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Barney S. Heath

PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: December 2, 2016
MEETING DATE: December 6, 2016
TO: Land Use Committee of the City Council
FROM: Barney S. Heath, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Neil Cronin, Senior Planner
CC: Petitioner

In response to issues raised at the City Council public hearing, the Planning Department is providing the following information for the upcoming continued public hearing/working session. This information is supplemental to staff analysis previously provided at the public hearing.

PETITION #261-16

1-55 Boylston Street

Request for Special Permit/Site Plan Approval to allow site and building improvements including constructing new buildings to allow for existing and new commercial uses consisting of banking, office, medical office, theatre, health club, retail, restaurant and parking, to allow buildings in excess of 20,000 sq. ft., allow a building 60' in height, site plan review for buildings within 300' of a great pond, allow parking within a setback, extend farmer's market special permit #230-14, update signage special permit #417-12, allow some parking stalls of the site to be reduced in size and in garage to be reduced stall depth, allow reduced parking facility lighting and grant exceptions for parking stall size and interior landscaping requirements

The Land Use Committee (The "Committee") opened a public hearing on this petition on Thursday, September 20, 2016, that was held open so that the petitioner could respond to questions/concerns that were raised in the Planning Department's Memorandum and at the public hearing by the Committee as well as the public. In addition, the petitioner was still before the Conservation Commission for construction within 100 feet of Hammond. This memo reflects those issues and concerns, as well as revised plans submitted by the petitioners as of November 21, 2016.

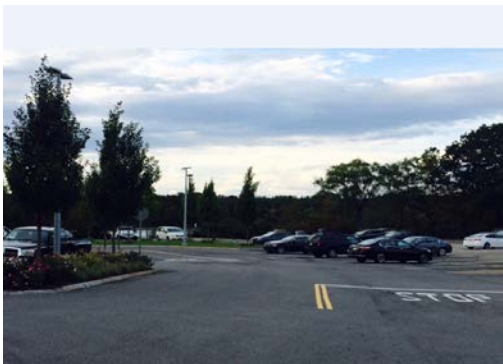
The Planning Department notes that this site has been subject to several special permits over time. However, unlike this petition, those special permits did not involve significant construction. The site is located between Boylston Street (Route 9) and Hammond Pond. Hammond Pond is defined as a Great Pond under M.G.L. Chapter 131, Section 1 and the City of Newton Zoning Ordinance (NZO)

contains a provision for development near a great pond. Per Section 5.6, “No building, structure or alteration, enlargement or extension located within 300 feet of a great pond defined under M.G.L. Chapter 131, Section 1 shall be permitted other than under the procedure in Section 7.4 with particular concern to the preservation of public view, enjoyment and access to the great pond.” The petitioner has submitted a plan of the site showing all proposed development within 300 feet of Hammond Pond (**Attachment A**). Below is a quick summary of the proposed construction within the 300 foot buffer with existing and proposed renderings:

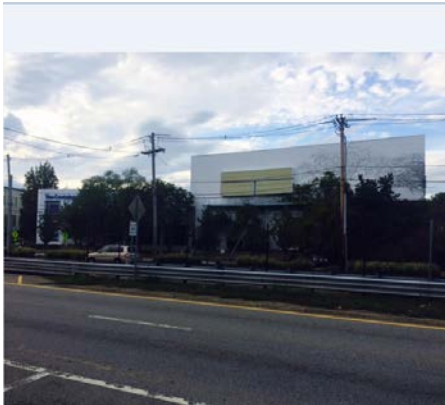
- *55 Boylston Street:* The petitioner is proposing two infill locations at this location which are within the 300 foot buffer. The existing structure is two stories with a movie theatre and retail on the second floor and a drive aisle with parking underneath. The petitioner is proposing 8,400 total square feet of infill on the northeastern façade of the structure to allow for a restaurant with outdoor seating on the second floor and increased retail on the ground floor. The petitioner is also proposing 4,700 square feet of infill on the ground floor of the western façade to create more retail space. Staff suggests the petitioner provide a rendering of this infill on the western façade prior to the next public hearing.



- *Pond Buildings:* The petitioner is proposing to construct two structures, as well as a boardwalk, over existing impervious surface. The proposed structures are 20 feet tall and are 1,900 and 7,900 square feet.



- *27 Boylston Street:* The petitioner is proposing a two story 84,000 square foot structure with two levels of parking beneath. The structure will have two “wings” separated by a pedestrian plaza which will allow access to both wings of the structure. The Planning Department notes approximately half of this structure is within the 300 foot buffer.



Plan Modifications

The plan revisions focused on the area of the Pond Buildings, specifically moving the structures away from Hammond Pond and reducing the building footprints. The initial plans called for the structures to be approximately 16 feet from the property line of the nearest residential lot line and 25 feet from Hammond Pond. The revised design maintains these 16 feet, but the pond buildings have been moved 10 feet away from the pond and the minimum distance is now 35 feet. The deck constructed at the Pond Buildings will have stairs leading to the outfall at the water's edge. This path will be approximately five to six feet wide bordered with natural fencing; it is not expected to be ADA compliant. The outfall will be the only place where human activity will be allowed at the pond's edge.

The original plans called for the Pond Buildings to be 7,900 square feet and 1,900 square feet. The revised plans show these structures reduced to 6,775 square feet and 1,675 square feet respectively. The height of the structures has also been reduced from 20 feet to 18 feet. In addition, the space between the buildings has been increased to provide a better view of the pond. Initially, the buildings' cantilevered design overlapped, minimizing the view of Hammond Pond from the redeveloped 27 Boylston. There is now approximately 41 feet between the structures at their closest point. This increased distance enhances the view of Hammond Pond from within the site, but also creates a larger “pedestrian concourse” which helps enhance the sense of place and adds to the walkability of the site.

Since the meeting on September 20th, the petitioner advertised additional relief from the NZO to waive the parking stall dimensions on certain locations of the site. The petitioner is seeking to reduce the depth of stalls near the pond's edge in order to construct the proposed 279 foot long, five foot wide boardwalk which serves as a pedestrian connection between 55 Boylston and the Pond Buildings. Initially, the boardwalk was to be constructed over existing vegetation, but after

discussions with the Conservation Commission, the petitioner decided to seek the relief in order to pull the boardwalk away from the pond.

In order to construct the boardwalk over existing impervious surface, the petitioner needs to decrease the depth of 37 stalls along the edge of the pond. Six of these 37 stalls will be 9 feet by 16 feet and will be marked as "Compact Vehicles Only"; the remaining 31 stalls will be 9 feet by 17 feet. The boardwalk is designed to be ADA compliant and a railing will be installed the entire length on the pond side. In addition, the petitioner intends to install plaques along the boardwalk to provide educational information as to the plant and wildlife of Hammond Pond, as well as history and preservation efforts made to Hammond Pond and Chestnut Hill.

The Planning Department notes the petitioner is seeking to modify the depth of stalls at other locations of the site as well. The reasons are to allow for 24 foot wide drive aisles to accommodate two-way vehicular travel, and to allow for wider sidewalks. Per Section 5.1.8.B.5, "Where stalls head into a curb which bumpers can overhang, the length of the stall may be reduced by two feet from the required stall depth dimensions; provided such bumper overhang distance shall not be used to meet the screening requirement of Section 5.1.9". The Planning Department notes that in these other locations, other than the boardwalk, the petitioner is seeking to modify existing stalls and does not intend to decrease the depth lower than 17 feet. Furthermore, the petitioner is seeking to modify stalls in conjunction with the redeveloped 27 Boylston structure. The Planning Department is not concerned with the request to modify the depth of existing stalls as the decreased depth allows for 24 foot wide drive aisles and pedestrian improvements. However, with respect to the waiver pertaining to new construction at 27 Boylston, staff suggests the petitioner consider alternatives to ensure these new stalls meet the required dimensions.

One Way Access: There was some concern that portions of the site would be one-way and therefore unsafe in an emergency. The Planning Department notes the project will only affect two portions of the site; as a result much of the existing travel patterns will remain unchanged. The proposed drive aisle running east-west through the site between the Pond Buildings and 27 Boylston will be 24 feet wide, which is the required width for two-way vehicular travel. In addition, the drive aisles on either side of 27 Boylston are also 24 feet wide to provide two-way vehicular travel. Lastly, the Newton Fire Department approved the redeveloped 27 Boylston structure as there is appropriate access for their apparatus.

Operational Controls of the Pond Buildings: At the public hearing, the petitioner was asked to give a detailed description of the Pond Buildings including the hours of operation, if there will be background music, and how the light will affect the pond. Subsequently, the petitioner retained an environmental engineering and consulting firm to conduct an analysis of the Pond Building's effects on the pond, its habitat, and abutters (**Attachment B**). The petitioner presented the findings before the Conservation Commission's public hearing on December 1, 2016. The petitioner has stated findings from the study will be used to develop operational controls for the structures as well as the decks on the second levels of 27 and 55 Boylston.

Care of Hammond Pond: The Committee as well as members of the public discussed this project as an opportunity to form a public-private partnership between the petitioner, the City, and the Department of Conservation (DCR) to maintain the pond. The “health” of Hammond Pond has been discussed much in the past with varying opinions on its current state, and what, if anything should be done to improve it. The petitioner believes they have been a good neighbor to the pond and that the petition enhances the stormwater management of the site by decreasing the amount of impervious surface which improves groundwater infiltration and limits run-off. Additionally, the petitioner has been working with the Conservation Commission to develop a stewardship plan focused on the Pond Buildings (**Attachment C**). Please note, the stewardship plan references an attached letter and sketch which are not included as they contain old information. Staff suggests adding a section pertaining to snow management as it is suggested that snow not be plowed into the reconstructed rain gardens and the boardwalk not be de-iced with salt.

Employee Parking: The petitioner was asked to consider designating the below-grade garage as employee parking so the stalls at-grade would be available to customers. The petitioner is requesting that employee parking be left to WS Development’s discretion. The petitioner notes that they currently manage employee parking throughout the year a number of ways due to different factors. The petitioner notes that if employees are directed to park in the garage, they will be asked to park in the lower level of the garage, thereby leaving the stalls at-grade in the garage for customers.

Master Plan for the Site: The Committee asked the petitioner about the envisioned “Master Plan” for the entire site as well as certain aspects including the boardwalk and retail above street level. The petitioner notes that since they purchased the site decades ago, they have worked with the City to redevelop the site to make it an attractive environment for customers and the City. The petitioner believes the addition of the boardwalk and Pond Buildings helps create north-south pedestrian travel where none currently exists. In addition, the pond buildings and boardwalk help create a sense of place unique to The Street.

PETITIONER RESPONSIBILITIES

Prior to being scheduled for a continued public hearing, the petitioner should be expected to:

- Submit renderings of the proposed garage, revised pond buildings, and west façade of 55 Boylston Street.
- Elevations of proposed signage and wayfinding signage for the site.
- Be prepared to further discuss what effects the pond buildings and potential uses may have on Hammond Pond and abutters.
- Provide details on how the petitioner intends to meet the special permit criteria regarding conservation of natural resources and energy.
- Submit an updated Transportation Demand Management Plan (TDM) and site plan for the proposed Farmer’s Market.

ATTACHMENTS:

- Attachment A:** Map of Development within 300' of Hammond Pond
Attachment B: Wildlife Habitat Evaluation Dated November 21, 2016
Attachment C: Stewardship Plan Dated September 22, 2016



Projects:\4676\Chestnut Hill

November 21, 2016

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Newton Conservation Commission
Attn: Jennifer Steel, Agent
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Newton, MA 02459

**Subject: MassDEP File No. 239-765 – Chestnut Hill Shopping Center
Wildlife Habitat Evaluation**

Dear Commission Members:

Epsilon Associates, Inc. ("Epsilon") submits this Wildlife Habitat Evaluation to address questions the Newton Conservation Commission ("Commission") raised during its review of the Notice of Intent ("NOI") for the above referenced project. The attached evaluation focuses on the potential effects of human impacts in the 100-foot buffer zone, such as light spillover and noise from operation of the Project on wildlife habitat within the adjacent Bordering Vegetated Wetland ("BVW"). To support this evaluation attached is a completed Massachusetts Department of Environmental Protection ("MassDEP") Detailed Wildlife Habitat Evaluation Form, to present a standardized general habitat evaluation of the wetland and vegetated buffer zone bordering on Hammond Pond.

As a starting point, it is important to note that the proposed work will not alter wetland resource areas (including BVW) and will not therefore have an adverse effect or otherwise impair important wildlife habitat functions in the wetland resource areas as such terms are used in the Wetlands Protection Regulations. The proposed work is largely confined to previously developed areas primarily comprised of pavement, portions of which are located in the 100-foot buffer zone. The Project proposes to implement sedimentation and erosion control measures; establishes a clear limit of work line; and provides a wider restored vegetated buffer zone to BVW compared to existing conditions. The proposed stormwater management system has been designed to conform to MassDEP Stormwater

Newton Conservation Commission
MassDEP File No. 239-765
November 21, 2016

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Please feel free to contact me at 978.897.7100 or via email at ddunk@epsilonassociates.com with any questions or comments on this evaluation.

Sincerely,
EPSILON ASSOCIATES, INC.



Dwight R. Dunk, LPD, PWS, BCES
Principal

cc. K. Wetherbee, WS Development
F. Stearns, Holland & Knight LLP
J. Persechino, Tighe & Bond

Enc.

Wildlife Habitat Evaluation

Figure 1 – Existing Conditions

Figure 2 – Oblique Aerial View Facing East

Figure 3 – Proposed Conditions

Appendix 1 – Regulatory Requirements of the WPA for Buffer Zones

Appendix 2 – MassDEP Detailed Habitat Evaluation Form (Appendix B)

Appendix 3 – Site Photographs

otherwise required by the Regulations¹. As a result of this analysis, it is our opinion that animal species that are likely to use the vegetated upland adjacent BVW are generalist species not specialist and are species adapted to living in close proximity to human development.

More specifically, with regard to potential impacts to wildlife habitat from anthropogenic light spill over or sound into wetland resource areas, a literature review suggests that anthropogenic light and sound may affect wildlife behavior but does not alter the physical structure of the environment. Moreover, the proposed project will reduce light spillover to the BVW and the applicant will establish a wider vegetated buffer zone compared to existing conditions. These changes: 1) eliminate an approximately 40 foot tall unshielded security light; and 2) eliminate parking spaces which abut and face the pond, thus removing a light source (headlights) from cars facing the pond. Similarly, with regard to sound generated by the project, literature indicates similar effects of anthropogenic sound on wildlife behaviors as light. The project is expected to reduce noise levels compared to existing conditions primarily because: 1) vehicular traffic and parked idling trucks will no longer be present at the pond's edge; and 2) the proposed building will serve as a noise barrier to the Route 9 highway noise.

The following sections provide the information in support of our findings.

Introduction / Background

On June 20, 2016, the Applicant filed a NOI with the Commission in accordance with the Act. As described in the NOI, the project includes demolishing an existing building located at 27 Boylston Street and constructing three new buildings, of which only two are located within the 100-foot buffer zone to a narrow fringe of BVW adjacent to Hammond Pond. Additionally, building infills are proposed at 55 Boylston Street. The project also includes upgrading the existing stormwater management system to contemporary standards, which includes rebuilding City of Newton rain gardens adjacent to the pond, in compliance with the MassDEP Stormwater Management Regulations.

All work is limited to the 100-foot buffer zone and no direct impacts to the narrow strip of vegetated upland or BVW are proposed. Review of the Project plans shows that new building construction is limited to previously developed buffer zone comprised mostly of

1 The Regulations do not protect wildlife per se; rather the Regulations require in part the maintenance of existing wildlife habitat characteristics within certain wetland resources to the extent the plant community composition and structure, hydrologic regime or other characteristics, provide important food, shelter, migratory or overwintering areas, or breeding areas for wildlife. In these instances the proposed work shall not substantially reduce the site's capacity to provide important wildlife habitat functions (e.g. shelter, food, breeding areas) and consequently reduce the site's capacity to support wildlife within the affected resource area(s). Here, the Project does not propose any alterations to wetland resource areas and will thus have no adverse effect to wildlife habitat.

serotina), speckled alder (*Alnus incana*), sweet pepperbush (*Clethra alnifolia*), glossy buckthorn (*Frangula alnus*), highbush blueberry (*Vaccinium corymbosum*), multiflora rose (*Rosa multiflora*), sensitive fern (*Onoclea sensibilis*), and occasional soft rush (*Juncus effusus*). The adjacent upland within the 100-foot buffer zone is primarily paved parking lot, with a narrow strip of vegetation present between the BVW and parking lot. See Figures 1 and 2, and Photos 1 – 6 which depict existing conditions.

The narrow fringe of BVW and adjacent strip of vegetation is best described as an “Acidic Pondshore/Lakeshore Community” following the nomenclature of the “Classification of Natural Communities of Massachusetts, Version 2.0²”. The strip of upland vegetation is 20 to 40 feet wide adjacent to the proposed buildings, and 12 to 15 feet wide in the vicinity of the proposed board walk and Rain Gardens #1 and #2. Acidic Pondshore/Lakeshore Community (“pondshore”) is ranked by the Natural Heritage and Endangered Species Program (“NHESP”) as S4 – Secure. A habitat evaluation of this pondshore is provided in Appendix 1 - Detailed Wildlife Habitat Evaluation. That evaluation documents this narrow pondshore community supports limited wildlife functions primarily due to its small size, location adjacent to a large parking field, and intense human activity immediately adjacent to this area. Wildlife functions of the pondshore are primarily travel corridor habitat for small mammals, perching and potentially nesting habitat for song birds, and food source from berry and mast producing plant species. Wildlife species expected to utilize this narrow pondshore are generalists adapted to living in close proximity with humans, e.g. squirrels, mice, raccoons, and song birds. Species expected to use the nearby pond include gulls, Canada geese, and ducks. Species observed during our site inspection included, gray squirrel, blue jay, gull, sparrow, and unidentified song birds. The narrow BVW is considered too narrow to provide ground nesting habitat for waterfowl such as Canada geese and mallard ducks. Turtles common to the region and which inhabit ponds and nest near ponds, e.g. snapping turtles and eastern painted turtle typically dig nests in sandy soils³. The soils in the pondshore are not sandy and are fairly compact not making them conducive for turtle nesting sites. No nests, burrows, scat or other signs of active wildlife-use were observed during site inspections. This observation is not surprising given the human activity, parking, vehicle traffic, pedestrian traffic, dog walking and fishing, which would inhibit nesting in this narrow pondshore community.

In summary, the “impact area,” i.e. that portion of buffer zone that will be altered, is limited to mostly paved parking surface. As such the actual impact area has no wildlife habitat function. A completed MassDEP Appendix B: Detailed Wildlife Habitat Evaluation, attached, presents a standardized general habitat evaluation for the pondshore community.

² <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/natural-communities/classification-of-natural-communities.html>

³ DeGraaf, R.M. & D.D. Rudis. 1986. New England wildlife: habitat, natural history, and distribution. Gen. Tech. Rep. NE-108. Broomall, PA: U.S.D.A. Forest Service, Northeast Forest Experiment Station. 491 p.

Table 1 Summary of Changes within the 100-Foot Buffer Zone

Structure / Activity	Baseline Condition	Proposed Condition	Comments
Parking Spaces Abutting Pond Edge	46	31	Parking spaces abutting pond will be replaced by proposed buildings.
Unshielded Security Light	1	0	Existing light +/- 40 feet tall
Impervious Cover	49,394 s.f.	28,803 s.f.	Nearly ½ acre decrease in impervious area
Green space	15,388 s.f.	35,979 s.f.	Nearly ½ acre increase in pervious and vegetated areas
Pavement / Deck Setback from BVW	6.5 to 32 feet	19 to 52 feet	Adjacent to proposed buildings
Uncontrolled Pedestrian Access through Vegetated Buffer	Yes	No	Desire paths observed in vegetated pondshore community. Landscaping and boardwalk will prevent / inhibit this activity

As summarized in Table 1 above and depicted on Figure 3 – Proposed Conditions, in the proposed future condition there will be a wider vegetated pondshore community within much of the project area, and a decrease in impervious cover within the 100-foot buffer zone. The footprint of the proposed buildings and deck surface remain within the limit of existing pavement, and does not encroach into the adjacent pondshore community. Currently in the location of proposed buildings pavement is offset approximately 6.5 to 32 feet from the limit of BVW. In the proposed condition pavement will be removed and a wider vegetated buffer will be established in the 100-foot buffer zone (see NOI Plan Sheet L-101) increasing the vegetated upland between the BVW and the deck to approximately 19 to 52 feet wide, i.e. two to three times the vegetate buffer strip width. There is a small encroachment of boardwalk beyond existing pavement between the pond buildings and 55 Boylston Street.

Other human activity includes pedestrian access through the vegetated pondshore, as evidenced by desire paths and direct observation, and fishing at the culvert. These uses would be curtailed or eliminated by the presence of the board walk and landscaping to keep pedestrians on a defined path from the deck to the water’s edge.

Evaluation of the NOI plans, and as summarized above, impervious surface cover in the buffer zone will be reduced from approximately 49,394 s.f. (existing condition) to 28,803 s.f. (proposed condition) corresponding to a 41.7 % (42%) reduction. This design removes a source of direct stormwater runoff to the pondshore via pavement scuppers, and will

extend into the pond. In the vicinity of the new building spillover does not extend into the pondshore community. Along the boardwalk it does not spill over in the pond, and the existing vegetation is expected to diffuse the light and reduce the light intensity beyond the proposed boardwalk edge.

Relative to changes in the noise characteristics at the impact area and pondshore, no adverse effect is anticipated. Qualitative benefits of the project include several factors such as: 1) eliminating vehicular traffic and idling trucks adjacent to the pondshore at the new building locations; 2) the proposed building will serve as "sound barrier" for existing Route 9 traffic noise; and 3) the outdoor speakers for the new buildings will be installed on the front of the buildings or installed facing downward to avoid directing man-made sounds towards the pond. Francis and Barber (2013) identify the use of noise-attenuating walls to reduce the land area exposed to elevated noise levels, and in this manner the two new proposed buildings at 27 Boylston Street will serve as sound barriers to man-made noise generated south of the pond.

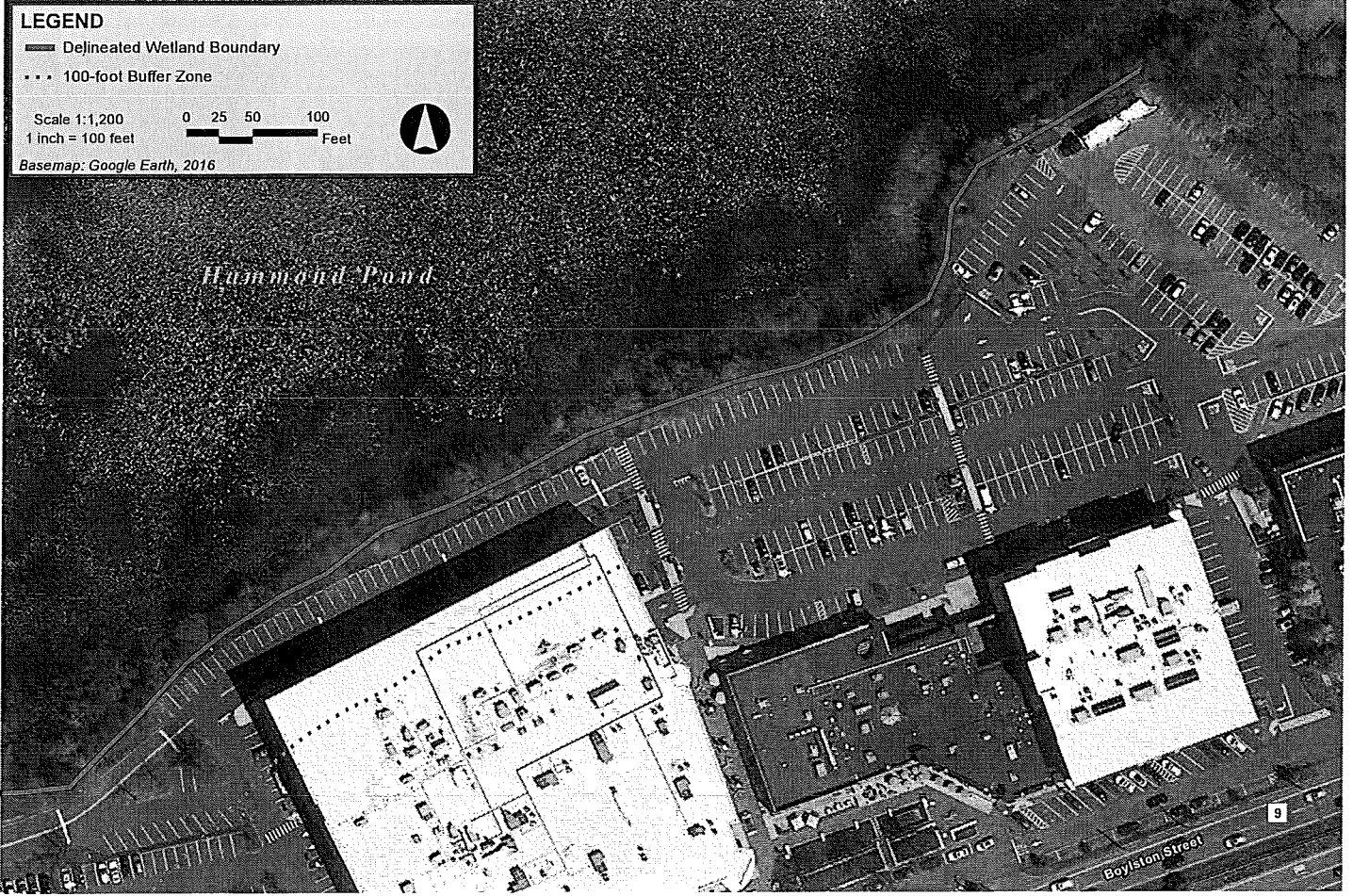
Recommended Mitigation Measures

To mitigate human uses that may affect wildlife behavior in the adjacent BVW and pond the following measures are recommended to avoid or minimize; light spill over, sound impacts and human interference.

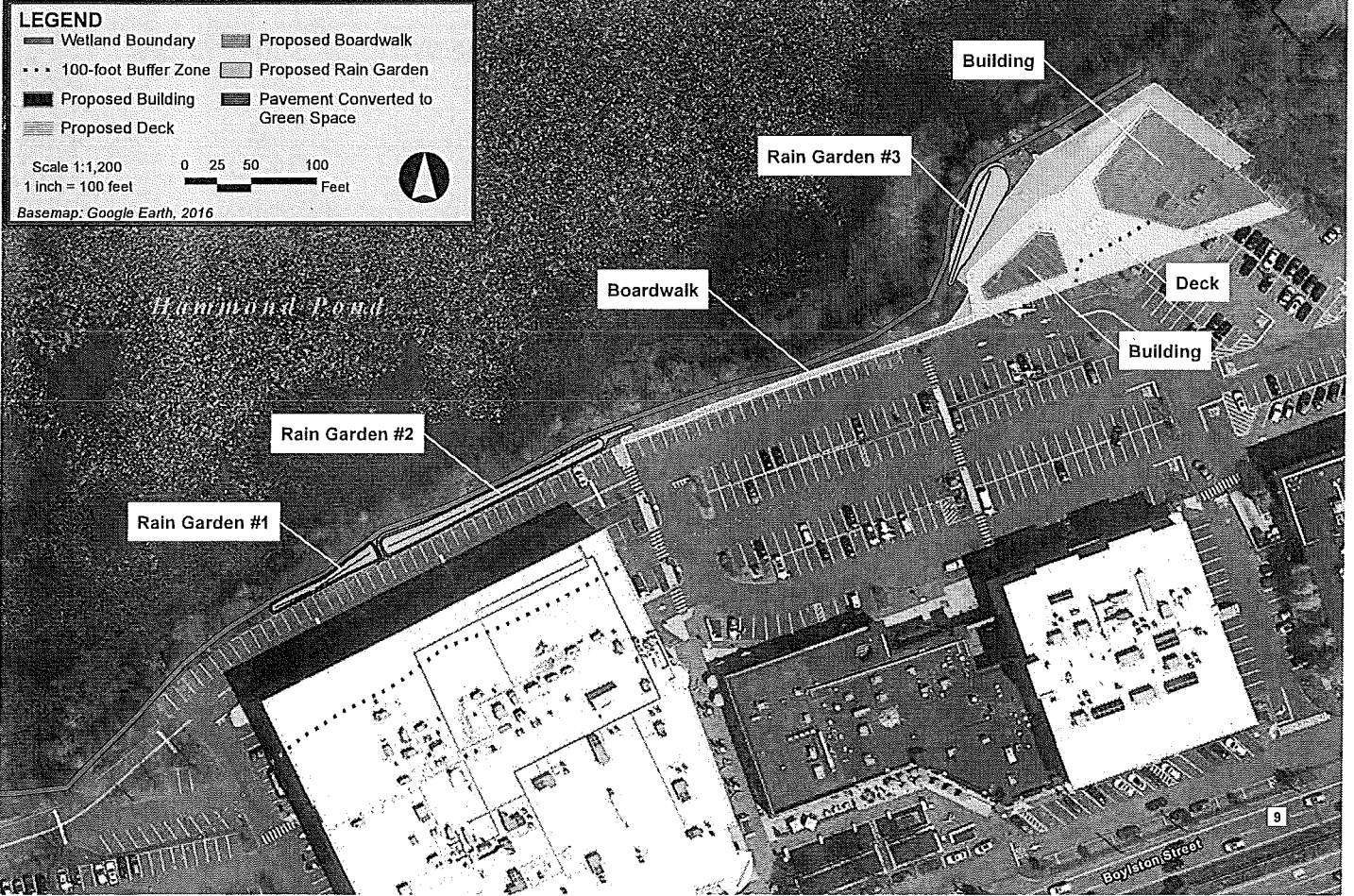
1. On the proposed pond buildings, design outdoor lights with shields to prevent light spillover from extending beyond the deck.
2. For northerly facing windows use treated glass, or apply a film, to minimize light transmission to the outside. Or install awnings to prevent the horizontal transmission of the light from northerly facing windows.
3. Along the board walk maintain a dense tree and shrub layer to inhibit light penetration into the adjacent pond.
4. Install low light indoor security lights to minimize transmission of light to the outside during night time hours.
5. Install automated lighting fixtures, indoors and outdoors, to prevent lights from accidentally being left on all night.
6. Any speakers installed outside the pond buildings should be facing down, not horizontal, so that sound is not projected towards the pond.
7. Manage outdoor sound (music, announcements, etc.) consistent with the City's noise ordinance to minimize noise impacts to the surrounding environs.

consider the extent of existing development in its review of subsequent proposed work and, where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of M.G.L. c. 131, § 40." The proposed landscaping along the pondshore by itself meets this standard.

Whereas the proposed project has no adverse effects to wildlife habitat relative to human activities, including light and noise, and the design incorporates BMPs to reduce stormwater runoff and improve runoff quality directed to a resource area, it is our opinion that the proposed project meets the standard and purpose established for pre-construction review of projects located wholly within the 100-foot buffer zone, which is established in 10.53(1); "... *The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work.*"



The Street Redevelopment Chestnut Hill, Massachusetts



The Street Redevelopment Chestnut Hill, Massachusetts

The Street – Deck & Walkway Stewardship Plan

September 22, 2016

Introduction

WS Development & The Street are very excited about our proposed improvements to the northern edge of our property along Hammond Pond. Not only is The Street an important part of the Chestnut Hill and Greater Newton community, it is also the home of WS Development. We are stewards of all of our properties, but as The Street is our home base, we take extra care and pride with its management, operation, leasing, and design. Our proposed improvements further establish The Street as the heart of Chestnut Hill, providing not only shops, restaurants, and services, but also places for meeting and gathering.

The proposed pond buildings, deck, and walkway will provide opportunities for customers and the public to enjoy Hammond Pond in new ways, while still protecting and preserving its natural habitat. People will be able to walk along the boardwalk and see various plants, with glimpses to the pond through the trees. Families will be able to gather on the deck outside the buildings and watch the swans float on the pond. We hope the buildings can serve lemonade in the heat of summer and provide some shade, and then on a chilly fall day provide warm apple cider to watch the leaves change color. The buildings will be designed and operated with sustainable features in mind.

We truly believe that these proposed improvements will provide amenities not only to customers of The Street, but also to the community. Replacing the existing northern pocket of the parking lot with the buildings and deck will provide a pleasant space for enjoying the view of the pond year-round, and opportunities to witness its changes through the seasons. Transitioning this area from a parking lot to buildings and deck, and providing a level walking surface to connect this area with 55 Boylston Street, will change the way this portion of the property is maintained and managed. We have outlined these changes below, to demonstrate our commitment to these improvements not just today but for decades to come.

Light

As with any parking lot next to a natural environment, the balance of creating a safe but non-intrusive lighting design is a challenge. Today there exists a light pole at the edge of the parking lot closest to the pond. When The Street re-arranged parking in 2013 on the western side of this parking field, we were careful to place poles in more central parking locations – away from the pond, while still providing adequate lighting at the edge of parking. This will be maintained. As we replace the surface parking with buildings, the necessary lighting for the remaining parking will be designed to still provide a safe parking environment, but now balancing the separation from the pond, as demonstrated on the photometric plans. As parking lots require taller light fixtures than pedestrian areas, there will also be a vertical decrease in lighting. Also, the buildings themselves will provide a buffer between the parking lot and the pond.

The buildings are designed to be pavilion-like structures, with lots of glass to make them feel more like a roof with a transparent enclosure. The roof extends over all sides of the building with glass, so this will provide additional vertical blockage of light from the buildings. The light from the buildings themselves will be more of a diffused glow, which while visible will only extend out a few feet. Building light is so minimal that it is not analyzed as part of photometric calculations.

Further photometric studies are in progress and being prepared by a lighting engineer.

Noise

The proposed buildings, deck, and walkway provides contained areas for people to gather and experience the pond. The walkway along the pond edge will provide a dedicated area for people to walk along the edge of the parking. The buildings and deck replacing the northern pocket of parking will remove a large expanse of parking that is today often used by larger trucks. Pulling this back from the pond, and the buildings themselves, will provide a buffer from noise to the pond. The outfall today is one of the few open areas with a view to the pond, and providing buildings in this area will not only provide a place for people to enjoy this view, but will also further block noise from Route 9. These improvements are outlined in the attached letter.

The use of outdoor seating for proposed café uses in the buildings will be limited to certain areas (see attached sketch) and the hours of operation for these outdoor seating areas will also be further restricted compared with the interior use of the spaces.

Technical specifications are in progress and being developed with input from an acoustical engineer.

Litter

The Street prides itself on maintain our existing pedestrian walkways as a clean and safe environment. We extend this throughout the parking lot, but focus our efforts on the areas that have the greatest customer interaction, the sidewalks and storefronts. We have a day-porter on staff all day, walking the site, picking up trash, and cleaning up gum and ice cream. As we extend the pedestrian experience towards the pond, and pull back the vehicles, we will add trash receptacles, and property-wide we are adding recycling receptacles as well. The addition of recycling allows for an additional educational aspect on the benefits of recycling to the community and environment as a whole. These areas will be maintained with the same care and professionalism that we maintain our sidewalks and storefronts today. We will increase day-porter coverage in both personal and hours as necessary, to ensure that this area is kept clean and tidy.

Education

Hammond Pond and Chestnut Hill are areas with a rich and unique history, and also an accessible pocket of nature. Adding this walkway will allow people to see the pond and its surrounding natural habitat, while learning about it as they see it. Stations along the walk with plaques highlighting various plants and wildlife are planned, as well as larger displays of the history & preservation of

Hammond Pond and Chestnut Hill near the buildings. The larger deck area will also allow for outdoor gathering for larger discussions & lessons.

Maintenance of Newly Planted Vegetation

The walkway, deck, and buildings are the most publicly-visible improvements being proposed with this redevelopment, but there are also improvements being proposed to the buffer that while not as obvious, will improve the buffer in other ways. At our expense, the rain gardens north of 55 Boylston Street will be re-built to current design standards, and with that, maintained as necessary. Plantings will also be added along the edge of the deck and walkway, which will be maintained & replaced as necessary to keep the walkway clear, while improving the vegetated buffer. The northeast corner behind the pond buildings will be entirely replanted, without areas for gathering, to provide a larger natural environment. Yearly site-walks will be conducted with the City's Environmental Planners and Engineer to ensure the health and maintenance of these areas are being kept to our already high standards. The design of these areas and plantings are shown on the submitted drawings.

In regards to the rain gardens, signs will be installed along the edge of parking stating "no snow storage". The property Operations & Maintenance plans will be updated to add language specifically calling out plowing along the rain gardens north of 55 Boylston Street to occur into the parking lot, not out over the rain gardens.

Conclusion

The Street is home to WS Development, and a cornerstone of the Chestnut Hill and Greater Newton community. We hope that these improvements will further establish this area as a place for people to gather and enjoy the unique aspects of the area. As these areas evolve so will our stewardship, but make no mistake, this property and these improvements are something we are very proud to be a part of, and we will maintain and care for them with exceptional attention to detail.