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INTER-OFFICE CORRESPONDENCE

DATE: June 21, 2018

TO: John Lojek, Commissioner of Inspectional Services

FROM: Barney Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: Administrative Site Plan Review – Sec. 7.5.2
1615 Beacon Street- Proposed Suzuki School of Newton

CC: Mayor Ruthanne Fuller
Councilor Deborah Crossley (Ward 5)
Councilor Andreae Downs (Ward 5)
Councilor John Rice (Ward 5)
Law Department

In accordance with Section 7.5.2 of the City's Zoning Ordinance which requires Site Plan Review for nonprofit educational uses, the Planning Department and other City departments have reviewed the proposed plans for the **Suzuki School of Newton** at 1615 Beacon Street, Waban, submitted to the City of Newton in July 2017. The project involves the reuse of an existing structure located on a 31,055 square foot lot for preschool and music school uses.



BACKGROUND

Founded in 1986, the Suzuki School of Newton (“Suzuki”) is a non-profit musical education program that encourages parents to accompany their children in the learning process by requiring attendance at some lessons. The program currently operates at two locations, with its preschool located at Temple Reyim (1860 Washington Street), and its music school at the United Parish of Auburndale (64 Hancock Street). Suzuki is seeking to consolidate these programs at 1615 Beacon Street.

As required by NZO Sec. 7.5.2.B, the applicant provided notice to the Ward Councilors, the City Clerk’s Office, and immediate abutters as identified by the Assessor’s Office. As per NZO Sec. 7.5.2.C.2, the Planning Department transmitted copies of the application to relevant city agencies.



The subject property a 31,055 square foot lot bordered by Beacon Street to the south, Windsor Road to the west, and the Windsor Club to the north and east. It is improved with an approximately 5,800 square foot structure, the original portion of which was constructed ca. 1750; it is listed on the National Register of Historic Places and designated a Local Landmark and has been used as two-family dwelling as well as a dentist’s office.

In addition to the dwelling the lot also features paved parking areas, mature vegetation (especially along the Beacon Street and Windsor Road frontages, and lawn area. Vehicular access to the property is currently provided by two driveways, one on Windsor Road approximately 150 feet north of that street’s intersection with Beacon Street, the other on Beacon Street opposite Woodward Street.

The proposed project involves the conversion of the existing structure for use as a pre-school and music school. The project will involve significant changes to vehicle parking and circulation, including the creation of an additional, third curb cut (on Beacon Street), 24 surface parking stalls, (in areas now occupied by lawn and vegetation), and associated maneuvering aisles.

PUBLIC COMMENTS

The applicant held a public meeting on July 27, 2017 at the Waban Library Center to present and discuss the proposal with interested members of the public. The Planning Department subsequently received several emails supporting the proposed project; no opposing comments were received.

PLAN MODIFICATIONS

The applicant subsequently submitted updated plans, as revised through April 13, 2018, reflecting the following changes:

- An enclosed dumpster area in the upper left (northern) corner of the parking area was eliminated (rubbish and recyclables are to be collected for pick up and disposal in City containers)
- The “gap” in parking along the northwestern property line previously described as a possible vehicular pass-through to the adjacent Windsor Club property was eliminated, replaced by an additional parking stall
- The bicycle parking area originally planned for the cross-hatched area between parking spaces 3 and 4 was eliminated in favor of a bicycle rack area to located on the other side of the driveway adjacent to a ramp serving a building entrance
- The 11 parking spaces along the northeastern property line were shifted slightly northward to preserve the existing 24” caliper tree adjacent to the Beacon Street sidewalk
- Said spaces were also modified so as to be located five feet from the property line, and so as to be 17’ deep with 2’ bumper overhangs and concrete wheel stops. This results in a 15’ caliper tree and the elimination of concrete curbing along that side.

TECHNICAL CONSIDERATIONS

The Suzuki School of Newton is subject to the administrative site plan review procedure per Section 7.5 of the Newton Zoning Ordinance (NZO). This procedure governs the review of uses protected under MGL Chapter 40A, Section 3, also known as the “Dover Amendment.” The plans were reviewed by the Chief Zoning Code Official in accordance with Section 7.5.2 of the City’s Zoning Ordinance for compliance with the dimensional controls and with parking regulations. The Chief Zoning Code Official has made the following determinations:

I. Compliance with Dimensional and Parking Requirements

As indicated in the attached Zoning Review Memo (**Attachment A**), the proposed site plan does not comply with several requirements of the zoning ordinance and requires the relief discussed below:

- Special permit per §7.3 or Dover Waiver:
 - a) To allow for decreased Minimum Open Space (§3.1.6)
 - b) To waive the number of required parking stalls (§5.1.4; §5.1.13)

- c) To allow parking within setbacks (§5.1.8.A.1; §5.1.13)
- d) To allow for restricted end stalls (§5.1.8.B.6; §5.1.13)
- e) To waive perimeter screening requirements for outdoor parking facilities (§5.1.9.A; §5.1.13)
- f) To waive interior landscaping requirements for outdoor parking facilities (§5.1.9.B; §5.1.13)
- g) To waive lighting requirements for outdoor parking facilities (§5.1.10.A; §5.1.13)
- h) To waive bicycle parking requirements (§5.1.11; §5.1.13)
- i) To waive special permit requirements for signs (§5.2; §5.2.13)

This relief is addressed in more detail as follows:

- a) The applicant's proposed increase of parking area (to accommodate 24 stalls) would reduce open space on the parcel from 67% to 45.2%, below the 50% required in the Single Residence 2 zoning district for a Single Use Institution per §3.1.6 NZO. The Commissioner of Inspectional Services ("ISD Commissioner") granted the required Dover Waiver as per a letter dated November 9, 2017 ("11/9/17 letter"), finding that requested 4.8% deficit is reasonable given the public interest of maintaining sufficient parking and circulation on site.
- b) The applicant proposes to construct 24 parking stalls on the property (including one accessible stall). Section 5.1.4 of the NZO requires one parking stall per each employee of a day care, as well as one stall per each five children. A school use requires one stall for each staff member. In the 11/9/17 letter, the ISD Commissioner stated that "(t)here have been no requests made for "Dover" waivers for parking spaces as the operation of the facility will be conducted according to the "'Stipulations and conditions' letter (revised as of 11/6/17)" (**Attachment B**).
- c) The proposal includes parking stalls within the Beacon Street and Windsor Road front setbacks as well as the side setback on the northeast property line. As parking stalls may not be located within any front or side setback, such stalls require a Dover Waiver or a special permit (§5.1.8.A.1). Finding that the design "of the parking facility is reasonable, in that the present design is the only way to provide parking and circulation that most nearly complies with 5.1.8.A.1 while complying with other sections of 5.1.8," the ISD Commissioner granted a Dover Waiver per the 11/9/17 letter.
- d) End stalls restricted on one or both sides by curbs, fences or other obstructions must have maneuvering space at the aisle of at least five feet in depth and nine feet in width. While the plans appear to be compliant with this provision, to the extent that it is necessary, a Dover Waiver or a special permit would be required (§5.1.8.B.6). The ISD Commissioner granted a Dover Waiver per the 11/9/17 letter, finding that "the proposed design of the end stalls is a reasonable solution, in that it would be a minor adjustment and in no case seems to be unreasonable or dangerous."
- e) Outdoor parking facilities with more than five stalls must be screened from abutting streets and properties with vegetation and/or fencing. To the extent that the proposed parking facility does not meet the requirements of this section, a Dover Waiver or a special

permit is required (§5.1.9.A). The ISD Commissioner found that “proposed landscaping and screening plans appear to be sufficient based on the parking plan submitted, “the spaces are oriented, and screening is provided in such ways that that would address concerns over headlights,” and granted a Dover Waiver, as per the 11/9/17 letter, with the condition that the issue may be revisited after the facility becomes active.

- f) Outdoor parking facilities with more than 20 stalls are required to provide interior landscaping with an area equivalent to at least five percent of the parking area. No interior landscaping is shown on the plans for the proposed a 24-stall parking area. To the extent that the parking facility does not have an area equivalent to at least 5% of its area landscaped, a Dover Waiver or a special permit is required (§5.1.9.B). The ISD Commissioner granted the required Dover Waiver per the 11/9/2018 letter as compliance would not be reasonable as the provision of such landscaping would require the loss of parking spaces.
- g) Parking facilities used at night are required to provide lighting at a minimum intensity of one-foot candle on the entire surface. The applicant submitted a lighting plan showing the proposed locations of 14 luminaires- three each along the northern and eastern boundaries shared with the Windsor Club, two along Beacon Street, three generally along Windsor Road, and three in the area to the north of the dwelling. The plan indicates that the average light level of the parking area would be 1.24-foot candles and range from 3.2 to 0.0, with lower lighting levels being existent as the periphery of the parking area, especially near the property lines shared with the Windsor Club. To the extent that the parking facility does not satisfy the parking area lighting requirement, a Dover Waiver or a special permit is required (§5.1.10.A).

Finding the 1-foot candle lighting requirement is excessive due to the facility’s use and nature, as well as its location of in residential zoning district abutted by commercial areas, the ISD Commissioner granted a Dover Waiver per the 11/9/2018 letter.

- h) Parking facilities with more than 20 stalls are required to include one bicycle stall per 10 parking stalls (§5.1.11). No relief from this provision is required since, as noted by the ISD Commissioner in the 11/9/17 letter, they will be provided.
- i) No relief for signage (§5.2; §5.2.13) is presently required as the submitted application does not include any signage. To the extent any signs subject to the provisions of the NZO are proposed, a Dover Waiver from the ISD Commissioner or a special permit would be required for their installation (§5.1).

II. Site Plan Review Criteria

As per Section 7.5.2 of the Zoning Ordinance, the Director of Planning and Development may consider this project in light of the following criteria:

- A. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties or improvements, including regulation of the number, design and location of access driveways and the location and design of handicapped parking

The proposed site plan involves the creation of 24 paved parking stalls (one handicapped accessible space close to the building) and associated maneuvering aisles as well as pedestrian walkways/ramps.

The proposed site plan shows 24 parking spaces, including one for handicapped use. Thirteen stalls (five along the western side of the structure and eight located along the northerly boundary) would be designated for employee use. The other eleven spaces (including the handicapped space) located along the property's eastern boundary will be available for visitors. The applicant has also cited the presence of on-street parking in the vicinity of the property.

Vehicular access to and egress from the site will be provided by the three curb cuts: the two existing driveways on Windsor Road and Beacon Street and a new, second, entry-only driveway on Beacon Street near the eastern boundary of the site.

The driveways and associated pavement markings and signage would be used to facilitate one-way, circulation across the site for visitors who would enter the property via the two-way Windsor Road driveway, then park &/or drop-off students (site staff might escort some students into the school), and leave the property via the proposed new, exit-only Beacon Street curb cut. The applicant has stated that those leaving the property would be directed to turn right onto Beacon Street.

Regarding parking, the NZO requires that parking requirements be contemplated in light of all uses' parking requirements on the site in their totality, regardless of when those uses occur. As discussed in the attached Zoning Review Memorandum, the proposed uses at their full capacities require 46 stalls in total - 23 for the preschool and 23 for the music school. The applicant has provided information about the site's projected operations and their relationship to parking demand. It has agreed, pursuant to the attached document entitled "Stipulations and conditions (revised as of 11/6/17)" (**Attachment B**) that the on-site uses be strictly timed and managed and that "at no time shall the parking requirement under the zoning ordinances related to any and all school uses at the property exceed 24 spaces. Such uses shall include without limitation pre-school, music school, camps, and such other related programs." Said document also provides that the applicant shall take daily attendance counts of staff and students and make said reports available to ISD upon written request.

B. Adequacy of the methods for disposal of sewage, refuse and other wastes and of the methods of regulating surface water drainage

Regarding drainage and sewerage, the Engineering Division as reviewed the submitted plans. Its comments are referenced below and in its attached memoranda (**Attachments C and D**). The Engineering Division would review plans again prior to the issuance of any building permits.

Regarding the disposal of refuse, the applicant has indicated its intent to handle refuse disposal be handled via City trash service rather than have a dumpster on site. The Planning Department recommends that the applicant provide additional information as to

the adequacy and appropriateness of this approach and that this be subject to review some point after full occupancy of the structure.

C. Provision for off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the site

No off-street loading facilities are required or proposed pursuant to this application.

D. Screening of parking areas and structures on the site from adjoining premises or from the street by walls, fences, plantings or other means

It is expected that the existing 6-foot stockade fence along the northerly and easterly property lines that screens the site from the adjoining Windsor Club parcel will remain in or be replaced in kind. Furthermore, the proposed site plan also shows new and/or relocated plantings and vegetation that would help screen the parking area and/or structure. As such, his screening, in conjunction with the existing vegetation and trees to be retained (discussed below), should provide adequate screening for the site.

E. Avoidance of major topographical changes; tree and soil removal shall be minimized and any topographic changes shall be in keeping with the appearance of neighboring developed areas

While loam will be removed throughout much of the northern and eastern portions of the lot to facilitate regrading and paving associated with the proposed parking stalls and circulation space, the resulting grade will remain generally level and similar to existing conditions.

As designed, the proposal preserves 10 existing mature trees, including several near the corner of Beacon Street and Windsor Road and along property's boundary with the adjacent Windsor Club as well the tree directly adjacent to the sidewalk along Beacon Street discussed above; one tree will be relocated to the left side of

Approximately 10 trees of varying size are to be removed. Any and all tree removals and replacements will require approval pursuant to the City of Newton Tree Ordinance by the City of Newton Director of Urban Forestry. The applicant should also ensure coordination with the Tree Warden to determine appropriate steps to protect those trees to be preserved.

F. Location of utility service lines underground wherever possible. Consideration of site design, including the location and configuration of structures and the relationship of the site's structures to nearby structures in terms of major design elements including scale, materials, color, roof and cornice lines

As stated herein, the Engineering Division has reviewed the submitted plans and its comments can be found in **Attachments C and D**.

While no significant changes to the structure are contemplated as part of this application, it does include the expansion of an existing wooden deck off the rear of the structure, which would not be visible from adjacent public ways, as well as a ramp to access it, and a connecting patio. While the latter two elements might be visible from certain angles from

Beacon Street, their low profiles and limited scales are unlikely to significantly alter the structure's appearance or impact the streetscape.

G. Avoidance of the removal or disruption of historic resources on or off-site.

No changes to the historic structure, aside from the deck, ramp, and patio referenced above are contemplated as part of this application.

III. Other Reviews

a) Engineering Division:

As referenced above, Engineering Division has reviewed the project plans and submitted the attached memoranda (**Attachments C & D**). Among various comments contained therein, the Associate City Engineer noted in the memoranda that:

- a) an Operations and Maintenance (O&M) plan is needed for the proposed on site drainage system
- b) if the interior of the dwelling is to be gutted, then both water & sanitary sewer services must be updated
- c) given that the sidewalk along Winsor Road is in poor condition, the sidewalks should be upgraded
- d) as water and sanitary sewer services will be excavated within the Windsor Road driveway, the apron should be updated to current standards and made ADA compliant.

Prior to any issuance of a building permit, the Engineering Division should review and approve final plans for the project.

b) Fire Department:

The Planning Department received comments from the Newton Fire Department indicating that the applicant would need to submit a code summary for the project from an engineer and will need to work with the Fire Department to address any required sprinkler, alarm and carbon monoxide detection systems as well as whether soundproofing will be used in the building. The Fire Department should review and approve final plans for the project prior to any issuance of a building permit.

CONCLUSIONS AND RECOMMENDATIONS

In summary, based upon the materials submitted by the applicant, public comments, and comment and memoranda from other city agencies, the Planning Department has the following comments and recommendations:

- that ISD request the attendance data as provided by the terms of the agreed to stipulations (Attachment B) so as to monitor the applicant's adherence to the requirements and established therein on a regular basis and in response to public comments and concerns;
- that the applicant act a "good neighbor" to the surrounding neighborhood during construction and afterwards;

- the applicant be responsive to concerns expressed by neighborhood residents and city agencies.

ATTACHMENTS:

Attachment A	Zoning Review Memorandum (dated 11/9/2017)
Attachment B	“Stipulations and conditions” document (revised as of 11/6/17)
Attachment C	Associate City Engineer’s Memorandum (dated 7/28/2017)
Attachment D	Associate City Engineer’s Memorandum (dated 4/11/2018)



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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM
Site Plan Review

Date: November 9, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Laurence Lee, Attorney
Sachiko Isihara, Suzuki School of Newton
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Site Plan Review to operate a preschool and music school**

Applicant: Suzuki School of Newton	
Site: 1615 Beacon Street	SBL: 53032 0007
Zoning: SR-2	Lot Area: 31,055 square feet
Current use: Two-family dwelling and dental office	Proposed use: Non-profit school and day care

BACKGROUND:

The Suzuki School of Newton is a non-profit musical education program founded in 1986. The program encourages parents to accompany their children in the learning process by requiring attendance at some lessons. The program currently operates out of two sites; the preschool is located within Temple Reyim at 1860 Washington Street, and the music school operates within the United Parish of Auburndale at 64 Hancock Street. Suzuki is proposing to bring all of their operations into a single site at 1615 Beacon Street. The property consists of a 31,055 square foot lot improved with a two-family dwelling constructed in 1750 which includes a dentist's office, as well as 24 surface parking stalls. The original portion of the dwelling is on the National Register and is also designated a Local Landmark. The Suzuki School is proposing to operate a preschool Monday through Friday from 7:30 AM to 6:00 PM, and a music school between 3 PM and 6 PM Monday through Friday and all day Saturday. Some private lessons are proposed on weekdays between 9:30 and 11:45 AM and 12:30 and 2:45 PM.

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

- Administrative Site Plan Review Application, prepared by Laurence Lee, Attorney, dated 6/26/2017
- Stipulations and conditions regarding ASPR for Suzuki School of Newton, Inc, prepared by Laurence Lee, Attorney, undated
- Land Title Survey, signed and stamped by Thomas F. Winslow, Surveyor, dated 6/19/2017
- Site Prep Plan, signed and stamped by Stephen R. Garvin, Engineer, dated 6/26/2017
- Layout and Materials Plan, signed and stamped by Stephen R. Garvin, Engineer, dated 6/26/2017
- Grading Plan, signed and stamped by Stephen R. Garvin, Engineer, dated 6/26/2017
- Civil Details, signed and stamped by Stephen R. Garvin, Engineer, dated 6/26/2017
- Utilities Plan, signed and stamped by Stephen R. Garvin, Engineer, dated 6/26/2017

ADMINISTRATIVE DETERMINATIONS:

1. The Suzuki School of Music and its preschool are subject to the administrative site plan review procedure per Section 7.5.2 of the Newton Zoning Ordinance. This procedure governs the review of uses protected under MGL Chapter 40A, Section 3, also known as the "Dover Amendment".
2. The applicant proposes to construct 24 parking stalls on the property, one of which is handicapped accessible. Section 5.1.4 requires one parking stall per each employee of a day care, as well as one stall per each five children. A school use requires one stall for each staff member.

The preschool intends to operate with not more than 40 children and 15 employees Monday through Friday from 7:30 AM to 3:00 PM, which requires 23 parking stalls per section 5.1.4. Between the hours of 3:00 and 6:00 PM, the applicant states that the number of preschool students will be limited to 16 with not more than two pre-school staff on site, requiring six stalls during those hours.

Between 3:00 and 6:00 PM on weekdays, the applicant states that the music school will operate with not more than 17 staff, which requires 17 parking stalls per section 5.1.4. With the preschool operating during those same hours with a requirement of six parking stalls, the total number of stalls required from 3:00 to 6:00 PM is 23, with an additional stall required per each staff member necessary for private lessons.

After 6:00 PM and all day Saturday, the applicant states that the music school will operate with no more than 24 employees on site. This number shall include all regular music lessons, as well as any private lessons.

The Newton Zoning Ordinance requires that applications consider all of the uses' parking requirements at the site in their totality, regardless of when those uses occur. While all of the uses on site in total require 46 stalls (23 for the day care at full capacity, and 23 for the music school at maximum capacity), the applicant has stated that at no time "shall the parking requirement related to any and all uses at the property exceed 24 spaces. Such uses shall include without limitation preschool, music school, camps and other related programs." The applicant states that the uses on site will be timed so that the number of parking stalls required for the uses at any given time will not exceed the 24 available stalls. As the proposed uses are

at certain times concurrent and exceed the number of parking stalls required by the Ordinance from a technical interpretation of the regulations. As such, a special permit or Dover Waiver is required to waive the number of required parking stalls per section 5.1.4.

3. The property has an existing 1750 dwelling and a small parking area. The applicant proposes to increase the parking to accommodate 24 stalls. The property has an existing open space of 67%, where 50% is required in the Single Residence 2 zoning district for a Single Use Institution per section 3.1.6. The increased parking reduces the open space to 45.2%, creating a 4.8% deficit. To allow for the reduction of open space below that which is required by section 3.1.6 requires a Dover Waiver from the Commissioner of Inspectional Services.
4. Section 5.1.8.A.1 requires that no parking located within any setback distances from street and side lot lines. Parking stalls are located within the front setbacks from both Beacon Street and Windsor Road, as well 12 stalls located in the side setback on the northeast property line. To allow for parking stalls in the front and side setbacks requires a Dover Waiver from the Commissioner of Inspectional Services from section 5.1.8.A.1.
5. Section 5.1.8.B.6 states that end stalls restricted on one or both sides by curbs, fences or other obstructions must provide maneuvering space at the aisle of at least five feet in depth and nine feet in width. While the plans appear to be compliant with this provision, to the extent that it is necessary, a Dover Waiver may be required.
6. Section 5.1.9.A requires outdoor parking with more than five stalls to provide screening from abutting streets and properties with vegetation and/or fencing. To the extent that the proposed parking facility does not meet the requirements of this section, a Dover Waiver from the Commissioner of Inspectional Services is required.
7. Outdoor parking facilities with more than 20 stalls are required to provide interior landscaping per section 5.1.9.B with an area equivalent to at least five percent of the parking area. No interior landscaping is shown on the plans for the approved parking expansion. To the extent that the parking facility does not meet the requirements of section 5.1.9.B, a Dover Waiver from the Commissioner of Inspectional Services is required.
8. Section 5.1.10.A requires parking facilities used at night to provide to provide lighting which maintains a minimum intensity of one-foot candle on the entire surface. The applicant seeks a Dover Waiver from the Commissioner of Inspectional Services from section 5.1.10.A.
9. While the applicant has not indicated any signs, all signs are subject to the permitting requirements established in section 5.2. To the extent that any special permits would be required, a Dover Waiver is requested.

Administrative Site Plan Review

Ordinance		Action Required
§7.4.5 §6.3.4.3	Administrative Site Plan Review for a day care use	A.S.P.R. per §7.4.5
§3.1.6	To allow for decreased Minimum Open Space	Dover Waiver
§5.1.4 §5.1.13	To waive the number of required parking stalls	Dover Waiver or S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	To allow parking within setbacks	Dover Waiver
§5.1.8.B.6 §5.1.13	To allow for restricted end stalls	Dover Waiver
§5.1.9.A §5.1.13	To waive perimeter screening requirements for outdoor parking facilities	Dover Waiver
§5.1.9.B §5.1.13	To waive interior landscaping requirements for outdoor parking facilities	Dover Waiver
§5.1.10.A §5.1.13	To waive lighting requirements for outdoor parking facilities	Dover Waiver
§5.2 §5.2.13	To waive special permit requirements for signs	Dover Waiver

ATTACHMENT B

Stipulations and conditions (revised as of 11/6/17)

RE: Administrative Site Plan Approval for Suzuki School of Newton, Inc.

[please see also the enclosed following: sample schedule of a typical Monday for Fall, 2018, with Mondays being typically the busiest day; and VHB graphs reflecting Monday and Saturday parking]

1. Pre-School: Between the hours of 7:30 AM to 3:00 PM, Monday through Friday, the number of preschool children shall be limited to 40 with not more than 15 pre-school staff on-site. If the School obtains a license from the Commonwealth of Massachusetts Department of Early Education and Care to have 45 children, then no more than 14 pre-school staff shall be on site during such hours.
2. Pre-School: Between the hours of 3:00 PM to 6 PM, Monday through Friday, the number of preschool children shall be limited to 16 with not more than 2 preschool staff on-site. The late afternoon/early evening portion of the pre-school would have a dramatic fall-off ending at 6 PM instead of a very gradual decline as has been the typical situation over the years.
3. Pre-School: After 6 PM the Pre-School shall not be in operation.
4. Pre-School: During the pre-school's hours of operation the School shall adjust and limit the number of pre-school children and staff so as not to exceed the parking requirement of 24 spaces in accordance with the City of Newton Zoning Ordinances and maintain compliance with all licensing requirements the Commonwealth of Massachusetts Department of Early Education and Care. Because the bulk of the Music School classes during weekdays will be after 6 PM and also on Saturdays, the number of one to one/aka tutorials will increase between 3 PM and 6 PM. The reduction of pre-school children and staff shall also take place from 3:00 PM to 6:00 PM as the number of one to one/aka tutorials commence and music school classes commence. At no time will more than the 24 parking spaces be required under the zoning provisions.
5. Music School: Between the hours of 7:30 AM to 3:00 PM, Monday through Friday, the music school classes and one to one/aka tutorials shall not be in operation.
6. Music School: Between the hours of 3:00 PM and 6:00 PM Monday through Friday the music school classes and one to one/aka tutorials shall be in operation and staff shall be limited to not more than 17.
7. Music School: After 6:00 PM, Monday through Friday, and all of Saturdays, the pre-school shall not be in operation, and only the music school may operate; and the number of staff for the music school shall not exceed 24 at its peak hours.
8. Music School Operations on Saturdays: The Music School will hold classes and some one to one lessons aka tutorials on Saturdays with the maximum number of music students for both classes and one to one lessons being 30, but more importantly per the zoning provisions, the maximum staff will not exceed 24. Hours of operation will be between 8 AM and 7 PM with a steep reduction in students from 3 to 4 PM, and operations from 4 PM to 7 PM being limited

to not more than two to three one to one lessons. There will be no Pre-School students and operations on Saturdays.

9. Music School Operations on Sundays: The Music School may hold classes and some one to one lessons aka tutorials on Sundays with the maximum number of music students for both classes and one to one lessons likely less than the level of operations on Saturdays, but with hours of operation also being between 8 AM and 7 PM. Again there will be no usage that under the zoning provisions would require more than the 24 spaces.

10. Parking Related Controls and Operations:

- a. Live Pick Up by the Preschool Parents utilizing curbside pick-up. (morning drop off is not an issue since the Music School is not operating until 3 PM.)
 - b. With live pick up by Preschool Parents, this would allow music lessons to begin with just a half hour buffer period from the peak pick-up time
 - c. Stagger Dismissal of the Preschool so that pick up times would alleviate heavy queuing or traffic.
 - d. **To be Explored:** dismissing the Preschool at 1 pm on Tuesdays to follow the Newton Elementary School schedule (but staggered so it does not amplify traffic at the same time as the two Elementary schools). NOTE: This is not a settled matter at this time.
 - e. Rescheduling music "classes" to evenings after 6:15 pm and much/most of the Music School classes and some one to one aka tutorials to Saturdays when the preschool is closed. This would mean that the School would have approximately 10-15 music students in private lessons in the overlap versus the 30 students previously reported in the middle of the afternoon. This might allow the School to schedule its classes differently so that 30 music students might attend group classes after the preschool closes at 6 pm. Due to this change in scheduling, some music classes or private lessons may be scheduled for Sundays, but at or below the level being proposed for Saturdays.
 - f. Provide adequate signage on the property for the one-way portions of the driveway to insure efficient circulation for pickup of pre-school children.
11. Annual Certification of the School's Licensing: Upon each one-year anniversary of the pre-school license renewal with the Commonwealth of Massachusetts Department of Early Education and Care the School shall provide a copy of such license to the Planning Department and Inspectional Services Department and an affidavit signed by the Director of the School certifying the continued compliance with the stipulations and conditions described herein above.

12. **MAXIMUM LIMIT OF OPERATIONS: AT NO TIME SHALL THE PARKING REQUIREMENT UNDER THE ZONING ORDINANCES RELATED TO ANY AND ALL SCHOOL USES AT THE PROPERTY EXCEED 24 SPACES. SUCH**

USES SHALL INCLUDE WITHOUT LIMITATION PRE-SCHOOL, MUSIC SCHOOL, CAMPS, AND SUCH OTHER RELATED PROGRAMS.

- 13. THE SCHOOL AGREES AS AN ADDITIONAL CONDITION OF ITS STIPULATIONS WHICH FORM THE BASIS FOR YOUR DETERMINATION THAT NO SPECIAL PERMIT PARKING WAIVER IS NEEDED THE FOLLOWING:**

A. THE SCHOOL WILL CONTINUE THROUGHOUT THE SCHOOL YEAR TO TAKE DAILY ATTENDANCE OF STUDENTS AND STAFF IN THE PRE-SCHOOL, MUSIC SCHOOL AND ONE TO ONE (AKA TUTORIALS); AND TO TRANSFORM THAT INFORMATION INTO THE TABLE OF WHICH A SAMPLE IS ATTACHED HERETO, WHICH REFLECTS THE ON-SITE PARKING THAT THE ZONING ORDINANCES WOULD REQUIRE ON AN HOURLY BASIS FOR STUDENTS (PRE-SCHOOL) AND STAFF (MUSIC SCHOOL, ONE TO ONE LESSONS, AND PRE-SCHOOL) SO LONG AS THE SCHOOL IS OPEN THAT DAY.

B. THE SCHOOL WILL MAINTAIN THOSE RECORDS ON SITE AT THE ADMINISTRATIVE OFFICE, AND MAKE THEM AVAILABLE AT THE REQUEST OF THE INSPECTIONAL SERVICES DEPARTMENT AT SUCH TIME OR TIMES AS THE DEPARTMENT REQUESTS IN WRITING. IF THE DEPARTMENT ALSO DESIRES, THE COMPILATION OF SUCH RECORDS CAN BE PROVIDED TO THE DEPARTMENT AT THE MIDDLE AND END OF EACH SCHOOL YEAR.

ATTACHMENT C

CITY OF NEWTON Department of Public Works ENGINEERING DIVISION

MEMORANDUM

To: Health Barney, Director of Planning

From: John Daghlian, Associate City Engineer

Re: Administrative Site Plan Review – Suzuki Music School

Date: July 28, 2017

CC: Lou Taverna, P.E., City Engineer
Shawna Sullivan, Associate City Clerk
Michael Gelba, Senior Planner

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

*Suzuki School of Music Renovations
Prepared by: Samiotes
Dated: 6/26/17*

Executive Summary:

The existing 2-family dwelling is to be converted to a music school, including in the conversion is an expansion of the existing parking lot in an area that is currently lawn (see below).



Associated with the expanded parking lot is a proposed curb cut or driveway apron onto Beacon Street (see below). A trench drain will be required at the back of the proposed apron in lieu of the proposed catch basin that is 20-feet upstream.



The drainage is designed for a 100-years storm event with an overflow connection to the City’s system in Windsor Road. The engineer of record will have to provide documentation (hydraulic calculations and closed circuit television inspection CCTV) of the downstream capacity of the existing drainage system before final approval. As an alternate, there is ample room on site for a larger or secondary system and avoiding any overflow connection to the City’s limited capacity.

An Operations and Maintenance plan is need for the proposed on site draining system.

An on-site soil evaluation needs to be performed to obtain the seasonal high groundwater elevation, percolation rate in accordance to Title V. The locations of these tests need to be shown on the site plan, and shall be within 25 –feet of proposed infiltration systems. If the interior of the dwelling is to be gutted, then both water & sanitary sewer services must be updated.

Finally, the sidewalk along Winsor Road is in poor condition, as a benefit to the public I recommend that the sidewalks be upgraded.



1. When a connection to the City's drainage system is proposed, prior to approval of the Building Permit a Closed Circuit Television (CCTV) inspection shall be performed and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore, upon completion of the connection to the drainage system a Post – Construction video inspection shall also take place and witnessed as described above. This is required regardless of the connection point, the intent is to ensure that there are no downstream blockages or damaged pipe so that the contractor of record is not held accountable for preexisting conditions.
2. No excavation is allowed within any City right-of-way between November 15th and April 15th. If an emergency exists or there are extenuating circumstances, Applicant may seek permission for such work from the City DPW Commissioner

- via the City Engineer. If permission is granted, special construction standards will be applied. Applicant or Applicant's representative must contact the City of Newton Engineering Department prior to start of work for clarification.
3. The contractor needs to notify the Engineering Division 48-hours in advance and schedule an appointment to have the drainage system inspected. The system must be fully exposed for the inspector. Once the inspector is satisfied, the system & utilities may then be back-filled. ***This note must be incorporated onto the site plan.***
 4. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the city of Newton Construction Standards Detail Book.
 5. 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.***
 6. An approved type of siltation control needs to be incorporated onto the plans, as well as a detail of the proposed system.
 7. As of January 1, 2009, 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.***
 8. Approval of this plan by the City of Newton Engineering Division implies that the plan meets the minimal design standards of the City of Newton. However, 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.

9. 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.***
10. The applicant will have to apply for a Street Opening & Utilities Connection Permits as well as a sidewalk crossing permit with the DPW. ***This note must be incorporated onto the site plan.***
11. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work.

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

ATTACHMENT D

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Health Barney, Director of Planning

From: John Daghlian, Associate City Engineer

Re: Administrative Site Plan Review – Suzuki Music School

Date: April 11, 2018

CC: Lou Taverna, P.E., City Engineer
Shawna Sullivan, Associate City Clerk
Michael Gelba, Senior Planner

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

Suzuki School of Music Renovations
Prepared by: Samiotes
Dated: 6/26/17
Revised: April 5, 2018
&
Response Letter Dated March 15, 2018

The engineer has updated the plans to reflect the changes and requirements of the July 28, 2017 memo and our January 30, 2018 meeting. At this time the only additional condition that will be required is that the driveway apron on Windsor Road be updated to current standard since the water and sanitary sewer services will be excavated within this apron, and to make it ADA compliant. At this time the applicant may apply for a Building Permit with the following standard requirements.

1. No excavation is allowed within any City right-of-way between November 15th and April 15th. If an emergency exists or there are extenuating circumstances, Applicant may seek permission for such work from the City DPW Commissioner via the City Engineer. If permission is granted, special construction standards will be applied. Applicant or Applicant's representative must contact the City of Newton Engineering Department prior to start of work for clarification.
2. The contractor needs to notify the Engineering Division 48-hours in advance and schedule an appointment to have the drainage system inspected. The system must be fully exposed for the inspector. Once the inspector is satisfied, the system & utilities may then be back-filled. ***This note must be incorporated onto the site plan.***
3. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the city of Newton Construction Standards Detail Book.
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.***
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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. The applicant will have to apply for a Street Opening & Utilities Connection Permits as well as a sidewalk crossing permit with the DPW. ***This note must be incorporated onto the site plan.***
9. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work.

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