



Land Use Committee Report

City of Newton In City Council

Tuesday, October 13, 2020

Present: Councilors Lipof (Chair), Kelley, Greenberg, Markiewicz, Downs, Bowman, Laredo, Wright and Ryan

City Staff Present: Chief Planner Neil Cronin, Associate City Solicitor Jonah Temple, Senior Planner Michael Gleba, Senior Planner Katie Whewell, Commissioner of Inspectional Services John Lojek

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

#10-20(2) Petition to amend Council Order #10-20 to extend nonconforming FAR at 68 Manet Rd MOHAMMED AND JOSEPHINE AREF petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct shed-roof dormers in the attic level to increase the habitable space that was approved by Special Permit #10-20, creating an FAR of .66 where .55 is allowed .53 exists and .65 was approved at 68 Manet Road, Ward 7, Chestnut Hill, on land known as Section 61 Block 12 Lot 10, containing approximately 6,300 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11, 1.5.4.G.1.b, 1.5.4.G.1.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Approved 5-0-2 (Councilors Laredo and Lipof abstaining); Public Hearing Closed 10/13/2020

Note: The petitioner, Mr. Mohammed Aref presented the request to amend Special Permit #10-20 to allow a change in the dormers approved by special permit Council Order #10-2. The petitioner proposes a change from gabled dormers to shed dormers, further exceeding the allowable FAR at the site. Mr. Aref explained that the modification will create more consistent elevations and will increase the square footage by approximately 61 sq. ft.

Senior Planner Katie Whewell presented the requested relief, criteria for consideration, land use, zoning and proposed plans as shown on the attached presentation. The Public Hearing was Opened.

Jonathan Kirshner, 62 Manet Road, expressed concern relative to the transformation of the property at 68 Manet Road into a larger rental property.

Joanne Moran, 62 Manet Road, expressed concern that the two-family house is becoming a four- or five-unit building. Ms. Moran questioned whether the attic and the basement will be subject to inspections by the City.

In response to questions from the Committee, Mr. Aref explained that it his intention to maintain two units at the property. The first-floor unit would serve as the accessory unit. Mr. Aref confirmed that the second and third floor make up one unit; the third floor is intended as space for his son. The basement space is shared space, accessory to both units.

Committee members raised concerns relative to the expansion of the project as well as a structure connecting the existing garage (not shown on the approved site plan). It was noted that the garage connection has been cited by Inspectional Services as a zoning violation.

Ms. Whewell stated that the accessory apartment meets the standards for a by-right accessory apartment and confirmed that it was included in the plans during the initial special permit approval. She noted that while there is deck on top of the existing garage, the windows in front of the deck that face Manet Road are a façade and there is no habitable space behind them. Ms. Whewell confirmed that there are others structures with shed dormers in the neighborhood.

Seeing no other member of the public who wished to speak, Councilor Bowman motioned to close the public hearing which carried unanimously. Noting that the accessory unit must always be owner occupied and that the requested relief is limited to the increased square footage, Councilor Bowman motioned to approve the petition. The Committee requested an update on the zoning enforcement at the property prior to the Council vote. With that, the Committee voted 5-0-2 in favor of approval (Councilors Laredo and Lipof abstaining).

#338-20 Petition to allow detached oversized accessory apartment at 63 Bourne Street

ANNA LAVRINENKO petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing detached garage and create a new detached accessory structure for an accessory apartment greater than 40% of the habitable space of the principal dwelling at 63 Bourne Street, Ward 4, Auburndale, on land known as Section 41 Block 09 Lot 09, containing approximately 11,355 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 6.7.1.E.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

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

Note: The petitioner, Ms. Anna Lavrinenko presented the request to demolish an existing garage and shed and build a detached accessory apartment at the rear of the site of the existing two-family house, 63 Bourne Street. Ms. Lavrinenko explained that the accessory apartment is intended for her mother. While she initially explored the option to modify the existing structure, she found that it was cost prohibitive to locate the accessory apartment within the principal structure. Ms. Lavrinenko noted that during design, she and her architect misinterpreted the Zoning Ordinance with respect to the size of the accessory apartment. She noted that it was unclear that the limit of 40% of the principal dwelling was a limit on the principal unit, not the whole structure. Ms. Lavrinenko responded to concerns raised in the Planning memo relative to; the two separate driveways proposed, the basement space and a fence shown on the site plan. She noted that the proposed second driveway on the left side of the site is intended to serve the second unit in the existing structure and confirmed that the basement is to be used for storage. Ms. Lavrinenko noted that the fence shown on the site plan belongs to an abutter. She confirmed that there are trees along the property plan and no plan to install a fence.

Senior Planner Michael Gleba reviewed the requested relief, criteria for consideration, land use, zoning, photos and proposed plans as shown on the attached presentation.

The Public hearing was Opened.

Gertrude Wallace, 62 Bourne Street, noted that she raised her children in a safe and quiet neighborhood and questioned whether the neighborhood is still safe and quiet. Ms. Wallace urged the Committee to deny the petition that will add another apartment and more cars and expressed concern relative to the increase in traffic.

Barbara Wallace, 62 Bourne Street, emphasized the existing traffic and safety issues on Bourne Street and the narrow road, where backing out is a problem. She stated that landlords are capitalizing, with multiple apartments, at the expense of existing residents and emphasized that none of the neighbors are supportive of this proposal.

Holly Spicer, Southborough, cares for her mother, Gertrude Wallace at 62 Bourne Street, she expressed concern relative to the proposal and noted that her car has been hit twice visiting the site.

Holly Spicer, Gertrude Wallace's granddaughter, expressed concern relative to the heavy traffic on Bourne Street. She expressed concern that ambulance access to the house would be inhibited.

Susan Graley, 68 Bourne Street, noted that when the property was being used as an Airbnb there were visitors checking in with them to see where keys were, etc. smoke coming out of the basement, etc., Ms. Graley expressed concern relative to the additional driveway and the increase in parking.

Elizabeth Graley, 68 Bourne Street, expressed her concern for the project for the reasons previously mentioned.

In response to questions from the Committee, Ms. Lavrinenko noted that she rented rooms at the site to supplement expenses until December 2019. She noted that the Airbnb was registered with the state. The Committee expressed some concern relative to the second driveway and curb cut proposed. Ms. Lavrinenko confirmed that she would be willing to remove the second driveway. Committee members asked that the petitioner continue to work with the Planning Department and the project architect to remove the second driveway. With that, Councilor Markiewicz motioned to hold the item which carried unanimously.

#339-20 Petition to allow garage exceeding 700 sq. ft. at 44 Billings Park

TIFFANY BARQAWI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a detached garage greater than 700 sq. ft. for more than three vehicles, further extending the nonconforming side setback in an accessory structure, to allow a dormer in excess of 50% of the wall plane below, creating an FAR of .69 where .40 is required and .56 exists at 44 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 15, containing approximately 9,014 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2, 3.4.2.B.1, 3.4.3.A.1, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Approved 7-0; Public Hearing Closed 10/13/2020

Note: The petitioners, Ms. Tiffany and Safi Barqawi presented the request to allow a detached garage greater than 700 sq. ft. for more than three vehicles, to extend the non-conforming side setback in an accessory structure, and to allow a dormer in excess of 50% of the wall plane below, creating an FAR of .69 where .56 exists and .40 is allowed at 44 Billings Park. Ms. Barqawi noted that a mudroom, subject to approval, was constructed after receiving Historic Commission approval and a building permit. She explained that there was an FAR miscalculation due to a misunderstanding that the entire basement is counted toward FAR space.

Senior Planner Michael Gleba presented the requested relief, criteria for consideration, land use, zoning, photos and proposed plans as shown on the attached presentation. The Public Hearing was Opened. No member of the public wished to speak.

It was noted that the garage space is intended to house the petitioners' personal cars. The Committee noted that the garage space will shield the cars from the neighborhood and noted that no increase to the width of the driveway is proposed. Ms. Barqawi confirmed that two cars will park, in tandem on either side of the garage. The Committee expressed no concerns relative to the petition. Councilor Laredo motioned to close the public hearing which carried 7-0. Councilor Laredo motioned to approve the which carried 7-0.

#317-20 Petition to extend nonconforming multi-family and height at 68 Chestnut Street

BRADEN HOUSTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend a nonconforming multi-family residential use in the BU1 district by adding one unit to the existing dwelling and two units within the existing carriage house structure, to further increase the nonconforming height, to further extend the nonconforming stories, to further extend the nonconforming side setback, to allow a retaining wall exceeding 4' in a setback, and to allow 1.25 parking stalls per unit at 68 Chestnut Street, Ward 3, West Newton, Section 31 Block 04 Lot 07, containing approximately 10,419 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 7.8.2.C.2, 4.1.3, 4.1.2.B.3, 5.1.4, and 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

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

Note: Attorney Terry Morris, with law offices at 57 Elm Road, represented the petitioner, Braden Houston. Atty. Morris presented an overview of the changes to the petition since the public hearing on September 15, 2020. Because additional relief was needed for a retaining wall greater than 4' in the setback, the petition required readvertising. At the public hearing on September 15, the Committee asked the petitioner to prepare renderings of the proposed retaining wall. Atty. Terry Morris and Architect Marianna Dagatti, MGD + Design, LLC., presented details of the proposed retaining wall, which steps down as it meets the street. Ms. Dagatti noted that it is the petitioner's intent to place planters at the bottom of the retaining wall to encourage the growth of ivy from the planters over the wall, to mitigate the appearance to abutting properties. Atty. Morris noted that there is an EV charging station in one parking space at the end of the garage. The Engineering Department has not yet had an opportunity to review the turning radii for parking space #1, where the electric vehicle charging station is located.

Senior Planner Katie Whewell presented the requested relief, criteria for consideration, land use, zoning and proposed plans as shown on the attached presentation. The Committee noted that the planters at the bottom of the retaining wall are not likely to support greenery growing over the wall. Atty. Morris confirmed that the petitioner can consider the planting of greenery at the top of the wall, that is more likely to grow downward. The Committee expressed concern that the Engineering Department has not yet had an opportunity to review the turning radii at the rear of the property. It was noted that the turning radii has not yet been analyzed because updated software is needed to accurately reflect the size of an electric vehicle. Architect Ron Jarek explained that the driveway is 24' and should sufficiently accommodate any vehicle. The Committee discussed approval of the petition subject to approval of the turning radii but noted that if Engineering requirements are not satisfied, the plan would be subject to further changes. With that, the Committee voted 7-0 in favor of holding the item with a motion from Councilor Laredo.

#351-15(2) Petition to amend Special Permit Council Order #351-15 at 1110 Chestnut Street
CHARLES ZAMMUTTO/1110 CHESTNUT STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to AMEND Special Permit Order #351-15 to allow changes to the site plan at 1110 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as Section 51 Block 41 Lot 02, containing approximately 22,800 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 7.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Held 7-0; Public Hearing Closed 08/04/2020 (90 Days 11-02-20)

#298-20 Petition to allow retaining wall in excess of 4' at 36 Walsh Road
ALEX LINKOV petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retaining wall in excess of 4' within the setback at 36 Walsh Road, Ward 8, Newton Centre, on land known as Section 84 Block 34 Lot 35, containing approximately 10,048 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: 7.3, 7.4, 5.4, 5.4.2.B of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Approved 5-2 (Councilors Kelley, Greenberg Opposed); Public Hearing Closed 08/04/2020 (90 Days 11-02-20)

Note: The Committee discussed items #351-15(2) and #298-20 together. The Committee was joined for the discussion by the Commissioner of Inspectional Services John Lojek and Associate City Solicitor Jonah Temple. Items #351-15(2) and #298-20 were reviewed and approved by the Committee on August 4, 2020. Both items sought zoning relief after construction had already occurred on site. The items were recommitted by the Council on August 10, 2020 pending a discussion with the Law Department on the Council's authority to deny special permit petitions.

Atty. Temple explained that the Council has significant discretion to deny a permit and there is not a significant level of discretion at the judicial level for overturning a denial. He stated that denials must be based on the special permit criteria, there must be a basis for denial in the factual record and the Council must act fairly and reasonably. An improper consideration for denial is consideration of a past zoning violation or the character/reputation of the applicant.

The Committee expressed support for enforcement of zoning violations. Commissioner Lojek explained that there are some options available to the City regarding issuance of fines. He noted that the City is in

the process of using the new software program and hiring a new Enforcement Officer, both of which will be helpful. Committee members urged the Commissioner to enforce violation fines, when appropriate, to discourage unpermitted construction.

1110 Chestnut Street

Commissioner Lojek noted that after approval of the special permit, the petitioner made changes to the site that were not on the approved site plan. The changes included the use of patio pavers on more of the site than approved for a turnaround and the extension of a retaining wall.

Atty. Morris explained that there was a 25' grade change at the site, making construction difficult. He noted that the extension of the retaining wall was a matter of safety. Atty. Morris explained that the increased paving at the site was constructed in order to mitigate the safety issue of cars backing out onto Chestnut Street. He noted that signage was proposed to discourage parking on site. The Committee emphasized concern relative to the amount of paving at the site noting that the increased paving represents a 4.4% decrease in open space at the site. Atty. Morris requested that the Committee hold the item, pending a discussion regarding mitigation with the petitioner. Commissioner Lojek confirmed that he could grant a consistency ruling for the portion of the petition related to the wall and the Committee expressed support for the consistency ruling. With that the Committee voted 7-0 in favor of holding the item with a motion from Councilor Downs.

36 Walsh Road

Commissioner Lojek noted that the project at Walsh Road was a by-right project. After an inspector reviewed the construction, a patio was installed at the rear and a retaining wall was installed. Because the retaining wall was installed in the setback, it required a special permit. The Committee noted that the petitioner received a temporary Certificate of Occupancy but cannot get a final Certificate of Occupancy until zoning violation is remedied, either by special permit or removal of the wall. Mr. Gleba confirmed that the Engineering Department has confirmed that the retaining wall is structurally sound. It was noted that without a special permit, the petitioner would be required to remove the wall and restore the grades around the property. Councilors agreed that the need for the retaining wall should have been apparent prior to construction. It was noted that if the wall had been proposed by special permit, it is likely that it would have been granted approval because of the steep grade changes. With that, Councilor Laredo motioned to approve the item which carried 5-2 (Councilors Kelley and Greenberg Opposed).

#341-20 Class 2 Auto Dealers License

KG Motors LLC

1235 Washington Street

West Newton, MA. 02465

Action: **Land Use Approved 7-0**

Note: Atty. Temple noted that when reviewing applications for Auto Dealer licenses, the Council can consider whether or not the location is an appropriate location and whether or not the use is allowed under zoning. He explained that the site was granted a special permit in 1996 for use as an auto dealer. At that time, it was believed that the site was a BU2 district. It has been determined that the site is and

was a BU1 district, where an auto dealer use is prohibited. Atty. Temple noted that although the special permit was issued in error, the use has been operating since 1996 and has gained some protections under state law. It was noted that the taxes owed at \$300, which is not a significant amount to warrant denial. With that, Councilor Kelley moved approval which carried 7-0.

The Committee adjourned at 10:15 pm.

Respectfully Submitted,

Richard Lipof, Chai

Department of Planning and Development



**PETITION #10-20 (2)
68 MANET ROAD**

**SPECIAL PERMIT/SITE PLAN
APPROVAL TO AMEND COUNCIL
ORDER #10-20 TO EXCEED THE
FLOOR AREA RATIO BY
CONSTRUCTING DORMERS TO THE
ATTIC LEVEL**

OCTOBER 13, 2020



Requested Relief



Special Permits per §7.3.3, 7.8.2.C.2, and §5.1.13 of the Newton Zoning Ordinance to:

- Amend Council Order #10-20
- Exceed the floor area ratio (§3.1.3 and §3.1.9)
- Allow a dormer exceeding 50% of the wall plane below (§1.5.4.G.1.b)
- Allow a dormer closer than three feet from the intersection of the roof and main building (1.5.4.G.1.c)

Criteria to Consider



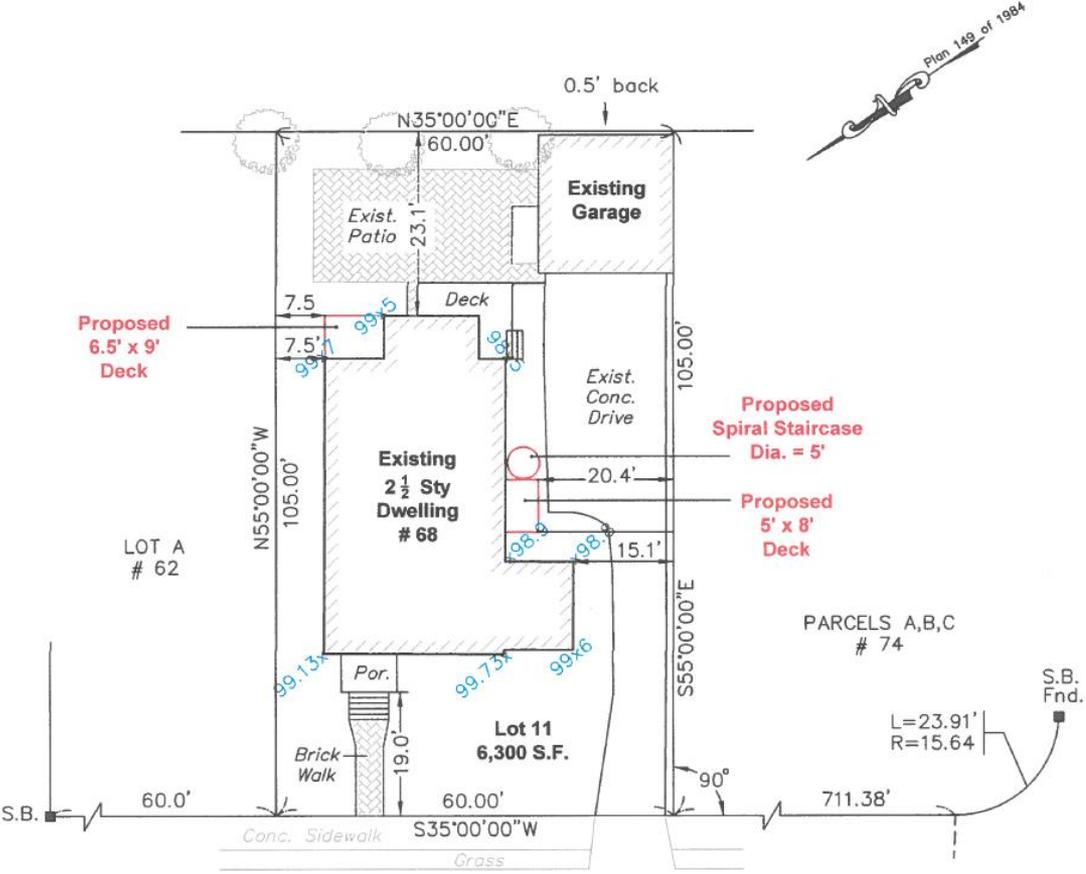
When reviewing this request, the Council should consider whether:

- The proposed increase in FAR from .53 to .66, where .55 is the maximum allowed as of right is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. (§3.1.9 and §7.3.3)
- The specific site is an appropriate location for the proposed oversized dormer and increase in the FAR. (§4.4.1 and §7.3.3.C.1)
- The site as developed and operated will adversely affect the neighborhood. (§7.3.3.C.2)
- There will be a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

Aerial/GIS Map



Site Plan



Manet (40' WIDE) *Road*

Front Elevation

Approved Front Elevation, #10-20



Proposed Front Elevation



Southern Elevation

Approved South Elevation #10-20

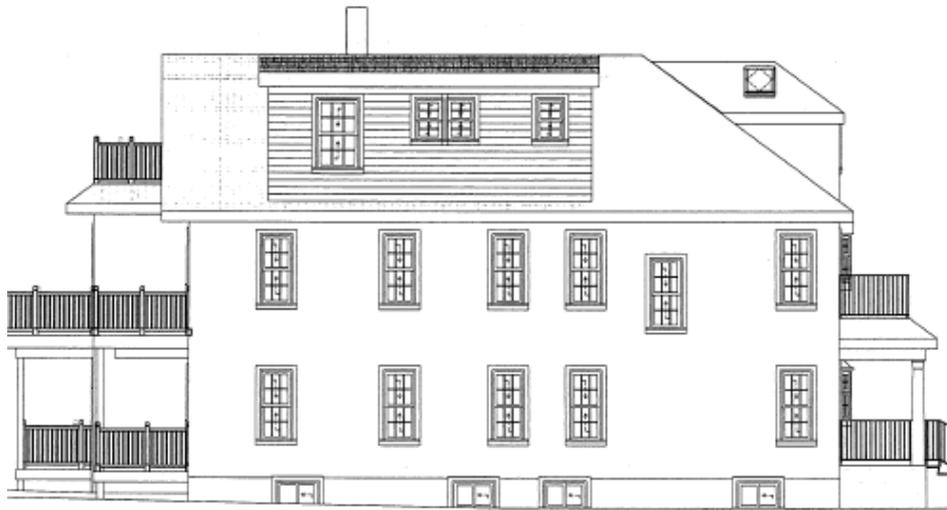


Proposed South Elevation

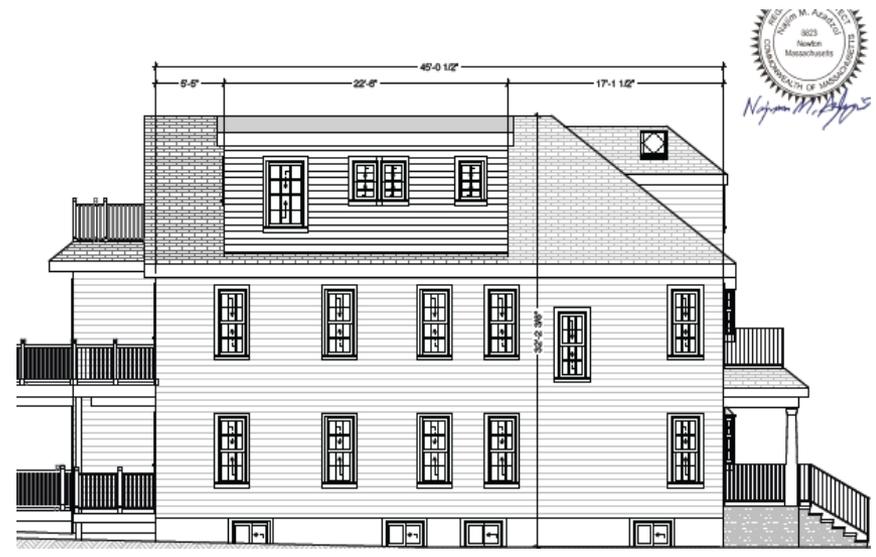


Northern Elevation

Approved North Elevation #10-20



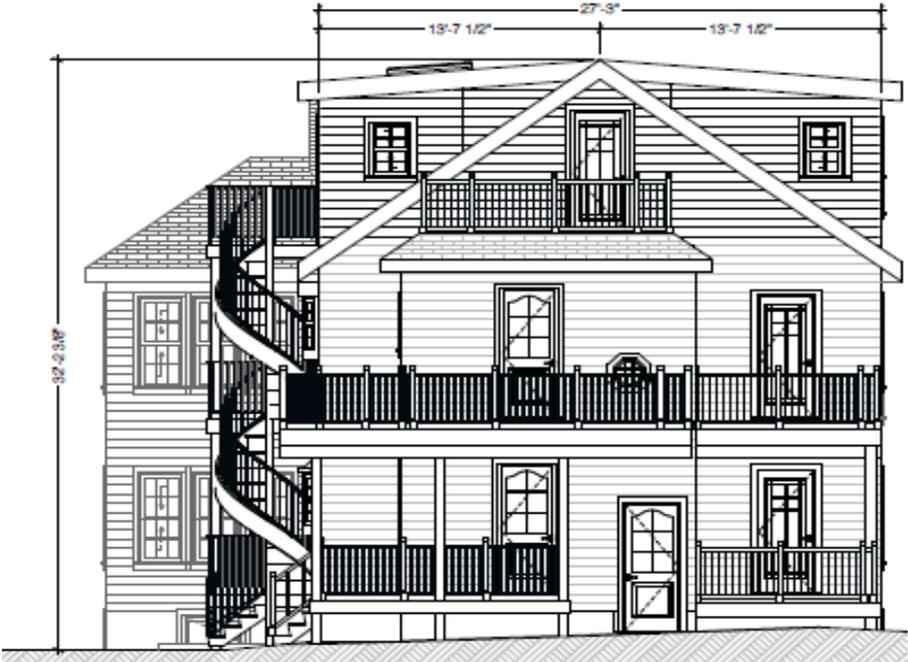
Proposed North Elevation



Approved Rear Elevation #10-20



Proposed Rear Elevation



Proposed Findings



1. The specific site is an appropriate location for the proposed oversized dormer and increase in the FAR because there are homes of similar scale on similarly sized lots in the neighborhood. (§4.4.1 and §7.3.3.C.1)
2. The site as developed and operated will not adversely affect the neighborhood because there are homes of similar scale on similarly sized lots in the neighborhood . (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians because there are no site changes proposed that impact the parking or circulation. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed increase in FAR from .53 to .66, where .55 is the maximum allowed as of right is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood because there are homes of similar scale on similarly sized lots in the neighborhood. (§3.1.9 and §7.3.3)

Proposed Conditions



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

Department of Planning and Development



WORKING SESSION PETITION #317-20 68 CHESTNUT STREET

TO EXTEND A NONCONFORMING MULTIFAMILY RESIDENTIAL USE, INCREASE THE NONCONFORMING HEIGHT, EXTEND THE NONCONFORMING STORIES, EXTEND THE NONCONFORMING SIDE SETBACK, TO ALLOW 1.25 PARKING STALLS, AND TO ALLOW A RETAINING WALL GREATER THAN FOUR FEET IN HEIGHT WITHIN A SETBACK



OCTOBER 13, 2020

Requested Relief



Special Permit per §7.3.3 and §7.8.2.C.2 of the NZO to:

- Extend a nonconforming residential use (§4.4.1)
- Increase the nonconforming height and extend the nonconforming side setback (§4.1.3)
- Extend the nonconforming three-story structure (§4.1.2.B.3)
- Allow 1.25 parking stalls per unit (§5.1.4)
- Allow retaining walls greater than 4 feet in height within a setback (§5.4.2)

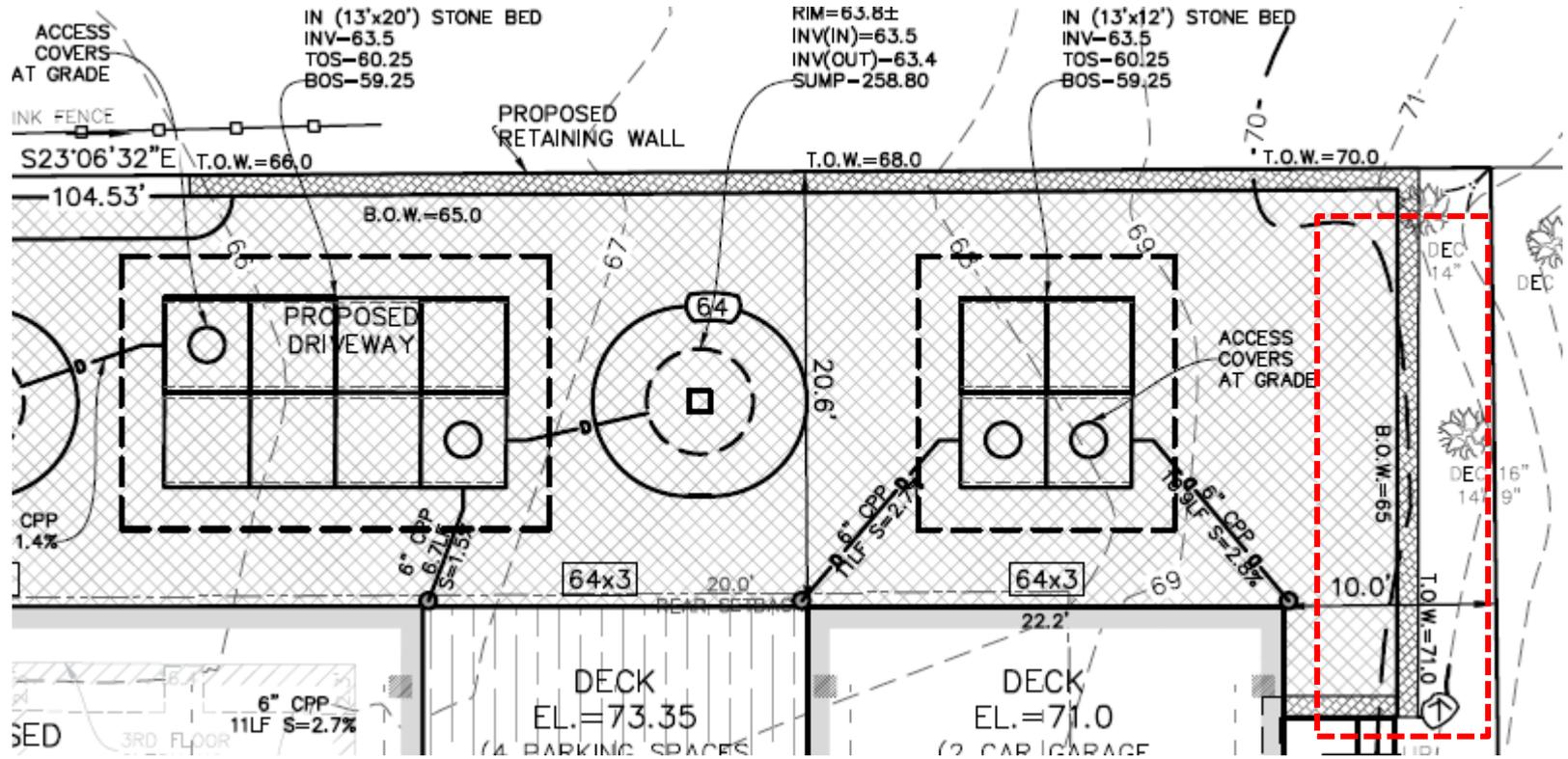
Special Permit Criteria



When reviewing this request, the Council should consider whether:

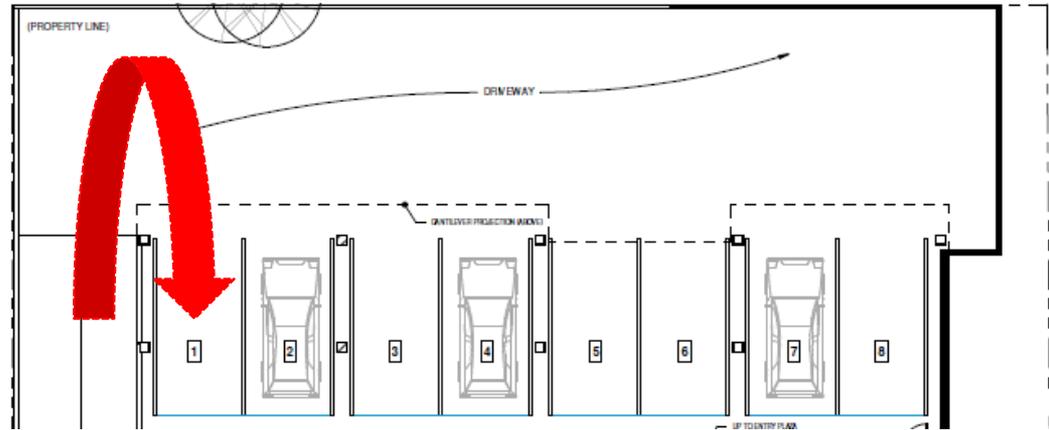
- The specific site is an appropriate location for proposed multifamily use with retaining walls greater than four feet in height within a setback. (§7.3.3.C.1, §3.1.2.A.3).
- The proposed multifamily use with retaining walls greater than four feet in height within a setback will adversely affect the neighborhood (§7.3.3.C.2, §3.1.2.A.3).
- There will be a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3, §3.1.2.A.3).
- Access to the sites over streets is appropriate for the types and number of vehicles involved (§7.3.3.C.4, §3.1.2.A.3).
- The proposed extension of the nonconforming residential use will be substantially more detrimental than the existing nonconforming use is to the neighborhood (§7.8.2.C.2).
- Literal compliance with the parking requirements of the Newton Zoning Ordinance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.13)

Retaining Wall Detail



Additional information requested since September 15

- Turning radii for the parking at the rear of the site
- Visual of the retaining wall
- Landscape Plan showing caliper inches removed and replaced.



Proposed Findings

(1 of 2)



1. The specific site is an appropriate location for proposed multifamily use with retaining walls over four feet in height due to its proximity to amenities on Washington Street, the Massachusetts Turnpike and transit (§7.3.3.C.1, §4.4.1, §4.1.3, §4.1.2.B.3, §5.1.4, and §5.4.2).
2. The proposed multifamily use with retaining walls over four feet in height will not adversely affect the neighborhood because there are a mix of uses nearby, including multifamily residential uses and the retaining walls will not be visible to abutters (§7.3.3.C.2, §4.4.1, §4.1.3, §4.1.2.B.3, §5.1.4, and §5.4.2).
3. There will be no nuisance or serious hazard to vehicles or pedestrians because parking will be contained on-site, and the site is located in close proximity to transit options (§7.3.3.C.3, §4.4.1, §4.1.3, §4.1.2.B.3, §5.1.4, and §5.4.2).
4. Access to the sites over streets is appropriate for the types and number of vehicles involved (§7.3.3.C.4, §4.4.1, §4.1.3, §4.1.2.B.3, §5.1.4, and §5.4.2).

Proposed Findings

(2 of 2)

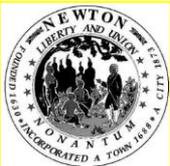


1. The proposed extensions of the nonconforming residential use will not be substantially more detrimental than the existing nonconforming use is to the neighborhood because there are a mix of uses in the neighborhood, including multifamily residential uses (§7.8.2.C.2).
2. The proposed extensions of the nonconforming side setback, height, and number of stories will not be substantially more detrimental than the existing nonconforming use is to the neighborhood because there are a mix of uses in the neighborhood, including multifamily residential uses (§7.8.2.C.2).
3. Literal compliance with the parking requirements of the Newton Zoning Ordinance is in the public interest because the site is located in close proximity to transit options and Washington Square. (§5.1.13)

Proposed Conditions



1. Plan Referencing Condition.
2. Standard Building Permit Condition.
 - c. O&M Plan
3. The trash and recycling disposal shall be handled by a private entity and collection shall be scheduled at such times to minimize any disruption of the on-site parking and shall comply with the City's Noise Ordinance.
4. The petitioner shall comply with the Tree Preservation Ordinance.
5. All lighting fixtures shall be residential in scale.
6. Construction Management Plan
7. Standard Final Inspection/Certificate of Occupancy Condition.



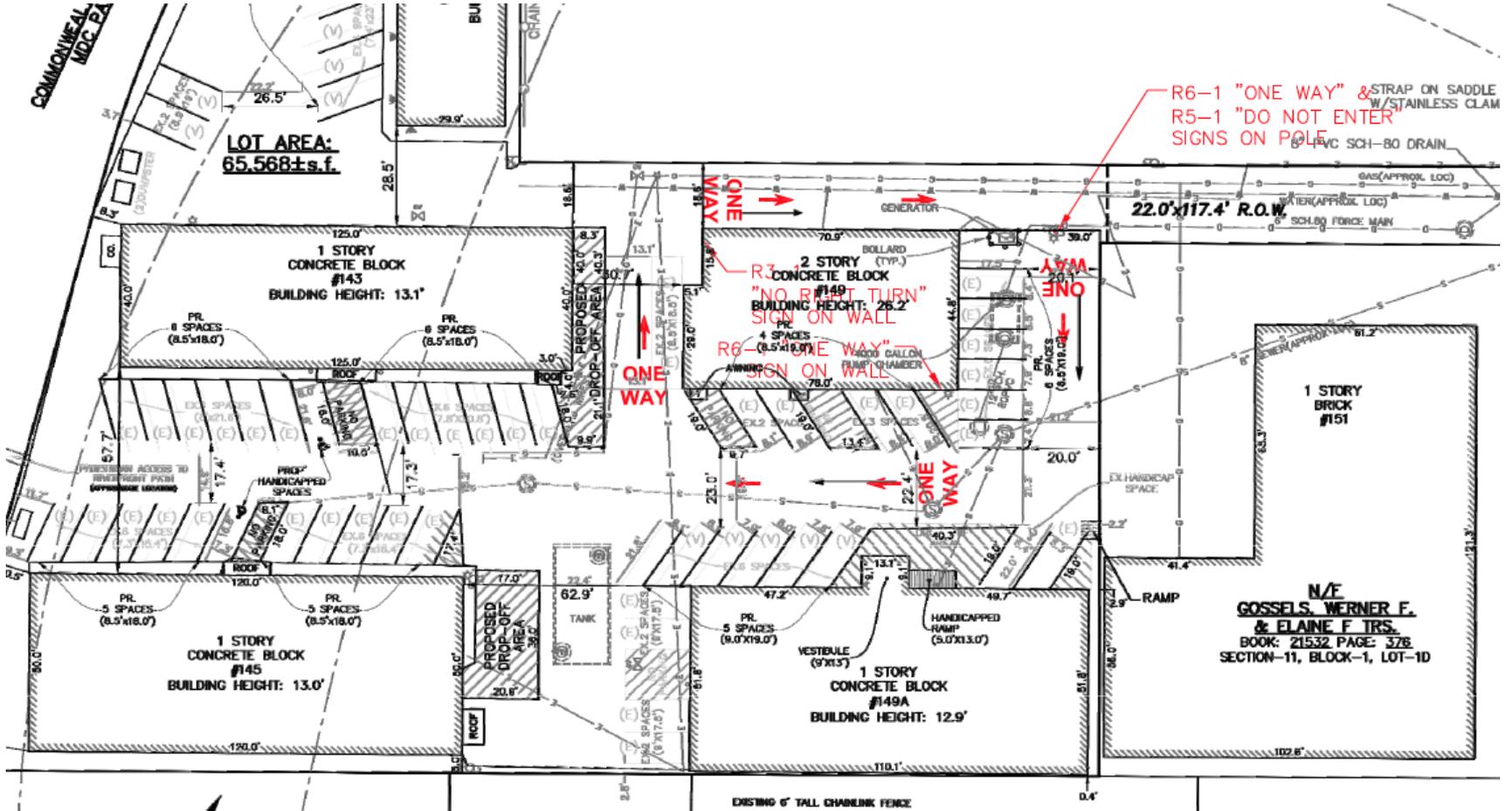
Schlesinger and Buchbinder, LLP
Attorneys at Law



Zdorovie Senior Services, LLC
141-145 California Street
Special Permit Application to Newton City Council

October 6, 2020

Redline of Circulation Plan



Clearing
across
river path
from site

River path
access point



141-149 California Street in Newton, MA

Traffic Memorandum

(Zdorovie Senior Services Expansion)

Robert J. Michaud, P.E., Managing Principal

October 6, 2020

MDM

Site Location



Observed Trip-Generation Rates

Period	Newton Facility¹	Natick Facility²	Average Rate (per Employee)
<i>Weekday Morning Peak-Hour (7:00 – 8:00 am):</i>			
Enter	8	5	0.80
<u>Exit</u>	<u>6</u>	<u>3</u>	<u>0.55</u>
Total	14	8	1.35
<i>Weekday Afternoon Peak-Hour of Generator (2:00 – 3:00 pm):</i>			
Enter	7	3	0.60
<u>Exit</u>	<u>7</u>	<u>6</u>	<u>0.82</u>
Total	14	9	1.42
<i>Weekday Evening Peak-Hour (5:00 – 6:00 pm):</i>			
Enter	0	0	0.00
<u>Exit</u>	<u>0</u>	<u>0</u>	<u>0.00</u>
Total	0	0	0.00

¹ Based on trips observed on September 1, 2020 at 149A California Street in Newton, MA with 40 clients and 9 staff.

² Based on trips observed on September 1, 2020 at 17 Strathmore Road in Natick, MA with 30 clients and 7 staff.

Trip-Generation Summary

Period	Existing Zdorovie Use¹	Expanded Zdorovie Use²
<i>Weekday Morning Peak-Hour (7:00 – 8:00 am):</i>		
Enter	13	37
<u>Exit</u>	<u>9</u>	<u>26</u>
Total	22	63
<i>Weekday Afternoon Peak-Hour of Generator (2:00 – 3:00 pm)</i>		
Enter	10	28
<u>Exit</u>	<u>13</u>	<u>38</u>
Total	23	66
<i>Weekday Evening Peak-Hour (5:00 – 6:00 pm):</i>		
Enter	0	0
<u>Exit</u>	<u>0</u>	<u>0</u>
Total	0	0

¹Based on trips observed on September 1, 2020 at 149A California Street in Newton, MA adjusted to capacity at 15 employees.

²Based on existing trip generation rates by employee applied to proposed 46 employees.

Trip-Generation Comparison

Period	Existing Uses (#141 – 149) ¹	Expanded Zdorovie Use ¹	Net New Trips
<i>Weekday Morning Peak-Hour (7:00 – 8:00 am):</i>			
Enter	45	37	-8
<u>Exit</u>	<u>20</u>	<u>26</u>	<u>+6</u>
Total	65	63	-2
<i>Weekday Afternoon Peak-Hour of Generator (2:00 – 3:00 pm)</i>			
Enter	26	28	+2
<u>Exit</u>	<u>40</u>	<u>38</u>	<u>-2</u>
Total	66	66	+0
<i>Weekday Evening Peak-Hour (5:00 – 6:00 pm):</i>			
Enter	19	0	-19
<u>Exit</u>	<u>32</u>	<u>0</u>	<u>-32</u>
Total	51	0	-51

¹Based on ITE LUC 493 (Athletic Club) trip rates applied to 3,000 sf for the Ballroom Dance Studio, ITE LUC 720 (Medical-Dental Office) applied to 5,000 sf for the Dentist Office, ITE LUC 710 (General Office) applied to 12,800 sf. for camera rental and studio space, and Existing Zdorovie Use of building #149A as shown in **Table 3**.

²Proposed vehicle trips as shown in **Table 3** under Expanded Zdorovie Use.

Results:

- No material change in trips during the weekday am or afternoon peak periods.
- **4.5% reduction** in traffic during the critical weekday evening peak hour along California Street.

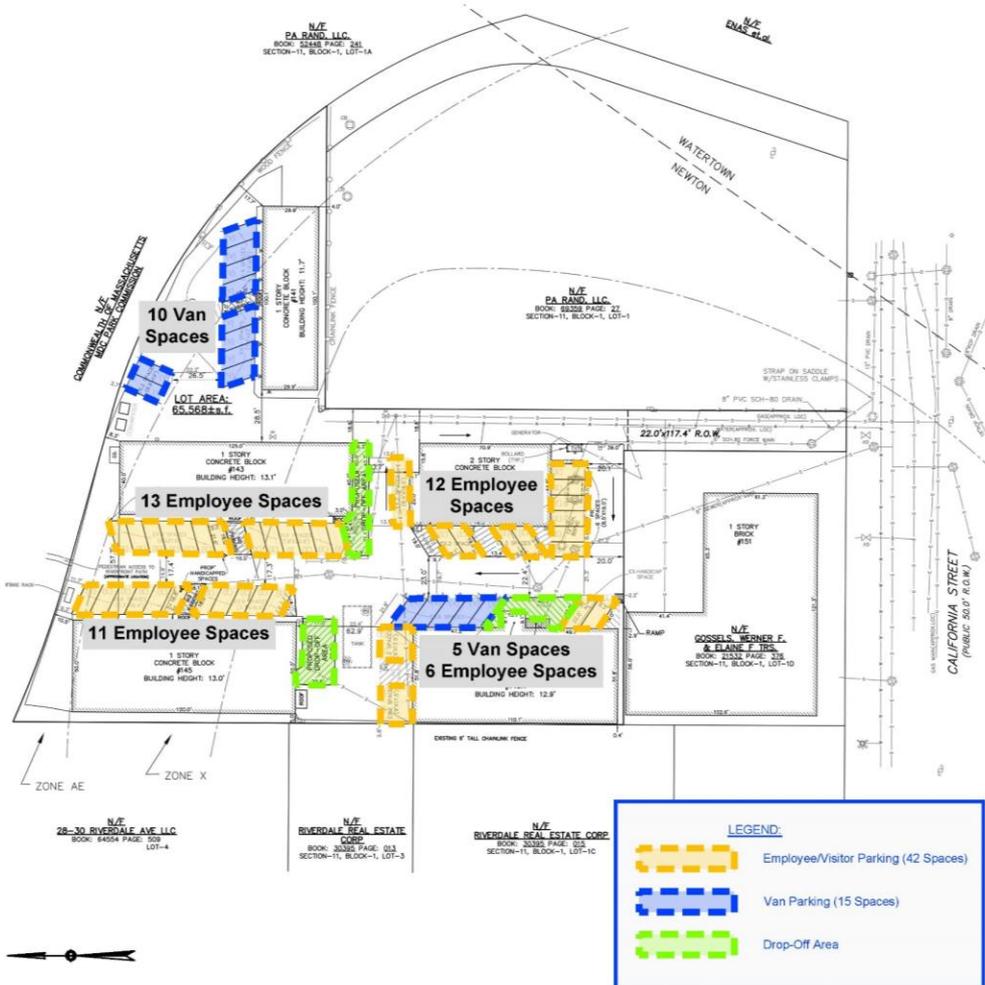
Observed Peak Parking Rates

Location	Cars (#)	Vans (#)	Peak Parking Time	Cars Peak Parking Rate (spaces per employee)
Newton, MA ¹	8	5	10:00 AM - 3:00 PM	0.80/staff
Natick, MA ²	6	5	10:00 AM - 3:00 PM	0.86/staff
AVERAGE	7	5	10:00 AM - 3:00 PM	0.82/staff

¹ Based on trips observed on September 1, 2020 at 149A California Street in Newton, MA with 40 clients, 10 staff (9 on-site staff and 1 food delivery staff, and 5 vans.

² Based on trips observed on September 1, 2020 at 17 Strathmore Road in Natick, MA with 30 clients, 7 staff and 5 vans.

Parking Management Plan & Peak Parking Demand



Peak Parking Demand:

- 46 staff = 38 cars
15 vans
 53 total vehicles
- 4 spaces surplus (7%)

TDM Actions

- ***Dedicated Van Spaces.*** To maximize parking efficiency and maneuverability for the larger vans, the Proponent will dedicate 15 van spaces at the Site with 10 van spaces near the kitchen building (#141) and 5 van spaces near #149A.
- ***Bicycle Accommodations.*** A bike rack will continue to be provided on-site near building #145 which is adjacent to the Charles River Greenway.
- ***Van Loading Areas.*** Three van drop-off/pick-up areas will be provided at the Site with one near each of the Senior Center buildings. These areas will also be used for deliveries.
- ***Parking Management Plan.*** The parking supply is projected to satisfy the peak parking demand and the Proponent has prepared a parking management plan to allocate the parking between employees and vans with the Site.
- ***TDM Actions.*** The Proponent will offer the following TDM items at the Site to further encourage alternative transportation modes by employees which was observed at approximately 35% for existing Zdorovie employees.
 - *Transit Pass* – The Proponent will provide a 100% subsidy for employees who commute via nearby transit.
 - *Bike Racks* – A bike rack will continue to be provided near building #145. The bike rack will be expanded if needed based on demand.
 - *Bike Trail* – The Proponent will continue to use the Charles River Greenway for employees and client therapeutic exercise.