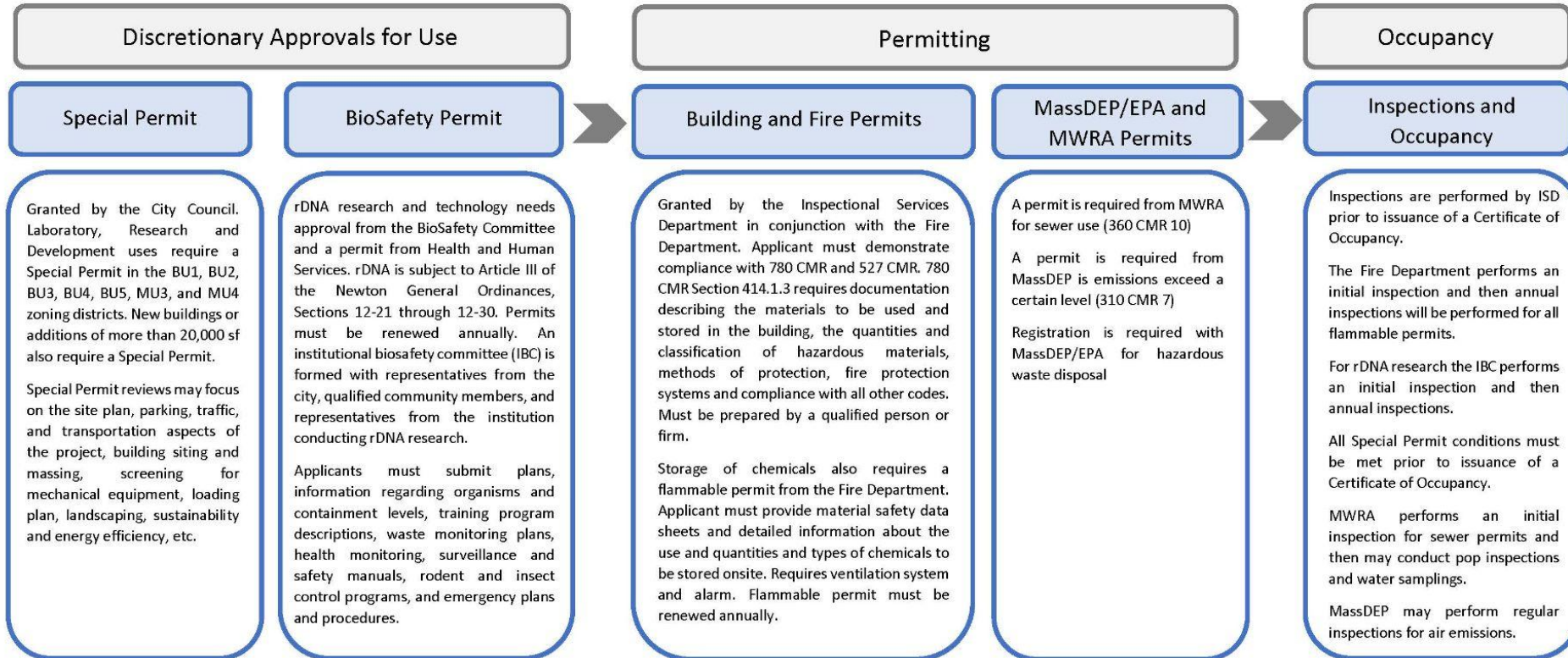


Newton Regulations

Building and Fire Codes

- Buildings with hazardous materials regulated by 780 CMR Section 414 (hazardous materials) and 527 CMR (fire safety code)
- Each tenant working with or storing chemicals must get a flammable permit from the fire department. Permits must be renewed annually. Fire Department does an initial inspection and will be training officers and doing annual inspections of all labs.
- Emergency Action or Contingency Plan required per OSHA 29 CFR 1910.38 & 157, MA Fire Safety Code 527 CMR 1.0, and MassDEP 310 CMR 30.
- Fire Department reviews fire protection system and special hazard protection. Detailed information on the use and material safety data sheets for all chemicals must be provided.
- In the case of a hazmat spill the MetroWest hazmat team may be activated

Permitting Process





Recommendations

No ordinance amendments necessary. Planning recommends new standard Special Permit conditions to allow flexibility for changes in tenants while reinforcing the requirement for all tenants to obtain the proper permits.

- Lab, Research and Development uses shall comply with all local, state, and federal regulations and guidelines, including *Biosafety in Microbiological and Biomedical Laboratories* and *NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules*. All tenants shall adhere to any current or future licensing, rules, or regulations required by the City.
- rDNA research and technology shall not be permitted without approval from the BioSafety Committee and a permit from the Department of Health and Human Services.



Recommendations

Special Permit conditions continued...

- All tenants and sublessors must obtain all necessary permits, including building permits and flammable permits. Permits are not transferable.
- Each laboratory, research and development tenant must provide and implement an environmental health and safety program through the designation of an onsite safety representative or consultant. Each tenant shall provide detailed information about the proposed use and the contact information for the safety representative to the Planning and Development Department, Inspectional Services Department, and Newton Fire Department.



Ruthanne Fuller
Mayor

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Barney S. Heath
Director

MEMORANDUM

DATE: August 13, 2021

TO: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning and Planning Committee

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Deputy Director, Department of Planning & Development
Devra Bailin, Director of Economic Development

RE: #77-21 Request for review of Lab, Research and Development Permitting Process
COUNCILORS MARKIEWICZ, KRINTZMAN, CROSSLEY, LAREDO AND LIPOF requesting a discussion with Planning and Health and Human Services Departments in order to understand the process and controls under Chapter 30 and Chapter 12 of the City of Newton Ordinances, for obtaining Lab, Research and Development facility permits. (Ordinance 30 and Ordinance 12)

MEETING DATE: August 16, 2021

CC: City Council
Planning & Development Board
Economic Development Commission
John Lojek, Commissioner of Inspectional Services
Neil Cronin, Chief of Current Planning
Alissa O. Giuliani, City Solicitor
Jonathan Yeo, Chief Operating Officer

Massachusetts is known for its powerhouse laboratory and research and development (R&D) industry. Biotech R&D jobs reached 46,000 in 2019, an increase of 18% from 2018, according to MassBio's 2020 Industry Snapshot Report. There is also currently an exodus away from high-

cost urban areas, accelerated by COVID-19, creating an opportunity for new R&D activities in Newton. The Economic Development Commission (EDC) has been working with the Planning Department to identify zoning obstacles that may be preventing R&D companies from locating in Newton and in the past six months the City Council clarified and modernized the definitions for Laboratory, Research and Development and Manufacturing and adopted a change to how building height is regulated to allow flexibility for the taller floor to floor heights necessary for lab buildings (without increasing the overall height permitted). Newton is ranked at the gold level for MassBio's [BioReady Communities](#). The City's 2019 Economic Development Strategy (Camoin) also lists the following goals related to increasing commercial tax revenue and attracting R&D:

- Objective A: Increase lab space to capitalize highly skilled workforce with science background and regional economic trends.
- Objective B: Increase office space in Newton...to attract and retain companies and increase the commercial tax base.
- Objective H: Target growth sectors based on Newton's strengths – bio/life sciences; healthtech; professional and technical services.

In addition to zoning updates and EDC's efforts to attract new R&D companies to Newton, the City Council has recently undertaken review of proposed new R&D uses at Riverside Station and 275 Grove Street as part of the special permit process. While many surrounding communities have extensive experience permitting lab and R&D facilities, the recent focus on R&D is somewhat new for Newton. Lab and R&D uses are highly regulated, and this memo will describe the regulatory environment, permitting process, as well as recommendations for the review process.

Regulatory Environment

Lab uses are regulated at the federal, state, and local level. Standard practices come from *Biosafety in Microbiological and Biomedical Laboratories*, a guidance document from the US Department of Health and Human Services, the Centers for Disease Control, and the National Institutes of Health. This document serves as the cornerstone of biosafety practices and policy in the US. Individual lab tenants typically implement an environmental health and safety program through the designation of an onsite safety representative or by engaging a consultant. The safety representative or consultant monitors the overall program and compliance to ensure safety of workers and to protect the public and the environment. Below is an overview of the regulations that are typically applied to lab and R&D facilities.

Federal

The Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) are the primary agencies that regulate lab uses at the federal level. OSHA is notified and investigates if there is an incident or a complaint in the facility and most leases contain language about compliance with OSHA. Federal funding also requires full compliance with OSHA and it is often necessary to provide reporting on OSHA compliance to investors.

Companies must register with the EPA in order to generate hazardous waste and have it picked up.

OSHA

- Lab Standard: Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450) – applies to non-production labs to protect workers from laboratory hazards, such as chemical or physical hazards. Requires a Chemical Hygiene Plan and appointment of a Chemical Hygiene Officer.
- Hazard Communication (29 CFR 1910.1200) – stipulates the methods for communicating information concerning hazards and appropriate protective measures to employees.
- Bloodborne Pathogens (29 CFR 1910.1030) – applies to all occupational exposure to blood or other potentially infectious materials, requires an Exposure Control Plan.
- PPE (Personal Protective Equipment)
 - General requirements (29 CFR 1910.132)
 - Eye and face protection (29 CFR 1910.133)
 - Respiratory protection (29 CFR 1910.134)
- Other OSHA standards may also apply depending on the nature of the work

EPA

- Resource Conservation and Recovery Act (RCRA) – (40 CFR parts 239-282): regulates hazardous waste generation and disposal. Waste is collected in approved containers for off-site treatment and disposal by an approved waste hauler.

State

State oversight happens through the Massachusetts sanitary and plumbing codes, the Massachusetts Water Resources Authority (MWRA), and the Massachusetts Department of Environmental Protection (MassDEP).

Massachusetts Sanitary Code

- Minimum Requirements for the Management of Medical or Biological Waste (105 CMR 480) – requires facility to keep logs of bio waste and the state does pop inspections. Biomedical solid and liquid waste must be collected in special containers for treatment and disposal.

Massachusetts Plumbing Code

- Sections related to laboratories (248 CMR 10) – linked to MWRA. Regulates how lab waste is to be piped.

MWRA

- Sewer use (360 CMR 10) – requires a permit from MWRA. MWRA does an initial inspection and then pop inspections. MWRA also may conduct periodic water sampling.

MassDEP

- Massachusetts Hazardous Waste Regulations (310 CMR 30) – MassDEP works with the EPA (federal) and the facility must register with both MassDEP and EPA. Both agencies perform pop inspections.
- Air Pollution Control (310 CMR 7) – a permit is required if emissions exceed a certain level. MassDEP does inspections.

Local

At the local level, Newton primarily regulates lab uses through the Department of Health and Human Services, the BioSafety Committee, Inspectional Services Department (ISD), and the Fire Department (NFD). The Department of Health and Human Services staffs the BioSafety Committee, which oversees facilities undertaking recombinant DNA research (rDNA). ISD issues building permits which require approval from NFD and NFD issues permits and oversees safety protocols when there are flammable substances on site. Additionally, ISD and Planning ensure compliance with the Newton Zoning Ordinance.

Zoning Ordinance

- The Newton Zoning Ordinance allows Laboratory, Research and Development in all business, mixed use, and manufacturing zoning districts, either by-right or by special permit. Section 6.5.9 defines the use and Section 6.5.11 defines the manufacturing uses that may be permitted as accessory to Laboratory, Research and Development.

BioSafety Committee

- rDNA is regulated by [Sections 12-21 through 12-30](#) of Revised Ordinances of the City of Newton. The National Institutes of Health (NIH) define rDNA as “molecules that are constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in a living cell, or molecules that result from the replication of those described above”. Research involving rDNA is also subject to the *NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules*.
- The rDNA ordinance created the BioSafety Committee, which is comprised of nine members. Approval from the BioSafety Committee and a permit from Health and Human Services is required prior to initiating rDNA research. The permit must be renewed annually.
- The ordinance requires an institutional biosafety committee (IBC) be established for each institution conducting rDNA research or technology. The IBC shall include the Commissioner of Health and Human Services, two community representatives with expertise in rDNA research and technology and/or safety issues, as well as three members of the institution conducting rDNA research, including their safety officer. The IBC shall inspect each facility conducting rDNA research or technology annually and meet at least once a year to enforce the rDNA regulations. Each institution must also appoint a safety officer, who is responsible for enforcing the policies of the IBC.

- rDNA use requiring physical containment greater than biosafety level 3 (BSL3) is not permitted in Newton. There are four biosafety levels and you can find a description of them here: <https://www.phe.gov/s3/BioriskManagement/biosafety/Pages/Biosafety-Levels.aspx>.

Fire Department

- Buildings that will use or store hazardous materials are regulated by 780 CMR (Section 414) and 527 CMR. 780 CMR is the Building Code and section 414 applies to hazardous materials. 527 CMR is the fire safety code. NFD may request a third-party reviewer, to be paid by the applicant.
- Every tenant that works with or stores chemicals must get a flammable permit from NFD. The permit must also be reviewed annually. Permits are tenant specific and cannot be passed on to a future tenant or sublessor.
- An Emergency Action or Contingency Plan must be developed to address potential emergencies per OSHA 29 CFR 1910.38 & 157, Massachusetts Comprehensive Fire Safety Code 527 CMR 1.0, and MassDEP 310 CMR 30.
- NFD reviews fire protection system and special hazard protection required by 527 CMR. The fire protection system is dependent upon the chemicals contained in the building.
- NFD requests detailed information on the use and the material safety data sheets (MSDS) for all chemicals. MSDS sheets must also be readily accessible outside of the lab. NFD follows the state emergency response guidebook.
- In the case of a hazmat spill, the MetroWest hazmat team would be activated.

Permitting Process

New lab or R&D uses in Newton may require a Special Permit from the City Council, depending upon the zoning district, current use of the site, and whether a new building is being constructed. All lab facilities will require a building permit from the Inspectional Services Department and the Fire Department. Chemical storage will require a flammable permit from the Fire Department, which must be renewed annually. rDNA research and technology require approval from the BioSafety Committee and a permit from Health and Human Services (and must be renewed annually). A permit is required from MWRA for sewer use, a permit is required from MassDEP if emissions exceed a certain level, and registration is required with MassDEP/EPA for hazardous waste disposal. Initial and ongoing inspections are also performed by ISD, the Fire Department, the IBC (only for rDNA), MWRA and MassDEP. See attached diagram for more information on the permitting process (**Attachment A**).

Recommendations

Lab and R&D facilities are highly regulated at the federal, state, and local level to ensure employee and public safety and environmental protection. New regulations or ordinance amendments are not necessary given the existing regulatory environment. However, staff recommends standard conditions be included in the Council Order for special permits involving

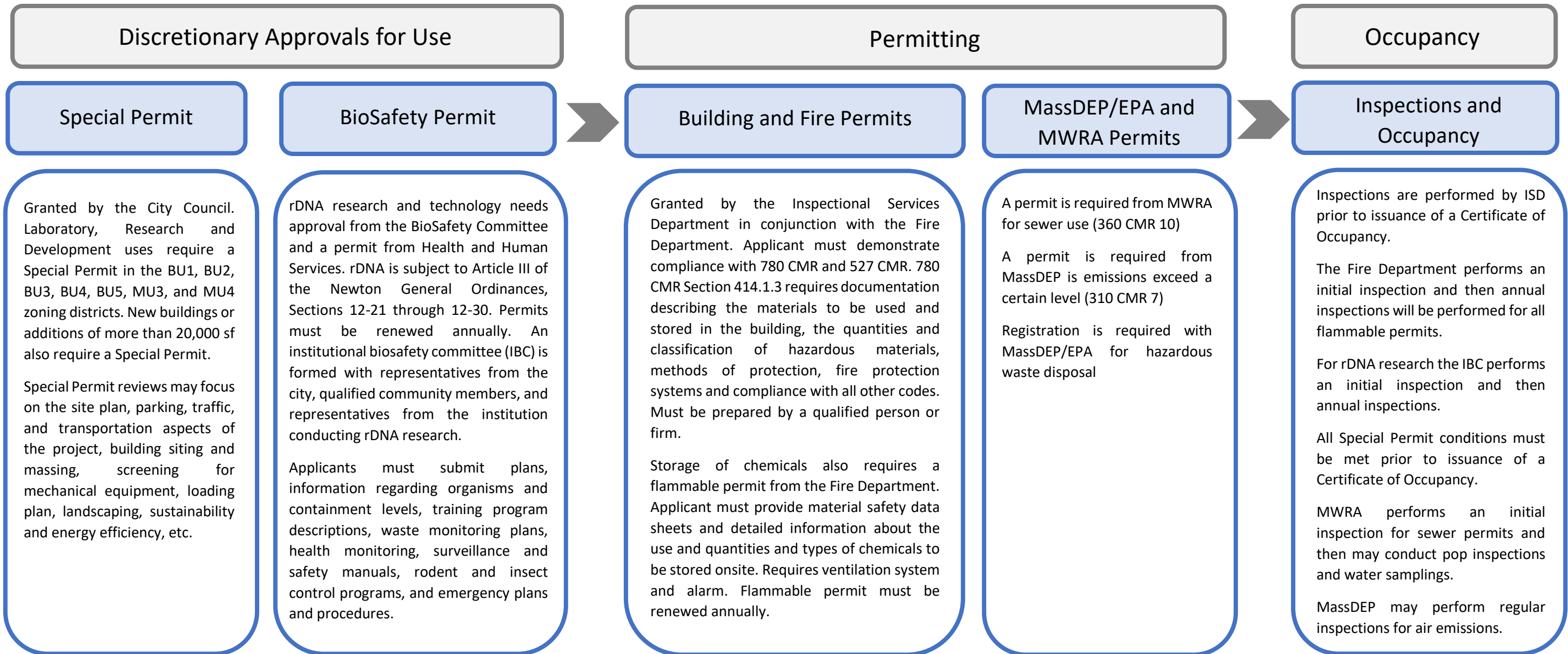
lab or R&D uses. As long as new tenants comply with all conditions of approval, they should not be required to seek an amendment to the original special permit. Council Orders could include conditions such as:

- Laboratory, Research and Development uses shall comply with all local, state, and federal regulations and guidelines, including *Biosafety in Microbiological and Biomedical Laboratories* and *NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules*. All tenants shall adhere to any current or future licensing, rules or regulations required by the City.
- rDNA research and technology shall not be permitted without approval from the BioSafety Committee and a permit from the Department of Health and Human Services.
- All tenants and sublessors must obtain all necessary permits, including building permits and flammable permits. Permits are not transferrable.
- Each laboratory, research and development tenant must provide and implement an environmental health and safety program through the designation of an onsite safety representative or consultant. Each tenant shall provide detailed information about the proposed use and the contact information for the safety representative to the Planning and Development Department, Inspectional Services Department, and Newton Fire Department.

The Newton Fire Department will also implement changes to the review and inspection process for lab and R&D uses based upon best practices from Cambridge. The Fire Department is not mandated by code or law to inspect labs. However, the Newton Fire Department will train one or two officers and start conducting annual inspections of all labs, in addition to initial inspections. The Fire Department will focus on identifying hazards, containment, confinement, mitigation and disposal of materials.

Attachment A: City of Newton Laboratory and Research and Development Permitting Process

City of Newton Laboratory and R&D Permitting Process



CITY COUNCIL
CITY OF NEWTON
DOCKET REQUEST FORM

RECEIVED
2021 MAR 24 AM 10:03
CITY CLERK
NEWTON MASSACHUSETTS

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: 3/22/2021

From (Docketer): Julia Malakie

Address: 50 Murray Rd

Phone: 617-610-2509

E-mail: jmalakie@newtonma.gov

Additional sponsors: see below

1. Please docket the following item (it will be edited for length if necessary):

COUNCILORS MALAKIE, DOWNS, HUMPHREY, NORTON, WRIGHT, LIPOF, GREENBERG, LAREDO, GENTILE, BOWMAN, AND RYAN requesting that Sec. 27-21 of Newton Ordinances be amended to increase the income limits for participation in the Senior Tax Work-off Program to adjust for wage and price inflation.

2. The purpose and intended outcome of this item is:

- | | |
|--|--|
| <input type="checkbox"/> Fact-finding & discussion | <input checked="" type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

- | | |
|---|--------------------------|
| <input checked="" type="checkbox"/> Jayne Colino | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Jim Shaughnessy | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

Current city ordinance and state law

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Julia Malapic

Signature of person docketing the item

[Please retain a copy for your own records]

**CITY OF NEWTON
SENIOR PROPERTY TAX WORK-OFF PROGRAM
FISCAL YEAR 2021**

ELIGIBILITY AND DOCUMENT REQUIREMENTS

As required by Ordinance, the Newton Assessors Office must verify Age, Residence, and Annual Gross Income of applicant for the Senior Citizen Property Tax Work-Off Program.

ELIGIBILITY REQUIREMENTS

AGE: 60 years of age or older as of July 1, 2020.

RESIDENCE: Principal place of residence, Newton, Massachusetts as of July 1, 2020.

GROSS INCOME: Less than \$40,000 if such person is single and not head of household, less than \$50,000 if such person is head of household, or less than \$60,000 if such person files a joint tax return with spouse.

REQUIRED DOCUMENTS

INCOME:

- Copy of your 2019 federal income tax return (Form 1040, plus any additional schedules filed), with your year-end Social Security benefits statement;
- **OR**
- Copy of year-end 2019 Form SSA-1099 statement from Social Security. Please include any copies of Supplemental Social Security received, in addition to any disability income;
- Copy of year-end 2019 statement of pension distributions;
- Copy of year-end 2019 W-2 forms for statement of wages, salary, and other compensation earned;
- Copy of year-end 2019 Form 1099-DIV statement of dividends and interest earned;
- Proof of rental income received in 2019, copy of lease, if available; or a copy of the December 2019 rent receipt;
- Statement of any capital gains in 2019.

AGE: You may be asked to provide a copy of your birth certificate or ID for age verification.

RESIDENCE: Copy of your current tax bill

PROXY PROVISION: An eligible senior who is physically unable to perform the service may have an approved substitute perform the appointed duties.

The service hours performed by the proxy must be reported to the Internal Revenue Service as income. The proxy will receive a Form W2, Wage and Tax Statement, from the City of Newton. It must be submitted with the proxy's federal income tax filing. The proxy will be assigning the value of his/her labor to the qualifying senior.

RE: Tax Work off discussion Link

Participation & aggregate tax reductions

Jayne Colino <jcolino@newtonma.gov>

Thu 2/18/2021 12:59 PM

To: Bill Humphrey <bhumphrey@newtonma.gov>; Andreae Downs <adowns@newtonma.gov>; Julia Malakie <jmalakie@newtonma.gov>; Pamela Wright <pwright@newtonma.gov>; Emily Norton <enorton@newtonma.gov>

Hello All,

I am following up on our discussion of the Senior Tax Work Off program. I have done some digging and have the answers to your questions below. I hope they are helpful as you continue to explore this.

You had three questions:

Can the city increase the \$1500.00 benefit level? No, that amount is part of the legislation.

Can the city increase the income eligibility? Yes, we can create local rules and procedures. Also see excerpt from MGL below

What was the last highest/normal years participation?

[FY 20 there were 36 participants who earned \$37,849
FY19 there were 41 participants who earned \$44,557
Fy18 there were 43 participants who earned \$47,074]

Section 5K: Property tax liability reduced in exchange for volunteer services; persons over age 60

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

Jayne Colino, Director
Newton Department of Senior Services
345 Walnut Street
Newtonville, MA 02460
Direct: 617-796-1671
www.newtonseniors.org
Like us on Facebook

From: Jayne Colino
Sent: Wednesday, February 10, 2021 2:29 PM
To: Bill Humphrey <bhumphrey@newtonma.gov>; Andreae Downs <adowns@newtonma.gov>; Julia Malakie <jmalakie@newtonma.gov>; Pamela Wright <pwright@newtonma.gov>; Emily Norton <enorton@newtonma.gov>
Subject: Tax Work off discussion Link

Hello City council Friends,

Sorry for the delay in getting you this link. I look forward to talking with you on Friday.

If at all possible could you let me know your most pressing questions/concerns/thoughts ahead of time so I can be best prepared. If not, I will do my best to provide helpful input and follow up on anything I can't answer during the call.

Thanks

Jayne Colino is inviting you to a scheduled Zoom meeting.

Topic: Tax Work Off discussion
Time: Feb 12, 2021 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88673943718?pwd=T3ljSmduMDFzUHhrcHN6M3FyNWxcQT09>

Meeting ID: 886 7394 3718
Passcode: 407873
One tap mobile
+16465588656,,88673943718#,,,,*407873# US (New York)
+13017158592,,88673943718#,,,,*407873# US (Washington DC)

Dial by your location
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 659 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

Meeting ID: 886 7394 3718
Passcode: 407873
Find your local number: <https://us02web.zoom.us/j/kdm6asPpAo>

Jayne Colino, Director
Newton Department of Senior Services

(a) A person who is 60 years of age or older, whose principal place of residence is in Newton and whose annual gross income, as defined in the Internal Revenue Code of the United States, is less than \$40,000 if such person is single and not head of household, less than \$50,000 if such person is head of household, or less than \$60,000 if such person files a joint tax return with spouse, may be eligible to receive the reduction set forth in section 27-20. The date of determination as to age, residence, ownership and income shall be July first of each year.

(b) Eligibility shall be determined by the assessors. In order to ascertain an applicant's financial eligibility, the assessors may request verification of the applicant's income by any means including requiring the submission of income tax returns. (Ord. No. X-47, 4-7-2003)

Sec. 27-22. Volunteer positions.

The head of each city department shall and the chair of each city board or commission may, on or before the 45th day following the passage of this article and from time to time thereafter, furnish to the director of senior services, on a form provided by said director, a list of volunteer positions available in each department, board or commission respectively. Said list shall include a description of the nature of each position, a list of skills such position requires, when the position will be available, the total hours for the position and such other information the director may require. Persons may volunteer pursuant to section 27-20 by filling out the application form furnished by the director. (Ord. No. X-47, 04-07-2003; Ord. Z-36, 11-17-08)

Sec. 27-23. Non-financial eligibility.

The director of senior services shall establish non-financial employment eligibility criteria and may require reviews of criminal offender record information as he deems necessary. If an applicant is deemed financially eligible by the assessors, his acceptance into this program shall be further subject to the approval of both the director, or his designee, and that of the appropriate department head or board or committee chair. (Ord. No. X-47, 4-7-2003; X-175, 5-26-2005; Ord. Z-36, 11-17-08)

Sec. 27-24. Certification of services; abatements.

(a) The department, board or commission supervising the volunteer's services shall certify to the assessors the amount of services performed by the volunteer as of the time the actual tax for the fiscal year is committed. Services performed after that date and before the next commitment date shall be credited toward the next fiscal year's tax bill. The department, board or commission shall provide a copy of such certification to the volunteer.

(b) The assessors shall process all reductions as abatements and charge them against the overlay account. The director of senior services and the veterans' agent acting pursuant to Article III of this chapter shall not approve a number of veteran and/or senior volunteers whose total possible reductions combined would exceed \$100,000 in any fiscal year. (Ord. No. X-47, 4-7-2003; Ord. No. A-25, 06-17-13)

Sec. 27-25. Employment benefits prohibited.

Volunteers approved pursuant to this article shall not receive any health insurance, retirement benefits or any other employment-related benefits as a result of performing such volunteer services. Nothing herein shall create any rights to said volunteers other than those already created by state law. (Ord. No. X-47; 4-7-03)

Sec. 27-26.

An approved representative may provide such volunteer services to the city on behalf of a qualifying person who is physically unable to provide such services. Such approved representative shall be subject to all non-financial employment eligibility criteria and limitations as provided in Sec. 27-23 and Sec. 27-25 and to such other criteria as may be deemed necessary by the director of senior services. (Ord. No. A-25, 06-17-13)

Sec. 27-27 — 27-29. Reserved.

Sec. 27-30. Aid to elderly and disabled taxation

notices of same, shall forthwith send such notice to any person assessed, resident and nonresident, of the amount of his tax. If he shall send such notice through the mail, he shall postpay and direct the same to the city or town which was the place of residence of such person on the first day of January of the year in which the tax was assessed, and if to a resident of this city, shall direct it to the street and number of his residence, if possible. He shall keep in his office all tax bills until paid, except as otherwise provided in this chapter. (Rev. Ords. 1973, § 20-8)

Sec. 27-8. Division of taxes.

When it becomes necessary to divide a tax, the city collector-treasurer shall return the original bill to the assessors, who shall issue new bills in place thereof to the collector-treasurer, and shall indicate the changes made on the tax list by proper entries and cross references, which shall also appear upon the bills. The original bill shall be canceled and retained by the assessors and the coupon thereof canceled and returned to the collector-treasurer. (Rev. Ords. 1973, § 20-9)

Sec. 27-9. Hotel, lodging house and motel excise tax.

(a). Every hotel, lodging house and motel located within the city shall be subject to a local excise tax upon the transfer of occupancy of any room or rooms at the rate of six (6) percent of the total amount of rent for each such occupancy all in accordance with the provisions of G.L. c. 64G, § 3A.

(b) This increase shall take effect October 1, 2009 (Ord. No. S-126, 10-7-85; Ord. No. Z-52, 08-10-09)

Editor's note—G.L. c. 64G, § 3A was accepted by the city on 10-7-85 and became effective in Newton on November 1, 1985.

Sec. 27-10. Income eligibility for clause 41A tax deferral program.

The maximum qualifying gross receipts amount for purposes of the tax deferral program authorized under clause 41A of section 5 of chapter 59 of the General Laws shall be sixty

thousand dollars (\$60,000) for the fiscal year beginning July 1, 2005. (Ord. No. X-149, 05-02-05)

Sec. 27-11. Interest rate for clause 41A tax deferral program.

The rate of interest that accrues on property taxes deferred by eligible seniors under clause 41A of section 5 of chapter 59 of the General Laws shall be determined each fiscal year, beginning with the fiscal year that begins on July 1, 2006, in accordance with this section. For each such fiscal year, the interest rate shall be the lesser of the following a) Federal Reserve Banks' discount rate charged for primary credit, effective as of June 30 of the prior fiscal year, or b) the statutory rate of eight per cent (8%). (Ord. No. X-221, 6-19-06)

Sections 27-12—27-19. Reserved.

ARTICLE II.

SENIOR CITIZEN VOLUNTEER PROGRAM

Sec. 27-20. Establishment; rate; maximum annual reduction.

A person who qualifies pursuant to the provisions of this article may volunteer to provide services to the city in accordance with the standards and requirements set forth herein. In exchange for such volunteer services, the city shall reduce the real property tax obligation of such person on tax bills for his principal residence and any reduction so provided shall be in addition to any exemption or abatement for which such person shall be otherwise qualified. Each such volunteer shall receive a rate of or be credited with the current minimum wage of the commonwealth. The maximum reduction of the real property tax bill shall be based on one hundred twenty-five volunteer service hours in any given tax year. (Ord. No. X-47, 4-7-2003; Ord. No. Z-71, 09-20-10; Ord. No. A-25, 06-17-13)
State law reference—Program for persons over age 60 to provide volunteer services to city in exchange for property tax, G.L. c. 59, § 5K

Sec. 27-21. Financial Eligibility.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Part I ADMINISTRATION OF THE
GOVERNMENT

Title IX TAXATION

Chapter ASSESSMENT OF LOCAL TAXES

59

Section PROPERTY TAX LIABILITY
5K REDUCED IN EXCHANGE FOR
VOLUNTEER SERVICES; PERSONS
OVER AGE 60

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

Senior Citizen Property Tax Work-Off Program

Provision in state law MGL Ch 59 Sec 5K

- age 60 and above
- annual property tax reduction per taxpayer limited to \$1,500
- earned at hourly rate, capped at Minimum Wage
- city or town determines eligibility
- city or town may base maximum tax reduction on 125 service hours, rather than \$1,500

Newton program began in 2003/2004

Eligibility

- age 60+ as of July 1
- primary residence in Newton
- gross income < \$40,000 if Single
 - < \$50,000 if Head of Household
 - < \$60,000 if Married Filing Jointly

Hourly rate = Minimum Wage (\$12.75 in 2020; \$13.50 in 2021)

Max tax reduction based on 125 service hours (per Sec 27-20)

Assessors charge abatements to overlay account.

Aggregate amount **capped at \$100,000** per fiscal year.

Recent participation:

FY20 - 36 participants earned total of \$37,849

FY19 - 41 participants earned total of \$44,557

FY18 - 43 participants earned total of \$47,074

Measuring 18 Years of Inflation

CPI Inflation Calculator - https://www.bls.gov/data/inflation_calculator.htm

<u>Jan 2004</u>	<u>June 2021</u>
\$40,000	\$58,682
\$50,000	\$73,352
\$60,000	\$88,022

Social Security COLA (Jan 2004- Jan 2021) - <https://www.ssa.gov/cola/> (cumulative factor ~ 1.4367)

\$40,000	\$57,469
\$50,000	\$71,836
\$60,000	\$86,203

Prop 2-1/2 tax increases $(1.025)^{18} = 1.5596$

\$40,000	\$62,386
\$50,000	\$77,982
\$60,000	\$93,579

NewCAL

Community Update

September 23, 2021



September

Site Plan, Site Features, Building Organization

October

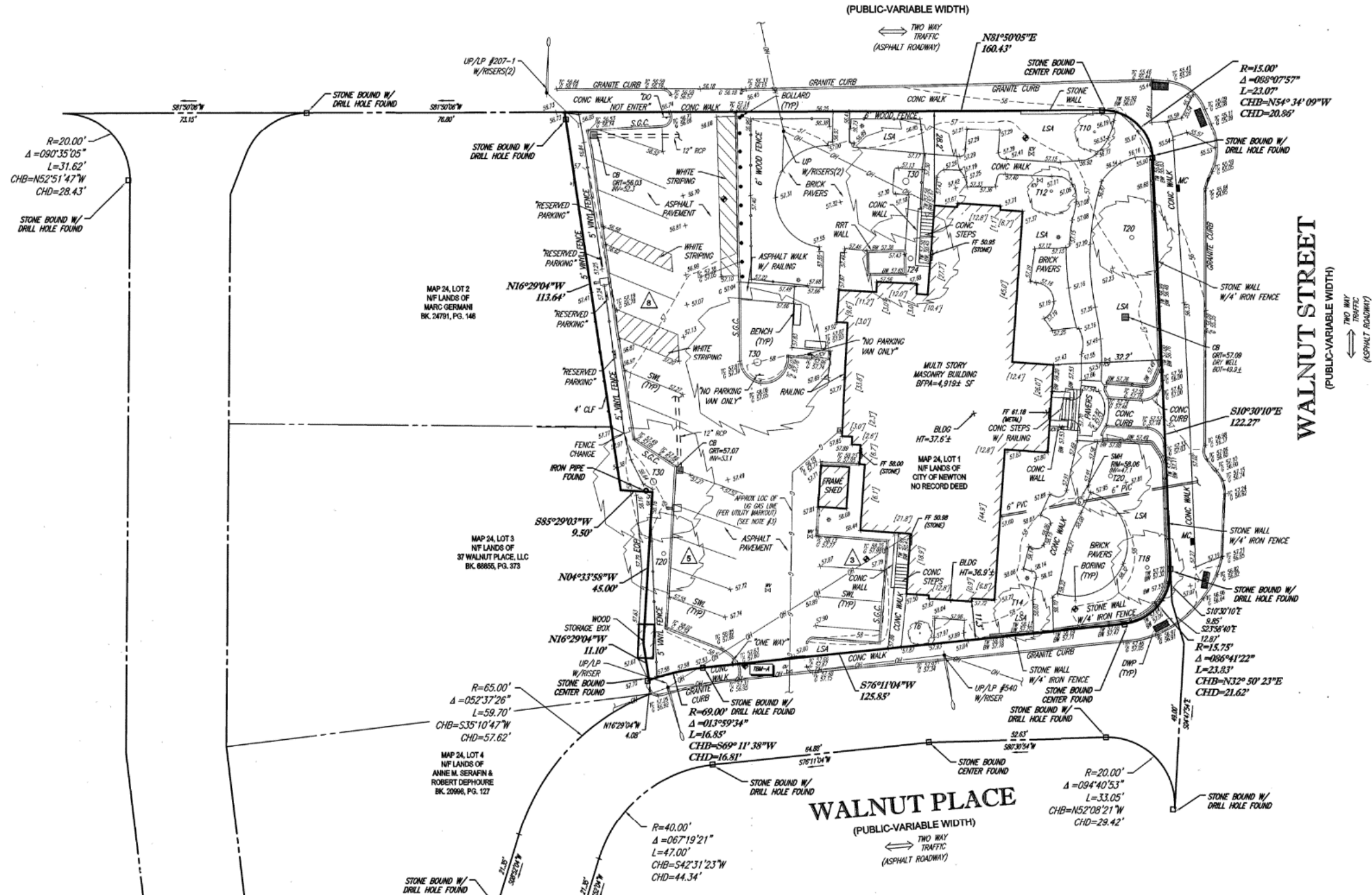
Massing and Exterior Treatment Concepts

November

Exterior Facades, Materials & Landscape Development

December

Site Plan, Building Plans, Sustainability & Renderings



- NOTES:**
1. PROPERTY KNOW OF MASSACHUSETTS
 2. AREA = 26,221 SQ
 3. LOCATION OF UNL MARK-OUTS, ABOVE AS LISTED IN THE UTILITY MARKOUT BEFORE ANY EXC LOCATION, SIZE A NOT GUARANTEE ABANDONED.
 4. THIS PLAN IS BAS ASSOCIATES, INC
 5. THIS SURVEY WA RESTRICTIONS, C
 6. BY GRAPHIC PLOT DETERMINED TO I
 7. ELEVATIONS REFI OBSERVATIONS U SURVEY.
- TEMPORARY BEN
TBM-A: MAG
TBM-B: MAG
- PRIOR TO CONSTI ILLUSTRATED ON ANY CONFLICTS I
8. THE OFFSETS SHI PERMANENT ADDI
 9. THE EXISTENCE C SURVEY.
- REFERENCES:**
1. THE TAX ASSESS
 2. MAP ENTITLED 'N COUNTY, MASSAC EFFECTIVE DATE:
 3. MAP ENTITLED 'LJ N. EAGER, DATED BOOK 30, PLAN 31
 4. MAP ENTITLED 'PI SMILIE, DATED OC BOOK 4577, END.
 5. MAP ENTITLED 'CI SHOWING LAYO' RECORDED WITH



New Streetscape & potential drop-off location



Existing Condition at front of 345 Walnut Street



Streetscape & potential drop-off at Highland Avenue



Looking down Walnut Street Sidewalk Towards Senior Center



New Streetscape with view to new building entry

Site Plan

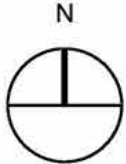
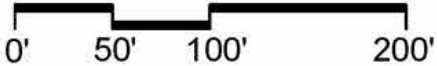
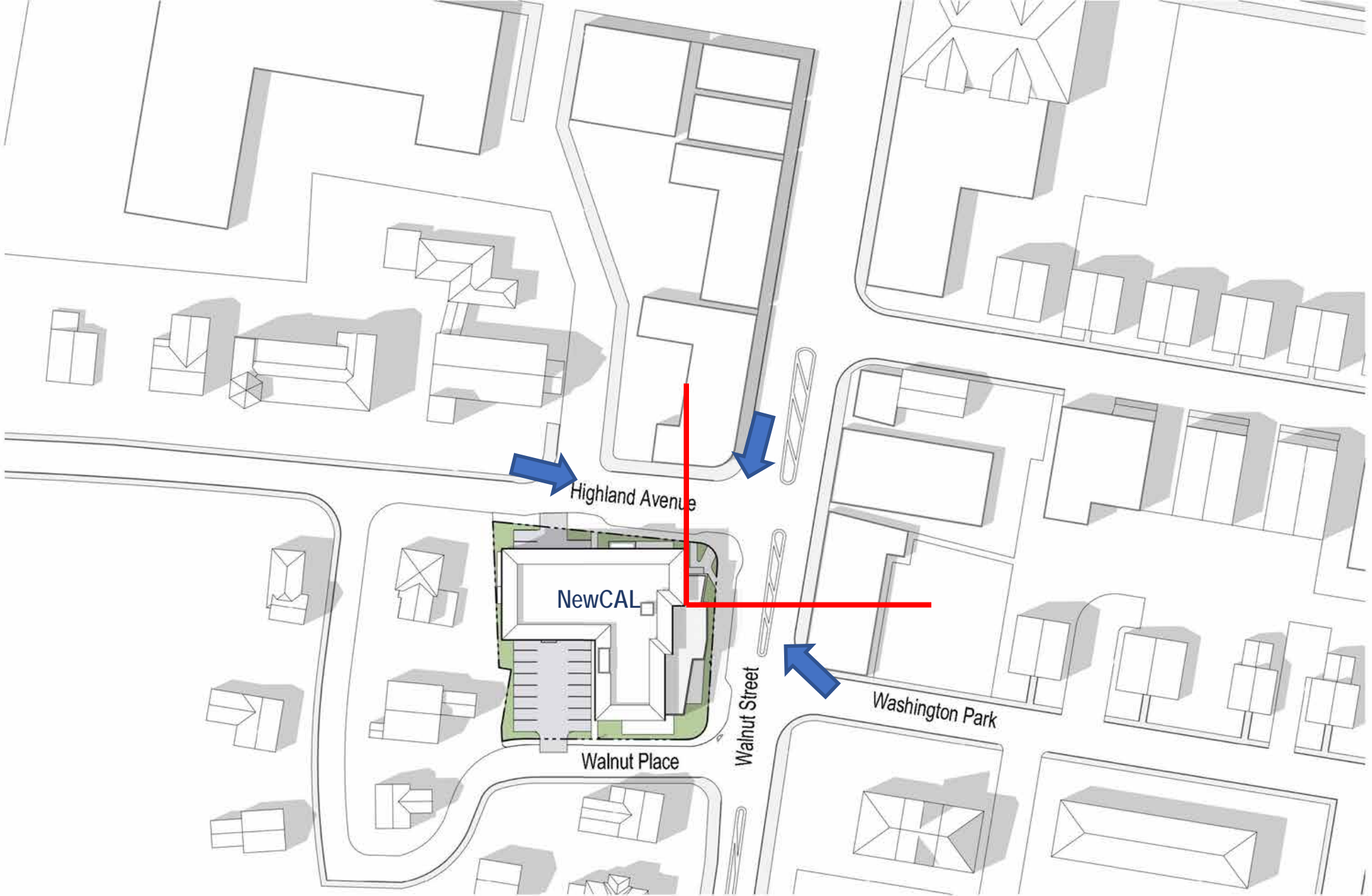


HIGHLAND AVENUE

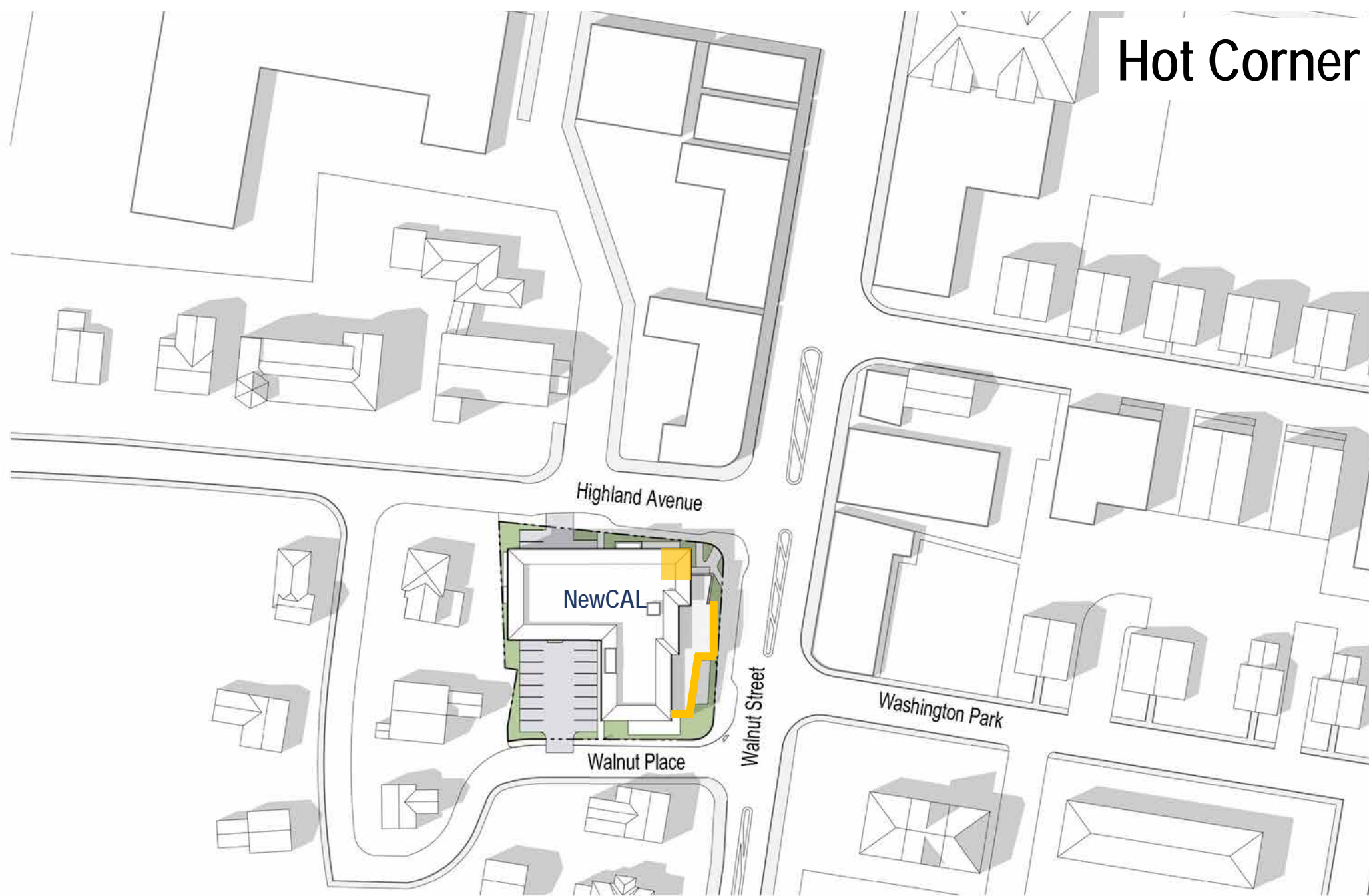
WALNUT STREET

WASHINGTON PARK

WALNUT PLACE



Hot Corner and Edges





Building is Setback along Walnut Place to reduce canyon effect

Parking Options ²⁴⁹⁻²¹



125 Municipal parking spaces

AUSTIN STREET PARKING

50+ street parkings

PARKING ON SOUTH SIDE OF THE STREET

250'

SENIOR CENTER

Newtonville Avenue

Madison Avenue

Washington

LOWELL AVENUE

AUSTIN STREET

HIGHLAND AVENUE

WALNUT STREET

Site Plan



HIGHLAND AVENUE

WALNUT STREET

WASHINGTON PARK

WALNUT PLACE

249-21

R=15.00'
Δ=088°07'57"
L=249.21
CHB=N54°34'09"W
CHD=20.86'

MAP 24, LOT 2
NF LANDS OF
MARC GERMANI
BK. 24791, PG. 146

N16°29'04"W
113.64'

RESERVED
PARKING*

RESERVED
PARKING*

RESERVED
PARKING*

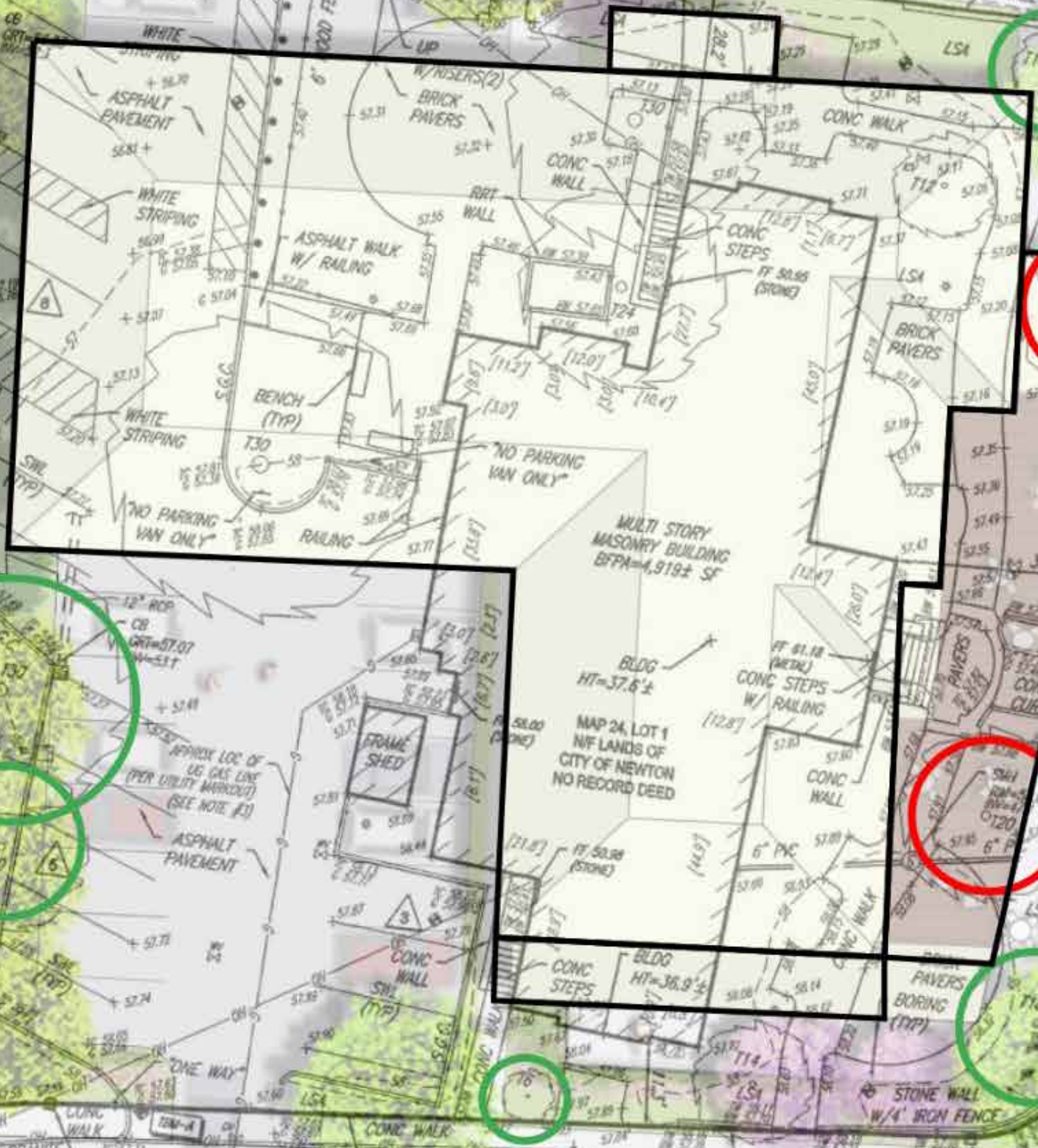
S85°29'03"W
9.50'

N04°33'58"W
45.00'

WOOD
STORAGE BOX
N16°29'04"W
11.10'

R=65.00'
Δ=052°37'26"
L=59.70'
θ=S35°10'47"W

UP/LP
W/RISER
STONE BOUND
CENTER FOUND



WALNUT STREET
(PUBLIC-VARIABLE WIDTH)



STONE BOUND W/
DRILL HOLE FOUND

STONE WALL
W/4\"/>

CB
GRT=57.09
DRY WELL
BOT=48.9±

S10°30'10"E
122.27'

STONE WALL
W/4\"/>

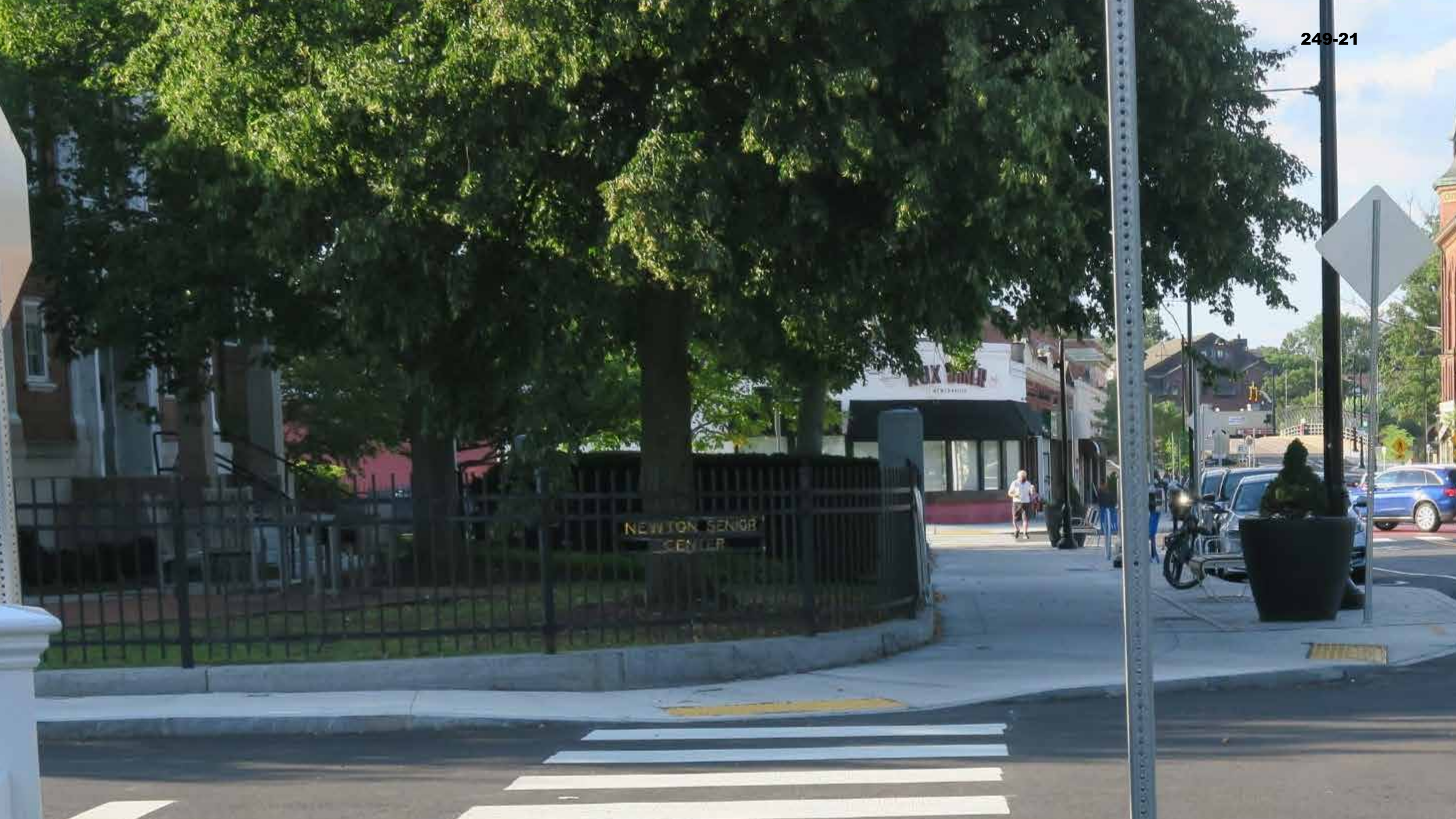
STONE BOUND W/
DRILL HOLE FOUND

Existing Memorial Plaques

The image features a central aerial map of Walnut Place, a residential development. The map is overlaid with 17 numbered orange callouts (1-17) that point to specific locations. To the left and right of the map are vertical strips of photographs, each numbered 1 through 17, showing various styles of memorial plaques. The plaques are mounted on wooden benches, stone walls, or set in the ground. The map labels include 'HIGHLAND AVENUE (PUBLIC-VARIABLE WIDTH)', 'WALNUT STREET (PUBLIC-VARIABLE WIDTH)', and 'WALNUT PLACE (PUBLIC-VARIABLE WIDTH)'. The plaque photos show a variety of materials and designs, including wood, stone, and metal, with some containing text such as 'A gift from Bob and Joan Rome and The Chess Nuts' and 'In Memory of Golden Migration Society WBC'. The map also shows property lines, lot numbers, and street names like 'PUPPY CUP' and 'THE PARKING LOT'.

Existing Trees





NEWTON SENIOR
CENTER

PEX



249-21

584 JC9

249-21

Third floor



ACTIVITY SPACES

Fitness, Games & Track

Second floor



PROGRAM ROOMS

Art & Program Rooms
Administration
Gym

First floor



PUBLIC SPACES

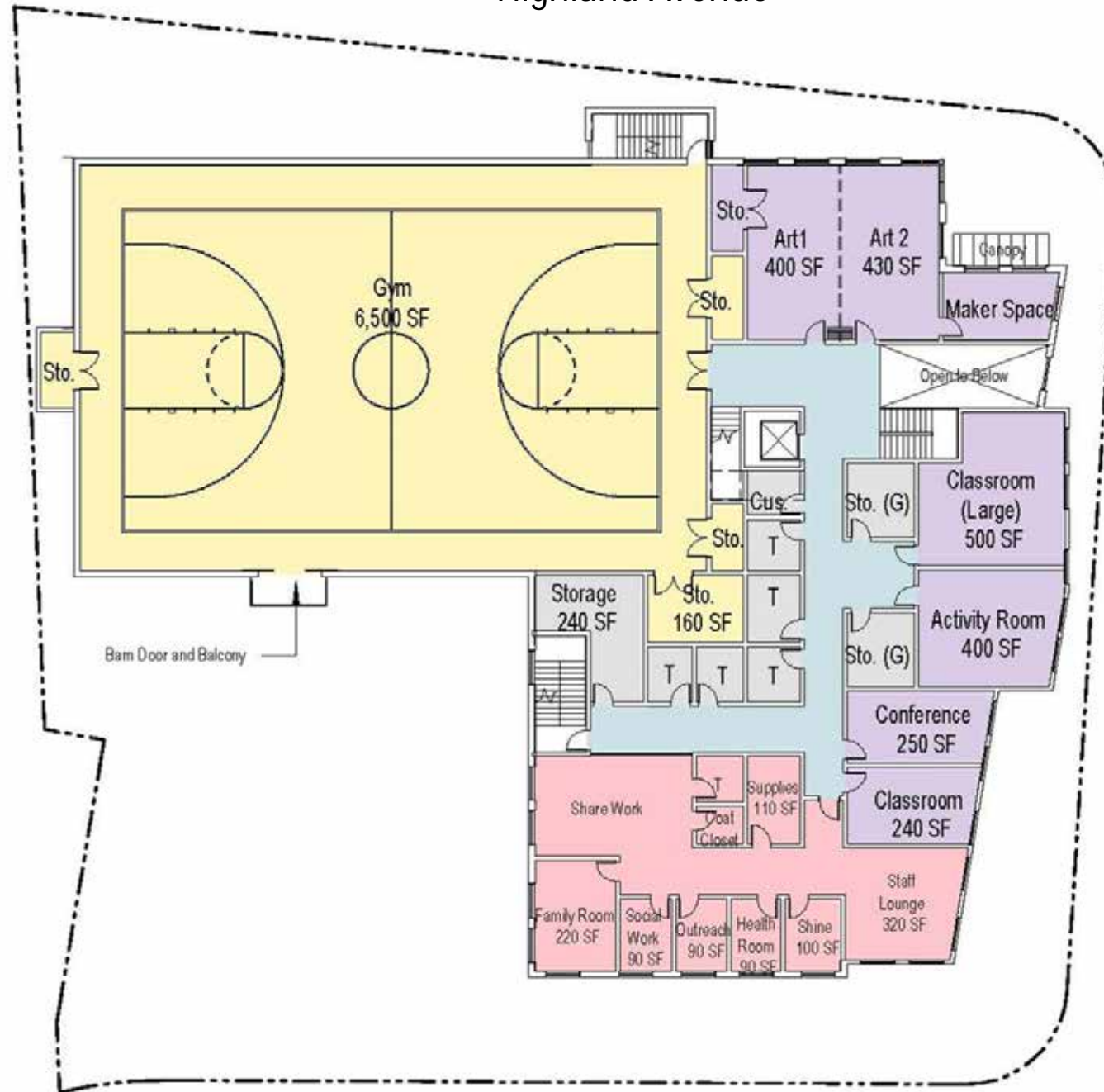
Lobby & Lounge, Admin
Multi-Purpose & Dining
Kitchen, Juice Bar

First Floor



Second Floor

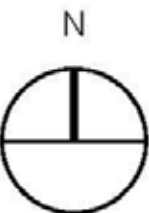
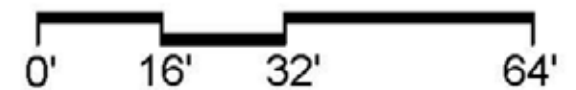
Highland Avenue



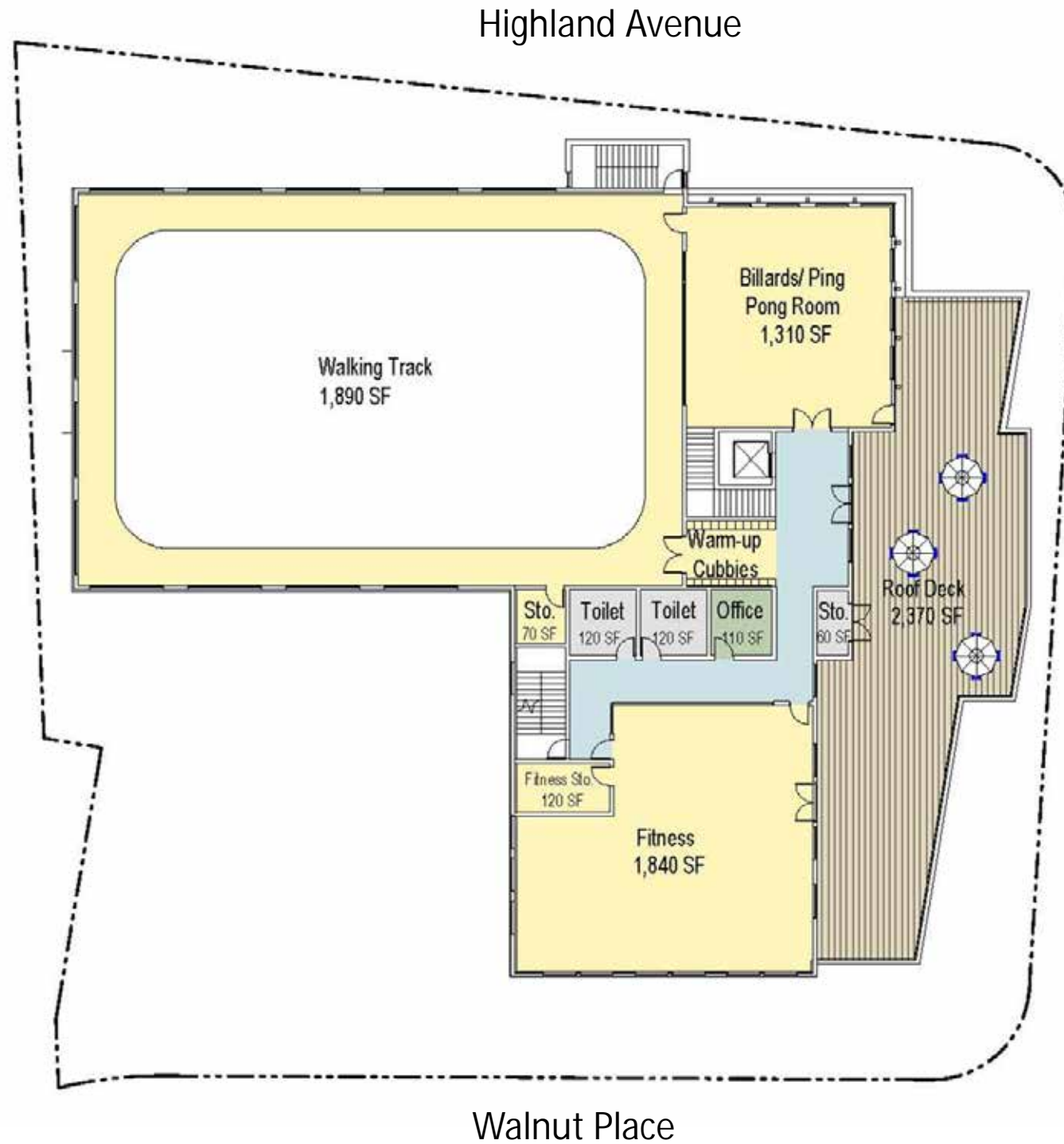
Walnut Street

Walnut Place

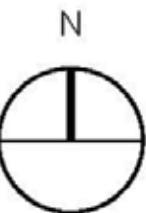
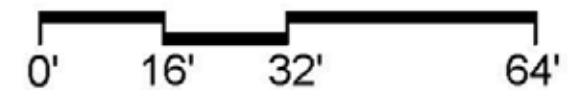
GROSS AREA - 13,960 SQ FT



Third Floor



GROSS AREA - 6,890 SQ FT



Walnut PI

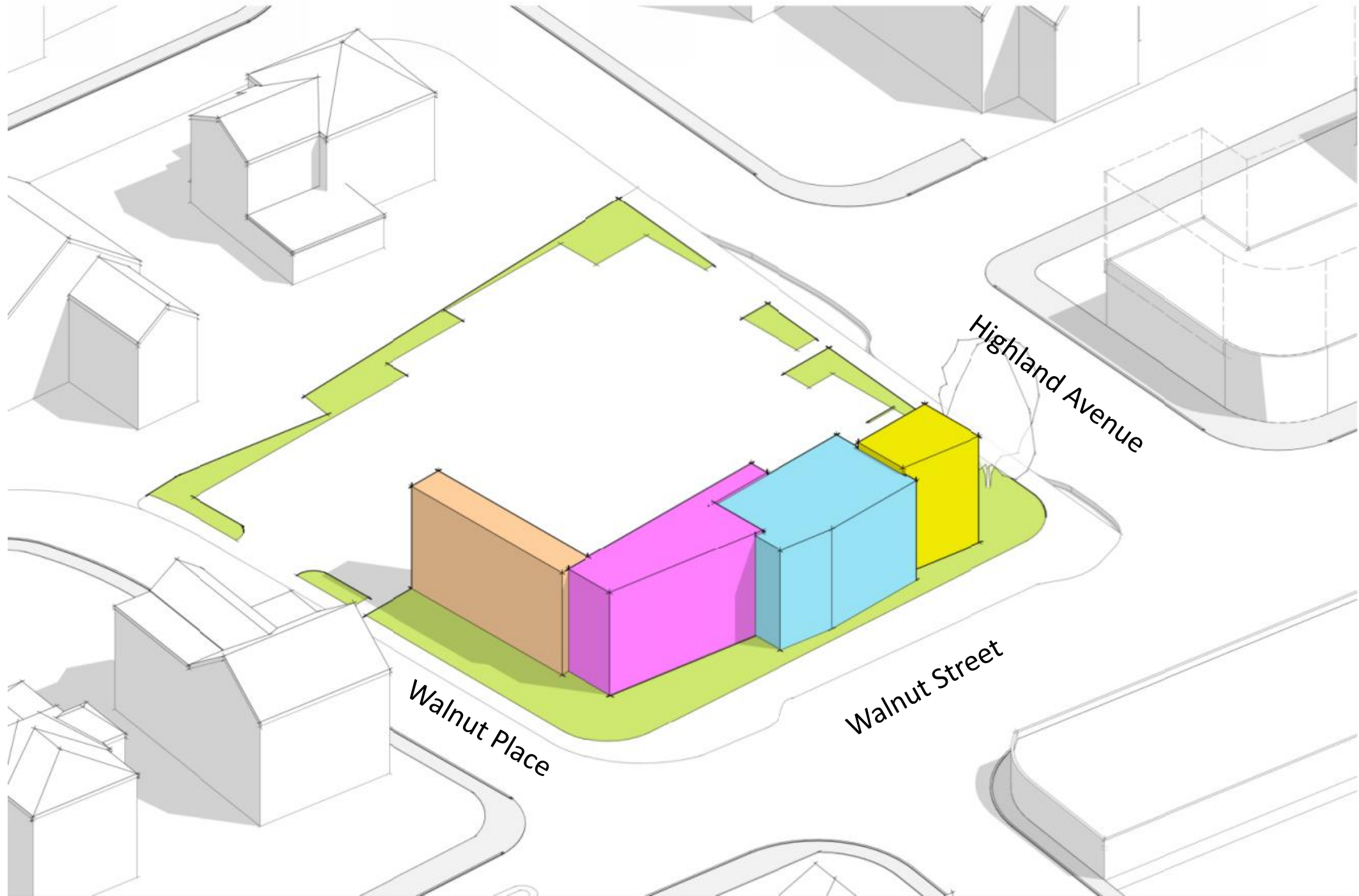
No parking zone
24 hours a day
except 15 min at
week end only

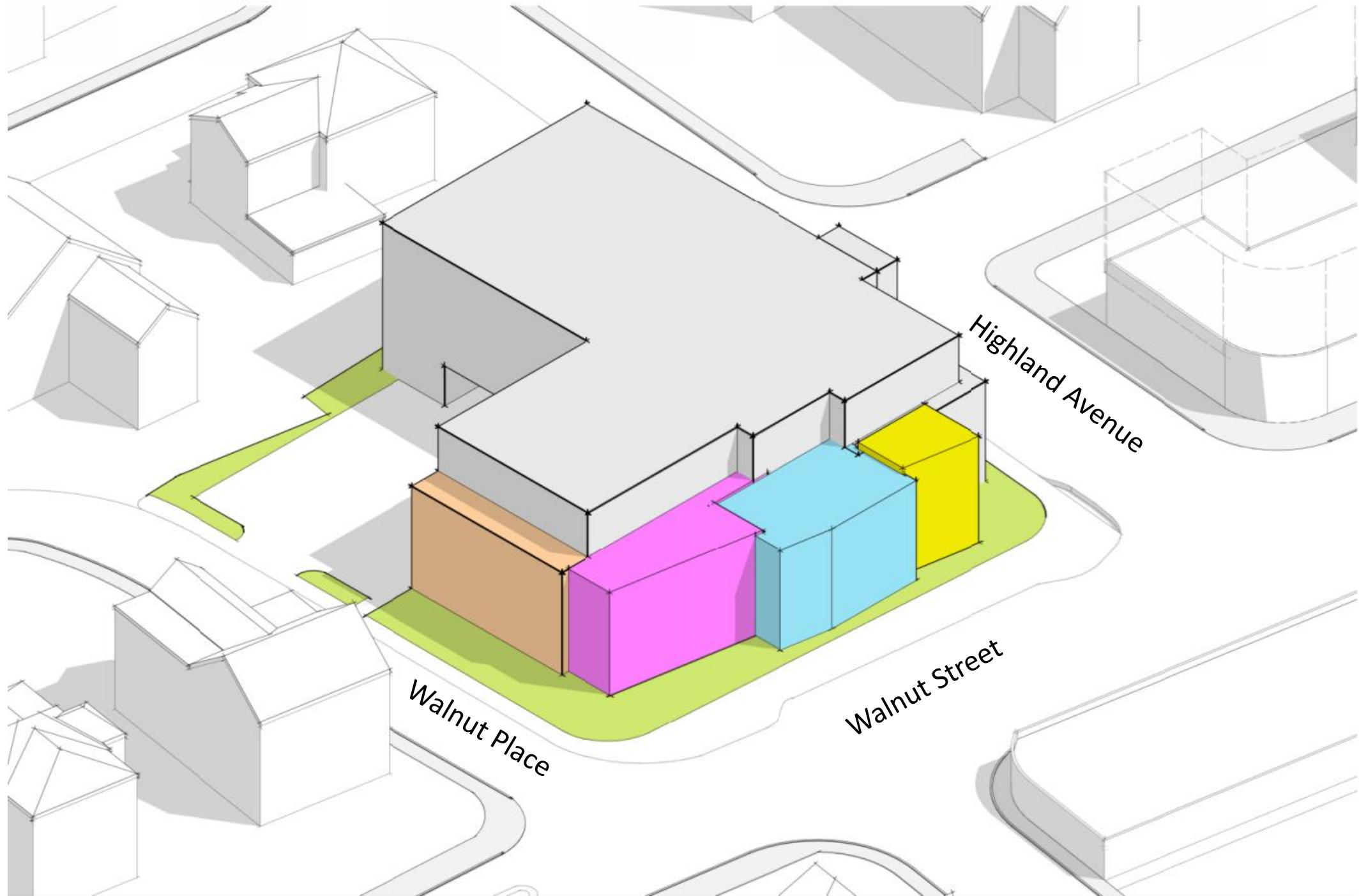
Washington St

PATIO
NOW OPEN FOR
LUNCH + DINNER



40





HIGHLAND AVENUE

(PUBLIC-VARIABLE WIDTH)



- NOTES:**
1. PROPERTY KNOWN AS LOT 1 AS SHOWN ON THE MAP OF MASSACHUSETTS, MAP NO. 24.
 2. AREA = 28,221 SQUARE FEET OR 0.892 ACRES
 3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATELY AS LISTED IN THE REFERENCES AVAILABLE AT THE LOCATION. SIZE AND TYPE BY THE PROPER UTILITY COMPANY. NOT GUARANTEE THE UTILITIES SHOWN COMPRISE AN ABANDONED.
 4. THIS PLAN IS BASED ON INFORMATION PROVIDED BY THE ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL.
 5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF RECORD RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANGE SURVEY.
 6. BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN THE OBSERVATIONS UTILIZING THE KEYSTONE VRS NETWORK.
 7. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM.
 8. TEMPORARY BENCH MARKS SET:
 - TBM-A: MAG NAIL SET IN CONCRETE APRON ON NORTH SIDE OF WALNUT STREET. ELEVATION = 54.54'
 - TBM-B: MAG NAIL SET IN CONCRETE SIDEWALK ON NORTH SIDE OF WALNUT STREET. ELEVATION = 55.95'
 9. PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES AS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
 10. THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF PERMANENT ADDITION, ETC.
 11. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, IS NOT KNOWN.

- REFERENCES**
1. THE TAX ASSESSOR'S MAP OF NEWTON, MASSACHUSETTS, MAP NO. 24.
 2. MAP NO. 24, LOT 1, MAP OF MASSACHUSETTS, MAP NO. 24.

31
Parking
Spaces

WALNUT STREET
(PUBLIC-VARIABLE WIDTH)

WALNUT PLACE
(PUBLIC-VARIABLE WIDTH)

MAP 24, LOT 2
NE LANDS OF
MARC GERMAN
BK. 24791, PG. 146

MAP 24, LOT 3
NE LANDS OF
37 WALNUT PLACE, LLC
BK. 08885, PG. 373

MAP 24, LOT 4
NE LANDS OF
ANNE M. SIERAFIN &
ROBERT DEPHOURE
BK. 20998, PG. 127

MAP 24, LOT 5
NE LANDS OF
MARC GERMAN
BK. 24791, PG. 146

QUESTIONS & COMMENTS

371-21

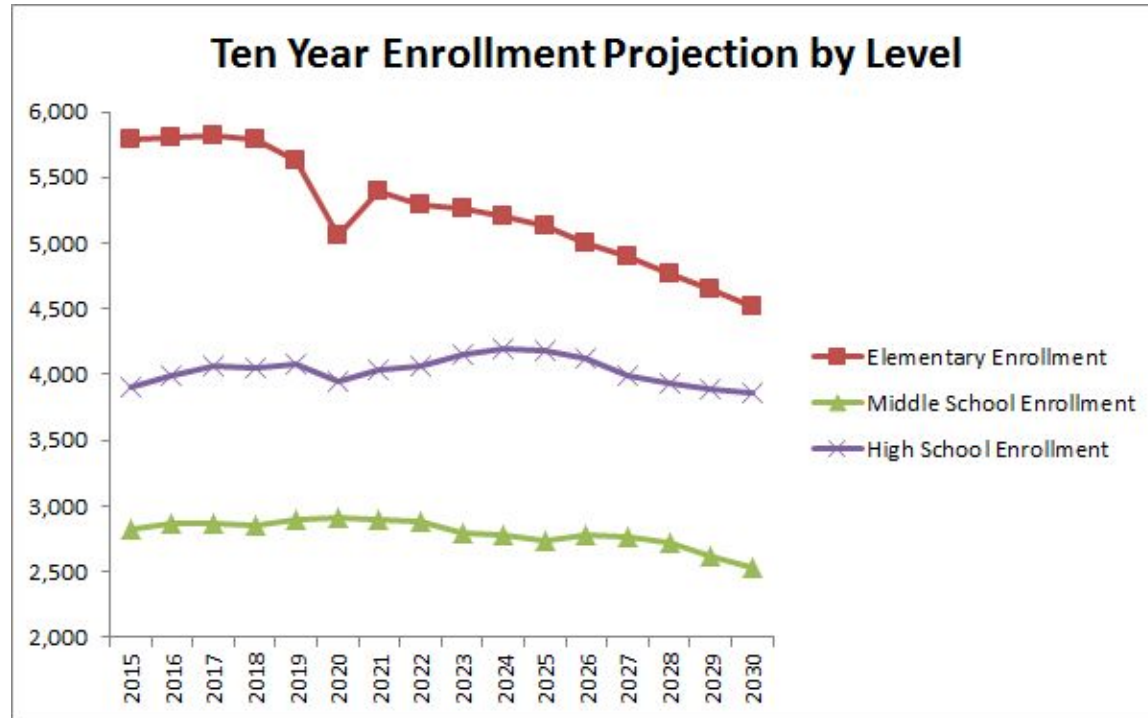
Lincoln-Eliot School Enrollment & Space Program Update

August 16 , 2021



Districtwide Enrollment Projections

- Projected district enrollment decline over the next 10 years



Recommendation for Lincoln-Eliot Project ³⁷¹⁻²¹ Revised Design Enrollment

- Revised Design Enrollment of 396-414 Students*
 - Fall 2020 enrollment = 353
 - Projected Fall 2025 enrollment = 334 (includes new permitted residential development)
- This is 21 students less than historic high of 435 in 1970
- Average enrollment over last ten years has been 345 students and 301 students since 1975

*Based on NPS procedures for class size



Recommendation for Lincoln-Eliot Project Revised Space Program

- 20 Classrooms (18 General Classrooms + 2 Special Education)
- Gym, cafeteria, art and music, and library will be comparable to Angier, Zervas, and Cabot in square footage and design to accommodate 465 if needed.
- Comparable to Angier, Zervas, and Cabot in total square footage.
- Includes additional Special Education and Support Spaces specific to the needs of the Lincoln-Eliot educational program.

Recommendation for Lincoln-Eliot Project ³⁷¹⁻²¹

- Project designed and sited to add additional 4 classrooms if needed in the future; core spaces will be sized to accommodate this potential expansion.
- The playgrounds, fields, and grounds will be comparable to Angier, Zervas, and Cabot, but on a larger site.
- Aligns classroom count with current and projected enrollment to optimize asset allocation, reduce embodied and operating carbon footprint, and drive the project towards net zero.

Recommendation for Lincoln-Eliot

371-21

Proposed Space Program compared to Angier, Cabot & Zervas

Space Program Element	Lincoln-Eliot	Angier	Zervas	Cabot
Design Enrollment	396-414	465	490	480
Number of General CRs + Special Ed CRs	18 + 2 = 20	22 + 2 = 24	24 + 2 = 26	24 + 2 = 26
Classroom Size (Grades 1-5)	900 SF	925 SF	925 SF	888 SF
K Classroom Size*	1,200 SF	1,130 SF	1,200 SF	1,170 SF
Total Special Education & Other Resource / Support Spaces	9,275 SF	5,965 SF	5,500 SF	6,900 SF

*Includes 4 classrooms sized for Kindergarten for flexibility



Recommendation for Lincoln-Eliot

371-21

Proposed Space Program compared to Angier, Cabot & Zervas

Space Program Element	Lincoln-Eliot	Angier	Zervas	Cabot
Design Enrollment	396-414	465	480	480
Art & Music Total Square Feet	2,650 SF	2,608 SF	2,725 SF	2,575 SF
Gymnasium Total Square Feet	6,300 SF	6,105 SF	6,300 SF	6,300 SF
Library / Media Center Total SF	2,800 SF	2,770 SF	2,875 SF	2,830 SF
Cafetorium Total SF	6,460 SF	6,321 SF	6,663 SF	6,960 SF
Total Building SF	75,563 SF	74,960 SF	78,800 SF	80,160 SF



Previously Approved Lincoln-Eliot Programming and Enrollment

- Design Enrollment of 465 Students / Grades K-5*
- 24 Classrooms (22 General Classrooms + 2 Special Education)*
- Based on the design enrollment and number of classrooms at Angier, Cabot, and Zervas, which were planned during a period of high enrollment growth in the elementaries.

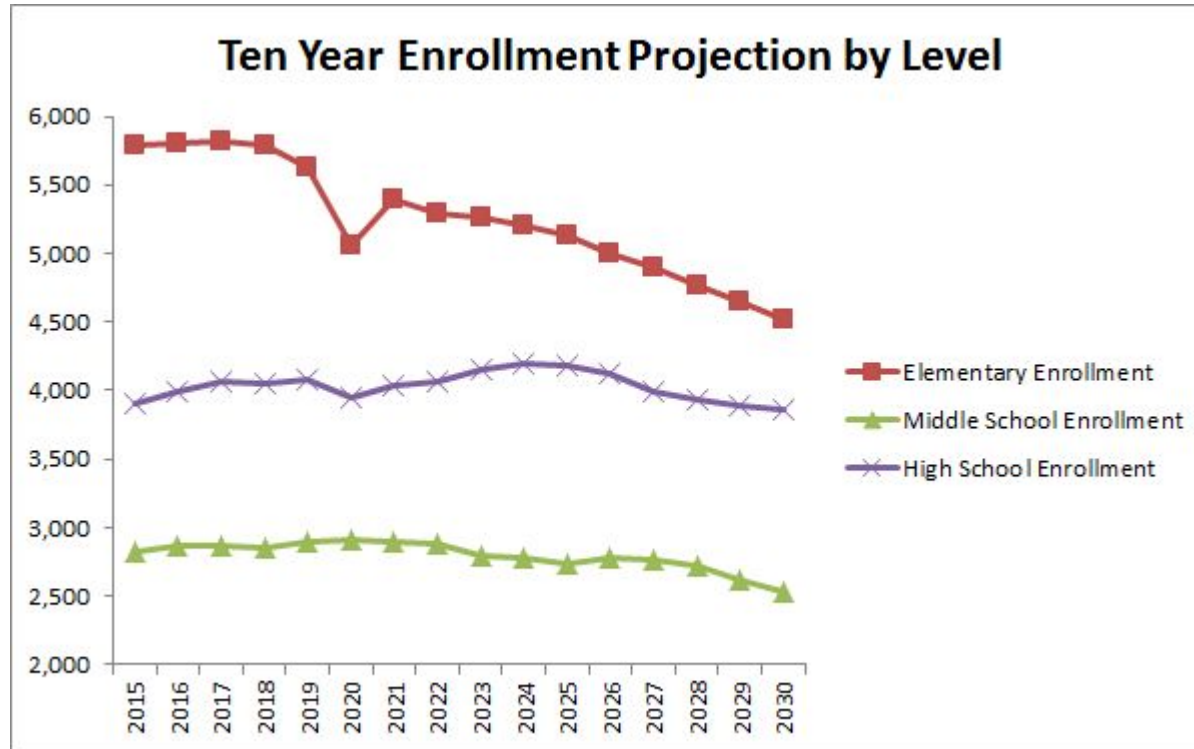
*Approved by the School committee on December 10, 2018

L-E Proposed Space Program - What has changed

Space Program Element	Approved in 2018	Proposed in 2021
Design Enrollment	465	396-414
# of Classrooms / # of Special Education Classrooms	22 + 2 = 24	18 + 2 = 20
Classroom Size (1-5 and SPED)	850 SF	900 SF
Reading Program/Literacy Room	3 Rooms at 850 SF	2 Rooms at 375 SF
Literacy Specialist Offices	3 Room at 250 SF	4 Rooms at 200 SF
Literacy Specialist - Shared Teaching Room	none	1 Room at 500 SF
Math Coach	3 Rooms at 250 SF	2 Rooms at 200 SF
Specialist Work Room	1 Room at 400 SF	Removed
Total Building SF	84,225 SF	75,563 SF

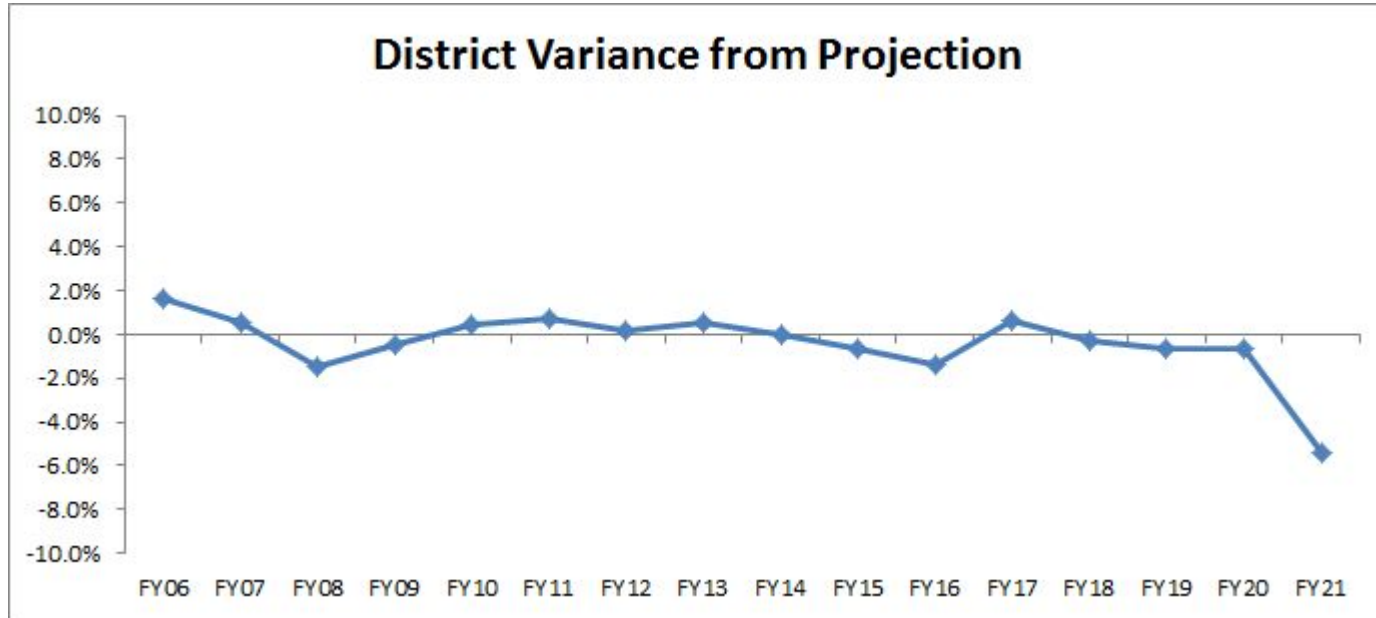
Why recommendation has changed

- Projected district enrollment decline over the next 10 years



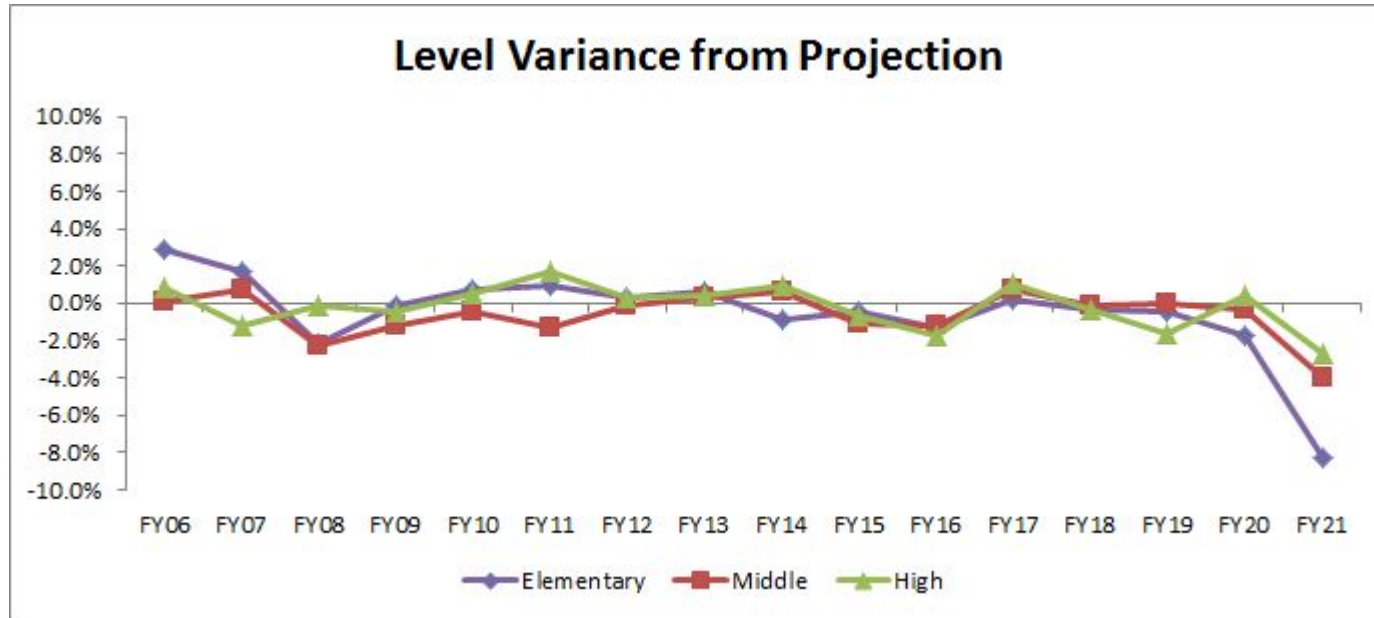
Projection Accuracy: District

- Range of -1.5% to 1.6% since FY06 (exception of FY21)



Projection Accuracy: Level

- Elementary range of -2.1% to 2.9%
- Middle range of -2.2% to 0.8%
- High range of -1.7% to 1.7%



Enrollment Projections: Grades 1-12

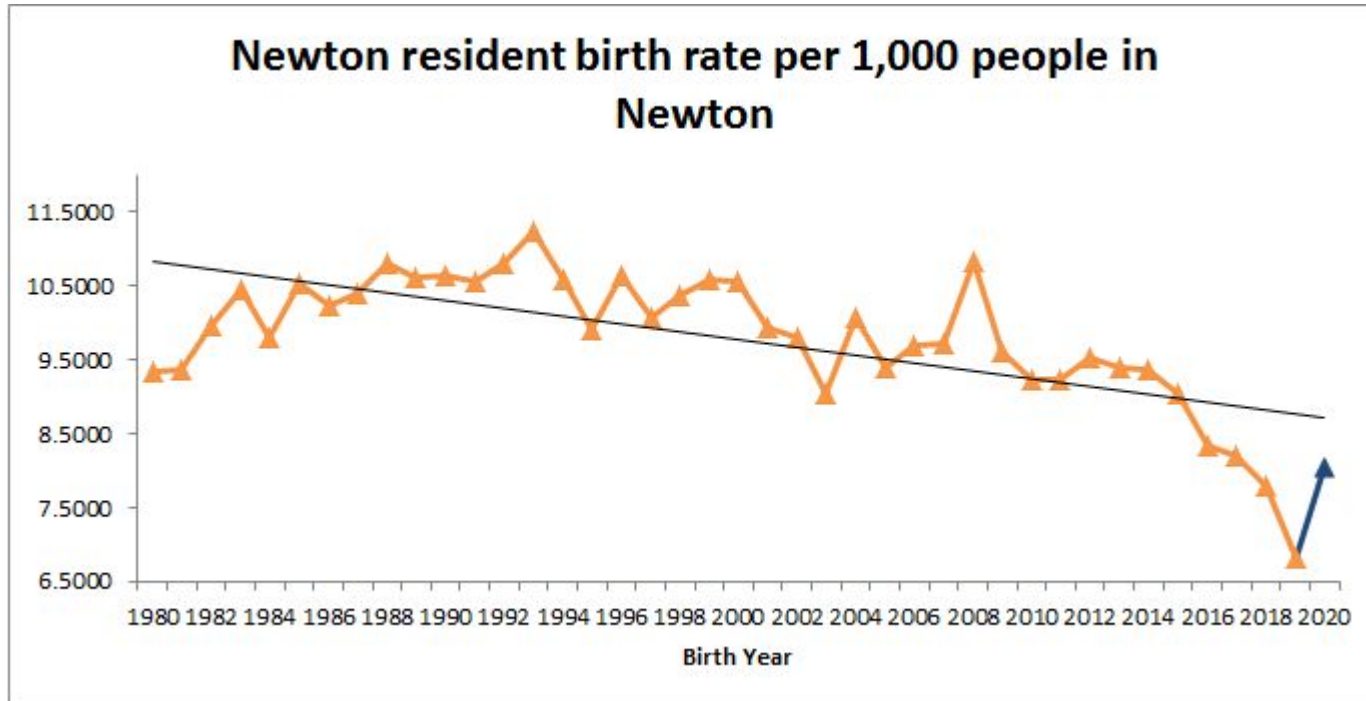
- Utilize five-year average cohort survival ratios (CSRs) by grade and school in grades 1-12 (modified for FY21 projections due to COVID)
 - CSRs look at the number of students in a particular grade/school in previous year compared to the number of students in the next grade at the same school (or feeder school) in the next year
 - $CSR > 1$ means more new students than the previous year
 - $CSR < 1$ means fewer students than the previous year
 - $CSR = 1$ means the same number of students in each year
- CSRs incorporate historical patterns for move-ins and move-outs

Enrollment Projections: Kindergarten

- Utilize historic kindergarten enrollment by school in conjunction with birth rate data for K
- Birth rate data is births to residents of Newton

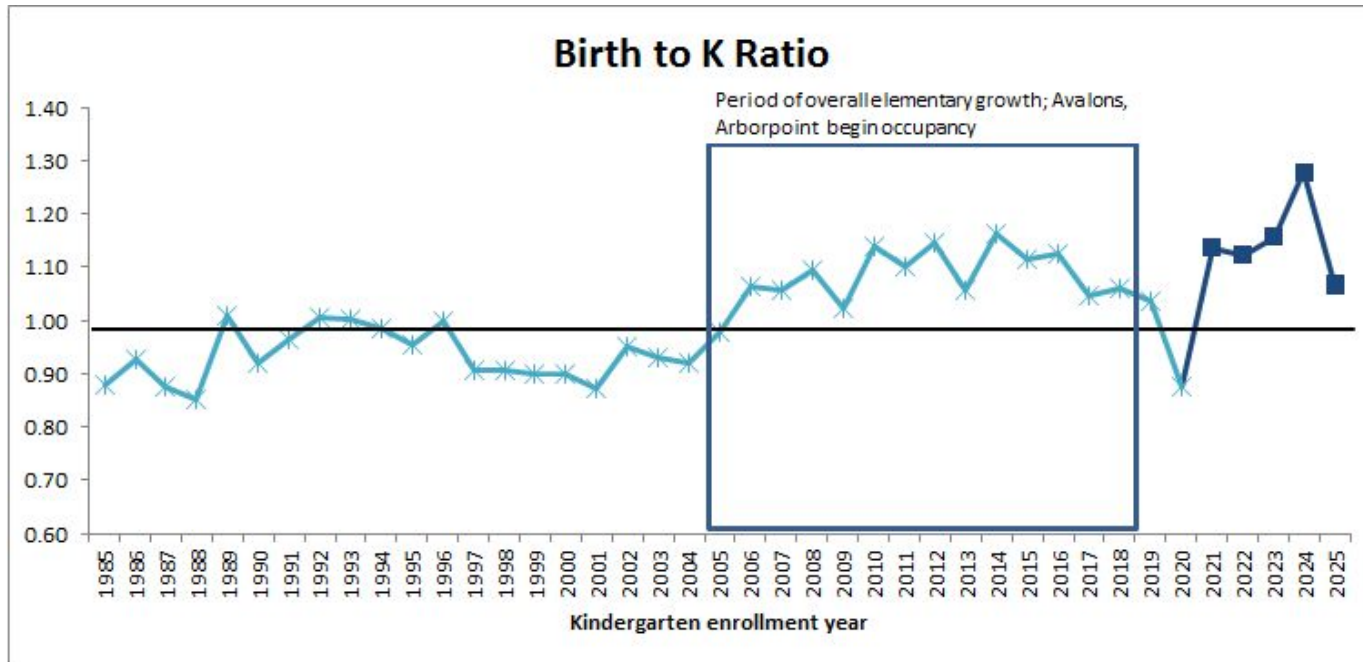
Birth Rates

- Fluctuate over time, but general declining trend in Newton, as well as US



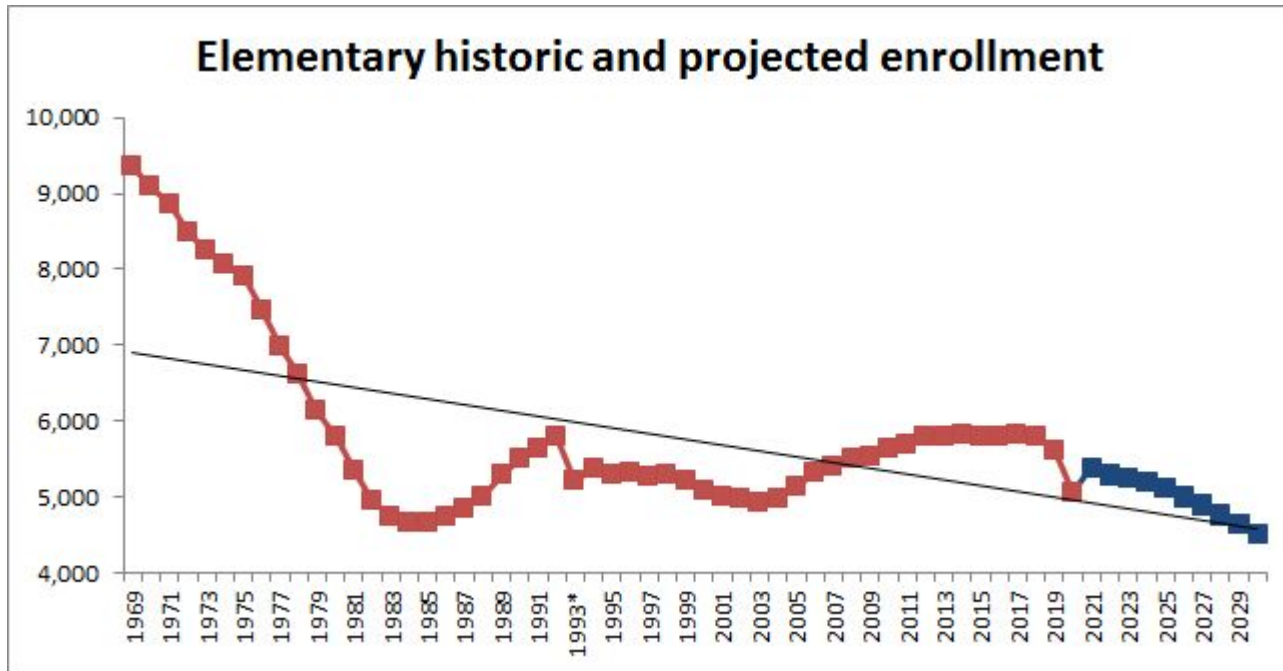
Birth to Kindergarten ratio

- Historically under 1; years over 1 coincide with enrollment growth, generally attributable to increased large residential development
- Current projections include estimated birth to K ratios over 1



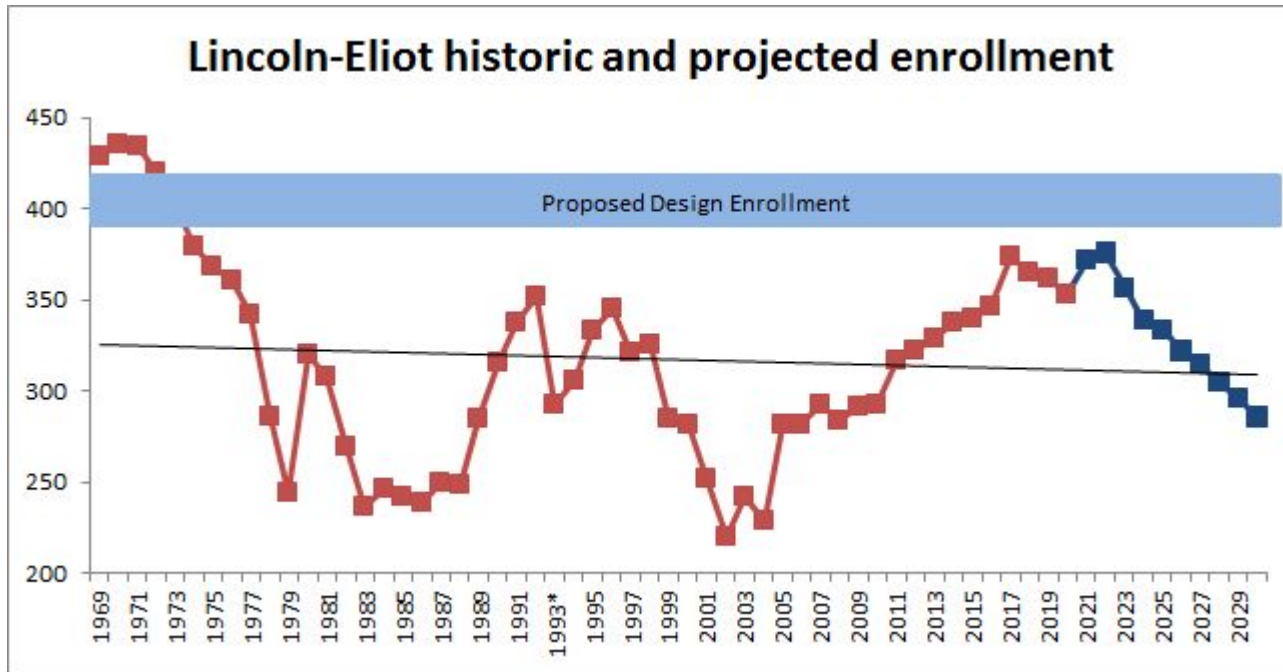
Elementary trends

- Fluctuations in elementary enrollment with a general declining trend



Lincoln-Eliot enrollment

- Historical Lincoln-Eliot enrollment has a general declining trend, with a maximum enrollment of 435 in 1970



Lincoln-Eliot Historic Enrollment By Decade

- Lincoln-Eliot enrollment has not been above 400 students for almost 50 years

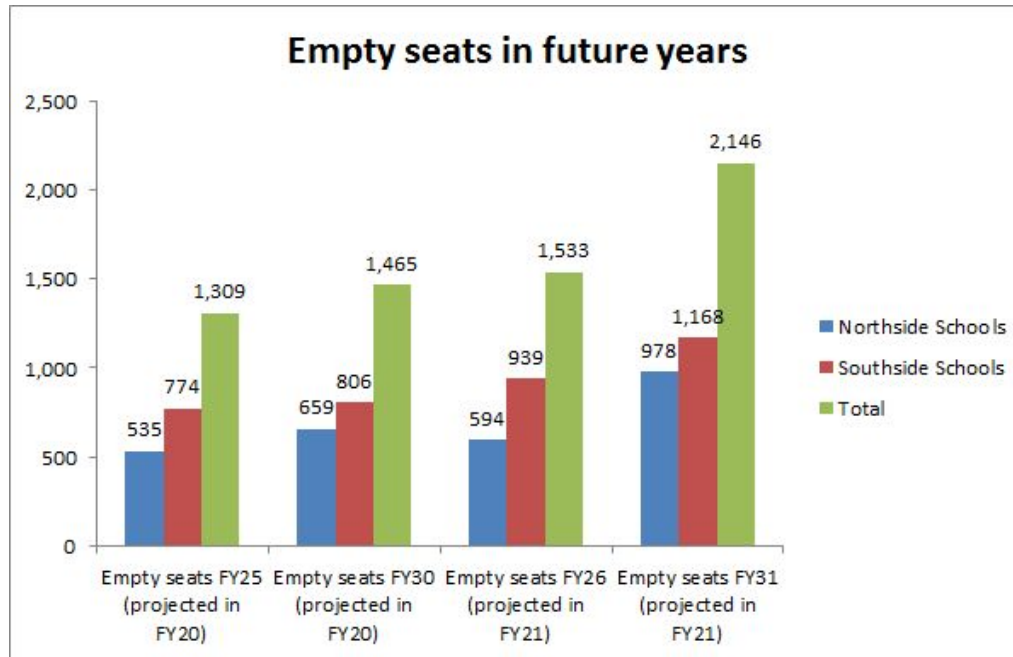
Year(s)	Range of Enrollment	Average Students per Decade
1971-1980	244-434	356
1981-1990	237-316	264
1991-2000	281-352	318
2001-2010	220-293	267
2011-2020	317-374	345

Residential development in Lincoln-Eliot district

- New residential development is incorporated in enrollment projections
- Utilize enrollments in other large residential developments in Newton to project enrollment at a new residential development; these projections are added to the school/grade level projections from our CSR methodology
- Riverdale is included in current L-E projections

Elementary seat availability

- 5 and 10 year projections indicate many available seats in elementary schools on both the North and South side



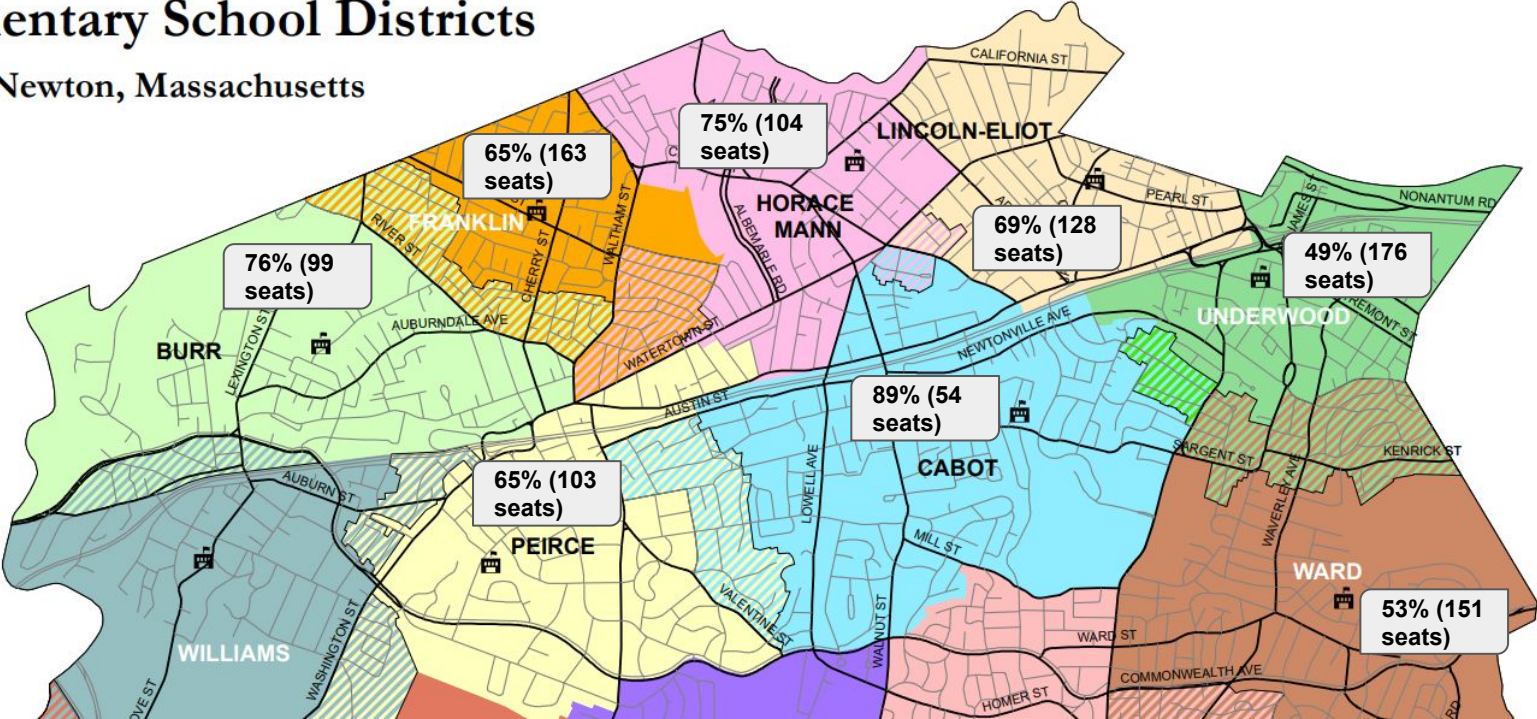
*Seat availability calculated using 22 students per classroom in K-2 and 24 students per classroom in 3-5 & FY21 classroom counts



Northside % enrolled and empty seats in 10 years (FY 2021)

Elementary School Districts

City of Newton, Massachusetts



Next Steps...

- School Committee vote on revised design enrollment and space program
- Develop conceptual options based on revised enrollment and updated Space Program
 - Site Analysis and Options
 - Renovation/Addition Options or Replacement

Draft Timeline

- 6/17/21 - Lincoln-Eliot Community Meeting - Project Update
- 7/20/21 - School Committee - Presented Revised Enrollment & Space Program
- 8/3/21 - School Building Committee Meeting - Revised Enrollment and Space Program
- 8/16/21 - School Committee - Revised Enrollment and Space Program Discussion
- 9/20/21 - School Committee - Vote on Revised Enrollment and Space Program
- Fall 2021 - School Building Committee (SBC) Meetings
 - Community Meeting
 - Renovation/Replacement Options & Decision Matrix to SBC and School Committee for Discussion and Vote on Preferred Option
 - Project Updates to School Committee and City Council

Draft Overall Project Timeline

June 2021 - June 2022

- Feasibility Study to Schematic Design and Site Plan Approval

July 2022 - June 2023

- Design Development and Construction Documents

July 2023 - August 2025

- Bidding and Construction

September 2025

- Occupancy

<http://lincolneliot-necp-projects.com/>



LINCOLN-ELIOT ELEMENTARY SCHOOL

SCHOOL BUILDING COMMITTEE MEETING

NEWTON, MA
14 SEPTEMBER 2021

PREPARED FOR



David Fleishman,
Superintendent



Ruthanne Fuller,
Mayor



AGENDA /

1 DRAFT CRITERIA MATRIX

CRITERIA MATRIX

DRAFT

DRAFT FOR REVIEW

LINCOLN-ELIOT ELEMENTARY SCHOOL - Newton, MA				
<input checked="" type="checkbox"/> Meets Prerequisite	<input type="checkbox"/> Favorable	<input type="checkbox"/> Neutral	<input type="checkbox"/> Unfavorable	Costs: \$, \$\$, \$\$\$, \$\$\$\$
CRITERIA	1	2	3	4
	[insert short description of design scheme]	[insert short description of design scheme]	[insert short description of design scheme]	[insert short description of design scheme]
Building and Site Facts				
1 Student design enrollment				
2 Size of site (acres)				
3 Classroom count				
4 SPED Classroom count				
5 Building Gross Floor Area (SF)				
6 Sitework estimated area of improvements (SF)				
Cost and Schedule				
1 Relative capital cost				
2 Allows students to move into new school by 2025 (Prerequisite)				
3 Maintains standard site plan approval schedule (Prerequisite)				
Educational				
1 Meets educational program for all students (Prerequisite)				
2 Meets space program (Prerequisite)				
3 Provides flexibility for future growth				
4 Provides flexibility for educational innovations				
5 Optimizes configuration and adjacency of teaching spaces				
6 Allows for efficient program design layout				
Community				
1 Provides accessibility and control to community used space				
2 Provides community/district use auditorium				
3 Accommodates extended day program				
4 Enhances community green space and playground				

Building				
1	Meets current building codes (Prerequisite)			
2	Meets MAAB/ADA requirements (Prerequisite)			
3	Meets healthy building environment (Prerequisite)			
4	Meets hazardous material remedial requirements (Prerequisite)			
5	Allows for a contextually sensitive design			
6	Allow for efficient MAAB/ADA requirements			
7	Optimizes use of natural light and daylighting			
8	Optimizes connection of outdoor/indoor space, integration with site			
9	Preserves district central storage facilities and maintenance shop			
10	Allows for efficient MEP building systems design			
11	Allows for efficient building design			
Site				
1	Meets environmental remedial requirements (Prerequisite)			
2	Maximizes efficient utilization of site			
3	Optimizes outdoor program space and green space			
4	Optimizes safety and efficiency of on-site bus and van drop off			
5	Separates safe circulation of bus, vehicle, pedestrian and bike access			
6	Optimizes site for safe pedestiran and bike access			
7	Provides sufficient parking for teachers, staff + visitors			
8	Improves off site traffic impact			
9	Allows for future expansion			
Sustainability				
1	Minimizes embodied carbon footprint with building reuse			
2	Achieves City goal for fossil free building HVAC systems			
3	Optimizes solar opportunities			
4	Allows efficient attainment of Green School/Stretch Code requirements			
5	Optimizes building envelope thermal performance			

CRITERIA MATRIX
DRAFT

DRAFT FOR REVIEW

LINCOLN-ELIOT ELEMENTARY SCHOOL - Newton, MA				
<input checked="" type="checkbox"/> Meets Prerequisite	<input checked="" type="radio"/> Favorable	<input type="radio"/> Neutral	<input type="radio"/> Unfavorable	Costs: \$, \$\$, \$\$\$, \$\$\$\$
CRITERIA	1	2	3	4
	[insert short description of design scheme]	[insert short description of design scheme]	[insert short description of design scheme]	[insert short description of design scheme]
Building and Site Facts				
1 Student design enrollment				

7 CRITERIA CATEGORIES



Building and Site Facts



Cost and Schedule



Building



Educational



Site



Community



Sustainability



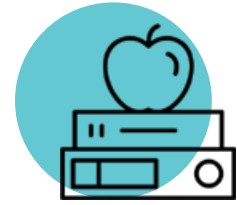
Building and Site Facts

1. Student design enrollment
2. Size of site (acres)
3. Classroom count
4. Special Education Classroom count
5. Building Gross Floor Area (SF)
6. Sitework estimated area of improvements (SF)



Cost and Schedule

1. Relative capital cost
2. (Prereq.) Allows students to move into new school by 2025
3. (Prereq.) Maintains standard site plan approval schedule



Educational

1. (Prereq.) Meets educational program for all students
2. (Prereq.) Meets space program
3. Provides flexibility for future growth
4. Provides flexibility for educational innovations
5. Optimizes configuration and adjacency of teaching spaces
6. Allows for efficient program design layout



Community

1. Provides accessibility and control to community used space
2. Provides community/district use auditorium
3. Accommodates extended day program
4. Enhances community green space and playground



Building

1. (Prereq.) Meets current building codes
2. (Prereq.) Meets MAAB/ADA requirements
3. (Prereq.) Meets healthy building environment
4. (Prereq.) Meets hazardous material remedial requirements
5. Allows for contextual sensitive design
6. Allows for efficient MAAB/ADA requirements
7. Optimizes use of natural light and daylighting
8. Optimizes connection of outdoor/indoor space, integration with site
9. Preserves district central storage facilities and maintenance shop
10. Allows for efficient MEP building systems design
11. Allows for efficient building design



Site

1. (Prereq.) Meets environmental remedial requirements.
2. Maximizes efficient utilization of site
3. Optimizes outdoor program space and green space
4. Optimizes safety and efficiency of on-site bus and van drop off
5. Separates safe circulation of bus, vehicle, pedestrian and bike access
6. Optimizes site for safe pedestrian and bike access
7. Provides sufficient parking for teachers, staff & visitors
8. Improves off site traffic impact
9. Allows for future expansion



Sustainability

1. Minimizes embodied carbon footprint with building reuse
2. Achieves City goal for fossil free building HVAC systems
3. Optimizes solar opportunities
4. Allows efficient attainment of Green School / Stretch Code requirements
5. Optimizes building envelope thermal performance

Q&A

For Further Information:

- » www.newtonma.gov/gov/building/capital_projects
- » www.lincolneliot-necp-projects.com
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