

John H. McElduff
46 Lafayette Rd
Newton, MA 02462

October 2, 2013

City of Newton
Alderman Ted Hess-Mahan
Land Use Committee Chairman
1000 Commonwealth Avenue
Newton, MA 02459

Subject: Riverside Station

Dear Alderman Hess-Mahan,

In your presentation to the Board Of Alderman tonight I wish that you would discuss the following four items:

1. Voting on the Special permits during tonight's special meeting put the neighborhoods at a tremendous disadvantage as we have not been formally made aware of the mitigation fund value and components until they were finally published last week. They were still being debated late Monday night at the final land use meeting. Similarly, we have not been able to properly review the many edits to the special permits, of which are still not done. I believe the Board of Alderman will need more time to read these lengthy documents as well. Please delay the vote until the October 20, 2013 dead line. We have worked together on this project for 5 years and rushing these important documents through in this manner is not good for the City of Newton. A few more weeks will not matter as other state permits are driving the start of construction anyway.
2. There are approximately 16,000 CY of rock in the outcrop above the parking lot where the office tower is proposed. The developer is proposing to crush the rock on site and use it in fill areas, which is environmentally and economically pleasing. However, the level of noise for a temporary rock crushing operation will be such that it will have a huge negative impact on homes in Newton Lower Falls. Limiting the hours of that operation to 3 or 4 mid day hours is thoughtful, but many of my neighbors work at home during those hours, not to mention many young families with toddlers are also home. This operation needs significant vetting now, and resulting language included in the special permit. This can not be a post special permit negotiation.
3. At the last meeting the developer's attorney explained to your committee that construction would not occur on Saturdays. He then turned to us and said, "We won't work Saturdays except on occasion". Please define which one is it going to be, because we were promised long ago that there would be no Saturday construction. My concern is that specialized equipment, often "borrowed from other sites for the weekend" can be deployed and will make a lot of noise (such as an excavator with a hydraulic hammer removing ledge). What may appear to be a minor activity for the construction managers, can completely disrupt a neighborhood outdoor event.
4. Please discuss construction trucking and deliveries, and insure that queuing (concrete, steel, gravel) will never be permitted on Grove Street.
5. Allowing the Developer to come in and reapply for a special permit in the event that highway regulators reject the left out component of Option B-2 is not fair or appropriate for the adjacent villages. The special permit should not be issued until the left out option is approved, otherwise we may be forced to live with one egress point and catastrophic traffic conditions. If state mandates would require the developer to start

the entire permit process over due to deadlines, then so be it. A project this big typically takes five to ten years for approval anyway. We should not rush for this tiny economic benefit to the City.

Lastly, a positive result to Items 1 and 5 above could result in diminishing and/or eliminating an appeal to the special permit.

Sincerely,



John H. McElduff

Newton Lower Falls Resident and Civil Engineer