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Mayor

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Candace Havens  
Director

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## MEMORANDUM

**DATE:** November 23, 2011

**TO:** Vicki Danberg, Chair of Real Property Reuse Committee  
Members of the Board of Aldermen

**FROM:** Candace Havens, Director of Planning and Development  
Eve Tapper, Chief Planner for Current Planning<sup>ET</sup>  
Derek Valentine, Senior Land Use Planner

**SUBJECT:** Reuse of property at 70 Crescent Street  
November 29, 2011 Meeting

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In accordance with Newton City Ordinances, Section 2-7, which governs the sale or lease of city owned real property, the Planning Department was asked to conduct an evaluation on the potential for development at the former Parks and Recreation site at 70 Crescent Street. The following is a summary of this review.

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## **Executive Summary**

The site is currently the headquarters of the City of Newton Parks and Recreation Department. The Department is preparing to relocate to the former Newton Corner Library building and the City must consider how it will use the former property in the future. The options include continued public use of the parcel or private development of the site. Private development of the site includes both by-right and special permit uses, all of which will be explored in more detail in this report.

Crescent Street used to connect to the south side of the Turnpike, but now ends at the subject site. The construction of the Turnpike in the early 1960s involved widespread taking of properties in Newton, including some in the vicinity of the subject parcel. The parcel, as is currently constituted, is likely an assemblage of parcels affected by those takings. At the time of conveyance, the Turnpike Authority retained all rights to easements and restrictions on the property, although there is no record of any existing. The subject parcel is now comprised of 98,088 square feet of land, a portion (approximately 37,000 square feet) of which is currently the Myrtle Baptist Church playground and a part of the Church's parking lot and this section is fenced off from the rest of the Parks and Recreation site.

### **I. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD**

#### **A. Neighborhood Characteristics**

The site is located along the Massachusetts Turnpike in Auburndale. It is currently being used as a facility for the Newton Parks and Recreation Department. It is surrounded by predominantly Multi-Residence 1 zoned parcels, with a small area of Multi-Residence 2 zoning bordering the southeast corner of the parcel.

There are a variety of land uses in the neighborhood. To the west of the site is an area of existing multi-family residential, generally two-family dwellings. Myrtle Baptist Church is located on a large parcel to the east of the site, part of which was conveyed to the Church by the City in 1970. To the south of the site is an abandoned paper street and three contiguous parcels being used as an NSTAR facility. The NSTAR site is fenced, with limited access, but appears to be mostly paved with a structure in the center of the parcels. The purpose of this structure is unknown.

#### **B. Site**

The site is 98,088 square feet and is irregularly-shaped, with a small linear frontage at the intersection of Robinhood Street and Crescent Street and is zoned Public Use. A small "rat tail" of land is shown extending westward between the Massachusetts

Turnpike and Crescent Street on some plans. This is likely a map error and is not significant to the future reuse of the site. The site is almost entirely paved, with numerous storage areas for vehicles and heavy equipment used by the Department of Parks and Recreation, mostly on the periphery. Equipment currently stored on site consists of eight outdoor storage containers with supplies, two one-ton trucks, two two-ton trucks, two packer garbage trucks, nine pickup trucks, three sedans, and five vans. Outdoor storage of materials such as mulch, woodchips and loam and a nursery area with storage for up to 250 trees occupy one corner of the site.

At the entrance of the property on Crescent Street is the three-story headquarters building. The first floor or basement level of this building consists of a bathroom/shower area, a break room facility for maintenance staff, two work stations, a small office and a filing/storage room. The second floor is at street level and is where the public accesses the building. This floor consists of a meeting room, ten work stations, and a reception area. The third floor contains two bathrooms and between nine and eleven work stations.

A garage facility is located behind the headquarters building, near the geographic center of the site. This garage has three distinct sections, each with a specific function. There is a section used as a small equipment repair shop, an irrigation supply/wash bay/vehicle lift section and a carpentry shop.

The southeast corner of the subject lot is fenced off from the rest of the Parks and Recreation site and is improved with a playground, park area, and small portion of a parking lot used by the Myrtle Baptist Church. The area of the parcel that is fenced from the rest of the site and is being used by the Church is roughly 37,000 square feet. This area was excluded from the Commissioner of Parks and Recreation's letter declaring the rest of the site available for reuse. Therefore, the total parcel available for reuse is 62,088 square feet.



Existing Maintenance Yard



Playground



Headquarters Building

## II. DEVELOPMENT POSSIBILITIES FOR THE SITE

### A. By-Right Opportunity

The site currently has approximately 61 feet of frontage at the corner of Robinhood Street and Crescent Street. Most options for residential development

will require at least 80' of frontage per parcel. However, the required minimum right-of-way width for a new city street is only 45'. It may be possible to extend Crescent Street onto the site, providing linear frontage along the entire length of the newly-created street. This would vastly expand the development options and would provide egress to the playground parcel, if desired.

The site is currently zoned for Public Use. If the City should decide to retain ownership of the parcel and use it for other city purposes, the parcel does not have to be rezoned. However, if the City would like to offer the parcel for private development, then the parcel would have to be rezoned. Rezoning the land to Multi-Residence 1 would be compatible with the predominantly MR1 zone surrounding it. This would also be consistent with the multi-family residential land uses to the west of the parcel and single-family land uses to the east of the parcel.

If the parcel is rezoned to Multi-Residence 1, single- or two-family residences could be built on the land by right, without the necessity of a special permit, if the land is subdivided into 10,000 square foot parcels. As with almost any development, this would require the creation of a cul-de-sac or hammerhead in order to provide the required 80 feet of frontage per lot. Deducting some lot area for the creation of an access road, the parcel excluding the playground area should yield approximately five lots with a total of five or ten units depending upon whether single- or two- family dwellings are constructed.

B. Special Permit Opportunity

There are several possible alternative development scenarios that could be considered by special permit and subject to permission from the Board of Aldermen. Single-family attached dwellings could be developed on the lot at the rate of one unit per 4,000 square feet of lot area. This option could yield as many as 15 units.

Given the site's proximity to the Myrtle Baptist Church, the site may be attractive to other non-profit organizations or institutions, or possibly as an expansion site for the Church. A parcel of this size would allow for diverse options, but would require consideration of parking, landscaping and proper site design particular to the type of non-profit use proposed.

Rezoning to Multi-Residence 2 could also be considered. The site is adjacent to other Multi-Residence 2 parcels along Curve Street. This zoning option would permit the construction of garden apartments, potentially at a maximum rate of one unit per 2,000 square feet of lot area for a maximum of 30 units. The lot area per unit could potentially be reduced to 1,500 square feet if the complex is built under local, state, or federal housing programs for elderly persons. This could yield 40 age-restricted units. As with the other options, frontage of at least 80 feet must be provided for the entire development.

C. Continued Public Use

The parcel could remain, in whole or in part, as a public parcel and developed as a school, recreational amenity or other City facility. This would not require any relief from zoning ordinances, since the parcel is already zoned for public use.

**Development Options for the Site**

	<b>By-Right (MR1)</b>	<b>Special Permit (MR1)</b>	<b>By-Right(MR2)</b>	<b>Special Permit (MR2)</b>
<b>Approx. 62,088 sq. ft. lot</b>	<b>5 single- or two- family dwellings</b>	<b>15 single-family attached units</b>	<b>Same as MR1</b>	<b>1) 30 garden apartments 2) 40 age-restricted units</b>

III. COMPREHENSIVE PLAN

Newton is essentially “built out” with only 1.28% of land available for further residential development. A limited supply of housing is cited in the *2007 Comprehensive Plan* as one contributor to the rising housing costs in the City. Adding new housing will address that need. If multi-family housing is created, no less than 15% must be affordable, thus also expanding the diversity of the City’s housing stock. Converting a public facility to a private development will add to the City’s property tax base, as the current public use is tax-exempt.

It is also important to note that the subject parcel is located in a dense residential neighborhood in close proximity to the Massachusetts Turnpike. Green space and parkland is an essential component in the fabric of the City and careful consideration should be given to how green space and public-accessible amenities can be preserved on-site or incorporated into future development proposals for the site. The existing park is a resource, but currently only has egress through the Myrtle Baptist Church parking lot. Having access to a public amenity over private property is not common and ways of offering alternative egress to this park should be explored.

IV. OTHER REVIEWS

A. Health Department

The Newton Health Department retains records of all known contaminated land within the City. There is no record of contamination on the former Parks and Recreation site, however a lot of equipment and material storage as well as vehicle repair has occurred on the site over the years and it is possible that remediation would have to occur as part

of any reuse scenario. Test pits should be dug on site and responsibility for the cleanup assumed by either the City or potential developer of the site, to be negotiated as the reuse process develops.

B. Law Department

The parcel was part of a larger parcel that existed and was conveyed to the City from the Massachusetts Turnpike Authority in 1969, for which the City paid \$77,500. At that time, the parcel contained 126,722 square feet of land. Later, in 1970, a portion of that original lot was conveyed to the Myrtle Baptist Church, leaving the parcel at its present size of 98,088 square feet. In 1973, a playground was established on the City's portion of the site after it was determined that the neighborhood was underserved by recreational amenities. The Assessor's Office indicates that the entire parcel is now valued at \$1,961,900.00.

C. Engineering

The subject site is shown on a plan entitled "Transfer of Land to the Recreation Department", dated June 21, 1973 as two distinct parcels: a newly transferred parcel of 36,966 square feet (coterminous with the "playground parcel"), and the rest of the parcel. The "rest of the parcel" is assumed to be 62,088 square feet; however some minor discrepancies exist in the various square footage numbers provided. It is recommended that an accurate survey be done for the entire parcel as the reuse process progresses. The parcels have not merged due to common ownership because neither is a substandard lot.

D. Neighborhood Comments

The Planning Department held a neighborhood meeting at the Myrtle Baptist Church on September 20<sup>th</sup>, 2011. Although very preliminary, the neighbors expressed a strong interest in preserving the playground because it is heavily used. The Church also expressed interest in possibly acquiring the playground parcel and some additional land to provide a secondary egress to their parking lot.

V. ACTIONS

Per Section 2-7 of the City Code, in order to continue the reuse process, the Real Property Reuse Committee must declare the property at 70 Crescent Street available for sale or lease. A Joint Advisory Planning Group (JAPG), not to exceed 14 members will then be appointed. Seven members of the JAPG will be selected by the Board of Aldermen and seven members will be selected by the Mayor. Once these individuals are nominated, the Committee and the full Board of Aldermen must vote to officially appoint the group. The JAPG will then have 90 days to complete its report on this proposal.

**RECOMMENDATION:** Recommend to the Full Board of Aldermen that the property at 70 Crescent Street be declared available for sale or lease.

ATTACHMENTS:

ATTACHMENT A: Land Use Vicinity Map

ATTACHMENT B: Zoning Vicinity Map

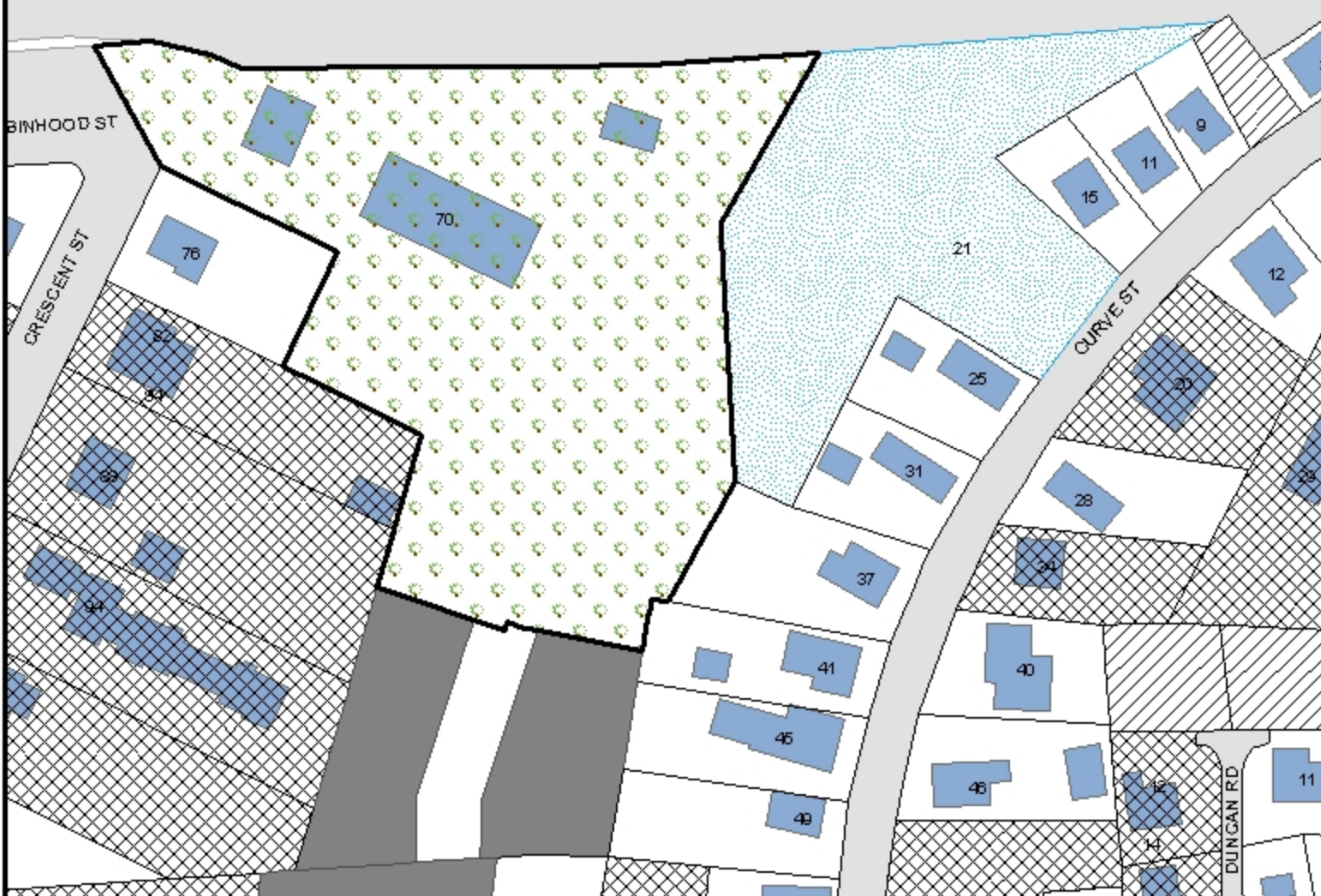
ATTACHMENT C: Aerial Map

ATTACHMENT D: Commissioner of Parks and Recreation Surplus Letter

# 70 Crescent St Land Use

*City of Newton,  
Massachusetts*

MASSACHUSETTS TURNPIKE



**Legend**

- Single Family Residential
- Multifamily Residential
- Industrial
- Vacant Land
- Open Space
- Nonprofit Organizations



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

**CITY OF NEWTON, MASSACHUSETTS**  
 Mayor - Seth D. Warren  
 GIS Administrator - Douglas Greenfield



Map Date: August 30, 2011

ATTACHMENT A



# 70 Crescent St Zoning

*City of Newton,  
Massachusetts*

MASSACHUSETTS TURNPIKE



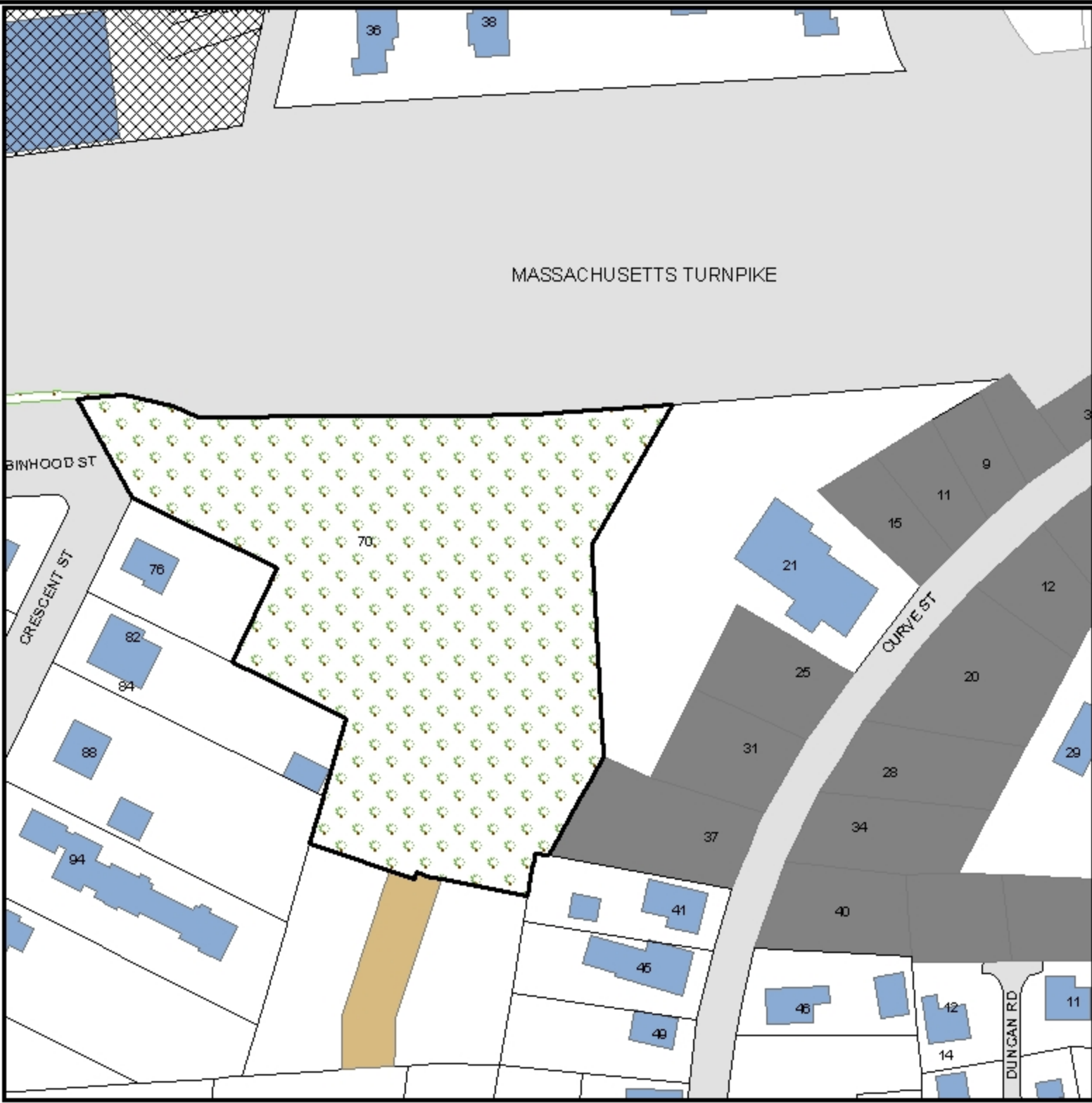
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Map Date: August 30, 2011

ATTACHMENT B





# 70 Crescent St Aerial Map

*City of Newton,  
Massachusetts*

**Legend**

-  IMA-Residence 1
-  IMA-Residence 2
-  Business 2
-  Public Use



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**CITY OF NEWTON, MASSACHUSETTS**  
Mayor - Seth D. Warren  
GIS Administrator - Douglas Greenfield



Map Date: August 30, 2011

ATTACHMENT C

ATTACHMENT D



SETTI D. WARREN  
MAYOR

## NEWTON PARKS AND RECREATION DEPARTMENT

70 Crescent Street, Newton, MA 02466  
Office: (617) 796-1500  
Fax: (617) 796-1512



ROBERT J. DERUBEIS  
COMMISSIONER

October 19, 2011

Honorable Setti D. Warren, Mayor  
David Olson, Clerk, Board of Aldermen  
City of Newton  
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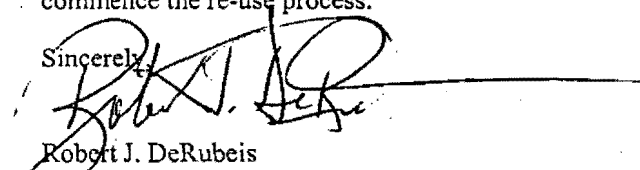
Re: Notice of Intent to Transfer Custody of 70 Crescent Street from the Parks & Recreation Department to another City Department

Dear Mayor Warren and Mr. Olson:

Please be advised that in accordance with Section 2-7 of the Revised Ordinances of the City of Newton, the Parks & Recreation Department currently located at 70 Crescent Street wishes to declare the building and its attendant land, with the exception of the piece designated as the Reverend Ford Playground as surplus and available for re-use. The program portion of the department will relocate to the Boys & Girls Library on 124 Vernon Street in Newton Corner. The maintenance division will continue to occupy 70 Crescent Street until an alternative plan is approved.

Accordingly, please notify the Director of Planning and Development of this determination in order to commence the re-use process.

Sincerely,

  
Robert J. DeRubeis  
Commissioner

cc: Robert Rooney, COO  
Donnalyn B. Kahn, City Solicitor

COMMISSION  
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ALTERNATES: MICHAEL CLARKE, PETER KASTNER, JACK NEVILLE, DONALD FISHMAN

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