



City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

617-796-1120

Ruthanne Fuller
Mayor

Barney Heath
Director

PUBLIC HEARING MEMORANDUM

DATE: April 3, 2025

TO: City Council

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

SUBJECT: **Working Session Memo for Petition #422-24** for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct four attached single-family dwellings with dimensional and parking waivers at 640 Watertown Street, Ward 2, Newtonville, on land known as Section 21 Block 26 Lot 18, containing approximately 16,020 sq. ft. of land in a district zoned MULTI RESIDENCE 1 Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

PROJECT MATERIALS: <https://newtonma.viewpointcloud.com/records/826590>

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. 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 City Council will want to consider in its discussion at a subsequent Working Session.



640 Watertown Street

Background

On November 19, 2024, the Land Use Committee voted unanimously to hold Petition #422-24. The report may be found here: <https://www.newtonma.gov/home/showpublisheddocument/124902/638684812315070000>. Members of the Council voiced concern about stormwater drainage, lot coverage, protection of trees, parking arrangement, and the three story building while there was some support for the overall design and number of units.

Project Updates

On February 25, 2025, the petitioners submitted revised materials, which may be found at the above project materials link and are now referenced in the revised draft order, which may be found in Attachment E. The updated site plan, architectural plans, and landscape plan reflect a reduction in the total building area created by removing one of the units. The revised design eliminates the zoning relief previously requested to exceed the maximum lot coverage, and a parking waiver of one stall. The petitioners now propose three single-family attached units with relief required for a reduced side setback, third story, and parking within ten feet of a side lot line.

Changes to the building's footprint and the overall site plan include moving the building seven feet towards the front lot line and decreasing the total building length by fourteen feet, increasing the rear setback from 25.5 feet to 46.5 feet. The reduced building length brings the proposal into compliance with lot coverage at 24.7% where 25% is the maximum and increases open space from 52.5% to 54.3%. While floor area ratio (FAR) does not apply to single family attached dwellings, the FAR was reduced from the prior iteration from .79 to .67, where .49 is the maximum allowed as of right for single- and two-family dwellings in the MR-1 zone.

While the changes to the proposed building are significant, much of the grading remains largely unchanged from the previous proposal with an addition of as such as four feet in fill added to the rear of the building. The retaining wall on the left side of the property appears slightly shortened in length but will still be two feet in height. The existing grading is such that the front half of the lot is raised and there would be a downward slope in the grade surrounding the middle of the proposed dwelling. The petitioners propose a uniform grade around each side of the proposed dwelling by adding fill to the left side and rear of the dwelling. This may create the appearance of a lot that is raised compared to other abutting lots.

The updated landscaping plan shows a significant increase in the number of trees that may aid in screening the dwelling and address concerns about the removal of the existing Norway maple at the center of the lot. With the addition of seven 2.5 caliper inch red maples and eight 7-8 foot eastern red cedars, the petitioners have added several native-species trees to the landscaping plan. The petitioners have also consulted with an arborist and provided a tree

protection plan but must still obtain a tree permit prior to receiving a building permit.

Additionally, the DPW Engineering Memo has been completed since the initial November 19th, 2024 public hearing. The memorandum finds that the petitioners have designed a stormwater system that is compliant with the City's Ordinances.

Analysis

The proposed changes address some of the key issues discussed at the previous Public Hearing. Planning is supportive of the reduction in lot coverage and addition of trees to the landscape plan. The proposed location remains appropriate for additional units given a mix of uses in the area and close proximity to the Newtonville Village Center and Commuter Rail. Planning was supportive of four units for this site and remains supportive of the current proposal of three units.

The project will present as 2.5 stories from Watertown Street and then as the building extends to the rear will appear as a three-story building from the sides and the rear. There are a wide variety of building types and uses present in the immediate neighborhood given numerous undersized lots and dwellings that predate zoning, however, the proposed massing will appear larger than other buildings in the neighborhood while sited on a larger lot and containing an additional one to two units than most other residential uses in the neighborhood. Planning notes there are other multifamily uses directly across the street, including a four unit multifamily building across the street on a smaller lot at 629 Watertown Street, a multifamily use at 611 Watertown Street with 27 units, and the Newton Housing Authority complex at 674-690 Watertown Street. Additionally, two-family dwellings on undersized lots with similar massing to what is proposed are particularly common in this area between Newtonville and Nonantum and have similar or greater massing than what is proposed, including the abutting property at 648 Watertown Street. Overall, Planning is supportive of the changes to reduce the amount of relief and the proposed net gain of two dwelling units.

ATTACHMENTS:

- ATTACHMENT A:** Land Use Committee Memorandum, November 16, 2024
- ATTACHMENT B:** Zoning Review Memorandum
- ATTACHMENT C:** Newton Historical Commission Decision- 640 Watertown Street
- ATTACHMENT D:** DPW Engineering Memo
- ATTACHMENT E:** DRAFT Council Order



City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

617-796-1120

Ruthanne Fuller
Mayor

Barney Heath
Director

PUBLIC HEARING MEMORANDUM

DATE: November 15, 2024

TO: City Council

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

SUBJECT: **Petition #422-24** for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct four attached single-family dwellings with dimensional and parking waivers at 640 Watertown Street, Ward 2, Newtonville, on land known as Section 21 Block 26 Lot 18, containing approximately 16,020 sq. ft. of land in a district zoned MULTI RESIDENCE 1 Ref: Sec. 7.3.3, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

APPLICATION RECORD: <https://newtonma.viewpointcloud.com/records/826590>

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis which may be useful in the special permit decision making process of the City Council. 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 City Council will want to consider in its discussion at a subsequent Working Session.



640 Watertown Street

I. Project Description

Use –residential (four dwelling units)

Zone – Multi-Residence 1

Lot size – 16,020 square feet

Existing Nonconformities –left and right side setbacks

Proposal- The petitioner is seeking to demolish the existing structure at 640 Watertown Street and construct four single-family attached dwellings

Regrading- Given a larger structure compared to the existing dwelling, the petitioners are proposing to create a generally level area surrounding the larger foundation.

Analysis

The proposed project consists of the demolition of an existing single-family home and the subsequent construction of four single-family attached dwelling units. The proposed net addition of three housing units will be a minor contribution towards the City's goals in the Newton Comprehensive Plan and Housing Production Plan. Planning believes that the proposed use and addition of housing is consistent with the City's goals, at the same time Planning recommends that the petitioners consider reducing the scale of the units to eliminate some relief or lessen the degree of relief required for the proposal.

Given the size of the lot, relatively large single- and two-family dwellings can be constructed by right with more generous setback and lot coverage standards. However, the Floor Area Ratio (FAR) limits single- and two-family by-right projects to 0.49. While FAR does not apply for single-family attached, the petitioners propose an FAR of 0.79, which demonstrates the significant size of the proposed structure compared to by-right options. Although lot coverage remains below the 30% maximum for a single- or two- family dwellings in MR1, it exceeds the 25% for single-family attached in MR1 by 2.5%, or 427 square feet. A reduction in the total building area could render the FAR more comparable to by-right options, bring the dwelling into compliance with maximum lot coverage, and closer to compliance with the minimum left/east side setback.

While a moderately reduced building area could reduce the need for relief for lot coverage and the degree of relief needed for the side setback, the narrowness of the lot and required setbacks does make the construction of four units difficult without relief. Given an 80 foot wide lot, 25 foot required side setbacks, and a minimum one-way driveway width of twelve feet, only eighteen feet of by-right buildable area is available for the single-family attached use on the lot. Therefore, some degree of relief for reduced side setback(s) and/or parking within the side setback is difficult to avoid. Given the proposed privacy screening and that the parking on the right/west side setback is entirely driveway area rather than parking stalls, Planning does not consider granting relief to allow parking within ten feet of a side lot line to be significant. Further, the waiver of one parking stall is not particularly significant given the property is within walking distance to the Newtonville Commuter Rail station, bus routes, Newtonville Village

Center, schools, and other amenities.

While the petitioners could reduce the total building area to decrease the degree of relief needed for the proposal, a variety of building types and nonconforming structures are present in the neighborhood. Two-family dwellings on undersized lots are particularly common in this area between Newtonville and Nonantum and have similar or greater massing than what is proposed. Within the immediate vicinity are a two-family with similar massing compared to what is proposed at 648 Watertown Street and multi-family developments at 611-621 Watertown Street and 674-690 Watertown Street.

Overall, Planning believes that the relief to create four single-family attached units is consistent with the City’s goals expressed in the Newton Comprehensive Plan and Housing Production Plan. Some reduction in the overall proposed size of the building could eliminate the need for relief for lot coverage and reduce the overall building mass.

II. Zoning Relief Requested:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce the required side setback	S.P. per §7.3.3
§3.2.4	To exceed maximum lot coverage	S.P. per §7.3.3
§3.2.4	To allow three stories	S.P. per §7.3.3
§6.2.3.B.2	To allow parking within 10 feet of a side lot line	S.P. per §7.3.3
§5.1.4 §5.1.13	To waive one required parking stall	S.P. per §7.3.3

For more details around the zoning analysis please refer to **Attachment A**.

III. Criteria for Consideration per §7.3.3:

- The specific site is an appropriate location for allowing the proposed use as four single-family attached dwellings with a reduced side setback, excessive lot coverage, parking within 10 feet of a side lot line, and waiver of one parking stall. (§7.3.3.C.1)
- The proposed use as four single-family attached dwellings with a reduced side setback, excessive lot coverage, parking within 10 feet of a side lot line, and waiver of one parking stall will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians created by the proposed use as four single-family attached dwellings with a reduced side setback, excessive lot coverage, parking within 10 feet of a side lot line, and waiver of one parking stall. (§7.3.3.C.3)

- Access to the site over streets is appropriate for the types and numbers of vehicles involved in the proposed use as four single-family attached dwellings with a reduced side setback, excessive lot coverage, parking within 10 feet of a side lot line, and waiver of one parking stall. (§7.3.3.C.4)

IV. Project Proposal and Site Characteristics

Site Description

The lot is 16,020 square feet improved with a single-family dwelling constructed in 1935. It is located approximately a half mile southwest of the Nonantum Village Center on Watertown Street and a half mile to the northwest of the Newtonville Commuter Rail Station. The property and surrounding area are in the Multi-Residence 1 zone and features smaller lots, single- and two-family homes, and a variety of nonconforming uses, lots, and structures. The front half of the lot is slightly raised, sloping upward about three feet from the street then downward about five with the back half being generally flat and lower than the front half.

Proposed Structure

The proposed structure will consist of four single-family attached units, with Unit 1 towards the front of the lot and Units 2-4 in series behind Unit 1 towards the rear of the lot. The structure in total is 134 feet long from front to rear and 39 feet wide from the furthest points from the left to right. The structure is proposed to be compliant with the required 25 foot setback on all sides except the left, where the setback will be 15.5 feet.

The design has several jogs and does not maintain a uniform rectangular shape with Units 2 and 4 extending further towards the left/east lot line and Units 1 and 3 being less wide but slightly longer. The design features gables for each unit on each side and one each on the front and rear. On the exterior there are bell curves at the bottom of the first floor. Further architectural features include cantilevers on the left side for Units 1 and 3.

Parking and Site Access

Each unit will have an internal garage with Unit 1 having a single-car garage and Units 2-4 having two-car garages. There will be no designated parking stalls on the driveway, therefore the total number of parking stalls will be six, requiring relief. Between each of the garages there is a proposed area for landscaping and walkways. The proposal reduces the length of the existing curb cut to twelve feet, consistent with the width of the driveway. The driveway continues the length of the majority of the right lot line. Although there is proposed to be screening per the submitted landscaping plan, the driveway is within ten feet of the right lot line, requiring relief.

Grading

Grading changes to accommodate the relatively larger foundation will generally be minor at the

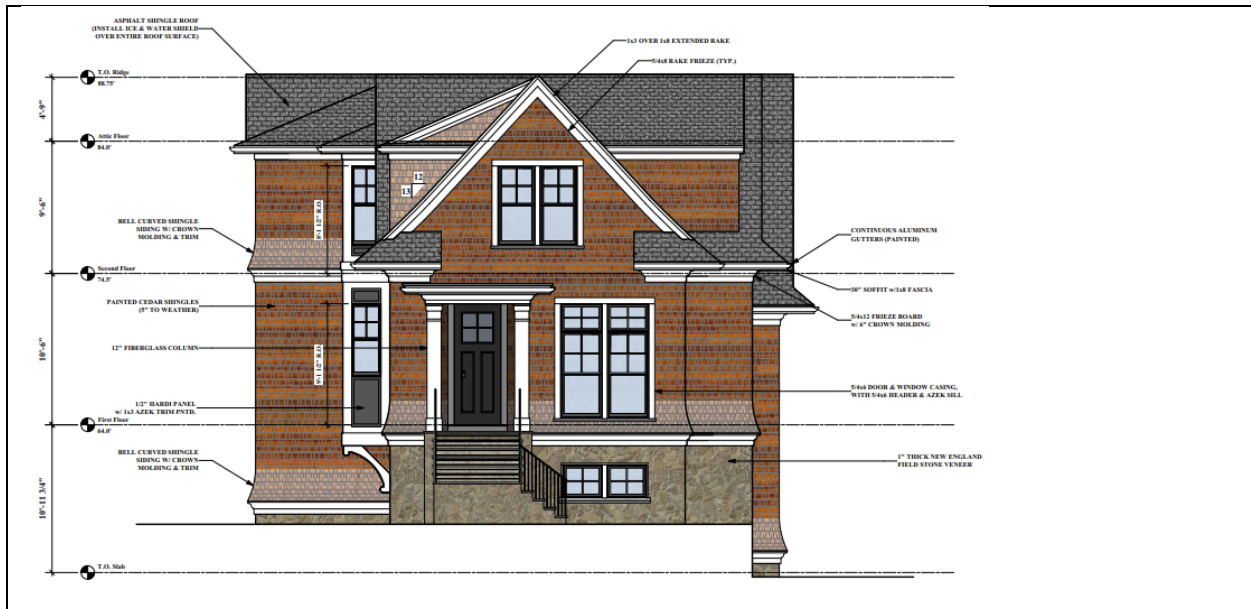
front of the structure, not changing the elevation by more than a foot. The rear and left areas surrounding of the structure will be raised by as much as five feet in some locations to create level area for the foundation and level patio areas. The right area will be lowered towards the front and raised towards the front by less than two feet. The result will be that the proposed structure will appear to have generally the same grade at the front compared to the existing structure, but the grade will appear raised to the left and rear.

As currently graded, the front half of the lot forms a mound. Where the existing dwelling is located the ground rises approximately three feet from the street to the front entrance of the dwelling, sloping downwards three feet to the sides, and down five feet to the rear of the dwelling. The remaining rear half of the lot is generally flat. As proposed, the grade would still slope upward about three feet from the street to the front of the house, but instead of sloping downward towards the rear of the lot, the grade will be level around the front, left, and rear sides of the building. Over the 25.5 foot setback, the grade will slope downward approximately four feet. On the left side of the lot, the grade will also slope downward about four feet from the level elevation along the façade of the building to the left lot line. As the left side has a reduced setback of 15.5 feet as proposed, the downward slope is interrupted by a retaining wall that creates level area for patios behind units 2-4. The maximum height of this retaining wall is approximately two feet and extends approximately 75 feet from along the left lot line at about that height.

Height

The proposed height is 34.6 feet and 3 stories, with the basement accounting for one of those stories. Given the proposed grading plan and proposed elevations, the height will remain generally consistent from the front façade to the rear.

<i>Proposed Elevations</i>
Front Elevation

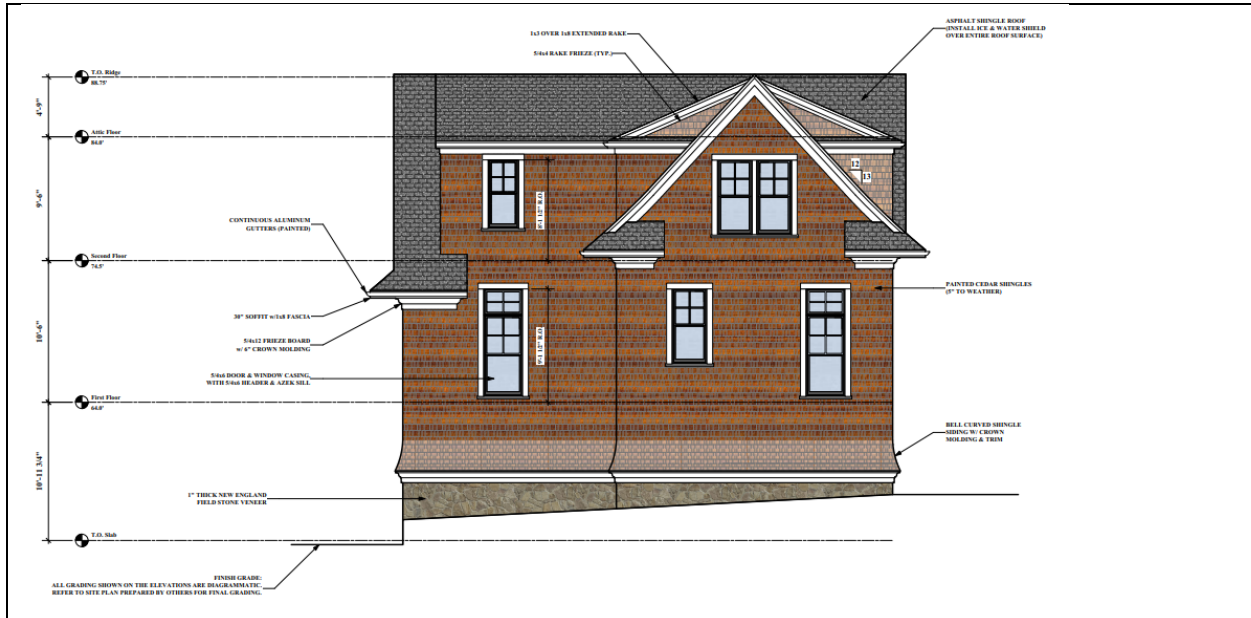


Left/Right Elevation



Left Side Elevation
 A.2.4 5/8" = 1'-0"

Rear Elevation



Right/West Elevation



1 Right Side Elevation
 A-22 3/16" = 1'-0"

I. Interdepartmental Review

- A. Historic: on April 1, 2024, the Newton Historical Commission elected not to impose demolition delay on the existing structure on 640 Watertown Street. No further

review is required.

- B. DPW Engineering: Given more than 400 square feet of impervious surface is proposed, Engineering Review has been requested for this Special Permit application and compliance with the City of Newton Stormwater Ordinance will be ensured prior to the issuance of a building permit.
- C. City Forester: prior to the issuance of a building permit, the petitioners must submit a more detailed landscaping plan for review with the City Forester that demonstrates compliance with the Tree Ordinance.

II. Petitioner's Responsibilities

The petition is complete.

ATTACHMENTS:

- ATTACHMENT A:** Zoning Review Memorandum
- ATTACHMENT B:** Newton Historical Commission Decision- 640 Watertown Street
- ATTACHMENT D:** DRAFT Council Order



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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: April 2, 2025

To: Anthony Ciccariello, Commissioner of Inspectional Services

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

Cc: Laurance Lee, Attorney
Brendon-Silva LLC, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to allow three attached single-family dwellings

Applicant: Brendon-Silva LLC	
Site: 640 Watertown Street	SBL: 21026 0018
Zoning: MR1	Lot Area: 16,020 square feet
Current use: Single-family dwelling	Proposed use: Three attached single-family dwellings

BACKGROUND:

The subject site is located in the Multi Residence 1 zoning district improved with a single-family dwelling constructed in 1935. The petitioner seeks to raze the existing dwelling and construct three attached single-family dwellings in one building, requiring a special permit.

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

- Special Permit Application, prepared by Laurance Lee, attorney, submitted 10/7/2024
- Zoning Review Plan, signed and stamped by Bradley J. Simonelli, surveyor, dated 8/20/2024, revised 11/18/2024, 12/17/2024, 1/22/2025, 2/21/2025
- Floor Plans and Elevations, signed and stamped by Michael McKay, architect, dated 12/9/2024, revised 11/22/2024, 12/9/2024
- FAR worksheet, signed and stamped by Mike McKay, architect, dated 2/21/2025

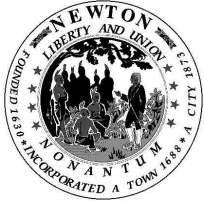
ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to raze the existing dwelling and construct three attached single-family dwellings. Per section 3.4.1, a special permit is required to allow attached single-family dwellings in the MR1 district.
2. Per the footnote to section 3.2.4, the City Council may grant exceptions to the dimensional standards of section 3.2.4 for attached single-family dwellings if it is determined that literal compliance is impractical due to the nature of the use, or the location, size, frontage, depth, shape, or graded of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or the protection of environmental features.
3. Per section 3.2.4, attached single-family dwellings require 25-foot setbacks from each lot line. The proposed building has a 15.6 foot side setback on the western lot line, requiring a special permit.
4. Per section 3.2.4, a special permit is required to allow three-story attached single-family dwellings. The proposed attached single-family dwelling structure is three stories, requiring a special permit.
5. Per section 6.2.3.B.2, no driveway may be located within 10 feet of a lot line. The petitioner proposes to construct a driveway along the eastern property line to service the units' garage parking, requiring a special permit.
6. Per section 5.1.4, two parking stalls per each residential unit are required. The petitioner proposes to construct two-car garages for each unit, for a total of six stalls, requiring no relief.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	16,020 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks			
• Front	25 feet	37.9 feet	33 feet
• Side	25 feet	13.6 feet	15.6 feet*
• Side	25 feet	8.1 feet	25.5 feet
• Rear	25 feet	101.7 feet	46.5 feet
Height	36 feet	30.4 feet	34.9 feet
Stories	2.5	2.5	3*
Lot Area Per Unit	4,000 square feet	16,020 square feet	4,005 square feet
Max Lot Coverage	25%	12.8%	24.7%
Min. Open Space	50%	80%	54.3%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce the required side setback	S.P. per §7.3.3
§3.2.4	To allow three stories	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of a side lot line	S.P. per §7.3.3



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Department of Planning and Development
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Newton Historical Commission Demolition Review Decision

Date: April 1, 2024 **Application #** HRA-24-46

Address of structure: 640 WATERTOWN ST

Type of building: House
If partial demolition, feature to be demolished is

The building or structure is:

- in a National Register historic district or in a historic district eligible for listing
- individually listed on the National Register or individually eligible for listing.
- importantly associated with historic person(s), events, or architectural or social history
- historically or architecturally important for period, style, architect, builder, or context.
- in a local historic district not visible from a public way

is **NOT HISTORICALLY SIGNIFICANT** as defined by the Newton Demolition Delay Ordinance
Demolition is not delayed and no further review is required.

is **HISTORICALLY SIGNIFICANT** as defined by the Newton Demolition Delay Ordinance (See

The Newton Historical Commission staff:

APPROVES the proposed project based upon materials submitted see below for conditions (i
Demolition is not delayed, further staff review may be required.

DOES NOT APPROVE and the project requires Newton
Historical Commission review on this date March 28, 2024 (See
below).

Conditions:

The Newton Historical Commission finds the building or structure:

is **NOT PREFERABLY PRESERVED**
Demolition is not delayed and no further review is required.

Owner of Record:
640 Watertown Street Trust

is **PREFERABLY PRESERVED – (SEE BELOW).**

Delay of Demolition:
 is in effect until

has been waived - see conditions

Please Note: if demolition does occur within two years of the expiration of the demolition delay, the Historical Commission for and may result in another delay.

Determination made by:

David Lewis, Chief Preservation Planner

Preserving the Past  Planning for the Future



Ruthanne Fuller
Mayor

City of Newton, Massachusetts

Department of Planning and Development
1000 Commonwealth Avenue Newton, MA 02459

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RECORD OF ACTION

DATE: April 1, 2024

SUBJECT: 640 WATERTOWN ST

At a scheduled meeting and public hearing on March 28, 2024, the Newton Historical Commission, by

RESOLVED to: find the property preferably preserved.

Voting in the Affirmative:

Doug Cornelius, Chair
Katie Kubie

Voting in the Negative:

John Rice
Anne Marie Stein
Harvey Schorr
Scott Friedman, Alternate

Abstained:

Recused:

Title Reference:

Owner of Property: 640 Watertown Street Trust
Deed recorded at: Middlesex County Registry of Deeds
Book/Page
Date

David Lewis, Chief Preservation Planner

Newton Historical Commission
1000 Commonwealth Avenue, Newton, Massachusetts 02459
Email: dlewis@newtonma.gov
www.newtonma.gov

CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Andrea Kelly, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – SP 24-58 640 Watertown Street

Date: November 22, 2024

CC: Lou Taverna, PE City Engineer
Barney Heath, Director of Planning
Jennifer Caira, Deputy Director
Katie Whewell, Chief Planner
Alyssa Sandoval, Deputy Chief Planner

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

Site Development Plan
640 Watertown Street
Prepared by: J.M. Grenier Associates Inc.
Dated: Sept 5, 2024

Executive Summary:

The proposed permit entails the demolition of an existing single-family dwelling on a 16,020 square foot [0.36 acre] lot and the construction of four single-family attached dwellings. The lot has approximately 80 feet of frontage along Watertown Street towards the north, and residential homes along the south, east, and west property lines. The topography of the site has a high point at elevation 56 -feet near Watertown Street and slopes towards the rear of the lot at elevation 53 -feet. The design has driveway access for the four units running parallel to the western property line and garages for the units. A turning template plan should be provided to ensure proper entrance and egress from the garages. A 2-foot-high stone retaining wall is proposed parallel to the eastern property line, this will allow the sloped side yard to be leveled off to facilitate proposed patios for the units.



Drainage:

Currently the site has no stormwater management, runoff from the roof discharges to the lawn areas and the driveway sheets off and onto Watertown Street. The engineer of record has designed a stormwater collection system in accordance with the City's Ordinances that collects roof runoff, and the driveway has been pitched towards south to a catch basin; both collected stormwater sources are infiltrated on-site. This system will enhance both stormwater quality and reduce quantity. The Proposed Operations and Maintenance (O&M) plan is acceptable; however, it needs to add language that includes sweeping of the driveway at least four-times per year. Additionally, this statement must be added to the O&M plan: ***“Annual inspection logs shall be submitted to the DPW Engineering Division as required to maintain certification of compliance under Newton’s NPDES MS4 Permit”***. If this special permit is approved the O&M plan must be updated and submitted as a stand-alone document so that it can be approved by DPW & recorded at the Registry of Deeds.

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

The drainage calculation need to include Total Suspended Solids (TSS) & Phosphorous removal/reduction prior to obtaining a Building Permit.

Water Services:

The proposed water services for both domestic and fire suppression are unacceptable. The domestic pipe should be a 4" ductile iron pipe from which individual 1-inch domestic services can be tapped. At the end of the 4-inch pipe a blowoff valve & gate will be needed to allow annual flushing of the line for water quality purposes. A fire flow test will be needed along with hydraulic calculation to verify the proposed 2" fire suppression service connection. In accordance with City Ordinance B-42 the sidewalks and curbing shall be updated to current standards.

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction materials and equipment, parking for construction workers vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of the general contractor. It shall also address anticipated dewatering during construction, site safety & stability, siltation & dust control and noise impact to abutters. The CMP must also address surface runoff during construction so that it does not impact abutters nor City streets & the stormwater system. Temporary detention basins, check dams or diversion swales should be considered.
2. Stabilized driveway construction entrance(s) will be required if the existing asphalt driveway is removed for the duration of the construction which will minimize tracking of mud and silt onto City streets.
3. Catch basins within and downstream of the construction zone will be required to have siltation control installed for the duration of the project and must be identified on the site plan.

Environmental:

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



Infiltration & Inflow:

- Will be addressed via a separate memo.

General:

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

by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until these tests are completed to the satisfaction of the City Engineer. ***This note shall be incorporated onto the final plans***

3. All sanitary sewer manhole(s) shall be vacuum tested in accordance with the City's Construction Standards & Specifications, the sewer service and manhole will NOT be accepted until the manhole(s) pass the testing requirements. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed to the satisfaction of the City Engineer and a written report of the test results is submitted to the City Engineer. ***This note shall be incorporated onto the final plans***
4. With the exception of natural gas service(s), all utility trenches within the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E up to within 18-inches of the asphalt binder level, after which Dense Grade Gravel compacted to 95 % Proctor Testing shall be placed over the CDF. Details of this requirement is the Engineering Division website "Standard Construction Details". ***This note shall be incorporated onto the final plans***
5. Fire Flow testing is required for the proposed fire suppression system. The applicant must coordinate the fire flow test with both the Newton Fire Department and the Utilities Division, representative of each department shall witness the testing. Test results shall be submitted in a written report along with hydraulic calculations that demonstrate the required size of the fire suppression system, these calculations shall be submitted to the Newton Fire Department for approval, and copies give to the Engineering Division.
6. All water services shall be chlorinated, and pressure tested in accordance with the AWWA and the City Construction Standards & Specifications prior to coming online. These tests MUST be witnessed by a representative of the Engineering Division. ***This note shall be incorporated onto the final plans***
7. Approval of the final configurations of the water service(s) shall be determined by the Utilities Division, the engineer of record shall submit a plan to the Director of Utilities for approval. ***This note shall be incorporated onto the final plans***
8. 5 Year Moratorium – if at time of construction the roadway is under a 5-year moratorium, the roadway must be milled and paved gutter-to-gutter for a distance of 25 feet in each direction from the outermost trenches. ***This note shall be incorporated onto the final plans***

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

17. If any changes from the final approved design plan that are required due to unforeseen site conditions, the contractor of record shall contact the design engineer of record and submit revised design and stamped full scale plans for review and approval prior to continuing with construction. ***This note shall be incorporated onto the final plans***
18. *The engineer of record shall add the following attestation to the plans when applying for a building permit:*

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

Signature

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

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

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow construction of three single family attached dwelling units consisting of three stories, with a reduced side setback and parking within 10 feet of a side lot line for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

FINDINGS:

1. The specific site is an appropriate location for the three single-family attached dwellings with a reduced side setback, parking within 10 feet of a side lot line, and three stories as there are other multifamily uses on Watertown Street, the lot is one of the larger lots in the neighborhood, thus can support the three proposed units as designed. (§7.3.3.C.1)
2. The proposed three single-family attached dwellings as designed will not adversely affect the neighborhood as the surrounding area features a wide variety of building types and uses with various apparent nonconformities. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians created by the proposed use as three single-family attached dwellings as designed as there will only be one curb cut, the driveway will be limited to one-way traffic, and the property is removed from intersections where entering and exiting Watertown Street may be relatively difficult. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved in the three single-family attached dwellings with a reduced side setback, parking within 10 feet of a side lot line, and three stories given the parking stalls are removed from the driveway, easing the ability of residents and guests to enter and exit the driveway. (§7.3.3.C.4)
5. Literal compliance 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. As the relief is solely for the driveway, which provides adequate turning space for each vehicle to exit the lot driving forward, having the driveway extend to within ten feet of the lot line is in the interest of safety. (§5.1.13)

PETITION NUMBER: #422-24

PETITIONER: Brendon-Silva LLC

LOCATION: 640 Watertown Street

OWNER: Brendon-Silva LLC

ADDRESS OF OWNER: 259 Turnpike Road Suite 110
Southborough, MA 01772

TO BE USED FOR: Three single-family attached dwelling units with associated dimensional and parking relief.

RELIEF GRANTED: Special Permit per §3.2.4, §3.4.1, §5.1.4, §5.1.13, §6.2.3.B.2, and §7.3.3 to allow single-family attached with a reduced side setback, three stories, parking within 10 feet of a side lot line

ZONING: Multi-Residence 1

CONDITIONS:

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. Plot Plan signed and stamped by J.M. Genier, Professional Engineer, dated September 5, 2024 as revised February 24, 2025.
 - b. Architectural plans signed and stamped by Michael McKay dated December 9, 2024 consisting of the following sheets:
 - i. Proposed elevations (showing front/north), A-2.1
 - ii. Proposed elevations (showing left/east), A-2.2
 - iii. Proposed elevations (showing rear/south), A-2.3
 - iv. Proposed elevations (showing right/west), A-2.4.
 - c. Landscaping plans prepared by Paradigm Landscape, dated January 19, 2024, submitted February 24, 2024.

2. The Petitioner shall do the following to remediate pest and rodent activity:

- a. Prior to issuance of any demolition or building permit, the Petitioner, at its sole cost and expense, shall hire a licensed Pest Control Operator to assess the property for pest and rodent activity and develop and implement a pest remediation action plan to eliminate the activity and prevent off-site migration. The plan shall include the target pest, the methods for eliminating activity, and plan for preventing pest migration off-site during demolition and construction.
 - b. A copy of the Pest Control inspection report and the remediation action plan shall be submitted to the Inspectional Services Department for review and approval prior to issuance of any demolition or building permit. A copy of such approval shall be provided to the Department of Planning and Development.
 - c. The Pest Control Operator shall implement the approved remediation action plan, monitor the site for the duration of the project, and take whatever action the Operator deems necessary to control pest infestation and migration.
3. Prior to the issuance of any Building Permit, the Petitioner shall submit a Construction Management Plan (the "CMP") for review and approval to the Commissioner of Inspectional Services, the Director of Planning and Development, the City Engineer, and the Chief of the Fire Department. The CMP shall be in compliance with all applicable policies and ordinances in effect at the time of submission. The Petitioner shall comply in all material respects with the Construction Management Plan, which shall be consistent with and not in conflict with relevant conditions of this Order and shall include, but not be limited to, the following provisions:
 - a. 24-hour contact information for the general contractor. This information shall also be posted in a clear and visible manner at the construction site.
 - b. The proposed schedule of the project, including the general phasing of the construction activities and anticipated completion dates and milestones.
 - c. Site plan(s) showing the proposed location of contractor and subcontractor parking, on-site material storage area(s), on-site staging areas(s) for construction materials and delivery vehicles and equipment, and location of any security fencing and erosion control.
 - d. A plan showing temporary pedestrian access within work zones in accordance with DPW Policy.
 - e. Proposed methods for dust control including, but not limited to: watering, covering trucks for transportation of excavated material; minimizing storage of debris on-site by using dumpsters and regularly emptying them; using tarps to cover piles of bulk building materials and soil; locating a truck washing station to clean muddy wheels on all truck and construction vehicles before exiting the site.
 - f. Proposed methods of noise control, in accordance with the Revised Ordinances, §20-13. Staging activities should be conducted in a manner that will minimize off-site impacts of noise. Noise producing staging activities should be located as far as practical from noise sensitive locations.

more certificates of temporary occupancy for all or portions of the building prior to completion of final landscaping (including hardscape improvements).