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James Freas  
Acting Director

**PUBLIC HEARING/WORKING SESSION MEMORANDUM**

**DATE:** July 10 2015  
**MEETING DATE:** July 14, 2015  
**TO:** Land Use Committee of the Board of Aldermen  
**FROM:** James Freas, Acting Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Stephen Pantalone, Senior Planner  
**CC:** Petitioner

In response to questions raised at the Land Use Committee public hearing, and/or staff technical reviews, the Planning Department is providing the following information for the upcoming public hearing/working session. This information is supplemental to staff analysis previously provided at the public hearing.

**PETITION #91-15** **180 Needham Street/188-210 Needham Street**

Request for Special Permit/Site Plan Approval to convert existing retail space to a restaurant use, to allow parking requirements to be met off-site (at 188-210 Needham Street), to allow parking within a setback in a parking facility with 5 or less parking stalls, to waive off-street loading requirements, and to waive lighting and screening requirements in a parking facility, and to amend special permit #182-09 in order to expand parking within a setback in a facility with more than 5 parking stalls, to increase the number of parking stalls accessed by a nonconforming aisle width, to waive requirements for vegetative screening and lighting for a parking facility with 5 or more parking stalls.

The Land Use Committee (the "Committee") held a public hearing on May 12, 2015 and June 23, 2015, which 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.

**Conservation Commission Hearing**

The petitioner presented revised plans to the Conservation Commission which were approved. The Order of Conditions from the Conservation Commission requires additional analysis after three and six year periods to ensure that the removal of invasive species and other plantings are successful.

### **Transportation Division Review**

The Director of the Transportation Division is scheduled to meet on Friday, July 10 with representatives from the Massachusetts Department of Transportation ("MDOT") to discuss converting the existing one-way exit at 188-210 Needham Street to a two-way entrance/exit. Staff has not received the results of that meeting in time to include in this memorandum. The City's Director of Transportation will not be able to attend the continued public hearing/working session, but will send his comments to be distributed at the meeting. As requested by the Committee, attached is an example of the condition that was in the Newton Nexus Board Order requiring a follow-up traffic study, which has been modified slightly for this project.

### **ATTACHMENTS:**

**Attachment A:** Conditions from the Newton Nexus Board Order, modified for this project.

## ATTACHMENT A

### Conditions from Newton Nexus Board Order modified for 180 Needham Street

1. The petitioner shall apply for and use good faith efforts to obtain necessary federal, state and local permits and/or approvals, including but not limited to MassDOT's Access Permit, to modify the site's access point between 180 and 188 Needham Street, as shown in the site plans approved in Condition #1, prior to the issuance of a Certificate of Occupancy for the renovated buildings covered by this Special Permit/Site Plan Approval. In the absence of such a permit then the petitioner shall retain the currently existing one way (exit) traffic pattern.
2. At its sole expense, the petitioner shall complete a post occupancy traffic study to document the actual traffic characteristics of the Project and to assess traffic volumes and operating conditions at the one access point to 180 Needham Street and the two access points to 188-210 Needham Street. The traffic study, with a scope of work to be defined by the Planning and Development Department, shall be conducted by a qualified professional firm selected by the petitioner and approved by the Director of Planning and Development. The petitioner shall coordinate with the Planning and Development Department within three months after the site has reached full occupancy to determine the exact dates for conducting the traffic study. The results of the traffic study shall be provided to the Director of Planning and Development, the Director of the Transportation Division of Public Works and the MassDOT for review. If the traffic study indicates that the project has created an unsafe environment or hazardous conditions for vehicles or pedestrians within the segment of Needham Street adjacent to the project site, as determined by the City or the MassDOT, the petitioner shall participate in discussions with the City and MassDOT to assess how the petitioner shall modify their site plan or mitigate such conditions within the segment of Needham Street adjacent to the project site, through modifications such as lane striping, the addition of medians, restrictions on turning movements through signage, or such other measures as the petitioner may agree to which can be made within the street layout. The petitioner shall bear sole responsibility for the cost of such mitigation.