



Setti D. Warren
Mayor

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

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089

www.newtonma.gov

James Freas
Acting Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: September 10, 2015
Land Use Action Date: October 6, 2015
Board of Aldermen Action Date: November 16, 2015
90-Day Expiration Date: December 7, 2015

DATE: September 4, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner 

SUBJECT: **Petition #147-15**, BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON THEOLOGICAL SCHOOL, petition for SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to renovate the top two floors of an existing dormitory (Farwell Hall) to include 12 reconfigured dormitory rooms and to use the bottom three floors and a proposed new attached structure for a 51-unit assisted living facility and to waive 28 parking stalls and various dimensional requirements of Sec 30-19 at **157 Herrick Road**, Ward 6, on land known as SBL 65, 19, 45, containing approximately 871,960 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-9(b)(2), 30-5(b)(2), 30-19(d)(4), (d)(5), (h)(1), (2)(a) and b), (h)(3), (h)(4), (i)(1), (j)(1), (k), and (m) of the City of Newton Rev Zoning Ord, 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



157 Herrick Road

EXECUTIVE SUMMARY

The property at 157 Herrick Road consists of 871,960 square feet of land, and is the location of the Andover Newton Theological School (the "School"), which was founded in 1807 as an inter-denominational seminary. The School and Benchmark Senior Living ("Benchmark") are proposing to rehabilitate the Farwell Hall building and to construct a new attached building for a memory care center. The renovation of Farwell Hall will include the removal of 38 dorm rooms, the reconfiguration of 12 dorm rooms on the top two floors, and use of the bottom two floors for the memory care center's main lobby and offices. The new attached building will house Benchmark's 51-units (62 beds) and associated common space. The memory care center is considered a "congregate living facility" under the Newton Zoning Ordinance (NZO), which is allowed by special permit in a Single Residence 3 zoning district. The petitioner is also seeking special permit relief relating to parking facility requirements, as described in the Zoning Review Memorandum (**ATTACHMENT A**). The petitioner is subject to inclusionary zoning and is proposing to make a contribution to the city as allowed under the NZO with the approval of the Board of Alderman (**ATTACHMENT B**).

Farwell Hall is located in the western portion of the campus bordering Cypress Street. Due to the grade changes on this portion of the site, the first floor of the new building will be below the first floor of Farwell Hall, and the new building will be at an elevation substantially higher than Cypress Street. As part of the project the petitioner will be demolishing the existing maintenance building behind Farwell Hall, and the cottage building. The petitioner will be constructing a new parking area in front of Farwell Hall and in the location of the current cottage building.

The petitioner submitted a traffic analysis prepared by Stantec Consulting Services, Inc. ("Stantec") (**ATTACHMENT C**), which found that the new memory care center will not significantly impact traffic in the surrounding area. The Planning Department generally agrees with this assessment because trip generation from the memory care facility will be limited to staff and visitors of patients. The traffic analysis indicates that based on vehicle trip generation standards from the Institute of Traffic Engineers ("ITE") this use will generate approximately 9 and 14 additional vehicle trips during peak morning and evening commuter hours, respectively. The petitioner is also seeking a parking waiver of 28 stalls for the proposed use, which under the NZO requires one stall for each sleeping room. Due to the nature of this type of congregate living center, the Planning Department does not believe that the stalls required under the NZO are necessary, and is not concerned with the proposed waiver. The Planning Department also notes that this site is accessible by public transportation. The Planning Department has not requested a peer review of the traffic analysis but can do so if there is a concern from the Land Use Committee.

The new memory care facility will be minimally visible from abutting residential properties, which generally consist of properties located on Cypress Street. The new building will be at a substantially higher elevation than Cypress Street and will be partially screened by vegetation

during the summer months. However, the vegetation consists of deciduous trees and does not provide full screening. While the Planning Department does not consider this to be a major concern, the petitioner should consider planting additional trees adjacent to the building or on the hillside to improve the screening from residents on Cypress Street.

Overall, the Planning Department does not have any major concerns regarding this project and its impact on the surrounding neighborhood; however in its memorandum the Engineering Department raised several concerns with the proposed drainage plan which will need to be addressed prior to the close of the public hearing. The petitioner is attending the Newton Housing Partnership (“NHP”) meeting on September 9th to discuss their proposal for compliance with the Inclusionary Zoning requirements. The Planning Department generally agrees with their determination that providing a payment in lieu of subsidizing patients housing costs is more appropriate due to the availability of Medicare for low income patients, but would like a more detailed analysis of the proposed payment. The petitioner has also proposed to make a contribution to the City for their impact on Inflow and Infiltration at a rate of 1:1 at the City’s standard rate of \$8.43/gallon (**ATTACHMENT D**). The City’s Engineering Department indicated they would require a contribution at a rate of 8:1. The Planning Department expects that these final details and any additional questions by the Land Use Committee would be addressed prior to the close of the public hearing.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- Literal compliance with the parking requirements is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features (§30-19(m))
- The alterations to Farwell Hall are not substantially more detrimental than the existing nonconforming building is to the neighborhood. (§30-21(b))
- The specific site is an appropriate location for the proposed memory care center and associated parking facilities. (§30-24(d)(1))
- The proposed memory care center as developed and operated will not adversely affect the surrounding neighborhood. (§30-24(d)(2))
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§30-24(d)(3))
- Access to site is appropriate for the number and types of vehicles involved. (§30-24(d)(4))

- The site planning, building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. (§30-24(d)(5))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on Herrick Road proximate to Newton Centre. The land uses in the immediate neighborhood consist mostly of single-family residences (**ATTACHMENT E**), though the site is within walking distance of the commercial area in Newton Centre and the MBTA Green Line stop in Newton Centre. The zoning districts in the immediate neighborhood consist of Single Residence 3 (**ATTACHMENT F**). Herrick Road also provides access to the Hebrew College, which includes a high school (Prozdor). This use is noted in the traffic analysis.

B. Site

The site is the campus for the Andover Newton Theological School, which is accredited by the Association of Theological Schools and offers masters degrees in various types of religious studies. The campus consists of 20 acres of land with approximately 14 buildings of various sizes, including on-campus dormitories. The total student body is approximately 300 students. The site is accessed from Herrick Road and Langley Road. The site slopes significantly in different areas of the campus, including along the property line proximate to Cypress Street where the new building is proposed.

The location of the proposed building is at the western side of the site where Farwell Hall, the maintenance building, the cottage building, and the power plant are located. Farwell Hall currently consists of 50 dorm rooms. The approximate elevations from the front of Farwell Hall down to Cypress Street are as follows: Farwell Hall - 281' (front of building), parking lot - 271', power plant - 248', and Cypress Street - 216' (based on Newton GIS). There is an approximately 65' grade change from the front of Farwell Hall to Cypress Street, and at least a 50' grade change from the back of the new memory care center to Cypress Street.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is proposing to reduce the number of dormitory rooms in Farwell Hall from 50 to 12, and to construct a new memory care center with 51 units, including 40 units with single beds and 11 units with two beds. The memory care

center will only provide service to the residents that are living at the center. A memory care center consists of specially designed living spaces and supporting environments for those who are living with cognitive challenges brought on by Alzheimer's and dementia. This type of use does not create high traffic volumes, or other nuisances that will significantly impact the neighborhood. The Planning Department believes this is an appropriate use for this site, which consists of educational facilities and is somewhat secluded from abutting properties.

B. Building and Site Design

The petitioner is proposing to renovate the existing Farwell Hall building and to construct a new attached building to the rear of Farwell Hall where a parking lot and maintenance facility are now located. Due to the grade change between Farwell Hall and the parking lot to the rear, the second story of the new building will be at the same level as the first floor of Farwell Hall. The petitioner is proposing to construct a new parking lot directly in front of Farwell Hall where a lawn currently exists, and a new parking lot to the west of the new building where the cottage house and lawn currently exist. The school will maintain 12 dorm rooms on the third and fourth floors of Farwell Hall, which will be accessed from the entrance to the memory care facility on the first floor. The first floor of Farwell Hall will be used for the main lobby of the memory care center and offices, and the second floor will be used for offices and a conference room. There will be access between Farwell Hall and the new building on the ground floor and first floor.

The two-story memory care center will consist of 51 units and will include an open courtyard in the center of the building. The floor plan consists of patient rooms, a dining room, spa and other shared rooms on the ground floor, and patient rooms on the second floor. The building will consist of gable and hipped roofs and other architectural details. The materials of the siding and the roofing are not labeled on the elevations.

The parking layout includes a new parking lot directly in front of Farwell Hall with a cut-out for drop-off and 11 parking stalls, as well as a second new parking area with 22 parking stalls where the cottage house was formerly located. There will also be six new spaces between the two parking areas for a total of 39 parking stalls. Based on the existing and proposed plans it appears there is no net loss in the number of parking stalls on the site due to the project. The Planning Department noted that the handicap accessible parking stalls in front of Farwell Hall are located on the opposite side of the aisle. Those stalls should be located as close as possible to the entrance of the building.

The petitioner is proposing to construct an approximately eight foot high retaining wall around portions of the new parking area where the cottage is currently located.

The retaining wall will allow for gradual slope in the parking lot, and the associated stairs at the northern end of the parking lot will allow continued access to the power plant. The grading plan also indicates that the petitioner will build up the grade at the northwest corner of the building by approximately three feet. This will further increase the grade change to Cypress Street and mitigate views of the building from Cypress Street.

While the petitioner has sought a number of waivers relating to parking facility requirements, lighting and landscaping, the Planning Department believes that the circulation, parking facility, and other site features are well designed. The loading area is located on the north side of the new building and the dumpster area is enclosed. The petitioner indicated that the Fire Department requested a new hydrant on the site. The petitioner is revising the plan to accommodate that request.

C. Traffic

The petitioner provided a traffic analysis prepared by Stantec, which observed the existing traffic patterns during peak times and projected the future impacts of proposed project using standard trip rates published by the ITE. The analysis found that due to the proposed uses and the existing conditions on the site a full traffic study was not necessary. The analysis did find that some queuing occurs on Herrick Road that is related to the Hebrew College and its high school (Prozdor). The study did not find this to be a major concern or related to the subject project, but suggested that a crosswalk at the end of the Hebrew College driveway would improve the pedestrian access on the site.

The Planning Department agrees with Stantec's assessment regarding the modest impact of the proposed use on traffic levels. Additional traffic from the project will be related to staff, which is expected to be a maximum of 33, and visitors. Visitors would come throughout the day and would not significantly impact peak commuting hours. For these reasons the Planning Department does not have any concerns with the project's impact on traffic. The petitioner should consider Stantec's recommendation regarding the pedestrian crosswalk.

D. Landscape Screening

The area of the site where the new building is proposed does not directly abut any private residential properties and the site slopes up significantly from Cypress Street. The Planning Department does not expect the new building to have a significant impact on the views from the surrounding residential properties because of the change in elevation. However there may be an opportunity to provide additional vegetation either along the hillside on Cypress Street or at a higher elevation behind that new building that would eliminate any views of the

building from the public way. Staff noted during its site visit that some trees had been cut down on the hillside along Cypress Street, which appears to have reduced the screening in that area. The petitioner should address whether additional vegetation can be planted to improve the screening from Cypress Street.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum (**ATTACHMENT A**) provides an analysis of the proposal with regard to zoning. The petitioner is seeking the following reliefs:

- §30-8(b)(2), to allow a congregate living facility;
- §30-5(b)(4), to allow a retaining wall in excess of four feet in the setback;
- §30-19(d)(5), §30-19(d)(4), and §30-19(m), to waive up to 28 parking stalls;
- §30-19(h)(1), to locate parking within a setback;
- §30-19(h)(2)(b), to waive dimensional requirements for parking stalls;
- §30-19(h)(3), to waive the aisle width requirements;
- §30-19(h)(4), to waive the minimum width requirement for entrance drives;
- §30-19(i)(1), to waive screening requirements for parking lots;
- §30-19(i)(2), to waive interior landscaping requirements;
- §30-19(j)(1), to waive lighting requirements for parking lots;
- §30-19(k), to waive the requirement for bicycle parking facilities;
- §30-19 Table of Off-Street Loading, to waive the off-street loading requirements;
- §30-21(b), to extend a nonconforming structure;
- §30-24(f)(10), Inclusionary housing provisions.

B. Engineering Review

The Engineering Division Memorandum, (**ATTACHMENT G**), provides an analysis of the proposal with regard to engineering issues. The memorandum noted several concerns with the design of portions of the drainage system. The petitioner should address the concerns and questions prior to the close of the public hearing.

The petitioner proposes to make a contribution to the City for repair of sewer infrastructure at a rate of 1:1 at the City's standard rate of \$8.43/gallon, which results in a contribution of \$35,660. The Engineering Division recommends a rate of 8:1, which would result in a payment of \$458,304.

C. Inclusionary Housing

The Planning Department asserts that the proposed memory care facility is

considered “Elder Housing with Services”, and will have a greater density than what is allowed by right. The project will require a special permit and therefore is subject to the Inclusionary Zoning (“IZ”) provisions Section 30-24 (f)(10) of the NZO. IZ requires the petitioner to either contribute 2.5% of annual gross revenue from fees or charges for housing and all services or an equivalent economic value if it is non-rental. The Board of Alderman may determine whether the payment is in the form of beds or a cash payment. The IZ provisions do not identify an expiration of the required contributions.

The petitioner believes that many of the patients will receive Medicaid to pay for their housing and services, and therefore, a cash payment to the city is more appropriate than providing affordable units (beds). The petitioner is proposing to make an upfront payment of \$1,250,000 to the City which is calculated by taking the net present value of 2.5% of the expected income stream for some period of years. Under the petitioner’s proposal the upfront payment would satisfy all obligations of the IZ provisions and they would not be responsible for any further payments.

The Planning Department agrees with this rationale in concept as it will maximize the overall subsidy towards affordable housing and may provide a source to fund other affordable housing projects/units. However, the Planning Department recommends that the petitioner provide additional analysis of the amount of the payment. For example, the petitioner is taking the net present value of the income stream for approximately seven years, whereas the contribution under the IZ provisions is in perpetuity. The petitioner should provide the detailed calculation of the payment and further explain how they are meeting the financial obligations of the IZ provisions

The petitioner is scheduled to present their proposal to the Newton Housing Partnership on September 9th. If the special permit is approved the petitioner will need to sign an agreement with the City to establish guidelines for the proposed payment.

V. PETITIONER’S RESPONSIBILITIES

The petitioner should provide the full calculation of the contribution for inclusionary zoning and the rationale for the calculation, and should respond to the suggestions in this memorandum regarding landscaping and the location of the handicap stalls. The petitioner should also respond to the concerns raised by the Engineering Department and revised their plans accordingly.

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum
- Attachment B:** Petitioner Letter on Inclusionary Housing
- Attachment C:** Traffic Analysis
- Attachment D:** Petitioner Letter on I&I Contribution
- Attachment E:** Land Use Map
- Attachment F:** Zoning Map
- Attachment G:** Engineering Division Memorandum



Setti D. Warren
Mayor

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

ATTACHMENT A

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

James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: May 12, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Alan Schlesinger, attorney
BSL Newton Development LLC
Andover Newton Theological School
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request for a special permit to rehabilitate Farwell Hall and construct an addition to provide congregate housing, a parking waiver and associated relief from parking lot requirements

Applicant: Andover Newton Theological School	
Site: 157 Herrick Road	SBL: 65019 0045
Zoning: SR3	Lot Area: 871,960 square feet
Current use: Education	Proposed use: Education and assisted living

BACKGROUND:

The property at 157 Herrick Road is the location of Andover Newton Theological School, which was originally founded in 1807 as the country's first inter-denominational seminary. The property consists of approximately 20 acres square feet in the Single Residence 3 zoning district. The school's first building, Farwell Hall, was built in 1828, and subsequent buildings were built throughout the 19th and early 20th centuries.

BSL Newton Development LLC, an affiliate of Benchmark Senior Living, intends to rehabilitate Farwell Hall and construct a new attached building. The renovation of the top two floors of Farwell Hall will include 12 reconfigured dormitory rooms for Andover Newton Theological School. The bottom floors of Farwell Hall and the new attached building will house Benchmark's 51-unit memory care assisted living facility.

The applicant intends to enter into a 99-year ground lease of a parcel containing approximately 64,596 square feet. Within the ground lease parcel, a condominium will be established so that the petitioner

will own the bottom three floors of Farwell Hall and the attached building, and Andover Newton will retain ownership of the top two floors of dormitory space.

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

- Zoning Review Application, prepared by Alan Schlesinger, attorney, dated 3/31/2015
- Letter from Alan Schlesinger to Commissioner Lojek, dated 2/25/2013
- Letter from Commissioner Lojek to Alan Schlesinger, dated 4/17/2015
- Zoning Review Plan Set, prepared by Stantec, issued 3/24/2015
 - Existing Conditions Plan, signed and stamped by Sean Ewald, surveyor, BSC Group, dated 7/12/2014
 - Schematic Layout and Materials Plan
 - Schematic Grading Plan
 - Height Calculation Plan
 - Ground Floor Plan
 - First Floor Plan
 - Second Floor Plan
 - Third Floor Plan
 - Fourth Floor Plan
 - North and East Elevations
 - South and West Elevations
 - Cross Section

ADMINISTRATIVE DETERMINATIONS:

1. The assisted living facility is classified as a “congregate living facility” per Section 30-1 of the Newton Zoning Ordinance. Section 30-8(b)(2) allows congregate living facilities in the SR-3 District by special permit.

The use of the building for a dormitory serving Andover Newton is an allowed use under MGL Chapter 40A, Section 3.

2. The height requirement in the district is 36 feet and 2.5 stories. Farwell Hall is legally nonconforming at 49 feet. The applicant proposes to attach a new building housing the assisted living facility to Farwell Hall with a connector between the two. The new building is proposed at 34.9 feet and two stories, and meets the height and story requirements.
3. An 8 foot tall retaining wall is proposed at the southern boundary line of the property. Per section 30-5(b)(2), a special permit is required for a retaining wall in excess of 4 feet in a setback.
4. There are 39 surface parking stalls associated with Farwell Hall. Per Section 30-19(d)(5), one parking stall per each five occupants is required for the dormitory use of Farwell Hall. There are 22 beds proposed for the upper floors of Farwell Hall, requiring five parking stalls for the dormitory use.

Pursuant to Section 30-19(d)(4), congregate living facilities require one stall for each sleeping room, and one stall per each three employees at the busiest shift. There are 51 beds and 33 employees proposed for the memory care facility, requiring 62 stalls.

A total of 67 parking stalls are required for the use of the parcel for a dormitory and assisted living facility. A waiver of 28 stalls is required.

It should be noted that as a practical matter, no residents of the memory care facility will drive, and parking will be for staff and visitors.

5. Section 30-19(h)(1) requires that no parking stall shall be located in a required setback. There is parking proposed within the side setback on the southern property line, and a special permit per Section 30-19(m) is required.
6. The minimum dimensional requirements for parking stalls is 9 feet wide by 19 feet deep per Sections 30-19(h)(2)a) and b). The applicant proposes 11 stalls measuring 17 feet in length, which require a waiver per Section 30-19(m).
7. Section 30-19(h)(3) requires that maneuvering aisles for two-way traffic shall be 24 feet for 90 degree parking. The measurement for aisle width is not shown on the submitted plans for the parking lot located at the southern border. To the extent that the aisle is less than 24 feet wide, a waiver per Section 30-19(m) is required.
8. Section 30-19(h)(4) requires that entrance drives for two-way traffic be at least 20 feet wide, and entrances for one-way traffic be 12 feet wide. The submitted plans do not specify the widths of the two-way entrance to the parking lot at the southern portion of the property, or the width of the one-way parking area connecting Herrick Road and Herrick Circle at the northern portion of the property. To the extent that the entrances do not meet the minimum requirements, a waiver is necessary per Section 30-19(m).
9. Section 30-19(i)(1) requires that parking facilities be screened from abutting streets and properties with dense plantings and/or fencing. To the extent that the proposed parking plan does not meet these requirements, a waiver is necessary per Section 30-19(m).
10. The submitted plans do not show proposed interior landscaping. To the extent that the proposed parking lot does not meet the interior landscaping requirements of Section 30-19(i)(2), a waiver is required per Section 30-19(m).
11. No lighting is shown on the submitted plans. Section 30-19(j)(1) addresses the requirements for lighting of parking facilities. The applicant shall either comply with the provisions of the Ordinance, or should seek a for a waiver from the requirements of 30-19(j)(1) per Section 30-19(m).
12. Section 30-19(k) requires bicycle parking facilities in parking lots with more than 20 stalls. To the extent that the proposed project does not meet the requirements of this section, a waiver from is required per Section 30-19(m).
13. Section 30-19, Table of Off-Street Loading Requirements lays out the number of loading bays required for new uses by gross floor area of a structure. To the extent that the proposal does not meet the off-street loading requirements, a waiver is requested per Section 30-19(m).
14. To the extent that any of the proposed alterations and additions extend the nonconforming nature of Farwell Hall, a special permit pursuant to Section 30-21(b) is required.

15. Section 30-24(f)(10) requires that assisted living facilities meet certain requirements of the Inclusionary Housing provisions. Per Section 30-24(f)(10)a), the applicant must contribute 2.5% of the annual gross revenue from fees or charges for housing and all services for a rental development. This contribution may be residential units or beds, or a cash payment.

16. Section 3

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-8(b)(2)	To allow a congregate living facility	Site Plan Approval §30-23 S.P. per §30-24
§30-5(b)(2)	To allow a retaining wall in excess of 4 feet in the setback	S.P. per §30-24
§30-19(d)(5), §30-19(d)(4) §30-19(m)	Waive 28 parking stalls	S.P. per §30-24
§30-19(h)(1), §30-19(m)	To locate parking within a setback	S.P. per §30-24
§30-19(h)(2)b) §30-19(m)	To waive the dimensional requirements for parking stalls	S.P. per §30-24
§30-19(h)(3) §30-19(m)	To waive the aisle width requirements	S.P. per §30-24
§30-19(h)(4) 30-19(m)	To waive the minimum width requirement for entrance drives	S.P. per §30-24
§30-19(i)(1), §30-19(m)	To waive the screening requirements for parking lots	S.P. per §30-24
§30-19(i)(2), §30-19(m)	To waive the interior landscaping requirements	S.P. per §30-24
§30-19(j)(1), §30-19(m)	To waive the lighting requirements for parking lots	S.P. per §30-24
§30-19(k) §30-19(m)	Waive the requirement for bicycle parking facilities	S.P. per §30-24
§30-19, Table of Off-Street Loading, §30-19(m)	To waive the off-street loading requirements	S.P. per §30-24
§30-21(b)	To extend a nonconforming structure	S.P. per §30-24
§30-24(f)(10)	Inclusionary housing provisions	S.P. per §30-24

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
SHERMAN H. STARR, JR.
HEATHER G. MERRILL
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER

TELEPHONE (617) 965-3500
FACSIMILE (617) 965-6824
OF COUNSEL
ROBIN GORENBERG
aschlesinger@sab-law.com

August 26, 2015

Elizabeth Valenta
Housing Programs Manager
Department of Planning and Development
1000 Commonwealth Ave.
Newton, MA 02459

Re: Benchmark Senior Living - Herrick Road Newton Center

Dear Ms. Valenta;

Benchmark Senior Living is considering the options for compliance with the provisions of Revised Ordinances Section 30-24 (f) (10).

First, we wish to reserve the issue of whether Section 30-24 (f) applies to the Herrick Road proposal. It appears that the Ordinance is written to apply to cases where an increase in density is sought from a special permit, and not necessarily to every use permit. As there is no density specified in the Ordinance for a congregate housing facility we reserve the issue of whether the Ordinance applies, or at least whether the contribution must be in the form provided in the Ordinance.

The Ordinance provides for a "maximum" contribution of "2.5 percent of annual gross revenue from fees or charges for housing and all services", and it allows for "an equivalent economic value in the case of a non-rental development". There is no given alternative to the fixed contribution, and the Director of Planning and Development is given authority to determine the amount of the contribution.

The project financial pro forma projects a stabilized gross revenue of approximately \$7,000,000, in which case a fixed 2.5% contribution may grow to be \$175,000 in approximately five years.

As you know our initial thought was to provide that amount of credit for housing and memory care on a model comparable to the model of Cordingly Falls, with a periodic reconciliation of the expenditures against the obligation. Our sense was that this would lead to some periods of one unit and some periods of two units to balance out the dollars. On reflection our thought is that low income memory care residents are likely to be eligible for Medicaid, and that the contribution would likely be in lieu of or supplementing Medicaid payments. If the beneficiary of the affordability program is a

Elizabeth Valenta
August 26, 2015

savings in the Medicaid program, we are not sure we would be adding affordable units at all.

Our proposal is that in this case because of the level of care required for the memory care patients and because low income persons are likely to be eligible for Medicaid subsidies in other facilities if not here, it is appropriate that the affordability contribution be in a fixed sum of cash. We propose this single payment would be made at the opening of the facility in the amount of \$1,250,000.00 in satisfaction of any obligations under Section 30-24. This amount represents a reasonable discount for the upfront nature (i.e. the net present value of the 2.5% income stream) and the certainty this payment provides the City versus the uncertainty and variability of the annual income stream.

If that proposal is satisfactory Benchmark will accept it as a condition of the special permit and waive any claim that Section 30-24(f) does not apply to the project.

Very truly yours,


Alan J. Schlesinger

cc: Alderman Danberg
Alderman Schwartz
Alderman Blazar
Alexandra Ananth



Stantec Consulting Services Inc.
55 Green Mountain Drive, South Burlington VT 05403

March 24, 2015

Attention: Mr. Kristopher Yetman
Development Project Coordinator
Benchmark Senior Living
40 William Street, Suite 350
Wellesley, MA 02481

Dear Kris,

**Reference: Proposed Memory Care Facility
Andover Newton Theological Studies (ANTS)
Newton, MA**

Per your request, Stantec conducted investigations to understand potential traffic impacts of the above referenced development proposal. Activities conducted in this phase of the traffic evaluation include:

- A site visit to determine site access conditions, area transportation facilities and existing traffic operating conditions;
- Review of existing traffic studies for the area as available from the City;
- Traffic counts at two intersections in close proximity to the site;
- Estimate of project vehicle trip generation using standard, Institute of Transportation Engineers (ITE) trip generation rates;

Based on the above investigation we conclude that the project will generate up to eight new commuter peak hour vehicle trips and 100 new daily vehicle trips. Traffic increases of this magnitude will not have a perceptible impact on area traffic operations.

PROJECT DESCRIPTION

The proposed project is the development of a 51 unit/62 resident memory care facility on the ANTS campus in Newton, Massachusetts. Farwell Hall, an existing 20,000+/- s.f. dormitory, will be renovated to accommodate the proposed facility as well as retain two floors for 12 graduate student dorm rooms. The current building includes 50 dorm rooms and office space on the ground floor. Access to the site is provided exclusively by way of Herrick Road.

EXISTING CONDITIONS

A PM commuter peak hour site visit was conducted and a traffic impact study prepared by the City was reviewed to determine existing roadway and weekday commuter peak hour traffic



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Mr. Kristopher Yetman
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**Reference: Proposed Memory Care Facility
Andover Newton Theological Studies (ANTS)
Newton, MA**

conditions in the site environs. Herrick Road, the sole access to the project site is essentially a local, dead-end street ending with its southern terminus at the ANTS campus. Its northern end meets Union Street in Newton Center. North of the site it also connects to Chase Street and Braeland Avenue providing connections to local arterials, Cypress Street and Langley Road. Residential land uses are provided along its length. A 2005 morning peak hour count of the Herrick Road/Chase Street intersection shows that it carries 210 entering vehicles. There are approximately 120 vehicles per hour (two vehicles every minute) on Herrick Road south of the intersection, that is, leading to the ANTS campus. This intersection is under STOP sign control. The observed volume represents less than five percent of the capacity of a two-lane roadway. Field observations indicate no traffic congestion or operational issues along Herrick Road. Some PM peak hour vehicle queues were observed along Cypress due to traffic congestion in Newton Center.

Commuter peak hour conditions were considered as these are typical the peak periods of traffic demand. However, conditions are unique at the subject site in that the Hebrew College is also located on Herrick Road and activities at this site generate peak traffic demands that occur outside the typical commuter peak hours. Prozdor is the high school of Hebrew College, providing learning and engagement in the Jewish community of Boston and southern New England for teens. Prozdor sessions at Hebrew College typically run from 9:30 AM to 1:30 PM on Sundays and from 6:30 to 8:30 PM on Tuesdays. Consequently, Stantec also counted and observed traffic during the peak hours for the College, from 9:00 AM to 2:00 PM on Sundays and 6:15 to 8:45 PM on Tuesdays. These times coincide with the Prozdor schedule.

Based on counts conducted at the Herrick Road/ANTS/Hebrew College intersection, there are approximately 112 vehicles per hour traveling on Herrick Road between the College and Chase Street during the Tuesday Prozdor peak and approximately 260 to 317 vehicles per hour during the Sunday Prozdor peak hours. The Tuesday Prozdor peak hour volume is similar to the weekday PM peak hour volume counted for the 2005 study noted earlier. The Sunday peaks are much higher, seeing approximately 140 vehicles *during a single 15-minute period*.

Many of the students are dropped off and picked up for the Sunday Prozdor sessions, so most vehicles traveling southbound on Herrick Road enter the school driveway, drop a student off, and then exit the driveway within a short period of time and continue on as a northbound trip. The Tuesday Prozdor session appeared to have more vehicles that remained on the campus for the duration of the session. The Tuesday evening Prozdor peak, from 6:30 to 7:30 PM, is comprised of 85 southbound vehicles and 27 northbound vehicles. The Sunday morning peak, from 9:00 to 10:00 AM, is approximately 317 vehicles (173 southbound, 144 northbound). The Sunday afternoon peak, from 12:45 to 1:45 PM, is approximately 260 trips (100 southbound, 160 northbound). While the Sunday morning peak hour volume is higher, there were no queuing issues during our observations. Nearly 80 percent of the total morning peak hour volume occurs between 9:15 and 9:45 AM. While some vehicles park and stay on campus during the Sunday session, the majority of vehicles observed were dropping off a student and promptly exiting the site back to Herrick Road northbound.



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**Reference: Proposed Memory Care Facility
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The Sunday afternoon peak volume is lower than the morning peak hour volume, but the impact is greater because of the intensity of traffic exiting the site during 15 minutes. From 1:30 to 1:45 PM, over 70 percent of the peak hour exiting traffic departs from the site. While the entering traffic is more evenly spaced out over the course of the hour, it is still more intense between 1:15 and 1:45 PM with 66 percent of traffic entering the site arriving during that 30-minute period. The result is queuing along Herrick Road starting around 1:25 PM and lasting until 1:35 PM. The queue down Herrick Road reached a maximum of nine vehicles at 1:33 PM. Some vehicles passed the queue and continued into the ANTS site and looped around, as there is additional stacking available within the site. This passing creates a potential conflict if vehicles are exiting the ANTS site at the same time since the vehicles passing the queue are driving in the path of the exiting vehicles. Additionally, the pedestrians (students leaving the Hebrew College) crossing Herrick Road at the end of the college driveway (directly across from the Herrick Circle, where site traffic would be exiting) were observed weaving in and out of the queued vehicles and vehicles exiting the Hebrew College driveway. This situation is shown below in Figure 1.

Although this is an existing condition and more of an issue for the Hebrew College, providing a formal crosswalk for students to get from the end of the Hebrew College driveway across the street to the sidewalk on the west side of Herrick Road could provide a benefit to all users of the roadway, including the Benchmark users. A formal crosswalk would provide a space for the pedestrians to cross where they would be more visible to the vehicles waiting in the queue to enter the Hebrew College or those trying to exit.



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Mr. Kristopher Yetman
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**Reference: Proposed Memory Care Facility
Andover Newton Theological Studies (ANTS)
Newton, MA**

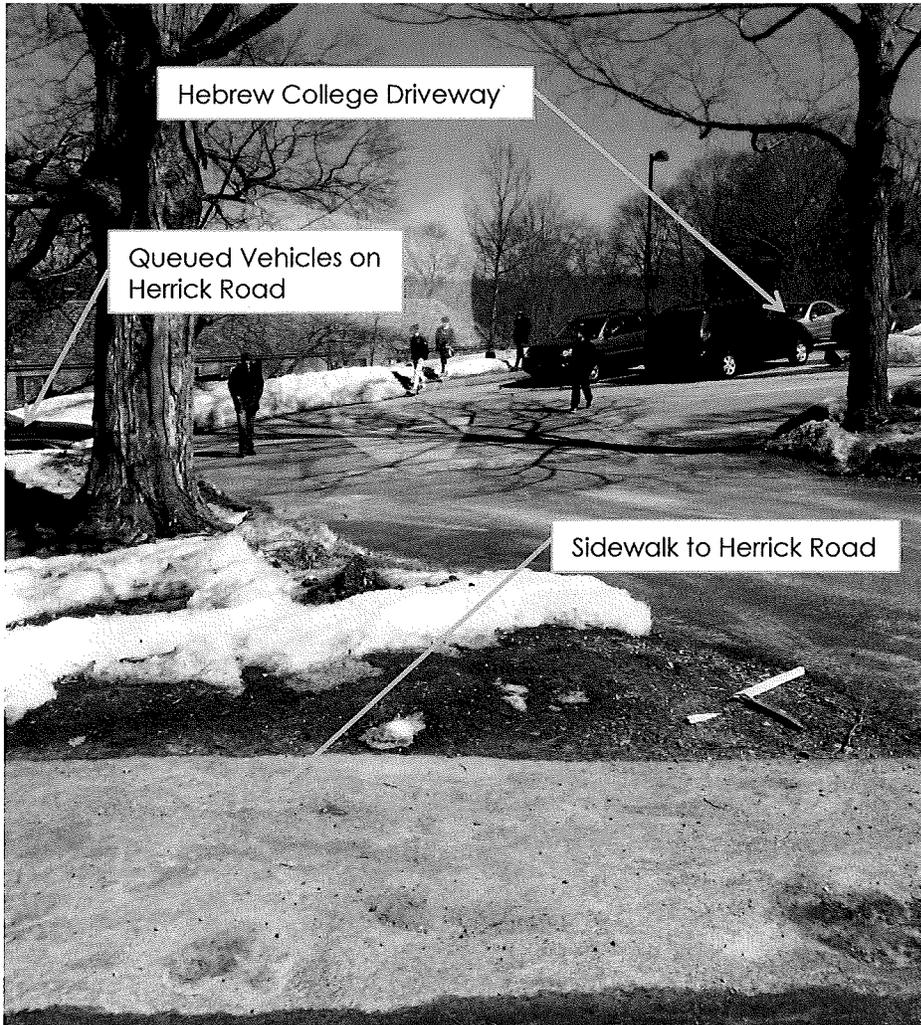


Figure 1 Pedestrians Crossing Herrick Road at end of Hebrew College Driveway



**Reference: Proposed Memory Care Facility
Andover Newton Theological Studies (ANTS)
Newton, MA**

FUTURE CONDITIONS

Potential traffic generation for the proposed project was determined. Daily and peak hour vehicle trip generation estimates for the proposed development were determined using trip generation rates available from the most recent edition of *Trip Generation* published by the Institute of Transportation Engineers (ITE). As noted in Table 1, trip rates were applied for Land Use Code 254, Assisted Living, as the most comparable land use to the memory care facility. (There is no published ITE data for memory care facilities.) Based on the ITE trip rates the proposed memory care facility is expected to generate up to 14 PM peak hour vehicle trips and 165 daily vehicle trips. These expected traffic increases however, will be offset by a reduction of 38 dormitory beds and graduate students at the site. Based on ITE trip generation rates for colleges and universities (Land Use Code 550), college campuses generate 1.71 weekday vehicle trips and 0.17 commuter peak hour vehicle trips per student. The removal of 38 students therefore relates to a reduction in six peak vehicle hour trips and 65 daily vehicle trips. Consequently, **the net impact of the proposed memory care facility will be the addition of three to eight peak hour trips** and only 100 daily vehicle trips. PM peak hour traffic impacts will amount to slightly more than one vehicle trip every seven minutes. Traffic increases of this magnitude will have an imperceptible impact on area traffic operations.

Trip generation estimates were not developed for the proposed project for the 12:45 to 1:45 PM Sunday Prozdor peak hour. However, the weekday PM peak hour net trip increase for the project, eight trips, represents only 2.5 percent of the 317 Prozdor peak hour volume. As noted below, the applicant will take steps to limit project traffic generation during Prozdor hours.

Table 1 Project Trip Generation

Time Period	Trip Rate (vehicle trips per bed)	Estimated Vehicle Trips
AM Peak Hour	0.14	9
PM Peak Hour	0.22	14
Daily	2.66	165

Source: *Trip Generation, 9th Edition*, Land Use Code 254-Assisted Living, Institute of Transportation Engineers, Washington, D.C., 2012.
Based on 62 proposed beds.



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Mr. Kristopher Yetman
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**Reference: Proposed Memory Care Facility
Andover Newton Theological Studies (ANTS)
Newton, MA**

CONCLUSIONS

Traffic impacts associated with the proposed project will be imperceptible and not likely to warrant preparation of a full traffic impact study. The addition of eight vehicle trips to Herrick Road will amount to less than four percent of the current volume on the roadway during the weekday evening peak hours.

As mitigation measures, shift changes and deliveries should be avoided during the Prozdor peak periods, specifically between 9:00 and 10:00 AM and 12:45 and 1:45 PM on Sundays. Guests of the memory care facility should also be informed of the Prozdor peaks and the associated congestion near the Hebrew College driveway so they can schedule visits around these times. In addition to those measures, a crosswalk connecting the Hebrew College driveway to the sidewalk on the western side of Herrick Road could be considered as mitigation. While it will mainly benefit the Hebrew College students, it will be a benefit to all roadway users (including Benchmark) at that intersection as it would provide a designated place for pedestrians to cross the roadway.

If you have any questions regarding our traffic investigation please do not hesitate to contact us. We are ready and available to meet with you and City staff to review our work at your earliest convenience.

Regards,

STANTEC CONSULTING SERVICES INC.

Richard S. Bryant, PE
Senior Project Manager
Phone: (802) 864-0223
Fax: (802) 864-0165
Richard.bryant@stantec.com

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**SCHLESINGER^{AND}
BUCHBINDER, LLP**

ATTORNEYS AT LAW

1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267

ATTACHMENT D

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
SHERMAN H. STARR, JR.
HEATHER G. MERRILL
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER

TELEPHONE (617) 965-3500
FACSIMILE (617) 965-6824

OF COUNSEL
ROBIN GORENBERG

August 18, 2015

Alexandra Ananth
Director of Current Planning
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Re: Benchmark Senior Living - Herrick Road Newton Center - I&I Contribution

Dear Alexandra;

The Benchmark Senior Living proposal for Herrick Road is to be heard by the Land Use Committee on September 10, 2015. In advance of the hearing we wish to propose a contribution to be made to the City for repair of sewer infrastructure.

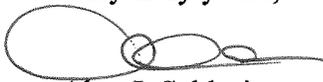
The housing proposal includes the removal of the current 50 dormitory beds and replacement with 22 dormitory beds and 51 assisted living units of which 40 will be single bed units and 11 will be 2 bed units. Attached is a calculation of the sewer flow calculation for the project netting out the reduction for the prior use. The net new flow is 4,230 gallons per day.

Benchmark proposes to provide funds for remediation at the rate of 1:1 at the City's standard rate of \$8.43/gallon. That will calculate as a contribution of \$35,660.

We are aware of the City's past policy of assessment for projects over 100 bedrooms which does not apply to this project as the net new bedroom count is $(51 + 22 = 73 \text{ total bedrooms} - 50 \text{ prior} = 23 \text{ new bedrooms})$. We are also aware that the project will be making a significant contribution for affordability which we will discuss separately.

Please include this proposal in your analysis of the project.

Very truly yours,



Alan J. Schlesinger

cc: John Daghlian
John Dragat

Benchmark Senior Living Sewer Flow Calculations

Existing Farwell

College Dorms - Beds	50	
Applied Rate	65 GPD	(per Person)
Total	3250 GPD	

New Project

College Dorm - Beds	22	
Applied Rate	65 GPD	(per Person)
BSL - 1 Bd Units	40	
Applied Rate	110 GPD	(per Unit)
BSL - 2 Bd Units	11	
Applied Rate	150 GPD	(per Unit)
Total	7480 GPD	

Net New **4230 GPD**

Land Use Map 157 Herrick Rd

City of Newton,
Massachusetts

Legend

Land Use

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Private Educational
- Nonprofit Organizations

ATTACHMENT E

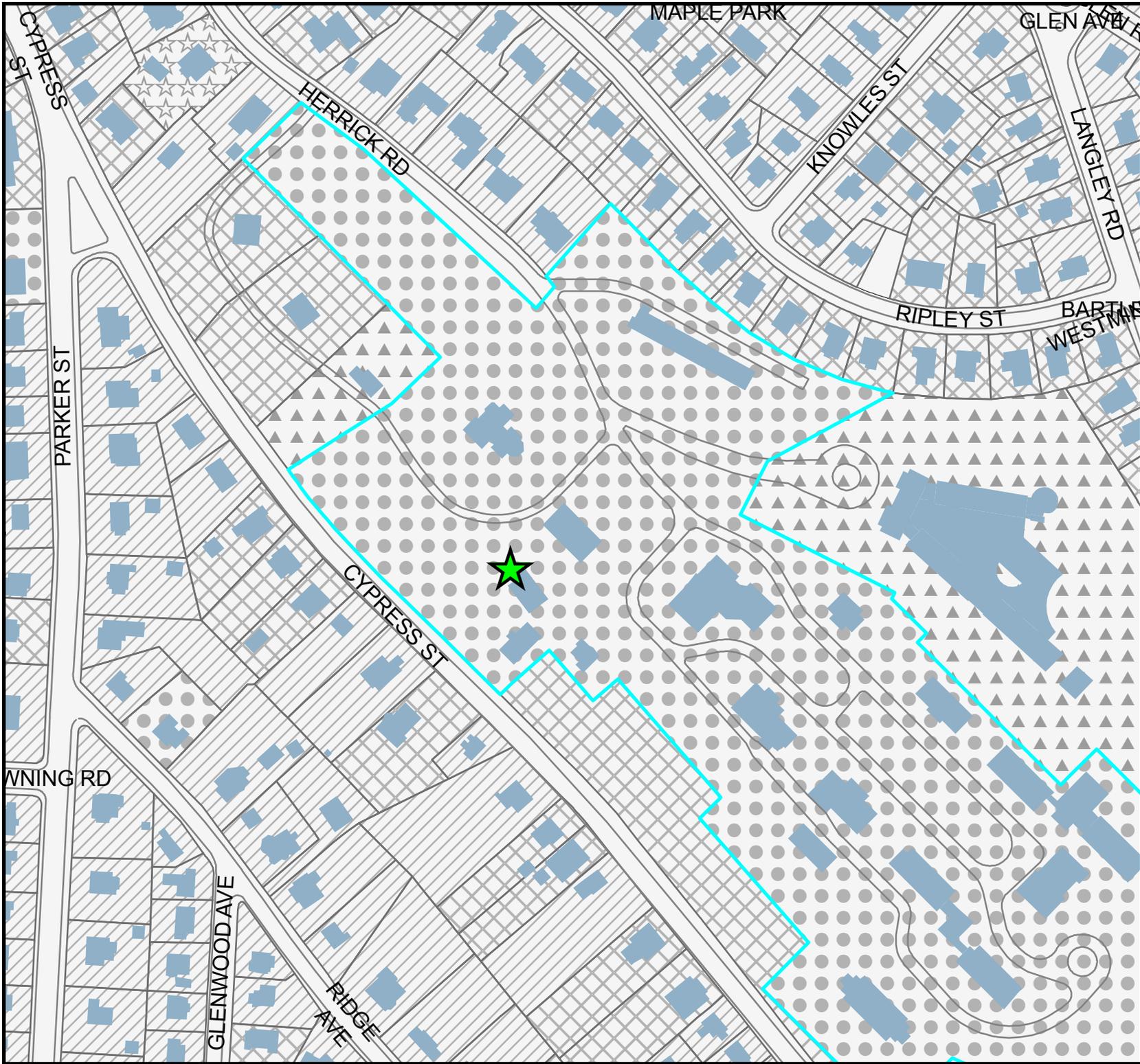


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

0 12.5 50 75 100 125 150 175 200 225 250 275 Feet

Map Date: August 23, 2015



Zoning Map 157 Herrick Rd

City of Newton,
Massachusetts

Legend

-  Single Residence 2
-  Single Residence 3
-  Multi-Residence 1

ATTACHMENT F

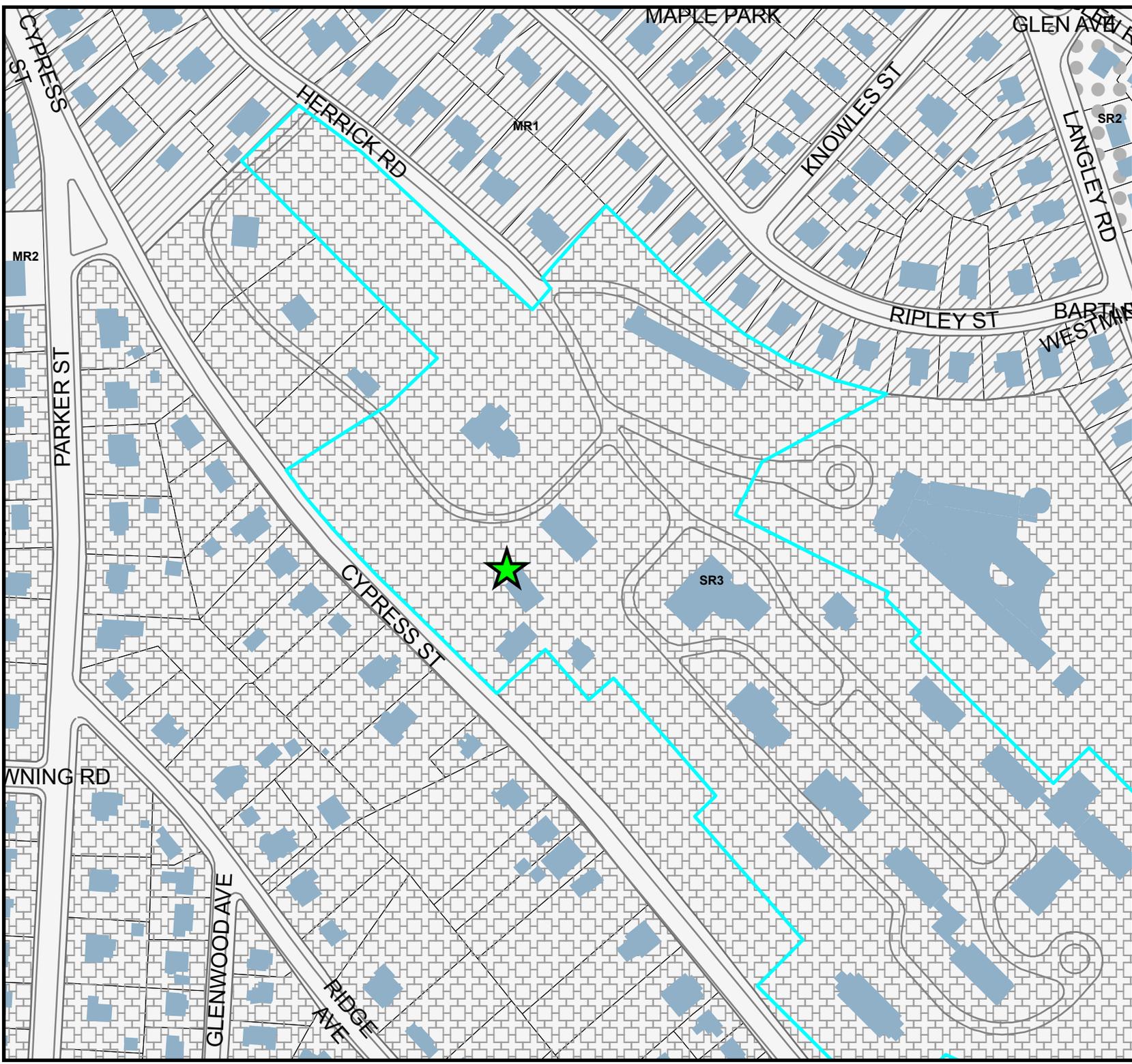


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CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

0 12.5 50 75 100 125 150 175 200 225 250 275
 Feet

Map Date: August 23, 2015



CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Alderman Mark Laredo, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 157 Herrick Road

Date: September 4, 2015

CC: Lou Taverna, PE City Engineer
Linda Finucane, Associate City Clerk
Alexandria Ananth, Chief Planner
Stephen Pantalone, Sr. Planner

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

*Benchmark at Andover Newton Theological School
Newton, MA
Prepared by: STANTEC
Dated: 5-12-'15*

Executive Summary:

This submission is for a new 51 unit assisted living housed in a 2-story building to be built. The siting of the new building will require the relocation of several utilities including sanitary sewer line, steam, electric, gas, and telecommunication conduits. The construction will take place on an area of land comprising of 64,596 square feet (1.48 acres) of the existing Andover –Newton Theological School. Demolition two buildings and shed will be required to construct the new edifice and parking lot.



The site improvements include a new parking lot to be constructed on a sloped area that has a grade change of 15'; this will be accomplished by constructing a series of two retaining walls that vary in height from 1.5' – 9.5' and regrading of the hill.

The engineer of record has designed a drainage collection system to collect runoff from the parking lot and infiltrate the water into an underground infiltration system within the parking lot; my concern about this is water that permeates from the system is in close proximity of the proposed retaining walls. Retaining wall stability is a major concern specifically when excess water is introduced behind the wall.

Furthermore, the design has an overflow flared end section pipe to discharge excess water from the system down the steep hill towards Cypress Street. This is unacceptable if the overflow pipe is needed, (the design engineer needs to justify the need); the overflow pipe shall be placed underground in a perforated pipe with crushed stone to act as a diffuser rather than discharge as point source and avoid erosion.

An area drain and infiltration units are proposed within an interior courtyard of the new building along with an overflow pipe (a flared end section) towards the downstream embankment, again this is not acceptable; the pipe shall be placed underground as a diffuser with perforated pipe placed in crushed stone to prevent erosion and point discharge.

At the time of this review no drainage study was submitted for review and comment.

The plans also show a generic water service (the size needs to be indicated); furthermore, the building will require a dedicated fire suppression service connection separate from the domestic service. Siamese fire connection is also missing from the plan that the Fire Department will require. Furthermore, there is a concern for fire truck access and turning restriction from Herrick Circle onto the access driveway at the front of the building (see Sheet L-2.0) the curb line seems tight for fire apparatus maneuvering.

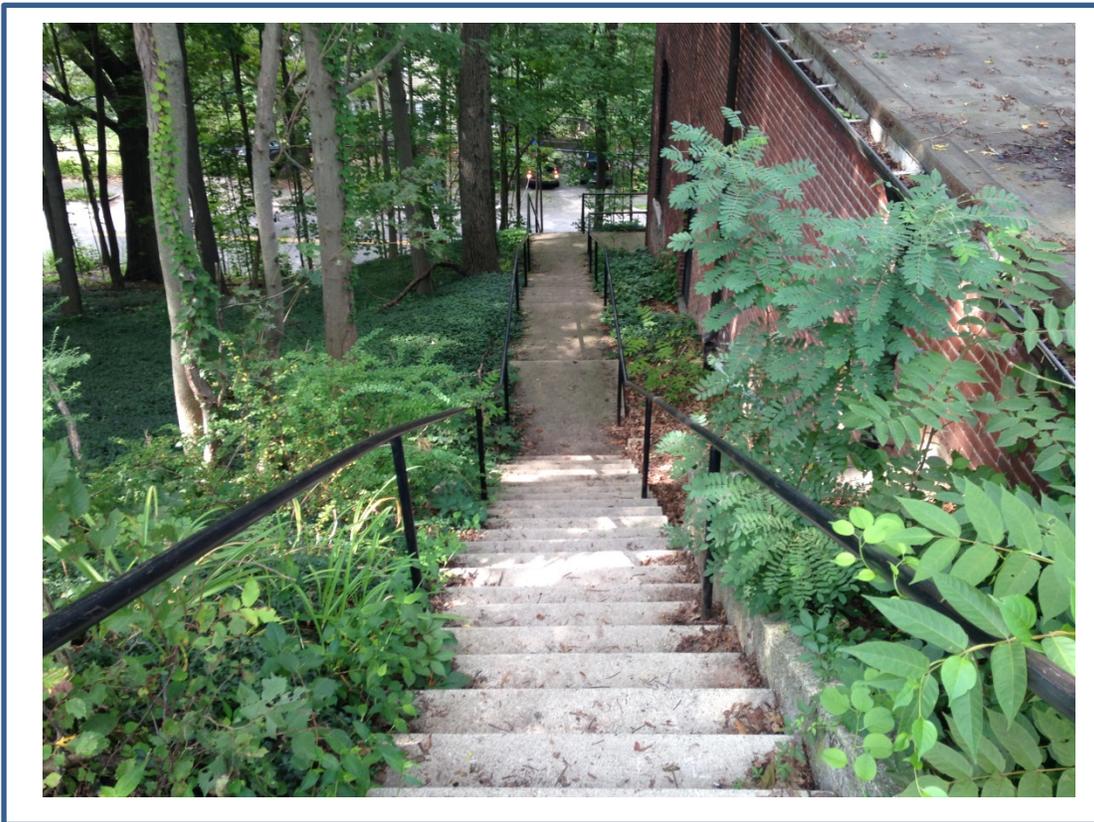
This site is within Sewer basin area B and Project 4, based on the number of bedrooms the Utilities Division will be requesting a contribution towards the reduction of

infiltration & inflow the ratio that is used is 8:1 removal: 110Gal/day/bedroom (daily flow) x \$8.40 gal/bedroom x 62 bedrooms x 8 = \$458,304.00

During a site visit a couple of observation wells were discovered, what is the status of the wells and what is the long-term requirement to monitor the groundwater associated with the underground oil tanks that were removed?

Site stability during and after construction is a concern specifically with the proximity of the steep hill down towards Cypress Street and the juxtaposed power plant building. The engineer of record needs to describe how the site construction will be stabilized and secure. Additionally the area behind the new building (southern side) has a proposed embankment of 2:1 horizontal: vertical slope how will this be maintained and stabilized.

The site also has a series of concrete stairs that provide access to the existing power plant building and Cypress Street. Several neighborhood residents and students utilize these stairs to cut through the campus and access the Bowen School and Cypress Street neighborhood; although this is not a City concern the applicant should be aware of this activity.



Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction equipment, construction materials, parking of construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor. It shall also address any anticipated dewatering during construction, site safety & stability, and impact to abutting properties.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.

Drainage:

1. A drainage analysis needs to be performed based on the City of Newton's 100-year storm event of 6-inches over a 24-hour period. All runoff from impervious areas need to be infiltrated on site, for the project. The design of the proposed on site drainage system needs to comply with the MassDEP Stormwater Regulations and City Ordinances.
2. An on-site soil evaluation needs to be performed to obtain the seasonal high groundwater elevation, percolation rate in accordance to Title V. This information must be submitted with the drainage study. The locations of these tests need to be shown on the site plan and must be performed within 25-feet of a proposed system.
3. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to be drafted and submitted for review. Once approved the O&M must be adopted by applicant, 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.
4. 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, and pipes are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.
3. As the total site disturbance is over an acre, a Phase II General Construction (NPDES) Permit will need to be filed with DEP & EPA. A Stormwater Pollution Prevention Plan (SWPPP) will need to be developed.

Sewer:

1. A detailed profile is needed which shows the existing water main, proposed water service(s), sewer main and proposed sewer service(s) with the slopes and inverts labeled to ensure that there are no conflicts between the sewer services and the water service. The minimum slope for a service is 2.0%, with a maximum of 10%. Pipe material shall be 6" diameter SDR 35 PVC pipe within 10' of the dwelling then 4" pipe per Massachusetts State Plumbing Code. In order to verify the slopes and inverts of the proposed service connection, two manholes of the existing sanitary sewer system need to be identified on the plan with rim & invert elevations. The crown of the service connection & the sewer main need to match.
2. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the main and the site then properly back filled. The Engineering Division must inspect this work; failure to having this work inspected may result in the delay of issuance of the Utility Connection Permit.
3. Use City of Newton Details in lieu of the details submitted they are in PDF format on the City's website.
4. All new sewer service and/or structures shall be pressure tested or videotaped after final installation is complete. Method of final inspection shall be determined solely by the construction inspector from the City Engineering Division. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. 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 and a written report is received by the City Engineer. ***This note must be added to the final approved plans.***

5. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. 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 and a written report is received by the City Engineer. ***This note must be added to the final approved plans.***

Water:

1. Fire flow testing is required for the proposed fire suppression system. The applicant must coordinate this test with both the Newton Fire Department and the Utilities Division; representatives of each department shall witness the testing, test results shall be submitted in a write report. Hydraulic calculation shall be submitted to the Newton Fire Department for approval.
2. For water quality issues a fire hydrant will be required at the end of the proposed water main. This hydrant will be utilized for flushing out the main as required.
3. All water connections shall be chlorinated & pressure tested in accordance to AWWA and the City of Newton Construction Standards and Specifications prior to opening the connection to existing pipes.
4. Approval of the final configuration of the water service(s) shall be determined by the Utilities Division, the engineer of record should submit a plan to the Director of Utilities for approval

General:

1. Finalized utility connection plan reflecting the above changes that meets the minimal design standards of the City of Newton must be submitted for approval by the contractor of record with appropriate Bonds & Insurance. The Engineering Division makes no representations and assumes no responsibility for the design(s) in terms of suitability for the particular site conditions or of the functionality or performance of any items constructed in accordance with the design(s). The City of Newton assumes no liabilities for design assumption, error or omissions by the Engineer of Record.

2. All trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
3. All tree removal shall comply with the City's Tree Ordinance.
4. The contractor 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 service, 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's Inspector has given their approval. *This note should be incorporated onto the plans*
5. The applicant will have to apply for Utilities Connecting permit with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*
6. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.
7. Prior to Occupancy Permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*
8. All site work must be completed before a Certificate of Occupancy is issued. *This note must be incorporated onto the site plan.*

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