



Setti D. Warren
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James Freas
Acting Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: March 3, 2015
Land Use Action Date: March 31, 2015
Board of Aldermen Action Date: April 16, 2015
90-Day Expiration Date: June 1, 2015

DATE: February 27, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner

SUBJECT: **Petition #19-15**, NEWTON TECHNOLOGY PARK, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to partially demolish two buildings and to construct additions to the front of each building, which will bring them closer to the street, to reconfigure the existing parking areas and reduce the parking requirement to 441 parking stalls in order to redevelop the site for a mix of restaurant, retail, and service uses at **131-181 Needham Street**, Ward 5, on land known as SBL 51-28-15, 51-28-14, 51-28-13, 51-28-12, 51-28-11, 51-21-10, and 51-28-9A, containing a combined total of approximately 11.06 acres of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-20(l), 30-19(j)(1), 30-19(i)(1), 30-19(h)(4)b), 30-19(h)(3)a), 30-19(h)(1), 30-19(m), 30-19(d)(18), 30-13(b)(16), 30-13(b)(12), 30-13(b)(5), 30-13(b)(4), and 30-13(b)(1)) of the City of Newton Rev Zoning Ord, 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



131-181 Needham Street

EXECUTIVE SUMMARY

The property at 131-181 Needham Street consists of seven parcels with a total of 11.06 acres of land located in a Mixed Use 1 zoning district (MU1), improved with three buildings, several parking areas, and open space along South Meadow Brook. The petitioner is proposing to demolish and expand portions of two of the buildings (#141-143 and #165), and to convert them from an office use to retail, service and restaurant uses. The petitioner is also proposing to reconfigure other portions of the site in order to create additional parking stalls and to expand pedestrian access and activity around the redeveloped buildings. The petitioner is seeking a special permit to allow retail, service, restaurant, bank (excluding drive-in facilities), and other uses similar or accessory to those authorized by section 30-13(b), to reduce the number of required parking stalls by one-third, to waive certain design requirements for parking facilities, and to allow exceptions to the signage requirements as necessary. The petitioner received a decision from the Newton Historical Commission (“NHC”) finding the buildings not historic (**ATTACHMENT A**), and received comments from the Urban Design Commission (“UDC”) on their proposed signage (**ATTACHMENT B**). The petitioner filed a Notice of Intent with the Conservation Commission because the site is located within several Wetland Resource Areas, including the 200 foot Riverfront Area (South Meadow Brook), 100 foot Buffer Zone, and Flood Zone. The Conservation Commission continued their initial public hearing to March 19, 2015 so that the petitioner could provide additional information and analysis.

The petitioner submitted a Traffic Impact Study (the “TIS”) prepared by Stantec Consulting, Inc. (**ATTACHMENT C**), which analyzes the existing and proposed conditions for trip generation, the level of service (LOS) at the site’s access points and surrounding signalized intersections, and the parking demand. The TIS finds that the proposed project would reduce the number of vehicle trips to the site during the peak morning commute and increase the vehicle trips during peak evening hours and Saturday hours. The TIS also finds that, with the exception of vehicles leaving the site during peak evening and Saturday hours, the impact of the project will not substantially change the existing LOS at those intersections. In terms of parking, the petitioner is proposing 518 parking stalls where the TIS indicates a peak demand of 444. The Planning Department is analyzing the interface between the site’s middle access drive and Jaconnet Street in the existing conditions and with the Massachusetts Department of Transportation’s 25% design plans for Needham Street, which plans for a two-way center lane. The City will provide additional information at the next scheduled public hearing.

Overall, the Planning Department is supportive of the redevelopment of the site for the proposed uses, and of the extension of the buildings closer to Needham Street. The proposed site plan will encourage pedestrian activity on Needham Street and in the interior of the lot. The Planning Department is concerned about the number of proposed parking stalls, which exceeds the maximum peak parking demand by 74 stalls and results in additional impervious surfaces near South Meadow Brook. The Planning Department suggests that the petitioner reduce the number of proposed parking stalls on the site, and that the petitioner provides an after-study when the businesses are in operation to substantiate any request for additional

stalls. The petitioner should also obtain approval from the Conservation Commission before a special permit is granted in order to ensure that there are no subsequent changes to the site plan.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed parking facility design and perimeter landscaping design are not substantially more detrimental than the existing nonconforming parking facility and perimeter landscaping are to the neighborhood. (§30-21(b))
- The specific site is an appropriate location for the proposed retail, service and restaurant uses, as well as the other proposed changes to the structures, parking facility design, landscaping and lighting on the site. (§30-24(d)(1))
- The proposed project as developed and operated will not adversely affect the neighborhood. (§30-24(d)(2))
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§30-24(d)(3))
- Access to the site over streets is appropriate for the types and number of vehicles involved. (§30-24(d)(4))
- Literal compliance with the parking requirements of the Newton Zoning Ordinance (NZO) is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§30-19(m))
- Standing signs or exceptions to the limitations imposed by the NZO on the number, size, location and height of signs is acceptable due to the nature of the use of the premises, the architecture of the building or its location with reference to the street, such that standing signs or exceptions should be permitted in the public interest. (§30-20(l))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located in the Needham Street corridor (the “Corridor”) between Jaconnet Street and Tower Road, and is comprised of seven parcels and three buildings. The land uses within the Corridor consist of a variety of retail, service, office and restaurant types of uses and one large multifamily dwelling, while the

land uses surrounding the Corridor consist of single-family and multifamily dwellings (**ATTACHMENT D**). The zoning districts within the Corridor are comprised of Mixed Use 1 and Mixed Use 2 districts, and the districts surrounding the Corridor consist of Single Residence 3, Multi-Residence 1 and 2, and Public Use districts (**ATTACHMENT E**). The site is zoned Mixed Use 1.

There have been several redevelopment projects on parcels in the Corridor in recent years. These projects reflect a change in development patterns in the corridor by locating buildings closer to the street and by constructing modern facades with a greater mix of materials. Those projects focused mostly on retail and service types of uses. The change in the development patterns also reflects the master planning process for the Corridor, which includes a redesign of the roadway by the Massachusetts Department of Transportation (MDOT). The redesign will include new sidewalks, bike lanes, and alterations to the travel lanes, with the overall purpose of improving the functionality of the Corridor for both vehicles and pedestrians. MDOT recently issued the 25% design plans for public comment.

The site is adjacent to South Meadow Brook (the "Brook"), which begins in Brookline and travels through Newton. The Brook runs underneath Needham Street through a culvert that is partially located on the site, and then runs parallel to the eastern side of the site before eventually discharging into the Charles River. The site is also adjacent to an old rail corridor that extends south from the MBTA Green Line D branch through Newton Upper falls. The rail corridor runs parallel to the rear property line and along the southern property line (abutting the Brook). The City is currently working on converting portions of the former rail beds to public trails.

B. Site

The site consists of 11 acres of land, improved with three separate buildings and several parking areas. Building #151-153 ("N1", as referenced in the floor plans) is a two-story brick structure consisting of 46,000 square feet and is located towards the rear of the site. A portion of building N1 is visible from Needham Street between buildings #141-143 ("N2") and #165 ("N3"). Building N2 consists of 61,858 square feet and N3 consists of 46,910 square feet. Buildings N2 and N3 are one-story brick structures and are setback approximately 40-50 feet from Needham Street. The site was formerly used by Trip Advisor, which is nearing the end of their lease.

There are five existing curb cuts along Needham Street into the site, including two curb cuts designed for drop-off and short term parking. There is also vehicle access from the adjacent Avalon Bay site, which borders the subject property to

the north. The Avalon Bay site is accessed from a signalized intersection on Needham Street. The Avalon Bay project was approved through a Comprehensive Permit, which included a condition (#19) to “allow members of the public the right to travel from 19 Needham Street through to 141-151 Needham Street, from 141-151 Needham Street to 19 Needham Street...”

There are several parking areas within the subject property with a combined total of 488 parking stalls. Certain areas within the parking lot and certain driveway entrances/exits are nonconforming because parking stalls are located within setbacks and within five feet of the building, aisle widths do not meet the minimum requirements, and driveway entrances exceed the maximum allowed. Portions of the parking areas also do not meet the requirements for perimeter landscape screening and minimum lighting.

There is landscaping along the frontage of the property comprised of a mix of trees, shrubs, flowers and lawn area, as well as vegetation along the property lines, including the area adjacent to the Brook. There is also vegetation within the parking areas and along the sides of the buildings.

The site is located in several Wetland Resource Areas, including the 200-foot Riverfront Area, 100-foot Buffer Zone, and Flood Zone (100-Year FEMA flood zone and City Flood Ordinance elevations), and site changes are subject to the review by the Conservation Commission. There are modest topographical changes within the site, and between Needham Street and the site, which contribute to the drainage patterns. There is a City drain towards the rear of the site which releases into the Brook.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is proposing to convert buildings N2 and N3 from office use to retail, service, and restaurant uses, including a 20,813 square foot supermarket. The petitioner is also seeking relief to allow a bank use (excluding drive-in facilities) and other uses similar or accessory to those authorized by section 30-13(b). The total change in the gross floor area would be a reduction of approximately 12,750 square feet. The petitioner has also identified a conceptual second-story on building N2, however, such an addition cannot be approved by special permit because of setback requirements and would require a variance from the Zoning Board of Appeals.

The Planning Department does not have any concerns with the proposed retail, service, bank (excluding drive-in facilities), and restaurant uses, as these types of

uses are already present on Needham Street, and the introduction of a supermarket could be a benefit to the surrounding neighborhood. The Planning Department also notes that the addition of storefronts along the streetscape will help to promote the pedestrian environment envisioned in the master planning process for the Corridor.

B. Building and Site Design

The petitioner is proposing to make the following major changes to the site:

- Reduce the size of the buildings N2 and N3, expand them closer to Needham Street, and redesign their facades;
- Alter the façade of building N1 that faces the street;
- Change portions of the parking layout and circulation, including the addition of 30 parking stalls and the elimination of two access drives;
- Increase the pedestrian walkways and seating along Needham Street and between the two converted buildings;
- Add new lighting in multiple locations in the parking lots and particularly between buildings N2 and N3;
- Add new signage to the interior of the lot and along the street frontage; and
- Modify the existing landscaping throughout the site.

The petitioner is proposing to locate an approximately 20,813 square foot grocery store and three small commercial units in building N3, and four commercial units in building N2, including a 20,000 square foot and 27,000 square foot unit. The reduction in the size of buildings N2 and N3 and the extension of those buildings closer to Needham Street allows the petitioner to create additional parking, pedestrian walkways and benches between the buildings, which will now have storefronts, as well as four lanes of travel separated by landscaping. The petitioner believes that providing parking in close proximity to the commercial units is important in its marketing to prospective tenants.

The façade changes to buildings N2 and N3, and the façade changes to the front of building N1, will include new glazed and aluminum storefronts, wall panels, horizontal planking, coping, canopies and awnings. The Planning Department does not have any significant concerns with the façade treatments, as the proposed materials are similar to those used in other retail focused redevelopments in Newton. However, as a recommendation, the Planning Department suggests the petitioner provide glazing on at least a portion of the rear façade in building N2 (west elevation), if appropriate for the type of tenant that eventually leases the space. The proposed alterations to the front of building N1 (office building), which is visible from the street, will mirror the facades of buildings N2 and N3 to create a uniform appearance.

The buildings are oriented such that the loading areas for the supermarket and the larger commercial units in building N2 are located on the side of the buildings adjacent to the north and south access drives. The petitioner expects that delivery trucks will drive past the loading area and then back in. The loading areas will be screened from Needham Street by brick walls and will be setback from the street. The petitioner should identify the proposed location for snow storage on the site plan.

Overall the Planning Department believes that the site plan will be an improvement to the existing conditions in terms of improving the appearance of the buildings and improving pedestrian accessibility. The extension of the buildings closer to Needham Street and the inclusion of multiple storefronts along the streetscape are consistent with the master plan for the Corridor.

C. Traffic and Parking

The TIS (**ATTACHMENT C**) analyzes the trip generation and the LOS at key intersections, including the three proposed access drives, as well as the signalized intersections at Needham Street/Winchester Street, Needham Street/Avalon Bay and Needham Street/Oak Street under no build and build conditions. The TIS finds that the project will have a net reduction in vehicle trips during peak morning commuting hours, an increase in vehicle trips during the peak evening commuting hours, and a significant increase in vehicle trips during the peak Saturday hours. The TIS finds that even with the additional vehicle trips during peak evening hours, the proposed project will not significantly impact the LOS at the signalized intersections or for vehicles entering the site or traveling past it. However, the TIS also finds that the proposed project will significantly degrade the LOS for vehicles leaving the site during peak evening and Saturday hours. The TIS noted that vehicles leaving the site have the option of using the signalized intersection at the Avalon Bay exit when extensive queuing occurs at the site's exits.

The Planning Department and Transportation Division are analyzing the interaction of vehicles between the site's middle access drive and Jaconnet Street, under MDOT's 25% design plan, which includes a two-way center lane for left turns. Since the middle access drive and Jaconnet Street are approximately 60 feet apart under the proposed site plan, vehicles turning left into the site and vehicles turning left onto Jaconnet Street will be in close proximity. The Planning Department met with the petitioner to discuss this concern and the petitioner provided additional information to the City. The Planning Department is processing the information and will conduct further analysis on the issue prior to the next scheduled public hearing/working session. The City and the petitioner also discussed the location of a median and crosswalk proximate to the site under the MDOT 25% plans and will

continue to analyze the most appropriate location.

The TIS also analyzes the adequacy of the parking supplied for the proposed mix of uses. The petitioner's calculation of parking demand is based on a shared parking model that uses data from the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE), and is adjusted to account for existing site conditions. Based on the model results, the TIS estimates a peak parking demand of 444 spaces, which will occur in late December during the holiday shopping season. The petitioner is proposing a total of 518 parking stalls, resulting in an estimated highest peak utilization of 86%. The Planning Department is concerned about the amount of excess parking stalls, as unused parking stalls provide no value to economic development, place making or the environment and should be avoided if possible. After raising the concern, the petitioner provided an alternative parking calculation which did not discount the number of parking stalls for the office use based on the observed condition, and used a more recent ITE parking ratio for the retail use. Based on these numbers the peak demand would be 498 stalls. Based on the two numbers for the projected demand, the Planning Department recommends keeping a portion of the excess parking stalls unpaved until the site is fully leased and in service, and that the petitioner provide a subsequent parking utilization study showing the need for additional parking stalls. If the parking utilization indicates additional parking is warranted, the Planning Department would support additional stalls. The Planning Department recommends that the petitioner keep the stalls closest to the Brook unpaved, in favor of a more natural environment in this area.

The petitioner is proposing to make changes to portions of the parking lot and to maintain the existing nonconformities. The Planning Department does not have any concerns with the parking layout as the parking stalls, maneuvering aisles and access points generally conform to the NZO requirements and the new pedestrian aisles and directional signage should improve circulation. The Planning Department does not believe that the nonconformities will impact vehicle or pedestrian safety. The petitioner is providing the requisite number of handicap and van accessible stalls.

D. Lighting Plan

The petitioner is proposing new lighting in the parking areas and along the streetscape. The lighting plan indicates that the lighting will mostly be contained within the site. The Planning Department does not have any concerns with the proposed lighting, as the fixtures are LED and appear to be appropriate for the types of uses.

E. Landscape Screening

The petitioner is proposing to alter the existing landscaping throughout the site and particularly along the streetscape. The petitioner is expanding buildings N2

and N3 closer to Needham Street, and creating additional pedestrian space between the site and sidewalk. As a result the lawn area that extends along most of the frontage and potentially some of the trees/shrubs will be removed. The new pedestrian areas will include landscaping with street trees and shrubs. Staff is unable to determine which trees shown on the proposed landscape plan are new, and which trees are being preserved. The petitioner should file plans with the Tree Warden to ensure that they are in compliance with the Tree Preservation Ordinance. The petitioner will also add similar landscaping in the inner courtyard/parking area between buildings N2 and N3, and will add new landscaped islands in portions of the other parking areas.

The Planning Department does not have any concerns with the types of proposed plantings, but notes that overall there does appear to be a reduction in vegetation on the proposed site plan. As noted in the section on parking, the Planning Department believes that there are an excess number of parking stalls on the site. A portion of those excess stalls could be converted to additional vegetation, particularly those stalls that are proximate to the Brook.

F. Signage

The petitioner submitted architectural drawings showing the proposed signage, which includes new signage for the storefronts, new signage for the office, new way-finding signs, and new signage along the streetscape. The Planning Department believes that the design of the proposed signage is appropriate but that the number of signs proposed is excessive and would create visual clutter. The Planning Department suggests that as part of the conditions for the special permit, if approved, the petitioner work with the Planning Department and the UDC on a final sign package that reflects UDC's comments (**ATTACHMENT B**).

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum (**ATTACHMENT F**) provides an analysis of the proposal with regard to zoning. The petitioner is seeking the following reliefs:

- Section 30-13(b)(1), to allow a retail use in the Mixed Use 1 District
- Section 30-13(b)(4), to allow a service use in the Mixed Use 1 District
- Section 30-13(b)(5), to allow a restaurant use in the Mixed Use 1 District
- Section 30-13(b)(12), to allow a bank, excluding drive-in facilities in the Mixed Use 1 District
- Section 30-13(b)(16), to allow uses similar or accessory to those authorized by section 30-13(b) which are not injurious to the neighborhood in the Mixed Use 1 District

- Section 30-19(d)(18) and 30-19(m), to allow for a one-third reduction in the required number of parking stalls
- Section 30-19(h)(1), 30-19(m) and 30-21(b), to allow expanded parking with required side and front setbacks, and to allow parking stalls within five feet of a building
- Section 30-19(h)(3)(a), 30-19(m), 30-21(b), to allow reduced aisle widths to be maintained
- Section 30-19(h)(4)(b), 30-19(m), 30-21(b), to allow a nonconforming driveway width exceeding allowed maximum
- Section 30-19(i)(1), 30-19(m), 30-21(b) to allow nonconforming perimeter landscaping
- Section 30-19(j)1, 30-19(m), and 30-21(b) to waive requirements for lighting
- Section 30-20(l), to waive requirements for signage

B. Engineering Review

The Engineering Division Memorandum, (**ATTACHMENT G**), provides an analysis of the proposal with regard to engineering issues. The memorandum indicates that the proposed drainage plan meets all applicable requirements, and does not raise any significant concerns.

C. Fire Department Review

The petitioner submitted a site plan stamped by the Fire Department indicating their preliminary approval.

D. Conservation Commission Review

The petitioner submitted a Notice of Intent with the Conservation Commission because the site is located in several Wetland Resource Areas adjacent to the Brook, including the 200 foot Riverfront Area, the 100 foot Buffer Zone, and the Flood Zone. The Conservation Commission held a public hearing on February 5, 2015 but determined that additional analysis and information is required in order for them to complete their review. The public hearing is continued to March 19, 2015. The Planning Department recommends that a special permit not be granted until the Conservation Commission issues an Order of Conditions.

E. Newton Historical Commission Review

The petitioner is proposing to demolish more than 50% of one of the facades on both buildings N2 and N3. The buildings were found to be not historic as defined by the Newton Demolition Delay Ordinance (**ATTACHMENT A**).

F. Urban Design Commission Review

The UDC reviewed the petitioner's sign package and recommended approval with stipulations (**ATTACHMENT B**). Those stipulations included reductions in the number of proposed signs, the relocation of certain signs, and adjustments to the size of certain signs.

V. PETITIONER'S RESPONSIBILITIES

The petitioner should respond to the issues raised in this memorandum at the public hearing, as necessary, and should continue to work with the Planning Department on the issues relating to traffic, parking, and wetland resources.

ATTACHMENTS:

- Attachment A:** Newton Historical Commission Decision
- Attachment B:** UDC Memo
- Attachment C:** Traffic Impact Study
- Attachment D:** Land Use Map
- Attachment E:** Zoning Map
- Attachment F:** Zoning Review Memorandum
- Attachment G:** Engineering Memorandum



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ATTACHMENT A

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Candace Havens
Director

Newton Historical Commission Demolition Review Decision

Date: 1/23/15 Zoning & Dev. Review Project# 15010069

Address of structure: 141-173 Needham Street

Type of building : Commercial

If partial demolition, feature to be demolished is portions of buildings fronting central courtyard

The building or structure:

- is _____ is not in a National Register or local historic district not visible from a public way.
- is _____ is not on the National Register or eligible for listing.
- is _____ is not importantly associated with historic person(s), events, or architectural or social history
- is _____ is not historically or architecturally important for period, style, architect, builder, or context.
- is _____ is not located within 150 feet of a historic district and contextually similar.

is **NOT HISTORIC** as defined by the Newton Demolition Delay Ordinance.

Demolition is not delayed and no further review is required.

is _____ **HISTORIC** as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

_____ **APPROVES** the proposed project based upon materials submitted see below for conditions (if any).

Demolition is not delayed, further staff review may be required.

_____ **DOES NOT APPROVE** and the project requires
Newton Historical Commission review (See below).

The Newton Historical Commission finds the building or structure:

is _____ **NOT PREFERABLY PRESERVED**

Demolition is not delayed and no further review is required.

is _____ **PREFERABLY PRESERVED – (SEE BELOW).**

Delay of Demolition:

_____ is in effect until _____

_____ has been waived - see attached for conditions

Determination made by:

Setti D. Warren NHC

Please Note: if demolition does not occur within two years of the date of expiration of the demolition delay, the demolition will require a resubmittal to the Historical Commission for review and may result in another demolition delay.



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Setti D. Warren
 Mayor

James Freas
 Acting Director

REQUEST FOR DEMOLITION REVIEW

DATE RECEIVED: January 22, 2015 PROJECT #: 15010069
 PROJECT ADDRESS: 141-173 Needham Street

PROJECT INFORMATION

TYPE OF DEMOLITION: PARTIAL ** TOTAL

(** "Partial" demolition of a structure is the alteration or removal of over 50% of any single exterior wall surface or roof structure. Each is calculated by square footage.)

STRUCTURE TO BE DEMOLISHED (Check all that apply):

HOUSE GARAGE SHED NON-RESIDENTIAL BUILDING OTHER

IF OTHER, PLEASE DESCRIBE: _____

WHAT YEAR WAS THE STRUCTURE BUILT: 1948-1955

IS THE STRUCTURE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES? YES NO

DESCRIPTION OF THE DEMOLITION REQUEST BELOW (Briefly describe the project):
 See attached narrative

Partial demo of one side of each of 2 fronts

IF KNOWN, BRIEFLY DESCRIBE THE KNOWN HISTORY OF THE PROPERTY:
 See attached narrative

THE REVIEW APPLICATION SHOULD INCLUDE THE FOLLOWING INFORMATION

REQUIRED DOCUMENTATION:

- ____ PHOTOGRAPHS OF THE AFFECTED STRUCTURE FROM THE FRONT, REAR, AND SIDES AND STREET.
- ____ ASSESSOR'S MAP SHOWING PROPERTY LOCATION
- ____ BUILDING ELEVATION PLANS 11" X 17" OR SMALLER (FOR PARTIAL DEMOLITIONS ONLY).

SUGGESTED DOCUMENTS:

- ____ BUILDING ELEVATION PLANS OR SKETCHES 11" X 17" OR SMALLER
- ____ BUILDING PRODUCT/MATERIAL INFORMATION
- ____ SITE PLAN
- ____ PHOTOS OF NEIGHBORHOOD

APPLICATION AUTHORIZATION

PROPERTY OWNER: NewtonTechnology ParkLLC *[Signature]* Jan 22, 2015
 (Print name) (Signature name) (Date)

(All plans **MUST** be dated, drawn to scale, and clearly labeled. An inaccurate or incomplete application will **NOT** be accepted. Please review the reverse of this form for additional information.)

NOTE: This Application MUST be accompanied by a General Permit Application.



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GENERAL PERMIT APPLICATION

PROJECT #: 15010069 ZONING DISTRICT: MV-1 DATE RECEIVED: January 22, 2015

PROJECT DESCRIPTION:

See attached narrative

PROPERTY LOCATION INFORMATION

STREET ADDRESS: 141-173 Needham Street CITY/ZIP: Newton

LEGAL DESCRIPTION (SECTION, BLOCK, LOT): 51028/0010, 0011, 0013, 0014

PROPERTY OWNER INFORMATION

NAME: Newton Technology Park, LLC PHONE: 508-655-0505 ALT. PHONE: _____

MAILING ADDRESS: Crosspoint Associates E-MAIL ADDRESS: kmccormack@crosspointassociates.com

PROPERTY OWNER CONSENT

I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:

1. This application for a land use permit or administrative approval for development on my (our) property is made with my permission.
2. I (we) grant permission for officials and employees of the City of Newton to access my property for the purposes of this application.

X [Signature]
(Property Owner Signature)

January 22, 2015
(Date)

X _____
(Property Owner Signature)

(Date)

NOTICE: The City of Newton staff may need access to the subject property during regular business hours and will attempt to contact the applicant/agent prior to any visit. Further, members of a regulatory authority of the city may visit the property as well.

APPLICANT / AGENT INFORMATION

NAME: Franklin G. Stearns PHONE: 617-951-9275 ALT. PHONE: _____

MAILING ADDRESS: KLG Gates, 1 Lincoln St. Boston MA E-MAIL ADDRESS: franklin.stearns@klgates.com

X [Signature]
(Applicant/Agent Signature)

Jan 22, 2015
(Date)

NOTICE: The applicant/agent is the primary contact and may be any individual representing the establishment or property owner. The applicant/agent must also be legally authorized to make decisions on behalf of the Property Owner(s) in regards to the application.

----- OFFICE USE ONLY BELOW THIS LINE -----

CHECK APPROPRIATE PERMIT OR REVIEW PROCESS (CHECK ALL BEING SUBMITTED)

<input type="checkbox"/>	Zoning Review Application	<input type="checkbox"/>	Comprehensive Permit
<input type="checkbox"/>	Administrative Site Plan Review	<input type="checkbox"/>	Variance Application
<input type="checkbox"/>	Sign Permit	<input type="checkbox"/>	Historic Preservation Review
<input type="checkbox"/>	Special Permit/Site Plan Approval	<input type="checkbox"/>	Conservation Commission Review
<input type="checkbox"/>	Fence Appeal	<input type="checkbox"/>	Other, describe _____

Comments: _____

PERMIT INTAKE INITIALS
AND DATE STAMP

NOTE: This form **MUST** accompany all other Department of Planning and Development applications.

To Be Completed By Applicant



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James Freas
Acting Director

STAFF MEMORANDUM

Meeting Date: February 18, 2015

DATE: February 12, 2015

TO: Urban Design Commission

FROM: Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner *D. Sexton*

SUBJECT: Additional Review Information

The purpose of this memorandum is to provide the members of the Urban Design Commission (UDC) and the public with technical information and planning analysis which may be useful in the review and decision making process of UDC. The Department of Planning and Development's intention is to provide a balanced view of the issues with the information it has at the time of the application's review. Additional information may be presented at the meeting that the UDC can take into consideration when discussing a Sign Permit application.

Dear UDC Members,

The following is a brief discussion of the sign permit applications that you should have received in your meeting packet and staff's recommendations for those items.

Regular Agenda

Sign Permits

66 Needham Street - Landry's Bicycles

PROJECT DESCRIPTION: The property located at 66 Needham Street is within a Mixed Use 2 zoning district. The petitioner is proposing to install the following signs:

1. One wall mounted sign, internally illuminated (w/LEDs), with approximately 44 square feet of sign area facing Needham Street.
2. One wall mounted sign, internally illuminated (w/LEDs), with approximately 44 square feet of sign area facing parking the lot on the north side of the building.

TECHNICAL REVIEW: The proposed signs appear to be consistent with §30-20(f)(1) and (2). The allowable principal sign area, based on the 56 feet of frontage, is 100 square feet, which the

proposed principal sign does not exceed. The allowable secondary sign area, based on the 60 feet of frontage, is 50 square feet, which the proposed secondary sign does not exceed.

STAFF RECOMMENDATIONS: Based on the proposed signage and technical review, staff recommends approval of all the proposed signs.

131-181 Needham Street - Newton Nexus (Comprehensive Sign Package Review)

PROJECT DESCRIPTION: The properties located from 131-181 Needham Street are within a Mixed Use 1 zoning district, and were the former headquarters for TripAdvisor, LLC. The applicant and property owner, Crosspoint Associates, Inc., is looking to redevelop the site into a shopping center which is being referred to as “Newton Nexus.” The shopping center is proposed as a multi-tenant retail destination that is envisioned to enliven the site by creating a new urban edge along Needham Street. To complement the proposed modernized architectural design for the buildings and the open-air retail environment, the petitioner is proposing a comprehensive sign package for the entire site. The sign package includes a mixture of tenant and site signage.

TECHNICAL REVIEW: The proposed sign package differs significantly from the signage allowances prescribed in §30-20(f). The following table illustrates how the proposed signage package differs from the dimensional controls from signage prescribed in the Newton Zoning Ordinance:

Signage Type	Required	Proposed
Tenant		
Principal Signs	1 sign at 3 sf per linear foot of frontage or 100 sf, whichever is less	1 sign at 3 sf per linear foot of frontage or 100 sf, whichever is less. Plus, tenant spaces of at least 5,000 sf may be allow an addition principal sign up to 100 sf. Second floor tenants may place principal signage on the second floor of a building. May be attached to an architectural canopy.
Secondary Signs	2 signs at 1 sf per linear foot of frontage or 50 sf, whichever is less	2 signs at 1 sf per linear foot of frontage or 50 sf, whichever is less. Plus, each tenant may be allowed an additional secondary sign. The aggregate of secondary sign shall be 100 sf. Secondary signs shall be allowed on the same façade as principal signs.
Perpendicular Signs (Blade)	Considered a principal or secondary sign	1 sign per tenant entrance or occupancy with a 25 sf per sign face allowance.

Site		
Entrance Signs	Considered a free-standing principal sign with 35 sf limit	No size limit proposed.
Banners Signs	Not allowed, except for national, state, or local governments	Seasonal banners with no sf limitation.
Ground Signs	Considered a free-standing principal sign with 35 sf limit	Includes property identification sign panel, changes seasonally, with no size limit.
Light Pole Banner Signs	Not allowed, except for national, state, or local governments	Includes property identification sign panel, changes seasonally, with no size limit.
Pedestrian Directory Signs	Considered a directory sign 1 sign with 1 sf per tenant (second sign allowed at second entrance with frontage on a street)	Includes property and tenant identification, building location plan, and advertising panels. No size proposed.
Vehicular Wayfinding Signs	Considered a directory sign 1 sign with 1 sf per tenant (second sign allowed at second entrance with frontage on a street)	Includes building, tenant, and site directory signage. No size proposed. Seasonally changeable.

Since the proposed sign package deviates from the dimensional controls of the Newton Zoning Ordinance, the petitioner is seeking exceptions via special permit relief to allow the proposed signage.

STAFF RECOMMENDATIONS: Staff does not have a recommendation for the UDC at this time, but does plan to provide a recommendation for consideration after hearing the petitioner's presentation at the meeting.

Old/New Business

Approval of Minutes

Staff has provided draft meeting minutes for the January 21st regular meeting that require ratification by the UDC.

TRAFFIC IMPACT STUDY

Executive Summary

A traffic impact and parking analysis has been completed for the proposed redevelopment of the Newton Technology Park on Needham Street in Newton, Massachusetts. The proposed redevelopment will result in: a reduction in the total building floor area at the site; the introduction of new, community-based retail uses; and, an opportunity to develop a shared-use (pedestrian and bike) path within an abandoned rail corridor that passes through the site along South Meadow Brook. Potential transportation benefits arising from the project are listed below.

- Enhanced connectivity for pedestrians and cyclists among the Needham Street commercial district, the Upper Falls Greenway and adjacent residential areas allowing for greater use of alternative travel modes for shopping and work trips.
- A potential reduction in vehicle trips made to and from the Needham Street corridor with the construction of a community-based market, other retail stores and restaurants than can serve shopping and dining needs locally. Residents of the adjacent Avalon Bay apartment complex, for example, will be able to purchase groceries within walking distance of their homes.
- A net reduction in vehicle trips on Needham Street during the AM peak commuter and a nominal increase during the PM peak commuter hour with no significant change in traffic operations due to the proposed land uses changes at the site.
- Smoothing of traffic flow on Needham Street through the elimination of two existing curb cuts serving the site. The curb cut closures support the MassDOT Needham Street reconstruction project presently in design by eliminating breaks in the proposed sidewalks and on-street bike lanes.

Ongoing traffic mitigation for this redevelopment project includes working with the City and State to define lane use and pedestrian/bike treatments along Needham Street immediately adjacent to the site.

Project Description

Crosspoint Associates, Inc. is proposing to redevelop the Newton Technology Park (the “project” or the “redevelopment”, at 131-181 Needham Street in Newton (the “site”). The proposed redevelopment will reduce the total building floor area on the site replacing some existing office space with retail and restaurant space. The building floor area will decrease from 163,824 square feet to 142,016 square feet. The proposed redevelopment plans also include consolidating the number of driveways along Needham Street from five driveways to three. An abandoned rail spur linking Needham Street with the Upper Falls Greenway along the southern boundary of the site will be developed as a pedestrian/bicycle corridor. This link will also serve existing residential neighborhoods located north of the Greenway. Existing pedestrian and vehicle connections to AvalonBay residential development located adjacent to and north of the project site will also be maintained. A total of 518 parking spaces will be provided on site.



TRAFFIC IMPACT STUDY

Study Area

The traffic impact study evaluates area roadways and intersections that provide access to the site. The study area for the proposed project includes three signalized intersections in close proximity to the site, along with the site driveways. The study intersections include:

- Needham Street/Winchester Street/Dedham Street (signalized)
- Needham Street/Columbia Avenue/AvalonBay Driveway (signalized)
- Needham Street/ Site Driveways (three locations-unsignalized)
- Needham Street/Oak Street/Christina Street (signalized)

The Needham Street/Columbia Avenue/AvalonBay Driveway functions as an existing signalized driveway for the subject site as the subject site and the AvalonBay properties are interconnected by way of a rear driveway.

Existing Traffic Volumes and Operations

Traffic counts were conducted on roadways in the project area in September and October 2014. Needham Street carries approximately 21,000 vehicles on a daily basis, including 1,505 during the morning peak hour and 1,535 vehicles during the afternoon peak hour. On a typical Saturday, Needham Street carries approximately 19,200 vehicles, but the midday peak hour volume is nearly 1,700 vehicles. Traffic operations analyses completed for the three signalized study intersections indicate that the two locations located north of the site operate well below capacity during peak hours. The Needham Street/Oak Street/Christina Street intersection operates with some reserve capacity as well except during the PM commuter peak hour. The existing site driveways all operate well below capacity but experience some long peak hour delays due to heavy volumes on Needham Street. These delays can be avoided by exiting the project site via the rear driveway and the traffic signal on the AvalonBay driveway.

Future Condition Scenarios

The traffic impact analysis considered both near-term and long-term traffic conditions. The “Near-Term Build” scenario superimposes redevelopment project traffic on existing traffic volumes and on the existing roadway system. The “Long-Term Build” scenario superimposes redevelopment project traffic on a forecast of future (2024) traffic volumes developed for the MassDOT Needham Street/Highland Avenue Corridor reconstruction project.

Implementation of the Needham Street improvements proposed by MassDOT is assumed for both the Long-Term No Build (without the site redevelopment) and Long-Term Build (with site redevelopment) scenarios.

TRAFFIC IMPACT STUDY

Future Project Traffic

Estimates of anticipated peak hour vehicle trips associated with the proposed redevelopment are based on trip rates published by the Institute of Transportation Engineers. The proposed redevelopment is expected to result in a net reduction in trips during the weekday morning peak hour, and increases of 121 and 293 trips during the weekday afternoon and Saturday midday peak hours, respectively. Given the nature of the proposed new uses (retail) a high proportion of the additional trips are already on the area roadways and are considered pass-by trips. The redevelopment trips were assigned to the roadway system in accordance with existing travel patterns.

Future Needham Street Traffic Volumes

When the anticipated redevelopment traffic volumes are combined with existing volumes, traffic increases of two percent or less are anticipated during the weekday afternoon peak hour. Project related traffic increases are closer to five percent during the Saturday midday peak hour. A decrease in volumes is expected during the AM commuter peak hour.

Future Traffic Operations

A comparison of Existing and Near-Term Build traffic operations for the three signalized intersections in the study corridor indicates that redevelopment traffic will not significantly change peak hour traffic operations. The calculated ratio of volume of traffic passing through each intersection to the capacity of the intersection to handle traffic (volume-to-capacity ratio) generally does not change except during the Saturday midday peak hour. However, even during the Saturday midday peak hour traffic operations with project traffic added are better than experienced during the PM commuter peak hour without project traffic added. In other words, the project may measurably increase traffic volumes during the Saturday midday peak hour but analyses of existing PM commuter peak hour conditions indicates that the study area's signalized intersections can readily accommodate the anticipated project related Saturday traffic increases. Anticipated increased travel delays on the site driveways can be mitigated by motorists exiting the site by way of the rear driveway and the AvalonBay driveway traffic signal.

Independent of the intersection operations analysis, traffic count data from past studies indicate that traffic volume levels on Needham Street are trending lower. As such, the projected Near-Term Build traffic volume levels at the two gateway intersections in the corridor, the Needham Street/Oak Street/Christina Street and Needham Street/Dedham Street/Winchester Street intersections, will be much lower than reported volumes processed through these intersections in 2005.

Traffic Mitigation

The proposed land use changes at the site (reduced floor area and the introduction of retail uses) and the proposed site design (multi-use path development and curb cut closures) will help minimize vehicular travel and promote alternative travel modes within the Needham Street corridor. The proposed MassDOT improvements for Needham Street include enhanced accommodations for cyclists and pedestrians which should help to reduce the number of vehicle trips generated to, from and within the corridor. The proposed redevelopment plan complements this strategy. Additionally, it provides sufficient parking

TRAFFIC IMPACT STUDY

capacity allowing site visitors to park once and circulate more conveniently between multiple destinations along Needham Street as a pedestrian. The applicant plans to work with the City and MassDOT to carefully consider the design (location, pavement striping and allowed turning movements) at each of the three curb cut locations on Needham Street proposed to remain in service at the site.






Parking Adequacy

The site parking adequacy was calculated considering the shared parking opportunities afforded by the mixed land use conditions on the site. The proposed site plan provides 518 parking spaces to serve the office and retail uses. The calculated peak parking demand for the site is 444 spaces, which equates to an 86 percent parking utilization rate at the peak time for the site. The peak demand is expected to be experienced under December (Christmas shopping season), daytime conditions.

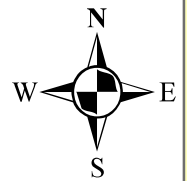
Land Use Map 131-181 Needham St. *City of Newton, Massachusetts*

Legend

Land Use


-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Open Space
-  Nonprofit Organizations

ATTACHMENT D

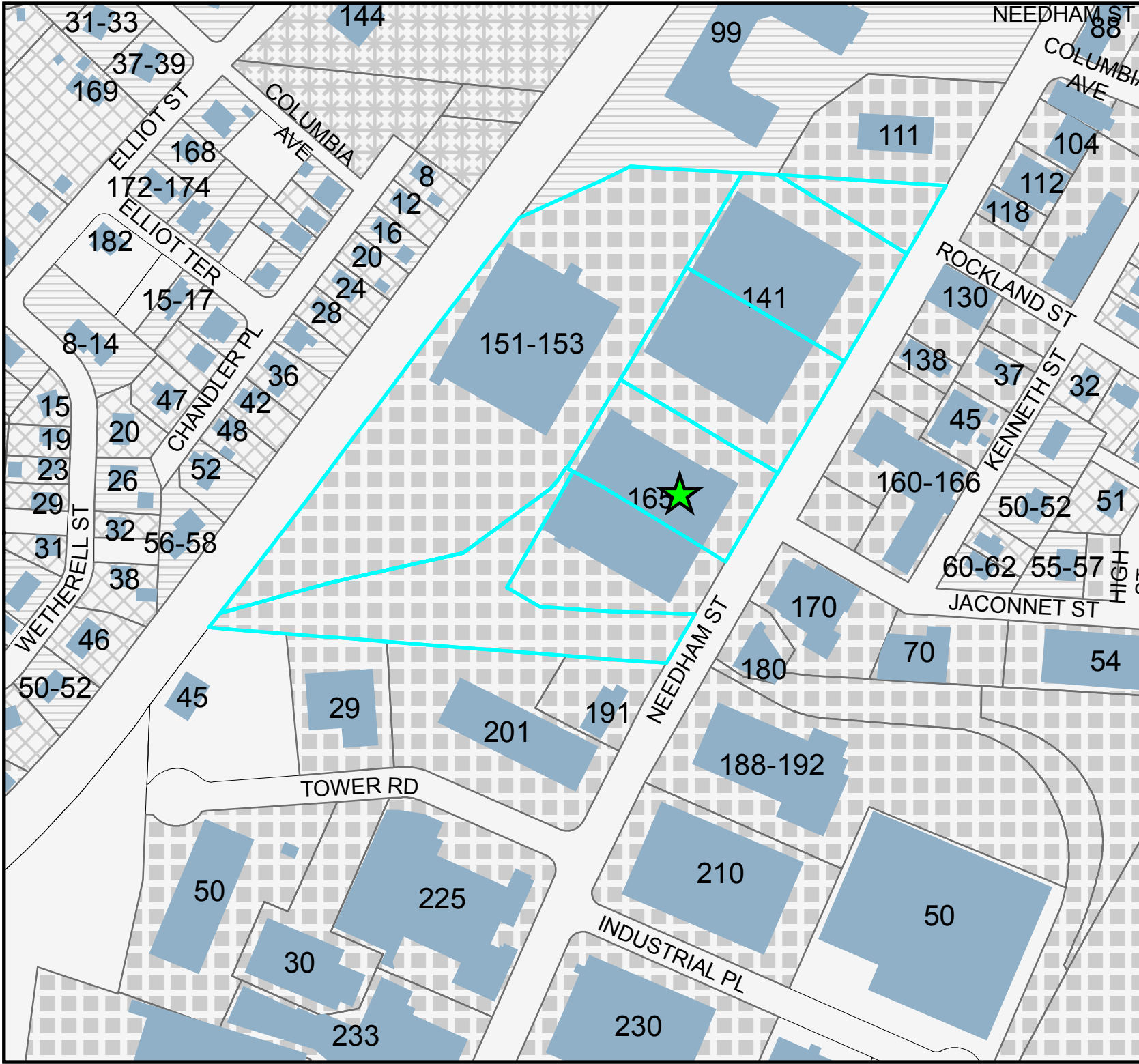


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

12.35 50 75 100 125 150 175 200 225 250 275
 Feet

Map Date: February 25, 2015



Zoning Map 131-181 Needham St. *City of Newton, Massachusetts*

Legend

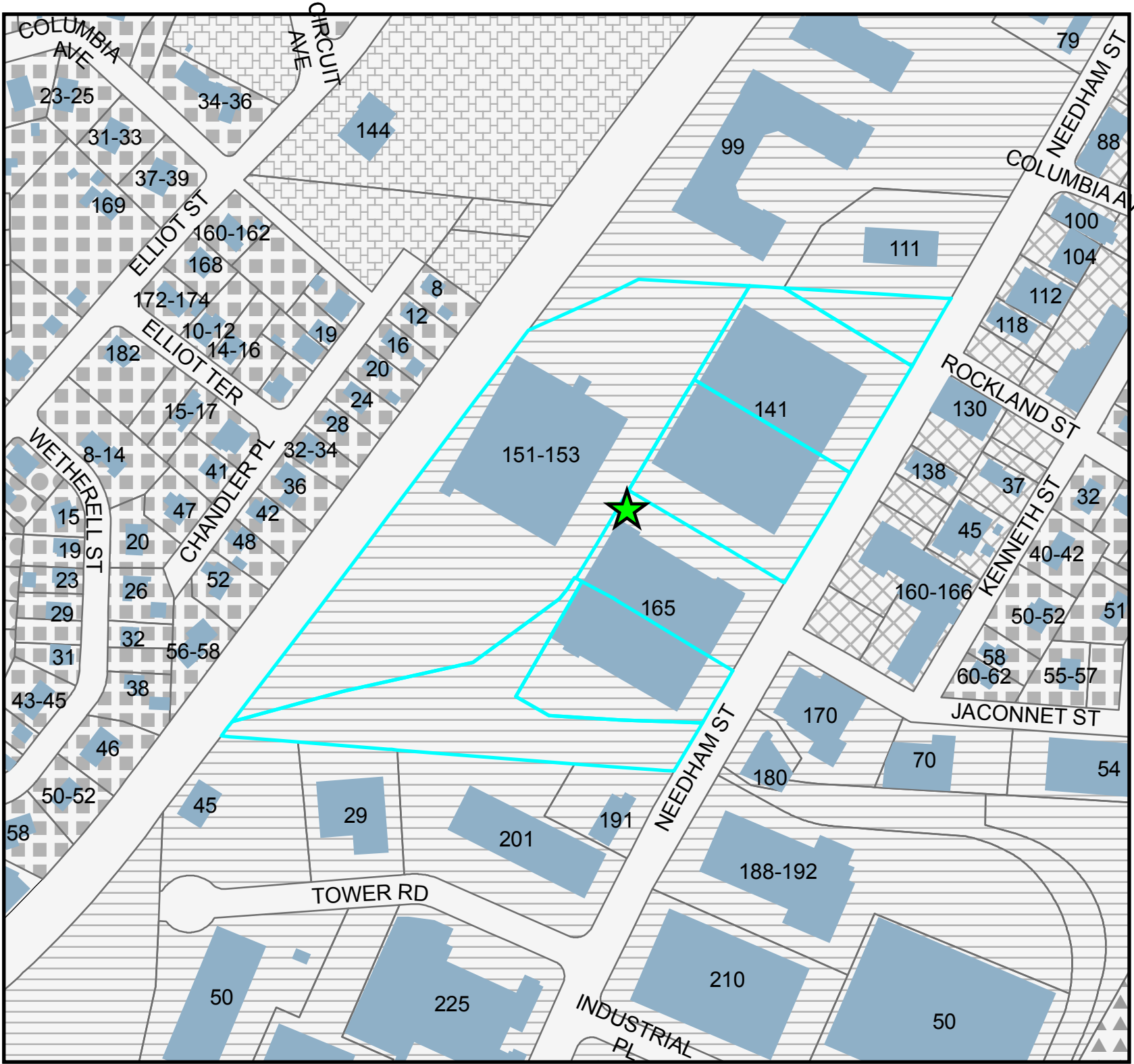
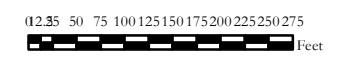
- Single Residence 3
- Multi-Residence 1
- Multi-Residence 2
- Mixed Use 1
- Mixed Use 2
- Public Use

ATTACHMENT E



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield





Setti D. Warren
Mayor

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City of Newton, Massachusetts
Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: January 8, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Franklin Sterns, Attorney for the applicant
Kerry McCormick, Wellford Corp
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow a mix of office, service, retail and restaurant uses in the MU1 zone, and to reduce parking requirements by one-third

Applicant: Wellford Corp.	
Site: 141-143, 151-153, 165, 173 & 181 Needham Street	SBL: 51028 0014, 51028 0013, 51028 0012, 51028 0011, 51028 0010
Zoning: MU1	Lot Area: 11.06 acres
Current use: Office	Proposed use: Mixed use

BACKGROUND:

The subject site is comprised of five lots, totaling 11.06 acres. The four lots fronting on Needham Street have two office buildings currently occupied by Trip Advisor, and the large rear lot is a multi-tenant office/commercial building. Trip Advisor will be vacating the property, and the owner intends to partially demolish the two front buildings to create a wide center courtyard between the buildings, and to make additions to the front of each to bring them closer to the Needham Street landscape. The rear building and its uses will remain as is, aside from some cosmetic improvements to the facade.

The site has been used for manufacturing and office uses in the past. The applicant intends to phase the redevelopment of the site, and proposes retail, service and restaurant uses in the front buildings, as well as significant landscape and parking improvements.

The property has 488 parking stalls between the five parcels, to be shared by all three buildings. The applicant proposes to increase the parking to 518 stalls by reconfiguring the existing parking areas. With the change in use from office to mixed use the parking demand increases from 514 stalls to 657. The applicant intends to seek a special permit to allow for a one-third reduction in the parking requirement for a mixed use project, which would reduce the parking requirement to 441 stalls.

The as-of-right zoning for the district allows office use. The applicant is proposing to expand the uses on the site to also include restaurants, retail and service establishments. Between the two front buildings, approximately 73,290 square feet of retail and service are proposed, as well as up to 517 restaurant seats. The rear building will remain as office space, with 55,056 square feet.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared Frank Sterns, Attorney, dated 11/13/2014
- Parking calculation, dated 11/11/2014
- Existing conditions plan, signed and stamped by Steven M. Horsfall, surveyor, dated 11/12/2014
- Proposed conditions plan, signed and stamped by David Noel Kelly, civil engineer, dated 11/12/2014, revised 12/24/2014

ADMINISTRATIVE DETERMINATIONS:

1. The applicant is proposing office, retail, service and restaurant uses for the property. According to Section 30-13(b), a special permit is required to locate these uses in the Mixed Use 1 District.
2. The existing building at the rear, or northern portion of the property, known as Building N1, will remain as is with some façade improvements. The applicant intends to demolish approximately 14,838 square feet on the west side of the building on the eastern portion of the property, known as Building N2, and add approximately 7,525 square feet to the Needham Street side of it. Building N3, located on the southern portion of the property, will have approximately 17,925 square feet demolished and approximately 1,500 square feet added to the Needham Street side.
3. The property currently has 488 parking stalls. The applicant intends to reconfigure the parking lot and expand to 518 stalls to be shared by the three buildings. With 164,398 square feet of office space on the site in total, 514 parking stalls are currently required for the office use per Section 30-19(d)(11), which requires one stall for every 250 square feet for the first 20,000 square feet, and one stall for every 333 square feet in excess of 20,000 square feet.

It is intended that Building N1 will maintain its office uses. With 55,056 square feet, the building requires 80 stalls for the first 20,000 square feet, and 105 stalls for the remaining 35,056 square feet, for a total of 185 stalls.

Building N2 and N3 will be repurposed for retail, service and restaurant uses. After the building alterations, there will be approximately 86,960 square feet devoted to service and retail uses. Pursuant to Section 30-19(d)(13), service and retail uses require one stall per each 300 square feet, and one stall per each three employees working at the highest shift. To estimate the number of anticipated employees, the applicant utilized the Institute of Transportation Engineers (ITE) and Urban Land Institute (ULI) standards for projecting traffic volumes. The estimate of 1 employee per each 1000 sf of retail and the estimate of 1 employee for 10 seats in a restaurant were taken from

ITE/ULI sources for shopping centers. Based on the ITE/ULI standards, the estimated number of employees for the service and retail uses is 76, creating a parking requirement of 26 stalls for employees, and 251 stalls based on the square footage. The total parking requirement for the retail and service uses is estimated at 277 stalls.

Per Section 30-19(d)(13), a restaurant use requires one stall for every three seats, and one stall for every three employees working at the highest shift. The application estimates 517 seats between the anticipated restaurants on site, requiring 173 parking stalls. Again utilizing the UTE/ULI standards, there would be an estimated 52 employees, therefore requiring 18 parking stalls. In total, the restaurant use will require approximately 191 stalls.

In total, the office, service, retail and restaurant uses on site will require 653 parking stalls, where 518 will be provided. In the case of a mixed use development such as this, a special permit may be granted to reduce the parking by up to one-third pursuant to Section 30-19(d)(18). Utilizing this provision would reduce the parking requirement to 438 stalls.

4. Section 30-19(h)(1) requires that no parking shall be located within any required setback distances from a street or sideline. The existing parking is nonconforming with stalls located within the front and side setbacks, as well as within 5 feet of structures. The applicant proposes to locate stalls within 9 feet of the street, where 15 feet is required, as well as at the side lot line with no setback, where 7.5 feet is required. Also, the applicant intends to maintain parking directly against the buildings, where a 5 foot separation is required. A special permit is required for parking stalls within the front and side setbacks, as well as to locate stalls within 5 feet of buildings.
5. Aisle widths for two-way traffic are required to be 24 feet pursuant to Section 30-19(h)(3)a). In most cases, the applicant proposes conforming widths with the exception of the existing aisle located within the loading area and bollard to the southwest corner of 151-153 Needham Street. A special permit is required to legitimize the existing nonconforming aisle width.
6. The existing driveway off of Needham Street is nonconforming at 53 feet, where 25 feet is the maximum width allowed in Section 30-19(h)(4)b). The applicant proposes to reduce the driveway width to 30 feet, which is still nonconforming. A special permit is required to maintain the nonconforming driveway width.
7. Section 30-19(i)(1) requires perimeter landscape screening for parking lots in excess of five stalls. As there are several stalls located along the perimeter of the property, a waiver from the screening requirements is necessary to maintain the nonconforming perimeter landscaping.
8. Section 30-19(j)(1) specifies the lighting requirements for parking facilities. The applicant did not submit a lighting plan. To the extent that the proposed plan does not meet the requirements of the Ordinance, a waiver is special permit is required.
9. Section 30-15, Table 3 requires that a one-story building in the MU1 district have a 15 foot front setback, and any building over one story must have a front setback equal to the height of the building. The applicant intends to make the buildings fronting on Needham Street part of the "streetscape" by bringing them to the sidewalk. As such, the buildings are limited to one-story to accommodate the 15 foot setback requirement. The applicant conceptualizes 21,500 square feet

of office space above the first floor commercial space in the two front buildings. Should the setback requirements change, and additional office space is added to create a second floor, an additional 86 parking stalls would be required per Section 30-19(d)(11). The 86 stalls required for the additional office space would exceed the number of stalls provided, and a waiver would be required.

MU1 Zone	Required/Allowed	Existing	Proposed
Lot Size	40,000 square feet	11.06 acres	No change
Setbacks			
• Front	15 feet	40.5 feet	15 feet
• Side	7.5 feet	30.6 feet	No change
• Rear	7.5 feet	13.1 feet	No change
Max # of stories	3 (4 by special permit)	2	No change
Building Height	36 feet (48' by special permit)	36 feet (Building N1)	No change
FAR	1.5 (2.0 by special permit)	.34	No change
Parking	653	488	518

10. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-13(b)(1)	To allow retail use in the Mixed Use 1 District	S.P. per §30-24
§30-13(b)(4)	To allow service use in the Mixed Use 1 District	S.P. per §30-24
§30-13(b)(5)	To allow restaurant use in the Mixed Use 1 District	S.P. per §30-24
§30-19(d)(18), §30-19(m)	To allow for a one-third reduction in the required number of parking stalls	S.P. per §30-24
§30-19(h)(1), §30-19(m), §30-21(b)	To allow expanded parking within required front and side setbacks, and to allow parking stalls within 5 feet of a building	S.P. per §30-24
§30-19(h)(3)a), §30-19(m), §30-21(b)	To allow reduced aisle widths to be maintained	S.P. per §30-24
§30-19(h)(4)b), §30-19(m), §30-21(b)	To allow a nonconforming driveway width exceeding allowed maximum	S.P. per §30-24
§30-19(i)(1), §30-19(m), §30-21(b)	To allow nonconforming perimeter landscape screening	S.P. per §30-24
§30-19(j)(1), §30-19(m)	To waive requirements for lighting	S.P. per §30-24

**CITY OF NEWTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

MEMORANDUM

To: Alderman Mark Laredo, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – #131-181 Needham Street

Date: February 6, 2015

CC: Lou Taverna, PE City Engineer
Linda Finucane, Associate City Clerk
Alexandria Ananth, Chief Planner
Stephen Pantalone, Sr. Planner

In reference to the above site, I have the following comments for a plan entitled:

*Site Development Plans
For
Newton Nexus
Newton, MA
Prepared by: Kelly Engineering Group
Dated: January 9, 2015*

Executive Summary:

This project involves the redevelopment of an 11 acre [multiple parcels] site that will include two new buildings and rehabilitation of a third building. The site improvements include on-site drainage system that will improve stormwater water quality and groundwater recharge as required by the Department of Environmental Protect (DEP) and the DPW. The proposed Drainage system is in conformance of the City's Stormwater Policy & incorporates best management practices recommended by the Massachusetts Stormwater Management Handbook.

As required for all new construction sanitary sewer service must be renewed from the building to the existing sanitary sewer mains. Since the third building is to be renovated and the existing service is 64 year old clay pipe, it needs to be updated to current City standards.

All utility work and curb, sidewalk and drive aprons need MassDOT approval, as Needham Street is a state road.

If the special permit is approved an Approval Not Required (ANR) plan will be needed in accordance to Massachusetts General Laws Chapter 41 Section 81P requiring the multiple separate lots be combined into one lot.

Prior to any construction a Preconstruction Closed Circuit Television (CCTV) inspection shall be performed on any City Drain or Sanitary Sewer Mains within any City Easement that is on these properties, and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore, upon completion of all construction a Post – Construction video inspection shall also take place and witnessed as described above. This is required regardless of the connection point, the intent is to ensure that there are no downstream blockages or damaged pipe so that the contractor of record is not held accountable for preexisting conditions.

Construction Management:

1. A construction management plan is needed for this project. At a minimum, it must address the following: staging site for construction equipment, construction materials, parking of construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor. It shall also address any anticipated dewatering during construction, site safety & stability, and impact to abutting properties.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.
3. A temporary construction safety fence is needed around the entire site for the duration of the project.

Drainage:

1. When a connection to the City's drainage system is proposed, prior to approval of the Building Permit a Closed Circuit Television (CCTV) inspection shall be performed and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore, upon completion of the connection to the drainage system a Post – Construction video inspection shall also take place and witnessed as described above. This is required regardless of the connection point, the intent is to ensure that there are no downstream blockages or damaged pipe so that the contractor of record is not held accountable for preexisting conditions.
2. The proposed Operations and Maintenance (O&M) plan for Stormwater Management Facilities is acceptable and needs to be adopted by applicant, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
3. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the property owner(s).

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.
3. As the total site disturbance is over an acre, a Phase II General Construction (NPDES) Permit will need to be filed with DEP & EPA. A Stormwater Pollution Prevention Plan (SWPPP) will need to be developed.

Sewer:

1. A detailed profile is needed which shows the existing water main, proposed water service(s), sewer main and proposed sewer service(s) with the slopes and inverts labeled to ensure that there are no conflicts between the sewer services and the water service. The minimum slope for a service is 2.0%, with a maximum of 10%. Pipe material shall be 6" diameter SDR 35 PVC pipe within 10' of the dwelling then 4" pipe per Massachusetts State Plumbing Code. In order to verify the slopes and inverts of the proposed service connection, two manholes of the existing sanitary sewer system need to be identified on the plan with rim & invert elevations. The crown of the service connection & the sewer man need to match.
2. The existing water & sewer services to the building shall be cut and capped at the main and be completely removed from the main and the site then properly back filled. The Engineering Division must inspect this work; failure to having this work inspected may result in the delay of issuance of the Utility Connection Permit.
3. With the exception of natural gas service(s), all utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) Excavatable Type I-E, detail is available in the city of Newton Construction Standards Detail Book.
4. As Needham Street has been repaved within the last 2 years, the utility trenches and roadway the MassDOT may require the roadway to be milled 25' on both sides of the utility trenches from curb line to curb line; then paved with 1-1/2" of Type I-1 Bituminous Concrete, this will be finalized when the applicant applies for a Street Opening Permit with MassDOT.
5. All new sewer service and/or structures shall be pressure tested or videotaped after final installation is complete. Method of final inspection shall be determined solely by the construction inspector from the City Engineering Division. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and a written report is received by the City Engineer. ***This note must be added to the final approved plans.***
6. All sewer manholes shall be vacuum tested in accordance to the City's Construction Standards & Specifications. The sewer service will NOT be accepted until one of the two methods stated above is completed. All testing MUST be witnessed by a representative of the Engineering Division. A Certificate of Occupancy will not be recommended until this test is completed and

a written report is received by the City Engineer. ***This note must be added to the final approved plans.***

Water:

1. Fire flow testing is required for the proposed fire suppression system. The applicant must coordinate this test with both the Newton Fire Department and the Utilities Division; representatives of each department shall witness the testing, test results shall be submitted in a write report. Hydraulic calculation shall be submitted to the Newton Fire Department for approval.
2. All water connections shall be chlorinated & pressure tested in accordance to AWWA and the City of Newton Construction Standards and Specifications prior to opening the connection to existing pipes.
3. Approval of the final configuration of the water service(s) shall be determined by the Utilities Division, the engineer of record should submit a plan to the Director of Utilities for approval

General:

1. All trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
2. All tree removal shall comply with the City's Tree Ordinance.
3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility in question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*
4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*

5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.
6. Prior to Occupancy Permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*
7. If a Certificate of Occupancy is requested prior to all site work being completed. *This note must be incorporated onto the site plan.*

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.