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#259-22

#260-22

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Barney S. Heath

PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: June 24, 2022

MEETING DATE: June 28, 2022

TO: Land Use Committee of the City Council

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Deputy Director of Planning and Development
Katie Whewell, Chief Planner for Current Planning

CC: Petitioner

In response to issues raised at the City Council public hearing, the Planning Department is providing the following information for the upcoming continued public hearing/working session. This information is supplemental to staff analysis previously provided at the public hearing.

PETITION #259-22, #260-22

34-50 Crafts Street, 19, 21 Court Street

Petition #259-22 to rezone 7 parcels as follows: 34 Crafts Street (Section 23 Block 16 Lot 11), 36 Crafts Street (Section 23 Block 16 Lot 10), 38 Crafts Street Section 23 Block 16 Lot 09), 48 Crafts Street (Section 23 Block 16 Lot 08), and 50 Crafts Street (Section 23 Block 16 Lot 07) from MANUFACTURING TO BUSINESS 4; and 19 Court Street (Section 23 Block 16 Lot 12) and 21 Court Street (Section 23 Block 16 Lot 13) from MULTIRESIDENCE 1 TO BUSINESS 4.

Petition #260-22 to allow an Elder Housing with Services facility, to allow a development in excess of 20,000 sq. ft., to allow a seven-story building, to allow a building 84 feet in height, to allow parking within the side setback, to reduce the required parking stall width, to reduce the required parking stall depth, to reduce the required parking stall depth for accessible stalls, to allow a reduced drive aisle width for two-way traffic and to waive the lighting requirements at 34, 36, 38, 48, 50 Crafts Street, 19 Court Street and 21 Court Street, Ward 2, Newton, on land known as Section 23 Block 16 Lots 7, 8, 9, 10, 11, 12 and 13, containing approximately 115,818 sq. ft. of land in districts zoned MAN and MR1 (to be rezoned to BU4). Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.2.10, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.8.A.1, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

The Land Use Committee (The "Committee") last held a public hearing on this petition on Tuesday, May, 17, 2022, which was held open, for the petitioner to respond to questions and concerns raised as part of the public hearing. Due to the scope of the project, this memorandum will focus on the following: Site Plan, Building Design, Landscaping, and Stormwater and Civil Engineering, and Transportation and Parking. An

additional hearing is anticipated and will cover any outstanding issues raised at the June 28 hearing, as well as sustainability and construction management.

At the May 17 hearing, members of the Committee expressed concerns with the following aspects of the project or requested further clarification: the overall design of the project, engineering, shadow studies, the inclusionary zoning requirement, and traffic. Subsequently, the Petitioner submitted the attached Response to Comments (**Attachment A**). This memorandum reflects materials submitted by the petitioner as of June 24, 2022.

Background

The subject property consists of seven parcels located along Crafts Street (five parcels) and Court Street (two parcels) between Washington Street and McGuire Court and opposite Lincoln Road. Together, the parcels total approximately 115,818 square feet. The Crafts Street parcels consist of commercial uses each with their own associated parking areas and the Court Street parcels consists of two, two-family residential uses.

The five parcels on Crafts Street are within the Manufacturing zone (“MAN”) and the two parcels on Court Street are within the Multi Residence 1 zone (“MR1”). The petitioner is seeking to rezone all the parcels to Business 4 (“BU-4”) zone and construct a six-story structure with 72 feet in height for elderly housing and services. The petitioner requires relief for the height, number of stories, and gross square footage of the project, as well as parking dimensional waivers and a waiver of the lighting requirements for parking facilities over five stalls.

In their response, the petitioner submitted revised architectural plans, and a response to the questions raised at the May 17 hearing with expanded visuals.

Site and Building Design

The petitioner submitted revised plans on June 16, 2022 maintains the same footprint and with the number of stories reduced from seven stories to six stories. Attached to this memorandum is a comparison of the elevations from the previously submitted design against the revised design side by side (**Attachment B**). The Vision Plan envisages medium heights of three to six stories along the frontage of Washington Street between Crafts Street and Central Avenue. The Vision Plan also encourages a variety in building size and shape with multiple buildings with varying heights, materials, and other design distinctiveness.

With the proposed six story design, the petitioner stated that the building height is now 72 feet tall and consists of a floor area ratio (“FAR”) of 1.85, where 1.94 was previously proposed and 84 feet in height. This represents a reduction of approximately 12 feet in height and 10,423 square feet. The approximate square footage of the revised design is 214,263 square feet, where 224,000 was previously proposed. The petitioner should confirm the reduction and provide plans and FAR certification demonstrating as such. The Planning Department believes the proposed six story structure is in line with the Washington Street Vision Plan in terms of the number of stories contemplated for the area as well as the design of the structure in keeping with the setbacks and improving upon those prescribed for the BU-4 zone. The Urban Design Commission (“UDC”) previously stated the configuration of the building was well done and commended the design for stepping back the higher stories of the building. When reviewing the project against the

proposed BU-4 zone, the zone allows three stories as of right, and up to eight by special permit. The required side setbacks are the equivalent of half of the building height or equal to the abutting side yard setback. The petitioner is utilizing the abutting side yard setbacks to determine the required side setbacks. As proposed, the side setbacks are 32 feet from the side (northern) property line, where 15 feet is required and 30 feet from the side (southern) property line, where 27.5 feet is required. The rear setback abuts a residential zone, as such, the greater of half the building height or 15 feet is required, the petitioner is proposing 42 feet which is over half of the revised building height at 72 feet.

Planning staff and members of the Committee requested additional detail on the edge of the building that runs along the rear property line to better understand the varying stories and transition to the adjacent Court Street neighborhood and adjacent parcels. In the prior Planning Memorandum, Planning Staff noted that this elevation includes building heights ranging from two to seven stories and the building height above the fifth story is stepped back, however Planning requested more information to better understand this building's edge. While the petitioner is placing the building 42 feet from the property line, this is the longest edge of the building and careful consideration should be given to the design and landscaping to buffer and soften this portion of the proposed development. The petitioner should provide Planning staff and members of the committee with the requested rendering.

Planning staff, the UDC, and members of the Committee were especially interested in the visual the proposed design presents from Crafts Street. The petitioner responded with expanded visuals in their response, attached to this memorandum.

The petitioner submitted a revised shadow study to show potential shadow impacts from the proposed project at six stories. The greatest anticipated impact from shadows remains during the Winter Solstice. At 9 AM, the building would cast shadows to the north and west with a portion of the adjacent building at 64 Crafts Street within its shadow. At 12 PM during the winter solstice, the shadow extends across Crafts Street to the properties which front the eastern side of Crafts Street. At 3 PM, the proposed building's courtyard is entirely within the shadow as well as portions of Lincoln Road, including three properties. During other times of the year, the proposed structure is anticipated to cast shadows, but is not anticipated to cast on other structures and largely upon open space.

A landscape plan was submitted within the petitioner's response, however there are no dimensions on the landscape plan. Planning requests a dimensioned landscape plan to demonstrate compliance with the Ordinance.

Members of the Committee also questioned whether the internal pedestrian path that connects Crafts Street to Court Street could be made available to the public via an easement. Law and Planning will craft a condition requiring the petitioner to provide the City with a permanent easement, in a form approved by the Law Department.

Inclusionary Housing

The petitioner should provide an update as to how the proposed reduction in height impacts the number of units and beds within the project and provide an updated Inclusionary Housing Plan with a revised calculation for the Inclusionary Zoning contribution.

Members of the Committee questioned the background of the Inclusionary Zoning Ordinance with the Elder Housing with Services use and the option to contribute a cash payment based off of the average total development cost and the average cost of providing long term care for an elderly individual at three hours per day for a 10-year period. Housing Staff expanded upon this in the attached memorandum (**Attachment C**).

Village Center Zoning and MBTA Communities

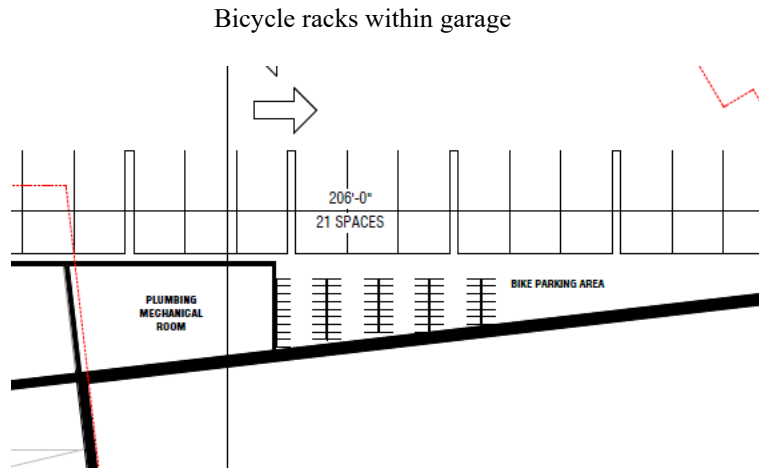
Members of the Committee questioned how the proposed project fits within the proposed Village Center rezoning. The proposed site is not within a Village Center, with the nearest Village Centers nearby at Newtonville and Nonantum. The Zoning and Planning Committee has discussed a series of zoning proposals for Village Centers at their June 1, June 13, and June 27 meetings. While mapping of village center boundaries has not yet been discussed, the Planning Department has used the boundaries for village centers outlined in the Pattern Book as a baseline. This area along Crafts Street is not included in the Pattern Book village center boundaries, nor has it been considered a village center in other City documents.

The Committee also inquired as to how the project aligns with the draft guidelines for the Multifamily Zoning Requirements for MBTA Communities. It is an important to note the MBTA Communities law is prospective in terms of its application. MBTA Communities, of which Newton is one, must adopt a zoning district or districts which allow for a certain density of housing to be developed by-right, subject to certain standards. This proposed project nor any previously approved or built project have no bearing on Newton's requirements under the MBTA Communities law.

Traffic, Parking, and Transportation

The City's on call consultant, Beta Group, Inc. ("BETA") reviewed the petitioner's traffic study and issued the attached memorandum (**Attachment D**). BETA agreed with the method of conducting traffic volumes, found the growth rate reasonable, and requested a summary of Saturday volumes. The petitioner stated that the project is anticipated to generate approximately 21 net new vehicle trips during the weekday morning peak hour and 62 net new vehicle trips during the weekday evening peak hour. The trip generation approach was relatively conservative, as mode shares such as transit, walking, and biking to the site were not accounted for. Beta requested additional information around the trip generations such as trips generated by the project's multimodal shuttle system, and trips by emergency vehicles.

The revised plans indicated bicycle parking within the garage, between four parking stalls and the wall of the garage. Planning Staff and BETA question whether this is the best location for garage bicycle parking, due to the potential conflicts it is likely to present, especially with the relief to reduce parking stall dimensions. Following discussions with the petitioner, they stated they would find a more suitable location for bicycle parking within the garage that does not pose obstacles to users. They also stated their residents are unlikely to utilize bicycles. Planning Staff believes secure, sheltered bicycle parking should be made available for employees who may wish to commute via bicycle and any residents who may want to, even if they are few. In addition to locating the bicycle parking in a more accessible location within the garage, any proposed outdoor bicycle parking should be sheltered/weatherproof and secure.

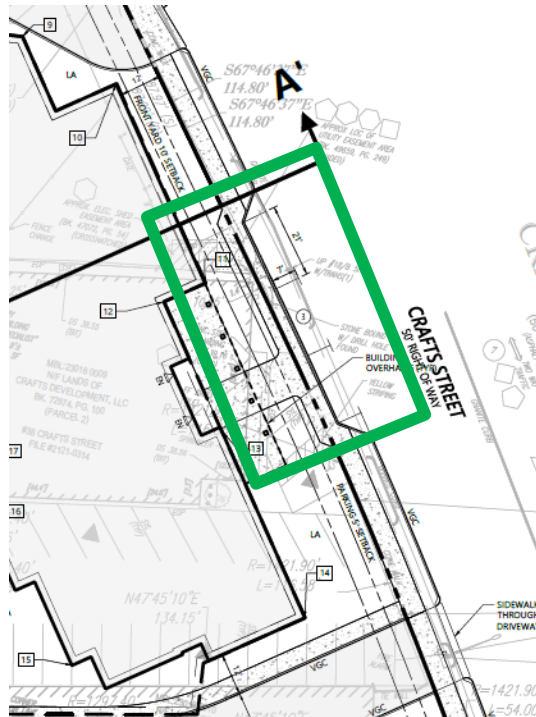


Within their response to questions raised by the Committee and Planning staff, the petitioner stated the Court Street driveway would be designed and constructed in such a way that it is not a traditional roadway and will also be gated so only the Fire Department can access. Planning and BETA would also like to better understand the materials of the emergency vehicle access driveway, which the petitioner stated will be designed to encourage pedestrian activity. Planning would like more information on materials that could withstand a firetruck but still read as intended for pedestrians.

Further detail was provided regarding the trash operations. The petitioner stated that trash will be transferred from the building to a dumpster and recycling container within an enclosure adjacent to the rear loading area. Building staff will roll barrels to a loading area prior to pick up. They anticipate trash pickup three times per week.

Planning staff and BETA also questioned the sidewalk width along Crafts Street as well as the necessity for the creation of three parking stalls along Crafts Street by creating three parallel parking stalls which remove a portion of sidewalk area. While the existing sidewalk is eight feet, the applicant stated the sidewalk width will be maintained at six feet. Currently, the western side of Crafts Street, which is where the project is proposed, prohibits parking but parking is allowed on the eastern side. The petitioner would need to petition Traffic Council for the creation of these three parking stalls. Planning staff recommends the three proposed parking stalls are removed with the sidewalk width maintained and not sacrificed at the expense of three parking stalls.

Proposed parking on Crafts Street (west side of the street)



The petitioner has provided limited details on any Transportation Demand Management (TDM) measures. Planning Staff have been working on standardizing a TDM condition to be applied to special permit projects. Planning Staff and the petitioner have a meeting scheduled to review appropriate TDM measures and will provide an update at the June 28th hearing as to an appropriate TDM plan based on the size and scope of the project.

The petitioner submitted a response to the peer review on June 22, Planning staff and BETA are currently reviewing.

Engineering Memorandum

Associate City Engineer, John Daghljan, issued the attached memorandum reviewing the petitioners site design and stormwater (**Attachment E**). Mr. Daghljan notes that the existing site has little to no stormwater collection system. Mr. Daghljan had feedback regarding the proposed relocation of the existing City drain main, which is proposed to be relocated outside of the proposed footprint of the building. The relocation will require approval by the Public Facilities Committee and City Council, should this petition be approved. Approximately .8 acres of existing impervious surface will be converted to landscaped open space. The design of the system will improve the stormwater quality and reduce runoff from the site. The proposed long-term Operations and Maintenance Plan will need to be recorded at the Registry of Deeds, should this special permit be approved.

Information Requested and Next Steps

As of June 24, Planning staff is still looking for the following information.

- Information on the roof per the Urban Design Commission
- Rear façade rendering (between McGuire Court and Court Street)
- Further detail on TDM measures
- Revised Inclusionary Housing Plan
- Revised Site Plan with height calculation and revised FAR calculations
- Detailed landscape plan
- Subsequent hearing(s) to focus on any follow up on outstanding items, TDM standard condition, Sustainability, and Construction Management

ATTACHMENTS:

- Attachment A:** Petitioner's response to comments, dated June 15, 2022
Attachment B: Side by side elevations, initially submitted and revised
Attachment C: Housing Memorandum
Attachment D: Peer Review Traffic Memorandum, dated June 2, 2022
Attachment E: Engineering Review, dated June 2, 2022



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June 15, 2022

BY ELECTRONIC MAIL

Richard A. Lipof, Chair
 Land Use Committee
 Newton City Council
 1000 Commonwealth Avenue
 Newton, MA 02459-1449

Re: Petition #260-22/Crafts Development, LLC and SRG HoldCo Investments, LLC
34, 36, 38, 48, and 50 Crafts Street/19 and 21 Court Street

Dear Chairman Lipof,

As of today's date, the applicants are submitting an updated architectural plan set with a maximum of 6 stories as opposed to the 7-story design initially submitted. The plan set has been submitted via NewGov with 5 hard copy sets submitted to the City Clerk as per the current submission protocol. In addition, an updated landscape plan has been uploaded.

Attached to this letter is an eleven-page response package prepared by Elkus Manfredi Architects and Halvorson Design dated June 15, 2022 ("the Elkus/Halvorson response package"). This document contains supplemental renderings, including the Crafts Street pedestrian entrance, details on interior and exterior bicycle parking, and information about trash protocols, landscape screening, and emergency vehicle access.

As a follow-up to our appearance before the Land Use Committee on May 17, 2022, the following responses are herein provided to issues raised at the public hearing:

Planning Requests

Rendering of the rear of building. - Will be provided prior to the next hearing on June 28, 2022.

Measures to ensure Court Street access road is limited to emergency vehicles – As discussed with the Fire Department, the rear access path which runs from Court Street to the northern driveway will be gated and locked so that the Fire Department can open it (Knox Lock). The path will be designed not to read like a traditional roadway in order to encourage pedestrian activity (see detail sheet page 6 in the Elkus Halvorson response package).

Clarify trash operations and schedule – Trash from the units will be collected through a chute in the upper floors of the independent living space and will be collected by staff in both the assisted living units and memory care units as

Richard A. Lipof, Chair
June 15, 2022

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well as the kitchen (see page 9 in the Elkus/Halvorson response package). Waste will then be compacted and conveyed to an exterior dumpster and a recycling container located in an enclosure adjacent to the rear loading area. Dependent on the final sizing of the collection units, it is expected that collection will be three times per week. Maintenance or housekeeping staff will roll the barrels to the loading area prior to pickup.

Clarify additional bike parking locations beyond garage – Exterior bicycle parking will be provided adjacent to the main entrance to both the assisted and independent living entrances as shown on page 8 of the Elkus/Halvorson response package.

Provide further details on guaranteed ride home, consider subsidized transit passes for employees, and consider electric vehicles for use as multi modal transit for residents - SRG has an internal program available for employees to make use of local public transportation to and from work as an employment benefit. Employees are issued a benefits card which is loaded with pretax income. The cards can be used to pay for transportation with tax free funds, and the employee does not have to itemize the expenditure to take advantage of the tax benefit for transit costs. SRG's property vehicles are custom designed to accommodate ADA passengers and carry wheelchairs. EV shuttle vans which would be appropriate for our purposes are currently evolving with very limited choices to meet the program's needs, but the operator will consider them as they become available on the market.

Clarify where shuttles/vans/etc. will be stored – When not in use at the end of the day, the shuttle van will be located in the rear loading area and the sedan will be stored in the garage.

Revisit location of bike storage within garage – Bike storage is generally for employees as the resident profile of this development has limited bicycle ownership. We are providing a detail plan showing the location of the bicycle storage within the garage (see page 7 of the Elkus/Halvorson response package).

Provide landscape plan with adequate screening of surface parking stalls – See page 11 of the Elkus/Halvorson response package.

Councilor Requests

Mark Laredo:

Wants more clarity on pricing for units. - Rents at comparable senior residence communities with amenities and services in the city range from \$5,100 to \$17,400 per month. If the proposed community were opening this month, the monthly rent likely would range from \$5,100 to \$10,500 per month. However, it will be years before the proposed community will open its doors, and rents will be determined at that time. Please note as well that the leasing contract does not require an upfront entrance fee (which can be quite large), as other senior communities in the area require.

Is there a way to make building look more attractive as you pull up on Crafts Street? - A detail of the Crafts Street building entrance has been provided on page 4 of the Elkus/Halvorson response package. This entrance will be the primary entrance for pedestrians, service deliveries, and ride share, as needed. The pedestrian entrance enhances the streetscape and encourages pedestrian activity. In the absence of this entry, the project would turn its back on Crafts Street and feel uninviting.

SCHLESINGER AND BUCHBINDER, LLP

Richard A. Lipof, Chair
June 15, 2022

Page 3

Tarik Lucas:

Wants to know what the 80% AMI cost for 20 years would be. - We cannot predict this.

Maria Greenberg:

Appreciates path between Craft and Court, residents will want to go to grocery store, can we add a path to Whole Foods? - There is a significant elevation between the project site and the Whole Foods site that would make creating the connection physically difficult. If these physical limitations were overcome, there are two additional challenges to this concept. First, an agreement with the property owner would be necessary to create the connection. Secondly, the layout of the Whole Foods property would cause the connection to be through parking and loading areas that would not have pedestrian accommodations.

Wants to know why we need entrance on Craft with the loop – See response to Councilor Laredo, above.

Alicia Bowman:

Wants green edges to soften project – Please see pages 8 and 10 of the Elkus/Halvorson response package.

Wants to see more understanding about the site plan and what is being done to make it greener, connections, less industrial – Please see pages 8 and 10 of the Elkus/Halvorson response package.

Please feel free to contact me if you have further questions.

Sincerely,



Stephen J. Buchbinder

SJB/mer
Enclosures

cc: (By Electronic Mail, w/enclosures)

Councilor Maria Scibelli Greenberg
Councilor Tarik J. Lucas
Councilor Andrea W. Kelley
Councilor Christopher J. Markiewicz
Councilor Andreae Downs
Councilor Alicia G. Bowman
Councilor Marc C. Laredo
Jennifer Breslouf, Land Use Committee Clerk

Jennifer Caira, Deputy Director, Planning and Development Department
Katie Whewell, Chief Planner
Mr. Robert Korff
Mr. Damien Chaviano
Mr. David Roache
Ms. Stephanie Moresco

CRAFTS STREET

ELDER HOUSING WITH SERVICES

LAND USE PRESENTATION - SUPPLEMENTAL GRAPHICS

JUNE 15, 2022

ELKUS | MANFREDI
ARCHITECTS



Perspective from Townhouse Edge



© ELKUS MANFREDI ARCHITECTS

Pedestrian Connection Perspective



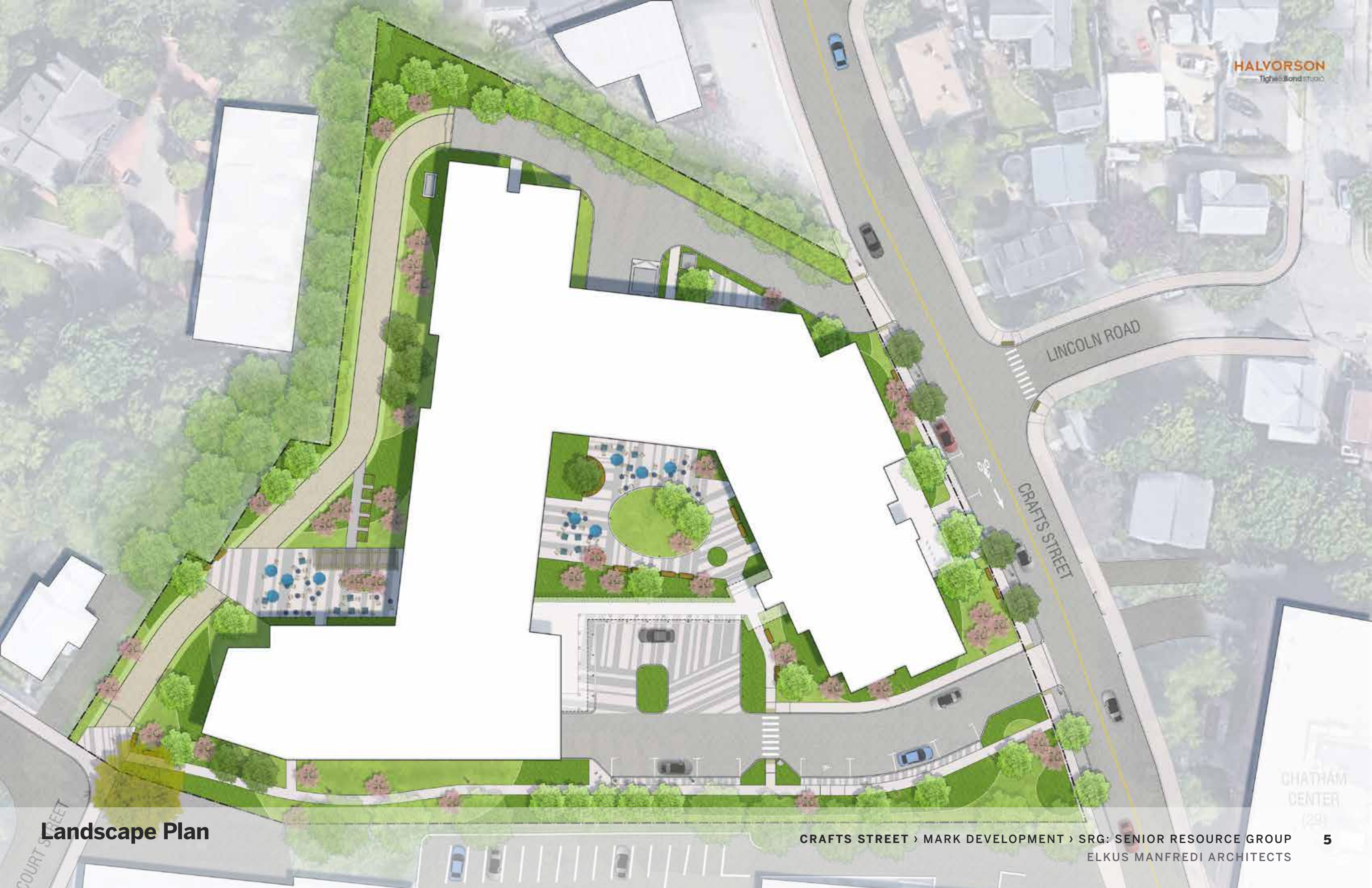
CRAFTS STREET ENTRY:

The Crafts Street entrance is the primary pedestrian entrance and the secondary entrance for TNC riders and FedEx deliveries. It is very important that we give the neighborhood a car-free pedestrian entry to encourage walking.

This entry will be illuminated from the underside of the canopy with recessed lighting. The use of exterior seating and plantings will further emphasize the appeal of this entry.

© ELKUS MANFREDI ARCHITECTS

View from Lincoln Street



Landscape Plan

CHATHAM
CENTER
(29)

Service Path:

The Court Street access path is limited to emergency vehicles only. Two gates will physically prevent vehicular traffic from entering on both the Court Street and northern driveway entrances. The two gates will open only when necessary, allowing emergency vehicles to access the path.

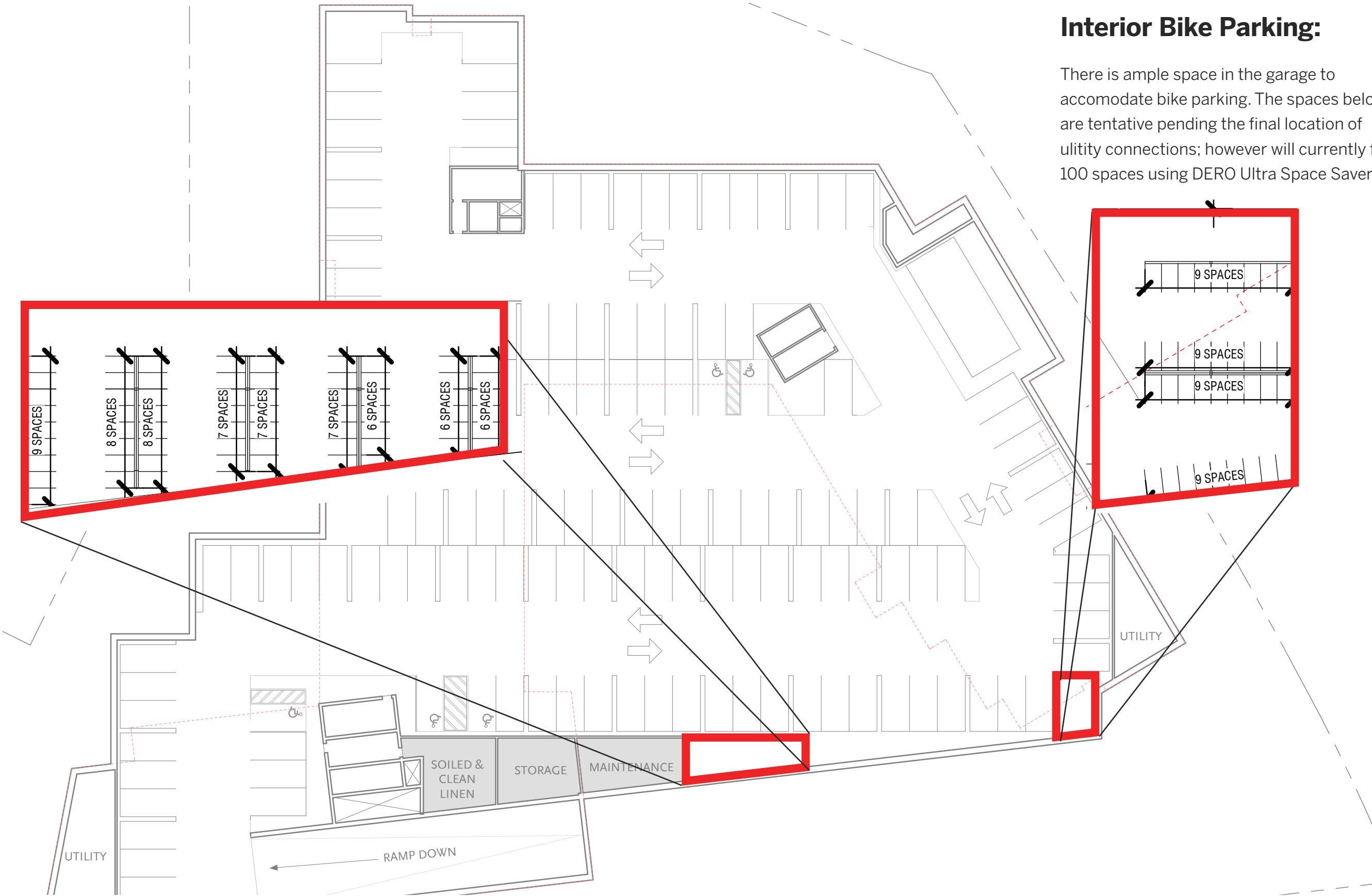
Northern Driveway

Court Street

Emergency Vehicle Access Route

Interior Bike Parking:

There is ample space in the garage to accomodate bike parking. The spaces below are tentative pending the final location of ulitivity connections; however will currently fit 100 spaces using DERO Ultra Space Saver.



EXTERIOR BIKE PARKING:

Exterior bike racks shall be provided in two locations to provide bike parking for public, tenants, and staff. Parking for 8 bikes shall be located along the Crafts Street sidewalk and parking for 4 bikes shall be located near the entry drive drop off.

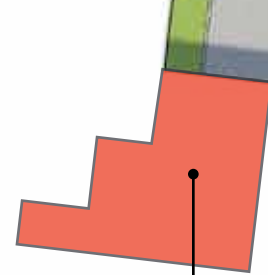
Disposal & Collection

Trash from the units will be collected through a chute in the upper floors of the independent living space and will be collected by staff in the assisted living units. Trash and recycling will then be conveyed to a compactor and recycling container within the loading area. Dependent on final sizing of collection units, it is expected that collection will be three times per week. Trash and recycling receptacles will be rolled out to the loading areas and exterior dumpster for collection as needed.

Chute and recycle storage at typical residential floors above



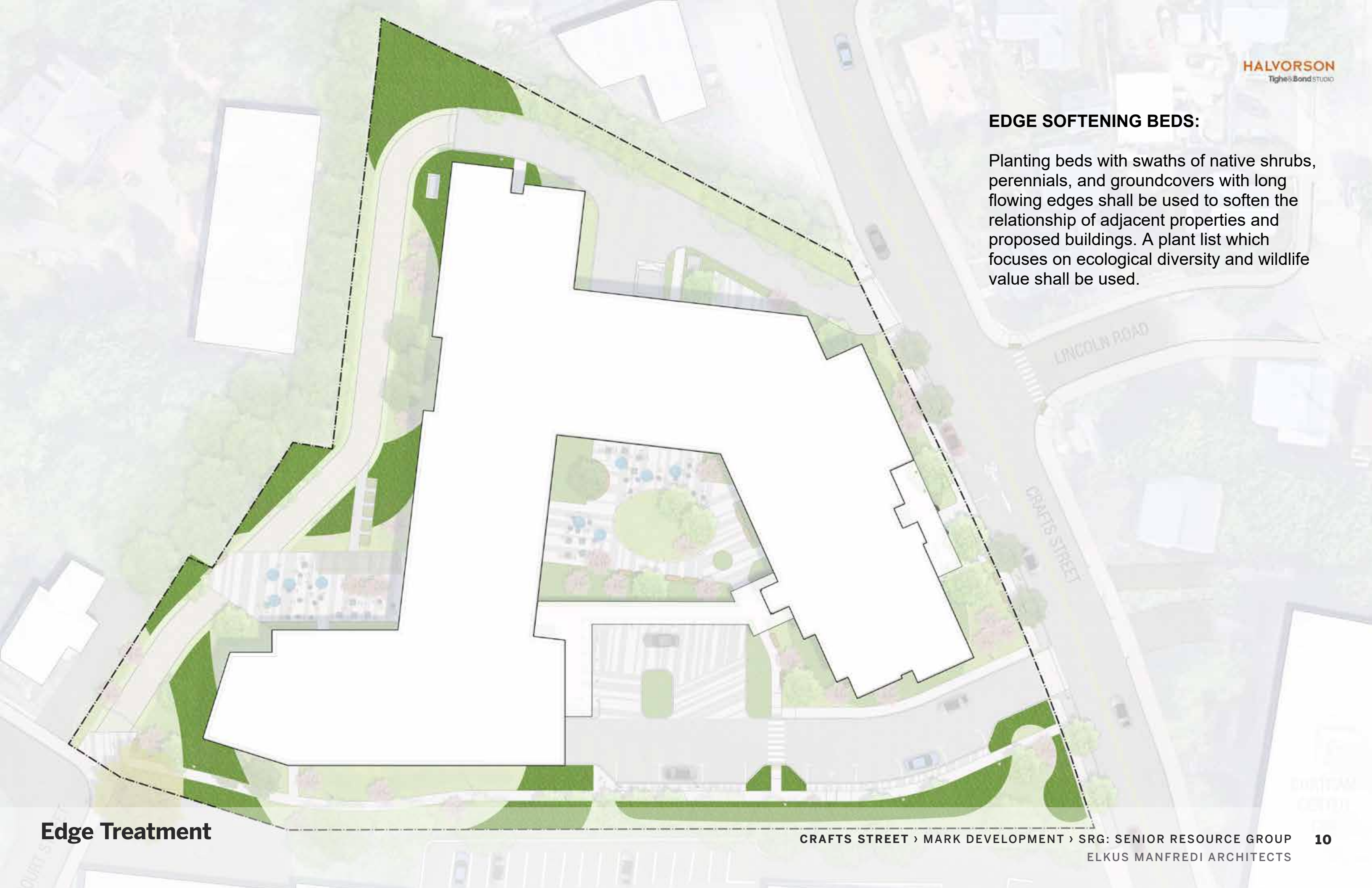
Trash chute and recycle storage provided for pick-up within loading area



EDGE SOFTENING BEDS:

Planting beds with swaths of native shrubs, perennials, and groundcovers with long flowing edges shall be used to soften the relationship of adjacent properties and proposed buildings. A plant list which focuses on ecological diversity and wildlife value shall be used.

Edge Treatment



SURFACE PARKING SCREENING:

A planting screen buffer which exceeds the City's requirements will be located to the south and south-east of the parallel parking spaces along the entry drive. The planting buffer will consist of a minimum 5' wide bed with evergreen and semi-evergreen shrubs installed at a 42" size. In addition, lower perennials and flowering shrubs will be placed along edge of beds to soften edges and connect with other plant species.



Initial Submission



Revised Submission
June 16, 2022

Northwest Elevation from McGuire Court



NORTHWEST ELEVATION FROM
MCGUIRE COURT

Initial Submission



Revised Submission
June 16, 2022

Southeast Elevation Washington Street



Initial Submission



Revised Submission
June 16, 2022

Southwest Elevation from Townhouses



Initial Submission



Revised Submission
June 16, 2022



Ruthanne Fuller
Mayor

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Barney S. Heath
Director

MEMORANDUM

DATE: June 24, 2022

TO: Katie Whewell

FROM: Amanda Berman, Director of Housing & Community Development
Eamon Bencivengo, Housing Development Planner

RE: Inclusionary Zoning Ordinance: Elder Housing with Services Section – Crafts Street Project IZ Requirement

MEETING DATE: Land Use Committee Hearing - June 28, 2022

This memo offers a summary of the Elder Housing with Services section of the Newton Inclusionary Zoning Ordinance – Section 5.11.11 – as well as a summary of the Crafts Street project’s inclusionary housing requirement.

Section 5.11.11. – Elder Housing with Services

While it is rare for municipalities to impose an affordability requirement on senior housing projects, due to their unique and complicated pricing and service-delivery structure, the City of Newton instituted a specific set of inclusionary zoning requirements tailored to the type of elder housing being proposed. The “Elder Housing with Services” provisions differ slightly from the standard requirements of the IZ ordinance to provide for the complex nature of the housing offered and attendant services. Whether through the provision of on-site inclusionary beds or a cash payment to the City’s Inclusionary Zoning Fund, the IZ requirement for Elder Housing with Services projects is a critical tool to create, support, and preserve affordable senior housing and care throughout Newton.

As detailed in the ordinance, “This section applies to all housing with amenities and services designed primarily for elders, such as residential care, continuing care retirement communities (CCRC’s), assisted living, independent living, and congregate care. This provision also applies to Congregate Living Facilities, as defined in Section 6.2.8.,¹ where these facilities are serving elderly households.”

¹ Defined. An association of persons living together in a shared living environment which integrates shelter and service needs of elderly, functionally impaired or functionally isolated persons who are otherwise in good health and can

These requirements do not apply to nursing or dementia care facilities.

In general, the inclusionary housing requirements for projects that are subject to the Elder Housing with Services provisions include:

- 5% of the total number of beds provided as part of an Elder Housing with Services project must be affordable for seniors age 62 or older whose annual gross incomes are at or below 80% AMI.
 - Where the IZ requirement results in a fraction of a unit greater than or equal to 0.5, the developer must provide one inclusionary bed to capture that fraction.
- Housing and base services provided to households occupying the affordable inclusionary beds must be comparable to those offered to the market-rate residents.
 - Such amenities and services may include long term health care, nursing care, home health care, personal care, meals, transportation, convenience services, social, cultural, educational programming, and the like.
- Monthly housing and service costs, inclusive of entrance fees, rent or monthly occupancy fees, amenities, and base services offered to all residents regardless of income status, must not exceed a fixed percentage of the applicable household income limit for that inclusionary bed, based upon the type of elder housing with services facility.
 - **Independent Living:** Monthly housing and service costs must not exceed 15% of the applicable household income limit for that inclusionary bed (which is 80% AMI).
 - **Assisted Living:** Monthly housing and service costs must not exceed 30% of the applicable household income limit for that inclusionary bed (which is 80% AMI).
 - **Continuing Care Retirement Communities (CCRC's):** Due to their unique structure in providing independent living, assisted living, and skilled nursing and related services to elder households in one location, CCRC's may choose to satisfy their IZ requirement through either the Independent Living or Assisted Living provision.
- **100% Deed-Restricted Affordable Facilities:** Elder Housing with Services projects that provide 100% of their units as deed-restricted affordable for seniors whose annual gross incomes are at or below 150% AMI are not required to comply with the prescribed percentage requirements per income level, as detailed in the ordinance (AMI levels must average out at no more than 110%

maintain a semi-independent lifestyle and who do not require constant supervision or intensive health care as provided by an institution. Each resident may have a separate bedroom, living room, kitchen, dining area or bathroom, or may share living, dining, and bathroom facilities with other persons. Such facility shall be deemed an association of persons living together in a single dwelling and not a lodging house.

AMI). However, projects that are 100% deed-restricted affordable are still subject to all other applicable sections of the ordinance.

By-Right Alternative Compliance: Cash Payment Option

Alternatively, Elder Housing with Services projects may choose to meet their Inclusionary Zoning requirement through a payment-in-lieu, without receiving permission from the City Council through the Special Permit process. While all other housing projects with 10 or more dwelling units must seek a special permit from the City Council to provide a cash payment rather than on-site inclusionary units, Elder Housing with Services projects are provided with the opportunity to choose their IZ compliance mechanism.

The cash payment is made to the City’s Inclusionary Zoning Fund, which is used for the restoration, creation, preservation, and associated supportive services of deed-restricted units at or below 80% AMI, as well as costs incurred by the City that are related to the monitoring of these units. Inclusionary Zoning Funds are distributed equally between the City of Newton and the Newton Housing Authority (NHA). With the inception of the Newton Affordable Housing Trust, it is anticipated that future IZ funds will be split between the Trust and the Housing Authority.

The Planning & Development Board and the Mayor recently recommended that the City’s Inclusionary Zoning Funds balance of approximately \$890,000 be allocated to the redevelopment of the West Newton Armory as 100% affordable housing (for households at or below 60% AMI). This funding request is now before the City Council for its approval. The Newton Housing Authority is currently using its Inclusionary Zoning Funds to support the development of its affordable senior housing project, the Haywood House.

The cash payment for Elder Housing with Services projects is based on the average cost of providing long-term care for an elderly individual over a 10-year period, as well as the average total development costs (TDC) per unit in Newton, as calculated by the Newton Housing Partnership and approved by the Director of Planning & Development.² The average long-term care cost is based on the Boston area average hourly rate of a home health aide providing three hours per day of care per year as determined

Elder Housing with Services: Inclusionary Zoning Cash Payment Calculation	
A = average total development costs (TDC) per unit in Newton	FORMULA
B = average cost of providing long-term care for an elderly individual at 3-hours per day over a 10-year period	STEP 1: $A + B = \text{Total cost per bed}$
C = # of beds in proposed project	STEP 2: $C \times 0.05 = \text{\# of inclusionary beds required (rounded to nearest 10th)}$
	STEP 3: $(A+B) \times (C \times 0.05 \text{ rounded}) = \text{Total Cash Payment}$

² Section 5.11.5.B: The cash payment standard (average TDC/unit in Newton) must be increased annually by the amount of the Consumer Price Index (CPI-U) and take effect on the anniversary date of the effective date of August 1, 2019.

by the annual Genworth Cost of Care Survey.³

- The current TDC per Unit in Newton is **\$578,239.20** (defined as “A” in the calculation).
- The current average Care Cost of providing long-term care for an elderly individual over a 10-year period is **\$358,612.50** (defined as “B” in the calculation).
 - \$32.75 per hour X 3 hrs. per day X 365 days per year X 10 yrs.

Crafts Street Project – Inclusionary Zoning Requirement

As discussed above, Elder Housing with Services projects may meet their IZ requirement by providing affordable beds on-site or through a cash payment to the Inclusionary Zoning Fund. The Crafts Street project proposes to satisfy its IZ requirement through a cash payment.

Based on the current TDC per unit in Newton of \$578,239.20 and the current average care cost of \$358,612.50, the total cash payment from the project proponent for this 257-bed project will be **\$12,085,386.93**.

Elder Housing with Services Cash Payment Calculation:

A = \$578,239.20 = Current total development costs (TDC) per unit in Newton

B = \$358,612.50 = Current average cost of providing long-term care for an elderly individual over a 10-year period

C = 257 = # of beds in proposed project

C x .05 = 12.9 total inclusionary beds required

Total Cash Payment = (A+B) x (C x .05)

(\$578,239.20 + \$358,612.50) x (257 x .05) = \$12,085,386.93

The cash payment in-lieu of on-site affordable beds at the Crafts Street project will provide the City with the largest one-time payment of IZ funds that the program has ever seen. Split between the City and the Newton Housing Authority (NHA), these funds will support the creation and preservation of units affordable to individuals, families, and seniors at much deeper income levels than what the IZ ordinance requires for senior housing projects of this type. On-site IZ beds must be priced to be affordable to seniors at or below 80% AMI. For a one-person household, this equals an annual income of \$78,300, which is well above the average annual retirement income in Massachusetts of \$31,838⁴.

While the need for affordable senior housing and services exists at the 80% AMI and above levels, a \$12 million infusion to the City’s Inclusionary Zoning Fund is sure to impact a greater number of very

³ Section 5.11.11.I: The average long-term care cost is based on the Boston area average hourly rate of a home health aide providing three hours per day of care per year for ten years as determined by the annual Genworth Cost of Care Survey. The current hourly rate is \$32.75. See [Cost of Long Term Care by State | Cost of Care Report | Genworth](#)

⁴ <https://www.annuity.org/retirement/planning/average-retirement-income/>

low-income individuals and families, including seniors. These funds could be used to leverage other public state and federal subsidies to create and preserve much-needed affordable senior and family housing and support services. The inclusion of on-site affordable beds in mixed-income senior housing projects is not insignificant, however, in this scenario, a payment-in-lieu will have positive impacts on Newton's affordable housing efforts for years to come.



June 2, 2022

Katie Whewell
 Planner
 Department of Planning & Development
 1000 Commonwealth Avenue
 Newton Centre, Massachusetts 02459

Re: Crafts Street Elderly Housing Transportation Peer Review

Dear Ms. Whewell:

BETA Group, Inc. (BETA), in accordance with our scope of services, has conducted a transportation engineering peer review for the proposed Crafts Street Elderly Housing facility located at 36-48 Crafts Street on the site of two commercial buildings and a school bus parking lot in Newton, Massachusetts. The proposed project includes 209 units.

This letter has been prepared by BETA to outline our findings, comments, and recommendations in the review of the materials provided.

BASIS OF REVIEW

The following documents were received by BETA and formed the basis of the review:

- ***Traffic Impact and Access Study (TIAS) Proposed Crafts Street Elderly Housing with Services, Newton, Massachusetts, dated April 2022, prepared by Vanasse Hangen Brustlin, Inc. (VHB)***
- ***Truck Turning Analysis Figures 1 & 2, Crafts Street Elderly Housing with Services, Newton, Massachusetts, dated May 11 2022, prepared by VHB***
- ***Special Permit Sustainability Narrative, Crafts Street Elderly Housing with Services, Newton, Massachusetts, dated April 4, 2022, prepared by The Green Engineer***
- ***Site Plans, Elderly Housing with Services, Newton, Massachusetts, dated April 4, 2022, prepared by VHB***

TRAFFIC IMPACT AND ACCESS STUDY

The proposed development project consists of 129 independent units, 52 assisted living facility, and 28 memory care type units totaling 209. The project is located at 36-48 Crafts Street on an approximately 2.7-acre site. The existing two commercial buildings and a school bus parking lot on Crafts Street and two residential properties on Court Street will be demolished. Included within the building is a proposed underground parking garage with 137 spaces. An additional seven parking spaces will be provided near the main entrance. Vehicle access to the site will be provided primarily by two driveways along Crafts Street, one on the north side of the proposed building and one on the south side. A third driveway access will be provided at Court Street and will be gated and limited to emergency access only. The Craft Street south driveway will be the primary driveway and will provide access to pick-up/drop-off, surface parking,

and the garage. The north driveway will be used for loading and emergency vehicle access and will loop around to Court Street which will be gated. Pedestrian and bicycle access will be provided via Crafts Street and Court Street. A path on the southern edge of the site will connect Court Street and Crafts Street and the main entrance. The project will include bicycle racks within the garage for residents and employees and outdoor racks for visitors.

The study area includes the following 10 intersections.

- Crafts Street at Ashmont Street (unsignalized)
- Crafts Street at Clinton Street/Maguire Court (unsignalized)
- Crafts Street at Lincoln Road/48 Crafts Street (bus lot) driveway (unsignalized)
- Crafts Street at 29 Crafts Street/38 Crafts Street parking lot driveway (unsignalized)
- Crafts Street at 36 Crafts Street parking lot driveway (unsignalized)
- Crafts Street at Lenglen Road/Whole Foods driveway (unsignalized)
- Washington Street at Harvard Street (signalized)
- Washington Street at Crafts Street/Bank driveway (signalized)
- Washington Street at Adams Street/Lewis Terrace (signalized)
- Washington Street at Jackson Road (signalized)

1. The study area was found to be adequate.

TRAFFIC VOLUMES

Existing daily traffic volumes were collected using an automatic traffic recorder on Crafts Street south of Lincoln Street for 24 hours when schools were in session on Thursday, February 10, 2022. Turning Movement Counts (TMC) were also collected at the study intersections in February 2022 from 7:00AM to 9:00AM and 4:00PM to 6:00PM.

- 2. Traffic volume counts conducted in 2022 are considered to represent a post-pandemic condition by MassDOT and do not necessarily need to be adjusted. In the TIAS, the traffic volumes were adjusted upward based on 2019 traffic volumes at the intersection of Washington Street and Harvard Street, and therefore provide conservatively high traffic volumes for analysis purposes. This approach is acceptable.**
- 3. Automatic Traffic Recorder roadway traffic volume counts on Crafts Street for a Saturday were provided in the Appendix, but not in the TIAS. Please provide a summary of the Saturday volumes.**

PUBLIC TRANSPORTATION

- 4. Figure 5 shows the closest bus stop to the Site on the westbound side of Washington Street near the Whole Foods Market. A similar bus stop for the eastbound direction should be shown as well, near the Santander Bank.**

CRASH HISTORY

Crash data were obtained from the MassDOT database for the most recent five-year period available from 2015 to 2019. The highest crash rate, quantified as crashes per million entering vehicles, occurred at the intersection of Washington Street and Adams Street/Lewis Terrace with 0.82 which is higher than the 0.71 MassDOT average crash rate for signalized intersections.

The intersection of Washington Street and Adams Street/Lewis Terrace was identified as a MassDOT Highway Safety Improvement Program (HSIP) crash cluster between 2017 and 2019.

5. The crash summary calculations and results are accurate.

FUTURE CONDITIONS

The TIAS evaluated impacts over a seven-year period to 2029 from the initial traffic data collection in 2022, for both the No-Build and Build conditions.

An annual growth rate of 0.5% was applied to the raw volumes at study intersections based on the growth rate used in other studies within the City.

6. BETA finds this growth rate to be reasonable.

In addition to utilizing a historical growth rate, traffic generated by other planned developments near the site was considered in developing the 2029 No-Build traffic volumes. The TIAS identified five other developments that were considered to add traffic to the project study roadways and intersections. The developments are located at 967 Washington Street, 386 Watertown Street, 60, 66-68 Austin Street, 15 Riverside Avenue, and 1149 Washington Street.

7. The other developments assumed for the 2029 No-Build scenario are reasonable.

BUILD CONDITIONS

The TIAS indicates that the existing site uses would generate approximately 28 vehicle trips during the weekday morning peak hour and 20 vehicle trips during the weekday evening peak hour.

8. The existing vehicle trips at the site are reasonable. The word “evening” for 28 vehicle trips should be changed to “morning” in the first paragraph of the Existing Site-Generated Traffic section on page 25.

Trip generation for the project was estimated using the Institute of Transportation Engineers, *Trip Generation, 11th Edition* Land Use Code 255 (Continuing Care Retirement Community). Subtracting the vehicle trips generated by the existing site uses, the project would generate 21 net new vehicle trips in morning (49 total) and 62 net new vehicle trips in the evening (82 total). To present a conservatively high trip generation estimate, the TIAS assumed all project-generated trips were made by private vehicles with no mode shared credits for walk, bike, and transit.

9. The project trip generation estimates are reasonable. Please provide information on the number of trips that would be made by the project’s shuttle van and sedan, and the number of trips typically made by ambulances/emergency vehicles.

Trip distribution of traffic was based U.S. Census Bureau Journey-to-Work data for the City of Newton 2012-2016. This seems appropriate for employees and visitors.

10. Since most of the residents of the project are not expected to be working, is Journey-to-Work data appropriate as the basis for resident trips?

11. The westbound right turn volume from Washington Street to Crafts Street should be changed from 15 to 335 on Figure 12 – 2029 Build Conditions Weekday Peak Hour.

TRAFFIC OPERATIONS

Capacity analyses were performed for the study intersections using the Synchro software, based on the 2010 Highway Capacity Manual methodologies for the 2022 Existing, 2029 No-Build, and 2029 Build traffic volumes, during the weekday AM and weekday PM peak periods. The signalized intersection of Washington Street and Adams Street/Lewis Terrace operates at Level of Service (LOS) E during Existing, No-Build, and Build conditions during the morning peak hour, and LOS E during the No-Build and Build conditions during the evening peak hour. All other study area intersections are expected to operate with LOS D or better.

12. Please check the following capacity analysis issues:

- a. **Washington Street and Harvard Street does not allow for Right-Turn-on-Red**
- b. **Washington Street and Crafts Street/Bank driveway has a phase conflict**
- c. **Synchro has assigned the eastbound approach at Washington Street and Adams Streets/Lewis Terrace as a Defacto Left lane and one through lane**

SIGHT DISTANCE

Sight distance analyses were performed at the proposed site driveway which will be located in the vicinity of the existing driveway at the 38 Crafts Street parking lot along Crafts Street. Both Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) were evaluated. The observed 85th percentile weekday speeds on Crafts Street are 33 miles per hour (mph) northbound and 31 mph southbound.

The results show that required SSD and ISD lengths are exceeded in both directions at the proposed site driveway.

13. Confirm that Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) is adequate at the northern curb cut on Crafts Street.

14. Note that the Saturday 85th percentile speeds on Crafts Street are 34 mph northbound and 32 mph southbound. Confirm that the SSD and ISD are adequate for these speeds at both project driveways.

MITIGATION

The Proponent proposes to implement several Transportation Demand Management (TDM) measures on site in an effort to minimize the project's impact on the surrounding roadways. The measures include:

- Provide a small-scale shuttle, van, and comfortable sedan on-site for residents to appointments and service needs, and retail, and restaurants as needed;
- Display transit maps on site in a central location;
- Provide map for transit users that shows Newtonville Station, MBTA bus stops, sidewalks, and crosswalks and post in common area;
- Provide 50 secure bicycle storage space on-site within the parking garage; and
- Implement a car-pool rideshare program with guaranteed ride home.

15. BETA agrees that these measures should be implemented, and also recommends the following:

- **Consider preferential parking for car-pools;**
- **Make 10% of the parking stalls electric vehicle (EV) spaces, and 50% EV ready;**
- **Provide additional weatherproof and secure bike parking in front of the building for visitors;**

- The applicant should provide a subsidy to their employees for alternate modes of transportation, such as transit and bike share programs, for at least the first year of employment; and
- Incorporate electric vehicles for the multimodal transportation service for residents.

16. Provide information on the operating hours of the shuttle, van, and sedan, where these vehicles will be parked, and how many vehicles there will be for this service.

The project will consolidate the number of curb cuts along Crafts Street from five to two. The main access will be on the south portion of the site and a second curb cut will be on the northern edge for loading and emergency access only.

The project proposes the following pedestrian and bicycle amenities:

- A path along the southern edge of the site will connect Court Street and Crafts Street with the main entrance of the building and;
- Reconstruct the sidewalk on the west side of Crafts Street along the site frontage.

SITE PLANS

The applicant proposes to construct 144 parking spaces on-site, with 137 in the proposed underground garage, and 7 surface stalls. Bike racks are proposed in the garage along the south wall.

- 17. The Newton Zoning Ordinance, section 5.1.8.C.1 requires a 24-foot-wide parking aisle. All aisles in the garage meet this requirement except the aisle in the northwest corner of the garage which is 22-foot-wide and will require a waiver. If the 22-foot-wide aisle width is maintained, striping the adjacent spaces for compact cars or electric vehicle parking should be considered.**
- 18. The typical parking space width in the garage shown on the site plan is 8'-6" wide which will require a waiver per the Newton Zoning Ordinance, section 5.1.8.B.1. The City requires a 9'-0" wide parking space.**
- 19. The site plan shows typical parking spaces in the garage are 18-feet-long. Per the Newton Zoning Ordinance, section 5.1.8.B.2, angled spaces shall be 19 feet long.**
- 20. It appears not all of the four proposed handicap parking spaces in the garage meet the minimum dimension requirements in the Newton Zoning Ordinance, section 5.1.8.B.4.**
- 21. Will parking spaces in the garage be designated for resident, employees, and visitors? If so, how many spaces will be provided for each?**
- 22. If the proposed 7 surface spaces on-site are intended for visitor parking, will these spaces be available for small delivery drop-offs by UPS and Amazon vans? If the spaces are occupied where will the delivery vans park?**
- 23. Where will the small-scale shuttle, van, and comfortable sedan vehicles be parked?**
- 24. Confirm that larger vehicles such as the shuttle van can maneuver within the entry court without having to back up.**
- 25. Figure 2: Turning Analysis – SU 30 Box Truck shows turning radius is adequate in and out of the north driveway. Are larger trucks expected to serve the site?**
- 26. Three on-street parking spaces are proposed in front of the site on Crafts Street. On the west side of Crafts Street (project side) on-street parking is prohibited. Will the Applicant request the City to make this change?**

27. The existing concrete sidewalk fronting the project is approximately 8-feet wide. Can this sidewalk width be maintained with the proposed 3 on-street parking spaces? Can street trees be provided along the project frontage on Crafts Street?
28. Clarify the usage of the Court Street driveway, TIAS states it will be for emergency and loading, however petitioner's presentation at the May 17th hearing indicated it would be for emergency vehicles only.
29. Clarify how visitor vehicles will be prevented from looping around and accessing the Court Street driveway.
30. The TIAS states that 50 secure bike parking spaces will be provided in the garage. Please clarify how bicyclists will access the garage. Will the access be secure, and do you need a card key to gain entrance into the garage?
31. Clarify whether vehicular access to the garage will be secure. If so, what is the proposed method to provide access: card, keypad?
32. Where will the trash dumpster be located?
33. Are there areas on-site for snow storage?
34. Coordinate with the Newton Fire Department regarding access and circulation of firetrucks at this site.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,
BETA Group, Inc.



Jeffrey Maxtutis
Senior Associate

Project No: 10337

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Rick Lipof, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – Elderly Housing with Services

Date: June 2, 2022

CC: Barney Heath, Director of Planning
Jennifer Caira, Deputy Director
Katie Whewell, Chief Planner
Lou Taverna, PE City Engineer
Jennifer Breslouf, Committee Clerk
Michael Gleba, Sr. Planner

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

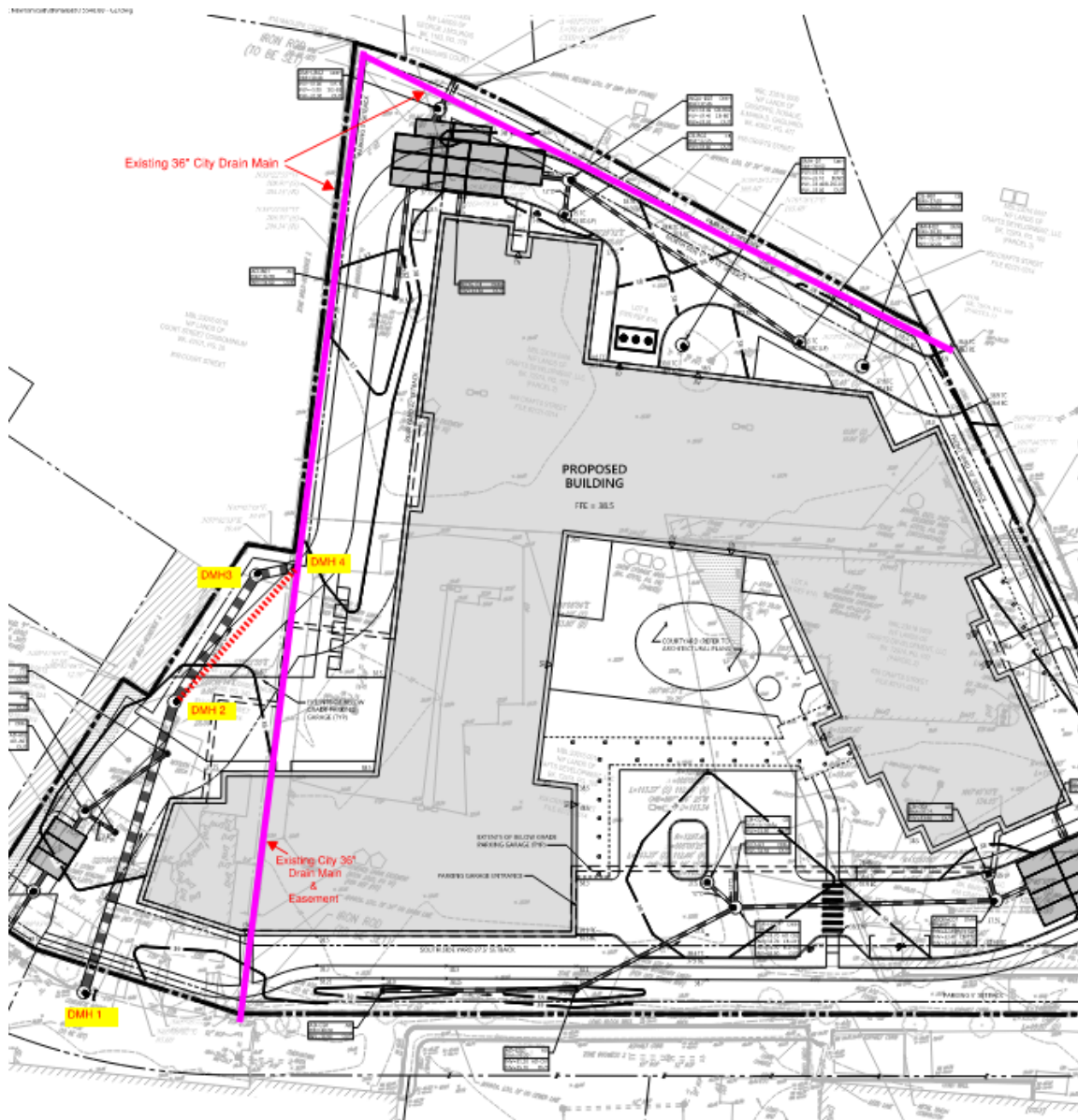
Site plans Elderly Housing with Services
Crafts Street & Court Street
Prepared by: VHB
Dated: April 4, 2022

Executive Summary:

This application includes a development for Elderly Housing on seven parcels of property to construct a seven-story building [224,000 square feet] that includes 209 dwelling units for independent living, with underground parking. The site is bound by Crafts Street to the north, commercial properties to the south (Whole Foods & Marty's); residential homes to the west (Court Street) and commercial properties to the west (Macguire Court). If the special permit is approved an Approval Not Required [ANR] plan will be required in accordance with Massachusetts General Laws Chapter 41 Section 81P requiring the multiple separate lots to be combined into one lot.

The topography of the aggregate of the properties is relatively flat having a high point at elevation 39' at the southern portion near Court Street and gentle slopes towards the northwest at elevation 36-feet. The existing site has little to no stormwater collection system and is mostly all impervious.

Two municipal utilities and easement traverses the site, the first is a 36" drain line that comes on to the properties from Court Street and bends towards the northwest and runs approximately 395 feet and connects to a main in Maguire Court. The proposed building is located directly over this existing City drain main. The applicant proposes to relocate the existing 36" City drain line outside of the proposed footprint of the new building, see below.



The proposed relocated main is shown above by the heavy dashed line starting at DMH 1 to DMH 4, to avoid multiple bends and hydraulic issues; I am recommending that DMH 3 be eliminated, and a straight connection between DMH 2 to DMH 4 is the preferred alignment (see red dashed line). The relocation and new easement will require approval by the Public Facilities Committee and the Council.

The second easement is an existing 24' x36" sanitary sewer main that comes off Court Street and runs easterly approximately 515 feet between the 7 lots and the existing Marty's & Whole Foods properties and connects into the main in Court Street. This sewer easement does not appear to be impacted by this filing.

The stormwater report incorporates Low Impact Development techniques and Best Management Practices for capturing and infiltrating the City's 100-year storm event of 8.78-inches over a 24-hour period. Approximately 0.8 acres of existing impervious surfaces will be converted landscaped open space. The design meets the MDEP Stormwater Management Standards and will improve the stormwater quality while reducing the runoff from the site. Figure E.1 referenced a bioretention basin, however; it is not evident as to where this feature is located.

The report also included a memorandum from Sanborn Head that referenced the razing of the existing Whole Foods & Marty's stores; however, the site plans do not reflect this.

The long-term stormwater management system (O&M) plan is a robust plan for the design intent, once the special permit is approved this needs to be recorded at the registry of Deeds.

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction materials and equipment, parking for construction workers vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of the general contractor. It shall also address anticipated dewatering during construction, site safety & stability, siltation & dust control and noise impact to abutters.
2. Stabilized driveway construction entrance(s) will be required for the duration of the construction which will provide a truck wash to prevent tracking of mud and silt onto City streets.
3. Catch basins within and downstream of the construction zone will be required to have siltation control installed for the duration of the project and must be identified on the site plan.

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

Drainage:

1. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, trench drains, and pipe(s) are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E Investigation and report been performed on the site, if so, copies of the report should be submitted to the Newton Board of Health and Engineering Division.
2. Are there any existing underground oil or fuel tanks? Have they been removed, if they have been, evidence of the proper removal should be submitted to the Newton Fire Department and the Board of Health.

Sanitary Sewer & Domestic Water Service(s):

1. Existing water and sewer services to building(s) shall cut and capped at the respective mains and completely removed from the main(s) and its entire length and properly backfilled. The Engineering Division must inspect and approve this work, failure to having this work inspected will result in delay of issuance of the new Utility Connection or issuance of a Certificate of Occupancy.
2. All new sewer service(s) shall be pressure tested in accordance with the City Construction Specifications & Standards and inspected via Closed Circuit Television CCTV inspection after installation is completed. A copy of the video inspection and written report shall be submitted to the City Engineer or his representative. The sewer service will NOT be accepted until the two methods of inspection are completed AND witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until these tests are completed to the satisfaction of the City Engineer.

3. All sanitary sewer manhole(s) shall be vacuum tested in accordance with the City's Construction Standards & Specifications, the sewer service and manhole will NOT be accepted until the manhole(s) pass the testing requirements. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed to the satisfaction of the City Engineer and a written report of the test results is submitted to the City Engineer.
4. With the exception of natural gas service(s), all utility trenches within the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E up to within 18-inches of the asphalt binder level, after which Dense Grade Gravel compacted to 95 % Proctor Testing shall be placed over the CDF. Details of this requirement is the Engineering Division website "Standard Construction Details".
5. Fire Flow testing is required for the proposed fire suppression system. The applicant must coordinate the fire flow test with both the Newton Fire Department and the Utilities Division, representative of each department shall witness the testing. Test results shall be submitted in a written report along with hydraulic calculations that demonstrate the required size of the fire suppression system, these calculations shall be submitted to the Newton Fire Department for approval, and copies give to the Engineering Division.
6. For water quality issues a fire hydrant will be required at the end of the proposed water main/service. This hydrant will be utilized for flushing out the main as required.
7. All water services shall be chlorinated, and pressure tested in accordance with the AWWA and the City Construction Standards & Specifications prior to coming online. These tests MUST be witnessed by a representative of the Engineering Division.
8. Approval of the final configurations of the water service(s) shall be determined by the Utilities Division, the engineer of record shall submit a plan to the Director of Utilities for approval.

Infiltration & Inflow:

- Will be addressed via a separate memo.

General:

1. 5 Year Moratorium – if at time of construction the roadway is under a 5-year moratorium, the roadway must be milled and paved gutter-to-gutter for a distance of 25 feet in each direction from the outermost trenches.
2. All trench excavation shall comply with Massachusetts General Law Chapter 82A, Trench Excavation Safety Requirements, and OSHA Standards to protect the general public from unauthorized access to unattended trenches or excavations. Trench Excavation Permit is required prior to any construction. This applies to all trenches on public and private property. *This note shall be incorporated onto the final plans.*
3. All tree removal shall comply with the City's Tree Ordinance.
4. The contractor of record is responsible for contacting the Engineering Division and scheduling an appointment 48-hours prior to the date when the utilities will be made available for an inspection of water services, sewer services and drainage system installation. The utility in question shall be fully exposed for the Inspector to view, backfilling shall only take place when the City Engineer's Inspector has given their approval. *This note shall be incorporated onto the final plans.*
5. The applicant shall apply for a Building Permit with the Inspectional Services Department prior to ANY construction.
6. Before requesting a Certificate of Occupancy, an As Built plan shall be submitted to the Engineering Division in both digital and paper format. The plan shall show all utilities and final grades, any easements and improvements and limits of restoration. The plan shall include profiles of the various new utilities including but not limited to rim & invert elevations (City of Newton Datum), slopes of pipes, pipe materials, and swing ties from permanent building corners. The as built shall be stamped by both a Massachusetts Registered Professional Engineer and Registered Professional Land Surveyor. Once the As built plan is received the Engineering Division shall perform a final site inspection and then make a determination to issue a Certificate of Occupancy. *This note shall be incorporated onto the final plans.*
7. All site work including trench restoration, sidewalk, curb, apron, and loam border (where applicable) shall be completed before a Certificate of Occupancy is issued. *This note shall be incorporated onto the final plans.*
8. The contractor of record shall contact the Newton Police Department 48-hours in advanced and arrange for Police Detail to help residents and commuters navigate around the construction zone.

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

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

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

Signature

Note: If the plans are updated it is the responsibility of the applicant to provide all City Departments [ISD, Conservation Commission, Planning and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns, please feel free to contact me at 617-796-1023.