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PUBLIC HEARING MEMORANDUM

Public Hearing Date: April 3, 2018
Land Use Action Date: June 12, 2018
City Council Action Date: June 18, 2018
90-Day Expiration Date: July 2, 2018

DATE: March 30, 2018

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Neil Cronin, Senior Planner

SUBJECT: **Petition #137-18**, petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a four-story, multi-family structure, 41' in height containing 18 dwelling units, to allow an FAR of 1.31, to allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units, to allow a reduction of the requirement for parking to 1.25 stalls per unit, to allow waivers to the parking requirements, to allow waivers to the lighting requirements and to allow waivers to the landscape requirements in Ward, 1, Nonantum, at **189-193 Adams Street**, Section 14 Block 15 Lot 39, Section 14 Block 15 Lot 38 and **19 Quirk Court** Section 14 Block 15 Lot 44, containing a combined lot area of approximately 19,349 sq. ft. of land in a district zoned BUSINESS USE 2 .Ref: 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 5.1.4, 5.1.13, 5.1.8.A.1, 5.1.8.A.1, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.C.1, 5.1.8.C.2, 5.1.8.D.1, 5.1.9.A, 5.1.10.A, 5.11.4, 5.11.15, 4.1.2 of the City of Newton Rev Zoning Ord, 2015.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced

review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.

EXECUTIVE SUMMARY

The subject property is comprised of three lots totaling 19, 349 square feet in the Business Use 2 (BU-2) zone in Nonantum. The petitioner proposes to combine the three lots into one, and to construct a four-story, 18-unit multi-family dwelling with a first-floor community space. To construct the proposed multi-family dwelling, the petitioner requires special permits, including but not limited to, to allow a multi-family dwelling, to allow development exceeding 20,000 square feet, to reduce the parking requirement from two stalls per unit to 1.25 stalls per unit, and to reduce the minimum lot area per unit to allow an additional inclusionary zoning unit.

The Planning Department believes the subject property is an appropriate location for a multi-family development given the dense, mixed use environment of Adams Street and its proximity to transit options and services and amenities along Watertown Street. The petition satisfies several goals found in the *Comprehensive Plan of 2007*, as well as the *Transportation and Housing Strategies* such as offering a range of unit types and sizes, providing inclusionary zoning units, and by adhering to Smart Growth principles of locating new development in a walkable, mixed use neighborhood and encouraging alternative methods of transportation by providing a bus shelter as well as bicycle parking. However, the Planning Department believes the proposed dwelling is not consistent with the neighborhood context due to the massing of the structure and number of stories near the abutters on Quirk Court. Staff suggests further analysis and is awaiting additional materials to complete the review. Staff will continue to work with the petitioner and provide supplemental analysis at the working session.

SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Council should consider whether:

- The specific site is an appropriate location for the proposed multi-family structure. (§7.3.3.C.1.)
- The proposed multi-family structure as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2.)
- There will be no 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.)
- The proposed floor area ratio of 1.31, where 1.0 is the maximum allowed by right, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood (§4.1.3 and §7.3.3).
- The site planning building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. (§7.3.3.C.5.)

- Literal compliance with the parking requirements of the Newton Zoning Ordinance (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.)

I. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The subject property is located on Adams Street in Nonantum. The entire length of Adams Street is located in the BU-2 zone consisting of a mix of land uses from single- and multi-family residences to commercial, and nonprofit uses (**Attachments A and B**). Adams Street is densely developed beginning from its northern boundary at Watertown Street towards its center near Middle Street and Lincoln Road. Continuing south, Adams Street becomes less dense and has more of a residential feel until terminating at Washington Street. Due to the site's location on the densely developed portion of Adams Street, the site is very walkable in terms of its proximity to Watertown Street nearby restaurants, retail, transit, and park space.

B. Site

The site consists of 19, 349 square feet of land spread amongst three parcels known as 189-193 Adams Street, 189-193 Adams Street Off, and 19 Quirk Court. The site is generally flat with sections of fencing along the western and southern boundaries. For the purposes of this memo, these lots will be referred to as Parcels A, B, and C, respectively. Parcels A and B both utilize the existing shared driveway and Parcel C is accessed via Quirk Court and is not presently connected to the Parcels A and B. Below is a breakdown of each parcel, including existing land use.

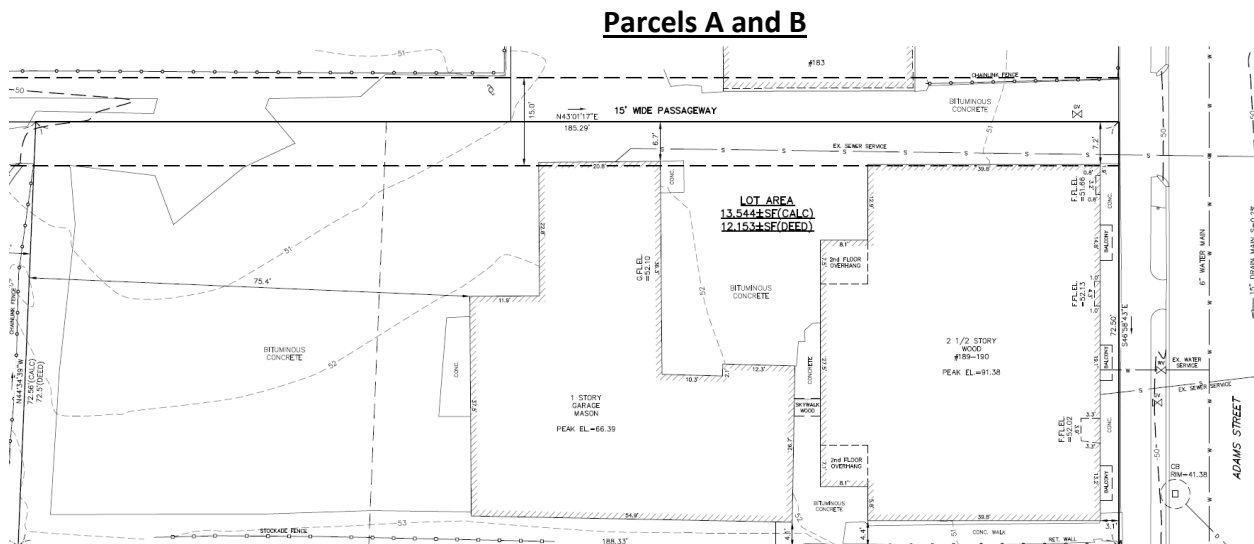
Parcel A: 183 Adams Street

Parcel A comprises 9, 194 square feet of land and is improved with a four-story, 41-foot-tall, mixed-use building constructed circa 1900. The structure is an example of Italianate architecture featuring Juliet balconies and hipped-peak dormers. The structure most recently contained a fraternal organization on the ground floor and residential units above. To the rear of the structure, is a one-story addition attached via a catwalk. This rear structure operated as a commercial garage in conjunction to the contractor's yard on Parcel B. The structure has legal nonconforming front and side (south) setbacks of 3.1 and 4.1 feet, where ten and five feet are the minimum required, respectively. There is an approximately 15-foot wide curb cut to the north of the structure providing access to the site from Adams Street. This driveway is

within a shared passageway easement that runs along the northern boundary of the site, adjacent to 183 and 175 Adams.

Parcel B: 183 Adams Street Rear

Parcel B comprises 4,350 square feet of land located to the rear of Parcel A. The current use of the property is a contractor's yard. The parcel is improved with a one-story, one-stall parking garage.



Parcel C: 19 Quirk Court

Parcel C comprises 5,805 square feet of land and is improved with a 2.5-story single-family dwelling constructed in the 1890s and a detached garage. Quirk Court is a private way approximately 14 feet wide. The petitioner intends to demolish this dwelling to create parking stalls serving the proposed multi-family dwelling.

II. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

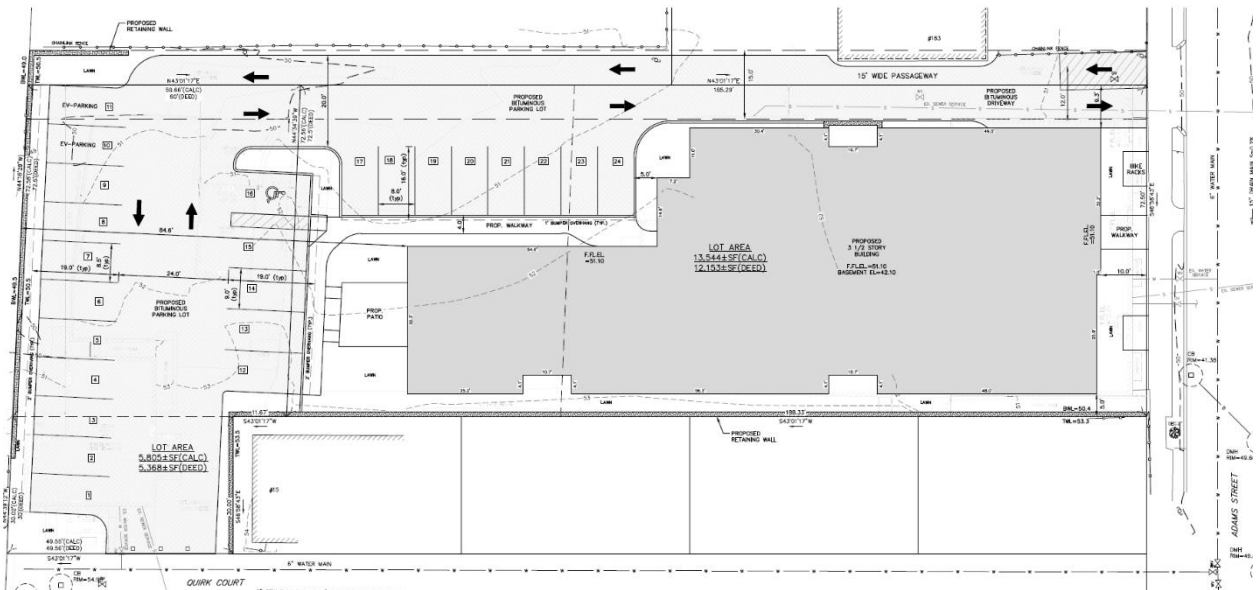
The principal use of the site will change from mixed-use to an 18-unit multi-family structure with a first-floor community space. The first-floor space will be available as a communal space for residents and may also be reserved by local community groups.

B. Site Design

The petitioner is proposing to raze the existing structures at 189-193 Adams Street and 19 Quirk Court to construct a four-story, 18-unit multi-family dwelling with a community space on the first floor. The proposed structure will be approximately 41 feet tall,

containing 25, 375 square feet of floor area. The structure will be further set back from the front property line than the existing building, increasing the front setback from 3.1 feet to ten feet. The side setback to the south will be increased to five feet to match the abutters' rear yard setback on Quirk Court and the side setback at 183 Adams Street as allowed in the BU-2 zone. The rear setback will be 84 feet which exceeds the requirement of the BU-2 zone.

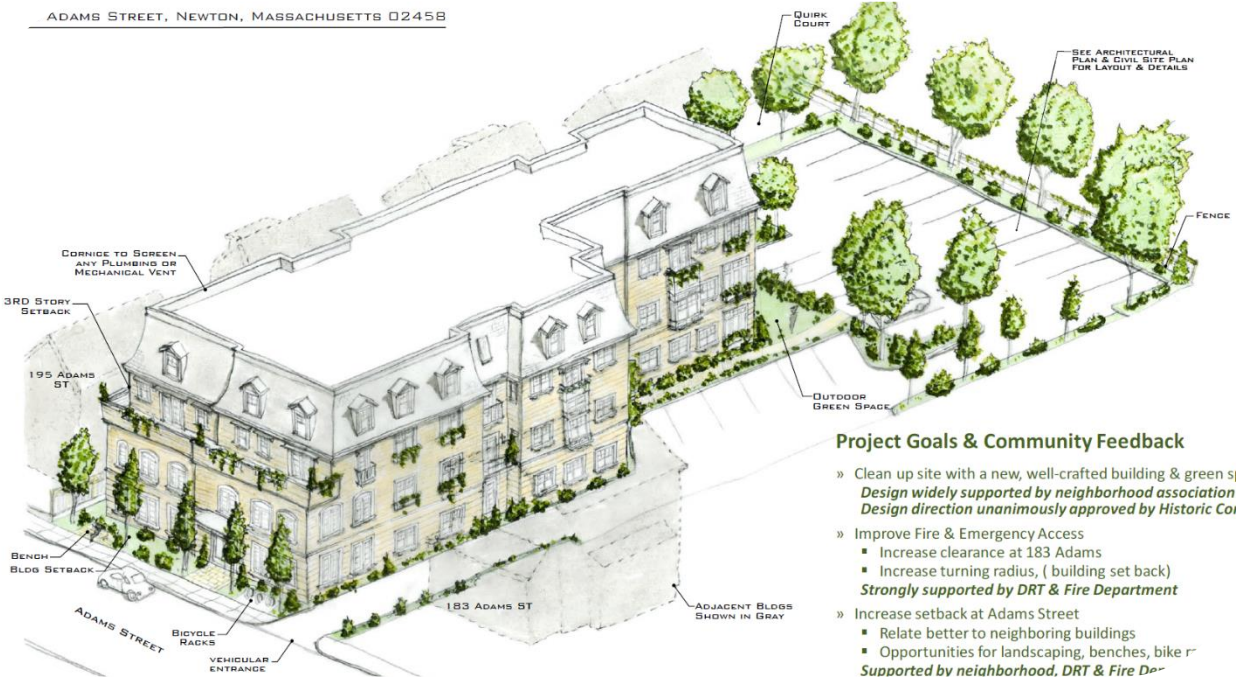
The design maintains the existing curb cut and driveway to provide access to the site and the surface parking facilities. The proposed structure consumes much of the footprint of Parcels A and B, while Parcel C consists of a 16-stall surface parking facility. There is also an eight-stall surface parking facility on Parcel B, for a total of 24 parking stalls on site. There is no dumpster proposed as it is expected trash will be stored in the basement and removed by a private contractor.



C. Building Design

The petitioner is proposing to construct a 41-foot tall multi-family dwelling. The proposed structure is an example of Second Empire architecture featuring a mansard roof with gable-style dormers. All facades will feature articulations and decorative elements such as korbels, flower boxes, and French balconies with a wrought iron look to break up the massing of the structure and to add some depth to the facades. The front façade will have a prominent pedestrian entrance at grade from Adams Street enhancing the walkability of the area. Additionally, the petitioner is proposing to significantly increase the transparency of the structure at the street level with large windows, creating a connection from the street to the community space. This

connection is reinforced at the third story of the dwelling where the façade is set father back from the first and second stories to create balcony space for residents of the building.



D. Neighborhood Context

The existing structure is the tallest structure on Adams Street except for the church to the south at the corner of Adams and Washington Streets. This will be true of the proposed multi-family dwelling as well. The existing scale of development along Adams Street is predominantly consistent at 2.5 stories regardless of land use. Nevertheless, there are four outliers to this pattern which are multi-family dwellings: three of these dwellings are three-stories tall which the Ordinance translates into 36 feet; the fourth is a four-story structure adjacent to the subject property at 175 Adams Street. The multi-family dwelling at 175 Adams Street is unique in that it is setback from the street and is also setback from the abutters. As a result, the structure's massing is mitigated. However, the surface parking facility is located in the front of the building which leaves a gap in the street wall, thereby decreasing the pedestrian experience of the street.

Table I: Neighborhood Height Comparison

Address	Height in Feet	Number of Stories
174 Adams Street	35.5	3
175 Adams Street	35	4
152 Adams Street	33	3
14 Cottage Court	28	3
189-193 Adams Street	41	4

The BU-2 zone allows development as of right for two stories and 24 feet. Per special permit, development can reach a maximum of four stories and 48 feet. The petitioner is proposing a four-story structure, but with a height of 41 feet. Additionally, the BU-2 zone allows the side setbacks of a structure to match the setbacks of the adjacent parcel(s). The nearest abutter on Quirk Court is four feet, while the proposed multi-family dwelling is five feet from the property line. The practice of matching setbacks with abutters is best used with commercial buildings to create a continual street wall for a consistent pedestrian experience but may not provide an adequate setback from adjacent residential structures due to light, air, and/or privacy considerations. The Ordinance addresses these concerns by requiring development in business districts that abut residential districts to be set back the greater of half the building height or fifteen feet; which in this scenario is half the building height (20.5 feet). The adjacent properties on Quirk Court are also located in the BU-2 zone which does not afford them the greater level of setback if they were to be located in a residential zone.

The existing structure's height is focused on the Adams Street frontage by only running approximately 40 feet into the lot before stepping down to two-stories, and finally, the one-story attached garage. Additionally, the existing roof is hipped which mitigates the sense of height due to the pitch. The pitch of the roof also prevents the area in the attic level to be considered habitable space and therefore not a story. Alternatively, the proposed design extends the nonconforming height by 156 feet towards the rear of Parcel B. The proposed roof is flat which carries this height unchanged for the entire 156 feet. The existing height terminates parallel to the parcel to the south at 195 Adams Street, while the proposed design terminates parallel to the parcel to the south at 15 Quirk Court.

The proposed multi-family dwelling will be set father back from the existing footprint to comply with the minimum front yard setback of ten feet. This will reduce the structure's massing on Adams Street, but will have a larger effect on the abutters to the south on Quirk Court. Additionally, the presence of the shared easement at the

northern boundary requires this portion of the site to remain open for access and parking which pushes the massing of the building adjacent to the Quirk Court abutters. The Planning Department recognizes the proposed side setback is allowed per the dimensional standards of the BU-2 zone, but when coupled with the height and number of stories requested, the structure seems out of character with the neighborhood. As a result, staff recommends the petitioner mitigate the presence and massing of the proposed structure from the abutters on Quirk Court by increasing the setback of the building, providing deeper articulations of the façade, and or/stepping the building down as it moves deeper into the lot or stepping it back at the top floor.

View from Quirk Court



E. Neighborhood Density

Adams Street is a dense, mixed used neighborhood with a variety of development and land uses. Five multi-family developments have been permitted in the area over time, the most recent of which was a nine-unit development permitted in 2013 at 152 Adams Street. The lot area per unit of these five developments is 25 percent lower than remaining residential parcels in the area. The proposed multi-family dwelling has a lot area per unit of 1,075 square feet which makes it the densest development of these five multi-family developments; specifically 25 percent denser than the median lot area per unit of these developments. The petitioner is seeking to decrease the lot area per unit per special permit to allow an additional inclusionary and an additional market rate unit. Even without these additional two units, the development remains the densest development in the area, however the project will provide much needed affordable housing.

Table I: Neighborhood Density Comparison

Address	Lot Size	Number of Units	Lot Area per Unit
174 Adams Street	24, 024 sf	12	2, 002 sf
175 Adams Street	38, 904 sf	31	1, 255 sf
152 Adams Street	14, 835 sf	9	1, 648 sf
206-216 Adams Street*	24, 544 sf	12**	2, 045 sf
14 Cottage Court	15, 400 sf	12	1, 283 sf
189-193 Adams Street	19, 349 sf	18	1, 075 sf

*The property is multi-family but is spread amongst four buildings. Staff did not feel the property was relevant to the Height table above.

** The Assessor’s database does not match the property file in Inspectional Services. Staff used the highest end of the range given by the Assessing Department.

The Planning Department believes the subject property is an appropriate location for a dense, multi-family development given the mixed use, walkable nature of the neighborhood. Furthermore, the Planning Department has been supportive of increasing density to provide an additional inclusionary unit. However, given the proximity of the proposed structure to the abutters on Quirk Court, staff believes further analysis is necessary before supporting the density of the petition. For example, the petitioner will be providing a parking study which will be of importance in determining whether the subject property and neighborhood can accommodate the proposed density.

F. Circulation and Parking

The petitioner is proposing to construct a surface parking facility to the rear and side of the proposed structure. The design utilizes the existing curb cut from Adams Street for ingress and egress from the site. While the project site also has frontage at the end of Quirk Court, vehicles will not be able to enter or exit the site from Quirk Court. The proposed driveway from Adams Street is approximately 15-feet wide at most points and is within a shared passageway easement that runs the length of property line adjacent to 183 and 175 Adams Street. The driveway narrows to 12 feet where the adjacent building extends into the easement and expands to 20 feet at the rear of the site. The proposed driveway does not meet the minimum width of 20-feet required by the Ordinance, however Planning and Transportation staff would prefer to see two-way traffic on this driveway as an alternative to utilizing Quirk Court, which is quite narrow

with homes built close to the property lines. In lieu of reducing the building width to provide a 20-foot wide driveway, the petitioner has opted to create a space for one vehicle to wait when entering the driveway from Adams Street. This will allow a vehicle to enter the driveway and wait instead of blocking traffic if another vehicle is exiting the driveway at that same time.

In addition to the driveway, the proposed plans locate a retaining wall, curbing, a parking space, a fence and landscaping within the easement. Currently 183 Adams Street utilizes the easement to access parking at the rear of the residence, however 175 Adams Street has installed a fence along their side of the easement and do not maintain any connections between the easement and their parking area. Staff expect to provide an update at the Working Session regarding any potential complications with locating these elements within the easement.

The facility will contain 24 stalls in total, including two electric vehicle charging stations. The proposed 24 stalls represent a waiver of 12 stalls. The petitioner has proposed bicycle parking for residents in the basement of the building and has shown several bicycle racks in front of the building along Adams Street. The petitioner has also agreed to provide a bus shelter for the MBTA Route 558 bus, which stops in front of the project site on Adams Street and provides express service into Boston. The project site is also only one tenth of a mile from Watertown Street and the services, restaurants, and additional bus routes located there. Parking is limited along Adams Street as the west side of the street only allows 15-minute parking and the east side of the street only allows one-hour parking except for weekends and holidays. No overnight parking is permitted on the street. Staff has requested a parking study to analyze the expected utilization of the project and the available spaces in the neighborhood but has not yet received the study at the time of this memo.

G. Traffic

A draft traffic study was prepared by Bayside Engineering (February 15, 2018) and reviewed by Planning and Transportation staff. The final version of the study is expected to include the forthcoming parking study. The traffic study found that Adams Street, north of Quirk Court, carries approximately 6,450 vehicles per day with approximately 645 vehicles per hour during the weekday morning peak hour and approximately 541 vehicles per hour during the evening peak hour. The traffic study estimates that on a typical weekday the proposed residential development is expected to generate 96 vehicle trips (48 vehicles entering and 48 vehicles exiting). During the weekday morning peak hour six vehicle trips (two vehicles entering and four vehicles exiting) are expected. During the weekday evening peak hour, nine vehicle trips (five vehicles entering and four vehicles exiting) are expected. The study found that the study area intersections operate at adequate levels of service with

minor delays for critical movements.

The draft study has been initially reviewed by the Director for Transportation Operations and found to be sufficient. Staff do not believe the vehicle trips associated with the proposed project will represent a significant impact to the area.

H. Alternative Transportation

The project site is located in a dense, walkable neighborhood. The 558 MBTA bus stops at the front of the project site and the petitioner has agreed to provide a bus shelter. The 558 bus is an express bus to downtown Boston. The 59 bus to Watertown Square and Needham Junction is within a five minute walk of the site and several other express bus options to Boston are also located within a ten minute walk of the site on Washington Street. The Newtonville commuter rail station is approximately a 13-minute walk from the site. The petitioner has also proposed several bicycle racks at the front of the building and storage for up to 45 bicycles in the basement of the building (which will be served by an elevator large enough to accommodate a stretcher). The project is well served by transit and is located within walking distance of many services and amenities, allowing for residents to use alternative forms of transportation and to reduce vehicle trips.

I. Landscape Screening

The project proposes to locate tall arborvitae and hornbeam hedges along the rear property line to screen the parking area from the rear abutters. Pear trees, low shrubs and perennials will be located along the Quirk Court frontage. A pedestrian pathway with decorative paving will also connect the project to Quirk Court. The southern setback, adjacent to abutters along Quirk Court, will contain a couple apple and pear trees along with a fence with espalier and shade plantings. The northern property edge of the project is proposed to have red-twig dogwoods, arborvitae, and a wooden solid fence. The front of the project, along Adams Street, will include arborvitae, boxwood hedges, low shrubs and perennials in front of the building and four pear trees will be located in the parkway along the street. The project adequately screens the parking area at the rear of the site and screens the building from abutters to the extent possible given the limited setbacks and shared easement. Planning staff recommends the petitioner explore setting back the building further from the Quirk Court abutters in order to provide additional landscaped screening.

J. Affordable and Fair Housing Policy

Table III: Unit Mix

Unit Type	Number of Units	Number of Deed Restricted Units	Percentage of Area Median Income (AMI)	Average Square Footage (Of Unit Type)
One-Bedroom	5	1	65%	695 S.F.
Two-Bedroom	7	1	65%	1, 010 S.F.
Two-Bedroom Bi-Level	1	0	N/A	1, 250 S.F.
Three-Bedroom w/ Loft	5	1	65%	1, 673 S.F.
Total	18	3	N/A	N/A

As the project is creating new dwelling units, the petitioner will be required to comply with the Inclusionary Zoning section of the Ordinance. As such, the petitioner has submitted an Inclusionary Housing Plan and an Affirmative Fair Marketing and Resident Selection Plan. The petitioner is required to provide 15%, or two, of the units as inclusionary units, however they have elected to utilize the density bonus and are therefore providing three affordable units to gain an additional market rate unit. The three affordable units will be restricted to households earning up to 65 percent of Area Median Income (AMI) and will include a first floor one-bedroom unit, a second floor two bedroom/two bath unit, and a third floor three bedroom/three bath unit. The first and second floor units are adaptable for accessibility. Staff have not yet completed review of the proposed Inclusionary Housing Plan and expect to provide an update at the Working Session.

K. Accessibility

The project is required to be compliant with ADA and Massachusetts Architectural Access Board (MAAB) regulations. The petitioner is proposing one two-bedroom unit and five three-bedroom units which are not fully accessible. That is, these units have second floors or lofts accessed by stairwells. The Planning Department is concerned with the inaccessibility of these units, especially since one of the three-bedroom units will be an inclusionary unit. Staff will consult with the City's ADA Coordinator and Inspectional Services and provide an update at the public hearing. The remaining twelve units will be accessible and adaptable to those with disabilities. The surface parking facility will contain 24 stalls in total, including two accessible spaces with an eight-foot van loading area in between.

L. Signage

The petitioner has not requested relief from the Ordinance regarding the number, size or type of signs. As a result, all signs are expected to be as of right and will be reviewed by the Urban Design Commission, should this petition be approved.

M. Lighting

A photometric plan of the surface parking facilities is required for this project due to the number of parking stalls proposed. The petitioner requested relief from the level of illumination required by the Newton Zoning Ordinance. The Planning Department is supportive of this waiver because of the facilities' immediacy to the neighboring properties but wants to ensure safety throughout the parking areas. The petitioner has not supplied a photometric plan but should be required to do so before being scheduled for a working session.

N. Sustainability and Conservation of Natural Resources

The proposed multi-family structure will exceed 20,000 square feet thereby triggering the fifth special permit criterion to ensure the site planning, building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. The petitioner has submitted memos from Innovative Collaborations, Inc., dated February 16, 2018 and March 9, 2018 (**Attachment C**) describing the ways in which the project will contribute to the efficient use and conservation of natural resources and energy.

The petitioner proposes reducing carbon emissions by encouraging alternative transportation through unbundling parking, providing two electric vehicle charging stations, providing a new bus shelter for the 558-express bus, and by providing bicycle racks at the front of the building and bicycle storage in the basement. Rooftop rainwater will be collected and stored in an 8,000-gallon tank to be located under the outdoor green space and will be pumped to provide landscape irrigation. The project proposes to exceed the Massachusetts Energy Code and Stretch Code standards and will be designed to National Program Requirements for Energy Star Certification. The building will include insulation that exceeds code requirements and will undergo blower door testing to ensure results. The petitioner has proposed designing the building to achieve a HERS index rating of 55 or less, which is 55% more energy efficient than a standard new home. This will include high-performance windows and the sealing of all holes, cracks, and seams in ducts and construction assemblies. Additionally, the units will include Energy Star appliances, wi-fi programmable thermostats, and energy efficient lighting.

The petitioner is also considering the use of photovoltaic panels, solar domestic hot water, and certification for Zero Energy Ready Home by the Department of Energy. The Director of Sustainability has reviewed the proposal and requested the petitioner provide more specificity in the proposals. Staff will continue to work with the petitioner and provide an update at the Working Session.

O. Project Phasing and Construction Management

Should this project be approved, a Construction Management Plan (CMP) will be required prior to the issuance of any building permits and will be reviewed by the Commissioner of Inspectional Services, the Commissioner of Public Works and the Director of Planning and Development.

III. CONSISTENCY WITH COMPREHENSIVE PLAN, TRANSPORTATION & HOUSING STRATEGIES

Newton's *Comprehensive Plan of 2007* seeks to protect the rich choice among the City's neighborhoods while also relating density to neighborhood character and infrastructure capacity while promoting a range of housing opportunities. The *Housing Needs Analysis and Strategic Recommendations* from June 2016 contains housing strategy principles to provide greater housing diversity to preserve the City's character and quality and the *Newton Leads 2040 Transportation Strategy* contains strategies intended to make it safer and easier for Newtonians to utilize alternative modes of transportation such as walking, biking, and taking transit.

These plans contain relevant goals for residential development, such as smart growth principles to guide growth in the City to where it is "best served by public transport, where it is closest to businesses which provide services or to the largest employers, and for family housing, where it has safe and close access to public schools"; and providing greater housing diversity. The proposed project is located in a well-established, dense, mixed-use neighborhood in Nonantum. Several transit options are located within walking distance, and the multitude of restaurants, shops, and services along Watertown Street are a quick walk from the site. Additionally, the Lincoln-Eliot School and Pellegrini Park are also nearby. The walkability of the neighborhood, proximity to transit and services, investment in a bus shelter by the petitioner, on-site bicycle storage, and the unbundling of the parking in the project will support the City's adopted smart growth policies.

In addition to supporting transportation access and choice, housing diversity and choice are critical goals of the City. The *Housing Strategy* contains principles which include pursuing diverse housing choices to meet changing housing needs of a diverse population, locating housing to promote access and choice, seeking high-quality design that is responsive to context, and pursuing green design. The proposed project will provide 18 residential units ranging from one-bedroom units to three-bedroom loft units in a walkable, transit-accessible neighborhood. Of the 18 units, three units will be deed-restricted in perpetuity

to households earning up to 65 percent of the Area Median Income (AMI). The petitioner has proposed three units where two would otherwise be required in order to utilize a density bonus. The petitioner has committed to green design measures intended to conserve water and energy use and Planning Department staff will continue to work with the petitioner to refine these proposals. Where the project falls short is in relation to a design that is responsive to context and the accessibility of the project. While most new buildings with an elevator can be 100 percent accessible, due to the loft style of the units on the third/fourth floor only 12 of the 18 units will be accessible and none of the three-bedroom units, including the affordable three-bedroom unit, will be accessible. Additionally, the building's relationship to the surrounding context could be improved. The neighborhood contains a mix of uses and building types but there is a consistent pattern of height, roof forms, and setbacks.

Overall, the Planning Department believes the petition satisfies many of the principles of the above referenced plan by providing much needed housing and an additional affordable housing unit in a location that meets smart growth principles.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance)

The Zoning Review Memorandum, dated March 15, 2018 provides an analysis of the proposal regarding zoning. **(Attachment D)**

B. Newton Historical Commission Review

The petitioner applied for the total demolition of the existing mixed-use structure at 189-193 Adams Street and the single-family dwelling at 18 Quirk Court. The structure at 189-193 Adams Street was found preferably preserved for architectural integrity and historic context at the July 27, 2017 meeting of the Newton Historical Commission (NHC) and a one-year delay was placed on the demolition. The petitioner appeared before the NHC again on January 11, 2018. The NHC approved of the direction of the design, but did not grant a waiver of the demolition delay. As a result, the delay is still in effect until July 27, 2018. After that date, the petitioner can legally demolish the structure. The single-family dwelling at 19 Quirk Court was found not preferably preserved at the October 26, 2017 meeting of the NHC; as a result, the petitioner can legally demolish the structure.

C. Engineering Review

Associate City Engineer, John Daghlian, reviewed this petition for conformance with the City of Newton Engineering Standards **(Attachment E)**. Adams Street was reconstructed by the Department of Public Works in 2017. As such, the petitioner shall be required to restore Adams Street to its existing condition. The Planning Department recommends these improvements to Adams Street be completed and

inspected by the Engineering Division prior to a temporary certificate of occupancy for the multi-family dwelling, should this petition be approved. Additionally, the petitioner shall respond to the comments raised in the memorandum at the public hearing or prior to being scheduled for a working session.

D. Fire Department Review

The petitioner met with the City of Newton Fire Department who approved of the site plan. The proposed multi-family structure will also be sprinkled per code. The plans will be reviewed again prior to the issuance of any building permits, should this project be approved.

E. Urban Design Commission Review

The petitioner attended the Urban Design Commission (UDC) on March 21, 2018. The UDC did not have a formal recommendation on the project but did make suggestions and raise questions regarding open space, bicycle parking, accessible parking, location of street trees, and snow removal (**Attachment F**). The UDC suggested more green space be provided given the five three-bedroom units may attract families. The petitioner noted there is no guarantee that children will reside in those units and in any event Pellegrini Park is located just two blocks away. The UDC also suggested that the bicycle storage may be more successful if located at ground level so residents will not need to take bicycles to the basement in the elevator. The petitioner has responded that they are unable to provide bicycle storage at the ground level and by locating it in the basement they can provide space for up to 45 bicycles. The proposed elevator will accommodate a stretcher so will be adequate for bicycles. It was also noted that the van accessible parking space did not appear to have a sufficient loading area. The petitioner has since revised the plans to provide two eight-foot wide handicap accessible spaces separated by an eight-foot loading area, which is sufficient. The UDC noted that the parkway along the sidewalk may not have sufficient space for street trees, however the petitioner has stated that the location is consistent with other new trees planted along Adams Street and that the landscape consultant will work with the Director of Urban Forestry to choose a species that is appropriate for this location. Lastly, in response to the UDC's note that the site lacks sufficient space for snow storage, the petitioner has stated that snow will be removed from the site.

V. PETITIONER'S RESPONSIBILITIES

The petitioner should respond to the issues raised in this memorandum and other questions raised at the public hearing as necessary. Written responses to all significant issues should be provided for analysis by the Planning Department prior to being scheduled for additional public hearings. The Planning Department will prepare an

updated memo prior to any future public hearings.







ATTACHMENTS:

- Attachment A:** Zoning Map
- Attachment B:** Land Use Map
- Attachment C:** Sustainability and Energy Conservation Memorandum
- Attachment D:** Zoning Review Memorandum
- Attachment E:** Engineering Memorandum
- Attachment F:** Urban Design Commission Memorandum

Attachment A Zoning Map Adams St., 189-193 Quirk Ct., 19

*City of Newton,
Massachusetts*

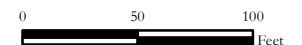
Legend

-  Multi-Residence 1
-  Multi-Residence 2
-  Business 2
-  Building Outlines
-  Surface Water
-  Property Boundaries

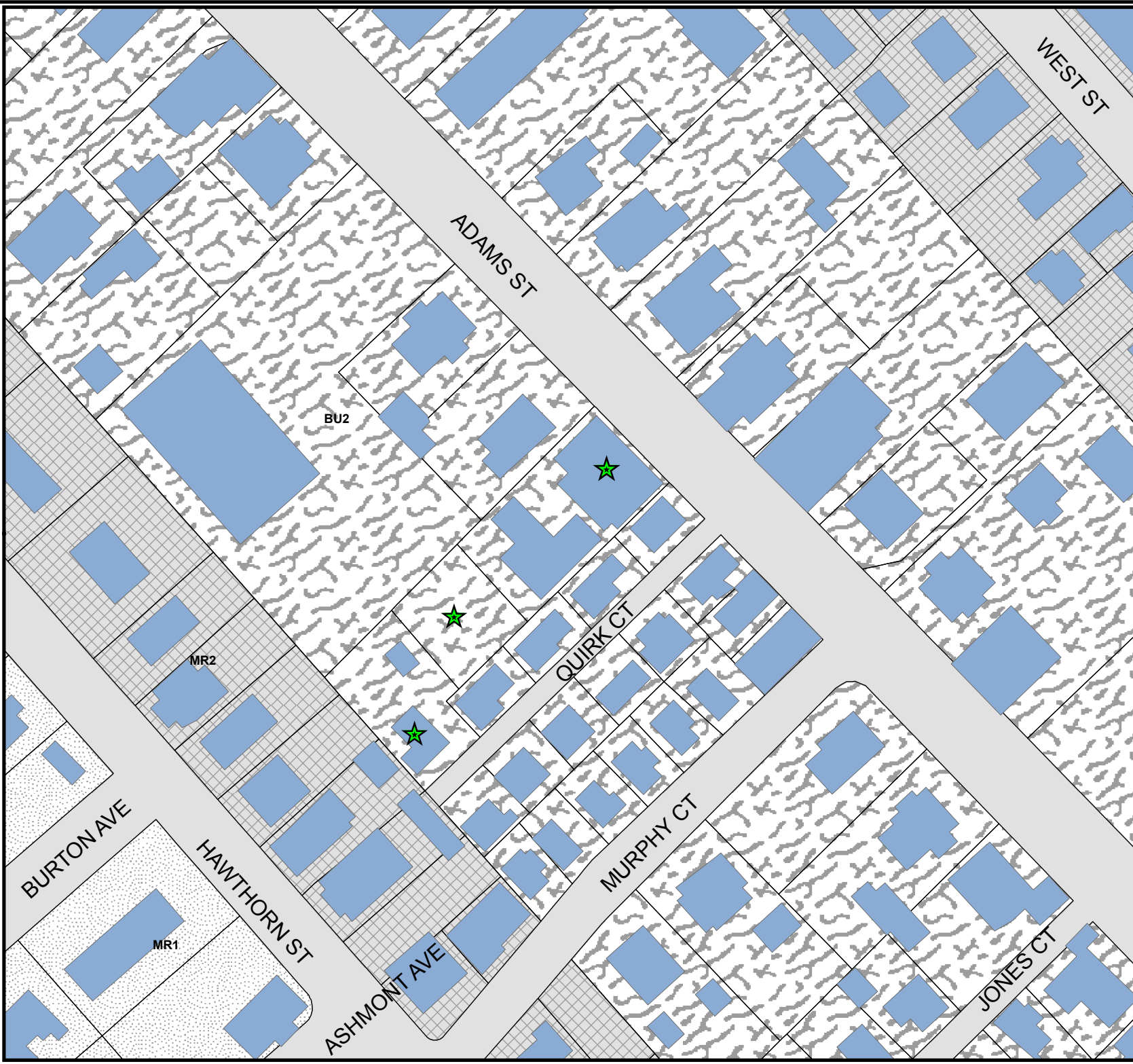


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller



Map Date: March 05, 2018











Attachment B Land Use Map Adams St., 189-193 Quirk Ct., 19

Legend

Land Use

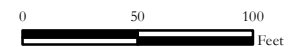
Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Mixed Use
-  Nonprofit Organizations
-  Vacant Land
-  Building Outlines
-  Surface Water
-  Property Boundaries

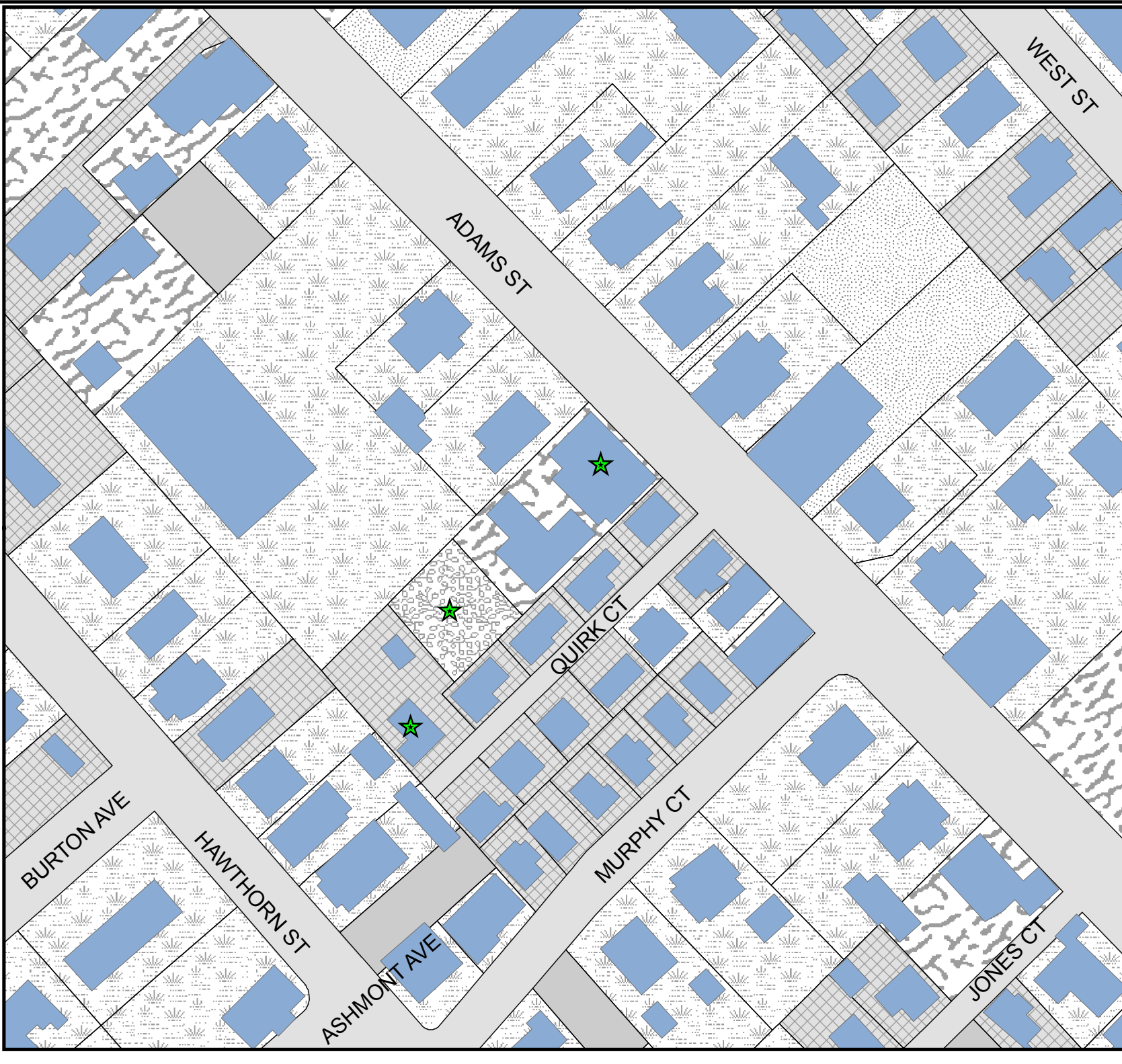


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CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller



Map Date: March 05, 2018



February 16, 2018

To:
 Michael Gleba
 Nadia Khan

Project: The Residences at 189 Adams Street
 189-193 Adams St, Newton MA

I was asked to send a brief narrative of the projects efficient use and conservation of natural resources and energy. Please see below:

The intent of this project is to contribute significantly to the efficient use and conservation of natural resources and energy. Most of these items are already listed in the submission (from Civil drawing showing rainwater harvesting, sustainable & green strategies slides, etc.):

Reduced Carbon Emissions by Encouraging Alternative Transit

- Unbundled parking
- Electric Car Charging
- New Bus Shelter (558 bus – direct to downtown Boston)
- Bike racks & storage
- Enhanced pedestrian safety (better pedestrian visibility at driveway)
- Promotes walkable neighborhood (commercial street frontage, improvements to streetscape)

Active & Passive Sustainable Systems

- Rainwater Harvesting (landscape irrigation)
- High Performance Thermal Envelope
- Build to Energy Star standards
- Energy efficient mechanicals & appliances

Other items under consideration

- Geothermal Energy (common areas)
- Photovoltaic Panels (common areas)
- Solar Domestic Hot Water (common areas, infrastructure for residential units)

If you need any further information or clarifications, feel free to contact myself Martin@innovative-c.com or Christie Dennis Christie@innovative-c.com.

Sincerely,



Martin A. Smargiassi, AIA, NCARB
 Principal Architect, CEO
 Licensed Architect: MA, FL, NH, RI, ME

Memorandum:

Date: March 9, 2018
To: City of Newton
Planning & Community Development
Attention:
Neil Cronin, Senior Planner
Michael Gleba, Senior Planner

CC: Nadia Khan, Newton City Clerk's Office
Terry P. Morris, Esq. Attorney at Law

Re: Development Review: #137-18,
The Residences at 189 Adams Street
189-193 Adams Street Newton MA, 02458

From: Martin A. Smargiassi, Principal Architect

Dear Mr. Cronin and Mr. Gleba,

Thank you for your thorough review of the application for the multi-family residential development at 189-193 Adams Street. The information below is intended to supplement the materials previously submitted, to provide further detail regarding this project, per your request.

We have incorporated a number of active and passive strategies to ensure that the building and site will operate efficiently, contribute to the environmental quality of the neighborhood, and encourage resource conservation on the part of future residents.

Alternative Transit

As you are no doubt aware, transportation accounts for nearly 30% of U.S. energy use, and about 27% of U.S. carbon emissions are the product of petroleum-based vehicles. Reducing private vehicular use is therefore a highly effective strategy for conserving resources and promoting sustainable lifestyles.

With a walkscore of 83, the project site is an excellent location for Newton residents who prefer the convenience and economy of commuting via public transit and shopping within walking distance of home. This project is intended to be marketed specifically toward these environmentally-conscious, one-car or zero-car individuals, and includes the following related strategies:

Electric Car Charging

Electric vehicles contribute significantly less carbon into the atmosphere than conventional, gas-powered cars. They are also a great option for short-range commuter trips. To encourage electric vehicle use, two parking spaces will be designated as charging stations for electric vehicles, as indicated on the Topographic Site Plan by VTP Associates.

Bus Shelter & Alternative Transportation

While there are many public transit options in the project vicinity, most notable is the 558 Bus stop, just few feet from the property. This express bus is direct from Newton to downtown Boston (has few stops on the way to I-90 on ramp) and is a valuable resource for the

neighborhood and future building residents. The project will include a new shelter to serve this bus stop, as a resource for both project residents and neighboring residents. By promoting the comfort and safety of commuters and increasing the visibility of this bus line within the neighborhood, the new shelter is expected to increase ridership (and decrease single-car commuting) among both building residents and the neighborhood at large. The shelter will be constructed and maintained at the property owner's expense.

Other alternative transportation includes: The Newtonville commuter rail station is 0.6 miles away, the 556, 554, 553 buses all stop at the intersection of Adams and Washington (0.3 miles away) which gives a rider flexibility to leave at almost any point and time during rush hour. The 59 Bus stops at intersection of Watertown and Adams St. (0.1 miles away), every 30 minutes during rush hour and brings a commuter to a transportation hub of the Watertown Yard. The Watertown yard is 1.1 miles away with a 22 minute level and flat walk. While this does not technically count under walk score, having walking access and more importantly one bus transfer away to the 57, 70, 70A, 71, and the 52 makes this location accessible and commuter friendly.

Car sharing is available from RelayRides and Zipcar locations within walking distance at $\frac{3}{4}$ of a mile away.

Unbundled Parking

The practice of leasing parking spaces separately from rental units is a recognized Transportation Demand Management strategy that helps tenants balance the costs and benefits of alternative transit. By unbundling parking from unit rentals, this project will attract residents with fewer cars (if any), who prefer to get around on foot, bike, or public transit.

Bicycle Storage & Security

To help residents take advantage of the rapidly expanding network of bike lanes in the City of Newton, the project provides a secure parking facility for six bicycles in front of the building, along with a secure, on-site storage room in the building basement. The storage facility will accommodate forty-five bicycles for building residents, with storage racks to be Dero or equal.

Enhancing Pedestrian Safety & Promoting Walkable Neighborhoods

The Village of Nonantum offers a number of shops, restaurants, and other resources, all within a few minutes' walk of the project site. 189 Adams Street has a Walk Score of 83 out of 100. The score evaluates dining, groceries, shopping, parks, schools, entertainment, etc. This location is Very Walkable so most errands can be accomplished on foot (from Wholefoods 0.3 miles away to Watertown street / dining & shops 0.1 miles away)

Maintaining an accessible, attractive, and safe streetscape is fundamental to connecting nearby residents to these local amenities. The project is designed to enhance pedestrian safety and maintain the design elements that characterize walkable neighborhoods. The building's front setback will allow adequate space for landscaping, bicycle racks, and a bus shelter along Adams Street, while continuing to define the urban street edge. This setback (increased from current conditions) provides better visibility for traffic entering and exiting the driveway, which will significantly improve the safety of pedestrians traveling along Adams Street. Any street trees that have not been planted by the City will be infilled in front of the property (at property owner's expense) to maintain a continuous tree canopy (see landscape plan and planting list for details). To maintain "life on the street", the developers have opted to create a community space that will front Adams Street. This double-height space, with large windows onto the street and free Wi-Fi, will serve as a "living room" for the community, available for neighborhood meetings and other events serving the immediate neighborhood.

Transportation Demand Management

Beyond the strategies mentioned above, the project will implement several Transportation Demand Management strategies to educate building residents about alternative transportation modes, reduce private vehicular use, and coordinate programs such as ridesharing. These strategies are elaborated in the Traffic Impact and Access Study prepared by Bayside Engineering.

Water Conservation: Rainwater Harvesting / Stormwater Management

The project dramatically improves the environmental quality of the neighborhood by restoring vegetation to the site. (New shade trees, groundcover, and ornamental plantings are elaborated on the Planting Plan and Conceptual Plan List by Leone Company.) To reduce water consumption associated with maintaining these landscape improvements, while mitigating the flooding and pollution problems typically associated with stormwater run-off, the project includes a rainwater harvesting system. Rooftop rainwater will be collected and stored in an 8,000-gallon tank located under the outdoor green space, with a pump chamber to provide landscape irrigation. (See Grading, Drainage & Utility Plan by VTP Associates.)

Energy Conservation: High Performance Thermal Envelope

Over many years of practice, we have developed a rigorous process to ensure the effectiveness and efficiency of building enclosures, in order to minimize heat loss. This is of immediate measurable value to building occupants, in the form of lower heating bills, and it is of long-term immeasurable value to the planet, in the form of energy conservation.

For this project, our goal is to exceed Massachusetts Energy Code and Stretch Code standards. The project will be designed to National Program Requirements for Energy Star Certification, as a base minimum with intention to exceed. Energy modeling, overseen by an Energy Efficiency Consultant, will be performed to test assemblies to ensure performance to meet or exceed these requirements. Beyond oversight by the Energy Efficiency Consultant, the Project Architect, extensively trained in high performance envelopes, will oversee Construction Control with specific attention to energy efficiency and insulation. This includes inspection with particular attention to insulation and air sealing, to ensure the envelope performs as designed. This documentation and inspections will be called out in the construction documents, which is our standard practice. Other performance measures will include:

Effective Insulation / Blower Door Testing

Properly installed insulation that exceeds code requirements will help achieve even temperatures throughout while using less energy. The result is lower utility costs and a quieter, more comfortable environment. Blower door testing will be completed to ensure results.

HERS Rating

A typical resale home represents 130 on the HERS Index while reference home (a standard new home built in 2006) is rated at 100.

- A home with a HERS Index Score of 70 is 30% more energy efficient than a standard new home.
- A home with a HERS Index Score of 130 is 30% less energy efficient than a standard new home.

A certified energy rater will model the building and each unit will be designed and tested to achieve HERS index rating of 55 or less. This translates to 55% more efficient (or greater) than a standard new home.

High-Performance Windows

Advanced window coatings will help keep heat in during winter and out during summer. They also block damaging ultraviolet sunlight that can discolor carpets and furniture.

Tight Construction & Tight Ducts / Duct Leakage Testing

Attention to detail by sealing all holes, cracks, and seams in ducts and construction assemblies will help eliminate drafts, moisture, dust, pests, and pollen. This improves comfort and indoor air quality while lowering maintenance costs.

Energy Conservation: Energy-Efficient Heating, Cooling & Lighting

By utilizing high efficient, properly-sized heating and cooling systems, the project will consume less energy, reducing utility bills. These systems turn on and off less frequently, removing more humidity and providing better comfort. Other energy-saving measures include Energy Star appliances, Wi-Fi programmable thermostats to reduce energy waste and energy efficient lighting (90% minimum to be LED and/or compact fluorescent (CFL) bulbs).

Other Items Under Consideration

We continue to explore additional alternative energy options with this project:

Photovoltaic Panels

PV panels are a great option for common areas within the building. Implementation will depend on overall cost-benefit analysis for the project.

Solar Domestic Hot Water

We are exploring the feasibility of implementing solar domestic hot water for common areas within the building, and ideally would like to provide infrastructure for residential units. Implementation will depend on overall cost-benefit analysis for the project.

Zero Energy Ready Home by DOE

We are exploring with our energy consultant the implementing of including some items from this certification.

We are excited about *The Residences at 189 Adams Street* and the benefits it will bring to the Village of Nonantum. We believe the items outlined herein will contribute to a successful development that will enhance the built environment, the local community, and the people they serve through thoughtful planning and design. We look forward to discussing this with you further, and remain happy to address any outstanding questions you may have.

Kind regards,

Martin A. Smargiassi, AIA, NCARB

Principal Architect, President

Licensed Architect: MA, FL, NH, RI, ME



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

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(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: March 15, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Stephen Trotta, Applicant
Terrence Morris, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow for an 18-unit multi-family dwelling and associated parking waivers

Applicant: Stephen Trotta	
Site: 189-193 Adams Street and 19 Quirk Court	SBL: 14015 0039, 14015 0038 and 14015 0044
Zoning: BU2	Lot Area: 19,349 square feet (combined)
Current use: Mixed commercial and single-family dwelling	Proposed use: 18-unit multi-family dwelling

BACKGROUND:

The property located at 189-193 Adams Street consists of a 9,194 square foot lot improved with a mixed use structure constructed circa 1900, most recently containing a first floor fraternal organization with residential units above. The 4,350 square foot rear lot is improved with a commercial garage and contractor's yard. A third parcel containing 5,805 square feet is included in the proposed project at 19 Quirk Court. This parcel is improved with a single-family dwelling constructed circa 1880 and a detached single-car garage. These parcels are bordered to the east and west by single-family dwellings also in the BU2 zoning district, as well as an apartment house, and to the north by single- and two-family dwellings in the MR2 zoning district. The petitioner proposes to combine the three lots, raze the existing buildings and construct an 18-unit multi-family dwelling with a first floor commercial space and accessory surface parking.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Terrence Morris, attorney, submitted 1/9/2018
- Existing Conditions Site Plan, signed and stamped by David Alves, surveyor, dated 11/14/2017
- Zoning Overview, signed and stamped by Martin A. Smargiassi, architect, dated 12/21/2017
- Zoning Plan, signed and stamped by Martin A. Smargiassi, architect, dated 12/21/2017
- Topographic Site Plan signed and stamped by Joseph Porter, PLS, dated 2/12/2018

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to raze the existing structures and construct an 18-unit multi-family dwelling with 1,280 square feet of first floor commercial space. Per section 4.4.1, a special permit is required to construct a multi-family dwelling with ground floor units in the BU2 zoning district.
2. The proposed development will contain 25,375 square feet of new gross floor area, which requires a special permit per section 4.1.2.B.1.
3. The existing structure at 189-193 Adams Street is 41 feet in height. The petitioner requests to maintain that height in the new four-story structure. Per section 4.1.2.B.3 and section 4.1.3, a four-story building at 41 feet in height requires a special permit.
4. The proposed four-story building is 25,375 square feet, creating an FAR of 1.31, where 1.0 is the max allowed by right, and 2.0 is the max allowed by special permit for a four-story building per Section 4.1.3. To construct the project with an FAR of 1.31 requires a special permit. The density bonus provisions of Section 5.11.15.A allows also for a 25% increase in FAR, thereby increasing the allowable FAR from 1.0 to 1.25, which reduces the margin of relief but still requires a special permit.
5. The petitioner proposes to construct 24 surface parking stalls at the rear of the property to service the 18 dwelling units and 1,280 square feet of common space accessory to the project which would be available by appointment for community use. The required number of parking stalls for a multi-family dwelling is two stalls per unit or 36 total. The communal space fronting the building on Adams Street has no parking requirement. The total number of parking stalls required for the multi-family residential use is 36 stalls. Section 5.1.4 allows the City Council to grant a special permit to reduce the required number of parking stalls for a multi-family dwelling from two stalls per unit to 1.25 per unit. This waiver would reduce the parking requirement for the residential units from 36 stalls to 23.
6. The proposed parking at the rear and side of the property is accessed by a driveway off Adams Street ranging from 12 to 15 feet wide. Approximately 9.3 feet of the driveway is located on the petitioner's parcel, and the remaining width is on an easement on the adjacent parcel at 183 Adams Street.
7. Section 5.1.8.A.1 requires that no parking locate within any required setback distances from a street or side lot line. Per section 1.5.3.B. no building need be set back more than the average of the buildings on either side, for a maximum of 10 feet in a Business district. The setback of the abutting property on Quirk Court was not supplied. Two other parking stalls, one in the western corner and the other in the eastern corner of the parking area, are located near or on property

lines. To the extent that any parking stalls are located within the required setback, a special permit is required to waive the provisions of section 5.1.8.A.1.

8. Section 5.1.8.B provides the dimensional requirements for parking stalls. Per section 5.1.8.B.1, the minimum width for a stall is 9 feet wide, and per section 5.1.8.B.2, the minimum depth is 19 feet. The petitioner proposes parking stalls in the rear parking area which are 8.5 feet wide. The stalls located along the side of the building are proposed at 16 feet deep. A special permit is required per sections 5.1.8.B.1 and 2 to reduce the dimensional requirements for parking stalls.
9. There is a two-way vehicular aisle off Adams Street that is as wide as 15 feet and as narrow as 12 feet leading to the parking areas at the side and rear of the property. There are eight parking stalls along this aisle. Section 5.1.8.C.1 requires an aisle width of 24 feet for parking angled at 90 degrees. The aisle is 15 feet wide at the point of the parking, which does not meet the requirements of this section or the following section 5.1.8.C.2 (of 20 feet for two-way traffic, whichever is greater), requiring a waiver.
10. The entrance from Adams Street is 12 feet wide and is proposed for two-way access and expands to 15 feet in width once past the structure on the adjacent parcel at 183 Adams Street. Per section 5.1.8.D.1, entrance and exit drives must be a minimum of 20 feet wide for two-way use. To make this entrance available for two-way traffic, a waiver from the provisions of 5.1.8.D.1 is required.
11. Section 5.1.9.A requires that outdoor parking facilities with more than five stalls provide adequate screening from abutting streets and properties. No landscape screening is shown on the proposed plans. To the extent that the proposed parking facility does not provide adequate screening from abutting properties, a special permit waiving the provisions of section 5.1.9.A is required.
12. Section 5.1.10.A sets out lighting requirements for parking facilities with more than five stalls. To the extent that the proposed parking areas do not meet the requirements of section 5.1.10.A, a waiver is requested.
13. Section 5.11.15 states that a density bonus may be granted equal to one unit for each additional inclusionary unit provided above the number required by section 5.11.4, up to a limit where the lot area per unit required in section 4.1.2 is decreased by up to 25 percent, and is still consistent with the special permit requirements. Per the standards of section 4.1.2, the petitioner may construct one dwelling unit per 1,200 square feet of lot area, for a total of 16 units on the 19,381 square foot lot. Per section 5.11.4, the petitioner must provide at least 15 percent affordable units of those 16 units, which results in two affordable units (and 14 market rate). The petitioner seeks relief to utilize the density bonus provisions of section 5.11.15 to increase the number of dwelling units to 18, thus providing three affordable units and fifteen market rate units.

BU2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	19,349 square feet	No change
Frontage <ul style="list-style-type: none"> Adams Street Quirk Court 	Pre-existing Pre-existing	72.5 feet 49.6 feet	No change No change
Setbacks <ul style="list-style-type: none"> Front Side Rear 	10 feet (Average) 4.1 feet (Abutting side setback) 20.5 feet (½ building height) 20.5 feet (½ building height)	3.1 feet 4.1 feet 75.4 feet	10 feet 5 feet 84.6 feet
Building Height	36 feet (by right) 48 feet (special permit)	40.27 feet	40.48 feet
Stories	3/4	3 stories	4 stories
Lot Area Per Unit	1,200 square feet	N/A	1,075 square feet
FAR	1.25 (by bonus) 2.0 (by Special Permit)		1.31

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1	Request to allow a multi-family dwelling with ground floor units	S.P. per §7.3.3
§4.1.2.B.1	To allow a development in a business district with more than 20,000 square feet of new gross floor area	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	To allow a four-story structure at 41 feet in height	S.P. per §7.3.3
§4.1.3	To allow an FAR of 1.31	S.P. per §7.3.3
§5.1.4 §5.1.13	To allow a reduction in required parking for a multi-family dwelling to 1.25 stalls per unit	S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	To allow parking in the setback	S.P. per §7.3.3
§5.1.8.B.1 §5.1.8.B.2 §5.1.13	To waive the minimum stall dimension requirements	S.P. per §7.3.3
§5.1.8.C.1 §5.1.8.C.2 §5.1.13	To allow a reduction in the minimum width of maneuvering aisles	S.P. per §7.3.3
§5.1.8.D.1 §5.1.13	To allow a reduction in the minimum width of an entrance/exit drive	S.P. per §7.3.3
§5.1.9.A §5.1.13	To waive the perimeter landscape screening requirements	S.P. per §7.3.3
§5.1.10.A §5.1.13	To waive lighting requirements	S.P. per §7.3.3

§5.11.4 §5.11.15 §4.1.2	To allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units	S.P. per §7.3.3
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CITY OF NEWTON
Department of Public Works
ENGINEERING DIVISION

MEMORANDUM

To: Council Gregory Schwartz, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – #189-198 Adams St & 19 Quirk Court

Date: March 2, 2018

CC: Barney Heath, Director of Planning
Jennifer Caira, Chief Planner
Lou Taverna, PE City Engineer
Nadia Khan, Committee Clerk
Neil Cronin, Sr. Planner

In reference to the above site, I have the following comments for a plan entitled:

*Topographic Site Plan
Showing Proposed Conditions at #189-193 Adams Street & 19 Quirk Court
Dated: February 23, 2018
Prepared By: VTP Associates Inc.*

Executive Summary:

This application entails the demolition of an existing two-half story building, and auxiliary buildings on two lots totaling 19,349 sq. ft. [0.44ac]. If the special permit is approved an Approval Not Required (ANR) plan will be needed in accordance to Massachusetts General Laws Chapter 41 Section 81P requiring the two separate lots be combined into one lot.

The current use is a soccer club, landscape company, storage yard, and storage garages. The new development is a multi-family residence consisting of 18-units on four stories. The site has access on Adams Street (which was reconstructed last year), and off Quirk Court & a 15' wide passageway along the northeast property line. Due to limited sight

distance I would recommend that the access on Quirk Court be restricted to one-way into the site.

The site is relatively flat, having a high point at elevation 53-feet near the southern property line and gently slopes towards the northeast at elevation 51-feet. The engineer has designed a stormwater collection system to capture and infiltrate all the runoff from the City's 100-year design storm of 8.87 –inches over a 24-hur period; however, no soils evaluation was provided with the Stormwater report. On site soil testing is required to determine the seasonal high groundwater elevation. The system will improve the overall stormwater quality and significantly reduce surface runoff from the site to the abutting properties and Adams Street. Clarification is needed however for the proposed pump chamber; the site plan is a bit convoluted. An Operations & Maintenance plan is needed for the proposed stormwater improvements, to ensure long-term maintenance and performance of the system. Once approved the O&M shall be recorded with the Middlesex Registry of Deeds and incorporated into the condominium or Homeowners Association.

Since the site had various landscape equipment and vehicles a concern is contained soils, has a 21E environmental investigation been performed, if so a full report should be submitted to the Board of Health and Engineering. How will trash & recycling be addressed for this project? Snow storage areas should be identified on the plans.

Finally as Adams Street was reconstructed last year, pavement restoration shall be from curb line to curb line milled & overlaid for the entire frontage. Any sidewalk & curb damaged shall be replaced in kind.

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction equipment, construction materials, parking of construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor. It shall also address any anticipated dewatering during construction, site safety & stability, and impact to abutting properties.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.

Drainage:

1. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to drafted and submitted for review. Once approved the O&M must be adopted by applicant, incorporated into the deeds; and recorded at the

Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.

2. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.

Sewer:

1. The proposed sewer connection shall be 8" not 6" as shown.
2. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the main and the site then properly back filled. The Engineering Division must inspect this work; failure to having this work inspected may result in the delay of issuance of the Utility Connection Permit.
3. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the City of Newton Construction Standards Detail Book.
4. All new sewer service and/or structures shall be pressure tested or videotaped after final installation is complete. Method of final inspection shall be determined solely by the construction inspector from the City Engineering Division. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer. ***This note must be added to the final approved plans.***

5. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer.

Water:

1. Fire flow testing is required for the proposed fire suppression system. The applicant must coordinate this test with both the Newton Fire Department and the Utilities Division; representatives of each department shall witness the testing, test results shall be submitted in a write report. Hydraulic calculation shall be submitted to the Newton Fire Department for approval.
2. All water connections shall be chlorinated & pressure tested in accordance to AWWA and the City of Newton Construction Standards and Specifications prior to opening the connection to existing pipes.
3. Approval of the final configuration of the water service(s) shall be determined by the Utilities Division, the engineer of record should submit a plan to the Director of Utilities for approval

General:

1. All trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
2. All tree removal shall comply with the City's Tree Ordinance.
3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility in question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*
4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*

5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.

6. Prior to Occupancy Permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading, improvements and limits of restoration work. The plan shall also include profiles of the various new utilities, indicating rim & invert elevations, slopes of pipes, pipe material, and swing ties from permanent building corners. ***This note must be incorporated onto the final contract plans.***

7. All site work including trench restoration must being completed before a Certificate of Occupancy is issued. *This note must be incorporated onto the site plan.*

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.

DEPARTMENT OF PLANNING AND DEVELOPMENT

**CITY OF NEWTON
Massachusetts**

INTER-OFFICE CORRESPONDENCE – DESIGN REVIEW

DATE: March 29, 2018
TO: Jennifer Caira, Chief Planner
Neil Cronin, Senior Land Use Planner
CC: Land Use Committee of the City Council
Petitioner
FROM: Urban Design Commission
RE: 189-193 Adams Street – Design Review

At the request of the Department of Planning and Development, the Urban Design Commission has reviewed and provides the following comments to the Department of Planning and Development regarding the proposed special permit project at 189-193 Adams Street. The following information is intended to give advice on specific matters affecting urban design and beautification for the project.

189-193 ADAMS STREET

The Urban Design Commission (UDC) held a meeting on March 21, 2018 to review the proposed project at 189-193 Adams Street. The applicant is seeking a Special Permit from the City Council for the property located at 189-193 Adams Street. The applicants presented their project to the Urban Design Commission (UDC). Based on the plans submitted and the presentation by the applicant's design team, the Urban Design Commission offers the following commentary.

The UDC confirmed that the Newton Soccer Club will be demolished. The applicant explained about the site plan. The UDC had a question about the bicycle racks, will it serve the tenants or the community. The applicant responded that it can serve the community, visitors, and residents and the applicant also mentioned that there are bicycle racks in the basement of the building that will serve the residents, about 41 racks. The UDC commented that it will be helpful for the bicyclists to have a ramp from the street to bicycle parking in the basement or provide a bicycle parking room on the first floor. The idea of taking a dirty bike into the elevator may not be encouraging to bicyclists.

The UDC asked about what else is provided in the basement. The applicant responded that there will be bicycle racks, and an accessible bathroom. The UDC had questions about how the tenants will bring their bicycles to the basement, the applicant responded that they will need to use the elevator to bring the bicycles to the basement, there is also a staircase provided.

The UDC also discussed the front entrance. The applicant mentioned that there will be non-residential use on the first floor. The applicant mentioned that they wanted the first-floor space to enhance the life on the street, first floor space is designed to be communal space, a library, gathering space (larger than one can accommodate in one's own apartment), also available by appointment for community use. The applicant noted that there will be a fob entrance for the main door and that there will be a higher level of security between the front main door and the second door.

The UDC also discussed the type of units. The UDC had questions about the 5 3-bedroom units about who will be renting those 3-bedroom units if there will be more families or unrelated roommates. The applicant answered that there will most likely be families living in the 3-bedroom units. The UDC brought up concerns that there are 5 3-bedroom units but not a lot of green space for kids. There's a lot of paving, but not a lot of green space and that the nature of open space provided is not very good.

The UDC had questions about the vehicular circulation and dimensions for parking spaces. The applicant mentioned that the compact spaces on the side driveway are 8'6"x18'. The UDC has concerns on width for the parking spaces that they are very narrow. The UDC also had concerns about the accessible space width, it needs to be 24' wide. The UDC also commented that the accessible space might be far from the building entrance. The UDC also commented that there is a requirement of 8 feet loading space. The UDC recommended to look at MAB standards.

The UDC had questions about the front staircase about how it works. The applicant explained that there are two sets of staircases, one from first floor to the second floor that wraps around the elevator and then a second set of staircases that takes you from the second floor to third floor. The applicant also mentioned that there is a staircase at the rear of the building from basement to the third floor.

There was discussion about materials for the exterior of the building.

The UDC had questions about a lighting plan for parking. The UDC recommended to the applicant to ask for a waiver on the lighting requirement. The UDC recommended that the lighting requirement should be much lower, especially in the residential neighborhoods.

The UDC asked the applicant if they had any communication with the neighbors. The applicant mentioned that they met with the neighborhood group twice. The applicant also mentioned that they did a lot of community outreach, to the community and direct abutters. The applicant also mentioned about meetings with Nonantum Neighborhood Association. The applicant commented that there has

been one vocal abutter. The applicant mentioned the community loves the design but there has been push back on number of units.

The UDC asked about the basic design direction. The UDC was curious to find out that other infill projects that have come in take a much modern approach, then a traditional approach. The applicant responded that they spoke to the community and the community desire was to take a more traditional approach, European Eclectic.

The UDC asked about amenities, like fitness. The applicant mentioned that the common space will have wi-fi and that there are a couple of fitness places on the street. The UDC commented that the landlord can offer discounted memberships to a nearby fitness facility.