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Candace Havens  
Director

MEMORANDUM

**DATE:** May 17, 2013  
**TO:** Land Use Committee of the Board of Aldermen  
**FROM:** Candace Havens, Director of Planning and Development  
Eve Tapper, Chief Planner for Current Planning

ET

**MEETING DATE:** May 21, 2013

In response to questions raised at the Land Use Committee working sessions held on March 3, April 2, May 7, 2013 the Planning Department is providing the following information for the upcoming working session. This information is supplemental to staff analysis previously provided at the public hearings and previous working sessions.

PETITIONS #258-12 and 258-12(2)

327 Grove Street

Since the previous discussions with the Land Use Committee, the petitioner has revised plans to respond to Committee comments and will present these at the upcoming Land Use Committee meeting. Below are staff responses to the proposed changes and other concerns that have been raised:

**Parking Management Plan.** Staff requested an accurate count of parking spaces on the site as staff's counts deviated from the developer's counts. A count has been provided that affirms the distribution of 2,018 parking spaces, including 429 beneath the residential buildings, 571 below the office building, 12 surface spaces near the retail shops by the entry, and 1,006 parking spaces allocated in the parking in the Intermodal Commuter Facility (ICF) parking structure for use by the patrons and visitors to the community center, retail uses, commuters and other visitors to the site. The Parking Management Plan provides substantial analysis, but still lacks affirmative statements that will provide guidance to future tenants or owners of the structures and should be reformatted to state in simple terms what is proposed. If there are uncertainties about what future owners of the buildings will be willing to consent to, staff recommends the plan be clear about its intent and goals so if adjustments are desired in the future, deviations can be evaluated for consistency with the intent. The petitioner has also indicated that there will be no charge for parking for the community or retail uses, only for commuter parking within the MBTA structure which will be charged at the MBTA's going rate for commuter parking. The MBTA has indicated that a validation system could be initiated to enable "free" parking for non-commuters, which will encourage short-term patrons to use the structure. Staff does not believe these spaces should be reserved, per se, as it would be a poor use of resources if the intended users don't occupy them during busy times (such as during Red Sox games). Rather, staff recommends that an agreed upon number of spaces that are easily accessible to the anticipated users be designated as short-term spaces.

**Intermodal Commuter Facility.** The City's Development Review Team and project development team met with representatives of the MBTA to review and discuss current plans for the ICF. The ICF is five stories tall and accommodates six levels of parked cars. Here are the most recent updates:

- The proposed parking structure will be designed under MBTA supervision. The MBTA design process will begin in earnest when the City affirms its interest in developing this site, such as through approval of a special permit. The MBTA owns and controls the property where the project and the ICF are proposed and will maintain ownership of the structure when complete. The State procurement process will be followed, which involves pre-qualifying possible contractors and selecting the best qualified for the work.
- The MBTA also will manage any traffic/circulation challenges at those times when emergency busing of train passengers is needed, and the width of the bus waiting and queuing areas in the ICF are designed to be able to manage up to ten buses at a time. There will be designated zones for various types of buses and taxis. The MBTA is familiar with the conceptual design of the ICF and has been working closely with the development to make sure that MBTA needs and standards are addressed along the way and that ICF design integrates seamlessly with the development of the site.
- The MBTA agrees to provide 46 parking spaces for users of the community space on the third floor where they are most easily accessed and 80 spaces for retail use on the west end. MBTA Assistant General Manager, Mark Boyle has provided a letter (Attachment A) summarizing the MBTA's commitment to working with the petitioner to provide parking spaces for community use, as well as for retail customers. The structure will not be staffed, and drivers will exit by way of a ticketed system.
- Staff has reviewed plans for loading and unloading in the ICF near the Community Center. General loading will take place across from the bus entrance to the ICF, and goods will need to be hand trucked across the bus entrance, which may be somewhat inconvenient; however, this should suffice for most deliveries. The MBTA representatives indicated that with advance notice, they could foresee allowing occasional unloading of large goods from the bus lane adjacent to the Community Center.  
The pipe beneath the property where the ICF will be located will be relocated by the petitioner when the site work begins. The MBTA will grant the City an easement for this relocation that will be recorded at the registry.

**Shared parking.** In earlier working sessions, the petitioner's representative indicated that the residential units would offer one parking space attached to rental units, and that additional parking could be "unbundled" and made available to others. Staff would still like to see this minimal commitment to shared parking pursued. The last proposal no longer included this provision. Management of shared parking with the Hotel Indigo will be discussed in greater detail when the Hotel Indigo proposal comes before the Committee.

**Bike lanes and other accommodations.** The petitioner has provided a side section of the bike access, which shows five-foot bike lanes, as requested. It is not clear whether there will be a separation between bike lanes and travel lanes over the bridge, although there appears to be room for this. Staff continues to support this. It also remains unclear as to whether there will be constraints under the trestles, so if bikes must share the road under the bridge, such transitions also should be

indicated. It is clear that bikers will share the road at the roundabouts, as well as on the roadways within the subject property. Bikers will have the option to exit onto the sidewalks if they prefer not to share the roads with traffic at the roundabouts. Though such details are expected to be worked out with MassDOT as the design progresses, staff urges the petitioner to submit the City's preferred designs for MassDOT review.

A total of 90 covered and uncovered bike racks have been distributed throughout the site as are required by the City's Zoning Ordinance. Staff is satisfied with their distribution, but would still like to see a location designated for future bike sharing/Hubway near the MBTA station. As a T.O.D. staff also recommends a condition that if demand for parking exceeds the supply, that additional bike parking will be provided.

**Transition at roundabout near Asheville and Pierrepont Roads.** A detail of this roundabout has been provided that shows that exiting from both streets will be easier for residents than under present conditions, as they will turn right to go left around the roundabout and will not have to wait for a safe left turn. Residents in this area have expressed concerns that they will be unable to park on the street, as is sometimes necessary, given they have narrow driveways and often must rely on street parking to juggle spaces. Transportation Engineering staff has looked at the situation and believes there is adequate land to configure the roundabout while providing for on-street parking and/or drop-off and pick-up for residents. This situation will need to be monitored throughout final design of the roundabout in collaboration with MassDOT. Neighbors also are concerned about possible speeding around the roundabout near Asheville Road and have asked for consideration of closing that street. Staff does not anticipate this problem, as roundabout traffic must travel slowly. In addition, city planning and traffic engineering practices favor connectivity of streets in most circumstances and for better emergency access, especially. Staff recommends that the situation be monitored before considering such an action. If such a problem arises, traffic patterns in the area should be studied to assess what outcomes could occur and so negative unintended consequences do not result of such change. If residents want to ask for consideration of this option, they may ask an Alderman to docket an item to be discussed by the Public Facilities Committee.

**Intersections that merit further study.** Residents have pointed to several intersections that are likely to be affected at times by this project. Mitigation measures have been proposed that will address concerns at Route 16 intersections at Concord Street and Quinobequin Road/Route 128 southbound ramp; Commonwealth Avenue at Auburn, Washington Street at both Commonwealth Avenue and Perkins Street/I-90 eastbound. In addition, the petitioner has agreed to provide traffic engineering information and advice as to improvements that may be needed in the future at:

- Route 30 at Lexington Street;
- Route 30 at Melrose Avenue;
- Lexington Street at Wolcott Street;
- Grove Street at Central/Auburn;
- Lexington Street at Auburn Street; and
- Grove Street at Woodland Street.

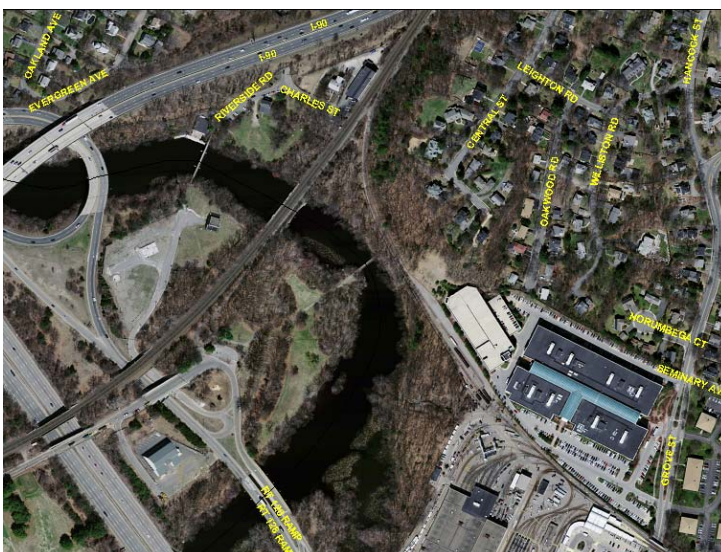
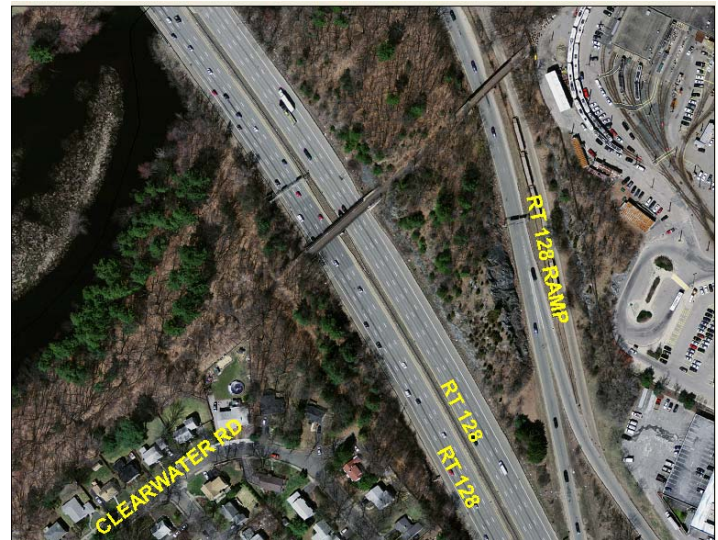
**Weave study.** During April vacation week, MassDOT set up a weave study where Grove Street northbound meets the highway entrance northbound. The outside lane was closed off, eliminating

the weave, yet allowing cars to peel off when reaching their respective turnoffs. According to Frank DiPaolo of MassDOT, the results were positive and MassDOT plans to make these changes permanent in the future regardless of whether the Riverside project moves forward, as it will generally benefit the flow of traffic in the area

**Connections to trails.** The petitioner proposes an overlook at the bank of the Charles River near potential connections to informal trails. The proposed overlook spans land owned by DCR and MBTA, so construction of the overlook and any other off-site improvements the petitioner may offer must be coordinated with both jurisdictions and some memoranda of understanding between the parties should be provided to the City. Staff recommends that the overlook be placed on MBTA-owned land only to ensure that it is feasible and because the MBTA has already agreed to allow it. If it is proposed on any other agency's land (i.e. DCR or MassDOT) then further approvals from the property owners would be necessary.

In addition, several members of the Committee suggested that the overlook be positioned farther to the east where the slope of the land to the Charles Rivers is less steep. Staff has discussed this with the MBTA, which maintains that there is no support for allowing pedestrians along the back edge of the maintenance yard for safety and security reasons. While no off-site improvements can be required of the petitioner that are not mitigations, it has been the intention of the petitioner, as well as staff's preference to enable future connections from this site to nearby trails, or at least to keep options open.

For example, the bridge over Interstate 95/Route 128 could be used to connect the site to the Lower Falls neighborhood so residents could more easily access the MBTA station and school children could travel to the Williams School instead of traveling on Grove Street. Although the roundabouts will be



safely designed for pedestrians, travel through the subject property is likely to be a more direct and desirable route for many. This bridge is owned by the MBTA and DCR owns the properties on either side of the bridge. Some neighbors have expressed support for this connection, but also concern that commuters could park in their neighborhood, walk over the bridge and thus, avoid paying for parking at the MBTA station. Staff recommends this situation be monitored and referred to Traffic Council to consider appropriate actions to limit this be

put in place if this occurs. Bikes would also be allowed if this path is developed.

Recent improvements to two other existing bridges over the Charles River enhance access to the area and provide opportunities for recreation and their public enjoyment of their surroundings (Attachment E). For many residents and visitors to the area, they are commonly reached by way of a tunnel under an MBTA railroad overpass. In a prior study prepared by Horsley Witten it was recommended that an evaluation of the structural integrity of the tracks and tunnel be done to assess what improvements may be needed to ensure its safety. Again, while such off-site improvements cannot be required of the developer, the developer has indicated a willingness to consider some preliminary assessments of what it would take to make it a safer for public access so as to enable a complete connection to these bridges and further enjoyment of the area. Construction within the riverfront areas must be reviewed by the Conservation Commission.

**Roundabouts.** The petitioner has provided additional deflection on the approaches to the roundabouts in response to concerns about potential speeding in these areas. The design of the approaches will continue to be refined further as the project proceeds through the MassDOT design process. Residents have expressed concerns about crossing, particularly at the roundabout nearest the Hotel Indigo. The sidewalk from the Woodland Grove Condominiums will be maintained to the roundabout where a crosswalk will be well marked. The condominium residents have requested and the developer has agreed to install an additional pedestrian-safety device at this location. The City's Transportation staff is amenable to a crosswalk treatment that includes Rectangular Rapid Flash Beacons (RRFB) pending approval by Mass DOT. Staff believes that a HAWK signal or any other treatment with a red light would not be preferable at a roundabout approach. There will also be an island between the east and westbound travel lanes at the crosswalk for a pedestrian refuge. A continuous sidewalk will be maintained on the northerly side of Grove Street and pedestrians will be directed to that side of the street.

The condominium residents have also asked for a 2-3 foot walkway along the south side of Grove Street to enable them to safely walk east toward the Riverside station and cross Grove Street at the proposed traffic light at the entrance to the development. Keeping this walkway to no more than 3 feet wide will limit the distance that the road would have to be widened, and would allow the walkway to avoid disturbing several mature trees on the south side of the street. The City's Transportation Engineers have concerns with this suggestion. Any proposed sidewalk or walkway would need to meet ADA criteria, which means five feet clear width (not including curb, so the total width would actually need to be 5.5 feet). Three feet is technically allowable, however passing zones for wheelchairs measuring five feet by five feet would be required every 200 feet. Finally, the City would have difficulty plowing a three-foot walkway due to the size of our available equipment.

**Construction Management Plan.** As noted previously, a construction management plan approved by the Commissioner of the Inspectional Services Department (ISD) and the Engineering Division of the Department of Public Works is required prior to construction on the site.. In addition to the usual requirements and practices to protect the neighborhood from noise, mud, and other disturbances, the Plan should address how traffic will be managed on Red Sox game days. Since there will be fewer parking spaces during construction than are currently available for public use, the petitioner proposes to use signage and the media to alert fans to alternative parking locations once the lot is filled. The

Construction Management Plan should address phasing of construction and how various aspects of construction will be managed or modified to minimize negative impacts on area residents and users of the Commuter facility at all times.

**Scenic Roads.** The Planning and Development Board is scheduled to review the request for tree removals on this scenic road on June 3<sup>rd</sup>. In addition, the removal of street trees is subject to review by the City's Tree Warden. Last summer, the Tree Warden received objections to the removal of these trees. The proponent may appeal to the Mayor for a final decision in light of these objections. However, the Planning Board still has jurisdiction under the Scenic Roads Ordinance and may request mitigation, as outlined in the Board's Scenic Roads Regulations.

**Sound barriers.** In response to a citizen inquiry, no sound studies have been required as no significant noise is expected to be generated as a result of this project. Thus, no mitigation in the way of sound barriers is suggested.

**Fiscal Impacts Analysis.** The City's peer reviewer differed in her assessments of some of the fiscal impacts for this project and the petitioner's analyst, RKG has submitted his responses to her questions and methodology. It is clear that the assumptions and methods used to assess fiscal impacts will influence the outcomes. In either case, the outcome is a positive one. Both approaches tend to be conservative and staff is assured that the requirement that this project be fiscally positive has been met with the current proposal. RKG's latest response to some of the questions posed at the last working session are attached to this memo as Attachment B.

In addition, several Aldermen were interested in the cost of other one-time fiscal and other benefits that this project will provide to the City. These include an estimated payment of \$6.9 million for 8 to 1 Infiltration and Inflow (I&I) mitigation, \$3.5 million for building permit fees, the addition of 290 units into the City's Subsidized Housing Inventory (SHI) since all of the housing units are proposed to be rental, they will all count on the SHI even if they are not actually affordable units), and several millions of dollars to be spent for roadway improvements that will help alleviate existing conditions (i.e. the two proposed roundabouts on Grove Street and the traffic light at the site entrance will be a benefit to the City regardless of the project). Finally, the petitioner has agreed to construct, at their expense, a publicly- accessible community center on the site.

As for school impacts, as requested by several Committee members, Planning staff have asked the School Department whether physical plant improvements will be necessary at the Williams School due to the influx of children from the Riverside development. We have also asked for information on how the School Department typically deals with these types of enrollment issues. Since this is a complex process, we were not able to get this information before this report was sent, but we will report on matter at the working session on the 21<sup>st</sup>.

**Signage.** In response to concerns expressed by the Urban Design Commission, the large sign on the office building facing towards the site has been removed. Retail store identification has been removed from banners on the Grove Street frontage and the banners will offer site identification instead. The petitioner is continuing to work on interior directional signs that will be more in keeping

with the nature of the uses and that will effectively direct newcomers to the site. Staff is pleased with the signage changes thus far.

**Landscaping.** Landscaping of the site is attractive and abundant and the usable open space exceeds that required by ordinance. The interior roundabout presents an opportunity for some unique landscaping, public art or other feature that could distinguish the entrance to the site. Staff recommends that some thought be given to this, and details be worked out prior to occupancy. Pathways that are proposed to lead to Recreation Road and the overlook are proposed to be six feet wide and of stone dust or similar compacted material that will be pervious, yet firm enough to be easy to traverse by all users. Landscaping alongside the rail yard closest to the overlook would enhance the walk to that area substantially and plants, whether vines or shrubs to screen the maintenance yards should be identified. Benches have been placed between the ICF and the plaza area in front to create a useful barrier between the two.

**Community Use Space.** The details for Operations and Maintenance of the Community Use facility must be defined. As noted previously, the petitioner intends to set up a model similar to that used for the Hyde Community Center, where a non-profit, community-based corporation is responsible for management and maintenance of the facility. To date, we have received limited details as to how this will be accomplished.

**ATTACHMENTS:**

Attachment A: Letter from MBTA Assistant General Manager, Mark Boyle

Attachment B: Technical Memorandum from RKG Associates, Inc. dated May 17, 2013

Attachment C: Layout of Roundabouts over existing conditions





Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
Richard A. Davey, MassDOT Secretary & CEO  
Beverly A. Scott, Ph.D., General Manager  
and Rail & Transit Administrator



April 26, 2013

Ms. Candace Havens, Director  
Planning and Development Department  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459-1449

Re: Proposed Riverside Development, Grove Street, Newton

Dear Candace,

This letter will serve to confirm that the MBTA is prepared to enter into an arrangement with BH Normandy Riverside, LLC ("Normandy"), the developer of the proposed Riverside development at the site of the Riverside MBTA station on Grove Street, respecting the use of parking at the new MBTA parking garage to be built adjacent to the Riverside project. We have had discussions with representatives of Normandy along two lines.

First, the MBTA will make available forty-five (45) spaces in the MBTA parking garage for the benefit of individuals using the proposed community center at the Riverside project. We will create some type of validation system so that individuals using the community center can have their tickets validated at the community center, and in turn present the validated ticket when they exit the garage. We do not know the exact location of these spaces as yet, but we will be certain to designate them in a manner which will be convenient to the users of the community center. These spaces will include the requisite number of handicap spaces per the Newton Zoning Ordinances.

We have also discussed with Normandy's representatives setting aside parking for retail customers at the Riverside development. We understand that Normandy will enter into an arrangement with the retail tenants whereby retail customers will be able to have their tickets validated at the retail shops, and in turn present the validated ticket when they exit the garage. We will set aside eighty (80) parking spaces for such use, and will work out the details with Normandy respecting the payment for such validation.

I would be pleased to answer any further questions which you might have. To that end, please feel free to contact me at any time.

Sincerely yours,

Mark E. Boyle  
Assistant General Manager  
for Development





## TECHNICAL MEMORANDUM

**TO:** Stephen J. Buchbinder, Esquire  
**FROM:** RKG Associates, Inc.  
**DATE:** May 17, 2013  
**SUBJECT:** Revision to Economic and Fiscal Impact Analysis - Riverside TOD

Following a presentation before the City of Newton Land Use Committee (May 7, 2013), RKG has been requested to update our originally submitted report<sup>1</sup> with respect to estimated assessment values and real estate property taxes to the City of Newton; and, projected student enrollment and costs, to which RKG offers the following:

- Discussions with the City of Newton Assessor indicated that the preliminary assessment value for the proposed Riverside TOD, as developed by the Assessor, is approximately \$120.8 million. Utilizing current FY 2013 property tax rates, per the Assessor, the gross property tax (pre-override) from the Riverside TOD is slightly more than \$2.1 million, excluding nearly \$21,200 for the Community Preservation act surcharge.
- Discussions with representatives of the Newton schools and reference to the most current enrollment analysis rates<sup>2</sup> have also resulted in a revision to RKG's estimated number of school children and resulting education costs reflected in the following Table 1, indicating an estimated 61 students with a cost of \$866,200. *This compares with an estimated 44 students and costs of \$624,800 from RKG's original report of 14 July 2012.*

**Table 1 – Revised Analysis for Estimated Education Impacts**

School Enrollment Estimated Impacts	Total Units	1-BR or <	2-BR and 3-BR Units	Current Enrollment	Avg per 2/3-BR Units
Avalon at Newton Highlands	294	95	199	101	0.5075
Avalon at Chestnut Hill	204	54	150	78	0.5200
Arborpoint at Woodland Station	180	75	105	50	0.4762
Woodland Park on Grove Street	126	46	80	50	0.6250
<b>averages</b>	<b>201</b>	<b>68</b>	<b>134</b>	<b>70</b>	<b>0.5225</b>
<b>Riverside Station</b>	<b>290</b>	<b>173</b>	<b>117</b>	<b>61</b>	<b>0.5225</b>
Costs per Student					\$14,200
<b>Estimated Riverside Station TOD Costs</b>					<b>(\$866,200)</b>

Source : City of Newton, MA Public Schools (noted complexes) and RKG Associates, Inc.

<sup>1</sup> *Economic and Fiscal Impact Analysis of the Proposed Riverside Station Transit Oriented Development - Newton, Massachusetts* (dated July 14, 2012) prepared by RKG and issued separately

<sup>2</sup> *Enrollment Analysis Report 2012 – 2013 to 2017 – 2018*, Newton Public Schools, 100 Walnut Street, Newtonville, Massachusetts, 02460, dated November 2012

- This revision includes the Woodland park apartments on Grove Street, which when coupled with current enrollment from the original three complexes results in 0.52 students per two and three bedroom units. This factor applied to the 117 units (two and three bedroom) at Riverside, indicates 61 students. If the distribution of students at the Riverside TOD is similar to that for the peer group, this indicates 25 elementary students; 12 middle-school students; and 24 senior-high students. As indicated in Table 2, the projected enrollment for Brown and Newton South indicate excess capacity for FY 2016, but not so for Williams.

**Table 2 – FY2013 and FY2016 Enrollment versus Capacity**

	Estimated Capacity	Reported Enroll FY '13	Over (Under)	Projected Enroll FY '16	Over (Under)
Williams Elementary	286	304	18	294	8
Brown Middle School	850	698	(152)	765	(85)
Newton South	1,875	1,721	(154)	1,829	(46)

Source : City of Newton, MA Public Schools and RKG Associates, Inc.

- The revised assessment value, property tax rate, estimated students and their associated costs, have had a marginal impact on the original (July 14, 2010) estimated net property tax impact of a positive and annual \$482,710. As indicated in Table 3, the revised annual and ongoing net property tax to the City of Newton is \$436,900, representing a decline of approximately 10%. The higher estimate of students and associated costs is somewhat offset by the higher assessed value and property tax rate.

**Table 3 – Estimated Fiscal Impacts – City of Newton**

SUMMARY IMPACTS	REVISED Short Term	REVISED Ongoing	ORIGINAL Short Term	ORIGINAL Ongoing	Variance - ONGOING Revised vs Original
<b>FISCAL</b>					
Building Permit Fees	\$3,510,629		\$3,510,629		
Real Estate Property Taxes		\$2,119,781		\$1,923,981	10.18%
less Service Costs		(\$816,670)		(\$816,471)	0.02%
Less Education Costs		(\$866,200)		(\$624,800)	38.64%
Net Real Estate Property Taxes		\$436,911		\$482,710	-9.49%
CPA Tax		\$21,198		\$19,240	10.18%
Personal Property Tax		\$94,775		\$94,775	0.00%
Other Fees and Revenues		\$200,836		\$200,836	0.00%
Excise Tax		\$84,718		\$84,718	0.00%
Lottery		\$30,697		\$30,697	0.00%
Licenses & Permits		\$33,981		\$33,981	0.00%
Chapter 70 School Aid		\$51,439		\$51,439	0.00%
<b>Estimated Net Summary</b>	<b>\$3,510,629</b>	<b>\$753,720</b>	<b>\$3,510,629</b>	<b>\$797,560</b>	<b>-5.50%</b>

SOURCE : RKG Associates, Inc. and City of Newton, MA





258-12(2)

95/128 NORTH OFF-RAMP  
RT. 95/128 NORTH ON-RAMP

Not Marked  
Point would be approx  
1 foot behind guardrail

Paint  
Mark #3

Stake Marking  
Center

Stake  
Mark #4

Paint  
Mark #2

Paint  
Mark #1

Paint  
Mark #1

Paint  
Mark #2

Paint Mark Center ('X')

Paint  
Mark #5

Paint  
Mark #3

Paint  
Mark #4

The Station at Riverside  
Field Markings of Proposed Roundabouts  
April 25, 2013

0 20 40 Feet