



Zoning & Planning Committee and Land Use Committee

Joint Meeting Report

City of Newton **In City Council**

Tuesday, June 4, 2019

Zoning & Planning Committee Present: Councilors Albright (Chair), Kalis, Danberg, Krintzman, Leary, Downs, Brousal-Glaser and Baker

Land Use Committee Present: Councilors Schwartz (Chair), Greenberg, Auchincloss, Kelley, Markiewicz, Crossley and Laredo. Absent: Councilor Lipof

Also Present: Councilors Gentile, Cote and Norton

Planning & Development Board: Peter Doeringer (Chair), Sonia Parisca, Christopher Steele, Jim Robertson, Kelley Brown, Kevin McCormack and Jennifer Molinsky

City Staff Present: Jonathan Yeo (Chief Operating Officer), Barney Heath (Director, Planning Dept.), James Freas (Deputy Director, Planning Dept.), Rachel Nadkarni (Long Range Planner), Jennifer Caira (Chief Planner), Neil Cronin (Senior Planner), Jonah Temple (Assistant City Solicitor), Nadia Khan (Committee Clerk), Karyn Dean (Committee Clerk), Rachel Powers (Staff to P&D Board)

Referred to Land Use Committee

#140-19

Request to Rezone 4.5 acres to MU3

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3 and 4.

Action:

Public Hearing Continued; Land Use Held 6-0

Note: Councilor Schwartz, Chair of the Land Use Committee, opened the public hearing on this item. He explained that while the Committee would not be taking public comment this evening, the hearing would be held open and the item will be back in Committee on June 25th. Public comment will be taken at that time. Councilor Markiewicz moved hold and the Committee voted in favor, 6-0.

#140-19(2)

Special Permit to allow Mixed Use Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition

for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 10 building, mixed use, transit-oriented development of not more than 1,520,000 sq. ft. and more than 20,000 sq. ft. of gross floor area including; up to 650,000 sq. ft. of office use, up to 750 residential units containing no more than 750,000 sq. ft., retail space of not more than 200,000 sq. ft., buildings up to 18-stories in height, building height of up to 230', Floor Area Ratio up to 2.7, no more than 10% beneficial open space; to permit retail and personal establishments of more than 5,000 sq. ft., for-profit educational uses, restaurants with more than 50 seats, places of amusement, open air businesses, animal services, ground floor health club establishments, hotel, banks up to and over 5,000 square feet, theatre/hall, laboratory/research facility, multi-level accessory parking facility, multi-level non-accessory parking facility, single level accessory parking facility, single level non-accessory parking facility, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, a waiver of parking stalls not to exceed 750 stalls, waivers to parking facility design standards including: stall dimensions, minimum depth for handicap parking stalls, maneuvering space for end stalls, dimensions for entrance and exit driveways, waiver of layout design to permit tandem parking stalls, waiver of 5% interior landscaping requirement, waiver of the interior planting area requirements, waiver of the tree requirements, waiver of the bumper overhang requirements, waiver of the one foot candle lighting, waiver of the parking stall striping requirement, waiver of the curbing, wheel stop, guard rail or bollard requirements, waiver of off-street loading facilities requirements, waiver of the number, size location or design requirements relative to signs at 355 and 399 GROVE STREET on land known as Section 42 Block 11 Lots 3 and 4, containing approximately 14.4 acres of land in a districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 7.3.3, 7.4, 4.2.2A.2, 4.2.2.B.1, 4.2.2.B.3, 4.2.2.B.3, 4.2.3, 4.2.4.A, 4.2.4.F.b, 4.2.4.F.1.b, 4.2.4.G, 4.2.4.G.1, 4.2.4.G.2, 4.2.4.G.3, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.8.E.1, 5.1.9.B, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.13, 5.2, 5.2.13, 5.4.2.B, of the City of Newton Revised Zoning Ord, 2017. **Subject to approval of proposed zoning ordinance amendments in Sections 4.2.3 and 4.2.4.**

Action: **Public Hearing Continued; Land Use Held 7-0**

Note: Councilor Schwartz, Chair of the Land Use Committee, opened the public hearing on this item. He explained that while the Committee would not be taking public comment this evening, the hearing would be held open and the item will be back in Committee on June 25th. Public comment will be taken at that time. Councilor Markiewicz moved hold and the Committee voted in favor, 7-0.

Referred to Zoning & Planning Committee

Note: Councilor Albright, Chair of the Zoning & Planning Committee prefaced the meeting by saying she appreciated that citizens have come to the hearing and noted that everyone is there because they love and care for Newton. She asked that all in the audience be respectful of each other and the various points of view because while the opinions may differ, they are all there to advocate for the betterment of the City.

The Chair pointed out that these public hearings are on the two text amendment proposals and any comments should be focused on those. Comments about the special permit should be held until the Land Use Committee meeting on June 25th. She also noted that if anyone would prefer to send written comments, they could be sent to Karyn Dean at kdean@newtonma.gov and they will be distributed to the City Council and become part of the record for these items.

She noted that there will be further discussions of these items at the June 10th meeting and if necessary, the June 24th meeting of the Zoning & Planning Committee.

Councilor Albright opened the public hearing on the following two items, as did the Planning & Development Board. The discussions for both items will occur together.

#140-19(3) Zoning amendments for Riverside project

RIVERSIDE STATION/355 GROVE STREET AND 399 GROVE STREET requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.3 and 4.2.4 relative to the Mixed Use 3 District.

Action: Public Hearing Continued; Zoning & Planning Held 8-0

Note:

Mark Development Presentation

Stephen Buchbinder, Attorney for the developer of the Riverside project, Mark Development addressed the Committee. He provided a presentation which is attached to this report. Mr. Buchbinder explained that the site consists of approximately 14.4 acres and is located at the nexus of Route 95 and the Mass Pike at the terminus of the Green Line. His client is seeking to create a new mixed-used development at the site consisting of just under 1,519,000 square feet of development which includes 675 residential units; approximately 611,500 square feet of office space; approximately 64,500 square feet of retail space; a 194-key hotel; and including in that number there are approximately 36,500 square feet of common areas and approximately 49,000 square feet of rooftop mechanicals.

In order to achieve the proposed development, several amendments to the MU3 district are being proposed. The Committee received that submission previously, so he did not feel the need to go through it in a detailed manner, however, he said the majority of the proposed text amendments address the issue of achieving greater density which his client believes is necessary to develop the site. The proposed amendments were provided to the Committee and may be found at:

<http://www.newtonma.gov/civicax/filebank/blobdload.aspx?t=42380.19&BlobID=97432>

In 2007, the Comprehensive Plan stated *“It is clear that Riverside represents a significant development opportunity which the City can ill afford to ignore. Riverside has the capacity, access to highways, public transportation and location to attract several million square feet of high-quality mixed used development. In fact, it is important to develop a dense enough project on this site to help pay for the access issues. The notion that a major parcel of land at the intersection of the Mass Pike and Route 95 should remain undeveloped and untaxed is fiscally irresponsible and physically illogical.”*

In addition, the proposed density is supported by the Riverside Vision Plan released last month. According to that Plan “the Riverside MBTA site requires upwards of 1.6M square feet of development..” As noted, the proposed development would incorporate just under 1.519M square feet. The Vision Plan also reviewed the proposed development and its underlying assumptions and concluded that overall, those assumptions are reasonable. It also noted that the return expectation and developer fee are both conservatively below market expectations. The Planning Dept. report also underscores the need for substantial density at the site to support the associated development costs and to make it financially feasible. As the Department points out, the special permit process will provide more detailed project review that would ultimately decide the projects specific parameters.

The proposed text amendments are consistent with the Comprehensive Plan, the Riverside Vision Plan, and the recommendations of the Planning Dept. and they ultimately provide the flexibility required for a development to succeed at this site.

Lower Falls Improvement Association Riverside Committee Presentation (LFIA)

Liz Mirabile, representing the Lower Falls Improvement Association Riverside Committee (also known as RightSize Riverside) addressed the Committee. She provided a presentation which is attached. A transcript of her comments is attached as well. The proposal was previously provided to the Committee and may be found at:

<http://www.newtonma.gov/civicax/filebank/documents/97417>

Planning Department Presentation

James Freas, Deputy Director of the Planning Dept., explained that the Riverside site has repeatedly been identified for large scale development in the Comprehensive Plan, the Economic Development Strategy and the Riverside Vision Plan. With its confluence of transportation investments, this site stands apart from its surrounding context.

He provided a presentation which provides some background on the creation of the MU3 district (adopted in 2012) and compares the current MU3 ordinance to the proposals from Mark Development and the LFIA. It also provides the Planning Department’s recommendation for the zoning of this site which is to set the bounds with flexibility enough for the City Council to have discretion to weigh the project specifics and site planning issues in the special permit process.

The special permit process is also supported by the wide range of technical analysis provided by the Planning Department, the developer's consultants and by the peer review consultants. Mr. Freas thanked the LFIA for their diligent work researching and gathering the extremely valuable information they provided in their proposal. That input can be incorporated into the special permit process as well as the Council deliberates to find the right solution for the site and the City.

Details may be found in the attached presentation and in the draft ordinance which was provided with the Planning Memo. The memo may be found at:

<http://www.newtonma.gov/civicax/filebank/documents/97438>

Green Newton Presentation

Beverly Craig, Arlington Street, representing Green Newton said the climate crisis requires us to make many changes to protect the future of our children and the Mark Development proposal helps move us in the right direction. Green Newton supports the developer's proposal to build 10 buildings at Riverside as long as the Council includes a few enforceable requirements regarding energy efficiency and green buildings. Green Newton will be submitting specific recommendations later this month.

Green Newton supports the density of this project and is well designed to promote walkability and provide a vibrant, transit-oriented hub. This kind of density in the middle of a transit hub is critical for Newton and the Boston area. The biggest contribution to greenhouse gases are transportation and buildings and this project can help with both. We need to densify around transit to get people out of their cars. Transit will not improve until density is demonstrated. Apartments here will help prevent more single-family development around the periphery of Boston and will increase growth without increasing single-person car trips. Families have kids that move out of homes and then have to heat those homes that they no longer need. Multi-family building is more efficient and less carbon is created. Energy intensity of dense buildings is less than single-family homes. A larger building has a higher floor to ceiling surface area ratio means it has a lower energy use intensity and a better use of resources. Many people do not like density but it creates a more vibrant community atmosphere. She has lived in those areas and they are more active. The project needs the density to pay for the improvements to access that will be needed so the site does not sit undeveloped even longer. It is an underutilized site that could do so much for the environment is used properly.

Jonathan Kantor, 672 Chestnut Street on behalf of Green Newton said he remains focused on and committed to reducing the energy footprint and greenhouse gas emissions. A denser development at Riverside is exactly the type of project that creates living and working opportunities while leveraging infrastructure and encouraging a healthier and more productive life less dependent on fossil fuels. He was asked about the connection between density and environmental impacts. There are existing and proposed infrastructure, bus and rail services, adjacencies to major highways that the petitioner proposes to leverage and expand which means vehicles off neighborhood streets and suburban commutes. It allows more people access to living and work situations near public transportation or living and working within the complex. Larger buildings provide more opportunities for homes can be more energy efficient than smaller buildings especially if Green

Newton's core principles are observed. This kind of development would be an example of building that is part of the solution to climate change. Density and height requests seem to be the minimum required to afford the infrastructure improvements and the other sunk or committed costs that development demands in order for it to be financed. We have already seen what happens to financially ill-conceived projects on this site. Higher density allows for more robust infrastructure to be used by more people and allows for greater variety and uses. Density houses more people for less energy person. On behalf of Green Newton and a member of the Energy Commission, he supports the Planning Department's recommendations. He looks forward to incorporating Green Newton's recommendations in the special permit process.

Public Comment

Clerk's Note: Please excuse any misspelling of names

Rob Caruso, 237C Watertown Street, member of the Commission on Disability said the commission has reviewed the proposal closely and the accessibility features have been addressed. The reliance on the MBTA and their redundant systems of elevators is of concern. There have been instances where both elevators have been out of order and people in chairs or using walkers have been stranded. The commission recommends that the ramps used as a failsafe be incorporated into this project so those with disabilities will have access. Everything else in the project addresses their accessibility concerns. He thanked the developer for working with them on these issues.

Erica Kaplan, 29 Alden Place said her family and she bought their house in Newton in 2006 for \$229K which is impossible at this point. It was stretch but they were excited to live here. She and her husband have student loans from graduate degrees and she is in social work. The mortgage was manageable and she works part time, raises kids and volunteers in a number of organization. Her family would be unable to move into Newton now considering the prices and she thinks the project would provide a chance for families to live here. She is concerned about making the units affordable.

Donna Rae Hurt, 53 Clinton Place agreed with the need for ramps for disabled residents as well as moms with strollers and those on bikes all trying to access the T.

Ann Alvarado, 26 Owatana Street has lived in Newton for 10 years as she was priced out of Brookline and other more urban environments. They have found that Newton residents want the benefits of density such as retail stores and restaurants and no more banks, but no one is willing to put the density in to achieve that. Looking at a population map, it takes 50K people to support a grocery store, 400-500K to support a hospital – this is why rural America is having a hard time maintaining a quality life. The Planning Dept proposal allows for more diversity and when height is limited, you get uniform blocks. She would rather have a tower than that type of block in Newton.

Tom Powers, 122 Concord Street said he was born in Newton and has more recently been a resident for 25 years. He strongly endorses the LFIA proposal. He was not involved in it but felt they did a wonderful job articulating what is needed. He has been an environmental regulator for most of his career and density is important, but not just any density. There needs to be analysis

and balance. Traffic is a worry and asked the developer identify mitigation beforehand so that if models are not accurate and there is more traffic, they are at the ready. Setbacks should be appropriate for Grove Street and provide safe bike lanes and pedestrian safety. He would ask for solar energy and renewable energy. Climate change is the quintessential problem of our times. Getting new buildings to be energy efficiency is much easier than rehabbing older buildings. It should be required for every new building in the City. We should require the maximum amount of renewable energy. All the pavement should be permeable. Table 1.6 does not show a reduction in impermeable pavement.

Paul Girigos, 81 Woodland Road said the LFIA proposal echoes his concerns about the site. He pointed out concerns about traffic and its impact on Grove Street. It is a scenic place and he is nervous about a traffic light at Grove and Woodland. They promote speeding cars as they rush to make the light and it is a safety concern. The developer's reason for developing the site to such a large size is economics. There is not anything intrinsic to the height, arrangement or use of buildings that speaks to him as a Newton resident. The developer is entitled to have a return, but the scope of the project does not move him. If the Council is just concerned that no one else will come to develop it, that should not be a reason to approve it. Creativity needs to be employed to get the right development there.

Phil Wallace, 340 Wolcott Street said the idea that there should be the maximum flexibility to have broad zoning permission to be later reduced by the special permit process, is belied by the history. Zoning was passed and those exact maximums were reached in the prior project. In the calculations, we are relying on numbers that have not been vetted by peer review. They have been exchanged with a subcontractor of the visioning process but we do not have the transparency that was requested at a prior hearing. We have not seen the numbers. They do not include the externalities and those are what need to be balanced. There is an opportunity for the city to have additional revenue and the developer to receive a return, but the neighbors will be waiting in traffic and 10K more trips per day. Mitigation is not improvement – it is making it less bad.

Helen Taplin, Newton Lower Falls said Newton is being treated like an urban wasteland and it is sad. She does not go to Newton Corner or Newtonville anymore and now having her neighborhood become an urban center is like losing her past. She would think people that love the earth would not want to go this route.

Dan Cooperstein, 15 Ithaca Circle said he has a sign in his front yard and after listening to the LFIA representatives, he thinks they have some important things to consider. His concern is every time he goes on the overpass on 128 he sees the backed up traffic. The traffic on Grove Street is a nightmare when there is a Red Sox game – this is what already exists. In terms of how traffic will work in the future, the impact on the community must be considered. Many intersections are currently blocked and he would like the logistics considered and how traffic will work for the residents of the community. He would like the Council to consider the right size for the project so the neighborhood is not ostracized from the community.

Barbara Gurenthal, Newton Lower Falls requesting that speakers identify their neighborhood because it is easy to comment on something that will not affect you. She said the Mayor has been clear that she a position and agenda related to this project and the Planning Department is not neutral. It is clear from the Planning Memo that the department has an agenda. Of all the zoning amendments proposed by the LFIA, not a single word was found to be of any value of use. The Planning Dept has taken the position that even changes to the intro policy language that this should be a zone that the neighborhood and their wellbeing should be taken into consideration – has been rejected. They are stepping into the policy making role of the City Council and they have strayed over that line. She does not know how to solve that problem because the Council relies on them and everyone should be aware of this and find a way to address it.

Kathleen Profitharms, 11 Neil Street said she supports the LFIA plans. Currently on Red Sox days if she wants to drive to the Star Market in Auburndale she has to go on Route 16 and drive by the hospital. She asks the Committees to consider the traffic around the NW Hospital and ambulances are trying to get there and more traffic will be there. She asked that be addressed.

Peter Barrer, 60 Endicott Street thanked the Planning Dept for their cogent analysis which is also supported by the Riverside visioning process. He thinks the LFIA had some useful suggestions, but they do not belong in the zoning ordinance – they belong in the special permit process. He hopes the concerns about various impacts will be addressed there. He supports the zoning proposed by the developer. If a developer can build a low carbon construction project, the housing is needed and he supports the special permit as well.

Debbie Ruder, 15 Halvern Road said she has lived in Lower Falls for 27 years and does not normally speak at public hearings, but she is speaking on behalf of herself and her husband. The Riverside site is a 7-minute walk and 2-minute drive from their home. Her training as a journalist taught her to look at issues in a balanced way. They would like to see the site developed in a sensible way that fits the scale of the neighborhood. They urge the Council to seriously consider the LFIA proposal and to pave the way for development with reasonable building heights and setbacks, that provides a range of housing opportunities for all groups, that enhances the area with parks and other open spaces and allows for a future expansion of public transit so that Riverside becomes a model of successful transit oriented development. It is a once in a lifetime opportunity to develop this in a way that benefits us all.

Michael Lorant, 51 Crehore Drive is in favor of more affordable housing, but he fears that this is not providing that since is it 85% market rate. One has to earn \$120K to \$140K to live there. He is for energy efficiency, but he fears they might get a lot of traffic. How will people get to the development and the proximity to highway suggests driving. How will they get from the highway to the development and most will be on Grove Street which is concerning?

Jonathan Fleming, 55 Clearwater Road said he and his wife have lived there since 1987. His community is at risk. It is clear the current development will overwhelm the neighborhood with traffic congestion and significantly diminish the quality of life in Newton Lower Falls and Auburndale, lower property values and result in neighborhood flight. There is no way to mitigate

the level of cars that any combination of building in this type of project, especially from the 95 ramp into the neighborhood. If you approve this project you will create a traffic nightmare that will make the "traffic of death" similar to the problem are in Newton Corner. He has reviewed the financial calculations with the developer and those familiar with these types of projects. The size of this proposal reflects the actual land cost this developer must cover to make a minimal return on investment. The size is not the function of a greedy developer looking to make excess profits. This is a function of the land costs which are based on a series of asks by the state, the city and by a number of interest groups and the neighborhood. To make all the promises comes true requires a project of this size, which is not tenable. He asked everyone to come together to reduce the land cost which will allow a creative solution for a more reasonably sized project.

Mark ?, said he concerned about traffic and there are some black boxes that the public needs to see into to argue assumptions.

Gina Parkinson, 21 Grayson Lane said after several meetings with CivicMoxie with public participation, their visioning appendix A which analyzes the economic feasibility of various development sizes was presented for the first time as the final report at the last moment with no opportunity for discussion or questions. This made the process seem suspect to those in attendance. The chart on page 14 shows a return from 5%-7% depending on the size of the development but the investment in land and other costs were kept consistent from 580K to 1.6M square feet. Of course, the largest development scenario has the highest return. At 58K square feet the project does not need the \$19.6M exit ramp and therefore does not need the \$34.5M to buy the Hotel Indigo. There is no more certain way to raise a project's return than to reduce the investment. The exit ramp will not reduce the traffic on Lower Falls side of the 95 by one car. In appendix A every scenario already has a return of at least 5%. The detailed financial assumptions have only been shared with CivicMoxie. We can still conclude that with changes in investment, concessions by the developer and the city and participation by the MBTA a much smaller development than this proposal is feasible. If the City Council rejects this proposal another viable project will be forthcoming from Mark Development or another developer.

Name? Clearwater Road asked the Committee to reject the developers proposed changes and adopt the LFIA proposal. She understands that city debts must be paid, pensions fulfilled, and more affordable housing built and the environment saved. Development at Riverside could assist in these goals but we do not need to sacrifice the integrity of the neighborhoods in order to achieve them. Less can be more. Without 14-18 story buildings, there can be a more balanced, transit and neighborhood-oriented development. Without these buildings, we will not need a total reconfiguration of traffic on and off the highway. Do not accept the developer's contention that he must build this exaggerated process and take the time to do the noise, traffic and visual analyses to do this right. Please listen to the people who live here and who you represent. There is more at stake than dollars and cents. Do not let us down.

Catherine Stover, 72 St. Mary's Street said she appreciates all the information the City Council has to analyze by all involved and is must be difficult to make sense of them and their impact on the city. Outside of this process, the residents of the largely unrepresented villages are trying to

present their issues. Each village will be impacted by projects near them. Residents across the city are feeling disenfranchised. They lack well-funded development teams of architect, lawyers and a planning department and have only 2 minutes to present their issues and concerns. In contrast, the developer's teams have spoken for hours so it is David vs. Goliath. She hopes the neighborhood's zoning proposals will be seriously considered. LFIA supports development of the site but in a scale that is appropriate for the area. As proposed, Riverside will become an island unto itself without community resources. It will not be a neighborhood village which is the core on which Newton has been built and the developer has shown no willingness to alter the plan he showcased in 2018 except to make it bigger and taller.

Charles Stover, 72 St. Mary's Street said the development proposal is the maximum possible buildout on 14.4 acres. The fiscal impact analysis prepared by Municap shows a net surplus of \$2.9M to the City. This study is the best-case scenario with maximum height housing and office space. More realistic scenarios are not presented for comparison. Even in the best case, the net revenue is only .6% of the city's revenue. The Municap study excludes capital costs such as school modifications, specialized firefighting equipment, etc. They have looked at increased school enrollment and what may happen in the next 5 years in the real estate market which will affect the prices and value of the project. This is simply stated to point out we are at the 10-year mark of a 10-year boom and the economy is floating on a big deficit and low interest rates. There may be some correction in the next few years.

Drew Smythe, 105 Hancock St said with bigger density he wondered how many more floors will be needed at the Williams School. He is surprised no one is talking about that this is an industrial site and has been developed for more than 200 years. There is all kinds of contamination there, VOC, PCBs, metals, oils down to 35 feet, etc. Are there portions that should not be developed? Part of the site overlaps with the Weston Public water supply wells so any activities here have the potential to affect that. If the soils are disturbed the contamination will be mobilized and go into the air and the river and the well. They have already removed 4000 tons of contaminated oil soil in the past. Where is that stockpile going to go and how will the public be protected. Wind blown material and water contamination, sub slab depressurization systems for the building. Can the developer afford this? He might get halfway done and not afford it – this is going to be a residential area and there are much higher clean up standards. No one is thinking of this. Blasting is necessary and odors will be problematic. Disposal trucks will be going back and forth to the site.

Randall Block, 45 Lafayette Road – comments attached.

Brendan Keegan, 139 Gibbs Street said he grew up on Clinton Place in Newton. He is supportive of the project and he has a problem with the site not being transit-oriented when it is at the stub end of a branch of the business light-rail system in the country. It is also less than a mile walk to the Auburndale commuter line station. There is good transit there and a potential for more with development and density. With the combination of residential and commercial on this site there will be fewer vehicle trips so the residents of Riverside will be able to accomplish many daily tasks without leaving. It will also provide amenities for the surrounding neighbors like protected bike lanes and stores they can walk to. It also has a tremendous opportunity for jobs. Government

Center is not the only job center – Longwood, Copley and many stops in Newton are on the D-line. It would be great if more people that work in Newton could live in Newton. This is an opportunity to connect to the Charles River and a potential greenway. It would enhance the connections and create new ones. The bus turnaround should be a viable public space and not an exhaust deposit.

Debbie DeBotton, 585 Grove Street said they hear over and over that we need more housing for seniors and millennials. The developer's proposal will provide 15% affordable housing and 85% expensive housing. That expensive housing will not meet the needs of either of those groups. It will be too expensive. Most millennials would not qualify for the affordable housing and could not afford the market rate units. A 2 bedroom at Woodlawn rents for about \$4K. Her daughter works in Back Bay and lives in Boston and walks to work. She has a 2-bedroom apt and her half of the rent is \$1200. A \$4K a month apartment and an hour commute to Boston would not bring her to live in Newton. Advising seniors who have a lifetime of equity in their homes to move to an expensive apartment just before they might need to move to assisted living, would deplete their life savings when they need it the most. The market rate housing will be out of reach for millennials, seniors, teachers and firefighters. A couple would need to make \$200K to afford a 2-bedroom apartment. This will not make Newton more affordable. She supports the LFIA proposal which is a better fit for the community.

Dan Rubin, 175 Auburn Street said he supports a dense Riverside development because it will enable to the use of mass transit and take cars off the road. People have to live somewhere. If they live close to mass transit that means fewer car trips. If they are further away it means more traffic and adds to the problems of climate change. There is a housing crisis and more housing is needed for empty-nesters and others. Riverside needs density to offset its considerable fixed costs and to enable more investment in energy efficiency and affordable Housing. It will also have some attractive shops that Newton could use and he urged the Committee to support a dense development at Riverside.

Richard Alfred, 73 Grove Street said he and his wife have lived there for more than 30 years. He and his wife support the LFIA plan and strongly opposed Mark Development's plan. He served on the School Committee for 6 years and he has a sense of how class size affects public education. Public education is fundamental to the City and many moved here for the quality school system. We are committed to maintaining that and he has heard almost nothing about the impact of the development on the schools. What will happen as schools are overcrowding and the cascading effect on all the schools. Children on millennials who will be living there have not been considered – will redistricting be required? It is a really hard to do that, or maybe we need to build a new school and that needs to be factored into the cost of this development. The development as proposed will have a negative impact and should be rejected.

Tom Gaugin, 32 First Street supports the Mark Development proposal. He was walking around the neighborhood and saw for sale signs. The asking prices were in the \$1.2 to \$2.5M range. Mark Development wants to put 618 rental apartments in with 83 reserved for low- and moderate-income families. Very different kind of housing than those big houses. According to the US census, Newton has 900 fewer apartments for rent now than it did in 2010. Riverside as proposed is big

and needs to be big. A smaller plan failed in 2013 and a parking lot remains. Highway access is needed to mitigate traffic impacts. Those need to be paid for which is why it is big. A police officer or school teacher used to be able to afford a house here but no more. This is a chance for more people to be able to live here.

Lynn Weisberg, 5 Alden Street has lived in Newton for 25 years. The current MU3 was created to build at Riverside. That development failed in 2013. There is no question that this site is ideal for mixed use, dense development. Density has become a word that the LFIA supporters treat as a bad word. She agreed with the Green Newton speakers as to why density is needed. It is also what is needed for the housing crisis in Newton and the Boston area. The tax revenue is a lesser reason to support the project but nonetheless a benefit to the City. She hopes the Council will follow the advice from the Planning Dept. They are a group of highly professional planning experts who have no agenda other than to analyze the facts and make a recommendation. She hopes that before the term ends, the Council will approve the zoning and the special permit.

Marion Knapp, 250 Hammond Pond Parkway said she is a 50-year Newton resident and been on the Council on Aging for 10 years. She as an appointed member of that commission is an advocate for all seniors in the City. She is not representing any particular neighborhood. She supports the development and the notion that it will provide critical housing for older people. Many want to downsize and found a location to live in a more efficient and accessible way than in big homes. Older people are not all the same - they are just as diverse as any other population set and they want options. Some rents are expensive but there are some affordable units for which older people can apply. They can sell their homes and use those assets to move and not have to worry about snow removal and those issues. She supports building a community within the development which is an age-friendly community.

Doris Ann Sweet, 281 Lexington Street said she and her family moved there 40 years ago because there is a wealth of public transit there. Her husband was blind for many of his working years and travelled daily on a express bus. She has commuted on the commuter rail and the Green line to various jobs over the years. Her grandchildren do the same – and her daughter who lives in another state takes the bus from Philadelphia to Riverside to visit. It is definitely a transit-oriented development site. She was concerned by one of the LFIA statements that the criteria for evaluation of the project and MU3. They stated that any adverse effects must be assessed without any regard to any perceived benefits from the proposed project. There are so many perceived benefits to the area as a whole.

Kathleen Hobson, 128 Dorset Road said Waban is a transit-oriented neighborhood that has suffered the defeat of 3 multi-family projects in the past 6 years including Engine 6 that turned her into a housing advocate. It is upsetting to her that those opportunities are gone forever. She commended the Planning Dept. for their diligent, conscientious and thoughtful work on this proposal and they have done an excellent job. The MU3 zoning district was approved overwhelmingly by the Board of Aldermen in 2012 specifically for the Riverside site, just as MU4 was created for Austin Street. She supports the request to rezone Riverside to MU3. The location of the project justifies the scale of it as proposed. With so few opportunities like this in Newton we

cannot afford to squander it. The housing crisis is half a matter of supply – the supply in Newton is too low. Between 2000 and 2013 Newton lost 4700 households earning \$125K or less and gained 4200 households earning \$200K or more. Please watch the Jeff Speck video about the project as it gives a good perspective of how it fits into the neighborhood.

Rose Day, 21 Fern Street said she lives 500 feet from the commuter rail and a half mile from the green line and she goes into the city every day for work and she does not use public transport. The schedule is really limited and takes far too long and sometimes she has to pick her kids up on the way back. If we build this huge dense project, any improvements that could be made to public transit will be limited. She supports the LFIA amendments.

Norman Seiman, 100 Clearwater Road said the impact of the office component in this proposed project meets the revenue goals for the City. It turns the conceptual process around and back engineers it and you end up with an overly dense and large project. The trip and parking numbers are generated by the office component and is what creates the need for the interchange modification and all the parking structures on site. Unless that is downsized by 75% and the project is reconceptualized, you are going to end up with a project that will create far more problems and negative impacts that the benefits it creates.

Brooke Lipsitt, 54 Kirkstall Road said wanted to remind the public that there is no money to produce affordable housing without producing market rate housing. It takes multiple units of market rate housing to support every unit of affordable housing. We all know that we need more affordable housing and we will need more market rate to support. She understands the concerns about additional school children but she, her kids and her grandkids went to school here and she wants anyone who might live here to have that opportunity as well. She understands the previous zoning was tailored to the project, she suggested the Council might approve by-right zoning in an MU3 district that is at a certain level and allow the ability to increase that by special permit rather than keeping the zone narrow and giving the special permit options more breadth.

Elaine Rush Arruda, 1921 Commonwealth Ave she is concerned about the Mark Development proposed zoning. It is too high, too dense and will overwhelm roads, schools and the village feel of Lower Falls and Auburndale. She wholeheartedly supports the LFIA proposal for reasonable development that everyone can support and be proud of. All of the goals of affordable housing, commercial tax revenue, climate concerns, etc. can be addressed in a smaller development that more residents can support.

Warren Abramson, 77 Court Street said he is on the Commission on Disability. The project was presented in the COD meeting and he is 100% in support of it. Density is needed. The separate ramp off 128 will help with the traffic concerns. A huge concern with having a disability is the lack of handicapped accessibility. They never know when something will happen to us. The project is excellent for anyone with a disability. Mark Development has been supportive and helpful for the concerns of the disabled community. The city needs this development to stay ahead of the curve. He lives in a condo building with 25% affordability.

Mark Licoff, 1 Cornell Street said he is married with a son who is in the Navy and went to Newton public schools. An interesting and organically formed neighborhood can be found in Newton Lower Falls in any season. That is not what will be created at Riverside. No one is against adding to the tax base, adding open space and affordable housing. The problem is in the details of the project and if paying homage to these principles permanently damages the villages of lower falls and auburndale then the cost is too high. He supports the LFIA proposal. No one has voted to shoehorning a whole village into the 14 acres of this project. What will happen is an existential threat to the neighborhoods and there will be no going back. He is waiting to see when a 200-foot tower will be proposed next to the Starbucks in Waban – he feels he will be waiting quite a while for that.

Sheila Fice, 1 Cornell Street said she has lived there for 27 years. The neighborhood opposes the heights of the buildings and the number of buildings. They do not oppose affordable housing or adding tax money. It must not destroy the neighborhoods, though.

Robert Warming, 36 St. Mary's Street said he is supporting the LFIA proposal because the competing plan would detract from the neighborhood all while failing to create affordable, attractive housing for young people, like himself, who want to continue to live in Newton after college. The luxury units would require \$120k-\$140K in annual salary which is unattainable for young people today. Lower Falls needs a path forward that is beneficial to the neighborhood, city and developers. The mutually beneficial RightSize plan is a culmination of the good faith efforts of many groups. The Mark Development proposal is not. He asked the Committee to approve the LFIA proposal.

Al Calderoni, 605 Grove Street said he and his wife grew up in Newton and went to public schools here as well as his children. He looks forward to the special permit discussions on the projects' impact on the schools. Any development on the highway should be no taller than the Hotel Indigo. No one wants to see big towers looming over Hamilton Field. If the development took advantage of the drop-off on the property it could still have a building that is plenty tall. 135 feet is more than tall enough to allow for 10-11 stories and is the maximum height being considered for many parts of the City in zoning redesign. Why should taller be appropriate here? The Chestnut Hill towers are not an appropriate comparison for Lower Falls. There is some architecture that is industrial such as the mill buildings which are 4 stories or less. If we can't put something that fits within the city then nothing should be put there. 230-foot towers are too much for commercial space. We can get this right with the right size.

Ariela Cohen, 585 Grove Street said that people are saying millennials will want to live at Riverside. She is a millennial and she would not want to live there. She lives in Newton and will be moving to Cambridge. Newton is close to her job but she is moving to Cambridge for the city energy and culture that Newton does not have. Her carbon footprint is important but so is her time. Commuting from Newton to Cambridge is over an hour by T and only 20 minutes by car. Therefore, when she goes to the City she takes an Uber or drives to avoid the T commute. She owns an electric vehicle. Her job is in the suburbs and not accessible by public transit. Many of her peers work for large companies in the suburbs and choose to live in Cambridge or Boston despite the

longer commute. Almost all of them owns cars for work and also want to flexibility to travel that Massachusetts and New England public systems do not offer. Living in a development in Newton offers a few bars and restaurants and walk to the D line would not meet millennial's needs.

J.J. Dixon, 614 Grove Street said the schools are the most important part of the problem this development will face. Having a commercial license in transportation, everyone has seen 128/95 expand one lane from 95 to the North shore and then it stops. Years and years of bumper to bumper traffic. He cannot understand how that development will go in with a highway that is already so screwed up from route 16 to the Mass Pike. Nothing has been done to improve conditions. Grove street is a patchwork of potholes and the line in the middle of the street is gone and we were supposed to get some benefits for the increased traffic. This is not going to help.

Peter Bruce, Claflin Place said as a cab driver he seconds the thoughts of Mr. Dixon. He just read "Draw Down" a book about how to save the earth and carbon reduction. What could be 30 times more effective than going for transit-oriented development is having effective regulation of refrigeration and the chemicals associated with that. Getting people in large numbers to not eat meat, save the rainforest, etc. These things are more impactful. There is also a groupthink going on in Newton that density is great. If you read the academic literature, it is not necessarily true that more density leads to less carbon use. The methodologies used in studies tend to ignore the impacts of agriculture and fuel. The advantage of density is overrated and is being used to sell the project at Riverside.

Linda Wolk, Newtonville said she is supporting other Newton residents who are concerned about Riverside and Northland. She agrees with LFIA proposal lowering heights and increasing setbacks and requiring more open and civic space. It seem developers have had more influence than the citizens. The city does not seem to be listening to residents and businesses here. We hope that our City Councilors and Mayor will represent the suggestions of residents and that this process of being able to speak means something. Overriding the concerns is not healthy for the city. Please take seriously the LFIA proposal. She is worried about traffic and stress on schools as well.

Lisa Genelli, 25 Leslie Road said she supports the LFIA proposal. She agrees with the previous speaker.

Bart Lloyd, 65 Taft Avenue said his kids have gone through the schools here. Every person in this room lives in a house that increased density and put more kids in the school system. We stand on the shoulders of our prior generation and the fact that they took care to be sensible about development. But yesterday's sensibilities are not today's. The new off-ramp could help with traffic and that could not be done with a smaller development. The height increases as it goes away from the street is sensible. With hundreds of people no longer needing cars is sensible. He is an advocate for affordable housing and the City struggles to get 6 units a year at \$500K per unit and this project will provide 102 in one year. That is a big win but not the only reason to approve this. It is sensible development.

Karen Mondell, 11 Pinegrove Avenue said her neighborhood has seen increase in traffic but nothing on the scale that would result from this project. It is horrifying. If approved the project would triple the traffic volume from 4700 to 14,500 vehicle trips per day. It is hard to fathom this level of traffic and congestion on our streets. It is already a nightmare on sports game days but that is occasional and not a regular occurrence. It does not have the long-term impact that 14,500 trips would have and would be crushing for Grove Street. The added traffic would isolate Lower Falls from Auburndale where many go on a daily basis. It will make everyday errands difficult and we are encouraged to shop local. The plan would set a precedent for height, density and lack of village amenities. Once that is set it will be much easier to justify other developments of that scale. Is that what we want in our City? As a 39-year resident it is not what she wants to see.

Bob ?, 517 Grove Street said he reviewed the traffic analysis and his house is in the queue area and he won't be able to back out of his driveway to go to work at certain times of day. Four of his neighbors have the same problem. There are 7 other traffic circles adjacent to ramps on 128. This is the only location where there are houses sitting on the roundabout and queues that will affect residents' driveways. He begs them to reconsider this. It will affect his property value.

Erin Kandamar, Lower Falls said she moved here 11 years ago from Cambridge. When she got married, she wanted more space and moved here. The Riverside project is a short walk from her house and the size and density are too much for the site to handle. The potential for traffic to increase clogging Grove street is not acceptable. She received a pamphlet in the mail about a house listing in Lower Falls. It described Lower Falls as a small village in Newton that has 350 homes on the Charles River neighboring Wellesley. Lower Falls is a small village and the thought of creating a new densely populated village with 675 units and limited green space is unacceptable. What also struck her was that the homeowner was Bill Renke. He worked on the original Riverside plan for a reasonable development. His work inspires her to work for a more reasonable, paced approach to the project with zero adverse effects on the surrounding neighborhood.

John DeSousa, 54 St. Mary's Street said he moved back to Newton last year because Newton has the things they care about like good schools and caring, close knit community. This project threatens to congest the roads, overwhelm the schools and make the City no different from any other characterless TOD. He hopes that the concerns are heard and are dignified with an unbiased response.

Liz Pratt, 30 Lake Avenue said she has lived there for 10 years. They moved here for the schools and the village feel. This is not a NIMBY issue – they want a project that better meets the needs of the community. She lives in an historic neighborhood and this development does not gel with that. Something this massive has to be considered carefully and brought to a better size. She has been around the issue since 2013 and she was naïve enough to think that if she did her civic duty it would make a difference. CivicMoxie did not hear them and they all deserve to be heard. They want to work with everyone to find the best solution. We will all remember these nights if this gets approved without careful thought, which is a dangerous move.

Adam Kovacks, 257 Dedham Street said he has lived there for 42 years. He is considered by many as elderly and he would not move into the proposed development because a \$4K monthly rent would cost much, much more than his current housing costs. He has always been a supporter of public transportation as he originated in NY City. He was working downtown and would take the T whenever he could. His use of the T got less and less because it is not what it used to be. Unless this Council thinks that the state is going to make significant infrastructure improvements, increased ridership will not happen. He echoed the comments about the Planning Dept. His conclusion that the vision plans are the products of the Planning Dept and the Mayor. He asked for the Committee to reject the developer's proposal.

Paul McAuliffe, 73 Day Street said he is lifelong resident of Auburndale and he is the President of Woodlawn Golf Club, a direct abutter to Riverside. On behalf of Woodland, he supports the LFIA proposal. The density, height and setback recommendations will provide reasonable limits for development there while allowing a larger project that was proposed 5 years ago. The Club asks for attention to the height and façade along Grove Street. The proposed 6-7 stories buildings are a major step back from the 3-4 stories with tastefully done residential doors that were approved in the previous plan. In general, a zone that allows an excess of 1.5M square feet of development with two towers over 200 feet tall is too large for this site. Please keep in mind what is right for there neighborhoods that would be most affected by this development.

Ken ?, 55 St. Mary's Street said he has lived in Newton for 36 years. He agrees that something should be built at Riverside and he is generally in favor of development – but not this one. It is simply too big. The zoning change proposed would drastically increase the size and height of buildings. 16-18 story buildings are not necessary, and they are not allowed anywhere else in the City. It would also reduce open space. It would create a massive development that overwhelms the neighborhoods and would not be in keeping with their character and scale. Traffic would be seriously problematic, and it is difficult already. The LFIA proposal creates open space and reasonable limits. It is in keeping with the character and scale of the neighborhood. He asked the Council to reject the proposal.

Jim Wagner, 168 Pinegrove said he has followed the Mark Development designs and proposals. Is this the best that Newton can do? Is the proposed size appropriate and manageable for Newton? Can future vehicle traffic be controlled? What if it proves ineffective after its built? Why is this developer allowed to develop only the legal minimum of affordable housing if it is so badly needed in the city? Why can't it be more than 15%? How many years will construction disrupt the people in the area? How will the zoning precedent affect Newton? Newton can do better than this. Newton is the best managed and most livable of the 7 American cities he has lived in due in large part to careful zoning and planning. Look for better answers in the LFIA proposal.

Julie Ramsey, 656 Grove Street said she and her husband have lived there for 45 years. It is a big deal to develop Riverside and needs careful thought. She wished the site were a transportation hub but it is not. The reason it is valuable is due to its location next to two highways. It is unfortunate to talk about it as a transit hub because it is not a great place to commute from/to. She supports affordable housing and density but there is nothing different about Riverside except

for the highways which will add so much traffic. Her children would not consider living there – they live in Cambridge and Chicago. It will not attract millennials or seniors. It will not have the kind of environment that people think it will. There will be a tipping point and the neighborhoods there will suffer.

? Cohen, 585 Grove Street said he graduated from college a year ago and is living at home. He commutes into Boston. His train stopped and was stranded in the tunnel. He left an hour extra time to get to work and he was barely on time for his first day of his new job. For those who do not ride the T, its easy to say everyone can ride the T but public transportation on the Green line is not fast or efficient. Is there any data that this will be an easy transition to increase the population density at Riverside for the T. The plethora of existing problems on the Green Line need to be fixed first.

Alison Bassett, 187 Concord Street said she supports RightSize for Riverside and she asked the Committee to listen to the residents. Do not destroy two historic villages with such a large development.

Linda Ross, 31 Clearwater Road said she has lived there for 33 years. She supports the LFIA recommendations. She feels this whole process is very rushed and the most common concern is traffic and its her major issue. She is retired and sees that she can't go anywhere without traffic delaying her a half hour to get out of the neighborhood. The proposed traffic survey is naïve and underpowered. People may take the T to work but they still will likely have and need cars for cold weather and other reasons. The Council should consider and study that before any action is taken.

Kate Stabile, 35 Colgate road said she has lived in Lower Falls for 11 years. She loves her neighborhood. She and her husband chose Newton for the green space and the small-town feel. They had 2 children here for those reasons as well. The size and density of development will bring traffic and height and environmental impact would change the character of the neighborhoods there and the City in a fundamental way. We are the park city, the city of villages and not the city of 500-foot lines of backed up cars. We are not the city of high-rise skyscrapers and that considers developers priorities over residents' quality of life. Riverside should be developed in a modest, sustainable way. Buildings should match nearby developments. A plan for schools, police, fire, etc. much finish before ground breaks. Do not ruin her neighborhood with this massive proposal.

Michele Goldhaber, 44 Colgate Road said she lives in a family house that she could never afford. Her parents built it in the 50s. She is a huge supporter of affordable housing and development. She loves walking places and would appreciate more destinations at Riverside to walk to so she can leave her car at home. She would be devastated to see the character of her neighborhood be compromised by skyscrapers and overwhelming density without the chance to consider all the impacts as mentioned earlier. Although she supports public transit, when it takes an hour and half to get downtown on the T, she makes the decision to drive. She supports the LFIA proposal. She wants to feel the Councilors are representing her and are not being swayed by the influence of big developers and that there is no bias on the Planning Committee.

John Connor, 135 Cornell Street said he lives there with his wife and children. He agrees with the last speaker and would like the Committee to consider the LFIA proposal which has very cogent points. The process seems needlessly rushed. Between 2013 and now, what was everyone doing that it now has to be done so quickly. The pillars on which Auburndale and Lower Falls are built will be stressed by this. More discussion and interaction are needed. The Council has a good idea when decisions have been rushed. Hamilton used to be a school and then got sold. Williams is full as is the swing space and we could use the school. Please consider LFIA's proposal.

Ram ?, 585 Grove Street said he is concerned with the criteria with regard to traffic and height and density. Is there a reason that we are proposing 18 stories and not 50 or 100? How is this decision made? How much is a lot of traffic? If he has to wait 5 minutes to get out of the driveway, is that too long or too short? Is there some kind of action the City can take if that is too long? There needs to be some kind of quantity of what is too much traffic. The site needs to be developed so as a last resort he proposed the LFIA smaller proposal.

John ?, 5 Gradell Circle said Riverside has unique potential as an asset that can support additional mass transit, housing and from an environmental perspective. What has not been discussed is there are existing rail tracks from Riverside to Cambridge, Kendall and Boston. Have we left enough room in the zoning process for operations for these trains that will be coming? How much is it worth environmentally to get the cars off the road driving to Boston and Cambridge. There is enough space to leave room for transit and build 700 units of housing. We have to get this right. Once it is developed there will be no going back, and people will ask why we did not do transit planning. He knows that it is not being done and if it being done that should be made public. Do not rush and take adequate time for a transit study.

? Sanborn, Circuit Avenue said she does not understand the rush to huge development. The impact of Washington Place and Austin Street need to be weighed before another development is undertaken. Once they are built there is no going back to great care needs to be taken. Affordable housing is an aggravating issue for her. She is 72 years old and her income is \$22K a year and how can she afford to live in Newton. She lived in Cambridge in a rent-controlled apartment but that ended. She had to leave work at 51 because of medical issues. The wait for senior housing in Newton is 3-6 years. We need to think more about this.

Jim Pacheco, Circuit Avenue said he is against this zoning change. It should stay a business zone and changing it is inappropriate. Riverside should take advantage of its location for medical and office facilities and it was written down in the vision plan. A strong desire for small businesses and mixed use to serve the surrounding communities is in the vision plan as well as increased tax revenue for the City. There is contaminated soil there and no one should live there.

Dan Bock said he and his family have lived in Lower Falls for 35 years. Lower Falls is central to getting anywhere in the greater Boston area. He was fortunately able to commute to downtown Boston via the 500 Riverside bus which no longer exists. The Green line is too slow and unreliable. He realized that a great attraction to that locus makes it desirable as a place to live, to drive to the north shore and the western suburbs. He has worked in western suburbs. People will be attracted

to the housing options there as a way to drive to these other locations which will increase traffic. Often solutions are proposed that seem like great ideas at first, second and third level analysis. But potential problems raised along the way are ignored as they are overwhelmed by other factors. Solutions can be found but it takes time and the Mark Development proposal has issues that have not been sufficiently addressed.

Kerry Wrights said he has been in Lower Falls for 17 years. He had one word: Traffic.

John Macelbeth, 46 Lafayette Road said he has lived there with his family for 20 years. There was a public/private partnership through correspondence he knows the state agreed to pay for the parking garage. That \$30M asset if paid for could bring down the size of this project. He looks to the Mayor and Council to consider bringing the MBTA to the table. It is very important and its not fair the City should shoulder all this. MBTA is getting the benefit and revenue without contributing. He was very involved in Riverside 1 – putting in about 2200 hours of his personal time for the benefit of the residents and the City. He has about 500 hours into Riverside 2. The most speakers that showed up the first time around were 10-12 which is a huge contrast compared to tonight. They need to ask themselves why that is.

Committee Comments/Question

A Committee member said he would like to have clarity of what might happen with the submitted special permit if the developers zoning proposal is not adopted, or if any zoning is not adopted before the special permit discussions. President Laredo said he will work with the Chairs of the Zoning & Planning Committee as well as the Land Use Committee on a process and how to proceed on the submissions before them. If the zoning is not approved first, the current special permit application would not work as the zoning would not support it. He wants to be sure the Council and the public know what to expect.

The Committee thanked everyone for their time and their comments. The Chair suggested closing the public hearing. After some discussion, the decision of the Committee was to keep the hearing open and hold the item. The President of the City Council noted that he would discuss the timing of further discussions of these items as well as the related items referred to the Land Use Committee and those plans would be announced in the near future. The Committee will discuss these items at the June 10th Zoning & Planning Committee meeting. The Chair announced that any other comments may be sent to the Committee Clerk at kdean@newtonma.gov.

#187-19

Zoning amendment from Newton LFIA for Riverside Station

LOWER FALLS IMPROVEMENT ASSOCIATION RIVERSIDE COMMITTEE & THE WARD 4 COUNCILORS requesting to amend Chapter 30, City of Newton Zoning Ordinance, Sections 4.2 and 7.3.5 pertaining to the Mixed Use3/Transit-Oriented zoning district.

Action:

Public Hearing Continued; Zoning & Planning Held 8-0

Note: See discussion notes and public comment above.

Respectfully Submitted,

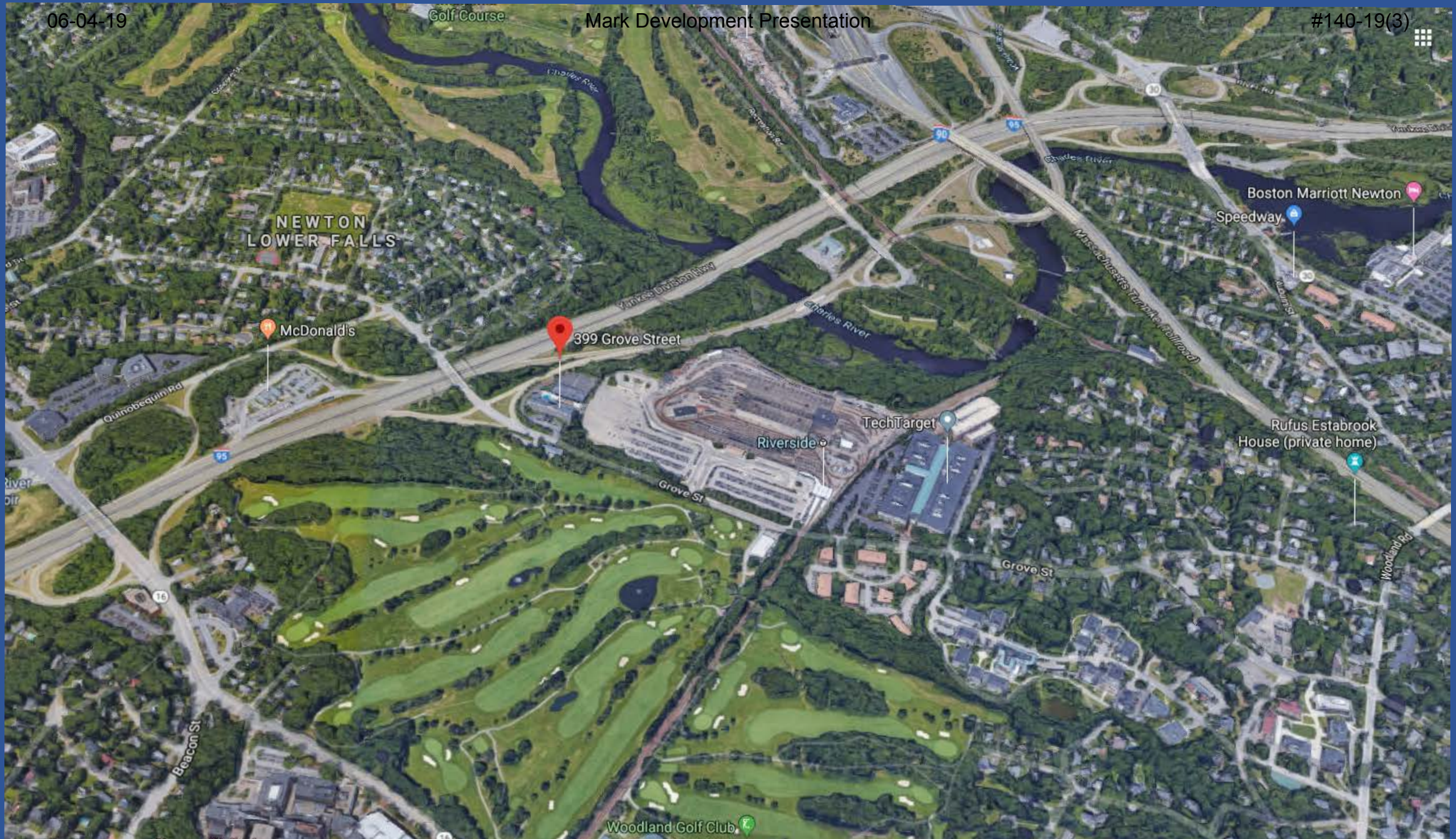
Greg Schwartz, Chair, Land Use Committee

Susan S. Albright, Chair, Zoning & Planning Committee

06-04-19

Mark Development Presentation

#140-19(3)



Riverside Station: Project Overview

Program	Gross Square Footage	# of Units
Retail	64,655	-
Office	611,437	-
Hotel	103,852	194 keys
Residential	702,202	675
Mixed Use Common Area	36,507	-
Total	1,518,653	-

2007 Newton Comprehensive Plan

A discussion of Route 95 is primarily a discussion about Riverside. It is clear that Riverside represents a significant development opportunity which the City can ill afford to ignore. Riverside has the capacity, access to highways, public transportation and location to attract several million square feet of high quality mixed use development. In fact, it is important to develop a dense enough project on this site to help pay to solve the access issues. The notion that a major parcel of land at the intersection of the Massachusetts Turnpike and Route 95 should remain undeveloped (and untaxed) is fiscally irresponsible and physically illogical.

Riverside Vision Plan

Conclusion

Based on this analysis and assuming a basic program and with conservative concessions to the requirements (we have assumed that through the Special Permit review there will be an adjustment to the parking requirements to 1:1 for residential), **the Riverside MBTA site requires upwards of 1.6M square feet of development** to achieve market return expectations. This is based on a simple program that includes the two most needed/in demand uses – residential and office with support retail.



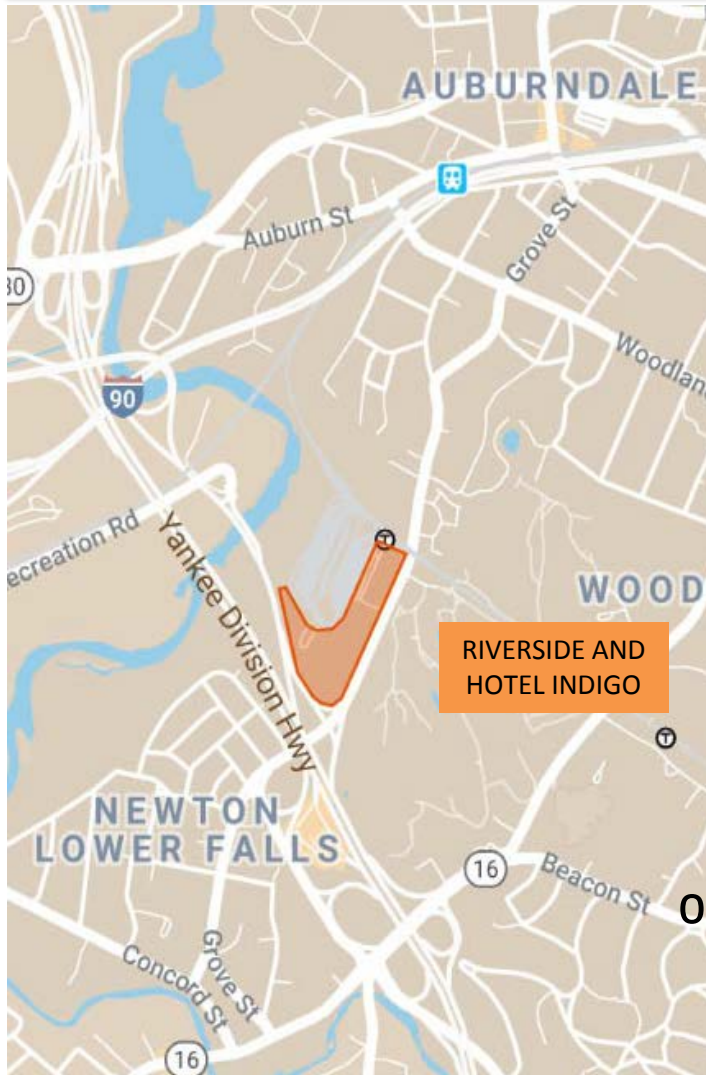
LOWER FALLS IMPROVEMENT #187-19 ASSOCIATION RIVERSIDE COMMITTEE

PRESENTATION TO THE ZONING AND PLANNING AND LAND USE COMMITTEES

JUNE 4, 2019



THE POTENTIAL DEVELOPMENT PARCEL



Located between Lower Falls and Auburndale on Grove Street: a narrow, designated scenic roadway

NOT ISOLATED FROM LOWER FALLS RESIDENCES

400 ft. from Lower Falls
houses

(less than the distance from the front
door of City Hall to the other side of
Walnut Street)

Abutting Condominiums
at 416 Grove St.



NOT ISOLATED FROM AUBURNDALE RESIDENCES

#187-19

200 ft. from apartment
complex in Auburndale

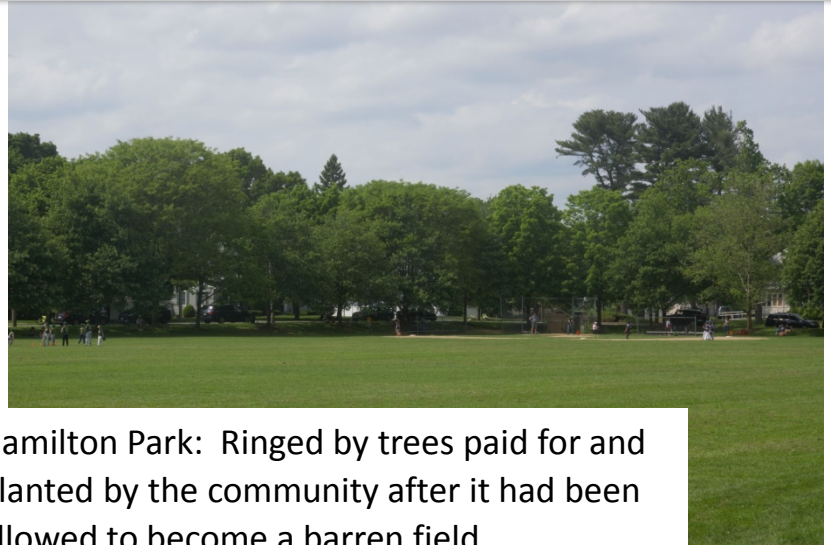
Other Auburndale residences
a short distance away



NEWTON LOWER FALLS



The playground: paid for and installed by Lower Falls residents twice in the last 20 years.



Hamilton Park: Ringed by trees paid for and planted by the community after it had been allowed to become a barren field.



One of many benches paid for with funds raised by the community because there were none in the Park.

Even the traffic islands have been landscaped by Lower Falls because they were neglected.



- **Statement of intent aligned with the facts and the value we place on neighborhoods**
- **Creation of spaces that encourage community**
- **Size and scale that fit**
- **Studies and standards that protect new and existing neighborhoods**



PRINCIPAL PROPOSED AMENDMENTS— OVERVIEW

#187-19

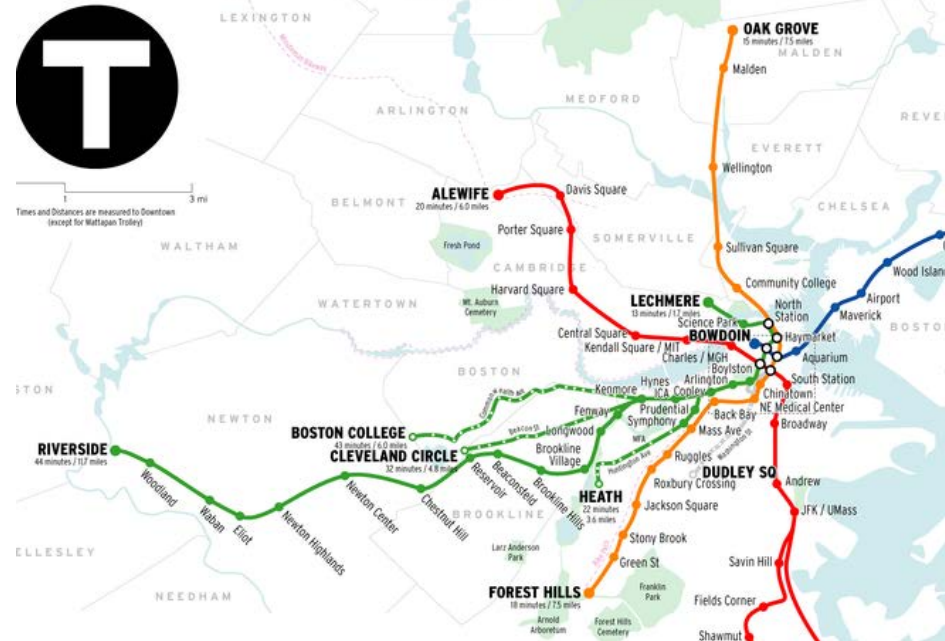
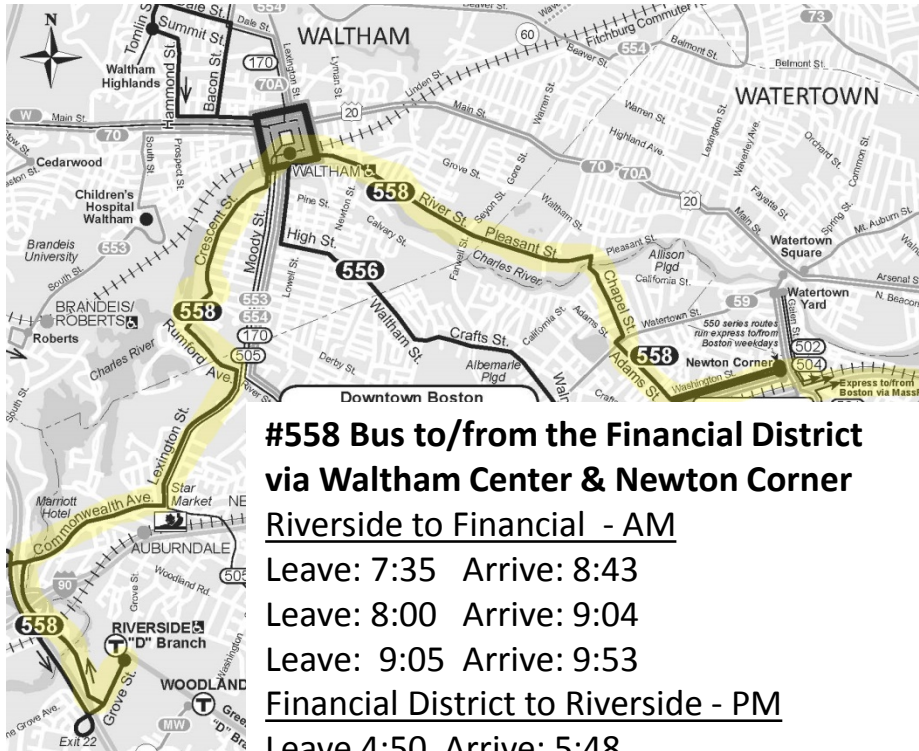
- **District Name and Purposes:**
 - o Remove the TOD Label—it is misleading and not helpful
 - o Expand on protection of the surrounding neighborhoods—the current language is insufficient
 - o Add creation of a healthy, safe and comfortable community—an important purpose not now addressed
- **Civic Open Space and Community Center:** vital to create a community at Riverside
- **Dimensional Standards:** ensure a development that is appropriately sized to not overwhelm, overburden or be a misfit for the surrounding neighborhoods or Grove St.; emphasizing housing over office uses
- **New Special Permit Application Requirements and Criteria:**
 - o Enhanced traffic submission and addition of missing criterion
 - o Noise study and criteria
 - o Pedestrian-level wind study and criteria
 - o Visual impact study and criteria
 - o Construction impact study and criteria

RELY ON FACTS NOT LABELS – #187-19

REMOVE “TOD” LABEL (Section 4.2.1.B)

Two transit options:
Green Line and #558 Bus

Green Line: Long ride to Boston and all major transit nodes; not viable for commuting to many major centers of employment





FOCUS ON NEIGHBORHOODS – BOTH OLD AND NEW (SEC. 4.2.1.B):

#187-19

Protection of Newton Lower Falls and Auburndale should be clear.

The quality of our neighborhoods matter. The wrong development at Riverside can hurt our neighborhoods and they must be protected from:

- Too much traffic
- Too much noise
- Too much incompatibility with the existing neighborhood character

Riverside should be a great place for people to live.

It should be clearly acknowledged that Riverside must be a healthy, safe and comfortable place to live—designed to encourage community by the inclusion of high-quality, indoor and outdoor civic spaces.

CREATE SPACES TO FOSTER COMMUNITY

New Categories of Uses Added:

- **Civic Open Space (Sections 4.2.3, 4.2.4.B)**
- **Community Center (Sections 4.2.4.F.1.d & 4.2.4.G.1)**

Civic spaces such as plazas, community gardens, parks and playgrounds are vital to make a real community at Riverside and to create a feeling of openness.

- “Beneficial open space” requirement is inadequate: can be met by narrow strips of grass, glorified traffic islands, space next to highway ramps and other spaces that are not beneficial community spaces. (See, as example, Mark Development’s beneficial open space plan (special permit filing, civil plan sheet C-4.0)).
- Access to the Charles River (a carrot one can expect from any developer) is not an adequate substitute:
 - at least a quarter mile from center of “town”;
 - separated from the site by the MBTA facilities;
 - does not build community
 - does not protect against a congested development.



- **A key component of the 2013 approved plan that is referenced in the current MU3 requirements, but not adequately defined.**
- **Its size is calculated as a percentage (1.5%) of the development.**
- **The previous community center was 11,000 sq. ft. Under the proposed amendments, it would be 9,600 sq. ft.**



RIVERSIDE SHOULD COMPLEMENT THE SURROUNDING AREA

#187-19

Development at Riverside should be appropriately sized to fit in with the surrounding neighborhoods and Grove St. It should not overwhelm or overburden them.

- o Establish appropriate building height and setback on Grove Street and rest of site
- o Establish appropriate upper story setbacks for tall buildings to protect light, air and sky views within the development
- o Establish appropriate overall size limitation
- o Prioritize housing at the site

Necessary to comport with the Comprehensive Plan directive:

“Development is to be guided to reflect the character held or sought by existing residential neighborhoods, protecting the qualities of that which exists.”

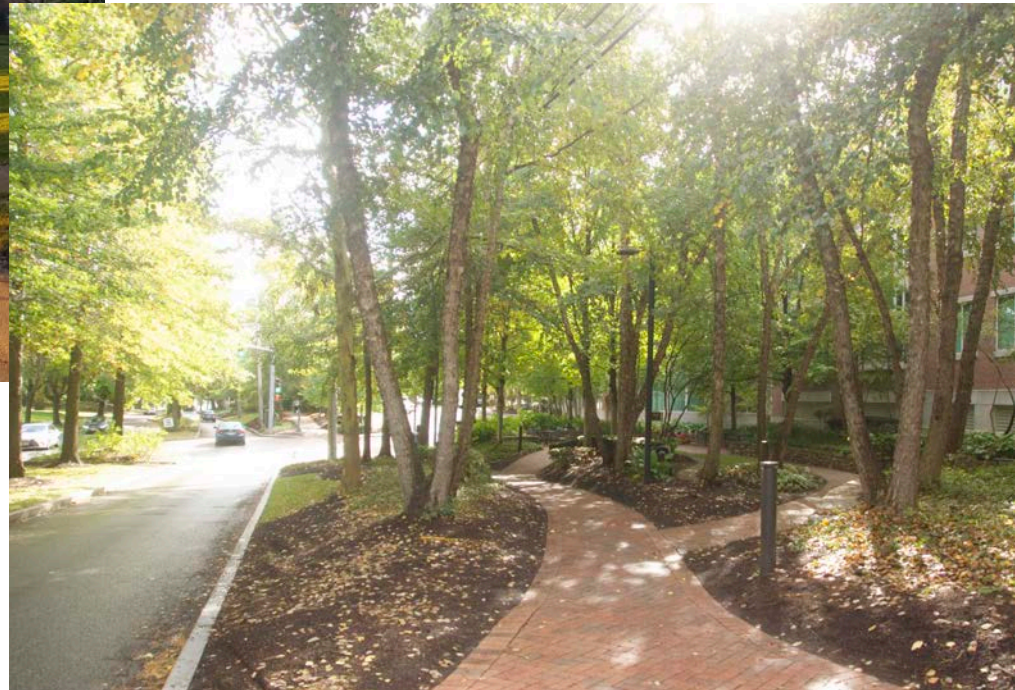


KEEP GROVE STREET SCENIC

On Grove Street (Sections 4.2.3 & 4.2.4.A):

- 4 stories with 30 ft. setback
- Additional 15 ft. setback for portions of buildings over 100 feet long on Grove Street
- Avoid overwhelming Grove Street (less than 30 ft. wide)
- Avoid a wall-of-buildings streetscape
- Allow for landscaping and mature tree replacement on this designated scenic roadway
- Allow for separate bike/scooter path and pedestrian sidewalk – for basic safety.
- Comparison to Riverside Center (next door): 4 stories; varied setback of up to 90 feet from the curb

RIVERSIDE CENTER AS A MODEL



- 4 stories
- Up to 90 ft. setback from curb allows for landscaping, a positive pedestrian experience
- Respectful of the character of Grove Street

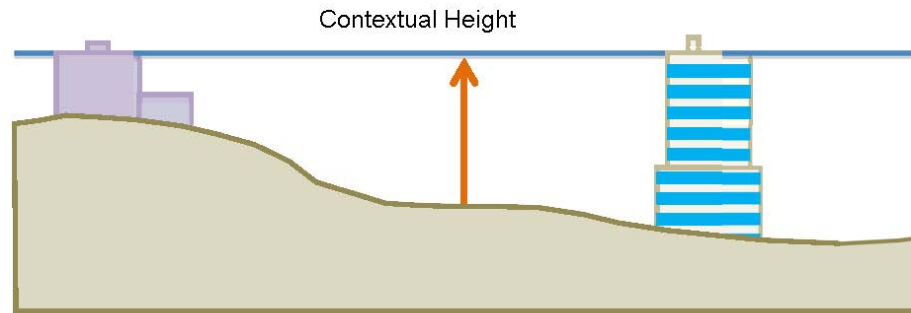
CONCENTRATE HEIGHT AT BACK OF SITE WHILE RESPECTING VIEW FROM LOWER FALLS

#187-19

Buildings Not on Grove Street (Sections 4.2.3 & 4.2.4.A)

Maintain existing height limit: 135' by special permit (potentially 13 stories) and no ground-floor setback.

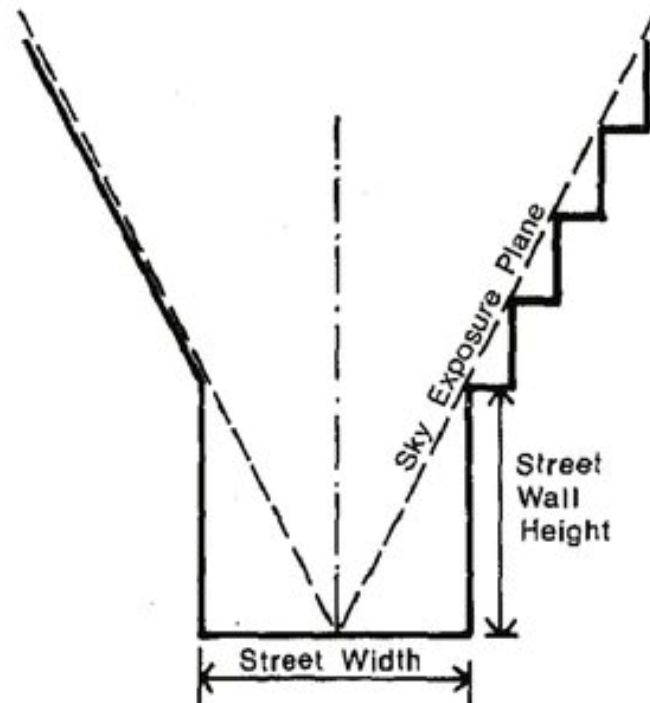
- Tallest building approved in 2013 was 120' high and 10 stories: somewhat above contextual height of Hotel Indigo.



- Planning Dept. Memo 2/3/12: “During the last working session, the Committee was open to the possibility of a ten-story office tower which could reasonably have a contextual height of approximately 203 feet above Newton Base Elevation. The Hotel Indigo has contextual height of 173 feet above Newton Base Elevation and is the highest structure within 1,200 feet.”

ALLOW LIGHT INTO THE DEVELOPMENT

- Add additional setbacks for stories above 50 ft.
- Necessary for adequate light and sky exposure — consider adopting a sky exposure plane





PROJECT SIZE: START WITH 2013 #187-19 (Section 4.2.4.G)

Increase from 580,000 sq. ft. to 650,000 sq. ft. (not including parking, but including a community center) without the Hotel Indigo lot and 825,000 sq. ft. with the Hotel Indigo lot.

Plus a “bonus” of 100,000 sq. ft. if there is direct access to and from Rt.128/95 both northbound and southbound.

Based on:

- Years of discussions plus public hearings about what was appropriate for the site, leading to the exiting MU3 and the 2013 special permit with a limit of 580,000 square foot limit (not including the 11,000 square foot community center), with the condition imposed in the special permit of a direct exit from the site to Rt. 128/95 northbound.
- The Planning and Development Dept. assessment in 2012 that the provision of direct northbound ***and southbound*** highway access might alleviate enough traffic on Grove Street to permit an additional 100,000-125,000 sq. ft. of development over the 580,000 ultimately approved. (See Planning and Development Dept. Memo, attached to the Riverside Committee Memo as Ex. C, at pp. 5-6.)



OPTIMIZE USES FOR THE SITE

(Section 4.2.4.G.1)

#187-19

- **Favor housing over office: increasing the existing residential maximum from 335,000 SF/290 units to 480,000 SF/415 units**
 - Help to address need for housing, including affordable housing
 - Reduce traffic impact (because office generates more traffic than housing)
 - Reduce traffic and parking conflicts between MBTA commuters and office workers, who would come and go at the same time (versus residents who would be leaving when commuters arrive)
- **Sufficient office (120,000 sq. ft.) to help offset the costs to the City**
- **Sufficient retail (40,000 sq. ft.) to provide convenience shopping for the residents**

1.5 MILLION SQ. FT. AND 230 FT. TOWERS ARE INAPPROPRIATE AT RIVERSIDE #187-19

Boston Landing in Brighton: A close comparison.

Mark Development Proposed Zoning	Boston Landing
1.5 Million Sq. Ft. on 14.4 Acres	1.7 Million Sq. Ft. on between 14-15 Acres
230 ft. high buildings – up to 20 stories or more	Tallest building – 17 stories





PROTECT NEIGHBORHOODS - BOTH NEW AND EXISTING #187-19

New Special Permit Application Requirements (Sec. 7.3.5.A) and Special Permit Criteria (Sec. 7.3.5.B)

- **New Special Permit Application Requirements and Special Permit Criteria:**
 - **Enhanced traffic submission and addition of missing special permit criterion**
 - **Visual impact study and criteria**
 - **Noise study and criteria**
 - **Pedestrian-level wind study and criteria**
 - **Construction impact study and criteria**



FULLY UNDERSTAND TRAFFIC IMPACTS

(Sections 7.3.5.A.6, 7 & 8)

PRINCIPAL NEW TRAFFIC REPORT REQUIREMENTS (SECTIONS 7.3.5.A.6, 7 & 8):

- **Analysis of the impacts of ride-hailing services (e.g., Uber and Lyft):**
Use of ride-hailing services doubles the number of vehicle trips versus use of a private vehicle. Particularly if car ownership is reduced, use of ride-hailing services may have a significant traffic impact that should be understood.
- **Analysis of the impacts of delivery vehicles (resulting from online shopping):**
The use of online shopping has and will continue to expand dramatically. The traffic impact of residential use of the site generating many delivery vehicle trips should be examined and understood.
- **Analysis of internal site traffic flow and functioning:**
With the potential for large numbers of park & ride commuters and office workers arriving and leaving the site at the same time of day via what will likely be one narrow roadway and utilizing one or two garages, the internal site traffic flow and potential for backs up that may create safety hazards or impact other roadways should be fully assessed.



MAKE SURE POST-CONSTRUCTION TRAFFIC MITIGATION PLAN WORKS BEFORE PERMIT IS GRANTED (Section 7.3.5.B.3) #187-19

- **The Current Ordinance:**
 - Special permit applicant must identify “[t]he means of making mitigations if it is found pursuant to [post-construction traffic monitoring] that the trips counted exceed the projected adjusted volume by 10 percent or more.” (Section 7.3.5.A.6.c.iii.)
 - If the specified traffic volume is exceeded, mitigation measures must be implemented “to reduce the trip generation to 110 percent of the [projected]adjusted volume.” (Section 7.3.5.E.1.c.)
- **What’s Missing:** Any provision requiring the City Council to assess the adequacy or anticipated efficacy of those post-construction mitigation measures, before granting a special permit.

The important obligation to undertake post-construction traffic mitigation if it turns out that the traffic projections were wrong is entirely hollow if there is no determination, *in advance*, that the mitigation will work.

- **Proposal:** Add a requirement that the City Council determine that post-construction traffic mitigation will be effective.



KEEP NOISE AT SAFE & COMFORTABLE LEVELS: #187-19

Study (Section 7.3.5.A.13) and Special Permit Criteria (Section 7.3.5.B)

- The current ordinance does not address noise, known to be not just annoying but also a health risk.
- **Proposed amendments:**
 - **Require submission of a noise study** looking at:
 - all potential noise impacts of a proposed development on the surrounding neighborhoods (including noise from increased traffic and reflected highway noise)
 - noise levels within the proposed development that may have a negative effect on residential and open space uses
 - **Add a special permit criteria** that noise levels:
 - not increase in Auburndale and Lower Falls (where noise from Rt. 128/95 is already above acceptable levels)
 - be within established acceptable levels in residential and open space areas



AVOID WIND TUNNELS: Required Study (Section 7.3.5.A.14) and Special Permit Criteria (Section 7.3.5.B.7)

#187-19

- Pedestrian-level winds generated by tall buildings can be uncomfortable and even dangerous
- The current ordinance does not address the potential wind effects of tall buildings, such as those permitted by special permit in the MU3 District

Proposed Amendments:

- **Require submission of a wind study for all buildings over 100 ft.** (Based on the Boston zoning code.)
- **Add a special permit criteria that pedestrian-level winds must be below certain thresholds** (based on Boston's development review guidelines)



UNDERSTAND HOW THE DEVELOPMENT WOULD LOOK: #187-19

Required Studies (Section 7.3.5.A.12) and Special Permit Criteria (Section 7.3.5.B.4)

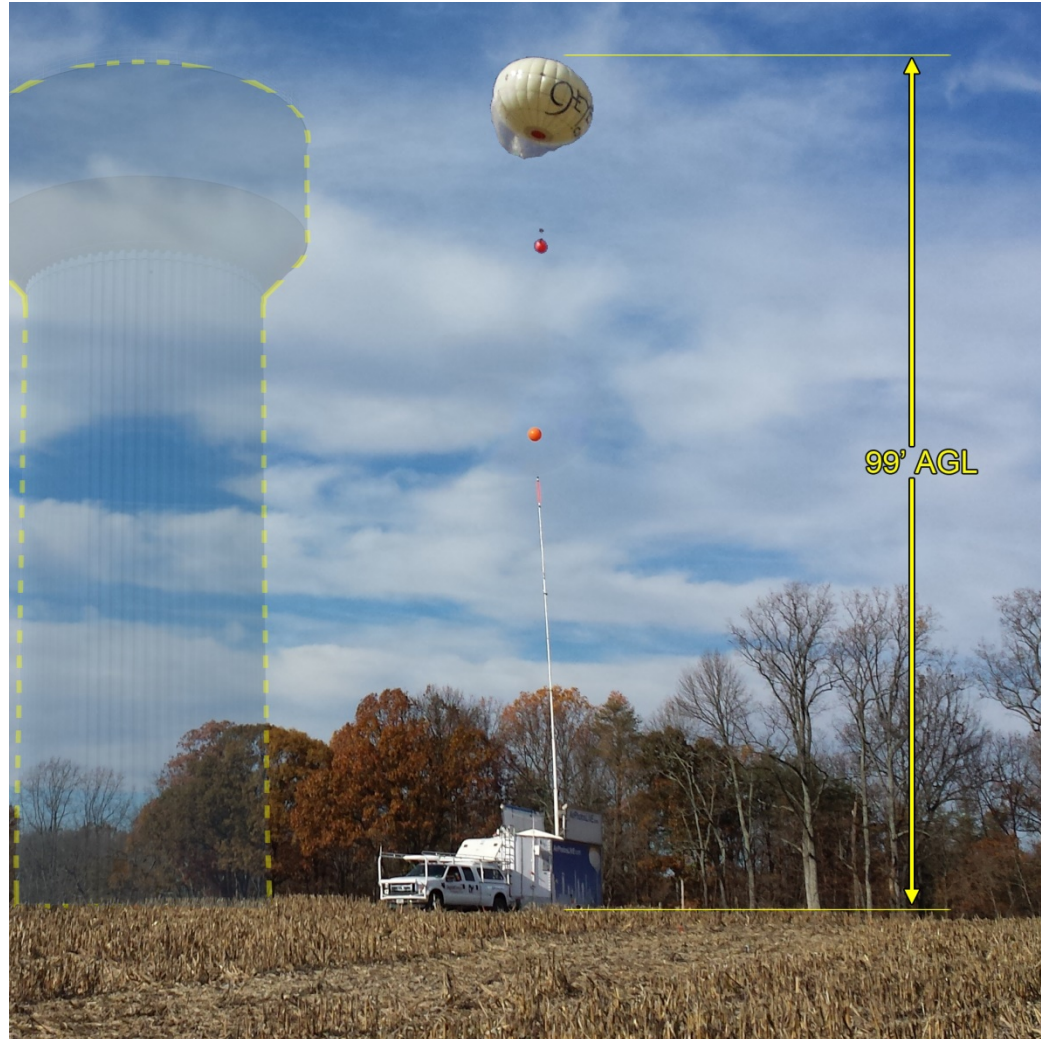
- Comprehensive Plan: In growing the City and increasing density, care must be taken to protect the character of existing residential neighborhoods.
- The existing ordinance provides no tools or requirement to assess visual impacts of a proposed development that may significantly alter neighborhood character and the scenic qualities of the Charles River and Riverside Park.

Proposed Amendments:

- Add requirements to
 - provide imagery accurately depicting visual impact of the proposed project, both during the day and at night, from locations in the surrounding neighborhoods where it will be most visible.
 - provide imagery accurately depicting the visual impact of the proposed project from the Charles River and Riverside Park.
 - conduct balloon tests to demonstrate building heights and impact
- Add special permit criteria protecting against adverse visual impact, lighting impacts on the surrounding residential neighborhoods, and potential solar glare on Rt. 128/95 and the surrounding neighborhoods.

BALLOON TEST

Example of Balloon Test



Courtesy of Digital Design and Imaging Service Inc.



ASSESS CONSTRUCTION IMPACTS BEFORE GRANTING #187-19 THE PERMIT: Required Plan and Impact Analysis (Section 7.3.5.A.10) and Special Permit Criteria (Section 7.3.5.B.19)

- Construction could take many years. The surrounding neighborhoods should not be subjected to more than minimal noise, traffic, dust and other potential adverse effects for such a prolonged period.
- It must be determined before a special permit is granted what impacts construction will have and how they will be managed.

Proposed Amendments:

- Add requirement to submit construction management plan and assessment of impacts on the surrounding neighborhoods.
- Add special permit criteria protecting Auburndale and Newton Lower Falls from any significant adverse construction impacts.



ADOPT NECESSARY STANDARDS

We are not opposed to sensible development at Riverside.

But development-at-all-costs mentality mortgages our future -- Newton must draw a line so that what we value about all neighborhoods is preserved.

We must have zoning standards for Riverside that:

- **Protect the surrounding neighborhoods**
- **Ensure development of a high-quality, safe & healthy new community**

There is no “do-over.” Riverside must be done right.

Good evening, I'm Liz Mirabile and I'm representing the Lower Falls Improvement Association Riverside Committee—also known as RightSize Riverside.

We are a subcommittee of the Lower Falls Improvement Association, and have been working with members of the Auburndale community to represent our neighborhoods' positions on the Riverside site.

We want to thank Susan Albright and the Zoning and Planning committee as well as Greg Schwartz and the Land Use committee for giving us an opportunity to speak tonight and explain the reasoning behind the zoning amendments we have proposed for the MU3 district.

I want to take a moment to orient everyone to where Lower Falls and Auburndale are and how they relate to Riverside.

Slide (2)

You'll see here a ward map of the City. Lower Falls and Auburndale are on the western edge of Newton.

Slide (3)

On the left, this slide shows the assessor's map. Riverside nestled up against Lower Falls. On the right is a view of what Grove Street – that Riverside sits on – looks like now.

Slide (4)

Here you can see that Riverside is only a few hundred feet from houses in Lower Falls – less than the distance from the front door of City Hall to the other side of Walnut Street and that it is across the street from a residential condominium complex

Slide (5)

Similarly, you can see that Riverside is also close to apartments and houses in Auburndale.

Slide (6)

It's also important to understand that Lower Falls is more than just a parcel of land close to Riverside. We are a vibrant community that's invested for decades in our own well-being and community. We have pride in and love for what we've created.

We're here tonight because we are alarmed that there is so much enthusiasm for building at Riverside that, for some, the approach is anything goes – no matter what the cost to the surrounding neighborhoods; no matter whether what is built will be a healthy and quality environment for its residents.. To us, it's like living in the twilight zone. And before you dismiss that idea, where else in Newton would we even consider 20 story/260 feet towers? The planning department refers to Riverside as an anomaly. It will certainly be an anomaly if what has been proposed gets built.

When members of our group have met with you over the last few months, you've told us that you want to hear what we want at the site – not what we object to. These amendments do just that. We've spent countless hours turning our vision for the site into zoning amendments.

Yes, they seek to protect our neighborhood. It's naïve to expect the developer to protect the neighborhood. That's not its job, so we have to look to the City to do that. That aside, it's entirely unfair to criticize us for this because the amendments also seek ways to create community at and provide protection for what we hope will be a new neighborhood at Riverside that embodies the best of Newton. They also prioritize housing given the significant interest in more housing.

From our perspective, deciding what will be built at Riverside is an extraordinarily important decision. There are huge risks involved. This has to be done right, so we have put in the work to do the best we can to craft what we think are important and thoughtful amendments. We hope you will give them equally serious thought and attention and not dismiss them out of hand.

I won't have time to go over all of the proposed amendments tonight or get too in-depth on any of them, so please read the memorandum in support of the amendments that you received.

Slide (7)

Now let's turn to the amendments themselves – they have 4 objectives:

To make sure the intent of the zone reflects the facts and reinforces our city's desire to have great neighborhoods.

To encourage the creation of community at Riverside.

To make development at Riverside fit within its context and

To add studies and standards to protect both existing neighborhoods and the new neighborhood at Riverside.

Slide (8)

To reach these objectives we are proposing amending the district name and purpose, adding a requirement of civic open space and a community center, proposing dimensional standards and adding new special permit application requirements and criteria.

Slide (9)

We'll start with the district name and purpose

Our first amendment removes the Transit Oriented Development and TOD labels from the zone. This is important because labels encourage people to make assumptions. We can't decide what should be built based on a label.

There's a lot going on in this slide. The gist of it is, though, that public transportation at Riverside is weak. There is one infrequent local bus to the Financial District and the D Line offers a long ride to Government Center. Both rides often take an hour and 15 minutes at rush hour. In addition to being slow, these two options are not viable for commuting to many major centers of employment.

The only thing that currently distinguishes Riverside from other stops along the Green Line in Newton (that are not labeled TOD) is its access to the Pike and 128. So what makes it unique is how car-centric it is. If we need to label it, the more accurate label would be HOD or highway oriented development.

And from what we've seen of the proposed development – the site will continue to have a highway focus – with the possibility of more than 3000 office workers arriving by car each day and 1/3 of the land cost devoted to the construction of one highway ramp just to facilitate cars.

So while we're discussing this site, let's let facts speak for themselves and not rely on labels like HOD or TOD. An optimist might hope that real quality transit comes to Riverside, making it worthy of the TOD label. In the meantime, the label should be struck from the zone. When we get to the size and planned uses of the project we will revisit this issue.

Slide (10)

The next amendments add language to the zone to more clearly articulate its purpose. These additions make protecting the existing neighborhoods from traffic, noise and changes in character explicit and add language to ensure a healthy, safe and comfortable environment for the new residents at Riverside.

Slide (11)

We'll now move onto our second category of amendments – those that seek to create on-site spaces to foster community – specifically civic open space and a community center.

Slide (12)

To create high-quality, useable open space at the site, we've included a new requirement called Civic Open Space. We believe that the zoning code's definition of Beneficial Open Space is not adequate to support the connections and community we want to have in all neighborhoods in Newton. Beneficial Open Space can consist of green strips along walkways, glorified turnaround circles or small patches of green next to highway ramps. This won't cut it at Riverside. It is not a single building or even a

collection of buildings. It is meant to be a new village. Creating a neighborhood feeling when thousands of people who don't live there come and go each day presents a challenge that community space can help solve.

We drew our inspiration for Civic Open Space from zoning in Washington State and California as well as from the new Somerville proposed zoning code. This new category would require on-site open space for people to be able to gather in non-commercial settings in **central** locations to encourage community building. Civic Open Space includes spaces like plazas, parks, playgrounds and community gardens.

The proposed Riverside Greenway isn't a substitute – it's 1/4 mile walk to the river – and while a lovely recreational amenity that we support, it isn't the same as having a respite from the intensity of building on-site that's centrally located so you can run into your neighbors.

Slide (13)

Our next amendment keeps the community center that was included in the previously approved plan. Its size is calculated as 1.5% of the development. At the overall size proposed in our amendments, the community center would be 9,600 sf. (not the 11,000 previously approved size). A community center is critical to offer space to hold events, classes, talks, children's activities, senior programming, and indoor recreation. The former Hamilton School serves this purpose for our neighborhood and it is an invaluable resource.

Slide (14)

The third set of amendments provide a vision of how Riverside could mesh with its surroundings. These amendments make several changes to the section of the ordinance that addresses building heights and setbacks. They are divided into those that apply to Grove Street and those that apply to the rest of the parcel. These amendments are critical to ensure that any development at the site follows the Comprehensive Plan directive that **"Development is to be guided to reflect the character held or sought by existing residential neighborhoods, protecting the qualities of that which exists."**

Slide (15)

On Grove Street, we propose that, from the Grove Street level, the buildings be limited to 4 stories – this would allow for development at the site to take advantage of the change in topography of the site – the buildings at the Indigo end of the property could be taller - while the ones at the current MBTA entrance on Grove Street would need to be 4 stories or less.

The amendments also propose a 30 foot setback from the lot line that is both appropriate and necessary and an additional 15 foot setback for portions buildings longer than 115 feet, so that there will be no more than 100 feet of unbroken building

along the 30ft set back line, which would otherwise make it feel like Grove Street has a wall next to it.

Slide (16)

Grove St. is a narrow designated scenic roadway that is perceived as tree-lined to the passerby. In this slide you can see how Riverside Center fits into the streetscape. It is next door and 4 stories tall. It has a setback of up to 90 feet from the street. The setbacks we propose are significantly less than this, but would help avoid overwhelming Grove Street with a wall-of-buildings especially if landscaping and mature trees are placed on it.

Even more importantly, a wider setback would allow for both a bike/scooter path and pedestrian sidewalk – for basic safety. The last thing we need is a bike commuter zipping down Grove Street to catch the T and knocking over a pedestrian. MassDOT guidelines recommend 10 feet for a two-way bike path. With a sidewalk in addition to the bike path and room for appropriate landscaping, the setback proposed by Mark Development is just too small.

Slide (17)

We did not increase or decrease the 135 foot limit that currently exists in the zone. In 2013 it was determined that this height was appropriate after giving careful consideration to the height of the Hotel Indigo, the site's topography, and the impact on Lower Falls residents a few hundred feet away. What was actually approved for the site was a 120 foot 10 story structure. The diagram on the slide gives a good sense of how you can keep building heights in line but take advantage of topography. Keep in mind that a 10 story height is what is being proposed for the most dense and tall section of the City's zoning redesign (Village 3). If this going to be the maximum height allowed in the rest of Newton – and there are many who rightly object to even this height in their villages– there is no reason to treat our neighborhood of Newton any differently.

Slide (18)

We included an amendment to add adequate light, air and sky exposure into the development. We suggest that the city consider adopting a sky exposure plane analysis or adopt language similar to that found in zoning redesign that requires buildings above 5 stories to have an additional setback of 15 feet to yield a 20% smaller footprint than the floors below. Either approach would allow light to penetrate the development.

Slide (19)

The next category of amendments covers the total square footage allowed in the zone and the mix of uses.

You'll see that the amendments increase the square footage allowed and include a larger percentage of residential housing. We started with 580,000 square feet - the previously approved project size. This reflects our belief that when a city, its

neighborhoods and a developer have spent 4 years ironing out a plan, you start with that plan. We still believe that number is appropriate. Nonetheless, we added 10% or 70,000 square feet so the overall size allowed in the zone would be 650,000 square feet.

The amendments also provide that if the Hotel Indigo is included in the development parcel, there can be an additional 175,000 square feet of development for a total of 825,000 sq. ft.

We also provided a 100,000 square foot bonus if the developer finds a way to provide direct access from both directions – 128 South and 128 North. We arrived at this number because in 2012 the planning department indicated that an increase of 100-125,000 square feet would be the appropriate **if** the developer were to find a way to take all the traffic from 128 North **and** South off of Grove Street.

Slide (20)

The amendments also change the mix of uses to include a higher percentage of residential development than the current ordinance. This:

- Prioritizes housing and affordable housing needs
- Reduces traffic at the site because housing units create less traffic than office space and
- Protects the commuters using the site by reducing traffic and parking conflicts between MBTA commuters and office workers. Commuters and office workers would be arriving at the site at the same time. Residents leave when commuters arrive. This makes housing a very compatible use at the site.

Finding compatible uses is important if we want Riverside to become a TOD instead of an HOD. We want to get people out of their cars and concentrating residential development and supportive retail at the site is the best way to do this.

Slide (21)

It's worth noting that the changes requested by Mark Development would allow for development that would be even larger than 1.5M sf. They would allow close to 1.7M SF. This is a picture of Boston Landing. With the dimensional controls that are being asked for, this is what could be built at Riverside. This is unacceptable.

Slide (22)

The last category of amendments are designed to protect current and future residents of Newton. Some are to provide more information on traffic. Others include studies that are required in more urban environments. Specifically, these amendments add studies and standards to the zone for traffic, visual impact, noise, pedestrian-level wind and construction impact. They also highlight the importance of determining that there is no adverse impact on the neighborhoods of Lower Falls and Auburndale.

Slide (23)

The traffic study would be amended to require:

- An analysis of the impact from ride-hailing services like Uber and Lyft. Even if the development successfully reduces car ownership, it could actually increase traffic. This is because when you use Uber or Lyft you generate 2 trips instead of 1. It is critical that the City be provided with an analysis of this impact.
- An assessment the impact of delivery vehicles (from online shopping). Again, if people don't own cars, they may rely more heavily on home delivery. It's important to know how a proposed development would handle this traffic.
- An analysis of traffic within the development. We need to sure there won't be any significant back-ups that could impact commuters and office workers who will be coming to and leaving the site at the same time. It's also critical that the city know that backups in the site won't create safety hazards or impact other roadways.

Slide (24)

The amendments also require that any post-construction mitigation plan actually works before construction begins. The zone currently requires that post-construction mitigation measures be proposed to reduce the volume of post-construction traffic if it's greater than 110 percent of projections. But there's no requirement that the City Council even consider if they will actually work. Let's add a requirement that real and viable mitigation measures be identified.

Slide (25)

The amendments also add a noise analysis for Lower Falls and Auburndale and for portions of the development site that have residences, beneficial open space or civic open space.

For Lower Falls and Auburndale the standard of review would be that any development will not increase noise levels because in some areas noise levels are already above acceptable levels.

For the development, the noise levels would not be allowed to exceed 55 decibels in residential and open space areas. This limit is set to avoid the impacts of excessive noise on health.

Slide (26)

We also propose that the buildings proposed for Riverside be studied to be sure they don't produce a wind tunnel effect. We based these proposals on Boston's wind study requirements and thresholds. This would be the same study that Mark Development had to complete for its Kenmore Square development where the proposed buildings are 210 and 260 feet tall – not much different from what is being proposed here.

Slide (27)

We have heard concern over how a development at Riverside would look. The proposed amendments add a visual impact study that includes

- photographs with renderings of the project from locations in Auburndale, Lower Falls, the Charles River and Riverside Park
- a simulation that would show what the project would look like after dark
- and a balloon test so that the public and city council can see what the proposed development would look like on site – cannot be manipulated

Slide (28)

Here you see how a balloon test accurately shows a proposed buildings height on-site.

Slide (29)

The last amendment we'll discuss is about construction impact. With a large development at Riverside, construction could go on for years. Our amendments add a requirement that the developer submit a construction management plan and that there be an assessment of impacts on the surrounding neighborhoods.

Slide (30)

As we conclude, I'd like to connect back to where we started – with the premise that all neighborhoods in Newton - both existing ones and ones we are considering creating- should be safe, healthy and comfortable places to live.

To ensure this we have to be willing to put basic standards - like the ones we're proposing - in place. It is not some crazy NIMBY stance to say we shouldn't even consider the possibility of 20 story/260 foot towers when 10 stories is the maximum being considered in Newton at large. It is not unreasonable to ask for studies to show that traffic will actually work or noise will not be excessive in and around the development.

We cannot afford to adopt the planning department's view that we should have an outsized zone for Riverside so we can be sure that something big and dense enough can be built. This is the twilight zone development-at-all-costs analysis that has no place in our city.

If, and only if, the City is willing to say what it will and won't accept, will other actors, like the state, be forced to get creative to help reduce cost and density.

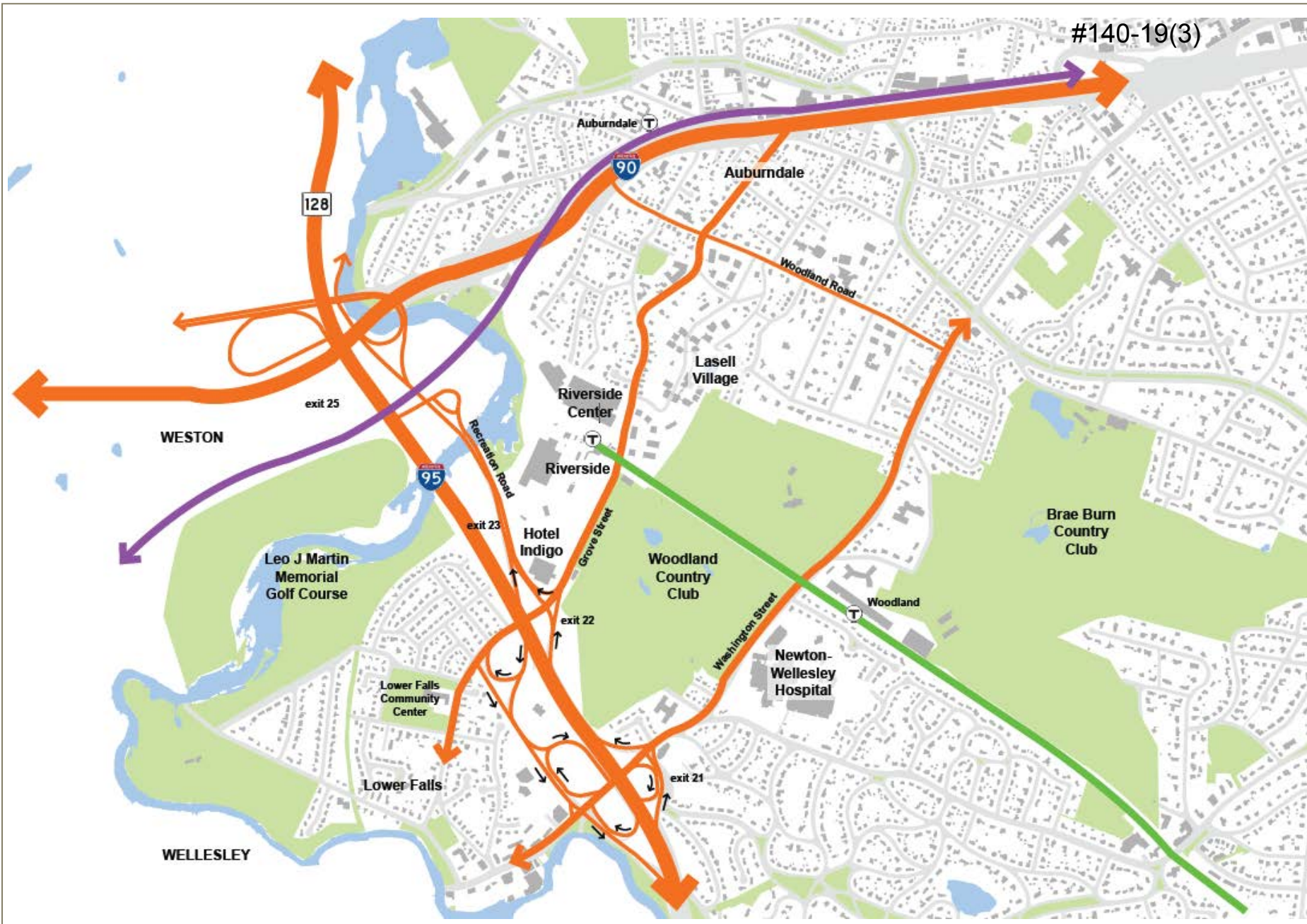
We are not opposed to development at Riverside, but it must be done right.

#140-19(3)

Riverside Zoning Amendment Proposals

06.04.2019





Riverside Zoning Amendment Proposals

06.04.2019

Applications currently before the Council

- Request to Amend the MU3 District Zoning Requirements (x2)
- Request for Rezoning – to place entire area into the MU3 District
- Request for a Special Permit – to approve a proposed project

Riverside Zoning Amendment Proposals

06.04.2019

Part I: Comparing the Zoning Amendment Proposals

**Existing MU3
District**

**Developer
Proposed
Amendments**

**Community
Group
Proposed
Amendments**

Part II: Planning Department Recommendations

Comparing the Proposals

Existing MU3 District

Background on the MU3 District's creation

Docketed by the 2011 Ward 4 Councilors & adopted by the City Council in 2012

- Original zoning proposal included parameters linked to the project proposed at that time
- As written, the MU3 District can only be applied to this location in the City



Comparing the Proposals

Existing MU3 District

Existing MU3 District Zoning Approach

- Height limit (in stories)
- Height limit (in feet)
- FAR
- Lot Area per Unit
- Open Space
- Detailed Criteria for granting a Special Permit
- Specific maximum sq. ft. in three broad land use categories



Comparing the Proposals

Existing MU3 District

Existing MU3 District Zoning Approach

- Height limit (in stories)
- Height limit (in feet)
- FAR
- Lot Area per Unit
- Open Space
- Detailed Criteria for granting a Special Permit
- **Specific maximum sq. ft. in three broad land use categories**



Zoning allowed:

- 225,000 sf office
- 20,000 sf retail
- 335,000 sf residential (290 units)

Approved Project had:

- 225,000 sf office
- 20,000 sf retail
- 335,000 sf residential (290 units)

Comparing the Proposals

	Existing MU3 District Standards	Developer Proposal: Amended Standards	Community Group Proposal: Amended Standards
Stories / Height	4 stories* / 36', 135' by SP	18 stories / 230'	4 stories* / 36', 135' by SP
FAR	1.0 / 2.4 by SP	1.0 / 2.7 by SP	1.0 / 2.4 by SP
Lot Area per Unit	1200 sf	850 sf	1200 sf
Open Space	15%	10%	30%
Allowed Development Total	580,000 sf	1,520,000 sf	650,000 sf**
Office	225,000 sf	650,000 sf	120,000 sf
Retail	20,000 sf	200,000 sf	40,000 sf +
Residential	335,000 sf / 290 units	750,000 sf / 675 units	480,000 sf / 415 units

* Story height limit may be exceeded by special permit.

** Proposal allows an additional 100,000 sf distributed proportionally amongst categories if a specific highway interchange approach is included.

+ Hotel is excluded from this category and made its own category with 176,000 sf contingent on inclusion of the Indigo Hotel parcel.

Planning Department Recommendation

	Existing MU3 District Standards	Planning Department Recommendation: Amended Standards
Stories / Height	4 stories* / 36', 135' by SP	20 stories / 260'
FAR	1.0 / 2.4 by SP	1.0 / 2.7 by SP
Lot Area per Unit	1200 sf	850 sf
Open Space	15%	10%
Allowed Development Total	580,000 sf	1,520,000 sf
Office	225,000 sf	650,000 sf
Retail	20,000 sf	200,000 sf
Residential	335,000 sf / 290 units	750,000 sf / 675 units

Recommendation: To set the bounds with flexibility enough for Council discretion to weigh the project specifics & site planning issues in the Special Permit process

My name is Randall Block. I live at 45 Lafayette Road in Newton Lower Falls.

Transit oriented development or TOD is something we have heard many times tonight. This label is intended to persuade us that developing Riverside will get people out of their cars and onto public transit. And who can be opposed to that?

Have any of you heard the term Transit adjacent development or TAD? These are developments that are adjacent to public transit but where people continue to rely on vehicles for most of their transportation needs. TAD is a well-established concept in the urban design literature and is often used to describe a development that could be a TOD but fails to live up to its potential.

Why do you suppose you have not heard the term TAD before now? In all the memos written by the Planning and Development Department, this term is not mentioned once. If their job is to provide the public and the City Council with information relevant to evaluating proposals to develop Riverside, why do you suppose no one has analyzed Mark Development's proposal in the context of TOD versus TAD?

In my opinion, there is only one logical answer – bias. The Planning and Development Department is biased in favor of a particular development and they are doing their best to create the myth that Mark Development has proposed a TOD which they have not. It gives me no pleasure to say this, but I believe the Mayor and the Planning and Development Department owe you, the City Council, and the public an apology for the deceptive work they have done so far.