



Land Use Committee Report

City of Newton **In City Council**

Wednesday, September 11, 2019

Present: Councilors Schwartz (Chair), Lipof, Laredo, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Albright, Kalis, Danberg, Downs

City Staff Present: Associate City Solicitor Jonah Temple, Senior Planner Neil Cronin, Planning Associate Katie Whewell

All Special Permit Plans, Plan Memoranda and Application Materials can be found at http://www.newtonma.gov/gov/aldermen/special_permits/current_special_permits.asp. Presentations for each project can be found at the end of this report.

#265-19 Petition to allow multi-family dwelling unit at 12-14 Middle Street

12-14 MIDDLE STREET, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family dwelling with three units, further extending the nonconforming frontage and to allow a retaining wall greater than four feet within a setback at 12-14 Middle Street, Ward 1, Newton, on land known as Section 12 Block 1 Lot 13, containing approximately 12,611 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.2.6, 7.8.2.C.2, 5.4.2, 3.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 7-0 (Kelley not Voting); Public Hearing Continued**

Note: The Chair stated that the petitioner requested a continuance of the public hearing. The public hearing was opened. No member of the public wished to speak. With that, Committee members voted unanimously in favor of holding the item.

#201-17(2) Extension of Time to Exercise Special Permit for 386-394 Watertown St

JLM REALTY TRUST petition for a two-year EXTENSION OF TIME to EXERCISE Special Permit Order #201-17 which granted the construction of a 14,313 sq. ft. mixed use development containing nine residential units, 2,714 sq. ft. of commercial space and no more than 16 on-site parking stalls at 386-394 Watertown Street, Ward 1, Newton, on land known as Section 14 Block 14 Lots 37-39. Said Extension of Time will run from November 6, 2018 to November 6, 2020. Ref: Sec. 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Approved 8-0**

Note: Attorney Terry Morris, 57 Elm Road, represented the petitioner, JLM Realty Trust. Atty. Morris presented the request for an extension of time to exercise Special Permit Council Order #201-17. Atty. Morris explained that during the course of applying for the building permit application, ISD required final civil plans, pushing the project timeline out. Architect Ron Jarek stated that projects of this size are often design-build and do not require civil plans up front. Mr. Jarek confirmed that the petitioner intends

to proceed with construction as soon as possible. Committee members expressed no concerns relative to the request and voted unanimously in favor of approval with a motion from Councilor Greenberg.

#263-19 Petition to further extend nonconforming three-story at 28 East Boulevard Road
SHIRA AND MICHAEL FISHMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the nonconforming three-story dwelling by razing an existing deck and constructing a three-story side addition at 28 East Boulevard Road, Ward 7, Newton Centre, on land known as Section 73 Block 33 Lot 32, containing approximately 11,301 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Approved 8-0; Public Hearing Closed 09/11/19**

Note: The petitioner, Ms. Shira Fishman and Architect Alan Maier, 479 Walnut Street, presented an overview of the request to extend the nonconforming three-story dwelling at 28 East Boulevard Road. the existing house. Mr. Maier explained that due to the grade of the lot, the basement level is considered a story and the house is considered three-stories. He noted that the proposed addition is dimensionally compliant, but because the existing structure is a nonconforming structure; relief is required. Senior Planner Michael Gleba presented the requested relief, criteria for consideration, land use and zoning at the site as shown on the attached presentation.

The Public Hearing was Opened. No member of the public wished to speak. Councilor Laredo motioned to close the public hearing which carried unanimously. Councilor Laredo motioned to approve the petition. Committee members reviewed the draft finding and conditions as shown on the attached presentation. Committee members expressed no concerns relative to the petition and voted unanimously in favor of approval.

#179-19 Petition to amend Board Order #96-17 to allow bank use at Washington Place
WASHINGTON PLACE OWNER, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #96-17 to allow modification of Condition #34 to allow the petitioner to lease commercial space to not more than one commercial bank with a total square footage not to exceed 3,800 sq. ft. at 845 Washington Street and 245 Walnut Street, Ward 2, Newtonville, Section 21 Block 29 Lot 10, containing approximately 123,956 sq. ft. of land in a district zoned MIXED USE DEVELOPMENT. Ref.: Sections 7.3, 7.4 of Chapter 30 of the City of Newton Revised Zoning Ordinances, 2017.

Land Use Approved Subject to Second Call 5-1-2 on 06/18/2019 (Laredo Opposed, Schwartz, Markiewicz abstaining); Public Hearing Closed 06/18/2019

Motion to amend to the last sentence of Condition 3 to:
This requirement ~~shall take effect upon~~ **must be met prior to, and remain in effect after,**
the issuance of a certificate of occupancy for a commercial bank.
was Approved by Voice Vote.

Motion to Approve as amended Fails To Carry 15 yeas, 6 Nays (Councilors Baker, Brousal-Glaser, Kalis, Markiewicz, Norton & Laredo), 3 Absent (Councilors Danberg, Downs, Gentile) on August 12, 2019.

**A Motion to Reconsider this item was filed by Councilor Kalis on August 13, 2019.
The Motion to Reconsider was Approved by Voice Vote, 1 Nay (Councilor Brousal-Glaser)**

A Motion to add Personal Services was Approved 14 Yeas, 8 Nays (Councilors Baker, Brousal-Glaser, Leary, Markiewicz, Noel, Norton, Schwartz, Laredo), 2 Absent (Councilors Gentile & Kalis)

A Motion to Recommit this item to the Land Use Committee was Approved 21 Yeas, 1 Nay (Councilor Brousal-Glaser), 2 Absent (Councilors Gentile & Kalis)

Action: Land Use Approved 7-1 (Laredo Opposed); Public Hearing Closed 06/18/19

Note: Attorney Steve Buchbinder, Schlesinger and Buchbinder, 1200 Walnut Street represented the petitioner, Washington Place, LLC. The Chair noted that the item was referred back to the Land Use Committee after a motion to approve failed to carry on August 12, 2019 and a subsequent motion to reconsider the vote on August 13, 2019.

The Chair explained that personal services are permitted within the 40,000 sq. ft. of commercial space in the development. The petitioner has requested that personal service is permitted in addition to the retail and/or restaurant space within the 10,000 sq. ft. reserved for non-formulaic businesses. The petitioner has also asked for a change in the Council Order from “dedicate” to “reserve” relative to the 10,000 sq. ft. of non-formulaic space. Atty. Buchbinder confirmed that the 10,000 sq. ft. will be reserved if a bank leases space in the development. Committee members questioned whether the proposed personal service uses within the non-formulaic storefronts should be limited to non-formulaic businesses that are at risk due to online competition. Some Committee members noted that permitting personal service uses does add to the foot traffic and vitality of the neighborhood. A Committee member questioned whether the petitioner has determined who might lease the space reserved for “personal services”. Damien Chavieno, Principal, Mark Development, stated that the petitioner is considering leasing the space for fitness use.

Greg Reibman, President of the Newton Needham Chamber of Commerce, stated that personal services are helping to drive foot traffic, but retail drives foot traffic as well.

Councilors were generally supportive of allowing the expanded personal service uses. With a motion from Councilor Kelley to approve the amended item, Committee members voted seven in favor and one opposed (Councilor Laredo).

#425-18 Request to Rezone three parcels for Northland Development
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.

Action: **Land Use Held 8-0; Public Hearing Continued**

#426-18 Special Permit to allow mixed use development
NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Held 8-0; Public Hearing Continued**

Note: Chief Planner Jennifer Caira presented an overview of the design guidelines, sewer system infiltration and inflow mitigation (I&I), community benefits and the petitioner's responses to the August 6, 2019 as shown on the attached presentation. Councilors discussed each topic as shown below.

Design Guidelines

Ms. Caira explained that the petitioner will use the design guidelines as a guide but will be bound to the design standards submitted, approved and contained in the Council Order. She stated that while any modification to the fixed items (project size, number of units, site plan, open space sizes and locations, community benefits, TDM measures and mitigations) will require an amendment to the special permit; the Commissioner of Inspectional Services may make consistency determinations relative to elements shaped by the design guidelines (streetscapes, wayfinding, architectural details, articulation of buildings, etc.). Form + Place, Inc. Urban Design Consultant Michael Wang reviewed details of the City's Design

Guidelines as shown on the attached presentation. Mr. Wang showed how the design guideline will be used to highlight goals to inform the petitioner's future decisions regarding site and building design. The Design Guidelines provide guidance at the district, block and building level. Mr. Wang noted that street design and public space design are included in the Design Guidelines.

A Committee member expressed concern that the level of detail contained in the design guidelines does not provide adequate specifications and noted that post approval consistency rulings offer the Council no authority to make decisions relative to design. Committee members agreed that street treatments, etc. should and generally are delegated for review and approval by the Planning Department. Ms. Caira confirmed that the City's Urban Designer, current Planning staff and Urban Design Commission would be tasked with reviewing final plans. She stated that the Planning Department has considered hiring a peer reviewer if needed. Committee members shared concerns that the Council and/or members of the public will have limited opportunities to review criteria covered by the design guidelines. Director of Planning and Development Barney Heath suggested that the proposed process is comprehensive. He noted that as the project is constructed, over several years, design opportunities and building styling may evolve. A Councilor suggested that a Planning Department staff person should be designated to evaluate plans submitted to the City in the future. Some Committee members remained concerned that the design guidelines are somewhat vague and have a lack of definitive direction. It was suggested that the design guidelines are modified to incorporate commitments that have already been made on behalf of the petitioner (i.e. levels of sustainability goals, passive house certification, etc.). Committee members asked if design guidelines have been used in other communities.

Attorney Alan Schlesinger, Schlesinger and Buchbinder, 1200 Walnut Street, represented the petitioner. Atty. Schlesinger confirmed that project construction is estimated to be completed between five and seven years. A Committee member noted that the petitioner owns property adjacent to the site and questioned whether the petitioner is considering a request to locate non-accessory parking at the site. Atty. Schlesinger stated that he could not speak to the future plans but confirmed that there is currently no plan to locate parking on the second parcel.

Sewer Inflow & Infiltration Mitigation (I&I)

Ms. Caira explained that the City has a policy, based on the obligation for the Massachusetts Water Resources Authority (MWRA) of assuming the sewer flow at a ratio of 4:1 per bedroom (110 gallons per bedroom). She explained that this estimate is higher than what results when low flow fixtures are installed. The City's rate is \$19.52 per gallon. The I&I fee is generated by multiplying \$19.52 by the estimated number of gallons per bedroom. Ms. Caira noted that it is expected that the flow will be significantly lower. Based on the calculation, it is estimated that a realistic estimate is approximately 55 gallons per bedroom. Associate City Solicitor Jonah Temple stated that the City's I&I policy is based on DEP (Department of Environmental Protection) regulations. The petitioner has offered \$1.85 million dollars toward their I&I mitigation fees, representing a 1:1 ratio. The remaining funds are offered to fund other municipal needs.

A Committee member asked the Law Department to provide clarification on why the Council may waive the 4:1 ratio for I&I mitigation fees and reallocate those funds for other needs. Atty. Temple confirmed

that the state requires mitigation but does not specify that the mitigation must be provided by the petitioner. He explained that because the City's Sewer Infrastructure Improvement Plan with identified funding sources will meet the mitigation ratio required by the state; a 1:1 ratio is adequate. He confirmed that the Engineering Department has reviewed the project and confirmed that the City will meet the state's standards.

Community Benefits

Committee members questioned whether a skating rink is included in the proposal. Director of Planning and Development Barney Heath noted that the skating rink doubles the cost of the spray park and there are costs associated with maintenance. The petitioner is not committed to a skating rink to complement the summer spray park. Atty. Schlesinger stated that the request from the Parks & Recreation Commission was for a spray park and not a skating rink. He noted that maintenance of a skating rink is cost prohibitive. A Committee member questioned whether there is significant community support for a spray park. Atty. Schlesinger stated that a spray park was suggested early during the planning process and the community was supportive of the request. Committee members were generally supportive of the spray park, noting that there is no existing spray park in the City.

Atty. Schlesinger confirmed that there is no dedicated community space for public meetings at this time. He noted that there will be outdoor space available for community meetings or events. A Committee member noted that during inclement weather and/or colder months, members of the community might need somewhere to meet. Atty. Schlesinger stated that a significant demand for community space was not identified. He noted that the community may use Emerson for public meetings, if needed. Atty. Schlesinger confirmed that multi-purpose use within the commercial spaces may be available.

A Councilor questioned how many projects on Attachment E the \$5 million-dollar contribution for off-site transportation improvements (shown attached) will fund. Ms. Caira confirmed that the \$5 million dollars will fund a majority of the projects on the list. Councilors requested that the following items be included on the list of improvements:

- Studying Nahanton/Winchester for queuing and increased traffic
- A study of how the overflow parking in the neighborhood can be mitigated
- Studying/managing the pass-through traffic on Needham Street (approximately 70%)
- Transportation Alternatives analysis

Ms. Caira noted that while some traffic signals are scheduled for replacement; coordination of the signals requires additional technology that the City does not already own. A Committee member asked that the Planning Department confirm that intersection of Dedham/Needham/Winchester is to be coordinated and/or replaced. Some Councilors noted that studies are not always the most effective use of funds and suggested that the mitigation monies should be used for the funding of specific projects that will have positive impacts. Committee members asked that the Planning Department provide a statement of what the priorities are, what the action items are, why the selected items were chosen and their impacts on transportation in the neighborhood.

Transportation Responses

Councilors discussed the petitioner's responses to questions raised at the meeting on August 12, 2019 relative to Transportation. A copy of the petitioner's submission is attached. If the petitioner is meeting the road share goal under an annual investment of \$1.5 million dollars, no additional investment is needed. If the road share goals are not met, the petitioner will be required to invest the full \$1.5 million dollars per year in transportation mitigation in addition to an additional investment of up to 30% of the \$1.5 million based on their overages. The petitioner will be required to report every 6 months until two consecutive years of compliance have been achieved. Monitoring and reporting may cease after five consecutive years of compliance with the TDM. A third party will be hired to conduct the reporting. Some Councilors expressed concerns relative to the 30% cap on additional investment when transportation goals are not being met. It was noted that the petitioner should be required to meet their commitments, regardless of the increased expense.

A Committee member questioned what is included in the \$1.5 million-dollar investment and asked that the Council Order contain specifics regarding which commitments are included. Committee members expressed concerns relative to spillover parking from the development onto the adjacent parcel and/or into the neighborhood. Councilors questioned why the shuttle service to the commuter rail was eliminated from the service routes and were supportive of including shuttle service to the commuter rail.

Rezoning

Councilors discussed the request to rezone the site from Mixed Use 1 to Business Use 4 with the Planning and Development Board. Planning Board Chair Peter Doeringer noted that the Planning Board has attended each of the public hearings for the project. He stated that the Planning Board shares the same concerns that Councilors have raised, particularly relative to traffic impacts. He noted that the traffic reduction targets are good but questioned how the petitioner will address traffic issues that exceed 30% of their committed goals if there is a monetary cap of 30% on the transportation mitigation fines. Mr. Doeringer stated that the bi-annual/annual reporting and monitoring does not seem adequate and encouraged the requirement for real time monitoring and reporting. He noted that real time reporting allows the petitioner to respond to traffic impacts quickly.

Ms. Caira noted that real time monitoring is difficult for the whole site, as it captures retail visitors and visitors using the public benefits. She noted that real time monitoring can be effective for the garage, however. Mr. Heath stated that the Planning Department chose six month and one-year intervals for data reporting over real time data to ensure that the data can be analyzed by staff. Committee members were supportive of real time monitoring and asked the Planning Department to identify what resources will be necessary necessary to monitor the reporting.

A Councilor noted that the Business Use 4 zone permits drive-in businesses and asked that drive-in businesses are prohibited from the site. With a motion from Councilor Lipof to hold the item, the Committee voted unanimously in favor of holding the item.

The Committee adjourned at 10:20 pm.

Respectfully Submitted,

Greg Schwartz, Chair

Department of Planning and Development



PETITION #263-19

28 EAST BOULEVARD ROAD

SPECIAL PERMIT/SITE PLAN
APPROVAL TO FURTHER
EXTEND THE NONCONFORMING
THREE-STORY DWELLING BY
RAZING AN EXISTING DECK
AND CONSTRUCTING A
THREE-STORY SIDE ADDITION

SEPTEMBER 11, 2019



1

Requested Relief



Special permit per §7.3.3 to:

- further extend nonconforming three-story structure (§3.1.3, §7.8.2.C.2)

2

Criteria to Consider

When reviewing the requested special permits the Council should consider whether:

- The proposed extension of the non-conforming three-story structure is substantially more detrimental than the existing nonconforming structure is to the neighborhood (§3.1.3, §7.8.2.C.2)

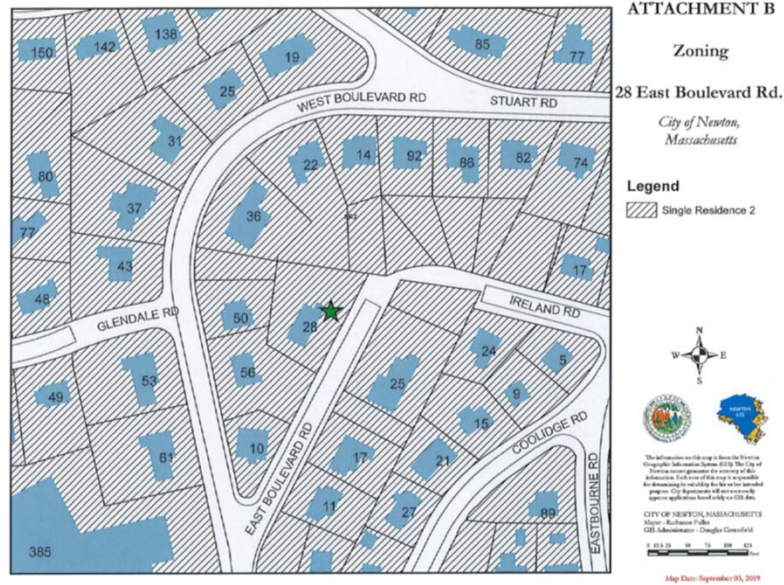
3

AERIAL/GIS MAP



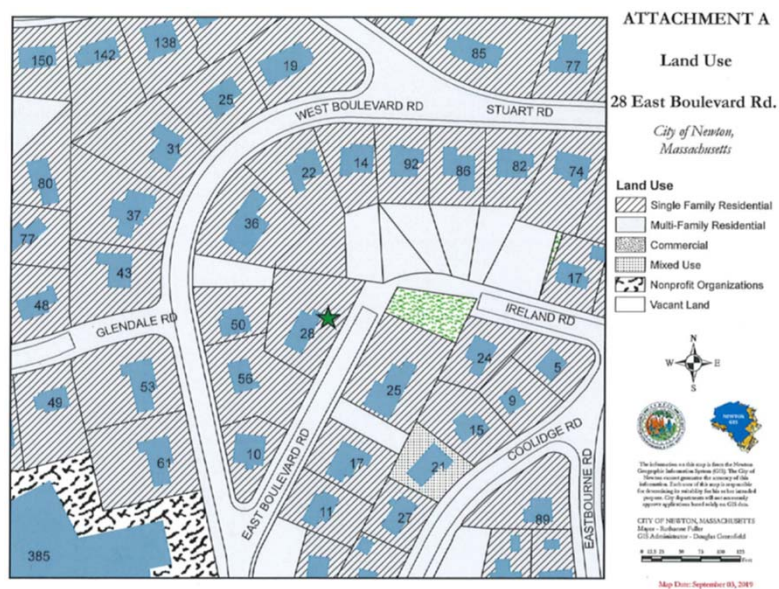
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Zoning



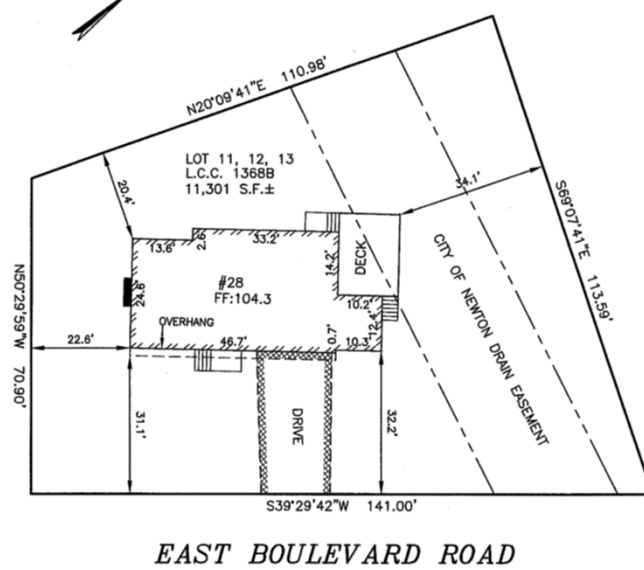
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Land Use



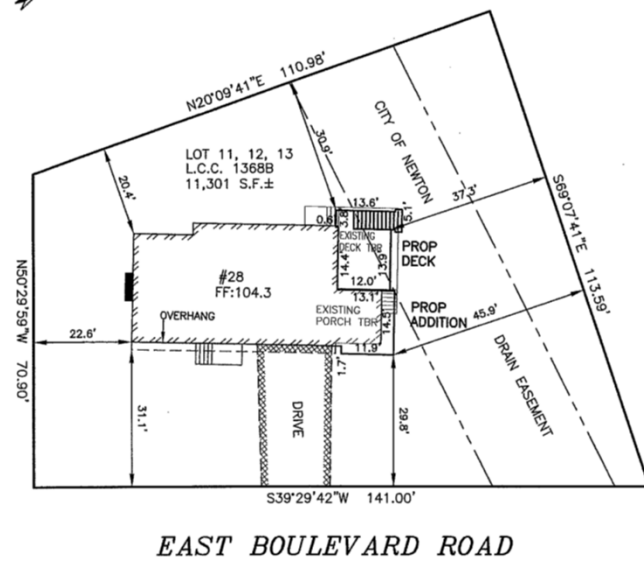
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Site Plan- existing

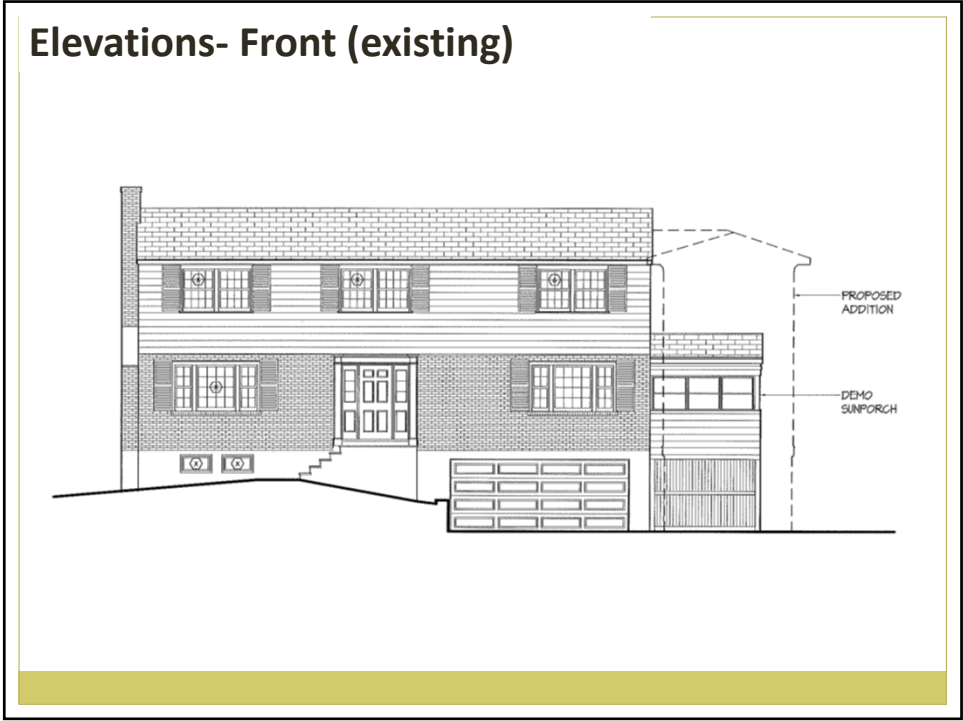


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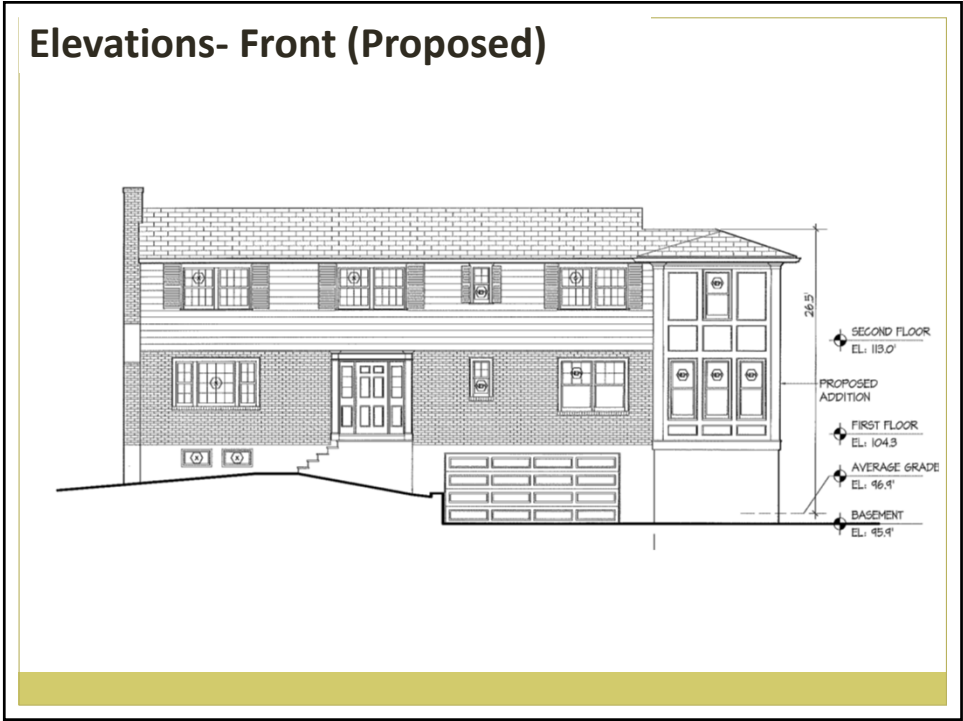
Site Plan- proposed



8



9



10

Elevations- Right (exisiting)



11

Elevations- Right (proposed)



12

Elevations- Rear (existing)



13

Elevations- Rear (proposed)



14

Photos



15

Photos



16

Photos



17

Photos



18

Photos



19

Proposed Findings

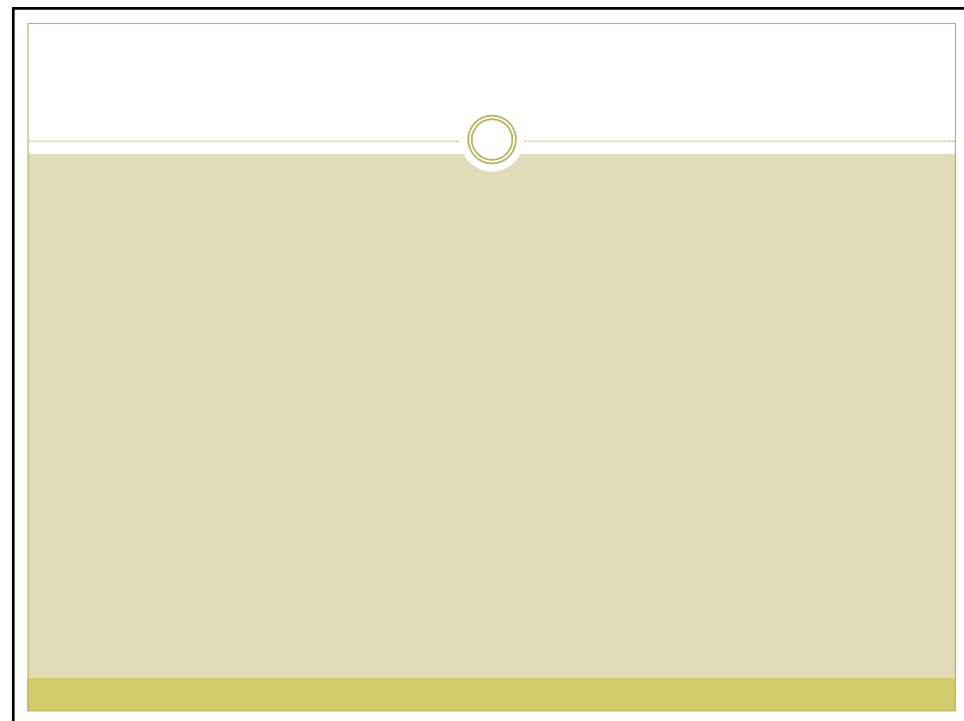
1. The proposed extension of the nonconforming three-story structure will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood because the addition would be subordinate to existing structure's roof line and scale and be located on the side of the house at the end of a dead-end street, and adequately screened by existing landscaping; further the expanded dwelling would meet relevant setback and height requirements and be consistent with the size and scale of the homes in the neighborhood (§7.8.2.C.2).

20

Proposed Conditions

1. Plan Referencing Condition
2. Standard Building Permit Condition.
3. Standard Final Inspection/Certificate of Occupancy Condition.

21



22

CITY OF NEWTON
IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to further extend a nonconforming three-story structure as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed extension of the nonconforming three-story structure will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood because the addition would be subordinate to the existing structure's roof line and scale, would be located on the side of the house at the end of a dead-end street, and adequately screened by existing landscaping; further, the expanded dwelling would meet relevant setback and height requirements and would be consistent with the size and scale of the homes in the neighborhood.

PETITION NUMBER:	#263-19
PETITIONER(S):	Shira and Michael Fishman
LOCATION:	28 East Boulevard Road, on land known as Section 73, Block 33, Lot 32, containing approximately 11,301 square feet of land
OWNER(S):	Shira and Michael Fishman
ADDRESS OF OWNER(S):	28 East Boulevard Road Newton, MA 02465
TO BE USED FOR:	Single-Family Dwelling
CONSTRUCTION:	Wood frame

EXPLANATORY NOTES: §3.1.9, §7.8.2.C.2, §3.1.3 to further extend a nonconforming three-story structure

ZONING: Single Residence 2 district

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. A site plan entitled "Plan of Land in Newton, MA, 28 East Boulevard Road, Existing Conditions," prepared by Everett M. Brooks Co., dated April 4, 2019, signed and stamped by Bruce Bradford, Professional Land Surveyor May 20, 2019;
 - b. A site plan entitled "Plan of Land in Newton, MA, 28 East Boulevard Road, Proposed Additions," prepared by Everett M. Brooks Co., dated April 4, 2019, signed and stamped by Bruce Bradford, Professional Land Surveyor May 20, 2019;
 - c. Architectural Plans entitled "Fishman Residence, 28 East Boulevard Road, Newton, MA 02459," prepared by Mayer + Associates, dated May 29, 2019, signed and stamped by Alan J. Mayer, Registered Architect, consisting of the following sheets:
 - i. Existing Conditions- Basement Plan (A1-0);
 - ii. Existing Conditions- First Floor Plan (A1-1);
 - iii. Existing Conditions- Second Floor Plan (A1-2);
 - iv. Existing Conditions- Existing Elevations (Front Elevation) (A2-1);
 - v. Existing Conditions- Existing Elevations (Side Elevation) (A2-2);
 - vi. Existing Conditions- Existing Elevations (Rear Elevation) (A2-3);
 - vii. Existing Conditions- Existing Elevations (Side Elevation) (A2-4);
 - viii. Proposed Additions- Basement Plan (A3-0);
 - ix. Proposed Additions- First Floor Plan (A3-1);
 - x. Proposed Additions- Second Floor Plan (A3-2);
 - xi. Proposed Additions- Exterior Elevations (Front Elevation) (A4-1);
 - xii. Proposed Additions- Exterior Elevations (Side Elevation) (A4-2);
 - xiii. Proposed Additions- Exterior Elevations (Rear Elevation) (A4-3);
 - xiv. Proposed Additions- Exterior Elevations (Side Elevation) (A4-4).
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this Order for the approved Special Permit/Site Plan Approval with the Middlesex South Registry of Deeds.

- b. Filed a copy of such recorded Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - e. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Newton Historical Commission approving the final plans.
 - f. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
- a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by an architect certifying compliance with Condition #1.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by a licensed architect.
 - c. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.



#179-19

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
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BY EMAIL

Councilor Gregory Schwartz
Chairman, Land Use Committee
c/o Ms. Nadia Khan
Chief Committee Clerk
Newton City Hall
1000 Commonwealth Avenue
Newton, Massachusetts 02459-1449

Re: #179-19/Washington Place Owner, LLC/845 Washington Street/245 Walnut Street

Dear Chairman Schwartz,

My client is concerned that the requirement in the most recent draft of the Council Order to "dedicate" 10,000 square feet of non-formulaic retail, restaurant, or personal service use is not clear. Although I am somewhat reluctant to suggest any further wordsmithing of the current draft, in the interest of clarity down the road, I would respectfully suggest the following change to Condition 3 thereof:

" . . . the Petitioner is required to [dedicate] **reserve (i.e., whether leased or vacant and available for lease)** at least 10,000 rentable square feet within the ground floor only **for lease** to non-formula retail, restaurant, or personal use tenants, [This] **which** requirement shall be [met] **in place** prior to, and remain in effect after, the issuance of a certificate of occupancy to a commercial bank."

A copy of the most recent version of the Council Order reflecting this suggested change is enclosed herewith.

I look forward to your review of this matter at this evening's Land Use public hearing.

Sincerely,

A handwritten signature in blue ink that reads 'Stephen J. Buchbinder'.

Stephen J. Buchbinder

SJB/mer
Enclosure

cc: (By Email w/enclosure)
Ms. Nadia Khan
Assistant City Solicitor Jonah Temple
Ms. Jennifer Caira
Mr. Robert Korff
Mr. Damien Chaviano

845 Washington Street and 245 Walnut Street
#179-19

CITY OF NEWTON
IN CITY COUNCIL

ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the Site, as defined below, will be in harmony with the conditions, safeguards, and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #96-17, as amended by Council Order #216-18, to remove a condition prohibiting the petitioner from leasing space to commercial banks, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz.

1. The specific site is an appropriate location for the amendment to Council Order #96-17 given the site is located within a Village Center containing a variety of uses. (§7.3.3.C.1)
2. The amendment to Council Order #96-17 as developed and operated will not adversely affect the surrounding neighborhood. (§7.3.3.C.2)
3. The amendment to Council Order #96-17 will not create a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The petitioner is offering to dedicate 10,000 square feet within the ground floor of the development to non-formula retail, restaurant, or personal service uses. This commitment will support independent, neighborhood-serving uses. The Council finds that dedicating space to such uses will enhance the village atmosphere in Newtonville.

PETITION NUMBER: #179-19

PETITIONER: Mark Newtonville, LLC

LOCATION: 845 Washington Street and 245 Walnut Street known as
Section 21, Block 29, Lot 10 (the Project Site)

OWNER: Washington Place Owner, LLC

ADDRESS OF OWNER:	57 River Street, Suite 106, Wellesley, MA 02481
TO BE USED FOR:	A mixed use development in excess of 20,000 square feet consisting of three interconnected buildings with building heights of not more than 60 feet and five stories, total gross floor area not exceeding 236,000 square feet incorporating up to 160 residential units, not exceeding 48,000 square feet of commercial space, not less than 2,000 square feet of community space, not less than 309 on-site parking stalls outside at grade or within a below-grade garage, and related site improvements; to authorize uses including retail of more than 5,000 square feet, personal service of more than 5,000 square feet, restaurants over 50 seats, standalone ATMs, health club establishments at or above ground floor, animal service, and street level medical office
CONSTRUCTION:	Masonry structure over a structural steel and concrete base
EXPLANATORY NOTES:	Amendment to Council Order #96-17 to revise Condition #34 regarding leasing commercial space to banks.
ZONING:	Business Use 2 and Mixed Use 4

Approved subject to the following Conditions.

This Special Permit/Site Plan Approval amends Council Order #96-17 by modifying Condition #34 regarding the prohibition on commercial banks. All other conditions of Council Order #96-17 remain in full force and effect.

1. All Buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - 1) Ground Floor Plan "Washington Place" dated March 20, 2019.
2. Condition #34 of Council Order #96-17 is amended by deleting the first sentence in its entirety, and replacing with the following language: "The Petitioner and its successors may lease commercial space in the Project to not more than one commercial bank with a total square footage not to exceed 3,800 square feet." The remainder of Condition #34 shall remain in full force and effect.

3. In the event that the Petitioner ^{for lease} leases commercial space to a commercial bank as allowed by this amendment, the Petitioner is required to dedicate ^{reserve (i.e., whether leased or vacant and available for lease)} at least 10,000 rentable square feet within the ground floor only ^{which} to non-formula retail, restaurant, or personal service use tenants. ^{met in place} This requirement shall be met prior to and remain in effect after, the issuance of a certificate of occupancy for a commercial bank. For the purposes of this condition, formula retail, restaurant, and personal service use is defined as "Any establishment, which along with nine or more other businesses regardless of ownership or location worldwide, does or is required as a franchise, by contractual agreement, or by other agreement to maintain two of the following features:

- A standardized menu;
- A standardized façade;
- A standardized décor and/or color scheme;
- A standardized uniform;
- A standardized sign or signage; or
- A standardized trademark or service mark."

4. In the event that "The Family Shoe Barn" leases space within the Project, the square footage leased to such tenant shall not count towards the 10,000 rentable square feet dedicated to non-formula retail, restaurant, or personal service uses.
5. In the event that a non-formula tenant disqualifies itself in accordance with the criteria referenced in Condition #3 above, thereby decreasing the total rentable square feet reserved for non-formula tenants to below 10,000 square feet, the tenant may remain. The Petitioner shall dedicate the next available tenant space or spaces, to other non-formula tenants until the Project is compliant with Condition #3 above.
6. Prior to the issuance of any Building Permit for the ground floor, the Petitioner shall provide documentation indicating whether the proposed retail/restaurant/personal service use is a non-formula use in accordance with Condition #3 above. The Petitioner is not entitled to a building permit, if such permit would prevent the Project from complying with Condition #3 above.
7. Prior to issuance of any Building Permit for the Project, the Petitioner shall record a certified copy of this Council Order with the Registry of Deeds for the Southern District of Middlesex County and file a copy of such recorded Council Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.

CITY OF NEWTON
IN CITY COUNCIL

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STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
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FRANKLIN J. SCHWARZER
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NEWTON, MASSACHUSETTS 02461-1267
TELEPHONE (617) 965-3500
www.sab-law.com

aschlesinger@sab-law.com

September 5, 2019

Gregory R. Schwartz, Chairman
Land Use Committee
Newton City Council
1000 Commonwealth Avenue
Newton, MA 02459

Re: Northland Newton Development- Docket #426-18

Dear Councilor Schwartz,

In anticipation of the continued public hearing on the Northland Newton Development on September 11th, I wish to respond to particular questions posed and suggestions made at the August 6th hearing.

Planning Presentation August 6th

We note at the outset that the presentation made by the Planning Department on August 6th was outstanding. Its review of the project, especially consolidating the traffic generation numbers and analysis of the traffic demand management (TDM) program, was clear and concise. From the Planning Department Report we note in particular:

- The Vehicle Trip Generation graph shows clearly the disproportionate impact which commercial uses have relative to residential uses. The trip generation during the peak hours from the residential uses will be a relatively small amount.
- The Planning Department finds that the proposed 1650 parking spaces are in the right "ballpark", and it expresses concern that reduced parking may lead to increased TNC use or spillover parking.
- We are in agreement with focusing on outcomes rather than tactics, working towards and the Planning Department's stated goals.
- The Planning Department agrees with the Northland proposal which results in a 37% reduction in Unadjusted AM trips and 58% reduction in Unadjusted PM trips measured for the residential and office portions of the project.

Gregory R. Schwartz, Chairman
September 5, 2019

In the sections on the TDM Program, TDM Plan Phase In, TDM Budget, TDM Measurement, TDM Monitoring and Reporting, and TDM Enforcement Planning set forth the Northland Proposal (left side) and Planning Department recommended revisions (right side):

- In the TDM Program section, Northland agrees with the Planning Department's recommended revisions;
- In the TDM Budget section, Northland agrees with the Planning Department's recommended revision to increase the base budget to \$1.5M;
- In the TDM Measurement section, Northland agrees with the Planning Department's recommended revisions;
- In the TDM Monitoring and Reporting section, Northland agrees with the Planning Department's recommended revisions; and
- In the TDM Enforcement section, Northland agrees with the Planning Department's recommended revisions.

We note that at the August 6th hearing, certain Councilors expressed concern about the 30% cap on increased contributions above the \$1.5M base commitment. Northland does not agree to any increase above the 30% recommended by the Planning Department.

Parking

The parking discussion with the Council has revolved around many equally important elements including forward-looking public policy, current and future social trends, existing conditions and competitive market constraints.

We have heard in particular Councilors Auchincloss, Downs and Noel arguing for reduced parking at the project, and while they can speak for themselves we have heard that they argue for a "virtuous cycle" in which the future will demand less parking and less parking will discourage traffic.

We have also heard in particular from Councilors Baker and Gentile who also can speak for themselves but have urged that Newton has been car-centric for a long time and is likely to be so for a while longer, so it would be imprudent not to provide for what is the condition today rather than what someone might hope might be in the future. It is reasonable for the Newton Upper Falls neighborhood to be concerned that a parking shortfall could result in parking in the neighborhood or a shift to Uber/Lyft which conserves parking at the expense of more traffic.

We are also mindful that the Newton Zoning Ordinance is the actual policy which the Council has promulgated, and the Ordinance would require approximately 2950 parking spaces for the project, so that is the baseline starting point for analysis.

Northland has been committed to striking a balance between the different views, and has sought to propose the minimum number of parking spaces which it believes can

Gregory R. Schwartz, Chairman
September 5, 2019

adequately provide for the needs of the residents, office tenants, retail and restaurants, and visitors to the project. Following recent discussions with Councilors Auchincloss, Downs, and Noel, Northland proposes a further and final change in the parking plan to provide 1350 self-parking spaces and 250 valet spaces. By comparison:

	August Proposal	September Proposal
Self-Park Spaces	1450	1350
Valet Spaces	200	250
Total	1650	1600

This proposal is all about balancing and judgment. Northland was asked to consider carefully the correct parking proposal to balance the benefits and concerns about parking, and this proposal is made as a final proposal to state as clearly as we can what Northland is willing to do.

Mitigation

For the entire year of hearings on the NND, Northland has emphasized that the project should strive to mitigate the effects of development. Mitigation within and from the site and has taken a number of forms:

- The project itself is mitigation in that the mixed uses will provide on-site opportunities for live/work/play to reduce vehicular traffic as compared to an as-of-right development;
- The project will transform the 22.6 acre site, which is now almost entirely paved or impervious, to one with 10 acres of parks and open space (over 40% of the site), significantly mitigating the current “heat island” effect;
- The residential portions of three buildings will be constructed to “passive house” standards, which will significantly reduce energy consumption;
- The currently untreated storm water will be filtered and detained, using best management practices, to improve groundwater quality and reduce phosphorous run-off;
- Restoration of the South Meadow Brook will improve the existing condition of the wetlands;
- The aggressive TDM incentives and project shuttle are intended to mitigate the traffic impact of the project and are obligations imposed uniquely on this development. Northland has agreed to an initial cost of \$1,500,000 per year for the funding of TDM measures;
- The project proposes 140 units of affordable housing and a building be designated an “all age friendly” building in the

Gregory R. Schwartz, Chairman
September 5, 2019

hopes that these units together make a significant contribution toward housing diversity within the community and addressing the City's stated housing goals and vision; and

- The project intends to facilitate undergrounding of as much as 7000 linear feet of utility lines in and around the project. Northland understands this is a project proposal and not a request from the City, but the City and the public will nonetheless enjoy a considerable benefit from the undergrounding.

In addition to the various elements of mitigation proposed on-site, Northland recognizes that the impacts of this project extend beyond the site and into the Newton Upper Falls and Newton Highlands neighborhoods and is prepared to offer significant contributions to mitigate these impacts. We are also aware of the City Engineer's policy for Sewer Infiltration/Inflow (I/I) Mitigation updated March 7, 2019, and while we have questioned the authority for this policy, we have used it as guidance and calculated:

$93,425 \text{ gpd} \times \$19.77/\text{gallon} \times 4 = \$7,388,049$ aggregate payment per policy

The policy contemplates that the City Council can agree to reduce the I&I payment to 25% of that amount, or \$1,847,012 based on other off-site mitigation contributions made on behalf of the project. With this understanding, Northland's off-site mitigation proposal in the aggregate is comprised of the following elements:

- \$1,850,000 for I&I mitigation for the Council to allocate as appropriate:
- \$5,000,000 for offsite transportation mitigation for the Council to allocate as appropriate. The Planning Department has provided a list of offsite transportation planning and implementation items for consideration, and Northland has requested that there be added to the list:
 - i. Future funding for improvements to the Christina Street pedestrian/bike bridge over the Charles River; and
 - ii. Funding for a potential traffic or pedestrian signal at the Oak Street entrance to the project
- \$1,000,000 for a community spray/splash park adjacent to the Greenway:
- \$1,500,000 as a contribution towards the renovation or reconstruction of the Countryside School. Northland has worked very closely with the School Department in determining that the school system has sufficient capacity for the projected number of children from the development and we also appreciate that Councilors have consistently stated that school projections do not affect land use decisions. However, in the past several months the City has re-prioritized the Countryside School, and Northland as a

Gregory R. Schwartz, Chairman
September 5, 2019

neighbor welcomes a renovation or reconstruction of the school as a great opportunity. Mayor Fuller requested that Northland consider making a significant contribution to funding that initiative, and Northland is pleased to respond.

In summary, in addition to the mitigation incorporated into NND, Northland proposes financial contributions of:

\$1,850,000 for I&I mitigation
\$5,000,000 for offsite transportation mitigation
\$1,000,000 for a community spray/splash park
\$1,500,000 for Countryside school
\$9,350,000 Total

Each of these items will be paid on a schedule over the development process and will be appropriated by the Council in its discretion.

Other Hearing Issues

At the August 6th public hearing we opted not to address certain discussion items, but I stated that we reserved the right to comment further on the discussion. Four items were mentioned by Councilors which we believe require a response.

First, the project cannot and will not be phased. It has been planned and designed as a singular development with integrated open space, a balanced mix of uses, shared underground parking, permeability, and essential connectivity with its surroundings. It is one project to be constructed in a sequence with all of the infrastructure built first, including without limitation the utility systems, the underground parking, and the public spaces. Northland will not accept any phasing condition or any conditionality on the project as a whole.

Second, Northland has accepted the Planning Department recommendation on proposed investment and future increases in the TDM program, which includes an annual cap of 30% over the initial funding of \$1.5 Million and an annual CPI increase. The amount in the Planning Department recommendation is what Northland is willing to do, including the annual cap amount.

Third, based on the current practices of other owners and landlords in the project's competitive trade area, Northland is not prepared to charge office employees, retail shoppers, or visitors for parking at this time.

Fourth Northland cannot agree that the initial shuttle service to Newton Highlands will stop elsewhere on Needham Street. Such a stop could either require consent of other property owners or could force the shuttle to take more than 10 minutes for the trip. The operation of the shuttle can be reviewed in the future.

Gregory R. Schwartz, Chairman
September 5, 2019

You will note that in each of the matters discussed in this letter, Northland has asked two questions: (i) is the discussion issue related to the project, and (ii) does a proposal improve the project?

Throughout the permitting process the NND project has undergone very substantial improvements from Northland's original proposal, frequently at the request of Councilors or community members. The March site plan revisions including the placing of parking underground, the increase in open space, the passive house designs, the "all age friendly" building, the groundbreaking TDM proposal and the offsite mitigation proposals all relate to items which meet those criteria. We believe that both the project and the City have benefitted greatly by the changes and the mitigation proposed.

Northland is proud of the proposal as a whole, and as such is comfortable in identifying these items to which it cannot agree.

Very truly yours,



Alan J. Schlesinger

AJS/

cc: City Council

Mayor Ruthanne Fuller

Barney Heath, Director of Planning and Development

Jennifer Caira, Chief Planner

Department of Planning and Development

156 Oak Street, 275- 281 Needham Street and 55 Tower Road

Petition #425-18

for a change of zone to BUSINESS
USE 4 for land currently zoned
Mixed Use 1.

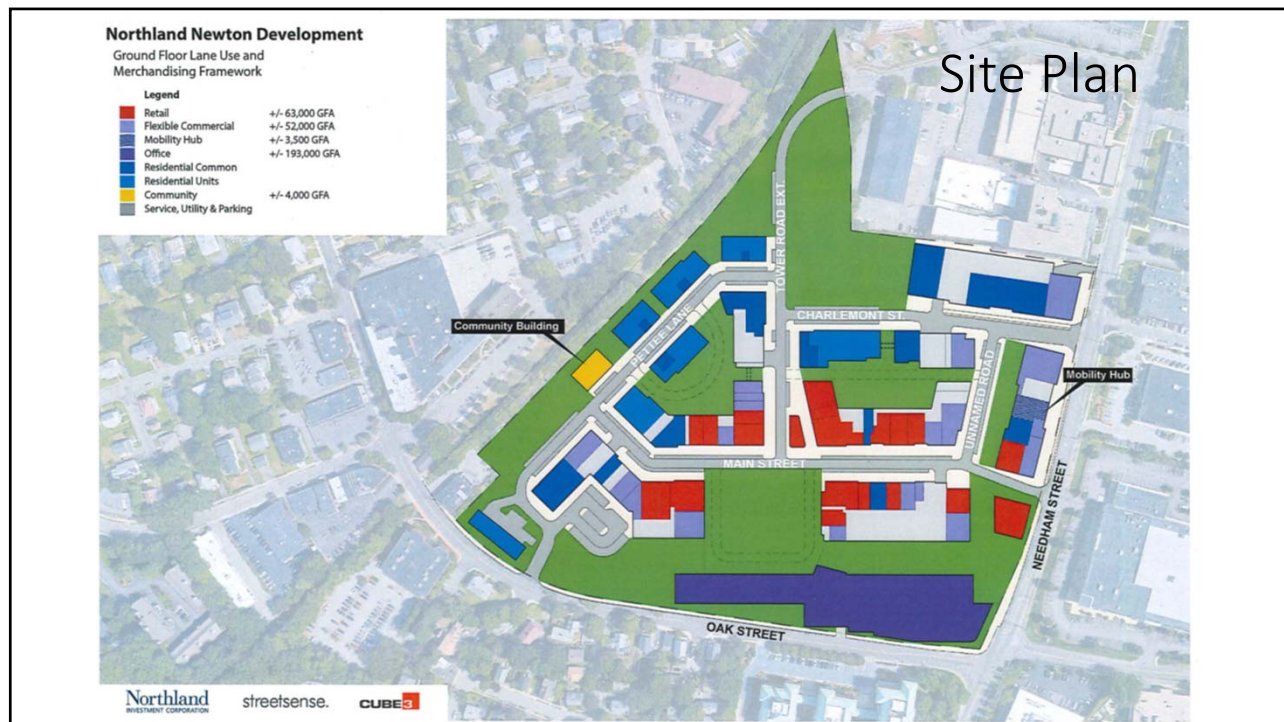
Petition #426-18

for SPECIAL PERMIT/SITE PLAN
APPROVAL to allow a mixed-use
development with 13 buildings,
822 units, 193,000 square feet of
office space, and 237,000 square
feet of retail space on a 22.6
acre site.

September 11, 2019

Aerial Map





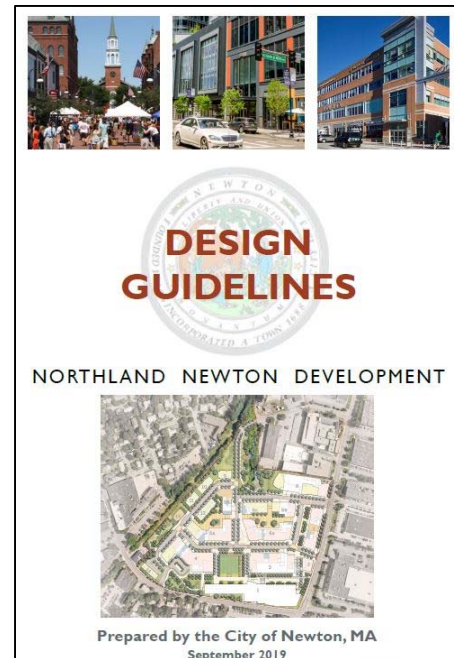
Topics to be discussed

- Design Guidelines
- Petitioner's responses to August 6th Transportation meeting
- Sewer System Infiltration and Inflow Mitigation (I&I)
- Community Benefits
- Rezoning

Design Guidelines

Intent:

- Ensure the project as built matches expectations
- Let the architectural design evolve over time
- Allow flexibility in architectural details



Design Guidelines

Fixed Elements:

- Project size – height, number of units, floor area
- Affordable housing and accessibility
- Site plan
- Open space sizes and locations
- Community benefits, transportation demand management measures, and other mitigations, etc.



Elements to be shaped by guidelines:

- Architectural details – materials, fenestration, entryways
- Articulation of buildings
- Streetscapes
- Open space furnishings and landscaping
- Wayfinding
- Design of back of house areas, etc.

PRESENTATION TO
Land Use Committee
Newton City Council


DATE
11 September 2019

PRESENTED BY
Michael A. Wang
AIA, LEED AP BD+C
Form + Place, Inc.
City of Newton Urban Design On-Call
Consultant





DESIGN GUIDELINES

NORTHLAND NEWTON DEVELOPMENT



Prepared by the City of Newton, MA
September 2019



CITY OF NEWTON DESIGN GUIDELINES
Northland Newton Development

PART I


PART II

PART III


PROCESS / GUIDELINES EVOLUTION

GUIDELINES STRUCTURE

UTILIZING THE GUIDELINES



August 2018



Vision Statement 1

Objective

The Northland Newton Development will create a vibrant destination that is:

- Showcases a variety of neighborhood and community
- Encourages people to live, work, play and shop in Newton
- Exemplifies working and learning neighborhood
- Honors the historical significance of the heritage
- Maintains playing grounds for future generations
- Sustainable, protecting our environment



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE



- Research Design Guideline Precedents



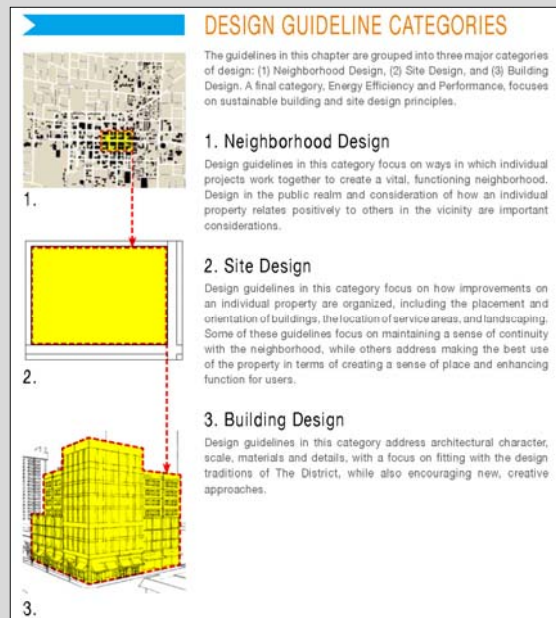
CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE



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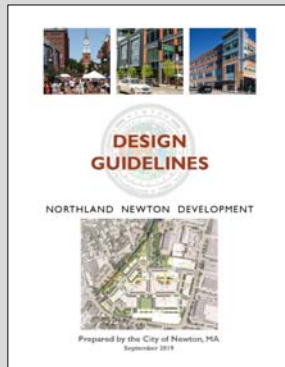




CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE



- Research Design Guideline Precedents
- Design overarching framework

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2. Block Structure
3. Street Design
4. Public Space Design
5. Signage
6. Sustainability Neighborhood Design [LEED ND]

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1. Building / Street Relationship
2. Open Space Integration
3. Streetscape / Open Space Design Elements
4. Parking and Service
5. Sustainable Site Design

BUILDING DESIGN

1. Overall Architectural Character
2. Building Height / Massing
3. Facade Articulation
4. Ground Level Design
5. Streetscape Design
6. Materials
7. Building Exterior Lighting
8. Sustainable Design Green Buildings



DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 4



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE



DISTRICT DESIGN

These Design Guidelines are intended to provide development and design guidance to the City of Newton, as well as to the surrounding context. The City of Newton is committed to providing a high-quality, sustainable, and vibrant community for all its residents. The City of Newton is committed to providing a high-quality, sustainable, and vibrant community for all its residents.



DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 1



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DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 13



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DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 10

- Embellish with goals & sub-categories



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE

DISTRICT DESIGN | NO. 1

CONNECTIVITY TO SURROUNDING CONTEXT

GOAL: Comprehensive developments should focus on addressing transitions to their surrounding contexts – which can be diverse in nature – bringing together, with existing fabric, in ways that are sensitive to surrounding communities.

A. COMPATIBILITY WITH THE COMPREHENSIVE PLAN AND THE NEEDHAM STREET AREA VISION PLAN

A.01] Reinforcing the Vision Plan
The Vision Plan reflects the goals outlined in the City's Comprehensive Plan, placing emphasis on the most pertinent issues related to land use, transportation and environmental issues, as well as planning and building design. Larger developments should play a significant role in helping to realize area goals by striving to incorporate the key tenets of the Vision Plan.

B. VEHICULAR CONNECTIVITY

B.01] Connecting to Existing Street Networks
Larger developments should establish logical connections to existing street networks in such a way as to promote compatibility with the surrounding context. This may include establishing a hierarchy of access points for various vehicle types.

B.02] Varied Street Types
The proposed layout of different street types within a district should development can help shape vehicular circulation patterns and promote more aesthetically pleasing pedestrian environments. This should include leaving access points to parking and service close to vehicular site entrance and incorporate using wayfinding signage.

B.03] Street Design
Street design should support areas of higher volume and lower volume vehicular flow by utilizing design tools such as roundabouts and roundabouts and roundabouts in primary pedestrian circulation areas.

C. TRANSIT CONNECTIVITY

C.01] Transit Promoting Vibrancy
Transit services should be carefully integrated into the overall district design to promote vibrant pedestrian environments and support local area businesses through their synergistic placement.

C.02] Public Transit Integration
Leaving public transit to various streets can create safer and more pleasant pedestrian and bike environments.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 6

- Illustrate text with imagery & diagrams

DISTRICT DESIGN | NO. 2

BLOCK STRUCTURE

GOAL: The block structure of the development should promote a thoughtfully varied, walkable public realm where quality architecture and diverse open spaces are reflected in street patterns, as well as building siting and design.

A. CONSISTENCY OF DEVELOPMENT PATTERN

A.01] Pedestrian Friendly Blocks
The scale and geometry of blocks within the development should be designed to promote a safe and pedestrian experience and be compatible with surrounding development patterns. "Super Blocks" should be avoided by introducing a moderate network of streets – such as back alleys – and by incorporating through-block pedestrian connections in larger blocks.

A.02] Blocks with Multiple Buildings
Blocks consisting of multiple buildings are encouraged. Finding a balance between buildings that have individual (but compatible) architectural expression and elements that provide continuity (cornices, etc.) is desirable.

B. VARIATION IN BLOCK STRUCTURE

B.01] Influence of Existing Open Space
Variation in block structure should be integrated with existing open space networks, waterways or topography can create interesting historical moments.

B.02] Focal Points can Offer Relief
A higher level of architectural design should be incorporated into buildings that serve as focal points or signature nodes, or will have a prominent visual location in the community.

C. TERMINATING VIEWS AND FRAMING VIEWS

C.01] Hierarchy in Design
A higher level of architectural design should be incorporated into buildings that serve as focal points or signature nodes, or will have a prominent visual location in the community.

C.02] Buildings as Gateways
Buildings that help frame views, or act as a "gateway" to a neighborhood, should be appropriately designed to introduce the larger context.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 8

DISTRICT DESIGN



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE

DISTRICT DESIGN | NO. 3

STREET DESIGN

GOAL: Incorporating a clear hierarchy of streets into a neighborhood development will inform the design of street sections and, thus, guide the safe accommodation of vehicles, give priority to pedestrians and bikers, and shape the relationship of buildings to streetscapes.

A. REINFORCE A HIERARCHY OF STREETS WITHIN A NEIGHBORHOOD

A.01] Complete Streets
Identify primary, secondary and tertiary streets that each address the design tenets of "Complete Streets" and safely accommodate all desired forms of circulation.

A.02] Street Section Design
Street sections should adhere to the dimensional standards that promote the intended functionality and planning character of vehicular and pedestrian environments. A typical street section should consider the accommodation of pedestrian circulation lanes, amenity / landscape zones, parking lanes and travel lanes.

A.03] Mixed-use Streets
Street sections should reflect the uses, or mix of uses, that front onto them by defining an appropriate building / sidewalk interface, which may vary including entry points, parking lanes and travel lanes.

B. RELATIONSHIP OF BUILDINGS TO STREET TYPES

B.01] Building Entry Locations
Primary building entries should be placed to enhance important pedestrian environments and should occur at a frequency compatible with the use contained within.

B.02] Ground Floor Transparency
Ground floor facade articulation and a high degree of transparency to transparency reinforces a vibrant pedestrian environment.

B.03] Minimize Vehicular Impacts
Service and parking areas should be located to minimize the impacts of vehicular movements on streets that are more pedestrian focused.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 9

- Illustrate text with imagery & diagrams

DISTRICT DESIGN | NO. 4

PUBLIC SPACE DESIGN

GOAL: Neighborhood developments should strive to incorporate a diverse range – both in scale and function – of publicly accessible open spaces for active and passive uses.

A. PLACE-MAKING GOALS: FUNCTION AND CHARACTER OF OPEN SPACE

A.01] Programmable Civic Space
Public open spaces should have the flexibility to accommodate a wide range of public gathering activities, ranging from programmed events to markets.

A.02] Flexible Recreational Spaces
Recreational spaces should consider the accommodation of both structured and unstructured activities as an amenity for the community. Recreational areas can assist with neighborhood management goals.

A.03] Contemplative Spaces
Contemplative spaces are generally considered for scenic passive uses and can be logical places to incorporate public art, historic relics or other educational amenities.

A.04] Restored Natural Environments
Restored natural environments can offer natural places to stroll and relax and can help meet sustainable goals for a project / neighborhood.

B. QUALITY OF AMENITIES

B.01] Integrate Amenities
As well as thoughtful design, the thoughtful integration of quality amenities – urban furniture, equipment, water features, etc. – as well as landscaping and hardscape into open spaces can greatly enhance the experience.

C. INTEGRATION OF PUBLIC ART [LOCAL, HISTORIC]

C.01] Create Identity with Public Art
The strategic placement of public art should enhance the pedestrian experience, encourage the use of a public space and give it an identity.

C.02] Local Artists
Involving local artists can strengthen ties to an existing neighborhood.

C.03] Historic Relics
The display of historic relics from the site and local areas can be an educational benefit.

C.04] Contextual Public Art
Public art should be complementary to its context through its form, scale and materiality.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 10

DISTRICT DESIGN



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE

BLOCK DESIGN | NO. 1

BUILDING / STREET RELATIONSHIP

GOAL: The programming of individual blocks starts with the siting of a building in relationship to adjacent buildings, how its ground floor shapes the pedestrian experience, and by the use of units, courtyards, and setbacks.

A. PROGRAMMING / USE

A.01 | Ground Floor Uses
The programming of ground floor spaces within buildings should directly reinforce the street typology that they are sited in, and provide a purposeful continuity from one transition to the next. Ground floor uses on double-loaded streets can further establish a vibrant pedestrian environment, especially in historically important retail settings.

B. CONTINUITY OF STREETWALL

B.01 | Well-defined Pedestrian Experience
Mixed-use or commercial buildings located in walkable large-scale developments should be sited to provide a well-defined pedestrian experience by generally having aligned facades with other buildings on a block.

B.02 | Ground Level Facades
Depending on the width of streets and the relative height of buildings, upper levels of facades may step back to provide relief, but ground level facades should maintain a high level of continuity.

B.03 | Building Alignment
Some variation in building alignment is encouraged to accommodate outdoor dining areas for street activities and entry / drop-off.

B.04 | Public-Private Transition Zones
On residential streets, a well-defined zone of landscaping may be integrated between the sidewalk and the building to provide a public-private transition zone and a degree of privacy. Though set back, the alignment of building facades is still desirable.

C. MID-BLOCK PEDESTRIAN CONNECTORS

C.01 | Pedestrian Moves
Pedestrian moves are encouraged to break down the scale of larger blocks and provide opportunities for connections to areas beyond the block.

C.02 | Wrapping Storefronts
Wrapping the corners of pedestrian moves with transparent storefronts helps define these secondary spaces.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 14

- Illustrate text with imagery & diagrams

BLOCK DESIGN | NO. 3

STREETSCAPE / OPEN SPACE DESIGN ELEMENTS

GOAL: An engaging streetscape should offer a diverse range of highly articulated and well-supported pedestrian environments that are functional in all seasons.

A. URBAN FURNITURE

A.01 | Contextually Appropriate Style
Urban furniture should be consistent with the language and materials of the surrounding architecture and public realm.

A.02 | Movable and Fixed
Urban furniture can be designed to complement programming goals, provide flexibility, and create a sense of place. Large, movable furniture (benches, tables, planters, etc.) provides a degree of flexibility for multi-purpose spaces.

A.03 | Durable Materials
Choose materials that are durable, preferably locally-sourced, low-maintenance, and weather predictable.

B. WALLS AND FENCES

B.01 | Consistent with Context
Walls and fences should be contextually consistent with the language and materials of the surrounding architecture and public realm.

B.02 | Embed with Landscaping
Walls and fences should be integrated with landscaping and landscaping should be embedded with landscaping on the public side where possible.

B.03 | Quality Materials
Use quality materials that are durable – avoid vinyl and chain-link fences.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 16

BLOCK DESIGN



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART II GUIDELINES STRUCTURE

BUILDING DESIGN | NO. 2

BUILDING HEIGHT / MASSING

GOAL: The overall height and bulk of a building, or collection of buildings, should be appropriately scaled for the public realm that it is helping to define, and make a meaningful contribution towards achieving its intended context.

A. HEIGHT

A.01 | Context Appropriate Height
Contextual height of buildings should be contextually appropriate. This may be adjacent to large open spaces, in areas with specific topographic characteristics, or to provide a focal point for an important new corridor.

A.02 | Building Height Transitions
Transition in height of buildings is desirable to the surrounding context such as residential neighborhoods or village centers. While this may often suggest stepping down in scale, there are instances where more height is appropriate to complete the definition of an adjacent public space or existing structure.

A.03 | Variation in Building Height
Some variation within a block height can be desirable to create visual interest. Variation in overall height should be balanced with tying together buildings with unifying architectural elements, such as intermediate corner lines or other details.

A.04 | Building / Street Scale Relationship
Building heights should be comparable in scale with the streets that they front on. A well-defined street section corners of buildings adjacent to heights to define a series of human-scale spaces.

A.05 | Building Orientation
The orientation of buildings, and their relationship to open space, should be considered to enhance the positive impacts of shadows, wind heat and other influences of nature.

B. MASSING

B.01 | Relating to Human Scale
Consider breaking down the facade of buildings with larger heights to relate to human scale and follow existing development patterns.

B.02 | Major and Minor Volumes
Incorporating secondary volumes to achieve major and minor readings is one way to add to overall building scale and avoid large monolithic elements.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 22

- Illustrate text with imagery & diagrams

BUILDING DESIGN | NO. 4

GROUND LEVEL DESIGN

GOAL: A human-scale environment, an active and engaging ground level is essential for defining a lively pedestrian streetscape.

A. FACADE DEPTH

A.01 | Engaging Storefronts
Incorporate storefront recesses (such as awnings) and glass-fronted (including projecting) to provide a high degree of visual interest for pedestrians.

B. HIERARCHY OF ARTICULATION

B.01 | Articulation on Key Frontages
A higher level of articulation should be incorporated on facades that are more important to the public realm. While the level of detail can be simplified to a degree on secondary and tertiary facades, the overall quality of design and use of materials should be consistent.

B.02 | Focal Points
Areas of elevated architectural expression should be incorporated in key focal points, such as building corners, primary entries and entrances to surrounding urban conditions (parks).

C. ARCHITECTURAL ELEMENTS

C.01 | Additive and Subtractive Components
Architectural elements – both additive and subtractive – that provide visual interest, depth and rhythm such as canopies, awnings, loggias, balconies, porches, and patios (readable). These components can help to refine the scale and proportions of important facades.

D. FENESTRATION

D.01 | Contextual Typologies
Incorporate fenestration typologies that are contextual and thoughtfully composed. As with other facade elements, avoid large unarticulated areas of glass or overly repetitive patterns, and do not contribute to defining a scale and proportion appropriate for the building or the larger context.

D.02 | Transparency and Use
Facades, overall, should have a degree of transparency that is appropriate for the use contained within, while helping to activate the public realm.

D.03 | Detail Thoughtfully
The thoughtful detailing of windows including the style of cornices, the use of moldings, the choice of color and materials, together with their depth contribute to the overall quality of a facade.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 24


BUILDING DESIGN



CITY OF NEWTON DESIGN GUIDELINES
Northland Newton Development

PART II

GUIDELINES STRUCTURE




DISTRICT DESIGN NO. 6
SUSTAINABILITY NEIGHBORHOOD DESIGN [LEED ND]
GOAL: Low impact development that minimizes runoff and/or new open space, incorporates green infrastructure and promotes climate resilience, is desirable.

A. SMART LOCATION AND LINKAGE
A.01) Minimize Environmental Impacts
Minimize the adverse environmental impacts of new development and avoid greenfield development.
A.02) Compact Development
Encourage development in well-located or on previously developed sites. Provide access to transit.

B. NEIGHBORHOOD PATTERN AND DESIGN
B.01) Encourage Walkability
Design a block structure that promotes compact, walkable, mixed-use development and connects coherently to the existing adjacent community.
B.02) Access to Usable Public Space
Create pedestrian-friendly environments that provide access to usable public space.

C. GREEN INFRASTRUCTURE AND BUILDINGS
C.01) Reduce Construction and Operation Impacts
Reduce the adverse environmental impacts of the construction and operation of buildings and neighborhood infrastructure.
C.02) Energy Efficiency
Utilize energy efficiency strategies for reducing pollution and greenhouse gas emissions.
C.03) Preserve Natural Resources
Preserve existing natural resources and minimize impacts to natural habitats.
C.04) Avoid Heat Islands
Minimize heat island effect by mitigating large paved areas, such as surface parking lots.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 12



BUILDING DESIGN NO. 8
SUSTAINABLE DESIGN: GREEN BUILDINGS
GOAL: New construction and major renovation projects should utilize best practices to respond to science leadership in Energy & Environmental Design (LEED) certification and strive for passive house certification. High performance buildings have less of an impact on the environment, cost less to operate and maintain, and are healthier for those who occupy them.

A. WATER EFFICIENCY
A.01) Water Saving Strategies
Integrate project-specific water-saving strategies including indoor water use, irrigation water and water metering.

B. ENERGY AND ATMOSPHERE
B.01) Energy Use Reduction
Utilize a holistic approach to energy use reduction including energy-efficient design strategies and renewable energy sources.

C. MATERIALS AND RESOURCES
C.01) Life-cycle Approach
Incorporate a life-cycle approach to improving performance and promoting resource efficiency that focuses on minimizing the embodied energy and other impacts associated with the extraction, processing, transport, maintenance and disposal of building materials.

D. INDOOR ENVIRONMENTAL QUALITY
D.01) Quality and Comfort
Address indoor air quality, as well as thermal, visual and acoustic comfort through design strategies that enhance air quality, lighting quality, acoustic design and control over one's surroundings.


E. INNOVATION IN DESIGN
E.01) New Technologies and Strategies
Experiment with new technologies and building design strategies that represent the most current and evolving approaches to sustainable design.

F. REGIONAL PRIORITY
F.01) Focus Locally
Place on local environmental priorities that address regional concerns and utilize environmental assets.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 19

• Illustrate text with imagery & diagrams


SUSTAINABILITY



CITY OF NEWTON DESIGN GUIDELINES
Northland Newton Development

PART III

UTILIZING THE GUIDELINES



DESIGN GUIDELINES EVALUATION TEMPLATE
NORTHLAND NEWTON DEVELOPMENT
Prepared by the City of Newton, MA
November 2014

NORTHLAND NEWTON DEVELOPMENT
DESIGN GUIDELINES

INTRODUCTION

This Design Guidelines document was created by the City of Newton Planning & Development Department to provide a framework for the incremental execution of the Northland Newton development. Crafted in collaboration with the City's Urban Design On-Call consultant, Form + Place, Inc., the proponent Northland Investment Corporation and the proponent's design team, these guidelines were adopted by the Newton City Council during the Special Permit approval process. This document is intended to be a tool for both the proponent, providing a degree of design flexibility to respond to evolving development realities, and the City ensuring that the realized project matches expectations set forth in the master plan.

These Design Guidelines were formulated to embody the goals and objectives of the Northland Street Area Vision Plan, which was adopted in August of 2018. This community-driven Vision Plan provides recommended implementation strategies for development along the Needham Street corridor and in surrounding neighborhoods, identifying environmental, transportation, land use and design aspirations.

The guidelines are organized into three distinct categories - district design, block design and building design - to allow for careful consideration of the proposed development at a variety of scales. Guidelines at the district level are intended to evaluate the implementation of the project holistically, taking into consideration the overall quality of the public realm and the project's connectivity to the surrounding context. Block design and building design criteria are intended to allow the City to take a more detailed look at the place-making and architectural qualities of the proposed development and consider its merits.

PROCESS

Following Special Permit approval, and at each phase of implementation of the master plan, the proponent will be required to file a building permit application. In each instance, the proponent will fill out the Design Guidelines Evaluation Template, explaining how the proposed development responds to the recommended design criteria and is consistent with the approved Special Permit application. In addition to the written responses to the Design Guidelines, the proponent can reference site and architectural drawings required in the Building Permit application to illustrate the design intent.

The City will then undertake a consistency determination process, which will include a review and recommendation by Planning & Development Department staff and/or their Peer Review consultants. The application will then be reviewed by the Newton Urban Design Commission, followed by the Land Use Committee of the City Council, each providing input as to the consistency of the submitted, before final consideration for approval by the Commissioner of the Newton Inspection Services Department.

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 2

• **REVIEW PROCESS:**

- Proponent completes Evaluation Template as part of Building Permit Application
- "Consistency" review and recommendation by Planning Staff, Urban Design Commission and Land Use Committee



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART III UTILIZING THE GUIDELINES

BLOCK DESIGN

Applicant general comments for building design (250 word max.)

General city comments: ☐ Consistent ☐ Not Consistent

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 45

BLOCK DESIGN | NO. 1

BUILDING / STREET RELATIONSHIP

GOAL: The placemaking qualities of individual blocks starts with the siting of a building in relationship to adjacent buildings, how its ground level shapes the pedestrian experience and by the mix of uses contained within it.

A. PROGRAMMING / USE

A.01 Ground Floor Uses
Applicant response (100 word max.) City Response:

Document references:

B. CONTINUITY OF STREET WALL

B.01 Well-defined Pedestrian Experience
Applicant response (100 word max.) City Response:

Document references:

B.02 Ground Level Facades
Applicant response (100 word max.) City Response:

Document references:

B.03 Building Alignment
Applicant response (100 word max.) City Response:

Document references:

DESIGN GUIDELINES | NORTHLAND NEWTON | AUGUST 2019 | PG. 46

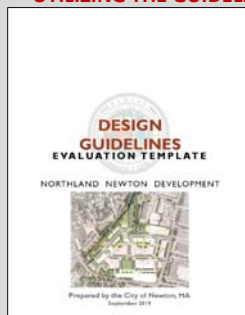
- Evaluation Template [Editable PDF]



CITY OF NEWTON DESIGN GUIDELINES

Northland Newton Development

PART III UTILIZING THE GUIDELINES



DESIGN STANDARDS VS. DESIGN GUIDELINES

• DESIGN STANDARDS

a prescriptive tool which dictates elements of design, such as building setbacks, height, access, circulation, parking and more. Compliance is mandatory.

• DESIGN GUIDELINES

offer interpretive recommendations and examples of design solutions for new developments. They encourage

NORTHLAND NEWTON APPROVALS PROCESS flexibility and are often used in conjunction with a City's zoning code

Certain key development design parameters will be fixed upon Site Plan approval, including overall street grid, building footprint & location, height, open space size & location, program [dwelling units], etc.

The Design Guidelines will be used to evaluate detailed design elements, or if minor changes to the overall Site Plan are being proposed.

Transportation Response

Petitioner has agreed to TDM recommendations from Planning's August 2nd memo:

- Initial TDM investment of \$1.5 million
- Additional investment capped at 30%
- Monitoring reports every 6 months to start and annually after two consecutive periods of compliance. Monitoring to cease after 5 consecutive years of compliance (as long as TDM measures stay in place)
- Director of Planning can request additional monitoring if conditions change
- Extend MBTA subsidies to retail workers

Additionally, the number of striped parking stalls has been reduced by 100 stalls and the number of valet stalls increased by 50 for 1,350 lined stalls and up to 1,600 vehicles parked with valet.

Sewer Inflow & Infiltration Mitigation (I&I)

Petitioner has offered to pay \$1.85 million towards their I&I mitigation requirement

- City's I&I policy is based on state requirements and MWRA permit
- DPW finds the payment acceptable

Previous I&I Conditions

Washington Place

- 160 units & 41,000 sf of commercial = \$782,880

Austin Street

- 68 units & 5,000 sf of commercial = \$750,000

Hancock Estates

- 88 units = Initial payment of \$286,473, remainder to be based on actual flow rate

Community Benefits

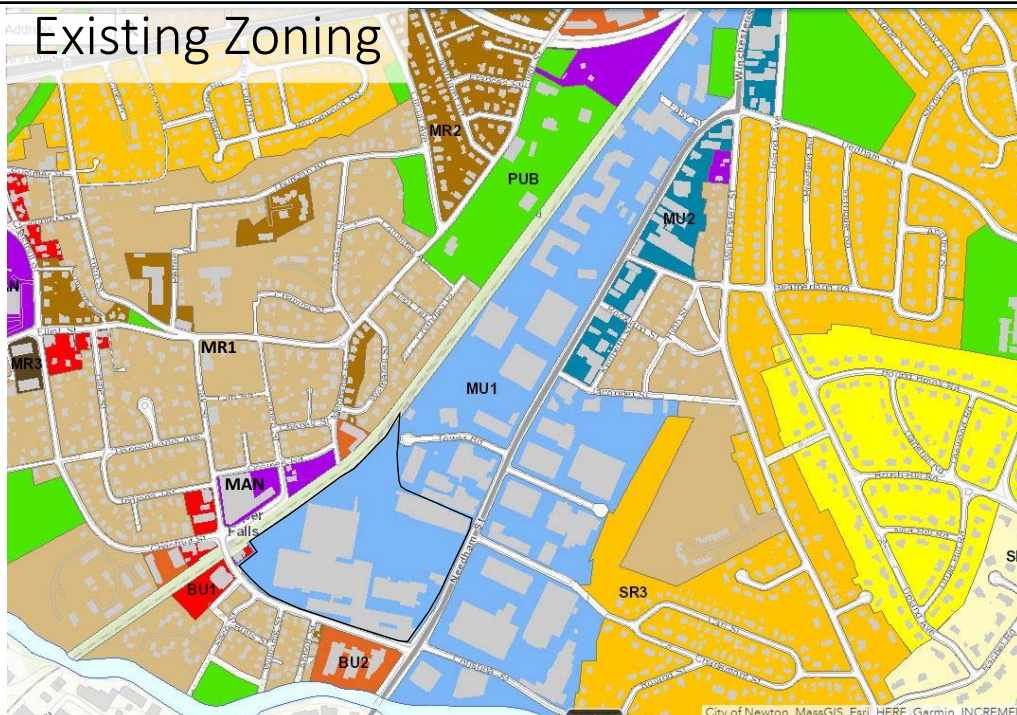
Petitioner has offered to pay \$7.5 million towards infrastructure improvements and significant community amenities

- \$5 million for off-site transportation improvements
- Land + \$1 million for a spray park
- \$1.5 million towards the construction of the new Countryside Elementary school project

Rezoning

Mixed Use 1 to Business 4

Existing Zoning



MU1 vs. BU4 Use

	MU1	BU4
Elderly housing with services		X
Club, clubhouse		X
Hospital		X
Library, museum or similar		X
Convalescent or rest home		X
Theatre, hall		X
Animal service	X	
Business services	X	
Drive-in business		X
Fuel establishment	X	
Funeral home		X
Hotel		X
Job printing		X
Open air business		X
Personal Service		X
Radio or TV studio		X
Radio or TV transmission station	X	
Retail, under 5,000 sf		X
Vehicle repair, sales and service	X	
Veterinary hospital	X	
Assembly or fabrication of materials	X	
Manufacturing	X	
Telecomm and data storage	X	
Wholesale business or storage	X	
Adult business	X	

MU1 vs. BU4 - Dimensions

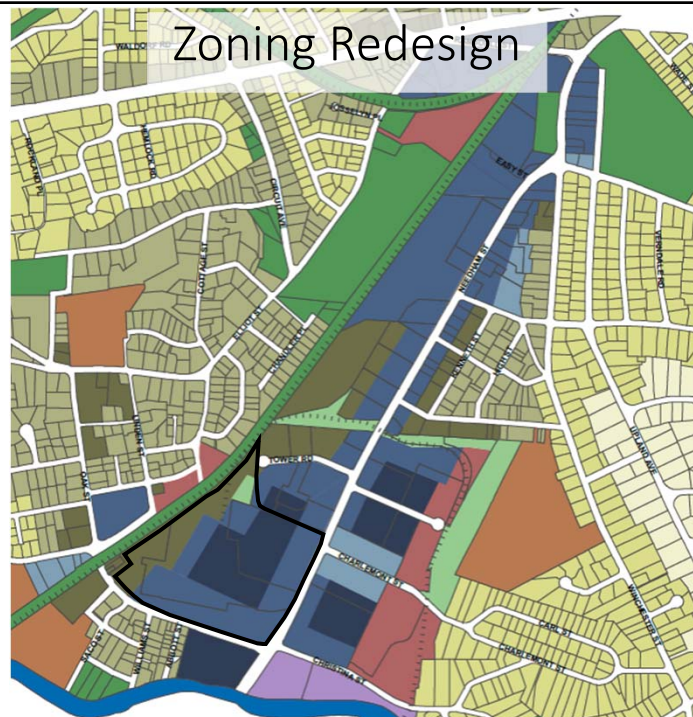
	MU1	BU4
Lot size	40,000 sf min	10,000 sf min
Density	10,000 sf of lot area per residential unit	1,200 sf of lot area per residential unit
Height	4 stories/ 48 feet max	8 stories/ 96 feet max
Floor Area Ratio	2.00 max	3.00 max
Front Setback	Equal to Building Height	10 feet max
Side Setback	Abutting res: ½ bldg. height or 20' Other: 7.5'	Abutting res: ½ bldg. height or 15' Other: ½ bldg. height or equal to abutting side setback
Rear Setback	Abutting res: ½ bldg. height or 20' Other: 7.5'	Abutting res: ½ bldg. height or 15' Other: 0'

Needham Street Area Vision Plan

Vision for Land Use:

“The Needham Street area will be a vibrant destination with a distinct identity. The area will have a diversity of homes, businesses, and gathering places for community life.”

- Support a mix of uses
- Provide diverse housing options
- Increase support for small local businesses within the retail spine
- Create a range of community gathering spaces

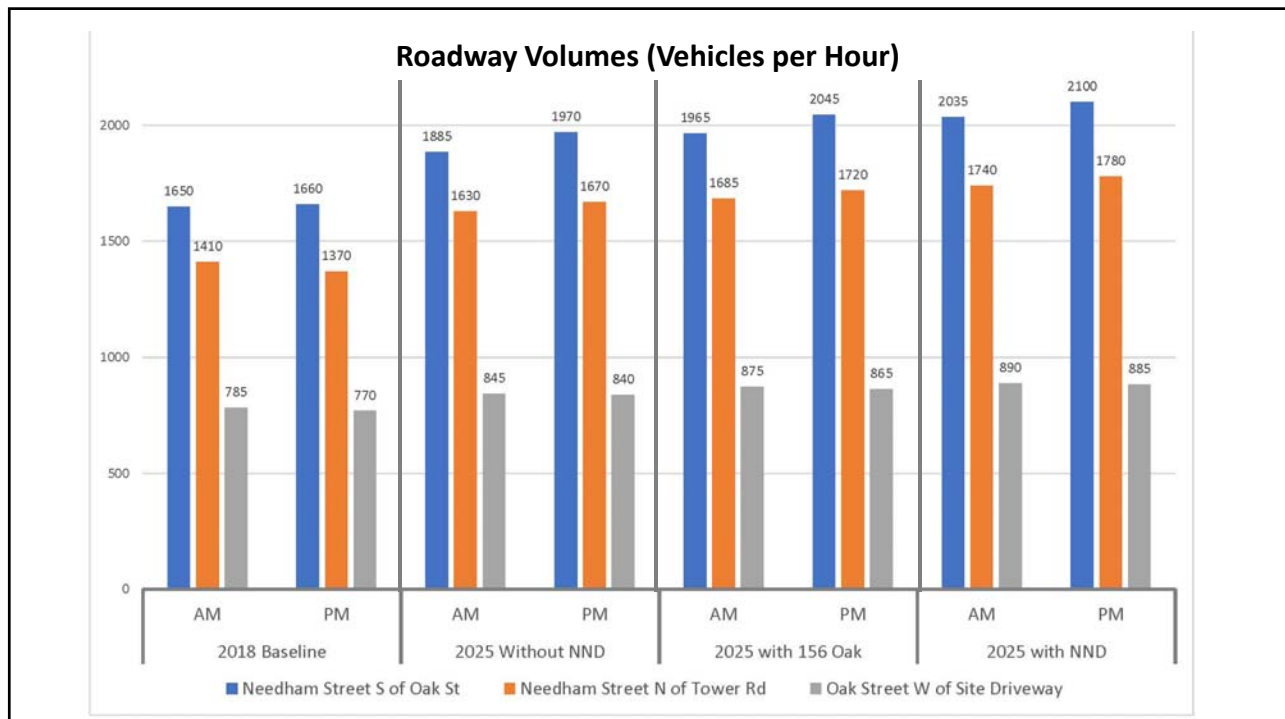
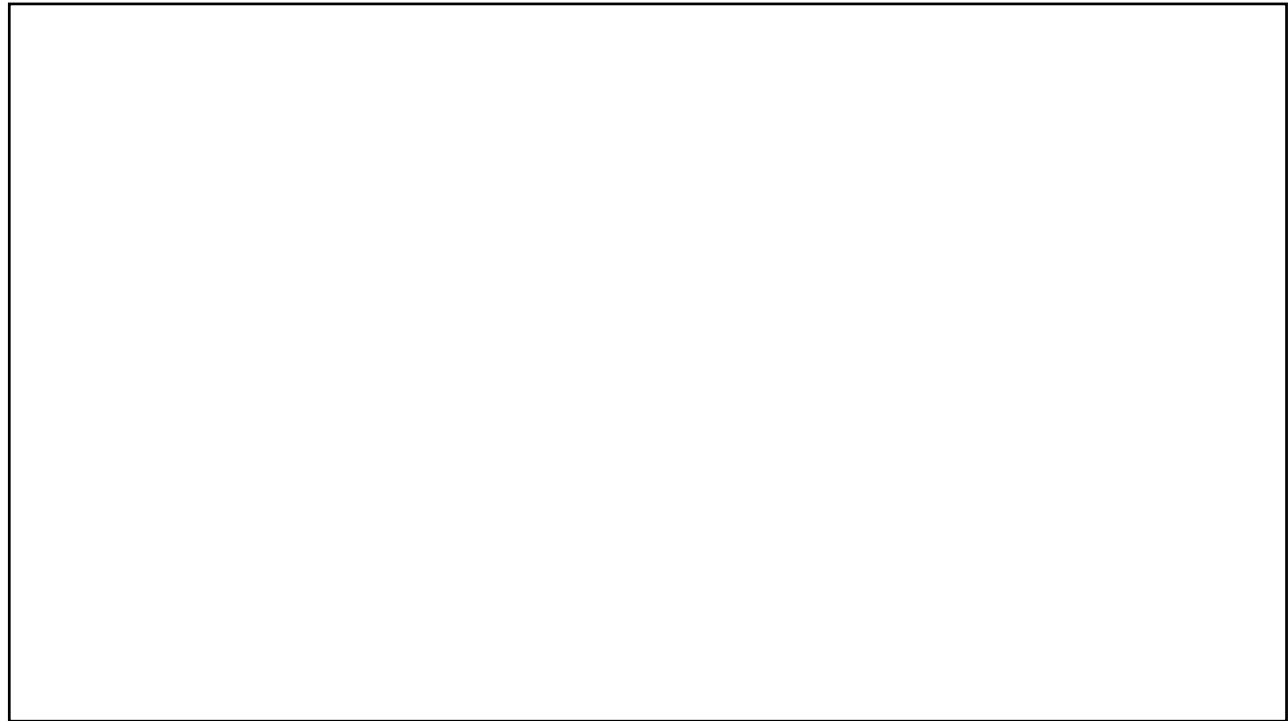


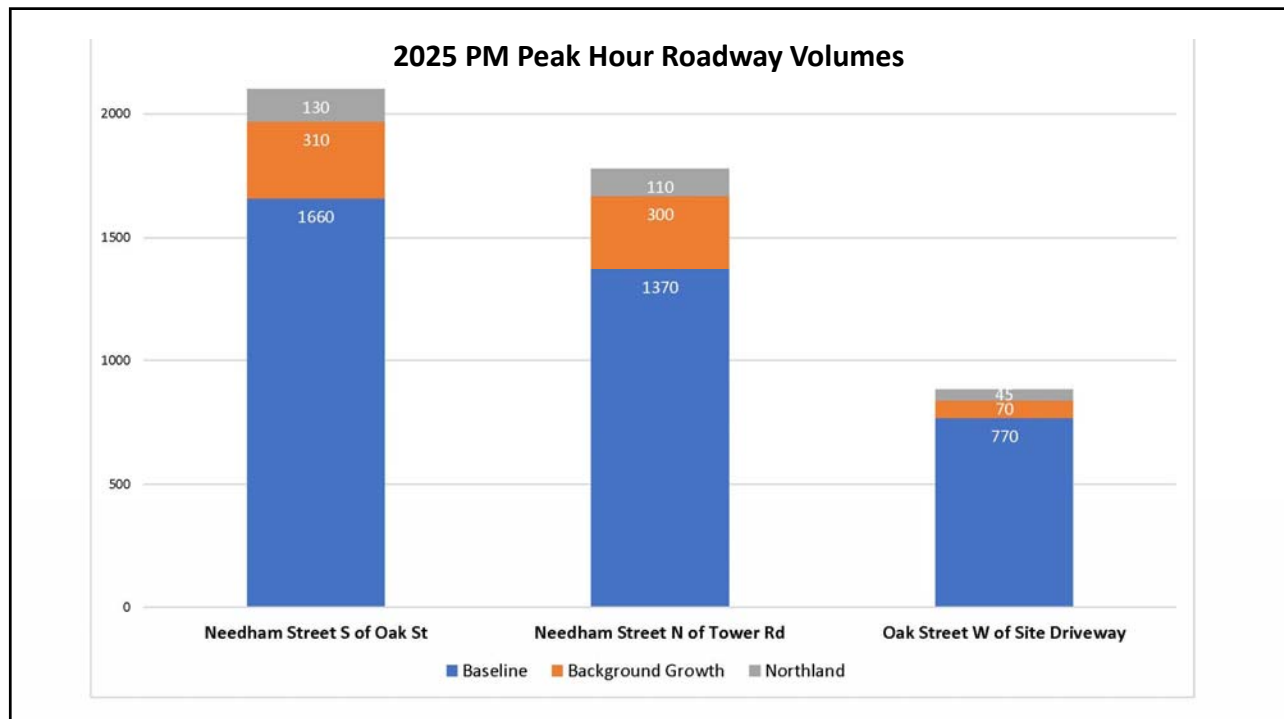
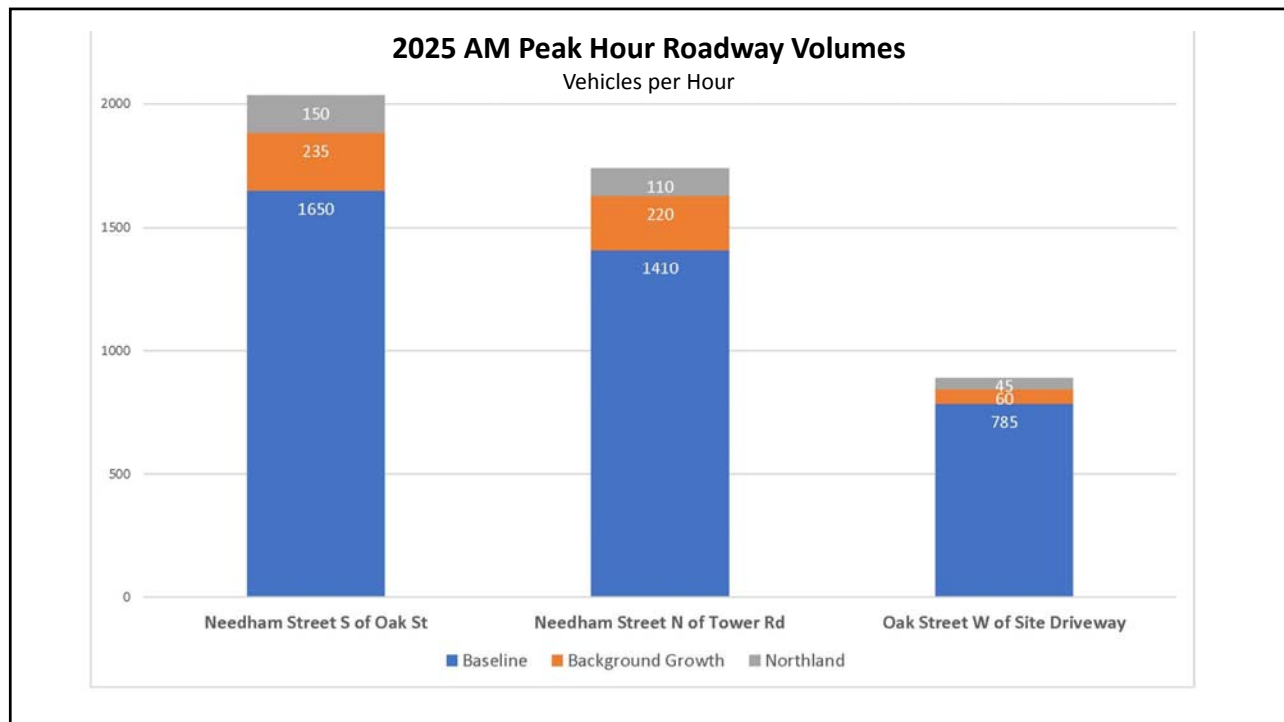
Next Steps

September 24th –
discuss a preliminary
draft Council Order

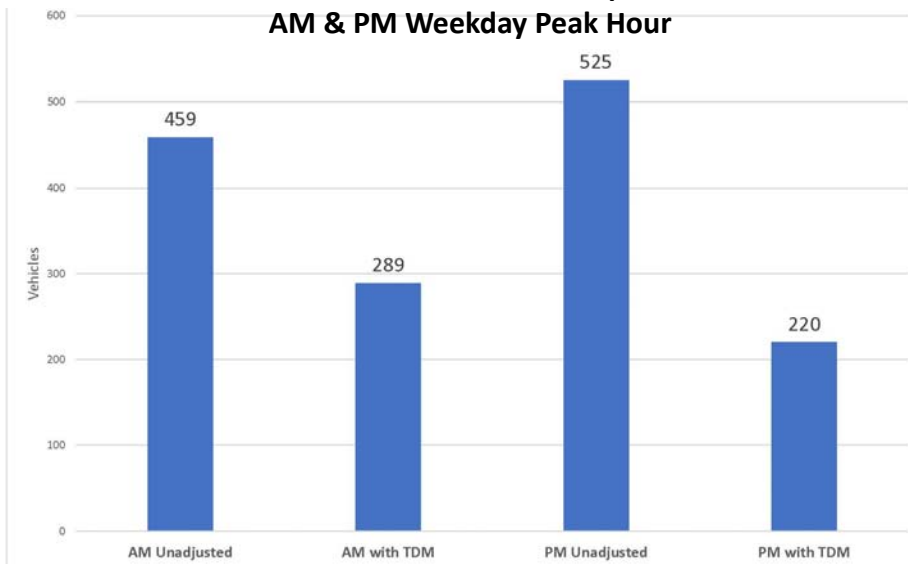


Type	Description	Notes
Initial Capital Investments		
Transit/Shuttle	Transportation Alternatives Analysis. Overarching transit improvement study	Feasibility study of improved/faster transit, with costs, of multiple options: 1. Infrastructure improvements @ Winchester for bus lane, 2. Greenway shuttle, 3. Green line extension to Needham, with new stop @ Greenway, 4. Move Eliot Station to CVS @ Rt 9.
Complete Streets	Upper Falls Village Enhancement Project	Design for Upper Falls Village enhancement streetscape/pedestrian improvements.
Bike/Ped	Extend Greenway to New. Highlands	Preferably along tracks, o/w via Curtis/Winchester
Bike/Ped	Extend Greenway to Eliot Station	Path through DPW yard/Eversource property then neighboring on streets
Bike/Ped	Oak/Christina St ped bridge study	feasibility study of Oak/Christina St bridge
Traffic	Install Transit Signal Priority Upgrades	Needham St
Traffic	Study and Install Traffic Calming	Upper Falls roadways and Chestnut corridor
Traffic	Provide Signal Coordination	Rt 9 / Winchester and Centre/Walnut
Traffic	Upgrade Signal Equipment	Chestnut/Oak/Eliot
Traffic	Install New Signal Equipment	Chestnut/Rt 9
Traffic	Study - Road Safety Audit	Centre/Walnut
Traffic	Study - Traffic operations	Newton Highlands MBTA
Traffic	Study - traffic queue	Oak/Needham
Traffic	Study and Install Traffic Calming	Chestnut Corridor
Traffic	Study - emergency vehicle access	via Mechanic St
Traffic	Provide Traffic Management System	Allow for remote access to signals along Needham Street following MassDOT improvements.

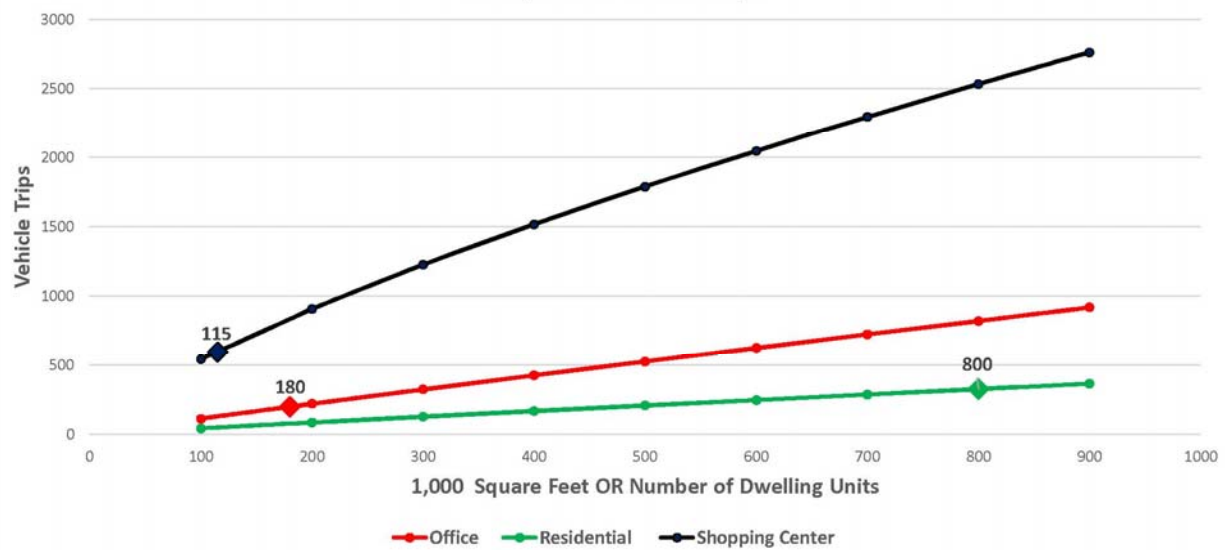




**Office and Residential Vehicle Trip Reduction
AM & PM Weekday Peak Hour**



**Vehicle Trip Generation Comparison - PM Peak Hour
Unadjusted Vehicle Trips**



TDM Goal

Northland Proposal

- 37% reduction in Unadjusted AM trips and 58% reduction in Unadjusted PM trips (20% reduction from adjusted trips)
- Goal must be met in perpetuity

Planning Department



TDM Program

Northland

- Free, electric shuttle with 10 min service to Newton Highlands Green Line, 16 hours/day, everyday
- Unbundled residential parking
- 50% reimbursement on monthly MBTA LinkPass for residents and employees
- 100% MBTA LinkPass reimbursement for car-free residents
- Four initial car-share spaces
- Full-time TDM coordinator

Planning Department

- Closely monitor shuttle usage and reallocate underutilized service to Commuter Rail or other destinations
- Ensure retail employees also qualify for MBTA subsidies
- Commit to expanding car-share based on demand
- Add car pool spaces
- Consider increasing parking rates or charging for office/retail as necessary

TDM Plan Phase In

Northland

- Initial on-demand shuttle service starting with first residential or office occupancy
- Full shuttle service after 400th residential occupancy issued
- TDM coordinator to begin at issuance of occupancy for 25,000 sf of office space or 12 months after first residential building permit

Planning Department



TDM Budget

Northland

- \$1.25 million annually
- Assumes 100 full MBTA subsidies and 250 50% subsidies (residents and employees)

Planning Department

- \$1.5 million annually
- Allows for additional MBTA subsidies
- Includes TDM coordinator and budget

TDM Measurement

Northland

- Perform counts and surveys during three consecutive weekdays during fall with report due in April
- Count residents and employees entering and exiting all parking garages through the use of parking stickers
- Use intercept surveys to capture any additional pick up/drop off trips and to gain qualitative data
- Perform biennial total driveway trip counts

Planning Department

- Count methodology and timing to be approved by Planning in advance
- Utilize technology to get real time data of residents and employees entering and exiting parking garages
- Submit reports within one month of count

TDM Monitoring and Reporting

Northland

- Annual reports to be submitted starting with 80% residential occupancy
- Report to include status of current TDM measures, shuttle ridership, survey data, transit subsidies, car and bike share utilization and budget for upcoming period
- Reports due annually until four consecutive years of compliance at which point the petitioner can cease reporting but must continue to implement TDM measures
- Future changes to TDM plan require Planning review and could require additional monitoring

Planning Department

- Reports due every six months starting with 80% occupancy. After two consecutive six month periods of compliance, reporting period becomes one year
- After five consecutive years of compliance, reporting requirement ends but petitioner must continue to implement TDM measures
- The Director of Planning has the discretion to require counts and a monitoring report if conditions have changed that may affect the success of the current TDM plan
- Provide certification for previous reporting period TDM spending

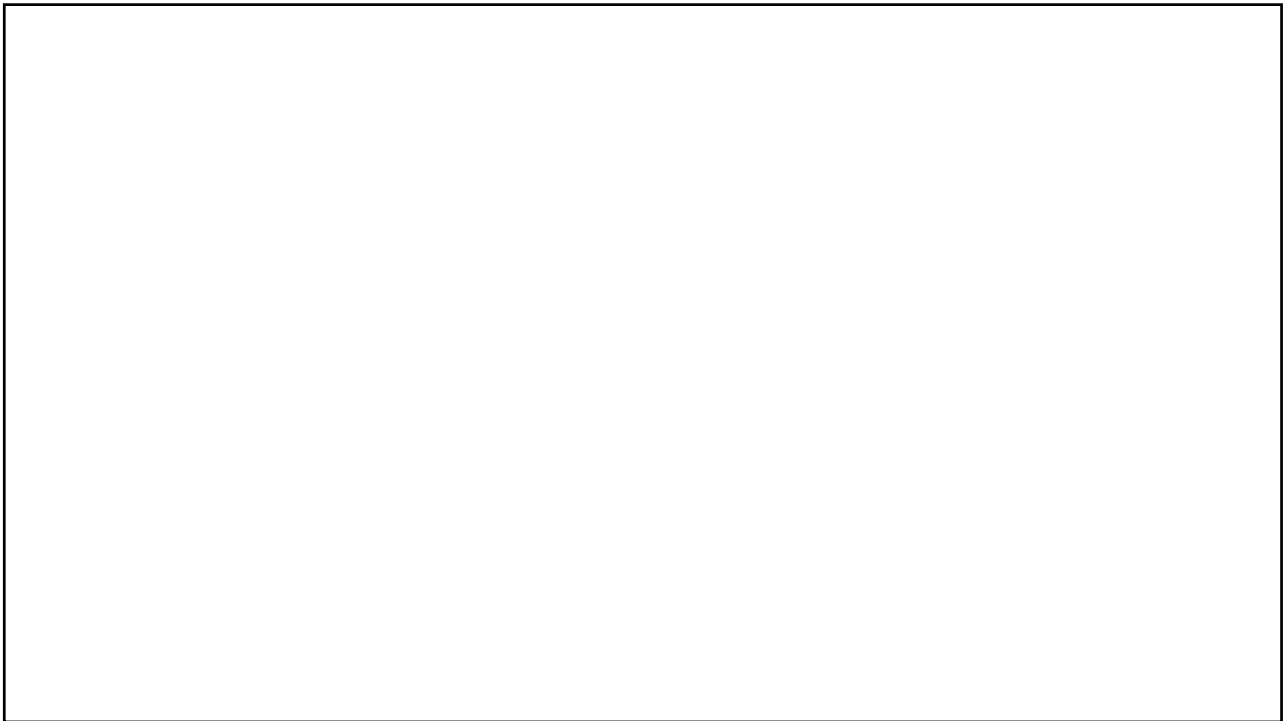
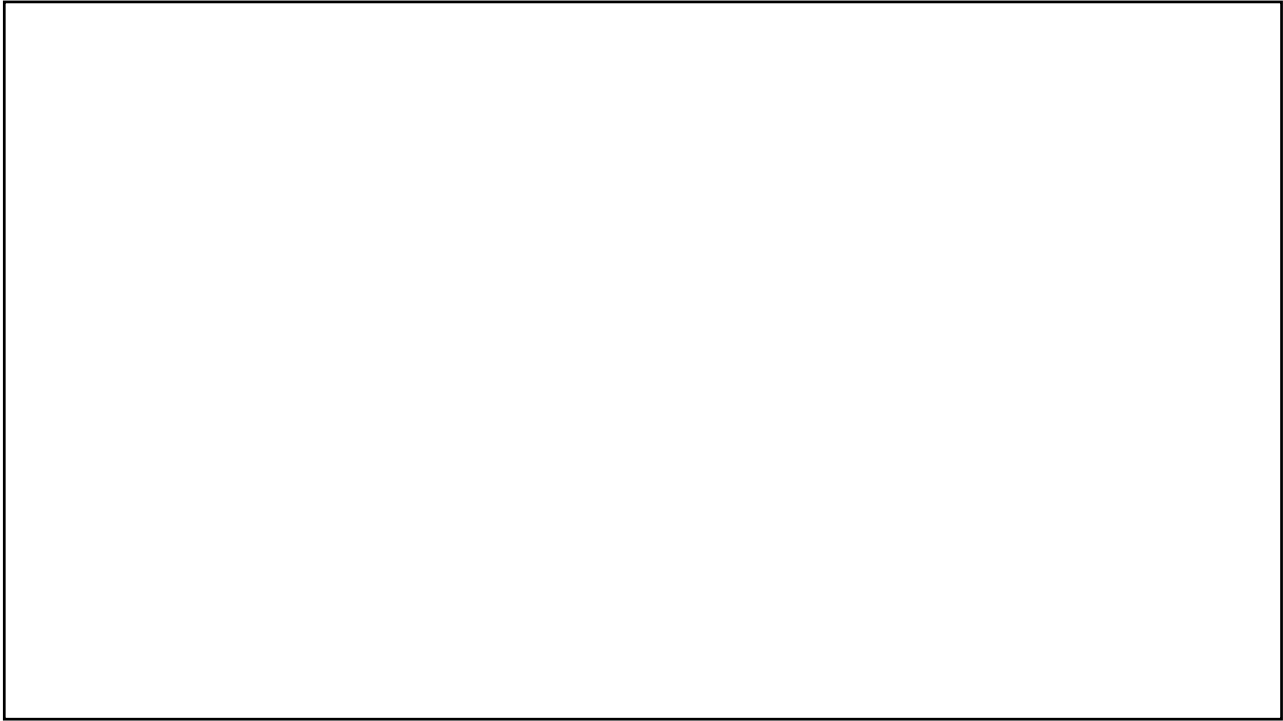
TDM Enforcement

Northland

- Initial annual investment of \$1.25 million
- If the maximum number of trips is exceeded beyond 5%, the petitioner will work with Planning to revise TDM plan and will reinvest an equivalent percent above initial annual investment
 - If goal is exceeded by 10%, Petitioner spends \$1.375 million on TDM measures during upcoming period
- Maximum additional investment of 20%

Planning Department

- Initial annual base investment of \$1.5 million
- Maximum additional annual investment of 30% above base investment
- Increase base investment each year in accordance with Consumer Price Index



Project Updates

Program Changes

- Residential units reduced to 800
- Retail/commercial space reduced from 237,000 sf to 115,000 sf
- Parking reduced from 1,953 spaces to 1,595 spaces



Revised Traffic Impacts

Peak hour vehicular trips under existing mode share and robust shuttle service mode share, adjusted for pass by trips:

	Weekday Morning	Weekday Evening	Saturday Midday
Existing Mode Share	495	564	617
Robust Shuttle Service	396	487	558

Parking- Proposed reduction

Original design:

- required 3,409 parking spaces per NZO
- sought waiver of 1,456 to reduce required spaces to 1,953
- would have provided a ratio of 1.0 parking spaces per residential unit balance of stalls to be used for the other uses on the site.

Proposed modifications:

- reduction in the number of residential units and commercial space
- requires 2,961 parking stalls per the NZO
- would require waiver of 1,411 stalls to reduce required spaces to **1,550**

Parking- Shared Parking

Petitioner shared parking analysis:

Peak parking demand- 1,596 stalls (December holiday season)

- Some residential stalls would be made available for retail uses
- At other times:

Residential parking would be kept separate

Office, retail, restaurant, and any other commercial uses would share parking

BETA analysis:

- Presently proposed 1,550 spaces is “in the ball park” though it falls short of the peak demand
- Planning agrees that the number of stalls appears reasonable
 - Number of stalls should not be determined by peak which will only occur during one month of the year

Recommendation- *Petitioner provide shared-parking calculations by hour for December for both weekday and weekend to further sharpen analysis.*

Parking- proposed reduction

Planning concerns

- A significant reduction in the number of parking stalls runs certain risks, including:
 - impacting viability of the commercial uses
 - pushing people to rely on Transportation Network Companies (TNCs, i.e. Uber and Lyft), which has the potential to increase the number of trips to and from the site
- Petitioner will need to provide appropriate financial incentives and disincentives to reduce demand for parking and reduce the number of trips during peak hours.

Oak Street Access/Egress

BETA analysis of four alternatives

- Alternative 1: No Access/Egress at Oak Street
- Alternative 2: Exit Only from site onto Oak Street
- Alternative 3: Entrance Only from Oak Street into site
- Alternative 4: No Left Turns allowed to exit site driveway onto Oak Street

Oak Street Access/Egress- Findings

Some intersections would experience significant LOS &/or delay impacts:

Needham Street/Oak Street/Christina Drive

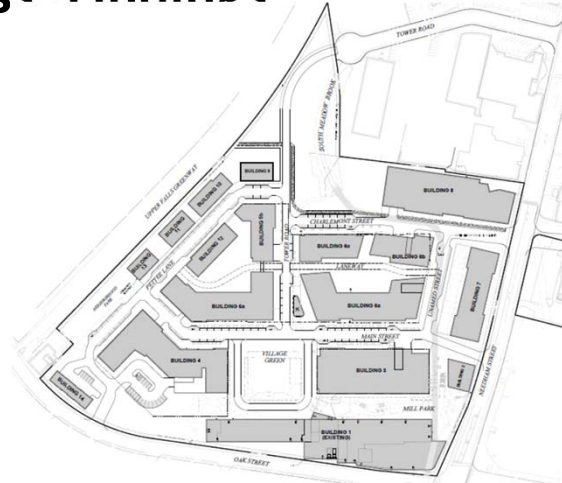
- All alternatives: LOS F in the Midday and PM peak hours, delays increase 38-64 seconds
- Alternative 1: LOS F in the AM Peak hour, delays would increase 36 seconds
- Individual intersection movements incl. Oak Street eastbound left-through and Needham Street southbound through-right movements would experience even more significant increases in delay

Needham Street/Charlemont Street/North Site Driveway

- All alternatives: LOS would degrade from LOS C to LOS D in the Midday and PM peak hours, delays would increase 16-27 seconds

Needham Street/South Site Driveway

- Alternative 1: LOS F in the PM peak hour, delay increases 49 seconds



Oak Street Access/Egress- Recommendations

- Eliminating or restricting the project access at Oak Street would not change the traffic volumes traveling on Oak Street.
- Consider including condition in any Council Order requiring "look-back" at traffic conditions at/around Oak Street access/egress.



Transportation Demand Management (TDM)

Northland's Revised Proposal

- Car free living incentives
 - Charging separately for parking
- Shuttle
 - Four routes – two within Newton, direct to Boston and Cambridge
- Pedestrian Improvements
- Bicycle Accommodations
- Mobility Hub
- Car Sharing
 - Initial proposal for 4 Zipcars
- Alternative Transportation Incentives
 - Subsidized T-Passes for residents or employees without cars
 - Shuttle discount incentives to induce ridership
 - Parking limitations for commercial tenants
- Program Coordination

Transportation Demand Management (TDM)

Proposed Shuttle System

The shuttle system would be centered at the development's Mobility Hub and open to public use at stops along its four routes:

- **Newton Circulator** - serving the MBTA's Green Line at Newton Highlands and Newton Center and the Newtonville commuter station every 30-45 minutes
- **Newton Highlands** - serving the Newton Highlands MBTA Green Line station approximately every 20 minutes during the AM and PM commuting peaks
- **Cambridge Express** - serving Kendall and Central squares in Cambridge every 60 minutes
- **Boston Express** - providing service to the South Boston Seaport District and South Station every 60 minutes.

Transportation Demand Management (TDM)

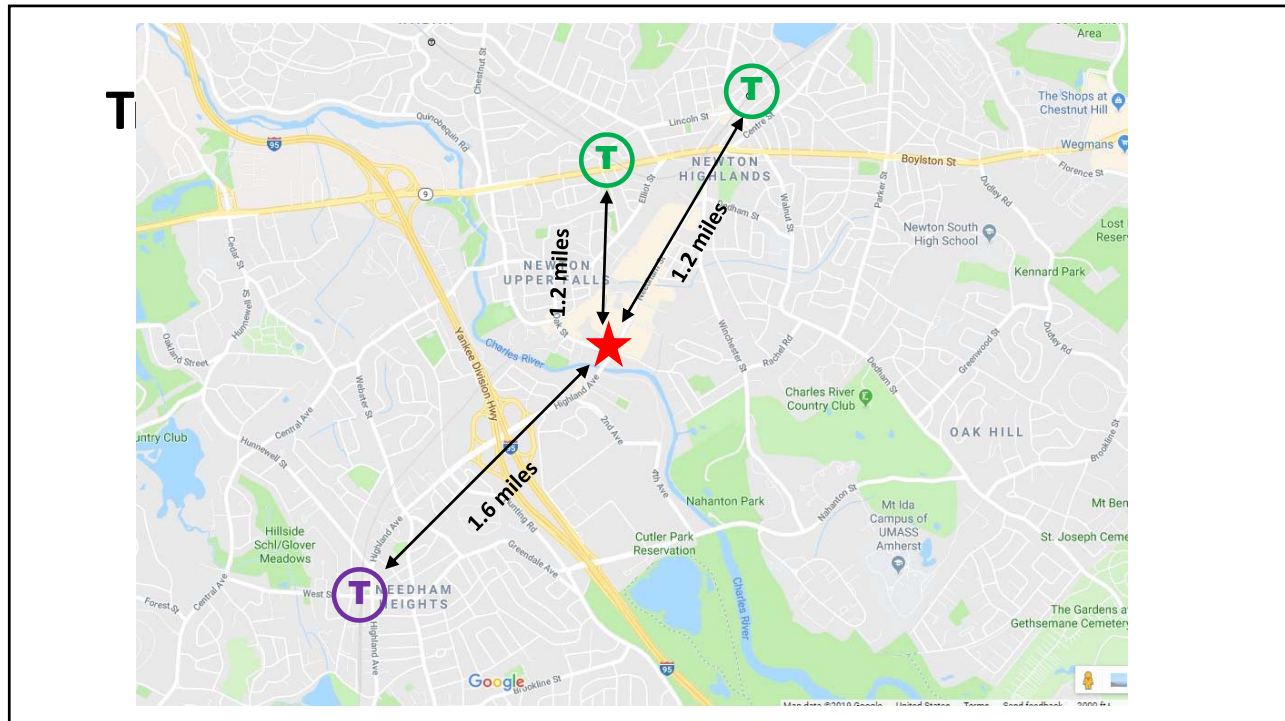
Mode Split – the percentage of trips taken via driving, transit, walking and biking

- Traffic analysis was done at two mode splits: “Build Condition with Existing Mode Share” using the citywide average and “Robust Shuttle System” projected mode split

	Private Vehicle	Transit	Walk/Bike
Citywide Average Residents	82%	13%	5%
Citywide Average Workers	88%	7%	5%
Proposal Residents & Workers	60%	30%	10%

Transportation Demand Management (TDM)

- Planning Concerns:
 - Effectiveness of shuttle proposal given hour-long headways on the express routes and unknown fare structure. Taking transit or walking or biking will need to be a more attractive alternative than driving, or taking a lyft or uber.
 - Competition with existing MBTA Service. The Boston and Cambridge routes are potentially taking riders away from the MBTA. City goals are to continue to increase and improve MBTA service.
 - Shuttle is duplicative of MBTA 59 bus route
 - Challenge of meeting projected mode split given distance to transit
 - Lack of critical details regarding shuttle fares, shuttle stops, and subsidies for MBTA and shuttle passes
 - Lack of detail regarding unbundled parking plan



Transportation Demand Management (TDM)

- Planning Priorities:
 - Focus on first/last mile problem and complement existing transit
 - Provide frequent, reliable service, usable by the public, with low fares
 - Start by focusing on providing service to the Green Line and the Commuter rail with headways that are no less frequent than the MBTA service at that station
 - Provide strong financial incentives (to not drive) and disincentives for driving, especially during peak periods
 - Subsidize MBTA and shuttle passes for residents and workers
 - Charge market rate for parking
 - Provide employee parking cash out program
 - Encourage office employers to allow flexible schedules and work from home
 - Provide co-working space on site and subsidize membership for residents

Planning Recommendations

- Set a Performance Standard with initial plan based on current best practices
 - Set performance standard based on proposed “Robust Shuttle” mode split and limit trips to those associated with only 60% of resident and office trips resulting in a maximum number of trips coming and going from the project during peak commuting hours
 - Remaining trips can be any combination of transit, walking, biking or not taking the trip to begin with (staggered schedules, working from home, etc)
 - Research shows that meaningful shifts from driving to other modes can be accomplished through a combination of tools
 - Financial carrots and sticks must be utilized to influence behavior
 - Start by providing a minimum level of service to and from the Green Line and Commuter rail based on MBTA schedules
 - Supplement existing 59 bus schedule so as to not duplicate service
 - Allow flexibility in how the trip count maximum is met but require a base level of TDM measures in all work plans

Planning Recommendations

- Implement TDM Measures Day 1
 - Set behaviors from the beginning
 - Pro-rate maximum number of trips based on current occupancy levels
 - Allow flexibility in tools utilized to meet maximum trip counts as project phases in
 - Consider microtransit solutions prior to phasing in the shuttle system
- Require compliance in perpetuity
 - Limit maximum number of trips to those associated with 60% mode split with potential to further decrease if citywide average vehicular use decreases (based on census data)
 - Require Planning and Transportation review and approval of annual work plans (in consultation with a peer reviewer)
 - Work plans to be based on current best practice and technology with a strong preference for inclusion of financial incentives/disincentives and frequent service to MBTA
 - Limit ability to reduce shuttle frequency of service without evidence of underutilization and without first reducing fares and/or providing additional subsidies

Planning Recommendations

- Monitor, Measure, and Enforce
 - Set clear metrics for measuring whether the project is in compliance with the maximum trip count.
 - Require on-site TDM coordinator.
 - Provide annual data showing peak hour trip counts and qualitative surveys of residents and employees (to be reviewed by Planning and Transportation staff and a peer reviewer). Annual review in perpetuity with more frequent reviews during early stages of the project.
 - Require Planning and Transportation sign off on any changes to TDM work plan. Changes must be justified based on survey and utilization data and/or evidence of new best practices in the transportation field.
 - Allow a grace period to adjust TDM measures if the project exceeds the maximum trip count. If progress is not made, require an amendment to the Special Permit.
 - Do not issue any building permits for Phase II until Phase I has successfully complied with maximum trip counts.

Planning Recommendations

- Consider payment into an offsite transportation mitigation fund
 - Even with a successful TDM program, there will still be additional delays at nearby intersections
 - Retail trips are very hard to target with TDM measures
 - City staff have identified a list of improvements that would improve pedestrian and bicycle access in the area; improve the efficiency and safety of existing roadways with new signals, signal coordination, and transit prioritization; and provide for traffic calming and streetscape improvements in Upper Falls
 - Additional \$275,000 for a Transportation Alternatives Analysis which would study feasibility of improved and/or faster MBTA service in the area and allow the City to identify priorities for future mitigation and advocating with the MBTA

Current Land Use Committee Schedule

Land Use Committee Date	Topic	Description
9/25/2018	Project Overview	Applicant to introduce project and committee to discuss schedule.
11/13/2018	Site Design and Open Space	Review of site plan, including placement of buildings, roads and open space as well as sight lines and shadows.
12/11/2018	Housing and Economic Impacts	Review of proposed residential and commercial program, including: analysis of the number of housing units, including affordability levels; the commercial mix; and the overall fiscal and economic impacts of the proposed project.
1/15/2019	Transportation	Review of the proposed internal street network and circulation including bicycle and pedestrian facilities, and analysis of the traffic impacts, shared parking proposal, and transportation demand management strategy.
2/12/2019	Project Update	Preview of project revisions and discussion of schedule.
3/12/2019	Site Design and Open Space/ Housing and Economic Impacts	Review of revisions and responses to comments regarding Site Design and Open Space and Housing and Economic Impacts.
4/9/2019	Transportation	Review of revisions and responses to comments.
5/14/2019	Architecture and Design Guidelines and Sustainability and Stormwater	Review of design guidelines that will regulate future detailed architectural design of the proposed buildings; review of the sustainability report and stormwater mitigations.
6/11/2019	Mitigations and Conditions	Discussion of necessary mitigation measures and proposed conditions.

