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Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

| | |
|---------------------------|------------------|
| Public Hearing Date: | January 10, 2023 |
| Land Use Action Date: | March 28, 2023 |
| City Council Action Date: | April 3, 2023 |
| 90-Day Expiration Date: | April 10, 2023 |

DATE: January 6, 2023

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development
Katie Whewell, Chief Planner for Current Planning
Cat Kemmett, Senior Planner

SUBJECT: **Petition #560-22**, for SPECIAL PERMIT/SITE PLAN APPROVAL to subdivide the current lot into two, with one single-family dwelling each at 19 Staniford Street, Ward 4, Newton, on land known as Section 41 Block 31 Lot 21, containing approximately 25,366 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.5, 3.1.10, 1.5.6, 3.1.10.B.3.a of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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



19 Staniford Street

EXECUTIVE SUMMARY

The property at 19 Staniford Street consists of 25,366 square foot lot in a Single Residence 3 (SR-3) zoning district. The site was previously improved with a single-family dwelling which has since been razed. The applicant proposes to subdivide the lot to create two lots and then construct one single-family dwelling on each lot. This would create a rear lot subdivision which requires a special permit. Rear lot subdivisions are only allowed via special permit per Sections 3.1.5 and 3.1.10.

As proposed, the project also requires relief for both lots to exceed the maximum build factor, which serves to limit the degree to which a lot may have an irregular shape. Also, the proposed dwelling on the rear lot is situated 25.8 feet from the rear lot line of the front lot where 30 feet is required, which requires a special permit.

Given that the project as proposed meets most of the required dimensional standards and is located on a sufficiently sized lot, Planning staff believe it is an appropriate site for a rear lot subdivision. However, the department requests that the petitioner provide the information requested by Engineering department below and address several questions posed in this memo in order to fully assess the potential impact of the rear lot on abutting properties.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

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

- The specific site is an appropriate location for the proposed rear lot subdivision with a reduced front setback and which exceeds the maximum build factor (§7.3.3.C.1);
- The rear lot subdivision with a reduced front setback and which exceeds the maximum build factor as developed and operated will not adversely affect the neighborhood, (§7.3.3.C.2);
- There would be no nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3);
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)

Because the petition is requesting approval of a rear lot development in a residential zoning district, the City Council shall also consider the following additional criteria:

- Whether the proposed buildings or structures exceed the respective average height of abutting residential buildings and any structures used for accessory purposes (§7.3.4.B.1);
- The scale of proposed buildings or structures in relation to adjacent residential buildings and structures used for accessory purposes and in relation to the character of the neighborhood (§7.3.4.B.2);

- Topographic differentials, if any, between proposed buildings or structures and adjacent residential buildings and any structures used for accessory purposes (§7.3.4.B.3);
- Proposed landscape screening (§7.3.4.B.4);
- Adequacy of vehicular access, including, but not limited to fire and other public safety equipment, with emphasis on facilitating common driveways (§7.3.4.B.5);
- Whether any historic or conservation public benefit is provided or advanced by the proposed development (§7.3.4.B.6);
- Whether the location of structures used for accessory purposes or mechanical equipment, including but not limited to free-standing air conditioning units or compressors, on the new rear lot or on abutting lots will negatively impact either the proposed rear lot development or abutting property (§7.3.4.B.7);
- Siting of the proposed buildings or structures with reference to abutting residential buildings or any structures used for accessory purposes (§7.3.4.B.8); and
- Impact of proposed lighting on the abutting properties (§7.3.4.B.9).

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

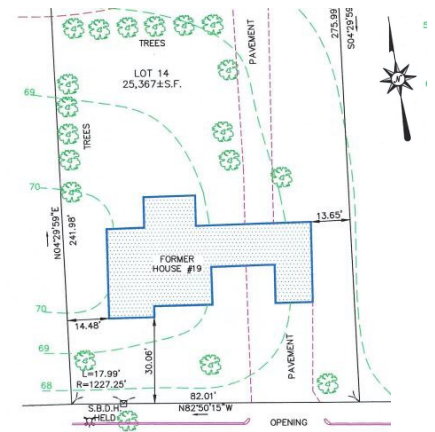
A. Neighborhood and Zoning

The subject property is located on Staniford Street in the SR3 zone in Auburndale. The SR-3 zone and residential uses encompass much of the immediate area, with several blocks of parcels nearby zoned Multi-Residence 1 and Multi-Residence 2. There is a significant amount of land zoned for public uses to the north and east of the site at the nearby Burr Elementary School and at the city Resource Recovery Center on Rumford Ave.

B. Site

The site consists of 25,366 square feet of unimproved land. There was a single-family dwelling that received a demolition permit issued in August 2021 and was ultimately razed. From the frontage on Staniford Street the lot slopes up slightly to a peak on the site of the former home on the lot before dropping down significantly towards the rear of the lot. The middle of the site features existing trees, and the rear of the site features assorted trees and brush. Vehicular access is provided via a curb cut on Staniford Street.

A portion of land at the rear of the lot lies within a high-



Existing site conditions

risk FEMA flood zone (the AE zone) and is subject to conservation restrictions. A larger portion of the rear of the lot lies within the 100-foot buffer for a wetland area. Because it appears that some of the proposed development will take place within the wetland buffer area, the petitioner should confirm with Conservation staff to determine whether this project requires review by the Conservation Committee.

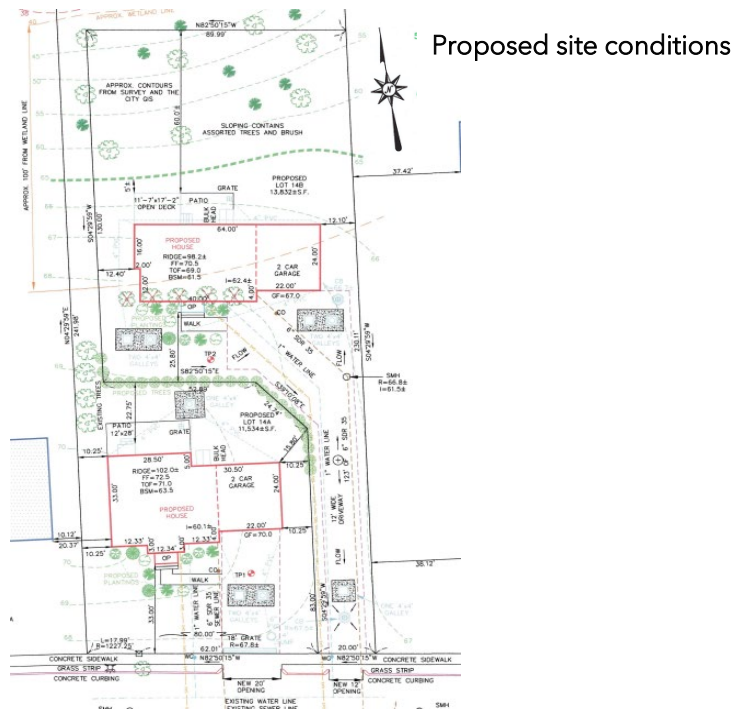
III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

If approved, the principal use of the site will change from one lot containing a single-family dwelling to two lots, each containing one single-family dwelling.

B. Site and Building Design

Section 3.1.10.B.2 requires both the front and rear lots to meet the frontage requirements for new lots in the zoning district. The front lot has 80 feet of frontage, where a minimum of 80 feet is required. The rear lot gains its frontage from the rear lot line of the front lot, which is compliant at 88.88 feet.



The project requires relief for both lots to exceed the maximum build factor, which establishes a threshold to limit irregularity in the shape of new lots. This is determined by a formula which identifies a “build factor,” with a higher build factor corresponding to higher irregularity in lot shape. After subdivision, the front lot has

a build factor of 54.9 and the rear lot has a build factor of 20.8. A special permit is required to exceed the maximum build factor of 20 on any lot in the SR3 district. The proposed configuration is such that the lot is divided where the front lot maintains an irregular shape as it runs the entire length of the two lots along the western lot line with additional land at the rear of the site.

The petitioner proposes to utilize the Alternate Side Building Separation dimensions for the rear lot. This requires that the proposed structure be 10 feet from the side lot lines, with a minimum of 30 feet of separation between the proposed dwelling and the abutting dwelling structure. There is over 50 feet of separation between the proposed single-family dwelling on the rear lot and the existing dwellings on the abutting properties on each side, with a proposed side setback from the lot line of 12.4 on the western side lot line and 12.1 on the eastern. No relief is required for those setbacks.

The proposed dwelling on the front lot meets all required minimum setbacks for the SR-3 district. Because the dwelling on the rear lot is situated 25.8 feet from the rear lot line of the front lot where 30 feet is required, a special permit is required.



Front lot elevations, front and right sides



Rear lot elevations, front and left sides

The proposed front and rear lots both meet the requirements in SR-3 for minimum lot size. The front lot will consist of 11,534 square feet where 10,000 square feet is required, and the rear lot will consist of 13, 832 square feet where 12,000 square feet is required. As proposed, both lots and their respective single-family dwellings comply with FAR requirements, with the proposed FAR of .31 where a maximum of .41 is allowed, and the rear lot proposed at .24 where up to .24 is allowed.

A maximum height of 36 feet and up to 2.5 stories is allowed by right in SR-3. Both lots comply with this requirement, with the front lot proposed at 32.8 feet and two stories, and the rear lot proposed at 31.8 feet and two stories.

C. Parking and Circulation

Vehicular access to the front lot would be provided via a new 20-foot-wide curb cut on Staniford Street, leading to a new paved driveway and attached garage with two parking stalls. Vehicular access to the rear lot would be provided via a new 12-foot-wide curb cut and paved driveway in roughly the same location as the existing driveway on the site. This driveway would lead to an attached garage on the rear lot with two parking stalls.

The proposed driveway for the front lot would add approximately 1,070 square feet of new paving, and the driveway for the rear lot would add approximately 2,800 square feet of new paving.

D. Landscape and Screening

Both lots comply with the dimensional requirements for lot coverage and for open space. The front lot will have a lot coverage of 15.7% where a maximum of 30% is allowed, and the rear lot will have 12.4% where up to 25% is allowed. The front lot will have 75% open space, where 50% is required, and the rear lot will have 62.4% where 50% is required.

The petitioner has submitted a proposed landscape plan for the site. It indicates the length of the east side of the site along the proposed new driveway serving the rear lot would be lined with a number of new plantings including evergreen shrubs, ginkgo trees, and dogwood trees which would serve to screen the driveway from the abutting residence. New plantings including red cedar, arborvitae, and flowering bushes are also proposed along the western property line which would screen the rear dwelling from abutters.

A number of new plantings would be installed along the proposed new lot line separating the two new lots including birch trees, hostas, arborvitae, and grasses. At least five mature trees (totaling approximately 110 caliper inches) would be removed to make way for the proposed rear dwelling. The petitioner proposes to replace them with 28 pine trees totaling 112 caliper inches.

E. Rear Lot Subdivision Criteria

The zoning ordinance establishes additional review criteria above and beyond the standard special permit findings for rear lots in residential districts. These criteria include assessing the height, scale, and topographical differences between proposed structures in rear lot subdivisions and those in abutting and adjacent residential buildings and structures used for accessory purposes. Other additional criteria include potential impacts on abutting properties from mechanical equipment and lighting associated with the rear lot subdivision.

The petitioner has submitted an area plan as part of this application, but it does not include information regarding the heights and number of stories of existing nearby residential buildings and accessory structures. Planning staff recommend the petitioner submit this information in accordance with the application requirements to better inform an assessment of the impact of the proposed rear lot dwelling compared to nearby structures.

Additionally, the area and site plan submitted do not indicate the location of any proposed structures used for accessory purposes or mechanical equipment on the rear lot. Planning staff request that if any such structure is proposed on the rear lot, including free-standing air conditioning units, compressors, etc., that the plans be revised to reflect their location on the site.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the proposal regarding zoning (**ATTACHMENT A**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

| Zoning Relief Required | | |
|-------------------------|---|------------------------|
| <i>Ordinance</i> | <i>Site</i> | <i>Action Required</i> |
| §3.1.5 §3.1.10 | Request to allow a rear lot subdivision | S.P. per §7.3.3 |
| §1.5.6 | Request to exceed maximum build factor | S.P. per §7.3.3 |
| §3.1.5 §3.1.10.B.3.a | Request to reduce the front setback | S.P. per §7.3.3 |

B. Engineering Review

This petition has been reviewed by the Associate City Engineer, who provided a memo dated December 13, 2022 (**ATTACHMENT B**) that raised the following issues:

- He noted that there are discrepancies between the plan and the drainage calculations which must be corrected and requested clarification on some of the calculations provided to verify them accurately
- The stormwater analysis did not include any calculations for phosphorous or TSS reductions
- Plans are missing drawdown times for the proposed infiltration systems
- No Operation & Maintenance plan was submitted
- The analysis mentions a percolation rate of 2 minutes per inch, but no soils log(s) speaking to this were included
- Detailed profiles are needed of the proposed sanitary sewer connections.
- As portions of the site fall within Conservation Commission 100-foot wetlands the applicant will have to file an RDA or a modified Notice of Intent
- The site plan has not been sealed by a Massachusetts Professional Engineer

C. Newton Historical Commission

The Planning Department is currently coordinating with the petitioners to determine whether to proposed alterations to the existing structure are subject to review by the Newton Historic Commission.

V. PETITIONER'S RESPONSIBILITIES

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

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum
Attachment B: Engineering memo



Ruthanne Fuller
Mayor

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: November 29, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: Michael J. Quinn
Kane Built Inc, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to allow a rear-lot subdivision

| Applicant: Kane Built Inc | |
|-------------------------------------|--|
| Site: 19 Staniford Street | SBL: 41031 0021 |
| Zoning: SR3 | Lot Area: 25,366 square feet |
| Current use: Single-family dwelling | Proposed use: Two single-family dwellings on two separate lots |

BACKGROUND:

The property at 19 Staniford Street consists of 25,366 square feet in the SR3 zoning district. The site was previously improved with a single-family dwelling which has been razed. The applicant proposes to subdivide the lot to create two lots intended for the construction of one single-family dwelling each.

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

- Zoning Review Application, prepared by Michael J. Quinn, submitted 2/18/2022
- Plan of Land, Existing Conditions, signed and stamped by Robert Bibbo, surveyor and Tsung Ting Chang, engineer, dated 1/26/2022
- Site Plan, signed and stamped by Robert Bibbo, surveyor, dated 5/3/2022, revised 6/4/2022, 6/9/2022, 7/13/2022
- Floor Plans and Elevations, prepared by R.C. Searles Associates, designer, dated 12/14/2020
- FAR worksheet, submitted 2/18/2022

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to create a rear lot subdivision per Sections 3.1.5 and 3.1.10. To subdivide the land as proposed, the applicant must obtain a special permit from the City Council per Section 3.1.10.A.
2. Section 1.5.6 limits the degree to which a lot may have an irregular shape. Utilizing a formula that is provided in section 1.5.6.B, any lot in the SR3 district which results in a build factor in excess of the maximum of 20 requires a special permit. After subdivision, the front lot (Lot 14A) has a build factor of 54.9 and the rear lot (Lot 14B) has a build factor of 20.8. A special permit is required to exceed the maximum build factor of 20.
3. The proposed dwelling on the rear lot is situated 25.8 feet from the rear lot line of the front lot where 30 feet is required per section 3.1.5. Per section 3.1.10.B.3.a, a special permit may be granted to allow a building on a rear lot to be located no closer than 25 feet from the rear line of the lot in the front.
4. The petitioner proposes to utilize the Alternate Side Building Separation dimensions found in section 3.1.5 for the rear lot, which require that the proposed structure is 10 feet from the side lot lines with a minimum of 30 feet of separation between the proposed dwelling structure and the abutting dwelling structure. There is over 50 feet of separation between the proposed single-family dwelling and the existing dwellings on the abutting properties on each side, with a proposed side setback from the lot line of 12.4 on the western side lot line and 12.1 on the eastern.

Front Lot (14A) per Section 3.1.3

| SR3 Zone | Required/Allowed | Proposed |
|-------------------|-------------------------|--------------------|
| Lot Size | 10,000 square feet | 11,534 square feet |
| Frontage | 80 feet | 80 feet |
| Setbacks | | |
| • Front | 30 feet | 33 feet |
| • Side | 10 feet | 10.25 feet |
| • Side | 10 feet | 10.25 feet |
| • Rear | 15 feet | 22.75 feet |
| FAR | .41 | .31 |
| Maximum Stories | 2.5 | 2 |
| Height | 36 feet | 32.8 feet |
| Max. Lot Coverage | 30% | 15.7% |
| Min. Open Space | 50% | 75% |

Proposed Rear Lot (Lot 14B), per Section 3.1.5

| SR3 Zone | Required/Allowed | Proposed |
|--|--|---|
| Lot Size | 12,000 square feet | 13,832 square feet |
| Frontage | 80 feet | 88.88 feet |
| Vehicle Access | 20 feet | 20 feet |
| Setbacks <ul style="list-style-type: none"> • Front • Side • Side • Rear | 25 feet (by special permit) 10 feet (30 ft separation) 10 feet (30 ft separation) 23 feet | 25.8 feet* 12.4 feet (>60 ft separation) 12.1 feet (>75 ft separation) 65.35 feet |
| FAR | 0.24 | 0.24 |
| Building Height | 36 feet | 31.8 feet |
| Maximum Stories | 2.5 | 2 |
| Max. Lot Coverage | 25% | 12.4% |
| Min. Open Space | 50% | 62.4% |

*Requires relief

5. See "Zoning Relief Summary" below:

| Zoning Relief Required | | |
|-------------------------------|---|------------------------|
| <i>Ordinance</i> | <i>Site</i> | <i>Action Required</i> |
| §3.1.5 §3.1.10 | Request to allow a rear lot subdivision | S.P. per §7.3.3 |
| §1.5.6 | Request to exceed maximum build factor | S.P. per §7.3.3 |
| §3.1.5 §3.1.10.B.3.a | Request to reduce the front setback | S.P. per §7.3.3 |

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Rick Lipof, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit –19 Staniford Street

Date: December 13, 2022

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

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

**SITE PLAN
SHOWING PROPOSED TWO NEW SINGLE FAMILY
HOUSES ON PROPOSED LOTS 14A AND 14B
PROPERTY KNOWN AS # 19 STANIFORD STREET
NEWTON, MASSACHUSETTS**

**DATE: SEPTEMBER 22, 2022,
SCALE: 1" = 20'**

BIBBO BROTHERS AND ASSOCIATES

Executive Summary:

The proposed permit entails the demolition of an existing dwelling which already has been razed based on a site visit yesterday, and the construction of two separate homes on a subdivided lot (i.e., rear lot subdivision). If this application is approved an Approval Not Required [ANR] plan will be required in accordance with the Massachusetts General Laws Chapter 41 Section 81P requiring the single lot to be subdivided into two separate lots. The property has 100 feet of frontage along Staniford Street to the south, residential homes along

the east & west property lines and the City of Newton landfill to the north. The topography of the site has a high point elevation at +/- 70 feet near the middle of site and slopes towards the north to elevation 45-feet and towards the south at elevation 68-feet.

There are discrepancies between the plan and the drainage calculations as follow:

| | Plan (square feet) | Drainage Calculation (square feet) |
|-----------|-----------------------|--|
| Front lot | 11,534 | 10,070 |
| Rear lot | 13,832 | 15,297 |

Although the methodology for the drainage system is acceptable, the discrepancies between the area must be corrected. Additionally, clarification is required for some of the calculations specifically: on sheet 4 for the total runoff volume calculations; a breakdown of the calculation is needed for verification.

The stormwater analysis did not include any calculations for phosphorous nor TSS reductions, and drawdown times for the proposed infiltration systems. No Operation & Maintenance plan was submitted. The analysis mentions a percolation rate of 2 minutes per inch, however; there was no soils log(s) on the plan or in the analysis.

Detailed profiles are needed of the proposed sanitary sewer connections. As portions of the site fall within Conservation Commission 100-foot wetlands the applicant will have to file an RDA or a modified Notice of Intent.

The site plan has not been sealed by a Massachusetts Professional Engineer.

Construction Management:

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

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

Drainage:

1. Pre & Post watershed maps (at a proper scale that is legible) are required that delineate control points and limits of the sub-basins. On-site soil evaluation is required to determine the seasonal high groundwater elevation, soil types and to identify any and all unsuitable soils (such as ledge, clay, peat, fill and others). On site soil testing that will include test pit(s) within 25 -feet of each proposed system and percolation test(s) must be schedule and witnessed by a representative of the Engineering Division. Soil logs shall be submitted on the site plan or drainage report and shall be certified by a Massachusetts Licensed Soil Evaluator and/or Professional Civil Engineer.
2. An Operations and Maintenance (O&M) plan for the long-term maintenance of the proposed stormwater management facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by the applicant/property owner, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
3. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, trench drains, and pipe(s) are the sole responsibility of the property owner(s).

Environmental:

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

Sanitary Sewer & Domestic Water Service(s):

1. 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 to the City's Construction Standards & Specifications, the sewer service and manhole will NOT be accepted until the manhole(s) pass the testing requirements. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed to the satisfaction of the City Engineer and a written report of the test results is submitted to the City Engineer.
4. With the exception of natural gas service(s), all utility trenches within the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E up to within 18-inches of the asphalt binder level, after which Dense Grade Gravel compacted to 95 % Proctor Testing shall be placed over the CDF. Details of this requirement is the Engineering Division website "Standard Construction Details".
5. 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.
6. 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:

- This is not applicable to this filing.

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.