

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, OCTOBER 13, 2015

Present: Ald. Laredo (Chairman), Ald. Albright, Cote, Crossley, Harney, Lennon, Lipof, and Schwartz; Ald. Fuller, Rice, Brousal-Glaser

Staff: Robert Waddick, Assistant City Solicitor, Stephen Pantalone (Senior Planner), Daniel Sexton (Senior Planner), Linda Finucane (Assistant Clerk of the Board)

The petitioner wishes to withdraw the following petition without prejudice.

#230-15 ANNA E. RUTHERFORD & BRENDAN M. EVERETT petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to the basement and first floor and to enlarge an existing attic dormer, which additions will increase the Floor Area Ratio from .42 to .57, where .48 is the maximum allowed by right, at 239 CYPRESS STREET, Ward 6, Newton Centre, on land known as SBL 65, 15, 26, containing approximately 5,490 square feet of land, in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord.

ACTION: WITHDRAWAL WITHOUT PREJUDICE APPROVED 7-0 (Lennon not voting)

#273-14(4) NICORE CONSTRUCTION CORP. request for an EXTENSION of TIME in which to EXERCISE special permit #273-14(2), granted on February 17, 2015, to construct four attached single-family dwellings in two buildings and to locate a driveway within 10 feet of a side lot line at 5-7 ELM STREET and 114 RIVER STREET, Ward 3, West Newton and to amend the site plan approved in special permit #40-07, dated May 21, 2007; said EXTENSION will run from February 17, 2016 to February 17, 2017. Ref: 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

ACTION: EXTENSION OF TIME APPROVED 7-0 (Lennon not voting)

NOTE: The petitioner is in the process of resolving some title matters in order to obtain financing to go forward with the project.

#317-14(2) HEAMEE INC. request for an EXTENSION of TIME in which to EXERCISE special permit #317-14, granted on October 20, 2014, to allow tandem parking and parking within a setback and to waive dimensional requirements for parking facilities with more than 5 stalls re stall dimensions, aisle width, landscaping and lighting, and to waive the number of required parking stalls in order to convert approximately 1,500 sf of basement space from storage to office space at 1175 WALNUT STREET, Ward 6, Newton Highlands; said EXTENSION will run from October 20, 2015 to October 20, 2016. Ref: 30-24(c)(5) of the City of Newton Rev Zoning Ord, 2012.

ACTION: EXTENSION OF TIME APPROVED 7-0 (Lennon not voting)

NOTE: The petitioner is still awaiting approval from the Architectural Access Board, with has a significant backlog in hearing cases.

#160-15 TIMOTHY BURKE ARCHITECTURE for ICHIRO ISHIGURO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a second-story addition on an existing 1½-story single-family dwelling, which will increase the Floor Area Ratio from .31 to .44, where .37 is the maximum allowed by right, at 80 DEBORAH ROAD, Ward 8, Newton Centre, on land known as SBL 82, 8, 8, containing approximately 10,990 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(u)(2)of the City of Newton Rev Zoning Ord, 2012. (***A Public Hearing was opened and continued on August 11, 2015***)

ACTION: HEARING CLOSED; APPROVED 7-0-1 (Lennon abstaining)

NOTE: ***Following is an excerpt from the August 11, 2015 Land Use Committee report:***

The petitioner is seeking a special permit to construct a second-story addition of approximately 1400 square feet onto an existing 1½-story dwelling, which will increase the existing Floor Area Ratio (FAR) from .31 to .44, where .37 is the maximum allowed by right. The proposed plans include re-cladding the brick exterior with siding, altering the hip-style roof over the garage to a gable roof, changing the windows, extending the chimney, widening the driveway from 20 feet to 30 feet, and constructing stairs that connect to the backyard. The proposed second-story is set back from the front of the first story but will not extend over the existing garage.

Although originally a neighborhood primarily of split-level ranch style dwellings, some houses have been demolished and replaced with structures that are not consistent with the original context of the neighborhood. The Historical Commission found the structure not historic. Although it alters the ranch-style architecture, the Planning Department believes the proposed addition is well designed. The Planning Department is concerned that the proposed second-story addition is not consistent with the majority of the structures in the immediate neighborhood and the resulting floor area is greater than most of the other structures on similar sized lots with similar sized structures. However, the petitioner could construct a second story addition of approximately 700 square feet by right, which would still alter the split-level architecture and could result in a less appealing design than what is proposed.

The petitioner gave a lengthy explanation of how he wishes to divide the house into zones to be used for different activities to improve the quality of his family's living situation. His architect, Mr. Burke, noted that there is no change to the footprint of the house; the addition is only increasing the height for which the petitioner does not have to seek relief. Also, the garage and the basement drive up the FAR, which is driven by the site's topography. The setback of the second floor helps mitigate the mass and bulk. The changes to the windows are driven by interior changes, but result in improvements to the façade.

Alderman Albright said this appears to be a neighborhood in transition. Although she has no issue with the size of the proposed house, she asked why the driveway had to be so wide as she believes it detracts from the appearance of the house. Mr. Burke explained that the increased width provides parking for another car and an area for snow storage. The Planning Department recommends maintaining the existing curb cut width of 20 feet.

Aldermen Schwartz agreed that the basement accounts for quite a bit of the FAR; however, for him the garage roof sticks out. The Chairman explained to the petitioner that the committee respects the family's needs, but the design of the house and how it fits in the neighborhood are what it must look at. Mr. Burke said he and the petitioner will take another look at the garage roof.

There was no public comment, but letters in support of the petition were received from 63 Cynthia Road, 70, 81, and 84 Deborah Road. Alderman Lennon said that he would like the opportunity to visit the neighborhood. The public hearing was continued to a date to be determined in October.

This evening, Mr. Pantalone noted that the petitioner will expand the driveway but retain the existing 20-foot curb cut. The petitioner provided a rendering showing a hip roof over the garage instead of the proposed gable roof. Several members of the committee visited the neighborhood and Alderman Albright noted that, although some of the single-story/split level houses have been torn down and replaced with multi-story structures inconsistent with the character of the neighborhood, this proposal though it enlarges the existing house is an asset because it retains the essence of that original character. Alderman Lennon moved approval of the petition with the findings and conditions in draft special permit #160-15, dated October 19, 2015. The motion carried 7-0-1, with Alderman Schwartz abstaining.

A Public Hearing was opened on the following item:

#192-15 YURIY MATSKEVITCH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE and USE to reconfigure an existing two-family dwelling into a one-family dwelling and construct a second unit to the rear of 403-405 PARKER STREET, Ward 8, Newton Centre, on land known as SBL 81, 31, 39 containing approximately 17,408 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED APPROVED 8-0

NOTE: The petitioner was represented by attorney Terrence Morris. The existing c.1891 two-family dwelling is located in a Single Residence 3 district, which makes is a legally nonconforming use. The petitioner wishes to relocate the dwelling closer to the center of the site, to combine the existing two units into one unit, to construct an addition at the rear of the house to be use for a new second unit, and to remove one of the two existing driveways. Configuration of the proposed dwelling is constrained by the site, which has 78 feet of frontage and a depth of 235 feet. The proposed addition will extend approximately 80 feet towards the rear of the site. Portions of the dwelling will be offset and vary in height to break up the mass of the addition. The Historical Commission waived the demolition delay based on the proposed plans. The existing driveway will be closed and a new one will be located towards the northern property line. The sidewalk along the entire frontage will be replaced. Although a drainage report was submitted by the petitioner indicating the drainage improvements shown on the site plan were sufficient, the Associate City Engineer did not reference the report in his memorandum dated September 3. Mr. Pantalone noted that drainage would have to be addressed during the building permit phase.

The Floor Area Ratio of .37 is below the maximum allowed by-right FAR of .40. The square footage including two, two-car garages is approximately 6,308 square feet. This evening the petitioner submitted a draft landscape plan. There are existing deciduous trees on both the abutter's property and the petitioner's southern property line, with additional evergreens proposed. The plan shows a fence on the petitioner's northern property line and a grassed area of approximately 15 feet along the driveway. In response to a concern about whether there is sufficient room to back out of the driveway, Mr. Morris said it is the standard 24-foot aisle width; however, if necessary, the grassed area can be reduced several feet without impacting the green space on the site. The Planning Department can work with the petitioner and a more detailed landscape plan will be provided prior to a building permit phase.

A letter in support from Alex Genin, 16 Howley Avenue, stated that the existing home had become an eyesore, which is unfortunate because it has some historical characteristics that make it worth preserving, which the petitioner has committed to doing at a high cost. It will be a great benefit to the neighborhood.

Alderman Schwartz suggested and Mr. Morris agreed that a Construction Management Plan be implemented as it is a high traffic street and a route that many children use to walk to and from school. Alderman Lipof moved approval of the petition with the findings and conditions in draft special permit #192-15, dated October 19, 2015, which motion carried 8-0.

A Public Hearing was opened on the following item:

#193-15 ALEXANDER PESELMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to widen an existing breezeway, enclose a deck above the adjacent sunroom, and to enlarge an existing mudroom, which will increase the Floor Area Ratio from .46 to .48, where .33 is the maximum allowed by right, at 5 GREEN PARK, Newton, Ward 7, on land known as SBL 73, 11, 3, containing approximately 14,665 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 8-0

NOTE: The site is improved with a 2½-story, single-family dwelling constructed in 1948. The petitioner is seeking a special permit to increase the already nonconforming Floor Area Ratio (FAR) by approximately 307 square feet, from .46 to .48, where .33 is the maximum allowed by right, in order to widen an existing breezeway to a pool house, to enclose a deck above the sunroom, and to enlarge a mudroom. The additions will be minimally visible from the street and the Planning Department believes the proposed additions will not significantly impact the bulk and mass of the dwelling. There is ample vegetative screening and fencing on the perimeter of the site. There was no public comment. In working session the committee noted that although the existing FAR was greater than the maximum allowed by right, the proposed increase was de minimis. Alderman Albright moved approval with the findings and conditions in draft special permit #193-15, dated October 19, 2015, which motion carried unanimously.

A Public Hearing was opened on the following item:

#228-15 JENNIFER TJIA & JANE GIVENS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to add a dormer to the existing attic, which will expand an existing single-family 3½ story dwelling ~~from 2½ stories to~~ at 30 MOULTON STREET, Ward 4, Newton Lower Falls, on land known as SBL 42, 32, 38 and 37, containing a total of 8,143 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 8-0

NOTE: The subject dwelling was constructed in 1929 and is considered nonconforming because the downward slope of the site renders it 3½ stories as the basement is considered the first floor. The petitioners wish to enlarge the partially finished attic by constructing a dormer on the rear of the dwelling. The proposed dormer will add approximately 107 square feet, for a total of 362 gross square feet of additional living space. The footprint of the dwelling will remain the same. The petitioners are seeking a special permit to increase the nonconforming structure. The Planning Department expressed no concerns with this modest addition. There was no public comment. In working session, Alderman Harney, who said he is very familiar with this neighborhood, moved approval with the findings and conditions in draft special permit #228-15, dated October 19, 2015, which motion carried unanimously.

A Public Hearing was opened on the following item:

#232-15 SCOTT MILLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE in order to construct a second-floor onto an existing nonconforming single-family dwelling which will result in an increase to the two nonconforming front setbacks at 166 PARMENTER ROAD, Ward 3, West Newton, on land known as SBL 34, 37, 49, containing approximately 5,960 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 8-0

NOTE: The petition was presented by architect Peter Sachs. The existing 1½-story, single-family bungalow was constructed in 1925 and is located within the front setbacks on both Parmenter Road and Falmouth Road. The petitioner wishes to add a second story, which will create additional floor area in the setback thereby increasing the nonconformity in the front setbacks. Although the proposed addition will be within the footprint of the existing dwelling, it will project five inches closer to Falmouth Road and six feet closer to the side property line. The proposal meets all other dimensional requirements. The Historical Commission waived the demolition delay based on the proposed plans.

Letters from 158 Parmenter Road and 122 and 125 Falmouth Road were submitted in support of the petition. This evening, Ingrid Hjersted of 170 Parmenter Road, which is next door to the property, said it is a beautiful addition but she is concerned about how high it is going to be and whether it will dwarf the other houses. She had signed a letter in support but asked that it not be part of the record. Mr. Sachs ascertained that the engineer's plan shows the height of the dwelling as 31 feet from the mean grade. The zoning ordinance allows a height of 36 feet. Mr. Sachs said the addition is purposefully deferential to the bungalow design.

Aldermen Crossley and Albright complimented the sensitive design, context, scale, and character of the addition. The committee agreed that compliance with the front setback is impracticable. Alderman Cote moved approval with the findings and conditions in draft special permit #232-15, dated October 19, 2015, which motion carried unanimously.

A Public Hearing was opened on the following item:

#166-14(2) SEAN O'MALLEY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE by enclosing an existing detached carport and installing a garage door, which will increase the Floor Area Ratio from .38 to .42, where .35 is the maximum allowed by right, at 22 LENOX STREET, Ward 2, West Newton, on land known as SBL 32, 50, 5, containing approximately 9,353 square feet of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 7-0-1 (Schwartz abstaining)

NOTE: The subject c.1889 single-family dwelling is nonconforming as the existing Floor Area Ratio (FAR) of the buildings on the site is .38, which exceeds the maximum FAR allowed of .35. The petitioner, who purchased the property about a year ago, is seeking a special permit to enclose the existing carport, which was constructed in 2014 by the developer of the property. A carport does not count towards the FAR; however, enclosing the carport to create a garage will add 324 square feet of gross floor area, increasing the existing nonconforming FAR from .38 to .42, where .35 is the maximum allowed by right. Last winter's snow rendered the carport useless. It is also used to store bicycles and toys, which makes it unattractive from the street. The carport is screened from abutting properties by fencing on the south and east sides of the property. An abutter on one side urged the petitioner to expand the proposed garage and the abutter on the other side said he would not oppose the petition. An email from Wilma Stonestreet, the abutter across the street, urged approval of the petition. It will not have any negative impact and will enhance the appearance of the property.

Roger Lehrberg of 38 Balcarres Road, a neighbor as well as the attorney who represented the abutting neighbors when the property was initially developed, said that in his opinion the original developer played fast and loose and gamed the system in many respects, including filing a petition for a special permit for a garage that was subsequently withdrawn. He reported that he and the petitioner recently had an unpleasant encounter, to which the petitioner responded with his version of the encounter. The Chairman reminded everyone that the committee's charge is to focus on the land use merits of the petition, not on the boorish behavior of individuals.

Alderman Albright said the carport begs for enclosure and that enclosing it to create a garage is in keeping with other houses in the neighborhood. She then moved approval of the petition with the findings and conditions in draft special permit #166-14(2), dated October 19, 2015, which carried 7-0-1, Alderman Schwartz abstaining.

#150-15 ANTHONY DePASQUALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change an existing nonconforming use to another nonconforming use in order to convert an existing clubhouse to a multi-family dwelling with five four units and to waive one parking stall and to allow parking within the front setback at 15 SOUTH GATE PARK, Ward 3, West Newton, on land known as SBL 33, 31, 9, containing approximately 14,120 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(d)(2), (g)(1), and (m) and 30-24(f) of the City of Newton Rev Zoning Ord, 2012. (***A Public Hearing was opened and continued on July 13 and August 4, 2015***)

ACTION: HEARING CLOSED; APPROVED 5-0-3 (Cote, Harney, and Schwartz abstaining)

NOTE: ***Following is an excerpt from the July Land Use Committee report:***

The petition was presented by attorney Terrence Morris, architect Ron Jarek, and civil engineer Verne Porter. The subject property was constructed in 1920 as a social club, most recently occupied by the Knights of Columbus, and purchased by the petitioner approximately one year ago. The site was originally part of a larger parcel that was subdivided into house lots in 1946. Although zoned Single Residence 3, the neighborhood consists mostly of two-family homes. The petitioner wishes to create five residential units in the existing structure with six to eight parking stalls located in a garage beneath the building and three surface stalls. A legally nonconforming use, the petitioner is seeking a special permit to allow a multi-family dwelling, to waive one parking stall, and to allow parking in the setback. The Historical Commission waived the one-year demolition delay based on the proposed site and architectural plans with some minor changes it suggested.

The proposed units range in size from 460 to 1709 square feet and include one universally accessible unit and one inclusionary housing unit. Changes to the façade include removal of an existing protruding addition on the building, the addition of a rear dormer, and restoration of the original porch. The proposed site plan represents an improvement to the site as most of the parking will be underground resulting in the removal of the existing bituminous area that will be landscaped. Mr. Morris said the units will probably be rentals as there is a dearth of rental properties.

The petitioner is proposing to install granite curbing and sidewalks along a portion of the frontage where currently none exist. Mr. Porter said there are no drainage issues. The removal of the large amount of existing impervious surface and the soil composition will allow water and snow to infiltrate on-site. Any other engineering issues can be addressed with the Engineering Division in the building permit phase.

The Planning Department supports the project. Aesthetically it will preserve and restore the existing building while adding smaller residential rental units to the city's housing stock. There was some concern expressed about the width of the entrance/exit ramp for the garage as well as the maneuverability of vehicles in the garage. Three mature trees will be removed to accommodate the ramp.

Alderman Crossley complimented the design, one which is cleverly designed to create small units. She is not concerned with the number of underground parking stalls but is curious about

the layout and how it and the driveway will work. Will there be an interior signal to assist people entering and exiting? Will the number of cars allowed by the occupants be restricted? She cannot envision parking on both sides of the narrow street.

Alderman Cote wanted to know if the petitioner planned to clean up the site, which is eyesore with overgrown grass, a snowplow, and other debris. He also wanted to know if there could be more affordable units.

Alderman Albright asked how many people the social hall could accommodate for a function and what the parking and traffic were like when it was active. Alderman Lennon is pleased about the restoration of the existing historical building; in his opinion that is a big plus. He noted that in another lifetime he had DJ'd some functions at the Knights of Columbus hall and at capacity – there were two halls – it accommodated approximately 150 or so people and there were cars parked everywhere.

Alderman Schwartz said the design and the way it fits onto the site are impressive, but asked if the petitioner had considered four units instead of five. Mr. Morris said they started out with different schemes from one unit to six units, ultimately deciding on the five smaller-sized units.

Public Comment

Ruth Comstock, 112 Adena Road, a 28-year resident, said her concern is the number of units, two or three would be more appropriate. In recent years, the number of functions has dropped to several a month at most.

Brenda Mulligan, 109 Adena Road, pointed out that Adena Road is directly across from the proposed driveway, which concerns her

Judy Jaffe, 45 South Gate Park, submitted a letter in opposition, circulated to the full Board via email, which she read aloud.

Eric Boyer, 105 Adena Road, agreed the property as it stands is an eyesore; however, he suggested the petitioner re-think the location of the driveway as he shares concerns about traffic hitting Adena and North Gate.

Deirdre Antonelli, who lives at 28 South Gate Park and also owns numbers 29 and 30, noted that there is no on-street overnight parking from November to April. Although she appreciates the look of the petitioner's proposal, five units may be too many. She wants to ensure there is fencing and landscaping.

The committee continued the public hearing so the petitioner could hold a neighborhood meeting.

Following is an excerpt from the August 4, 2015 Land Use Committee report:

This evening, Mr. Sexton reported that the petitioner had provided a revised site plan which shows the relocation of the driveway to the underground garage from the north side to the south side of the site, which should alleviate some of the concerns expressed by speakers on July 14 about conflicts with vehicles on Adena Road. The slope of the driveway has been reduced, the garage entrance reconfigured, and parking stalls reoriented. The petitioner will provide a turning template for all of the parking stalls. The plan shows new arborvitae trees along the rear property line and other plantings throughout the site. The Planning Department believes the revisions

improve the site layout, but it remains concerned about maneuverability within the garage and still recommends that the number of vehicles in the garage be limited to six.

A number of speakers on July 14 expressed concerns about traffic and parking. The petitioner is proposing to provide at least nine parking stalls where ten are required. The petitioner and the Planning Department both agree that the one 460 square-foot unit is unlikely to have more than one occupant and the other four units are modest sized at approximately 1200 square feet each. There is no overnight on-street parking from April 15 to November 15. The Planning Department suggested that if there are concerns about the width of certain streets and parking on both sides, the neighborhood could petition the Traffic Council to implement parking restrictions.

The Planning Department remains committed to the number and sizes of units. It is a historically significant building. The sizes are modest compared to many others in the city, are consistent with the neighborhood, and will contribute to the diversity of the city's housing stock. A plus is that the modestly-sized units are being created by restoring an existing historic structure without increasing its bulk and mass. One of the 1200 square-foot units will be available for affordable rental and the small 460-square foot unit will be constructed and marketed with full handicap accessibility. Attached to the July 31 Planning Department memorandum were two neighborhood comparison charts, one compiled by the Planning Department and the other by the petitioner, comparing lot area, dwelling units, square footage, and number of bedrooms

Attorney Terry Morris reported that a neighborhood meeting was held on July 25. Benefits of flipping the ramp from the north side to the south side of the site include not only moving it away from Adena Road, but will save two mature trees, move a proposed walk off the property line, create a significant landscaped area, and make the HP ramp less obtrusive. The open space is doubling from 29% to 58%; 70% of the parking is beneath the building. The petitioner has offered to install an irrigation system for the traffic island in front of the building which has been adopted and landscaped by members of the community. Another meeting last Thursday, July 30, addressed the "motel 6" look. The revised front elevation no longer has four doors; it is more symmetrical and looks more like a two-unit building. To clarify some misconceptions: the building will be clad in cedar clapboard.

Alderman Cote believes the proposed accessible apartment is too small. He suggests three units with a fourth accessible unit. This is a gateway building and it should reflect its history. He also believes that parking underground will be challenging and residents will not park there anyway. He prefers surface parking. The neighborhoods are rising up. People do not want projects forced on their neighborhoods. Alderman Brousal-Glaser is pleased with the relocation of the ramp, but agreed that five units seem like a lot; four units are more reasonable. There will be too much traffic. She is concerned that a flashing light from the one-way garage ramp will be disturbing to the neighbors.

Alderman Crossley said it is not about the number of units but mitigation to lessen impact. The proposed light is a type that has been used in several other petitions; it makes no noise and there is no spillover lighting. If parking is allowed on both sides of the streets it slows traffic but can

impede safety vehicles. Although zoned for a single family dwelling, it is a large lot and it is hard to imagine a single-family dwelling there. The city is in desperate need of small units

The chairman said that although the footprint and the open space are positives, he has a problem with underground parking in a residential neighborhood. His recollection is it has only been approved in transitional neighborhoods where there is no parking. The existing neighborhood context is mostly one or two families. He remains troubled and very uncomfortable with five units. The proposed light, sign, etc. are not residential in character.

Alderman Albright has no objection to underground parking. It is better than having all cars on the surface. Many homes have retaining walls with a driveway that slopes down to a garage. Alderman Crossley agreed this is a way to get cars out of sight.

Alderman Hess-Mahan reported that he had received an email which included accusations of “ghettoizing” the neighborhood. He lives across the street from an historic house with five added units and all the parking is underground and it doesn’t look commercial, to the contrary, the property looks like an historic house. Should this petition be approved two units will be deed restricted. This is the type of housing the Fair Housing Committee and the Comprehensive Plan strive for.

Alderman Lennon agreed with Alderman Hess-Mahan. He recalled several projects that provided underground parking not noticeable from the street. One on Adams Street generated much discussion; however, ultimately it was approved and one of the benefits to the neighborhood was it was not a tear-down. In this case the petitioner has created a significant amount of green space and landscaping, tweaked the entrances, and is proposing to install a sidewalk where none exists. Surface parking would create more impervious surface and additional curb cuts. Three units instead of five units would only result in a difference of two- to three-cars.

Alderman Schwartz sees definite benefits, but it is the number of units, not the parking, he questions. Can five units really be fit into the building? Notwithstanding the desire for smaller units, 460 square feet seems small. Is the accessible unit an afterthought? Alderman Harney understands the benefits but has many of the same concerns re density.

Alderman Crossley said the petitioner is removing an inappropriate later addition to the building. Structural elements often limit the way an existing building can be reconfigured. Four approximately 1200-square-foot units and one 460 square-foot unit units will self-market. Density is a relative term. If it is a good proposal then the committee can mitigate the impact.

Speaking personally, Alderman Albright explained that many mobility impaired people do not want large units. The property as it exists is a plague on the neighborhood. The proposal is a huge improvement.

Ms. Sexton explained to the committee that it was the Planning Department that had suggested the underground parking instead of surface parking with a number of curb cuts and multi drivers backing out which would result in additional cars crossing at more locations and hazards to

pedestrians and vehicles v. one driveway regulated with a light. The Planning Department also encouraged the diversity in size. There is a huge range in the middle class category seeking housing. The petitioner wanted to create the accessible unit, it was not an afterthought.

Alderman Hess-Mahan reiterated that 1200 square feet is comparable to the neighborhood. The accessible unit is not required and it is not a throw in. It addresses a real need in the city. Initially, the petitioner considered demolishing the existing building. The only addition is a rear dormer; there is no change to the footprint of the building.

Public comment:

Ann Dorfman, 9 Henshaw Street, said this critical entrance to the neighborhood is blighted. It was a beautiful building. The idea is a tremendous advantage to the neighborhood and will meet the needs of slightly less affluent members of the community. Instead of a tear down, the proposal will restore the building close to its original appearance. Size-wise the units are similar to others in the neighborhood. The underground parking is a real asset, better than eight or more parking spaces on the surface. Irrigation for the traffic island would be beneficial.

Brenda Mulligan, 109 Adena Road, is an architect who has considerable experience in residential and senior housing. The size of the accessible unit is a bit small. The façade mitigation is important. The parking is problematic, what about snow?

Tim and Kallan Durken, 15 North Gate Park, said this is unprecedented. Is an 8% grade ramp safe? The plans show an elevator into the lobby. The club was used no more than three times a month. Three units would be more appropriate.

Judy Jaffe and George Jaffe, 45 South Gate Park, disputed Mr. Morris' description of the neighborhood meeting. Are the trees slated for removal diseased or not? Is the air vent in garage going to be covered? What about the proposed identification sign on the wall? Moving the ramp is not necessarily an improvement, there is still a safety issue.

Richard Morahan, 37 South Gate Park, said there is no reason to jump at the first chance to make the site better. Flipping the ramp is an attempt to pander to what the petitioner thinks the neighborhood wants. People will not park in the garage. The neighborhood does not want an apartment house.

Eric Boyer, 105 Adena Road, is disappointed that the city is pushing this project with underground parking. Think of the property values. Work with the developer for something better. Listen to what people who live in the neighborhood are saying.

Mr. Sexton said that the plan now shows seven parking stalls underground and three on the surface. Although, one stall in the garage is tight, it now has more maneuverability for turning. The operational component of the garage will be between landlord and tenants. Storage spaces for the units will be provided in the basement. A fire suppression system will be installed. Obviously, because an air vent is to provide an exchange of air it cannot be covered; however, it will be concealed with landscaping. Code requires two staircases. One external staircase exists, but re-grading and landscaping will conceal most of it.

Several members asked about the open space calculation. Open space is defined as "all the lot area not covered by buildings and/or structures, roadways, drives, surface parking area or paved surfaces other than walks. The area devoted to lawns, landscaping, exterior tennis courts, patios, in-ground swimming pools and non-structural recreational amenities shall be included as usable

open space. The area covered by roof overhangs of up to two (2) feet shall be included in the calculation of open space.” The walkways and the ramp count, but stairs and vents do not.

The Associate City Engineer’s memo refers to the slope of the ramp as 10%; however, the petitioner’s engineer Verne Porter explained that it is actually 8%, with a 4% transition, which is half of what is allowed, i.e., the ramp is 60 feet long and five feet at its *steepest* gradient. Mr. Porter also said the increased pervious surface and landscaping will infiltrate the snow on the site.

Mr. Morris pointed out that in 2002 both South Gate Park and North Gate Park were included in a petition which stemmed from a recommendation of the Section 30-15 Task Force to rezone a number of streets and properties to reflect their predominate actual use, in this case from Single Residence 3 to Multi Residence 1, however, the item was ultimately voted No Action Necessary. Mr. Morris also noted that the Board last year reduced the minimum size required for accessory apartments from 400 square feet to 250 square feet. He emphasized that the accessible unit was not a throw in. A three-unit development will not provide any affordability. The nonconforming use has not been abandoned and could be reconstituted. Ms. Young said a by-right use of the property could involve a social club or a large single-family dwelling, a congregate living facility, or daycare. The lot cannot be subdivided. A single-family house of approximately 5,500 square feet could be built by right. Alderman Schwartz wished to clarify what he felt was a mischaracterization of an earlier comment: he is not advocating getting rid of the accessible unit, but making it larger.

The committee continued the petition to a date to be determined, asking the petitioner to seek from the Commission on Disability its opinion concerning the size of the proposed accessible unit and to provide a cut sheet for the proposed light for the driveway ramp.

Subsequent to the August 4th meeting, the petitioner, based on repeated neighborhood comments, reduced the number of units from five to four. The proposed units now range in size from 1200 to 1700 square feet. One of the units will still be affordable; however, none will be handicap accessible. Garage parking has been redesigned to accommodate seven parking stalls, which will allow greater mobility within the garage. Three of the four units will have direct access to the garage. The elimination of the fifth unit will become a window as is appeared on the building in 1920. For more detailed responses to comments made by the neighbors and committee please refer to the attached memorandum from Terry Morris, dated September 21, 2015.

Alderman Cote said that just because the building was constructed in the 1920’s doesn’t mean it is historic. Alderman Brousal-Glaser found it ironic and sad that the new plans show four surface parking spaces taking up what was previously shown as green space. Mr. Morris said that the spaces are not necessary to meet the parking requirement, but they were added in response to neighborhood concerns that people would not park in the garage but on the street. Alderman Crossley agreed that although the petitioner is doubling the amount of green space on the site, the underground parking is a benefit and eight parking spaces in the garage and one on the surface should be sufficient and it is the number of spaces required by ordinance. Alderman Cote acknowledged the improvements from the original plan, but also questioned whether four

surface parking spaces are necessary. Mr. Morris said the petitioner is not wedded to three curb cuts and four surface spaces. As to concerns about the slope of the driveway: where the driveway crosses the proposed new sidewalk the slope of the ramp is 4%. Over 20 feet of the 60-foot ramp is sloped at two inches. The Chairman asked for turning templates for the garage and the end of the ramp. Mr. Morris said the architectural floor plan shows the turning templates, but agreed to include the templates on the engineer's plan as well. Probably at least one garage space that will include a three-point turn.

Alderman Lennon said that although the elimination of the accessible unit is a loss, this type of project with four modestly sized units and no change in the footprint of the building is the kind of project the city keeps talking about. A lot of thought and effort have been put into this proposal. Underground parking is not unprecedented. A proposed three-unit development in Ward 1 has nine spots underground for three units. Alderman Schwartz is disappointed as well with the loss of the accessible unit. Although the square footage of the building remains the same, the proposed units are now larger.

Public Comment:

Tim Durken, 15 North Gate Park – is appreciative of the many changes made by the petitioner, but still prefers three units

George Jaffe, 45 South Gate Park – submitted a PowerPoint (attached).

Richard Morahan, 37 South Gate Park – eight out of 10 units on South Gate Park are opposed. South Gate Park, although not as bad as North Gate Park, is a cut through for many cars.

Ruth Comstock, 112 Adena Road – objects to the density. Eight to sixteen people will be living on the property.

Kathleen Kouril-Grieser, 258 Mill Street – has never heard residents ask for this type of development. The underground parking is not appropriate; forcing garage into a residential neighborhood is unprecedented. The site is more appropriate for a single-family or for three-units.

Jim Frances, 108 Adena Road – the neighborhood is already diverse. Four units will create more density and traffic. Three units would be better.

Jon Koot, 430 Winchester Street – more and more multi-unit housing is being created single-family districts, which raises the comfort level of creating even more. Four units are still too intense for this site.

The Chairman pointed out that there has been constructive input from the community throughout the process. Respectful give and take often results in better projects. Personally, he is ambivalent about the underground parking; however, the alternative may be that nothing gets built for five or ten years. Aldermen Albright, Brousal-Glaser, and Cote suggested that two surface parking spaces would be sufficient. The Chairman and the rest of the committee agreed it would provide more green space and keep to one curb cut. The Director of Transportation can determine whether the two surface spaces would be better sited on the left or right of the building. The public hearing was closed and Alderman Lennon moved approval of the petition as amended with four units with the findings and conditions in draft special permit #150-15, dated October 19, 2015. The motion carried 5-0-3, Aldermen Cote, and Schwartz abstaining.

A Public Hearing was opened on the following item:

#233-15 SIAMAB THERAPEUTICS/CHAPELBRIGE PARK ASSOCIATES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate rDNA facility and associated office use at 49-55 CHAPEL STREET (a/k/a 90 BRIDGE STREET), Ward 1, NONANTUM, on land known as SBL 14, 1, 14, containing approximately 170,913 square feet of land in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23, 30-12(c)(15) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 7-0 (Lipof not voting)

NOTE: The petitioner, a biopharmaceutical company developing therapeutic antibodies for the treatment of cancer, is seeking a special permit to locate a laboratory involving rDNA research and associated offices at Chapel Bridge Park, which consists of three commercial buildings with surface parking facilities. The petitioner will occupy 6,000 square feet, evenly divided between office and lab space. Please refer to the PowerPoint attached to this report.

The petitioner met with the Newton Biosafety Committee twice in September. The Biosafety Committee reviewed all of Siamad's protocols and spoke with its safety consultant and determined that the petitioner will be operating in compliance with the National Institutes of Health guidelines and was unanimous in its recommendation to the Commissioner Health and Human Services for approval of the rDNA permit pursuant to Chapter 12 of the city ordinances.

The committee was joined by Biosafety Committee member Carl Cohen who explained that Recombinant DNA Levels I and II laboratory uses are the lowest levels. Examples of Level I include Boston College, Newton Wellesley Hospital, a typical high school lab, etc. Level II is a slightly higher level. These uses are strictly regulated in accordance with federal and state regulations and companies have internal monitoring protocols or hire a consultant to run such a program.

There was no public comment. Aldermen Lennon told the committee that the petitioner had prepared a one-page summary for the neighborhood, which was helpful in disseminating information at a neighborhood meeting and had done a good job articulating what it business and mission is about.

There was no public comment. The committee was extremely appreciative of Mr. Cohen's commitment and thanked him for attending the hearing this evening, particularly as it was almost midnight before this petition was taken up. On behalf of the committee the Chairman welcomed Siamed to the city. It is hoped that this will encourage similar businesses to locate in the city.

Alderman Lennon moved approval of the petition with the findings and conditions in draft special permit #233-15, dated October 19, 2015, which motion carried 7-0, Alderman Lipof not voting.

#148-15(2) INTRUM COPORATION petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second 60,565 square-foot building to be connected to an existing office building, as well as a one-story parking deck, and to redesign existing parking facilities increasing the number of parking stalls from 215 to 379 at 180 WELLS AVENUE, Ward 8, on land known as SBL 84, 34A, 3, containing approximately 220,097 square feet of land in a district zoned LIMITED MANUFACTURING. Ref: 30-12(g)(2), 30-19(m) of the City of Newton Rev Zoning Ord, 2012 and Board Order nos. 276-68(3), 761-69, 734-72 (884-71). NOTE: Accompanying the petition is a request to amend the Deed Restriction adopted by Board Order #276-68(3), dated November 18, 1968, and subsequent amendments be further amended or waived to increase the Floor Area Ratio from .25 to .53, which exceeds the maximum of .25, to waive the minimum 40% open space requirement, and to allow a greater percentage of square footage in the office park to be dedicated to office space. ***(A Public Hearing was opened and continued on September 10, 2015)***

ACTIONS: HEARING CLOSED; APPROVED 8-0

#148-15(3) AMENDMENT TO the Deed Restriction APPROVED 7-0
(Crossley not voting)

NOTE: The special permit draft board order reflecting the committee discussion on these petitions is included in today's packet. A report will be distributed Monday, October 19.

#181-15 AYENG FONG & BINH NGUYEN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a third unit onto the rear of an existing two-family dwelling at 220-222 CALIFORNIA STREET, Ward 1, NONANTUM, on land known as SBL 11, 10, 16, containing approximately 9,510 sf of land in a district zoned BUSINESS 1. Rev: Sec 30-24, 30-23, 30-11(d)(8), 03-19(h)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2012. ***(A Public Hearing was opened and continued on September 10, 2015)***

ACTION: HEARING CLOSED; HELD 8-0

NOTE: ***Following is an excerpt from the September 10, 2015 Land Use Committee report:***

The property contains a two-family dwelling constructed in 1890. The petitioners wish to construct a 2½-story addition to the rear of the dwelling to create a third unit. The site, located in a mixed-use neighborhood of Multi Residence 2, Manufacturing, and Business 1 zoning districts, is zoned Business 1 which requires a special permit in order to create a multi-family dwelling. The petitioners are also seeking relief to locate parking stalls within a setback and within five feet of a residential structure. The Historical Commission staff found the property preferably preserved and the demolition delay was waived based on the plans submitted with this application.

The proposed addition, which will be slightly offset from the existing structure to help break up the mass of the new structure from the side property line, will maintain the existing building height. Façade materials will be consistent with the existing dwelling. Most of the addition will be screened from California Street and a small backyard will be maintained at the rear of the site.

Currently, there are two driveways that accommodate four cars. The additional parking will be provided by extending the existing driveway on the eastern property line to create two additional

parking stalls at the rear property line. The two tandem stalls next to the existing dwelling will allow creation of an approximately 11-foot driveway aisle to the two proposed stalls at the rear of the site. The petitioner needs to clarify the width of the tandem stalls as the architect's site plan indicates they are 8'x20' but the surveyed site plans shows the stalls are 9'x19'. The existing tandem parking on the western side of the property will remain the same.

There was no public comment. As several members of the committee expressed interest in visiting the site, the hearing was continued.

Alderman Lennon was not present at the September 10 meeting. He has spoken with the petitioner and expressed to her his concern about the size of the proposed addition. The petitioner told the committee that she and her family currently live on the first floor and rent out the second floor. Her family includes five members, soon to be six, who are living in a two-bedroom apartment. The family is in need of additional living space. She plans to live in the addition and rent the first and second floor apartments.

The addition is approximately 2,999 square feet which when combined with the existing 3,973 square feet will result in a dwelling of 6,972 square feet. The proposed FAR of .71 is less than the 1.00 allowed in a Business 1 district. The petitioner is seeking relief to allow a multi-family dwelling in a Business district and to allow parking within five feet of a residential structure (the existing dwelling).

There was no public comment. Alderman Lennon said he would have trouble supporting this as he believes the addition is very large. The public hearing was closed and Alderman Harney moved approval, but withdrew that motion and substituted a motion to hold instead. The petition was then held 8-0. The Chairman encouraged the petitioner to meet with Alderman Lennon.

The meeting was adjourned at approximately 12:00 AM.

Respectfully submitted,

Marc C. Laredo, Chairman

15 South Gate Park Project

**Does This Project
“Fit in its Setting/Neighborhood”?**

Text directly from Newton's Special Permit Process

How will they (LUC) decide what to do?

. . . In general, they'll (LUC) want to know the proposed project will be a good neighbor, fits in its setting, and enhances the quality of life. . . .

In our opinion, this project does not

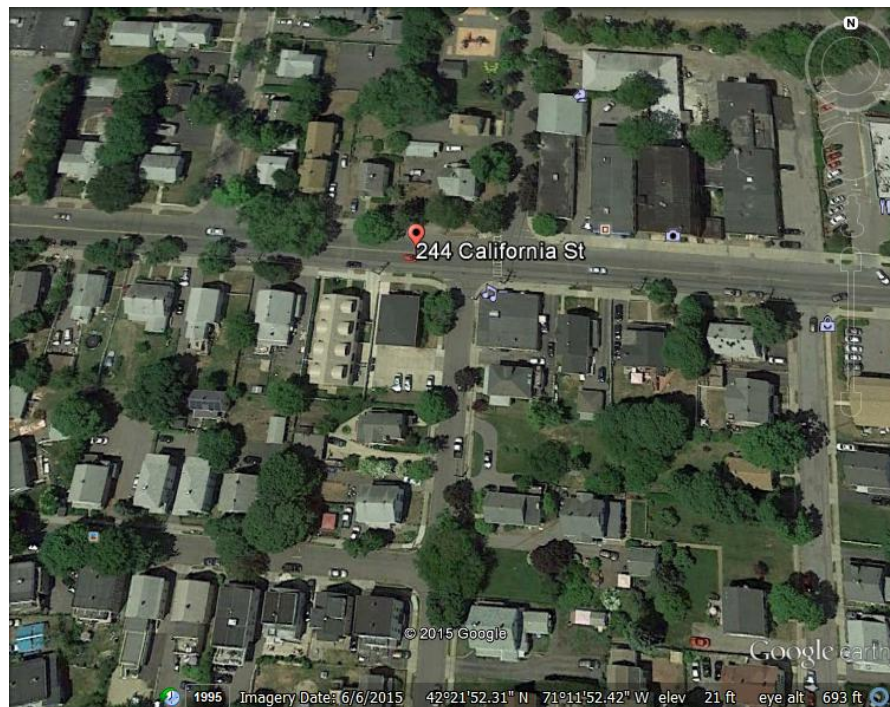
There are 2 major reasons

- Project size is incompatible with the neighborhood
- Project includes an underground garage which dumps onto a VERY narrow, busy street

But, we have been told there are “comparable” examples in Newton – are they? Let’s see . . .

244 California Street

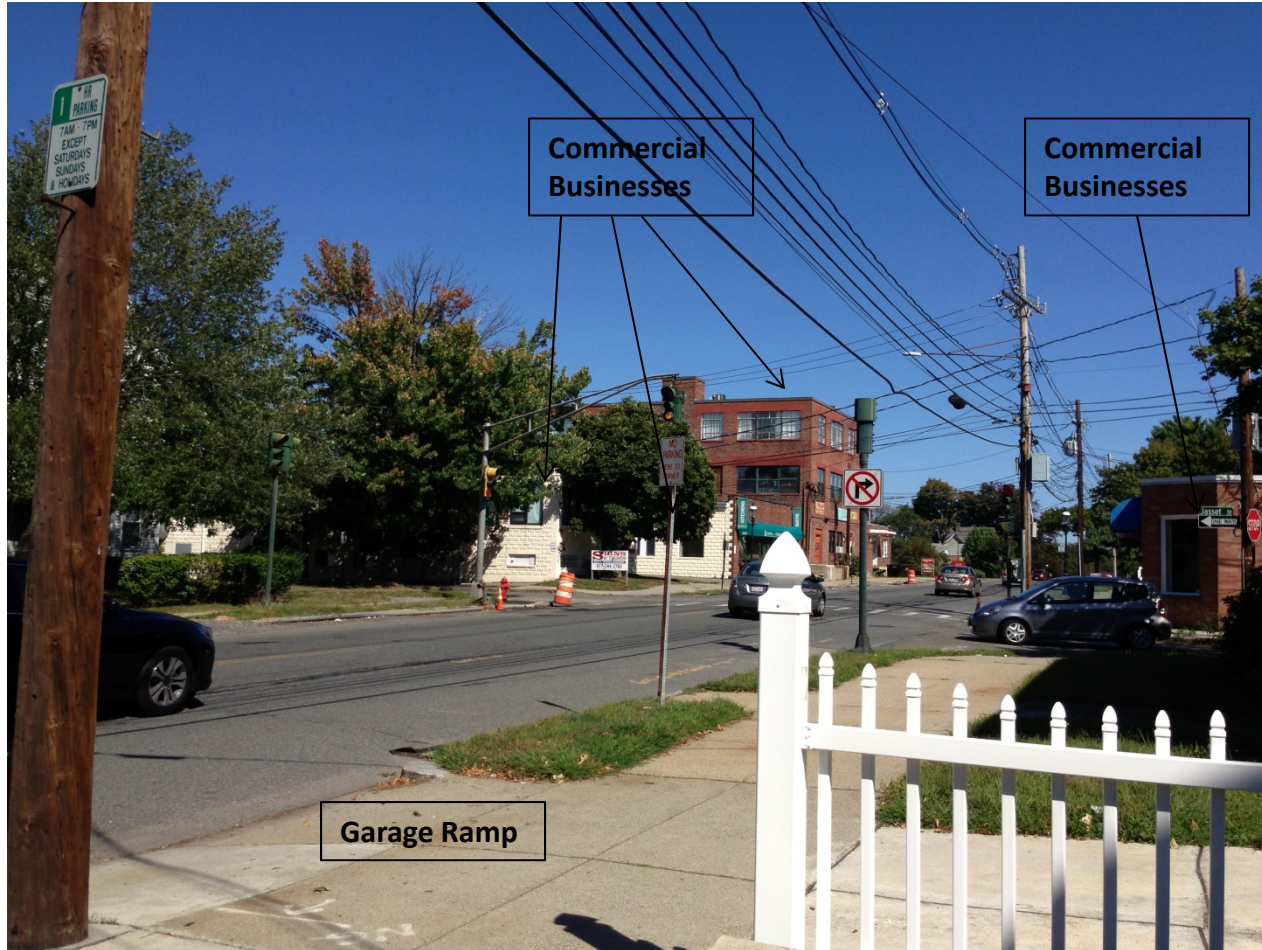
- On a major thoroughfare with a traffic light !
- Wide street – with double traffic line !
- Mixed use with several businesses nearby



244 California Street



244 California Street



244 Adams Street

- On a major thoroughfare
- Wide street – with traffic line !
- Mixed use with several businesses next door

244 Adams Street



244 Adams Street



244 Adams Street



Now compare either to the “Gate Park” neighborhood

- (very) Narrow streets
- No businesses nearby (anywhere!)
- Zoned for single or two family homes primarily



Location of garage exit
on South Gate curve.

North Gate Park and Adena Road



South Gate Park looking west (“down”) –
and the ramp will be on the right side



South Gate Park looking east (“up”) –
and the ramp will be on the left



- The two examples are NOT comparable
- The proposed project does NOT “fit in its setting”

Thanks for listening to the neighborhood

From the Law Office of Terrence P. Morris, Esq.

Memorandum

To: Dan Sexton, Sr. Planner
From: Terry Morris, Counsel for Anthony DePasquale
Date: September 21, 2015
Re: 15 South Gate Park

On November 15, 2014, my client, Tony DePasquale, project architect, Ron Jarek, and I met with you and other staff members at a Development Review Team (DRT) meeting to present several possible options for the preservation, restoration and residential reuse of the former Knights of Columbus Hall (a/k/a the North Gate Club). The presentation consisted of sketch schematics for 1 to 6 units, which included both surface and below-grade accessory parking. The main purpose of the meeting was to obtain staff advice on which of the schemes would best address the objectives of the city's Comprehensive Plan. Staff consensus was that the 5-unit plan with unit sizes ranging from 460 to 1600 sq. ft. with below-grade parking was the preferred option.

Based on that meeting the development team proceeded with plans for a 5-unit special permit project that was ultimately filed and presented to the Land Use Committee at public hearing on July 14th and also the subject of a neighborhood meeting on July 25, 2015. As a result of information received that meeting significant changes were made to the site plan and elevations. The hearing before the Land Use Committee was continued on August 4, 2015, at which there continued to be neighborhood opposition to the 5-unit plan, which plan included both an on-site affordable unit as well as an accessible unit. At that meeting it was made clear that the project could not support both an affordable unit and accessible unit unless the project contained 5 units. On August 16th in response to a neighbor outreach, my client met with a principal abutter during which the possibility of a four-unit plan was discussed. On August 30, 2015 my client received an email, on which the Land Use Committee was copied, signed by several neighbors firmly rejecting that possibility¹ for all of their previously stated reasons.

Nonetheless, in further concession to the neighbors, my client is moving forward with a 4-unit proposal because he strongly believes that the benefits of the plan meet many of the objectives found in the Comprehensive Plan. The units range in size from 1200 to 1700 sq. ft. with an average of 1500 sq. ft., well below the 2000-3000 sq. ft. units that have characterized attached dwelling petitions. One of the four (25%) units would still be reserved for an on-site affordable unit, exceeding the ordinance requirement of 15%. Parking in the garage has been redesigned to accommodate 7 spaces with greater maneuverability. This provides ratio of 2.75 cars per unit to accommodate visitor parking on-site. Three of the 4 units will have direct access to the garage, making parking more accessible. This has been accomplished in part, by installing a small roof on the rear of the building over a new stairway into the garage. With the elimination of the 5th unit, what was formerly a proposed doorway will once again become a window as it appeared in 1920.

¹ "Neighbors were clear that at most 3-units could be acceptable. This position is firm." Quote from 8/30/15 neighborhood email to Tony DePasquale et al.

In addition there are several critical, and in some cases erroneous, comments made by the neighbors that have been addressed by the new plans:

1. *"Too many units also results in too many entry doors, steps and walkways..."*

Response: the revised elevations show only two² entry doors, steps and walkways on the front of the building with the entry way for Unit 3 on the left side of the building, giving the front face of the building the appearance of a two-family house. The need for the proposed retaining wall along the back of sidewalk, opposite the northeast corner of the building has been eliminated.

2. *"...and too much parking on the property and street."*

Response: This criticism contains an inherent contradiction. Provision of more parking on-site has long been recognized as one of the better solutions to the scarcity of on-street spaces. This also ignores the fact that almost 50% of the site is currently an uncontrolled parking lot. Neighbors have been critical about the underground garage asserting that residents would park on the street for short term trips. The revised site plan provides two surface parking spaces on either side of the building readily accessible to units on each side of the building, for visitor parking and/or short-term resident trips.

3. *"The lot size of 14,120 square feet is too small for more than 3 units when compared to the average # of units (1.72) on the average lot size in the neighborhood (7,284)."*

Response: The average neighborhood lot size of 7,284 sq. ft. cited by the neighbors represents only the 8 properties that are located on the south side of North Gate Park. If one includes all of the 38 properties on both sides of North and South Gate Park, the average lot size is 6,952 sq. ft. In any event, the subject site contains 14,120 sq. ft., which given the historical subdivision of the block on which it is situated, is the functional equivalent of two 7,060 square-foot lots. Had the parcel been subdivided in a manner consistent with the rest of the block we would be looking at two 2-family houses each on its own 7,060 sq. ft. lot. Accordingly, the reduction of the project to four (4) units more closely parallels the density on the subject block and the neighborhood as a whole.

4. *"We strongly oppose the underground parking garage and our safety and nuisance concerns have not been addressed in your new proposal. While moving the ramped driveway from busier North Gate Park helped with that side of the project, the problem was swapped to the South Gate Park side."*

Response: The perceived "problem" with the driveway entrance on North Gate Park centered on its proximity to the intersection of Adena Road and North Gate Park and the "busier" volume of cars using North Gate Park as a cut-through. There is no such "problem" (i.e., conflict nor volume) on South Gate Park because the preconditions for the purported "problem swap" do not exist.

² Units 2 and 4 share a common entry.

5. *"Introduction of an underground parking garage and one-way, sloped, 8% graded driveway crossing a sidewalk into the street is an unnecessary danger that must be rejected."
"This proposed 8% graded driveway opens on a blind, curved, busy section of South Gate Park narrowed by on-street parking."*

Response: (1) The placement of parking beneath the building has consistently been accepted as a means of increasing open space, creating a superior site plan and aesthetically pleasing setting. As a result in this case the open space is doubled from 29% to 58 %; (2) There currently is no sidewalk to cross. One of the principal contributions to pedestrian safety is my client's installation of a sidewalk along the entire street frontage where none exists; (3) At the point where the driveway crosses the 'new' sidewalk, the slope is only 4% (which in relative terms is practically flat). This was done purposefully to provide full visibility for cars exiting the garage. On the near side, any pedestrian/auto approaching from the east has nothing to impede its view, while westbound cars are fully visible in their travel lane furthest from the entrance.

6. *"Moreover, 244 Adams Street and 244 California Street are in sections zoned for commercial businesses. 15 South Gate Park is in a zoned single-family residential neighborhood."*

Response: These projects are being cited in an effort to undermine the safety of the proposed garage. It should be pointed that Adams Street and California Street carry far greater volumes of traffic, where, if there were serious safety concerns, they would be more likely to have materialized. There is no record of any accidents or complaints at either location. While zoned for commercial use, there are a significant number of residences on both streets, which is one reason why residential projects were approved at those locations. Simply put, if below grade parking can work in high-volume traffic areas, all the more reason why it should be able to function quite well in a relatively quieter neighborhood where sight-lines, lesser volume and speed of traffic create more favorable conditions.

As one can see we have reached an impasse with certain of the neighbors, most of whom reside on Adena Road. Therefore we will be requesting that the Land Use Committee take action at its earliest available meeting on the proposal as it has been modified and is being presented. Once you have an opportunity to review the plans, should you have any constructive comments or recommendations, please advise. Thank you.



Public Hearing to Allow Recombinant DNA
Research and Technology
at 90 Bridge Street

10/13/15

CONFIDENTIAL

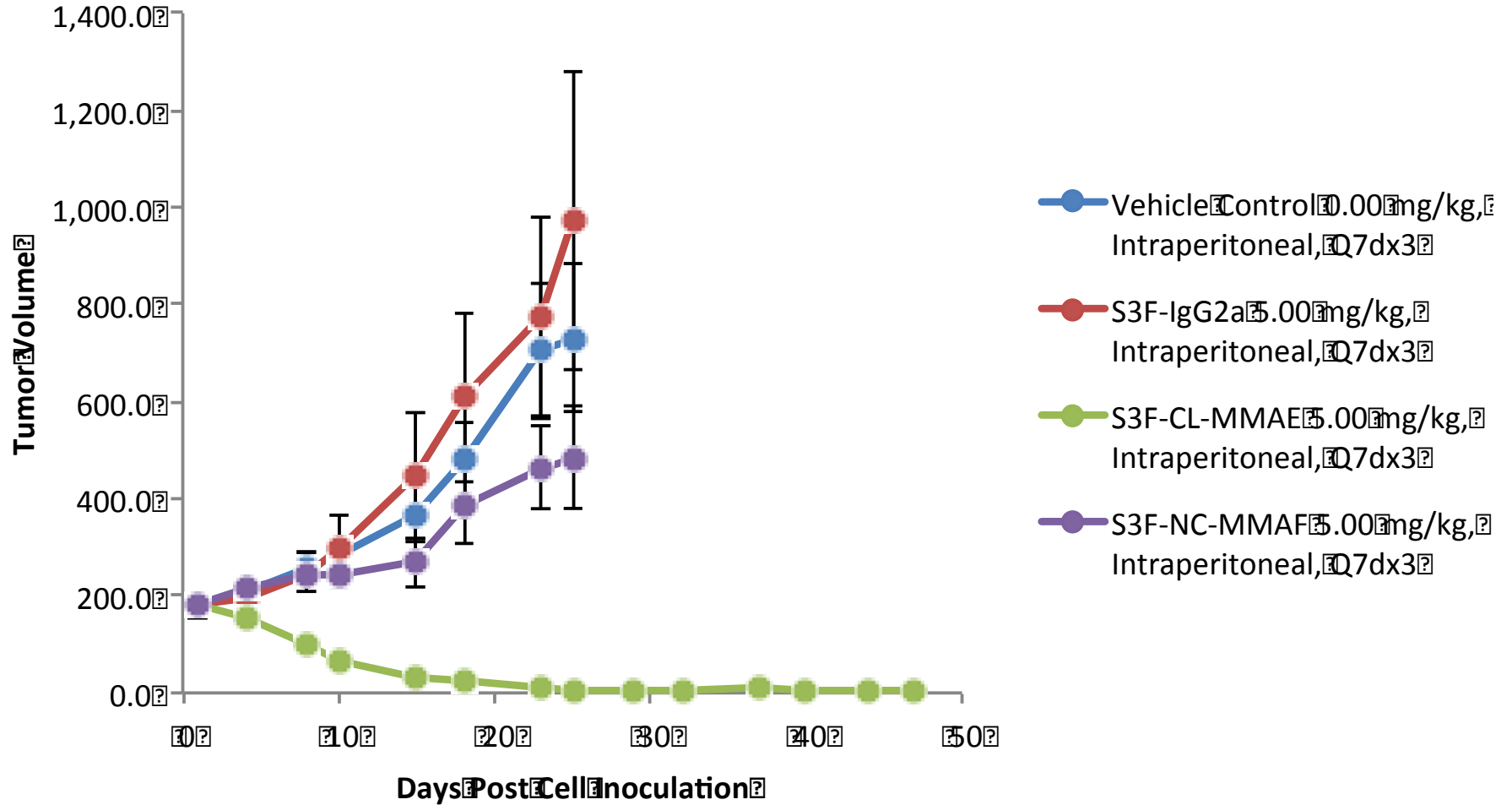


Siamab Overview

- **Siamab is a biotech company working on cancer drugs to treat ovarian, breast, colon, prostate, and other cancers**
- **We have 5 full-time employees in a small lab at 90 Bridge Street**
 - 3 scientists and 2 office staff
- **Our research is progressing rapidly and we hope to begin human studies within 2 years**
- **On-site rDNA research is necessary to support our efforts and we are seeking approval for this work**



ST1 Pilot ADC Study Concluded In Q1 2015 Showed Dramatic Efficacy In Human Breast Cancer Model

Mean Tumor Volume



Location Selection



- **Selected location is part of Chapelbridge Park**
 - 170,913 ft² of land total
 - Manufacturing zone
- **90 Bridge Street, Suite 100**
 - First floor
- **5800 ft² Total**
 - 1800 ft² BL1 Lab 
 - 300 ft² BL2 lab 

Public Hearing Note At Chapelbridge Park Posted at 90 Bridge Street



Lab Design

- **We hired an expert team of consultants to aid in the design of the space**
 - AJB Consultants, AHA, VAD, ACTWO, Safety Partners
- **The lab was engineered by two leading firms that specialize in lab safe practices**
- **The HVAC, plumbing, and electrical systems were designed and built according to government agency (National Institute of Health) standards and comply with MA building codes, NFPA standards, and OSHA regulations**

A.J.B. Consultants, Inc.
Leading the process, not chasing it!

**SAFETY
PARTNERS**
Hands-on Workplace Safety

AHA
CONSULTING
ENGINEERS

- **Biology – not chemistry**
 - Very low volumes of reagents
 - Small quantities of waste
- **No infectious agents on site**
- **Onsite experiments require tiny amounts of reagents (<5mL or 1 tsp)**
- **There will be no animal work in the lab**
- **The risk to employees and the community are very low**
- **A large portion of the science is outsourced to academic labs and other contractors in the US**

- **Safety Partners (top Mass firm in Biotech Safety, works with most Cambridge biotech firms) hired to ensure the highest standards in environmental compliance**
- **Developed Biosafety Manual and Chemical Hygiene Plan which describe the policies and procedures we implement to train staff and safely handle materials in the lab**
- **These policies and procedures take into consideration both the safety of our employees and the safety of the environment and our community**
- **Lab safety training will be conducted prior to commencing work in the lab for each employee**
- **Annual retraining is required for all lab employees**

Lab Safety

- **Shufro Security Co. Inc. was hired to install an HID access control system**
- **Access to the lab is restricted and monitored**
- **Only trained employees have access to the lab**



Emergency Equipment

- **Emergency shower and eyewash stations provide on-the-spot decontamination**
 - There is an emergency shower and an eyewash station in the main lab
 - There is a second eyewash station in the BL2 lab
- **Safety shower and eyewash stations are in compliance with the American National Standards Institute standards and Occupation Heath and Safety Administration requirements**



Lab Waste

- **Siamab is characterized by the Department of Environmental Protection as a “Very Small Quantities Generator” of chemical waste**
- **All hazardous waste will be packaged and transported offsite by a licensed waste removal service hired by Siamab**
- **Liquid biological waste with no other hazardous materials will be decontaminated using EPA approved methods and then sink disposed, per MWRA regulations**



Further Questions?

- **Jenna Stein – Operations Manager – jenna@siamab.com**
- **Stephanie Beaudoin – Safety Partners Consultant - SBeaudoin@safetypartnersinc.com**
- **Jeff Behrens – CEO – jeff@siamab.com - 617 500-3455**