



Programs & Services Committee Report

City of Newton In City Council

Wednesday, June 24, 2020

Present: Councilors Krintzman (Chair), Noel, Albright, Baker, Wright, Greenberg, and Humphrey

Absent: Councilor Ryan

Public Facilities Present: Councilors Leary (Chair), Norton, Kelley, Kalis, Laredo, Crossley, Danberg, and Gentile

Also Present: Councilors Lipof and Bowman

City Staff: Marie Lawlor, Assistant City Solicitor; Carol Stapleton, Recreation Program Manager; Josh Morse, Commissioner of Public Buildings; Jayne Colino, Director of Senior Services; George McMains, Executive Officer; Lisa Mikoleit, Patrol Services Officer; Nicole Banks, Commissioner of Parks, Recreation and Culture; Jonathan Yeo, Chief Operating Officer; Jini Fairley, ADA Coordinator; Nathan Giacalone, Committee Clerk

The first item taken up by the Committee was to hear an update on the NewCAL project from Josh Morse and was held jointly with the Public Facilities Committee.

Josh Morse, the Commissioner of Public Buildings, introduced the item. He said that the NewCAL project has narrowed its potential sites down to two locations: the triangle lot in Newton Centre and the current Senior Center site in Newtonville. Mr. Morse explained that the presentation is not showing final proposals, but concepts to show what design features would be possible.

Newtonville Site:

Mr. Morse presented three design concept options for the Newtonville site. Option 1 would retain the existing Senior Center building with a rear addition. To fulfill the goals of the NewCAL project, this design would extend the massing on the property to its greatest possible extent. Option 2 would demolish the existing Senior Center to build a new three-story building. This plan would allow the kitchen and dining room to be on the ground floor and reduce the massing in the rear of the building. Option 3 would also demolish the existing building to create a four-story building. Mr. Morse clarified that the fourth floor would be a “soft story,” meaning that its only feature would be the indoor track. This option would maximize the use of grounds on the site while minimizing the impact to abutters. The kitchen and dining rooms would also be able to be on the first floor while classrooms and administration offices would be on the second.

Newton Centre Site:

The second location Mr. Morse presented was the Newton Centre Triangle which also had three options. All three would involve the construction of a new building. Option 1 is a two-story building with the gym, kitchen and dining, and other function rooms on the first floor while certain administration and classrooms and the walking track are on the second floor. The trade-off with this design would be that only 92 parking spaces would be left in the triangle lot. Option 2 is a three-story building. A portion of the building is lifted to allow for parking underneath which is projected to leave about 130 parking spots remaining. Option 3 is a four-story building and is an identical plan to Option 3 at the Newtonville site. It would also leave about 130 parking spaces remaining in the lot.

The total square footage of the NewCAL in both the Newtonville and Newton Centre locations was 33,000 square feet. Mr. Morse said that so far, most community and business feedback has favored the Newtonville site.

Committee Discussion:

The Committee expressed support for the construction of a new building, citing the impracticality of keeping the existing Senior Center intact for this project. This is due to the increased costs it would add to the building. The reduced costs and the differences between sites would also allow NewCAL to be completed at the Newtonville site sooner. There was also some support for the Newtonville location as Committee members said it has been a success in Newtonville since its establishment in 1993. It was stated that there was a risk that investing in the Newtonville site would not be as equitable to the rest of the City as Newton Centre would be. Mr. Morse said that the perks for Newton Centre stop beyond the central location and proximity to public transportation. Most resident and business feedback has favored the Newtonville site. He continued that most seniors are more concerned about proximity to things like the grocery store than public transit. Newton Centre businesses are also concerned about how this project would disrupt parking in both the short and long term. Other Committee members suggested a public-private partnership to offset the cost challenges of below-grade parking. Committee members said that great things can be in store for Newton Centre, but it is better suited to projects other than NewCAL. It was also stated that no matter what option or site, it is preferable to have the kitchen and dining room on the ground floor.

Questions and Answers:

Q: With Newtonville Option 1, the first floor is above grade, why is this and can it be made grade level?

A: This is a great question that has been asked before. The basement is 4,000 square feet of useable space so making the first-floor grade level would not only be very costly, but it would reduce the basement to a crawlspace. Lowering the basement to make the first-floor grade level would be cost-prohibitive.

Q: Should we be looking at past costs to estimate those for this project? Why was Newtonville preferred? Which option do you recommend?

A: The exact costs will not be known until the site is selected. The Newtonville site is also projected to fit more within the city's budget. Newton Centre businesses rely on the triangle parking lot to survive, and construction of the NewCAL site would disrupt parking in this lot for months at least. It would also lead to a total reduction of parking after completion of the project.

Q: How much parking could you get on Lyman Street? We still need to solve employee parking.

A: There is enough space in the area from the MWRA parcel to create parallel parking. Newton Centre has much potential, but lots of change at once may not be great for it.

Q: What is the relative cost of building new compared to retaining the existing senior center building? When floors would not match up between the old construction and the new construction it does not seem worth keeping.

A: Keeping the existing building would cost about \$2-3 million. This cost would come from the complications of the different floor grades between the existing building and new construction.

Q: When this process started, wasn't there a consensus that the current site of the senior center would not work, what changed?

A: The size of the gym was reduced, and outdoor green space changed, and onsite parking changed as well. When the project was first developed, it called for 75 parking spaces. Shrinking the gym and making compromises with green space has allowed the tightening of the building footprint.

Q: Is underground parking feasible?

A: No, this is cost prohibitive. Above-ground parking garages are possible but present plenty of their own challenges.

Q: Has there been discussion to purchase the private properties adjacent to the Newtonville site in order to increase the building footprint? Friendly property acquisitions could make for an overall better project.

A: No, there are no plans nor discussions about this. There is enough information to determine the preferred site and see what other compromises are or are not necessary.

The Public Facilities Committee adjourned at 8:21 PM.

Referred to Programs & Services and Finance Committees

#156-20

Request for comparison of dog license fines

COUNCILOR ALBRIGHT requesting a comparison of Newton's fine for failure to license a dog to other communities. In addition, requesting an increase in the fine for failure to license a dog.

Programs & Services Held 7-0

Referred to Programs & Services and Finance Committees

#157-20

Request for review and changes to off-leash dog ordinance

COUNCILOR ALBRIGHT requesting a review and possible changes to the off-leash dog ordinance to include:

a) raising fees required by dog walking companies in order to better maintain sites heavily used by dog walkers; and

b) requiring background checks on dog walkers to assure safety of dog owners and dogs; and

c) requesting the development of regulations for dog walking and dog daycare companies to assure appropriate care for dogs.

Programs & Services Held 7-0

Referred to Programs & Services and Finance Committees

#295-20

Request for an amendment to the Newton dog ordinances

COUNCILORS ALBRIGHT, BAKER, KALIS, MALAKIE, MARKIEWICZ, DOWNS, NORTON, AND HUMPHREY requesting amendment of the relevant Newton ordinances relating

to care and custody of dogs in public spaces, including licensing, leashing, paying for off-leash privileges in certain parks, and cleaning up, so as to allow staff involved in the supervision of Newton's parks and conservation areas to enforce those ordinances or regulations, including issuing non-criminal citations pursuant to G.L. c. 40, Sec. 21D, in addition to the enforcement provided by the Newton police.

Programs & Services Held 7-0

#295-20(A)

Programs and Services divided the item to create #295-20(A) to revise the ordinance language to extend off-leash enforcement to the Commissioner of Parks, Recreation & Culture, or their designee.

Programs & Services Approved #295-20(A) 7-0

Programs & Services Held #295-20(B) 7-0

Notes: Items #156-20, #157-20, and #295-20 were discussed and voted on simultaneously.

Councilor Albright introduced these items, saying that the need for them was identified through meetings with the Off-Leash Dog Task Force. The Committee was joined on these items by Nicole

Banks, Marie Lawlor, Carol Stapleton, George McMains, and Lisa Mikoleit, along with members of the Off-Leash Dog Commission. Ms. Banks said that Parks, Recreation and Culture (PRC) was going to meet with the Police Department to coordinate initiatives for better enforcement of dog ordinances in the park areas. PRC currently has a specialist who works in conjunction with the animal control officer.

Officer Mikoleit, the off-leash dog officer, explained that proper and accessible dog licenses and rabies medals are critical when addressing a dog attack. When dogs are properly licensed, it can quickly be determined whether rabies treatment is needed or not. Failure to license delays this process. Officer Mikoleit said that there needs to be a better licensing process for professional dog walkers as often they do not have the certificates or medallions for the dogs on hand.

It was explained that part of the enforcement problem is that due to an oversight in the ordinance language, PRC has no enforcement ability on its own. Ms. Lawlor suggested that an addition to the language extending off-leash enforcement to the PRC Commissioner or "their designee" could fix some of this problem in the short-term. Currently, there is one officer dedicated to dog enforcement all year-round and during the summer two officers enforce full time. However, Lieutenant McMains added that off-leash enforcement is a part of the City's collective bargaining agreement with the police union. Off-leash dog enforcement would need to be bargained out of the agreement in order to get police out of enforcement on this matter. Otherwise, it could allow the Newton Patrolman's Association to file a grievance against the City.

Committee Discussion:

The Committee supported fixing the ordinance to allow PRC to have a greater ability to enforce the off-leash dog ordinances. There was agreement that this short-term solution should edit the language as suggested by Ms. Lawlor to allow the PRC Commissioner or their designee to be able to enforce the ordinances. It was also said that PRC and the Police Department should continue to coordinate and discuss how best to coordinate these solutions.

The Committee also discussed the long-term situation of the ordinance. It was said that it would be a good idea to increase permitting of professional dog walking companies. One suggestion offered was to use a model of automatic licensing bills similar to car excise bills. This would help residents keep up to date with their dog licenses and other registrations. Ms. Banks responded that twice a year, license requirements are already mailed out to dog owners. However, there are no fines for failure to license a dog. Raising the fine for this could help to incentivize residents to keep up to date on their dog licenses. The Committee also said that for long-term improvement, the police union will need to improve its collaboration with the PRC.

One specific area cited for long-term improvement was Hunnewell Park. The Committee said that this is one of the worst examples of off-leash dog ordinance violations in Newton. Currently, it is unusable for anything other than an off-leash dog park. Hunnewell is also in poor condition overall. Another area for improvement the Committee identified was understanding of the rules. They said that if the ordinances were more easily understood, then it would improve the situation

for all parties involved. An affirmation of understanding from the dog owner would help make this possible. It was also said that unarmed rangers have proven effective on controlling dogs in other areas of the state.

Off-Leash Dog Commission member Mary-Lee Bellville shared some of her own research with the Committee. She said that in Newton, only 26 percent of dogs are properly licensed, and this includes off-leash licenses. The problems associated with the failure to license dogs extend not only to City parks but to trail areas as well.

It was suggested to create a parenthesis item for the fix to the ordinance to allow the PRC Commissioner or their designee. This will serve as a short-term measure until the larger issues identified are addressed.

Councilor Baker motioned to create #295-20(1) to amend the ordinances with the languages suggested by Ms. Lawlor.

The Committee held a voice vote to approve #295-20(1) which carried 7-0 and also voted to hold items #156-20, #157-20, and #295-20.

#185-20 Request for a discussion on farm structure maintenance responsibility

COUNCILORS RYAN, LIPOF, AND KALIS requesting a discussion to understand responsibility for large and small maintenance projects of the Newton farm structures.

Programs & Services No Action Necessary 7-0

Notes: Councilor Lipof introduced this item and explained that the Farmer's Home in the Newton Farm is in a state of disrepair. He and Councilors Ryan and Kalis met with the Farm Commission and docketed this item to discuss the related maintenance issues of the Farm. Its operating expenses are covered from its own revenue and not city funding. However, the Farm will need to apply for CPA funding in order to make the necessary repairs. Since the Newton Farm has all the information it needs to apply for this funding, it was suggested to vote No Action Necessary on this item.

Councilor Humphrey moved No Action Necessary which carried 7-0.

#49-20 Request for update on leaf blower ordinance compliance

COUNCILORS BAKER, LEARY, RYAN, AND HUMPHREY requesting update from the Executive Department on compliance with Newton's leaf blower ordinance and discussion of possible revisions to the ordinance's enforcement provisions to improve compliance.

Action: Programs & Services Held 7-0

Notes: The Committee reviewed the Newton leaf blower ordinance which controls the times of year and day that leaf blowers are permitted, as well as the types of leaf blowers which may be used. They also discussed the enforcement issues which prompted docketing of this item. Lieutenant McMains joined the Committee on this item. The first violation of the ordinance leads to a warning. Subsequent violations lead to fines. Since January, there have been 101 calls about leaf blowers, 1 citation, 12 verbal warnings, 3 landscapers found in compliance, 13 found not in compliance, and 43 gone by the time of police arrival. Parking officers currently drive around the City in search of leaf blower violations.

Committee Discussion:

The Committee identified multiple problems with enforcement of the current ordinance which all are rooted in its focus on the leaf blower operator. These problems include language barriers, lack of IDs, or the departure of the company by the time officers arrive. There is also no way for the City to keep track of the landscaping companies' leaf blower violations. The Committee identified problems with the system of fines considering the low wages of most of the operators. The Committee also said that another challenge of the ordinance is that it is too complicated. If it were simplified, it would be easier to both enforce and understand it.

The Committee said that responsibility should be shifted away from the landscapers to the homeowners and the landscaping companies. Property owners in condo associations would also be held accountable. Some Committee members reasoned that this could be feasible as a homeowner who can afford regular landscaping services should easily be able to afford the fine. Others cautioned that there are exceptions to this such as with elderly residents. It was also suggested to remove the warning in favor of a fine for the first offense which can be appealed. The Committee discussed studying Brookline's leaf blower ordinance as a comparison for how to improve its own. In Brookline the DPW works with the Police on leaf blower enforcement. More education about the ordinance needs to be provided to the public to improve both compliance and enforcement. This would be in addition to the letters already sent out to homes which were issued citations and the reminders in the Mayor's update. The Committee also discussed submitting these recommendations to the new Police Citizens Oversight Committee.

It was asked why there was such an issue keeping track of the citations of landscaping companies when their trucks are clearly marked and if the ordinance requires letters to be sent to the homeowner. The answer was that there is not an effective system in place to track these citations. Additionally, the current ordinance does not give police the ability to ticket the landscaping companies, only the leaf blower operators.

The Committee held multiple straw votes to help guide Ms. Lawlor in drafting the amendment language. Each straw votes and the Committee votes are recorded below:

Who should be responsible for enforcement, police or some other body? The Committee generally felt that another department/agency should enforce.

Did the Committee want to see options/information related to requiring the licensing or registration of lawn companies with the city? Five Committee members said yes.

Did the Committee want to see language requiring that leaf blower devices be registered with the city? Four Committee members said yes.

Councilor Baker motioned to hold the item which carried 7-0.

The meeting adjourned at 10:46 PM.

Respectfully Submitted,

Josh Krintzman, Chair

CITY OF NEWTON

Joint Meeting of Public Facilities and Programs & Services

June 17, 2020



Owner



Owner's Project Manager



Bargmann Hendrie+ Archetype, Inc.

Architect

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PART 1. Newtonville Site

The three test fits are as follows:

Option 1: Retain Existing Building with an Addition to the rear

Option 2: New three-story building

Option 3: New four-story building



SITE
345 Walnut St.

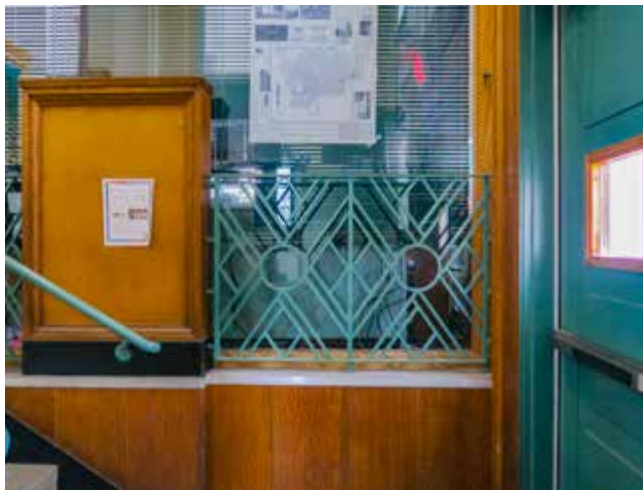




The original cross section drawing of the Library showing the raised main floor level 5 feet above outside grade



The outside stairs take you up three feet to a landing



Then, inside stairs take you up the final two feet to the main floor level.

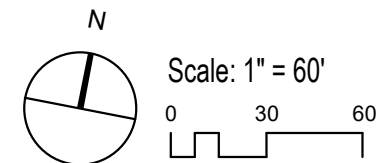


One or both of the basement level wings would retain their windows in the proposed concepts that do not cover the front façade of the existing building. This could be secondary use space assuming that the elevator is brought to this level.

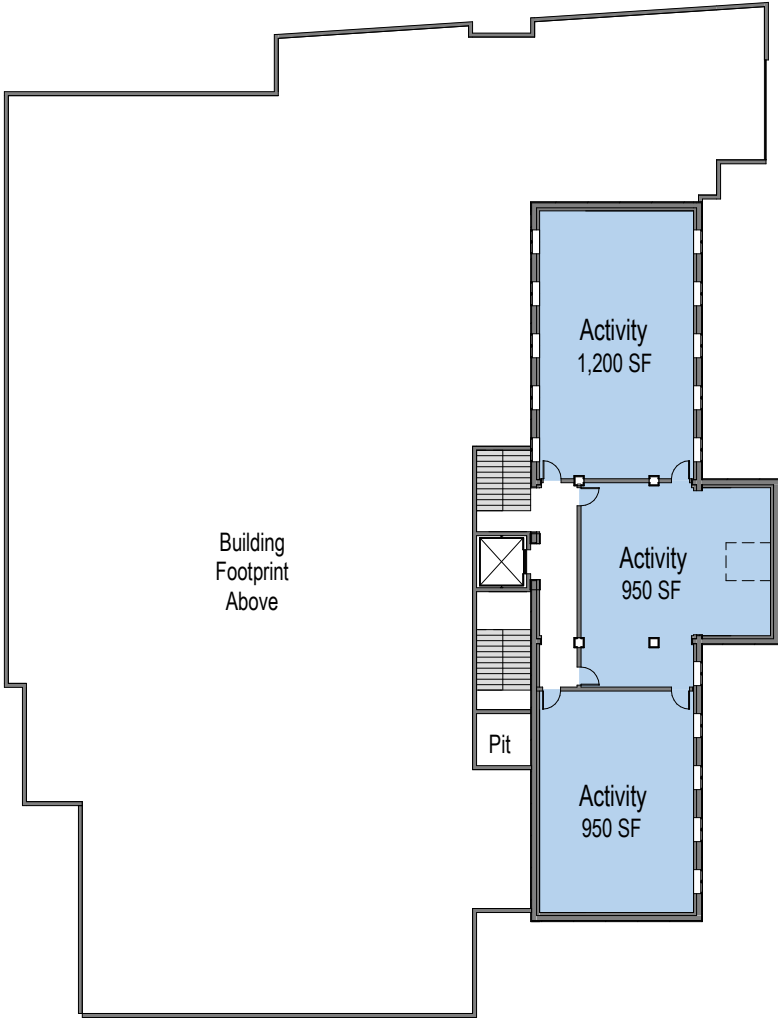
Newtonville Option 1: Retain Existing Building



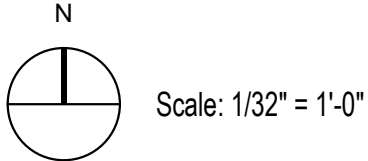
Site Plan: 33,000 sf building



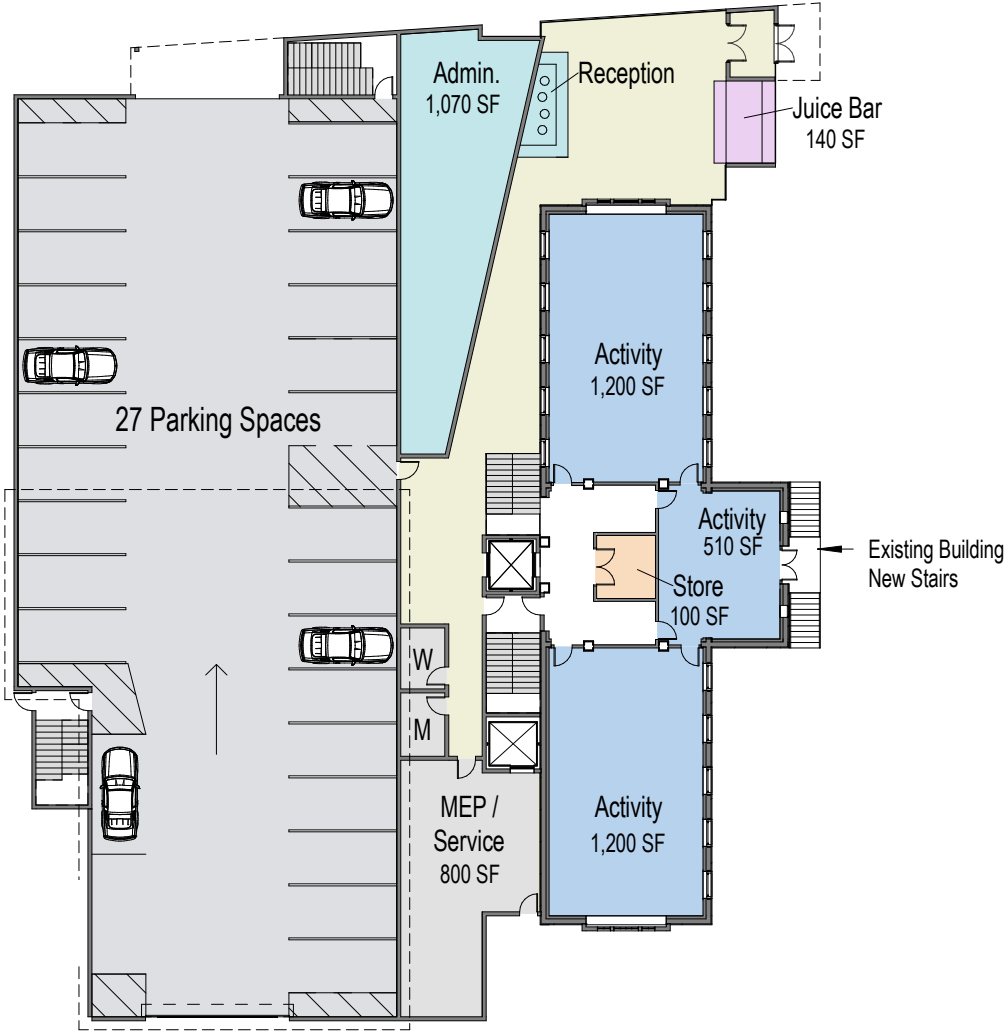
Newtonville Option 1: Retain Existing Building



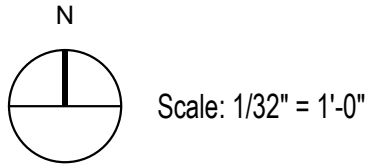
Basement Plan: 4,000 sf



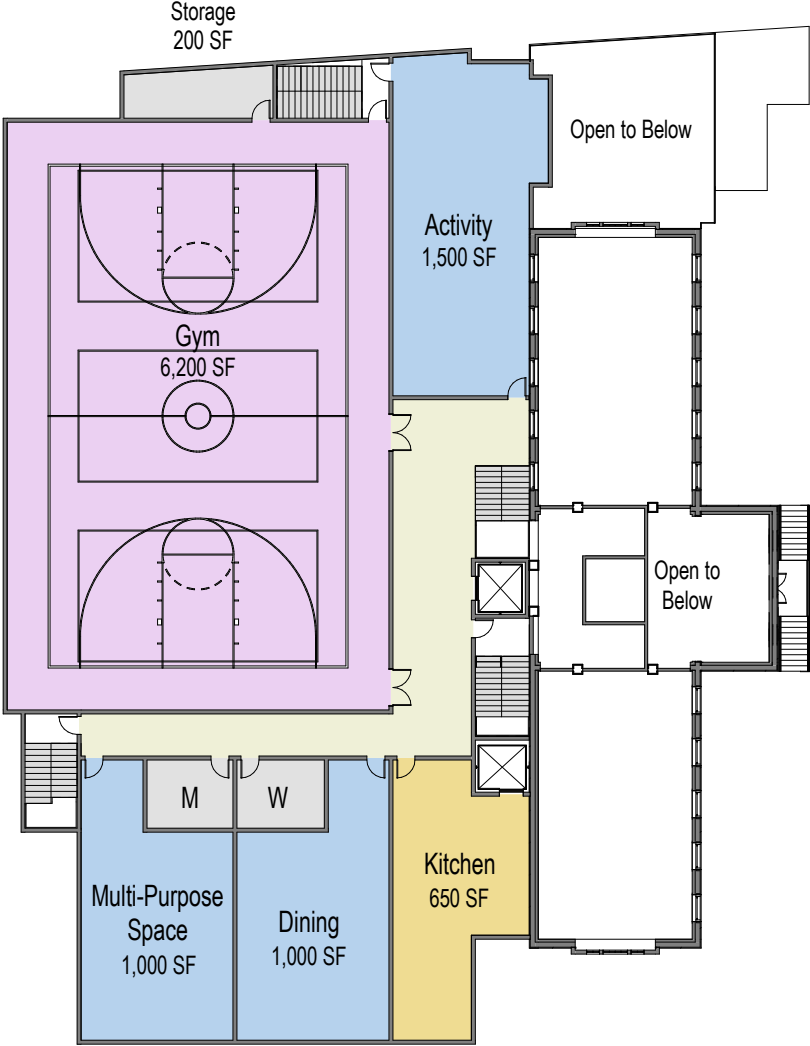
Newtonville Option 1: Retain Existing Building



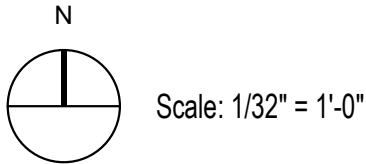
First Floor Plan: 8,000 sf
Garage Area: 9,000 sf



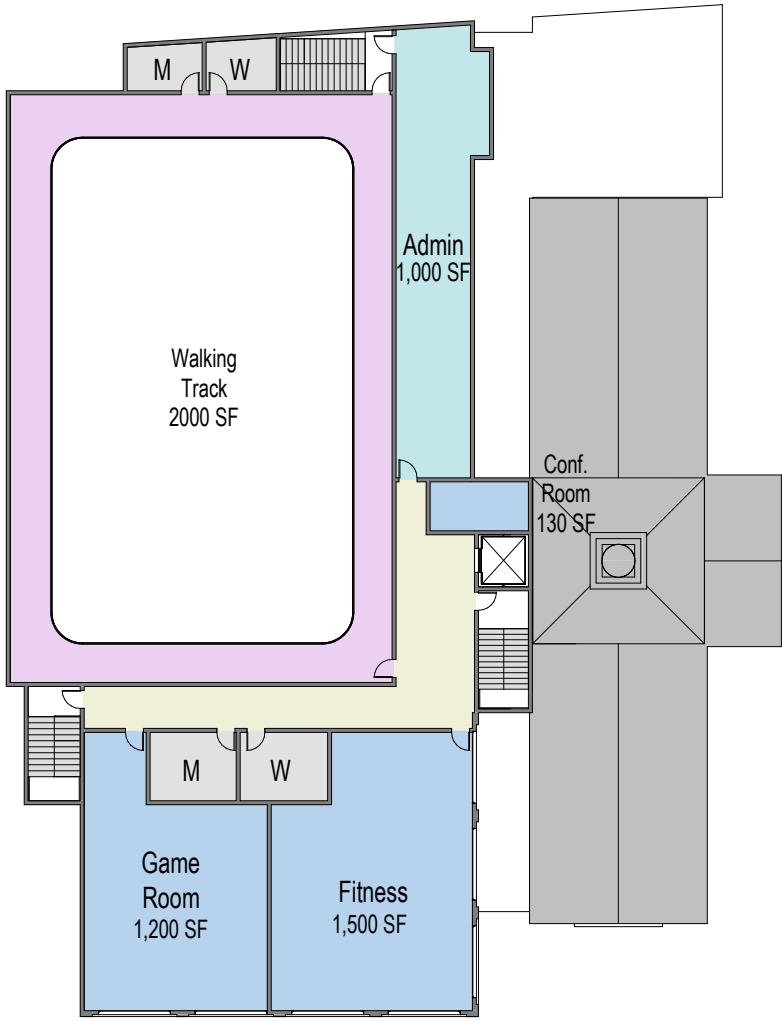
Newtonville Option 1: Retain Existing Building



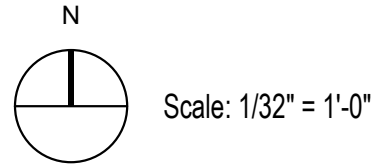
Second Floor Plan: 13,000 sf



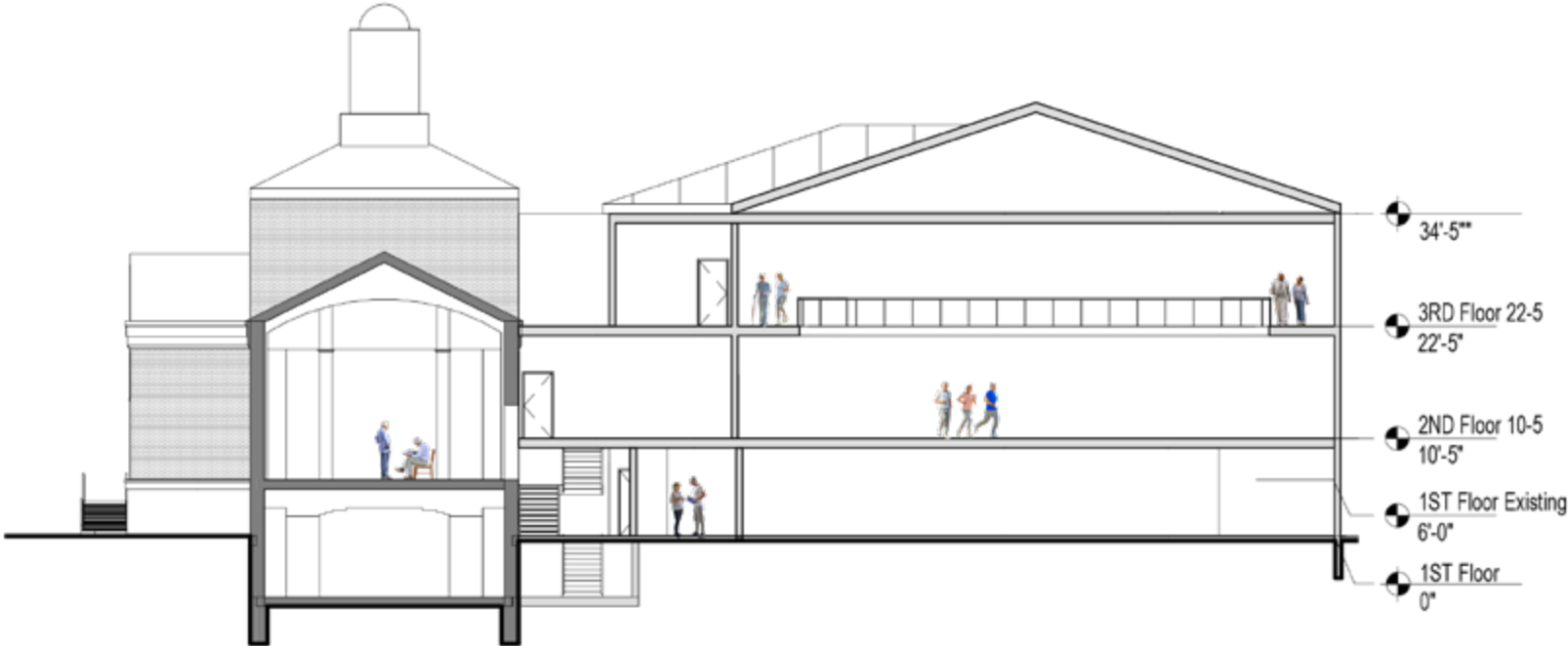
Newtonville Option 1: Retain Existing Building



Third Floor Plan: 8,000 sf



Newtonville Option 1: Retain Existing Building



Building Section

Scale: 1" = 20'-0"

Newtonville Option 1: Retain Existing Building



Street View from Northeast



Newtonville Option 1: Retain Existing Building



Aerial View from Northeast



Newtonville Option 1



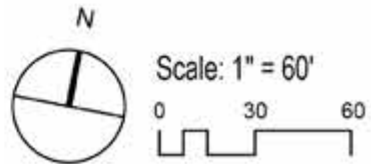
Street View from Southeast



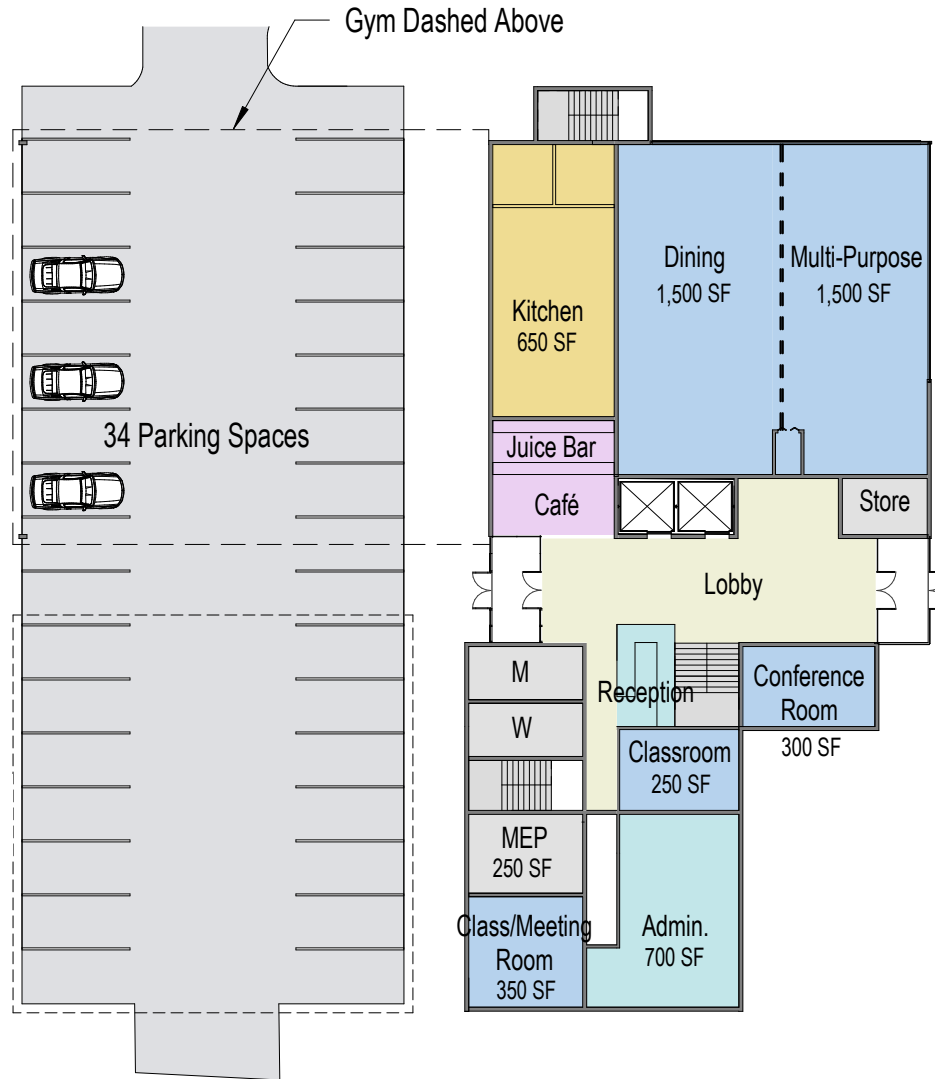
Newtonville Option 2



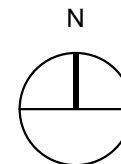
Site Plan: 33,000 sf



Newtonville Option 2

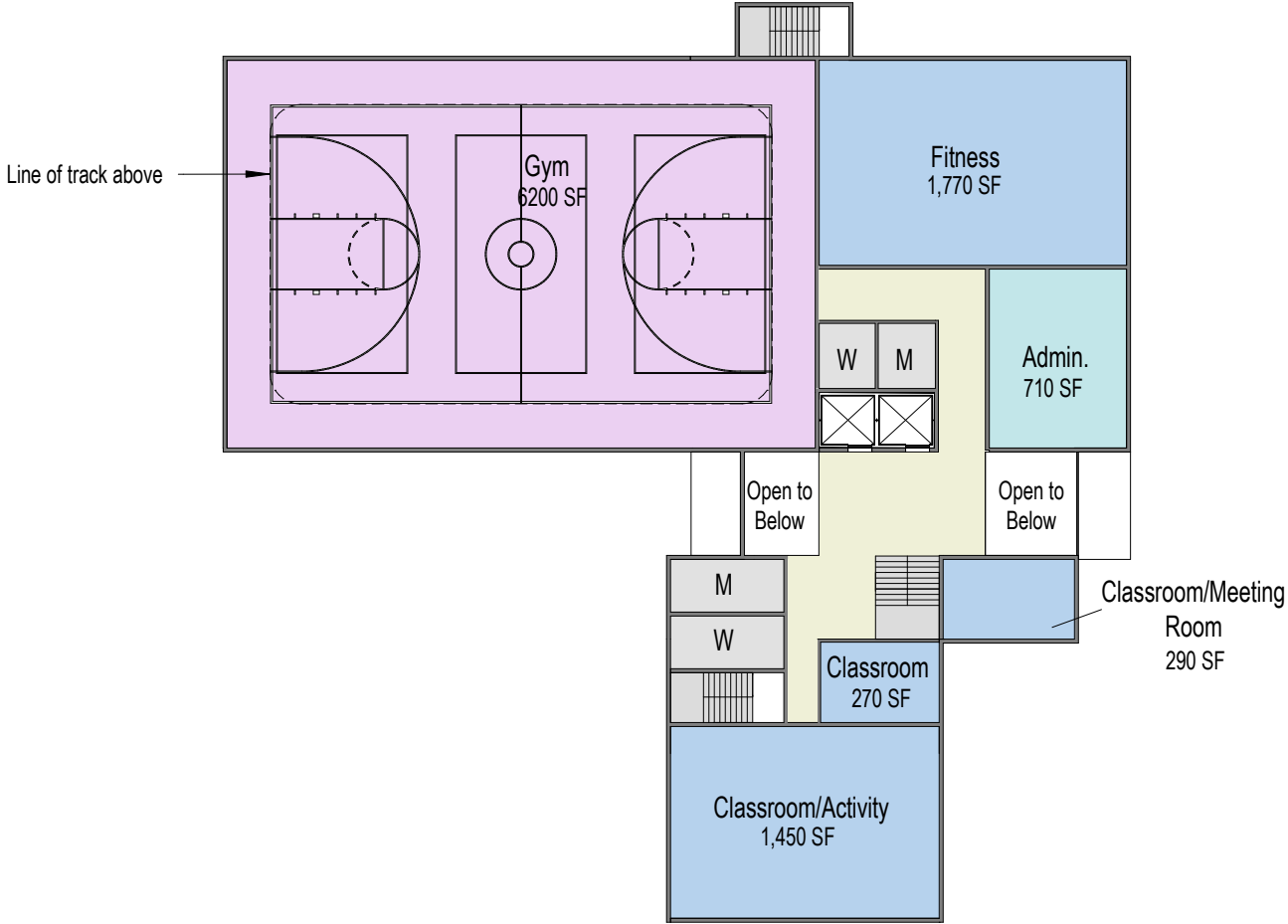


First Floor Plan: 9,000 sf

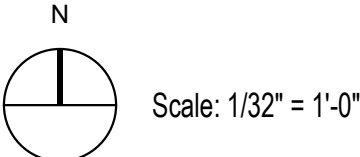


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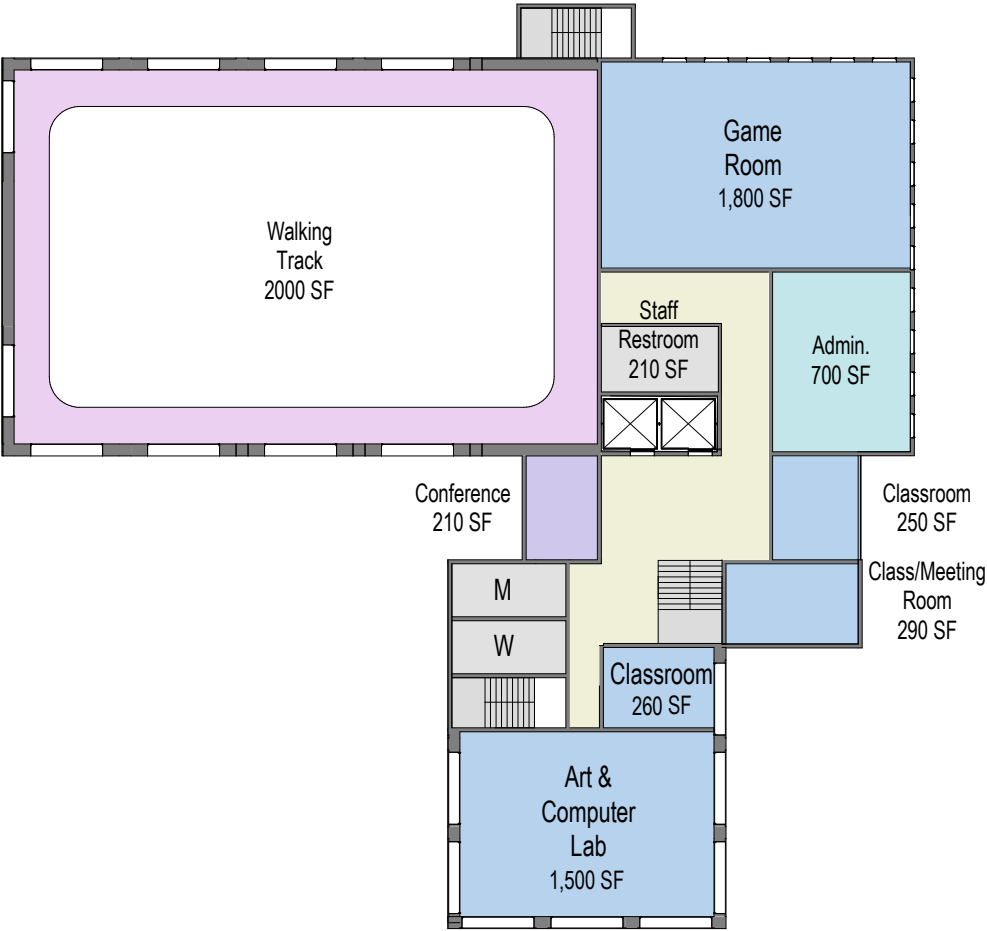
Newtonville Option 2



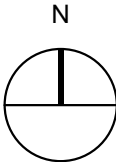
Second Floor Plan: 14,000 sf



Newtonville Option 2



Third Floor Plan: 10,000 sf



Scale: 1/32" = 1'-0"

Newtonville Option 2



Aerial View from Northeast



Newtonville Option 2



Street View from Northeast



Newtonville Option 2



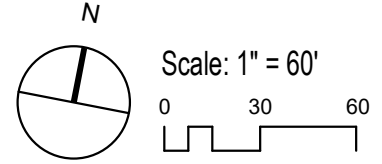
Street View from Southeast



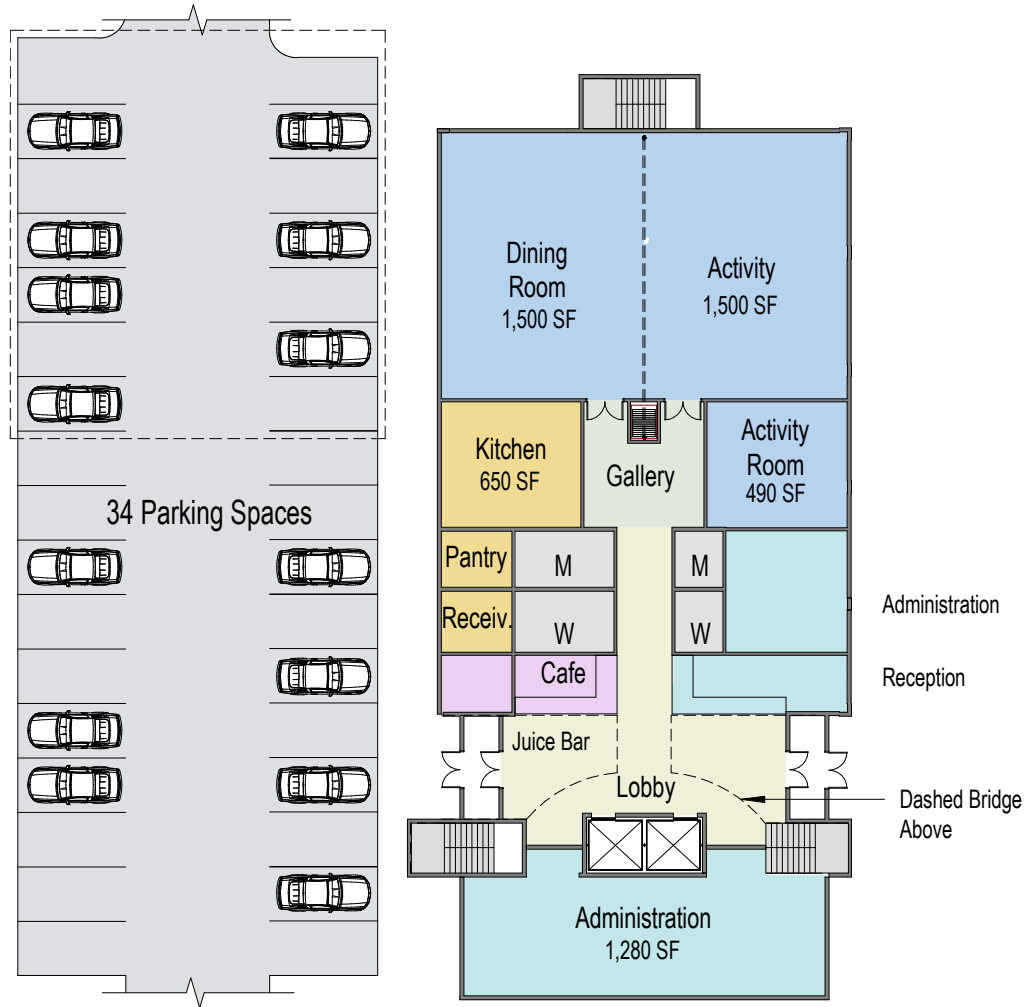
Newtonville Option 3



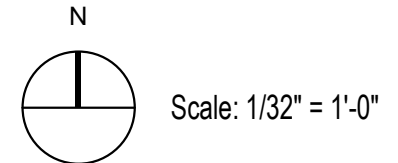
Site Plan: 33,000 sf



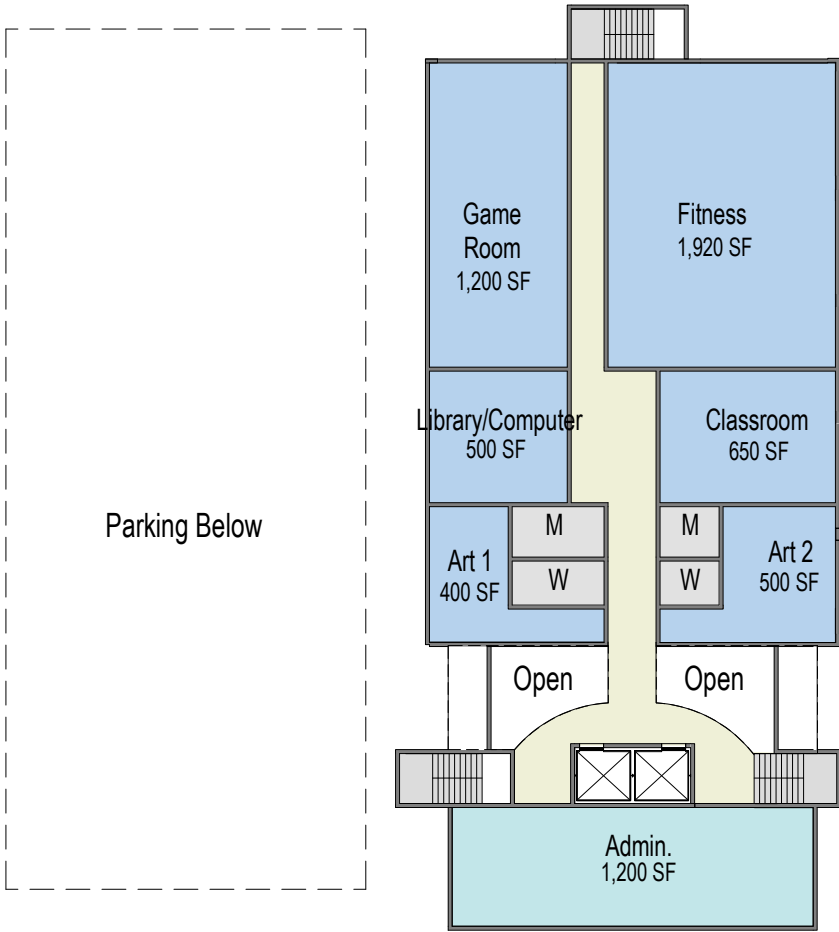
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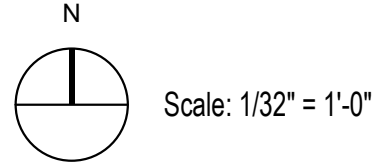
First Floor Plan: 10,000 sf



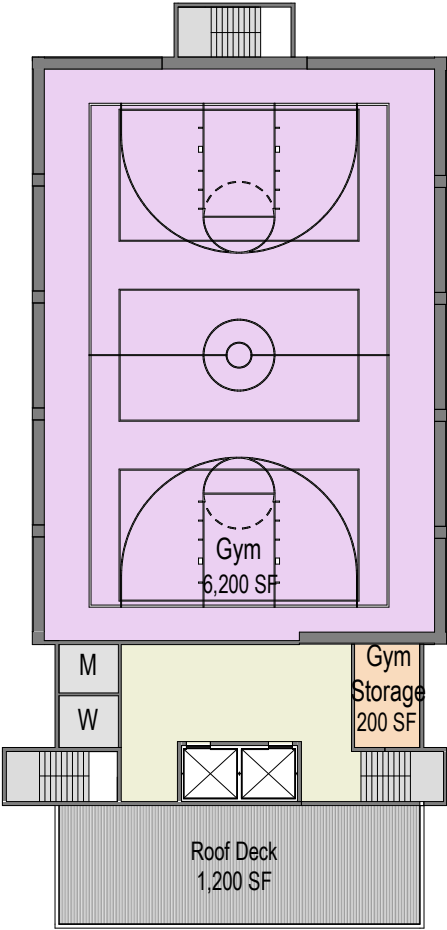
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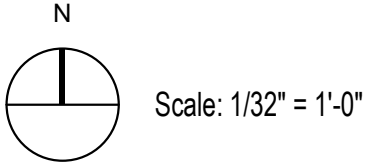
Second Floor Plan: 10,000 sf



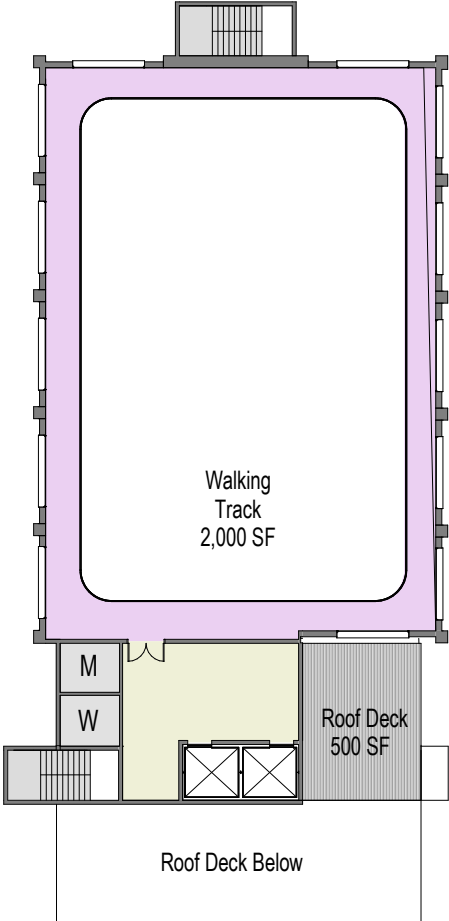
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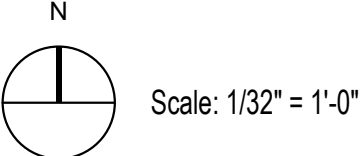
Third Floor Plan: 9,000 sf



Newtonville Option 3



Fourth Floor Plan: 4,000 sf



Newtonville Option 3



Aerial View from Northeast



Newtonville Option 3



Street View from Northeast



Newtonville Option 3



Street View from Southeast

PART 2. Newton Centre Triangle

The three test fits are as follows:

Option 1: New two-story building

Option 2: New three-story building with parking below a portion of the building

Option 3: New four-story building



SITE: Newton Centre
Triangle Parking Lot



EXISTING PARKING SPACES: 152

Google Earth

Image Landsat / Copernicus
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image IBCAO
© 2023 U.S. Geological Survey

200 ft



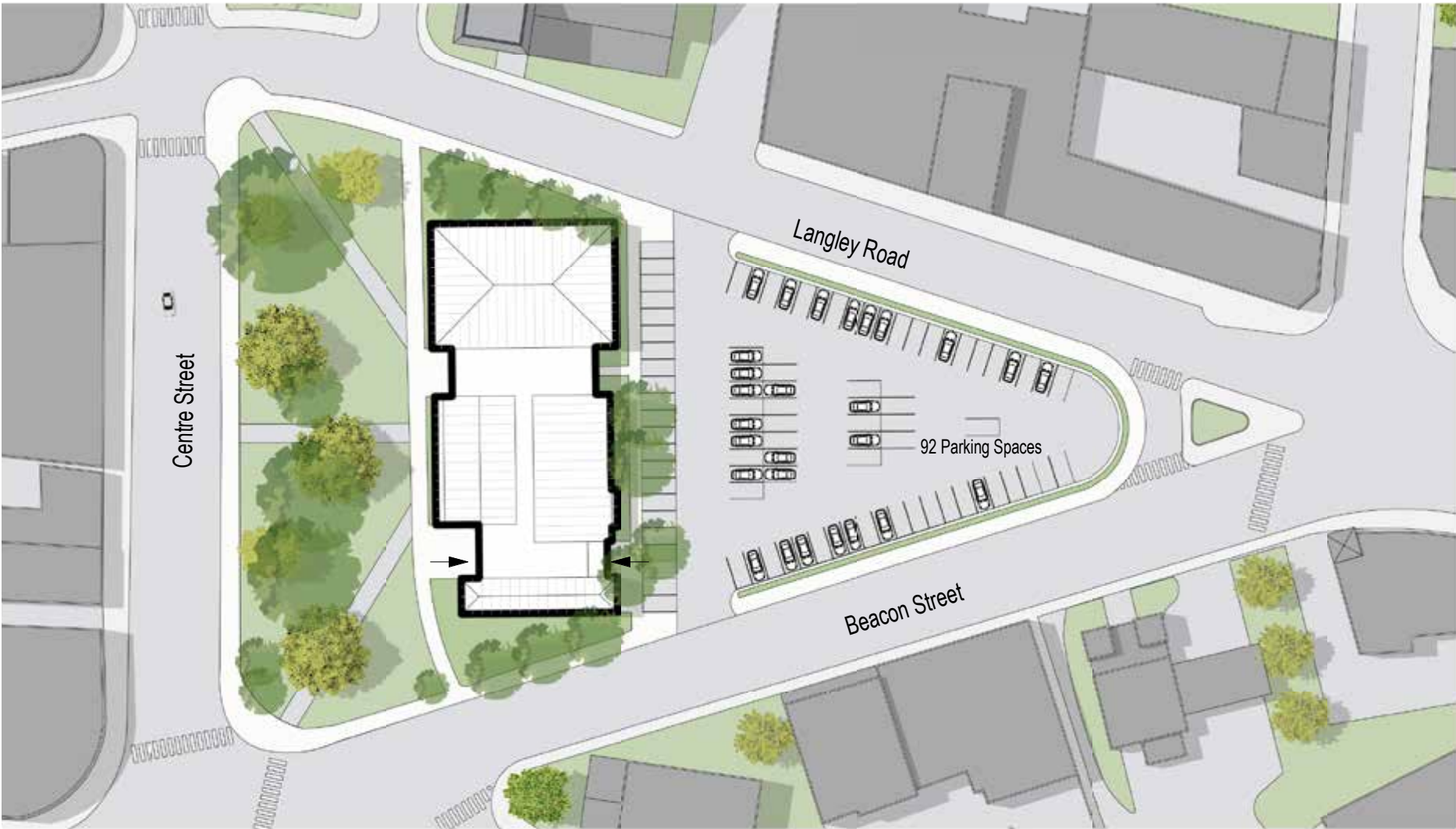
Newton Centre Triangle



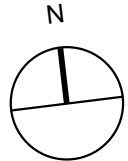
Newton Centre Triangle



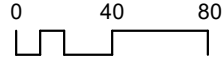
Newton Centre Triangle Option 1



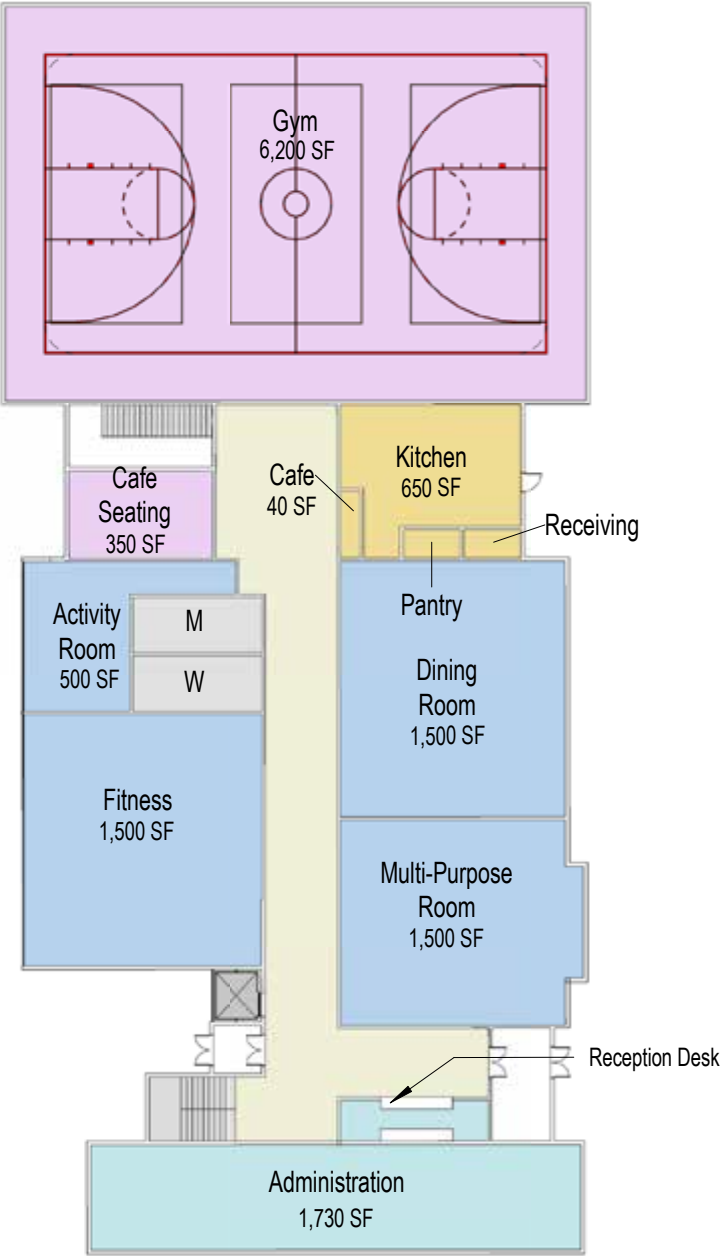
Site Plan: 33,000 sf



Scale: 1" = 80'

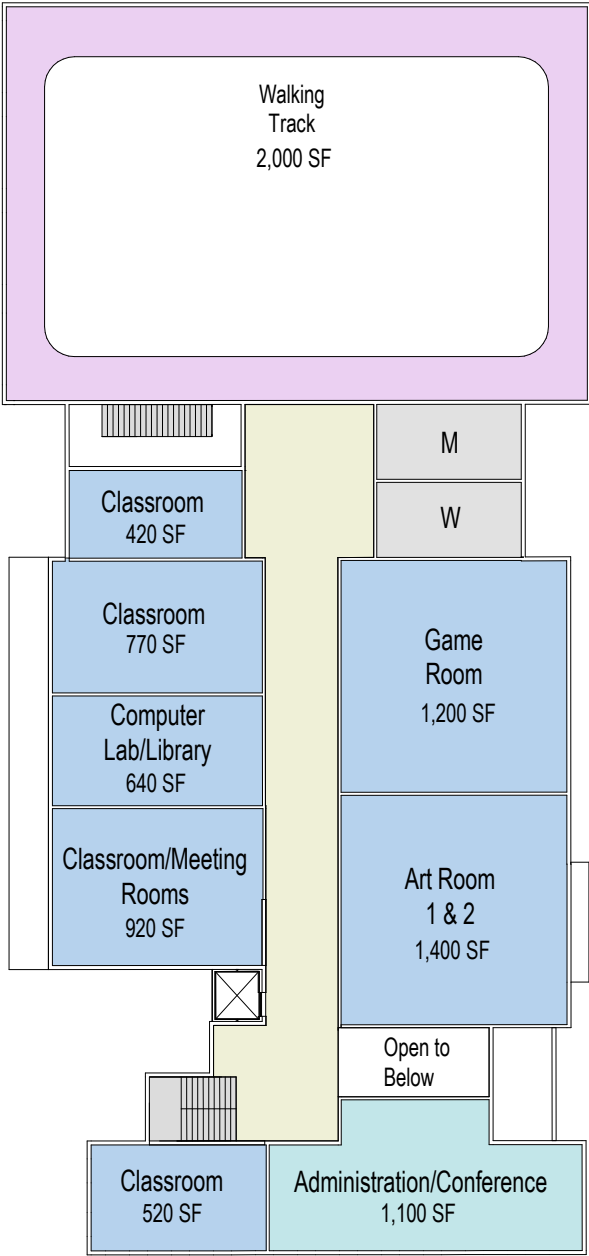


Newton Centre Triangle Option 1

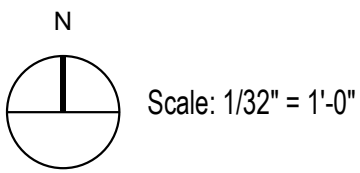


First Floor Plan: 19,000 sf

Newton Centre Triangle Option 1



Second Floor Plan: 14,000 sf



Newton Centre Triangle Option 1



Aerial View from Southwest

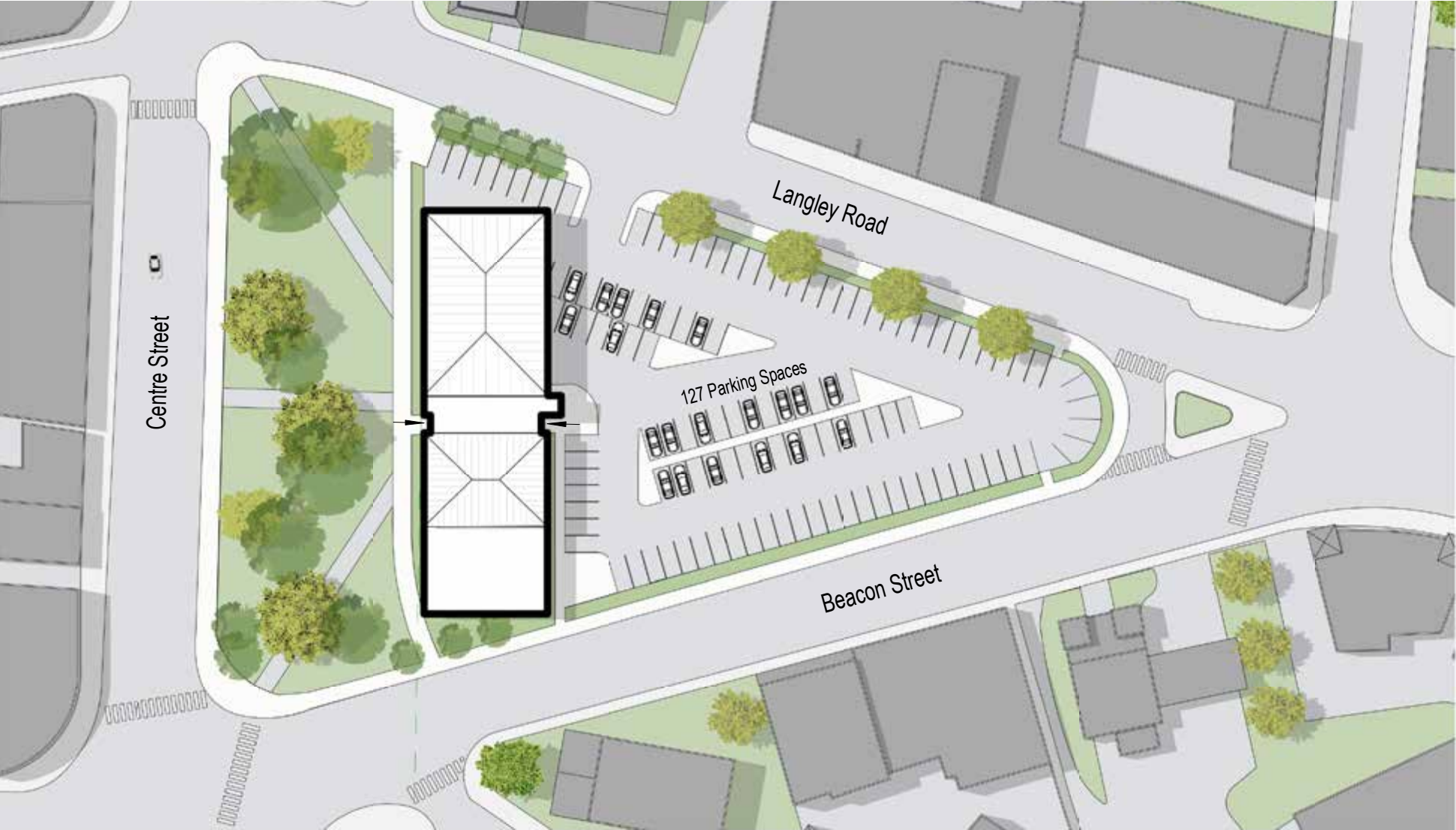


Newton Centre Triangle Option 1

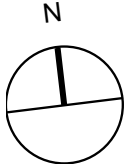


Street View from Southwest

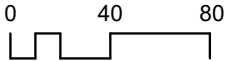
Newton Centre Triangle Option 2



Site Plan: 33,000 sf



Scale: 1" = 80'

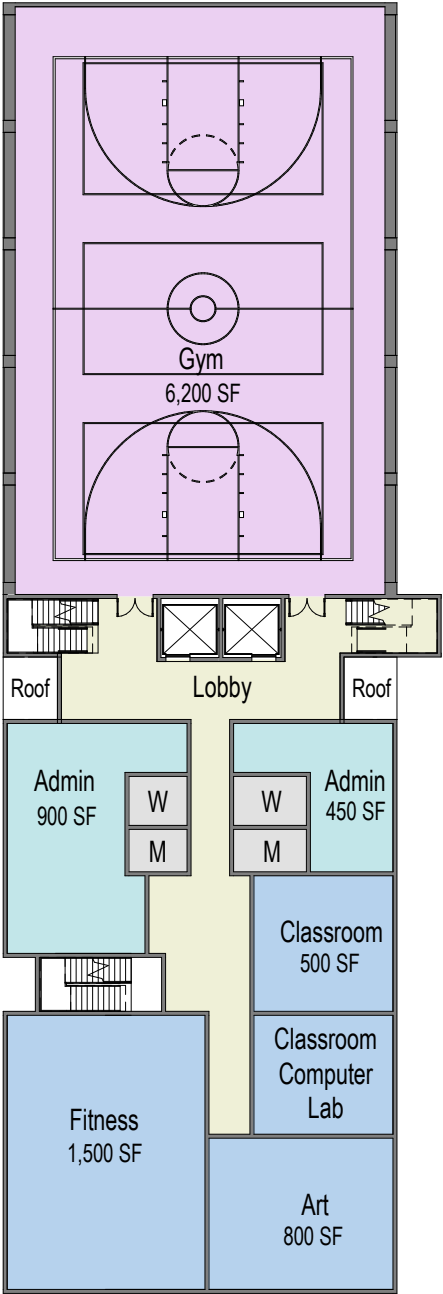


Newton Centre Triangle Option 2

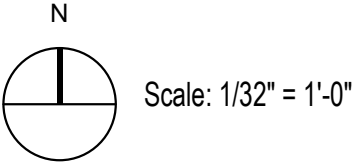


First Floor Plan: 8,000 sf

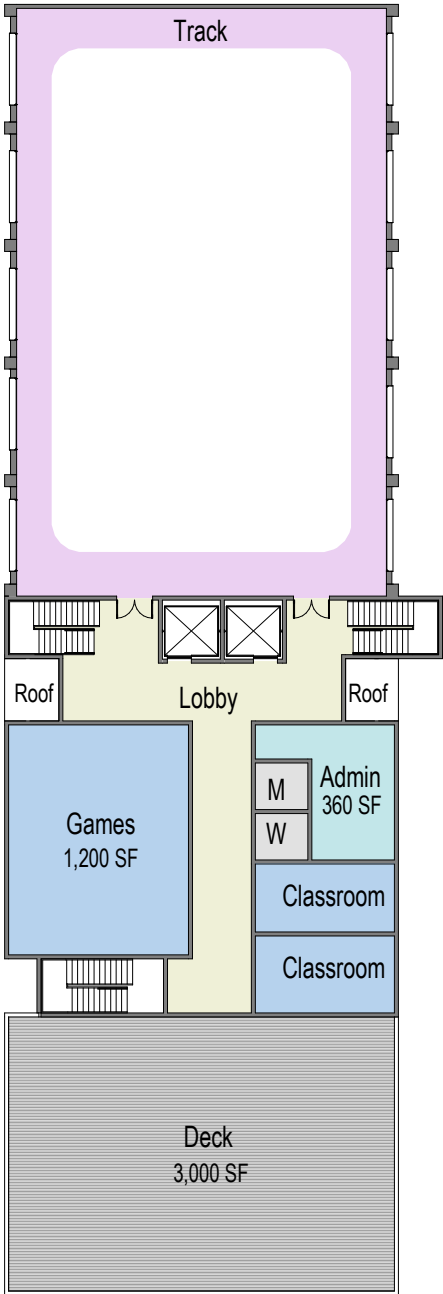
Newton Centre Triangle Option 2



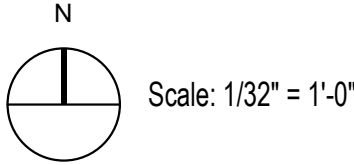
Second Floor Plan: 11,000 sf



Newton Centre Triangle Option 2



Third Floor Plan: 10,000 sf



Newton Centre Triangle Option 2



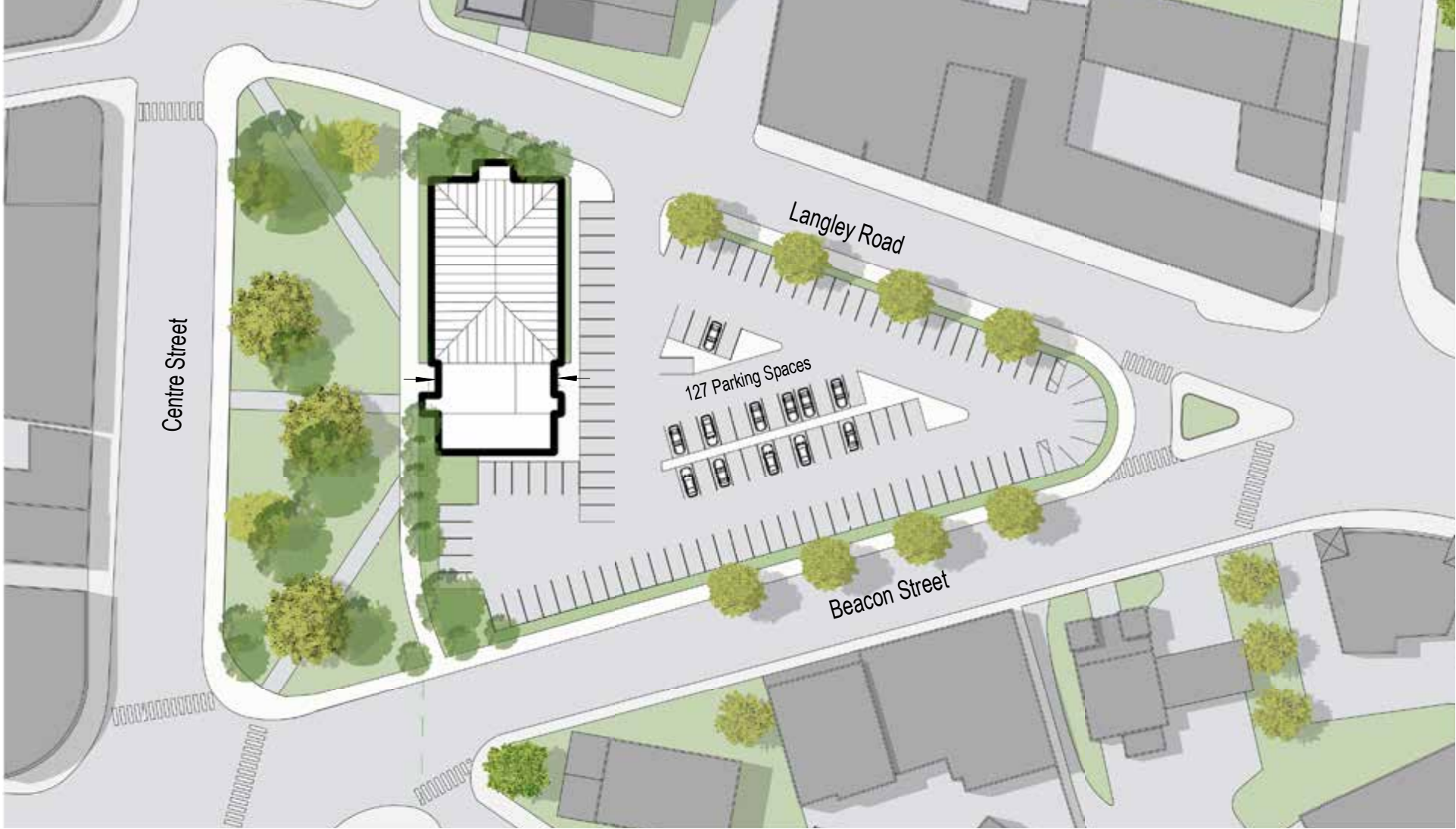
Aerial View from Southwest

Newton Centre Triangle Option 2

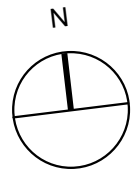


Street View from Southwest

Newton Centre Triangle Option 3

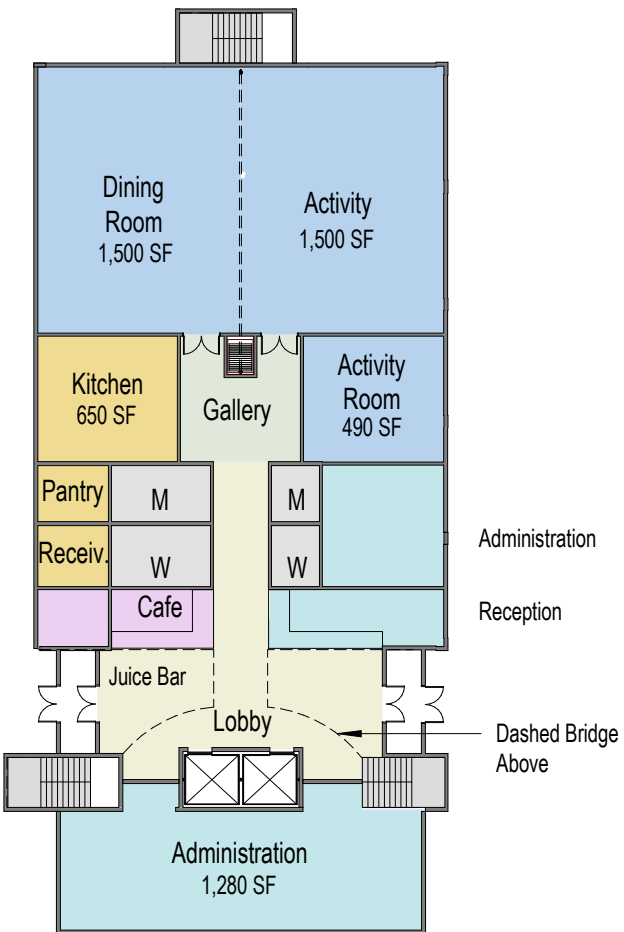


Site Plan

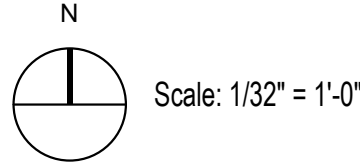


Scale: 1" = 80'
0 40 80

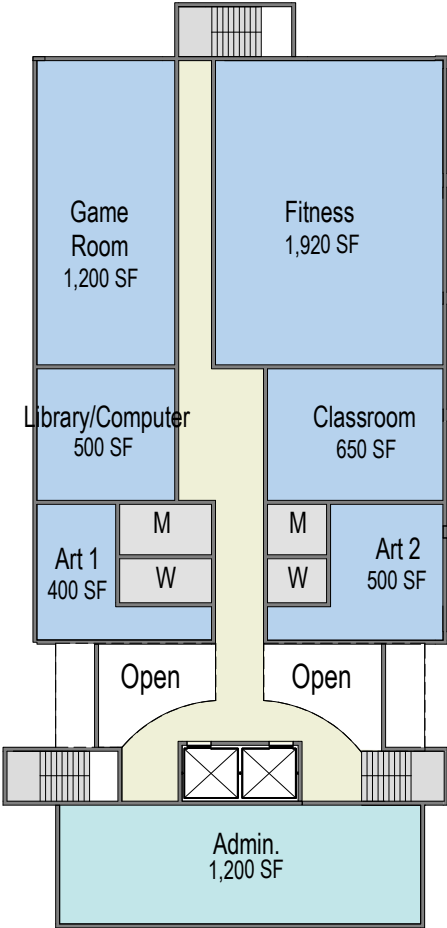
Newton Centre Triangle Option 3



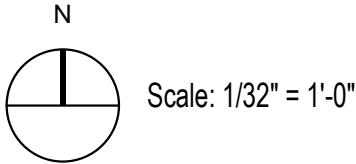
First Floor Plan: 10,000 sf



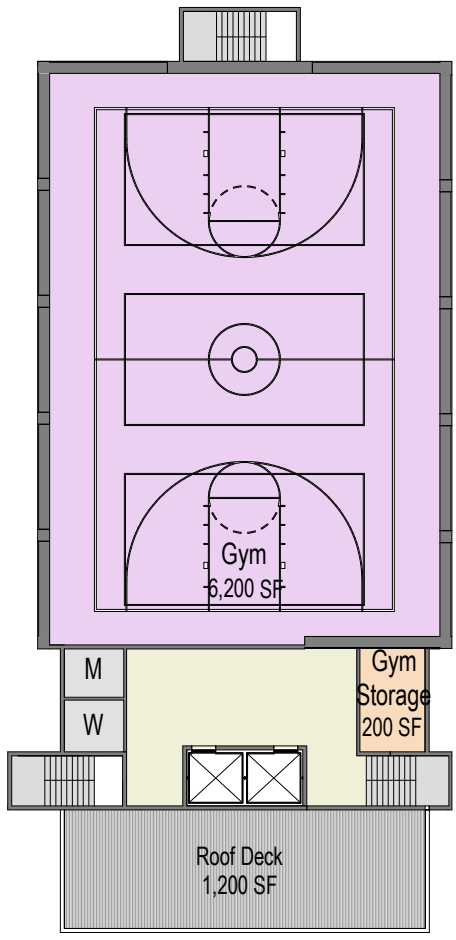
Newton Centre Triangle Option 3



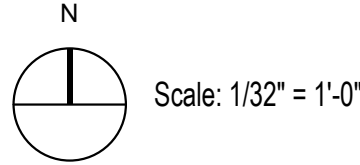
Second Floor Plan: 10,000 sf



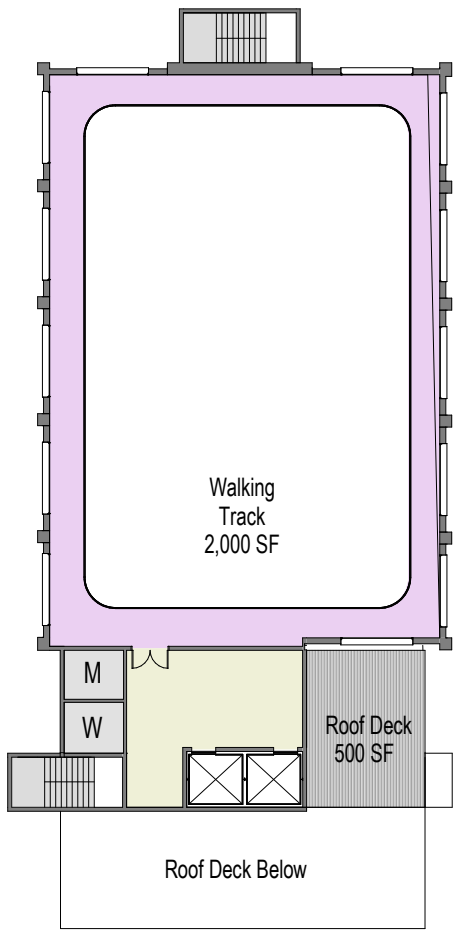
Newton Centre Triangle Option 3



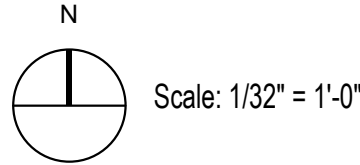
Third Floor Plan: 9,000 sf



Newton Centre Triangle Option 3



Fourth Floor Plan: 4,000 sf



Newton Centre Triangle Option 3



Aerial View from Southwest



Newton Centre Triangle Option 3



Street View from Southwest



Site Option Statistics

	345 Walnut Street, Newtonville			Newton Centre Triangle		
	Option 1 new & existing	Option 2 new 3-story	Option 3 new 4 story	Option 1 new 2 story	Option 2 new 3-story	Option 3 new 4-story
NewCAL Building Area* ¹ (square feet)	33,000	33,000	33,000	33,000	33,000	33,000
Floor Levels	5* ²	3	4	2	3	4
Available Roof Deck Area (square feet)	none	none	1,700	none	2,700	1,700
Current Parking at Walnut Street lot	13					
Proposed Parking Spaces in NewCAL lot	26	34	34			
Increase in Parking Spaces	13	21	21			
Revised Parking as a percent of Current	200%	262%	262%			
Number of covered parking spaces	27	14	0	0	8	0
Area of Coverd Parking (square feet)	9,200	4,200	none	none	6,500	none
Current Parking in Newton Triangle Lot				152		
Revised Parking in Newton Triangle Lot* ³				92	127	127
Decrease in Parking Spaces				-60	-25	-26
Revised Parking as a percent of Current				61%	84%	83%
Number of covered parking spaces	27	14	0	0	8	0
Area of Coverd Parking (square feet)	9,200	4,200	none	none	6,500	none

Note:

- 1) Building area includes all enclosed program area but not the covered parking
- 2) The existing building is at half level relationship to grade creating 5 different levels although the highest floor is 3 levels above grade
- 3) Parking for Newton Centre site reflects parking in entire lot

Newtonville



Option 1



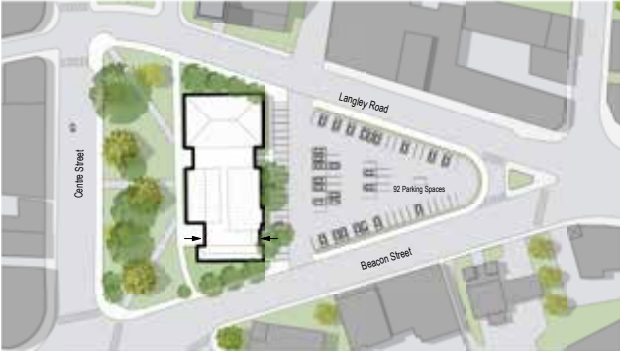
Option 2



Option 3



Newton Centre Triangle



Option 1



Option 2



Option 3



<https://newcal.projects.nv5.com/>

Thoughts, comments and/or questions, can be submitted:

by email newcal@newtonma.gov

or directly from <https://newcal.projects.nv5.com/contact/>



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bhplus.com

Nathan Giacalone

From: Marie M. Lawlor
Sent: Thursday, June 25, 2020 9:37 AM
To: Nathan Giacalone
Cc: Joshua Krintzman; Lisle Baker
Subject: #295-20 (1) language
Attachments: Draft 295-20 (1).docx

Good Morning Nathan,

Attached is redlined language for #295-20 (1) as approved in Programs & Services last night. Please let me know if you have any questions.

Thanks,
Marie

6/25/20
295-20 (1) DRAFT

e) DEPARTMENT OF PARKS, RECREATION AND CULTURE:

The commissioner of parks, recreation and culture or designee shall be authorized to issue written notice of the following violations:

..... FINE

Sec. 3-30. Dogs Off-Leash Program

() Any offense \$50.00