



CITY OF NEWTON, MASSACHUSETTS

Planning and Development Board

July 12, 2013

The Honorable Ted Hess-Mahan Chair, Land Use Committee
Members of the Land Use Committee and Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459

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Mayor

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Director
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Dear Chairman Hess-Mahan, Members of the Land Use Committee, and Board of Aldermen:

This letter documents the voting actions taken and advisory opinions developed by the Planning and Development Board (P & D Board) on July 9, 2013, following the close of its public hearings on: (1) docketed item #258-12, BH Normandy Riverside, LLC/Massachusetts Bay Transportation Authority petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 327 Grove Street, also identified as Section 42, Block 11, Lot 3A, currently zoned Public Use; and (2) docketed item #272-12(2), BH NORMANDY OWNER, LLC petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 399 GROVE STREET, also identified as Section 42, Block 11, Lot 4, currently zoned Business 5.

In order to fulfill its advisory responsibilities, the P & D Board opened the hearing for #258-12 on December 3, 2012 and opened the hearing for #272-12(2) on October 9, 2012, with an additional presentation on November 27, 2012. The P & D Board voted to continue the hearings on February 4, April 1, May 6, and June 24, 2013. The P & D Board heard an updated presentation by the petitioner's representatives and discussed the item on June 3, 2013, in addition to the July 9 date indicated above.

Our votes and opinions are intended to inform the Board of Aldermen in their deliberations on the acceptability of formal changes to the zoning map of the City of Newton. The P & D Board's standard for approving map changes is whether the zoning under consideration for these parcels has proved to be "*not inconsistent with the City's Comprehensive Plan*". In the case of both docketed items, #258-12 and #272-12(2), the P & D Board unanimously (4-0-0) voted to support the requested map changes.

Since the zoning district to be established at the Riverside Station site was developed with the Mixed-Use Centers element in mind, it incorporates more than a few of the element's guiding principles into its stated purposes:

- to encourage comprehensive design within the site and with its surroundings;
- to integrate complementary uses;
- to provide enhancements to public infrastructure;

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- to provide beneficial open spaces;
- to protect neighborhoods from impacts of development;
- to provide sufficient density to make development economically feasible;
- to foster use of alternative modes of transportation;
- to create a vibrant destination where people can live, work, and play

The petitioner's team has spent many months working with the City and the neighborhood representatives trying to ensure that the above purposes are realized. The comments below reflect several lingering concerns.

Residences: The P & D Board was pleased to see that the previous barracks-like design for residential development along Grove Street has been replaced by one where building mass has been broken up. We are pleased, also, to see that a number of entrances open directly onto the street while still being screened by trees for privacy. The public, however, will not be able to access the residences through these doors, but rather, will have to use the entrance at one end nearest the small visitor parking lot. This seems to defeat the purpose of permeability of the site within its neighborhood context. The Petitioner's team cited security concerns that had to be balanced with direct access.

While we noticed courtyards, and even a swimming pool for residents (although dismay was expressed that the pool was at the street side of its courtyard), the petitioner was asked about play areas for children, especially since 44 of the units are to be affordable, and one presumes that children will probably be present in many of these units. We have been assured that although they are not yet designed, they will be incorporated into the project.

We were pleased to see residential structure taper down into adjacent retail space, so that some retail use is now located on both sides of the entry to the site.

Vertical Integration of Land Uses: There has been an ongoing concern that the zoning did not allow for sufficient vertical integration of land uses. Although ancillary complementary uses are contemplated, we continue to feel that the lack means missed opportunity at the site. For example, a restaurant at the top of the office building, overlooking the river, which is otherwise difficult to access, would make Riverside Station a destination during evenings and weekends, when at least office traffic likely would be nonexistent.

Circulation within the site: There was concern about the seeming distance from both the office building and the far end of the residential buildings to the T station. Planning rules of thumb suggest that people tend not to walk more than about a quarter of a mile. But according to both the petitioner and the director of planning, the distances are no more than a 5-8 minute walk. We also expressed our desire that these walks be pleasurable. The petitioner pointed out pathways, crossing points and demonstrated the effort that has been made to incorporate green spaces and other natural features along the paths and particularly, near the T station itself.

Concern was also expressed about the potential of valet parking from the Hotel Indigo to interfere with non-vehicular movement on the site. The petitioner's lawyer demonstrated that such interference was unlikely.

Access to the site from across Grove Street: There seems to be some ability to cross Grove Street in the vicinity of the trestle, but it is not clear if it will be easy for residents from that part of Grove Street to

access the site on foot. An important principle of the Comprehensive Plan was that the site be integrated into and serve well the surrounding neighborhood.

Parking management: There was concern for whether there would be adequate parking provided after taking into account the set-asides for various parking users. The director of planning stated that the petitioner and the City have looked at this issue. There is a proposal to "unbundle" the parking available for residences, which in theory should increase the overall amount available to the site. They are also examining the potential for shared parking for uses that have peak demands at different times of the day. There are plans to have a transportation demand manager on the site. Although the petitioner claimed that the potential for "surges" in the parking demand were already known and could be accurately accounted and provided for, several people expressed concern about the adequacy of the management process for shared parking. What is Plan B? Have we built into the management program the capability to respond immediately to any unanticipated increases in demand?

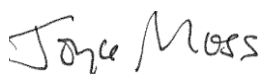
Amenities: We applaud, and the petitioner is quite proud of the spray fountains, similar to those on the Rose Kennedy Greenway in Boston, that will be incorporated into the plaza area. Some of us continue to press for developing this public open space in a way that would allow it to be used as an open air ice skating rink in the winter.

Conclusion to Hearing under the Scenic Road Ordinance:

In response to the application from Attorney Stephen J. Buchbinder, representing BH Normandy Riverside, LLC, for the removal and replacement of several trees in accordance with M.G.L Chapter 40, Section 15C and the City of Newton's Regulations for the Designation of Scenic Roads and Alterations of Trees and Stone Walls, for the purpose of widening Grove Street as part of the mixed-use development at Riverside Station, the P & D Board closed its hearing and unanimously voted to support the requested removal of three trees along Grove Street in the right-of-way and their replacement with tree caliper at least equivalent to the amount removed. In addition, the P & Board members unanimously urge the Land Use Committee to consider the following recommendations regarding this action:

- Require that the three trees slated for removal remain in place until the special permit is approved and roadway widening begins.
- Ensure that no other features of the scenic road are damaged during construction, including the stone wall at 416 Grove Street and the mature trees on the east side of Grove Street opposite the Riverside Station.
- Encourage the applicant to consider, where feasible, replanting rather than replacing any substantial trees that abut the right-of-way on the Riverside property.

Respectfully submitted on behalf of the Planning & Development Board,



Joyce Moss, AICP
Chair