

**Presentation to
City of Newton Board of Alderman
and the
Planning and Development Board
258-12 & 258-12(2)**

October 16, 2012

**Residences at Woodland Grove Condominium
416 Grove Street, Newton, MA**

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My name is Tom Rezendes, I live at 416 Grove Street in the Woodland Grove Condominium. Lynne Sweet and I will be speaking on behalf of the nine residences located across the street from the Hotel Indigo. I am joined by other unit owners: Helen Adelman, Lois Crandall, Randy Messer, Liquin Yu and Duncan Po.

Rather than have 10 people speak for a half hour, Lynne and I will try to cover our comments in 12 minutes as approved by Chair Ted Hess Mahan. While there are a lot of slides, we intend to only focus on a few facts and concerns of our residents and leave the rest for you to read in detail at a later date.

This presentation is based on the documents submitted with the August 23, 2012 special permit application and documents posted as of Friday October 12, 2012. *I will be covering intro, traffic parking, loading and then turn it over to Lynne to tackle the other special permit requests.*

There are impacts during two lengthy timespans to account for and mitigate: The four or more year construction period and the life of the finished project.

Introduction and Recap

- 9 Residences have stood opposite the hotel for 29 years
- Current issues with Hotel and Restaurant/Bar:
 - Vehicular and Pedestrian conflict at hotel entryway
 - Insufficient parking
 - Loading/deliveries
 - Trash disposal and pick up
 - Cooking odors
 - Signs and antennae
 - Busses idling and vibrating
 - Cars peeling out, loud music

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To recap information presented at the Hotel Indigo special permit public hearing one week ago., the condo presented issues with traffic, parking, loading and other items listed on the slide. The hotel is also owned by the proponent BH Normandy who took over operations in 2007. There has been a substantial increase in the intensity in use of the hotel property – particularly related to the restaurant, bar and function uses.

These issues started on the day of their grand opening, long before a proposed development and have impacted our quality of life, our ability to come and go safely to our home and sense of safety and well being.

These four years of constant disruption and public safety issues are due to a 250% increase in seating **without a plan** for accommodating increased deliveries, increased trash collection, need for additional parking facilities, etc.



Visual of current conditions, hotel entrance on left side of Grove and residences on right side of Grove

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BH Normandy has had four years to correct these issues, and it was not until after the public hearing last week that they have committed to start addressing them. Their lack of attention to these issues raises tremendous concern over their ability to execute a far more complicated and lengthy development at Riverside station.

The specific traffic issue with the hotel is the entrance way and the conflict with our driveway. The issue is cars exiting the T going up Grove to Route 128, and cars coming from Route 128 trying to turn across traffic into the hotel. The proposed Riverside development will further intensify these problems.

We have asked repeatedly over a three year period that this intersection be studied.

We have asked repeatedly that there be only one lane in each direction in front of the condominium.

Traffic and Pedestrian Access

- Option B-2 is the only viable option. Options A and F are unacceptable.
- Option B-2 must be in place and functioning before any component of the project is built, including the MBTA parking structure.
- The special permit must require that all delivery vehicles, buses and construction equipment use CD connector access to and from the site.
- Require the developer to provide the Transportation Traffic Demand Management Plan prior to the close of the public hearing and MBTA must be a signatory.
- Provide traffic count on Route 128 Northbound Exit 22 off-ramp onto Grove Street in order to fully understand volume of cars currently using this exit.
- Provide an example of 2 roundabouts being used in a high traffic situation as this.
 - Confirm roadway speeds around roundabouts.

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Option B-2 is the only viable option. If something other than the B-2 alternative is approved, every vehicle exiting the new development wishing to go South on Route 128 will be driving in front of our building. That will put a tremendous amount of traffic on Grove Street in front of our building and Indigo during the evening rush hour with both the office and T garages emptying at the same time.

The B-2 alternative must be completed before any new building is built, including the MBTA parking structure. **The commuting public must live with this for four or more years!**

While the developer has provided some basic components of a TDM they have not provided an actual plan. We need to have the plan to review prior to close of the public hearing. **We need all elements of the plan to be mandatory.**

One of the keys to this traffic solution is installing two roundabouts. We have repeatedly asked for and are still waiting for a real life example of two roundabouts being used in a high traffic situation such as this.

Traffic and Pedestrian Access

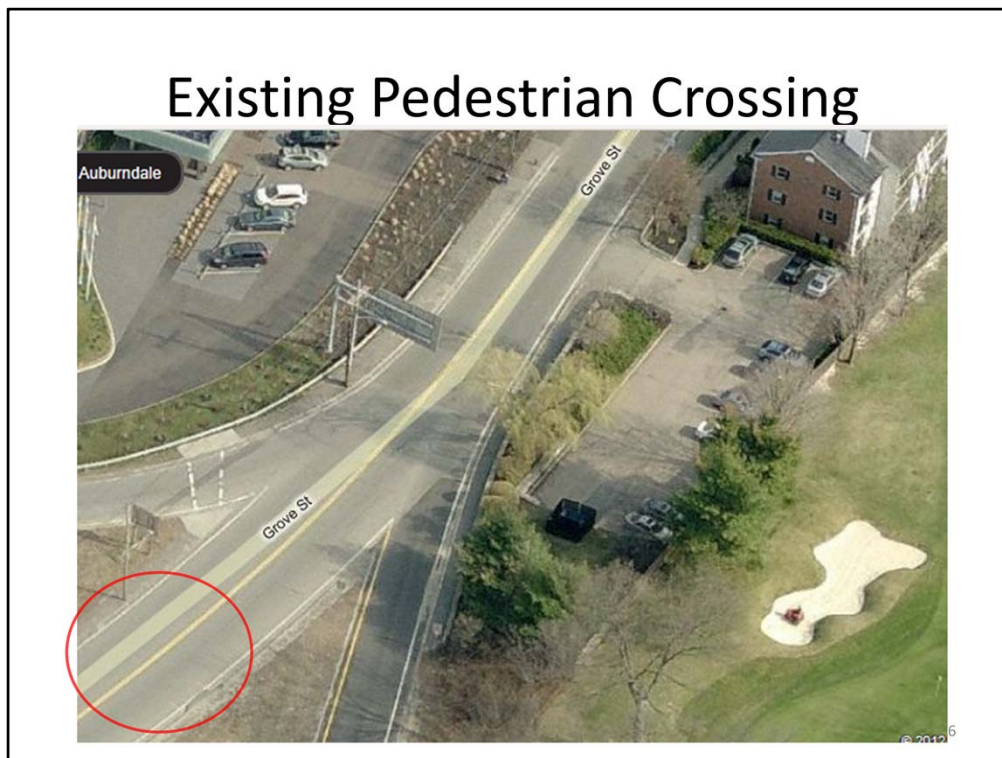
- Require that the proposed buffer strip in Grove Street be eliminated and that green space be placed on the development site in front of Building B for further buffer to our property. (Local police have noted that issues arise if there is a breakdown or other lane closure at Riverside Center due to narrow, one lane roadway).
- Provide solution to City and State snow removal vehicles plowing in the condominium driveway and sidewalk, obscuring site lines and eliminating pedestrian walkways.
- The developer must make provisions for condominium owners for pedestrian access to our building from the T and to Lower Falls.
- Pedestrian walkways within facility appear to weave across and through major vehicle traffic. If you can't put car access from new C/D entry to back of Hotel Indigo due to excessive speeds, how are pedestrians going to safely use the proposed walkway?

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Please require roadway speeds on roundabouts to be no more than 20 miles an hour and increase the deflection points. We need cars moving slowly in front of our building so that we can exit our driveway.

In fact, we would like a commitment from the developer to provide a police detail at rush hour at the roundabouts for the first few years after the development is built to ensure compliance with roadway speeds and signage and the safe passage of cars and pedestrians from our building.

Furthermore, we want the right to participate in monitoring of the traffic signalization as it pertains to the safety of entering and exiting our property.



We see no provision for pedestrian access to cross Grove Street from our building. While conditions today are not ideal, the development will make them worse.

The development plans locate the MBTA commuter parking lot, the retail component and the main entryway to the apartments at the T entrance on Grove. It does not matter how much signage you use, going by our building is the easiest and closest route to these buildings.

The picture in this slide shows the remains of a ramp and sidewalk that is our safest route to lower falls today. We are only crossing one ramp to get there.

The peer reviewer suggested that we walk down Grove Street in the bike lane to access the T, this is not acceptable. Please provide a plan that assures us that our owner who has a two month old baby and our 82 year old owners will be able to safely walk around our neighborhood. **You must not eliminate the sidewalk in front of our home.**

Parking

- Require a concrete plan to address the loss of 300 parking spaces during garage construction (especially during game days).
- Prior to closing the public hearing, the developer must provide a parking management plan.
- The City should not waive its required parking space count.
 - There is no fact to support that 18% of drivers in the office will use the T. In fact, Riverside Center has less than 5% of its occupants currently using the T.
- The City should not waive its ordinances with regard to parking space width, stall depth, maneuvering space for end stalls and maneuvering space for aisles.
- The parking analysis must include more intense building uses such as medical offices.
- Provide provisions for storage of snow.
- Provide landscape treatments in the outdoor parking.

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Read slide

Please do not allow medical office uses. Medical offices create constant traffic throughout the day. In any event, a sensitivity analysis should be performed to examine traffic counts for medical office uses.

Loading, Garbage & Signage

- Developer must provide additional loading bay at Building A (see Indigo issues).
- Developer must provide a loading area for the retail uses in Buildings B and C.
- Provide signage plan or program as required by City ordinance (not just buildings but roadways) and ensure not blocking condominium site lines.
- Provide locations and screening plan for all garage storage bins on site.
- State clearly on the special permit the hours of the noise ordinance for the City.

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Read slide

Note: Restaurants and retail uses need loading areas. If you allow a waiver of loading facilities, loading and deliveries will occur on Grove Street or block interior roadways thereby leading to traffic back-ups and unsafe conditions.

Building Design and Setbacks

- Building size analogy
- Confirm that building set backs will be from roadways after new road configuration.
- Must not waive the set back between the Indigo and Building B.
- Must not waive the set back for building C (Polly Bryson trees)
- Issues with shadows on Grove.

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For the record my name is Lynne Sweet, 416 Grove Street, Unit A-3

The fact is, the project is still too big. We keep hearing that the project is significantly smaller than what was originally proposed so we should all feel good about it. Which is like saying the City has assessed your home and the real estate taxes are now \$100,000 which is outrageous, then \$75,000, which is ridiculous, then \$50,000, which is unacceptable, then \$25,000, when everyone knows that \$5-\$10K a year is appropriate for real estate taxes in Newton.

The reality is that they started with a project whose size was outrageous, and is still unacceptable.

There is not a lot of actual developable land as originally believed. The proponent is asking for exceptions to set backs, parking and loading. This is because there is too much building on too little space. The proponent does not account for storage of snow, maneuvering of trucks and SUV's and the unexpected.

Building Design and Setbacks

- Provide breaks in building massing.
- How can police and fire have signed off on building and roadway improvements, set backs, loading and parking etc. for both circulation and safety if the plans are incomplete?
- Provide assurances that light, car exhaust, noise and venting from new buildings and parking facilities will not impact our quality of life.

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The residential B building with its square shape and high height is imposing on the condominium and on Grove Street a scenic way. The building needs to be redesigned and stepped back from the Street, with a more town house feel - much like earlier plans. The set backs for Hotel Indigo and Riverside Center are 120 feet or more, far greater than what is being proposed in this development.

Furthermore, do not waive the set back between the Indigo and Building B, it will reduce light onto Grove and our building.

In addition, the building materials do not fit into a neighborhood of buildings constructed of brick and wood.

Last: The donation of a community center sounds like a wonderful idea, but who will pay for the daily management, operations, staffing and ongoing maintenance of such a facility? Would it be wise to consider donating to existing community spaces such as ACL, LFCC etc.?

Landscaping

- Who will own the roadway/green area?
- Who will be responsible for the care and maintenance of these areas?
- How will the stone walls, trees and shrubs on our property be protected during roadway construction?
- We want assurances in the special permit that if damage occurs to the condominium property, the City will seek relief from the developer on our behalf to fix the damage.
- There is no concrete provision for the replacement of trees on Grove Street eliminated due to road widening.

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Much of this was covered in our comments on Indigo and at the planning and development board scenic road hearing. We need to know who owns what, what will stay, what will go, what will be replaced.

The proponent must provide substantial environmental screening with green plant material to reduce the amount of glare, light trespass, and air conditioning required to maintain the existing ambiance and local neighborhood feel.



Mature Trees screening front of Hotel Indigo to be removed and not replaced?

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These slides show conditions as they exist today, we are concerned that this buffer and screening will be removed as part of the road widening and development plan, and there is no concrete provision for the replacement of these trees.



Mature Trees screening site

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Right now we see leaves and trees out our third floor windows on the one side, and a golf course on the other. Not a parking lot, and not 3-5 story buildings.



Mature trees screening hotel and site to be removed and not replaced?

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The residential buildings are too tall on Grove Street, too tall to be able to be screened. They need to be shorter and set back from the street.

Construction and Phasing

- Require completion of FEIR before board decision. See our 8.17. 2011 DEIR submission (confirm all DEIR is in the public record).
- Require the construction management plan prior to the close of the public hearing for public review and comment.
- Provide details on protecting the condominium property during construction from dirt and noise.
- Provide details on how the condominium will have safe and efficient vehicular and pedestrian access to our building during roadway construction.
- Require all staging area, lay down areas etc. be located on interior of site to limit offsite noise etc.
- What wetting agents will be use during construction to control dust?

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You must require completion of the FEIR before making a board decision.

Many traffic related aspects of the proposed development require approval by the state and other parties. We need to know that what is in the plans can be done. We do not want the developer to come back to the City on project elements that they cannot do, and then end up with adverse traffic impacts to the neighborhood. We need to know that what is being approved in the special permit will be what is actually constructed. Please be careful about how you condition the approvals.

We also need to know how you are going to control the roadway and construction impacts during the four plus year construction period so that our residents can sleep at night, and come and go safely from our building. We need to know that our property and the value of our homes will be protected.

We have heard the word “potential” many times tonight, we need details and confirmations.

Construction and Phasing

- Require completion of all roadway improvements prior to issuing a C/O for any buildings, including MBTA building.
- Provide clearly defined sequencing schedule for the implementation of all proposed mitigation measures.
- Who is in control of all roadway improvements?
- Who controls the hours of the MBTA garage construction?
- Require roadway constructions hours for all parties 10am-4pm. No nights, weekends, holidays.
- Require building construction hours for all parties 8am-5pm. No nights, weekends, holidays.
- See Newton Tab Article 10.10.2012 – Residents losing sleep to ‘beep, beep, beep’.

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We want assurances that all of the offsite improvements will be completed prior to issuing a certificate of occupancy for any buildings.

With regard to roadway improvements, we need to know who is in charge of the various sections of roadway improvements, the developer or the state?

We don't want to hear from the developer one day that they are limiting construction hours for the roadway improvements and then the next day that the state is in charge and will be working on them overnight.

We are particularly sensitive to this subject in light of last weeks Newton tab article on noise due to overnight roadway improvements related to the Chestnut Hill square development entitled beep beep beep.

Utilities

- Ensure protection of condominium utilities that run under Grove St.
- What provisions are being made to relocate the MWRA water transmission line.
- What provisions are being made to move the City storm drain during MBTA garage construction?
- Blasting – How will the condominium building and foundation be protected during blasting?
- Ensure this on site work will be completed prior to construction of any new buildings on site.

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Regarding utilities, much of the on site issues are covered by the city's engineer.

In addition, we need you to ensure that the condominium utilities that run under Grove St. will be protected and that we will not be without services.

With regard to blasting , we need further information on timing, possible vibration that could impact our building. We have residents who are retired and home during the day as well as a mother with a 2 month old baby.

Requested Conditions

- Require that all of the documents noted on page 27 of the City's October 12, 2012 memo be provided prior to the close of the public hearing for review and comment by the public.
- Require that any special permit for the Riverside Project have clearly defined and enforceable conditions.
- After all of the relevant special permit application materials have been submitted and heard in open session, provide the condominium an opportunity to review and comment on the proposed set of Special Permit conditions.

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Read the slide

There are many outstanding documents.

The reason that we are so adamant about the B2 option, the completed FEIR, details on parking, landscaping, loading, set backs, building design and construction management is to ensure that the impacts during a lengthy construction period and over the life of the project, will be properly mitigated to help protect our quality of life and the value of our homes.

While we will comment further on this, we note the fiscal impact report mentions 935 new jobs. Does this large amount actually include the to be built/occupied new office space, and if so, where are the parking spaces for these 935 workers?

What is the fiscal impact if the office does not get built?

Provide a yearly schedule of when the city will received payments from permit fees and real estate tax revenue.

Conclusion

As immediate neighbors, we need your help to ensure that the quality of life of our residents will be preserved should the development move forward, both during and after construction.

Thank you for taking our concerns into consideration.

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Thank you Franklin for the use of the computer.
Thank you to our ward 4 alderman for their efforts, advice and support, my co-chair of the RSNC Bill Renke who has made this his life's work over the past three years, our amazing neighbors for all their energy and ideas, the chair of land use Ted-Hess Mahan for allowing us this time and the members of the Board of Alderman for your attention and consideration.