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MEMORANDUM

TO: RICHARD A. LIPOF, CHAIRMAN, LAND USE COMMITTEE
FROM: STEPHEN J. BUCHBINDER, ESQUIRE
SUBJECT: RIVERSIDE/FOLLOW-UP
DATE: JUNE 2, 2020

The following is a brief update on several outstanding issues:

Bike Lanes:

Since the comments made at the May 12th Land Use hearing by Damien Chaviano, conflicting information has surfaced regarding the position of MassDOT on the proposed single bike lane on the east side of Grove Street. To that end, below is an attempt to clarify the information which has surfaced to date, along with a chronology of the same.

Heading into the Land Use hearing on May 12th, the petitioner's understanding was that MassDOT did not have jurisdiction over that portion of Grove Street where a single bike lane has been contemplated. The petitioner did have a call with MassDOT prior to the May 12th hearing regarding a slip-lane at the proposed southbound I-95 roundabout. On that call, my client used the opportunity to ask the professionals at MassDOT their opinion regarding the three bike lane alternatives (i.e., Options A, B, and C) if in fact MassDOT had jurisdiction. The MassDOT representatives indicated a preference for Option A (flat, painted bike lane) or Option C (no bike lane) and were not supportive of Option B (raised bike lane). The intent of Mr. Chaviano's comments was to provide feedback from a third party as the Council was deliberating this matter.

Following the May 12th public hearing, Councilor Downs reached out to MassDOT and received a response which was somewhat neutral in comparison to the information which Mr. Chaviano had received. It would appear that Councilor Downs' inquiry was posed somewhat differently than Mr. Chaviano's had been, and was not in the context of preferences for the different options the City Council has been considering. Thus, the position of MassDOT is hard to interpret from that communication. The issue of MassDOT's jurisdiction over the portion of the east side of Grove Street in question is also not entirely clear.

What is clear, however, is that the petitioner's civil engineering team at VHB are not prepared to support the design and certify plans for an elevated bike lane on the east side of Grove Street (see attached memorandum from VHB dated June 1, 2020). Given this constraint, my client would be unable to design and construct the raised bike lane. As you will recall, my client has offered to extend the two-way protected bike lane on the west side of Grove Street to the Hamilton Community Center as an alternative.

Signage:

Based on feedback from the City Council, the Planning Department, and the community, my client will agree to the following as it relates to signage:

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Building 1:

- Two (2) 200 square foot signs facing Rt. 95/Rt.128 north and south.
- One (1) “logo” sign, facing west towards Lower Falls, capped at 75 square feet.
- There are still ongoing discussions with the LFIA about the illumination of this signage.

Building 2:

- One (1) 150 square foot sign for Building 2. This sign will be located on the western building façade facing Lower Falls.
- This sign would be allowed to be lit overnight, but dimmed by 11 PM.

Other Buildings:

- Three (3) 65 square foot Building Identification signs will be permitted at Buildings 3, 7, and the garage entrance for Building 9/10. These signs will be exterior illuminated or halo lit.
- All retail signage on Grove Street and Main Street will comply with the Newton Sign Ordinance (primary signs not to exceed 100 square feet, secondary signs not to exceed 50 square feet, exterior illumination only).
- Retail signs will comply with the Newton Signage Ordinance as it relates to window signs and the illumination of same.
- 25 square foot lobby/address signs on residential buildings which will have exterior illumination.

Wayfinding, Temporary, and Monument Signage:

- Wayfinding and temporary signage requirements will be deferred to the UDC.
- There may be one monument sign at the Grove Street entrance to the development, the details of which will be deferred to the UDC

Other:

- There will not be any blinking, flashing, or moving signs allowed. Nor will neon colors be allowed.

Solar:

We submitted a letter dated May 27, 2020 from Richard Henderson, General Manager of the MBTA which sets forth the MBTA’s commitment to have solar panels on the roof of the garage (Buildings 9 and 10). The discussion relating to solar at the May 26th public hearing has prompted my client to re-examine the possible use of solar on one or more other buildings at the proposed development. I should have a status report on this review at our next public hearing on June 9th.

cc: (By Email)

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