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PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: January 22, 2021
MEETING DATE: January 26, 2021
TO: Land Use Committee of the City Council
FROM: Barney S. Heath, Director of Planning and Development
Neil Cronin, Chief Planner for Current Planning
Michael Gleba, Senior Planner
CC: Petitioner

In response to questions raised at the City Council public hearing, 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 Land Use Committee public hearing.

PETITION #774-20

232 Boylston St.

Petition #774-20, SPECIAL PERMIT/SITE PLAN APPROVAL to allow a recreational retail marijuana establishment, allow waivers to parking facility requirements for: parking in the side setback, parking stall width and depth, reduced dimensions for accessible parking stalls, to reduce the minimum aisle width for two-way traffic, to waive perimeter screening requirements, to waive lighting requirements, to allow tandem parking and parking managed by an attendant, to allow a free-standing sign and to allow an oversized directional sign and to amend Special Permit Board Order #774-85 at **232 Boylston Street**, Ward 7, Chestnut Hill, on land known as Section 82 Block 02 Lot 09, containing approximately 16,570 sq. ft. of space in a district zoned BU4. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.4, 5.1.8.A.1, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.8.E.1, 5.1.8.E.2, 5.1.9.A, 5.1.10, 5.2.3, 5.2.8, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

The Land Use Committee (the "Committee") held a public hearing on December 15~~4~~, 2020 on this petition. This memo reflects additional information addressed to the Planning Department as of **January 22, 2021**.

Background

The property at 232 Boylston Street consists of a 16,570 square foot lot located in a Business 4 (BU4) district improved with a two-story, 5,484 square foot commercial building. The petitioner seeks a special permit from the City Council to operate a marijuana establishment per Section 6.10.3.D of the Newton Zoning Ordinance (NZO). The establishment would occupy the building's basement, first floor, and a portion of its second floor. The petitioner is proposing to use 2,973 square feet for the retail operation while 1,852 square feet would be used for storage and mechanical equipment. As designed the proposed marijuana establishment also requires additional zoning relief, including exceptions to NZO requirements related to parking, lighting and signage, with the latter requiring the amendment of Special Permit #774-85.

Updates

Traffic and Transportation

The Planning Department's on-call transportation consultant, the BETA Group (BETA), conducted a peer-review of the "Traffic Impact and Access Memorandum" (TIAM) submitted by the petitioner. BETA's review is attached (**Attachment A**). It details BETA's initial comments and questions, responses made by the petitioner's consultant, VHB, and BETA's subsequent responses. While many of BETA's initial concerns has been addressed as noted in its letter, there remain several issues to be clarified. These include the following:

Trip generation:

The petitioner's TIAM indicated that the project is expected to generate approximately 84 new vehicle trips (42 entering / 42 exiting) during weekday evening peak hours and approximately 140 new trips (70 entering / 70 exiting) during the Saturday midday peak hour. BETA has requested that the petitioner provide, if available, "empirical vehicle trip generation data from other similar facilities to confirm" that the ITE rates used to project the proposal's trip generation "are reasonable" (BETA Comment T5).

Parking:

In BETA's Response T11, the peer reviewer requests that the petitioner confirm that the petitioner will subsidize employees' costs to park off-site, not merely the cost of their transportation to/from off-site parking areas. The Planning Department notes that this is important as the petitioner is proposing to provide no parking onsite for its 21 expected employees. The Department also notes that not locating employee parking on-site would serve to free up on-site spaces for use by customers who would have a higher turn-over rate (the petitioner has indicated the average customer visit to the site would be about 10 minutes long, even less for pre-ordered pick-ups) and facilitate more trips to/from the site than employee parking spaces would.

BETA's concerns also include, for example, the "area to maneuver vehicles in and out of the managed spaces on the west side of the site is tight." Also, some customers may tend to avoid the valet operation by parking in the Chestnut Hill Square spaces directly south of the site" (BETA Response T12). Planning notes that this concern it made even more relevant by the fact that the expected short average visit time for customers would seem to encourage that behavior

However, while the subject site can indeed be said to be “surrounded by parking,” the Planning Department notes that the petitioner has no rights to the parking on abutting parcels and those stalls therefore cannot be presumed to be available to customers and employees of the proposed marijuana establishment. Indeed, the petitioner has stated that there is no expectation that its customers would use such adjacent parking (VHB Response T15). In BETA’s Response T15 the peer reviewer asks whether parking attendants would be provided in perpetuity. The Planning Department echoes this concern and notes that if this petition were to be granted that such a requirement could be made a condition of the council order.

Perhaps most importantly, BETA’s review asks “how additional vehicles will be accommodated on-site if the parking lot is full” (BETA Response T13).

To address these concerns, BETA and the Planning Department recommend that the petitioner provide more information regarding how its managed parking plan for the 19 parking stalls onsite would be operated in the event the present petition is granted.

BETA also identified concerns regarding site access and circulation, including as to whether the 8 foot wide access aisle on the west side of the parcel would be “blocked by parked vehicles restricting emergency vehicle access) (BETA Response T18) and whether there is adequate maneuvering area associated with the loading area (BETA Response T23).

BETA will be available to discuss these and other issues at the upcoming hearing.

The petitioner’s traffic and parking information was also reviewed by the Department of Public Works’ Transportation Division. Its comments are also attached (**Attachment B**). It details that office’s concerns, especially regarding the expected use of parking stalls located on adjacent properties, and proposes that a shared parking approach be explored with neighboring properties, better pedestrian connections be made to those properties, and that efforts to initiate further work on creating the proposed shuttle service for the area to public transit options.

The Planning Department notes that the petitioner submitted a letter on January 21, 2021 in which it offers to “endeavor in taking the administrative lead in coalescing support from nearby employers to operate, maintain, and fund a shared shuttle service that would provide a first-mile/last-mile solution for employees traveling to and from their workplace.”

Pedestrian Access:

In order to facilitate pedestrian access to the site from Boylston Street / Route 9, the petitioner has preliminarily explored the feasibility of creating a cross walk across the three-lane wide driveway just to the east of the site. Such a crosswalk would allow pedestrians along Boylston street to walk up the sidewalk on the east side of that driveway and then cross that driveway to reach the subject property.

It is expected that the petitioner will continue to explore that option. That said, it is noted that such a crosswalk would be located on adjoining but separately owned property. The Planning Department suggests that the petitioner also explore options to provide pedestrian access directly on the subject property and not dependent on agreements with abutting properties.

Florence Street:

Regarding trip distribution, while it is acknowledged that traffic to and from the site would largely be on Boylston Street/Route 9, BETA notes that some customers might “use the Florence Street driveway” located on an adjoining property to the west (BETA Comment T10).

In its memorandum on the present petition (discussed above), the Transportation Division similarly noted that “many motorists (especially motorists traveling to the site from the south) will likely find” ... (using that driveway) ... “particularly attractive, as they could easily drive to and from the site via Florence Street, thereby avoiding the need to negotiate across several lanes of Boylston Street traffic and through additional traffic signals.”

To address this issue, the petitioner has indicated that it “will make customers aware that access and egress to the site is from Route 9... (and) will add a left turn only sign and pavement marking on the egress driveway of the site plan” (VHB Response T10). In addition to these efforts, the Planning Department will continue to work with the Transportation Division and the petitioner to discuss traffic calming measures on Florence Street.

Landscaping

As noted previously, the site is largely composed of impervious surfaces and has little landscaping. The petitioner is seeking several exceptions to parking facility landscaping requirements. The petitioner responded to a Planning Department’s recommendation and engaged a landscape architect to explore how the existing landscaping might be supplemented. The petitioner has submitted a planting plan (dated January 7, 2021) showing additional shrubs, groundcover and other vegetation to be located in various locations along the site’s periphery.

Signage

The petitioner has submitted updated plans for a proposed sign program. As now proposed, signage would have red lettering on white backgrounds rather than white lettering on red backgrounds. Also, the petitioner is now proposing to eliminate (rather than legitimize) two large (29.64 square feet) wall signs, one each on the front and back facades).

ATTACHMENTS

- Attachment A** BETA Group peer review dated January 21, 2021
- Attachment B** DPW Transportation Division memorandum dated January 21, 2021



ATTACHMENT A

January 21, 2021

Neil Cronin
Senior Planner
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

**Re: Recreational Marijuana Dispensary, 232 Boylston Street, Response to Traffic Comments
VHB Memorandum, January 18, 2021**

Dear Mr. Cronin:

BETA Group, Inc. (BETA) has received and reviewed the Response to Comments Memo submitted by the applicant's traffic engineer, VHB, dated January 18, 2021. The responses in the VHB Memo were based on comments summarized in the BETA letter dated January 8, 2021. A meeting was held with City staff and members of the applicant's team on January 19, 2021 to discuss comments and responses. For completeness, each comment and response in the BETA and VHB documents are listed below.

SITE LOCATION AND PROPOSED DEVELOPMENT

BETA Comment T1. Page 1 of the TIAM states "The east driveway only provides access into the Site from Route 9 eastbound while the west driveway provides access into the Site from Route 9 eastbound and westbound and egress from the Site to Route 9 eastbound only." The east and west driveway descriptions are reversed. The text needs to be revised.

VHB Response T1. The text has been revised and the updated page is provided in the Attachments.

BETA Response T1. **Comment addressed.**

STUDY AREA

BETA Comment T2. The study area includes the intersections of Route 9 eastbound and the West Site Driveway and Route 9 eastbound and the East Site Driveway/The Shops at Chestnut Hill Driveway. Based on the expected vehicle trip generation of the proposed project and future transportation conditions in the area, these intersections are appropriate for capacity analysis evaluation.

The intersection of Florence Street at the rear Chestnut Hill Square driveway should be included for assignment of vehicle and pedestrian trips to and from the site (see comment T10).

VHB Response T2. The intersection of Florence Street at the rear of Chestnut Hill Square driveway is gated and doesn't allow motor vehicle access. The Proponent does not have permission to use the Capital Grille Parking lot/driveway to Florence Street and

as such this driveway was not included in the study area (see response to Comment T10).

BETA Response T2. **Vehicles are currently not prohibited from using the Capital Grille Parking lot/driveway to access/egress the project site and the Chestnut Hill Square shopping center. It should be acknowledged that some project vehicles would use this driveway.**

EXISTING CONDITIONS

BETA Comment T3. The following traffic volumes provided in Table 1 – 2020 Existing Traffic Volume Summary in the TIAM should be checked against the count data in the Appendix: Daily traffic should be 33,000; AM should be 2,156; PM should be 2,407; Saturday Midday Peak Hour should be 1,862.

VHB Response T3. As noted in the footnotes to Table 1, the traffic volumes provided in the table were based on data collected in 2019 adjusted to reflect 2020 conditions. The ATR volumes were grown by an annual growth rate of 0.5% per year to represent 2020 base conditions to be consistent with the turning movement counts, and the count data included in the Appendix of the TIAM reflects the 2019 counts without any adjustments. The peak hour volumes shown in Table 1 represent the weekday morning peak hour of traffic between 6:00 AM and 10:00 AM, the weekday evening peak hour of traffic between 3:00 PM and 7:00 PM, and the Saturday midday peak hour of traffic between 10:00 AM and 3:00 PM.

BETA Response T3. **Comment addressed.**

BETA Comment T4. Intersection turning movement counts were conducted at the study intersections in June 2019 between 4:00 and 6:00 PM on a weekday and between 11:00 AM and 2:00 PM on a Saturday.

The traffic count periods are acceptable. Because the proposed dispensary would not open until 9 AM, it is not necessary to count and evaluate the morning peak period.

VHB Response T4. No response is necessary.

TRIP GENERATION

BETA Comment T5. Vehicle trip generation was based on rates provided in the Institute of Traffic Engineers *Trip Generation Manual, 10th Edition*, Land Use Code 882 – Marijuana Dispensary. The Average Rate was used for Weekday, Weekday Peak Hour of Adjacent Street Traffic between 4 and 6 PM, Saturday, and Saturday Peak Hour of Generator. The Average Rates are based on a small number of studies (4) for the Weekday, Saturday, and Saturday Peak Hour Generator, and 12 for the weekday PM Peak Hour for Adjacent Street traffic. There is a wide range of trip generation rates for all four time periods, with no fitted curve equation provided

and a large standard deviation. The trip generation rates do not represent rates from Massachusetts dispensaries.

The Average Trip Generation rates may not reasonably represent the trip generation characteristics of the proposed project. It should be acknowledged that the proposed project may generate more vehicle trips than the Average Rate.

- VHB Response T5. We agree that there is no fitted curve equation available. However, this facility will be one of up to 8 in the City of Newton, with one coming online soon just to the west along Route 9 at Elliot Street (approximately 1.5 miles from site), and an existing facility online in Brookline located to the east along Route 9 (approximately 3.0 miles from the site). Therefore, we believe that average ITE rates are appropriate to use for traffic generation.
- BETA Response T5. **If available, please provide empirical vehicle trip generation data from other similar facilities to confirm the ITE rates are reasonable.**
- BETA Comment T6. The TIAM states that the project will implement appointment-only operations at the onset of the project and as a result the generated traffic will be significantly less than that estimated.
- Provide information on the number and scheduling of appointments (daily and hourly) and how long the appointment-only period operation is anticipated to run.
- VHB Response T6. There will be 8 points of sale in the building, 6 appointment slots per hour so a total of 48 available appointment available per hour. This applies to each day of the week. It is not clear at this time how long the appointment only period will last. As mentioned above, there are two other facilities located in close proximity and more to come in the City. As new locations come online and the market becomes more saturated, the need for appointment only will likely not be as necessary.
- BETA Response T6. **Comment addressed.**
- BETA Comment T7. The unadjusted project-generated peak hour vehicle trips were reduced by 20 percent to account for shared trips that occur between the dispensary and retail, restaurant, and supermarket uses in Chestnut Hill Square. This methodology is acceptable.
- VHB Response T7. No response necessary.
- BETA Comment T8. The Weekday and Saturday shared trips shown represent a 29% reduction from the unadjusted trips, but no back up is provided in the Appendix. Please provide.
- VHB Response T8. The shared trip calculations for all daily and peak hour time periods are included in the Attachments.
- BETA Response T8. **Comment addressed.**
- BETA Comment T9. No trip generation credits were taken for vehicle trips generated by the previous jewelry store on-site or for walk/bike or transit trips to the site. This is acceptable.

It is reasonable to expect that some trips to the dispensary would be made on foot from the residences located on Florence Street.

VHB Response T9. We agree, but to be conservative we did not take mode share credit.

BETA Response T9. **Comment addressed.**

TRIP DISTRIBUTION

BETA Comment T10. The TIAM shows that 55% of vehicle trips will be to/from Route 9 west and 45% of trips to/from Route 9 east.

The distribution should acknowledge that motorists will also use the Chestnut Hill Square driveway at Florence Street to access/egress the project via the Capital Grille rear parking lot. Pedestrians from Florence Street would also use this access.

VHB Response T10. The Proponent does not have permission to use the Capital Grille Parking lot/driveway to Florence Street and as such no vehicles are assumed to use this driveway. To enforce this condition, MedMen will make customers aware that access and egress to the site is from Route 9. Also, we will add a left turn only sign and pavement marking on the egress driveway of the site plan.

BETA Response T10. **Even with these measures it should be acknowledged that some customers may use the Florence Street driveway.**

PARKING

BETA Comment T11. A total of 19 parking spaces are provided on the project site which will be exclusively for customer use. Ten of the spaces will be managed parking spaces and nine will be open for general customer parking. All employees will be required to park off-site and will either rideshare/taxi or shuttle to the project site from a remote parking location.

Identify the potential locations of the remote employee parking area and how many spaces will be provided off-site. Explain how employees will travel between the remote parking area and the project site? Will the applicant provide a separate shuttle van or bus, or will the applicant participate in a unified shuttle service with other employers at Chestnut Hill Square? Provide the number of expected employees by shift.

VHB Response T11. We estimate to have a total of 18 employees per shift. We anticipate that some employees will utilize the 60-line MBTA bus service that drops off at the Chestnut Hill Mall across the street. Other employees may utilize the Green Line and get off at the Chestnut Hill stop. For those employees who drive to work, they will be instructed to park off-site at a large public parking lot such as Riverside or Woodland. MedMen will subsidize the cost of their transportation to the site, either by shuttle or Uber or the like. We are exploring the potential to partner with nearby employers to offer a shared shuttle option.

BETA Response T11. **Please confirm that MedMen will also subsidize the cost of employees parking off-site, in addition to the cost of transportation.**

- BETA Comment T12. The estimated project-generated traffic may be conservatively high because the project will implement appointment-only operations at the onset of the project. Under this condition it is understood that the appointments will be made so the parking supply is adequate to accommodate customer vehicles.
- Please explain how the managed parking spaces will operate including which customers use the general spaces and the managed spaces.
- VHB Response T12. Customers will self-park when space is available. The attendant will direct motorist accordingly when needed. When self-parking spaces are full, the attendant will valet the vehicles.
- BETA Response T12. **The area to maneuver vehicles in and out of the managed spaces on the west side of the site is tight. Also, some customers may tend to avoid the valet operation by parking in the Chestnut Hill Square spaces directly south of the site. Please provide a plan of how parking will operate and be managed.**
- BETA Comment T13. At some point in the future it appears that appointment-only operations will cease and that customers will arrive randomly at any time during operating hours. Understanding that the project may generate up to 42 vehicles during the weekday PM peak hour and 70 vehicles during the Saturday peak hour, please explain if the proposed 19 spaces will be adequate to accommodate these vehicles based on customer duration and turnover in the dispensary.
- VHB Response T13. The typical customer experience averages around 10 minutes per customer. Some are longer and some are shorter as customers may pre-order and simply arrive to pick up. With that in mind, there are 19 parking spaces and 6 potential turn overs per space per hour (60 min/10 min per customer), so there are approximately 114 parking opportunities on site per hour.
- BETA Response T13. **Please explain how additional vehicles will be accommodated on-site if the parking lot is full.**
- BETA Comment T14. Dispensary customers who park in Chestnut Hill Square for Wegman's may still drive and re-park at the dispensary lot instead of walking. This is because there are no sidewalks or crosswalks connecting the two sites, resulting in pedestrians walking in the parking aisles. This is an uncomfortable and somewhat long journey between Wegman's and the dispensary for many pedestrians..
- Please indicate if this situation has been anticipated and would impact the on-site parking demand and capacity evaluation.
- VHB Response T14. It has been anticipated that all customers of the proposed facility would park in the site-specific parking lot. However, it is likely that some customers may walk or bike to the facility. Also, we would expect some level of "shared" activity between the existing retail opportunities on site. There is currently a walkway from the garage to the front of the Seasons 52 Restaurant. As mentioned in the response to Comment T22, the Proponent is evaluating the feasibility of providing a crosswalk from the southwest corner of the Season Restaurant building to the

site to allow a pedestrian connection. The proponent does not control that area where the crosswalk would be introduced, and we are currently exploring the feasibility of such a connection.

BETA Response T14. **Additional parking operations information will be provided to Comments T12 and T13.**

BETA Comment T15. There are 10 parking spaces located directly adjacent to the project parking lot (to the south) and many more in the western portion of Chestnut Hill Square shopping center. There is a temporary tent structure currently located on some of these spaces. A recent site visit, as well as historic Google map images, show that many of these spaces are occupied. Does the project envision that customers would park in these adjacent spaces if on-site parking is fully occupied? Is a special agreement required with the owner of Chestnut Hill Square to allow parking in this area?

VHB Response T15. There is no expectation that customers to the site would use those parking spaces. The parking attendant will monitor operations and to the extent that they see that happening, the customer will be asked to move their car to the site.

BETA Response T15. **Response noted. Will parking attendants be provided in perpetuity?**

BETA Comment T16. The following 15 parking spaces do not meet the parking dimension requirements of 9' wide by 19' long for angled spaces, 9' wide by 21' long for parallel spaces and 12' wide by 19' for handicap spaces as documented in the Newton Chapter 30: Zoning Ordinance:

- Seven 9' x 17' spaces
- One 9' x 18' space
- One 8.6' x 18' managed space
- Two 7.5' x 21' managed spaces
- One 7.5' x 19' managed space
- Two 8' x 18' managed spaces
- One 9' x 17' handicap space

The applicant will require a special permit to waive the requirements.

VHB Response T16. Please see responses below:

- *Seven 9' x 17' spaces;* These are existing spaces, with 2' bumper overhang they are 9'x 19'
- *One 9' x 18' space;* This is an existing space and with bumper overhang is 9'x19' and waiver has been requested
- *One 8.6' x 18' managed space;* This is a managed space and a waiver has been requested
- *Two 7.5' x 21' managed spaces;* These are managed spaces and a waiver has been requested

- *One 7.5' x 19' managed space;* These are managed spaces and a waiver has been requested
- *Two 8' x 18' managed spaces;* These are managed spaces and a waiver has been requested
- *One 9' x 17' handicap space;* With 2' bumper overhang and striped area beside the space measures 18'x19'

BETA Response T16. **Comment addressed.**

BETA Comment T17. The Newton Zoning Ordinance requires that vehicles must be able to maneuver from parking stalls without having to move another vehicle. There is a total of three tandem spaces on-site that would require moving other vehicles to access the spaces. These spaces would be managed and would require a special permit.

VHB Response T17. Yes, these spaces would be managed by the attendant and will require a special permit.

BETA Response T17. **Comment addressed. Also see Response T12.**

SITE ACCESS AND CIRCULATION

BETA Comment T18. The curb-to-curb width for the aisle west of the building is 15.6'. The parallel managed parking spaces will restrict the aisle width in this area to +/- 8.0' which does not meet the Newton Zoning Ordinance.

VHB Response T18. The 15.6' aisle is an existing condition and the spaces will be managed. A waiver has been requested.

BETA Response T18. **The parking operations plan requested in Comment in T12 should confirm that the aisle will not be blocked by parked vehicles restricting emergency vehicle access.**

BETA Comment T19. The site plan shows a proposed breakaway gate for Fire Department Access. Please explain how vehicles will adequately maneuver in this area and if the Newton Fire Department have reviewed the plans. A waiver from section 5.1.8.c.1 is required.

VHB Response T19. The plan is under review with the Fire Department and a waiver has been requested.

BETA Response T19. **Comment addressed.**

BETA Comment T20. The dumpster is shown located within a fenced structure at the northeast corner of the building. Access to the dumpster will be blocked by four managed tandem parking spaces. Will garbage pick-up conflict with parked vehicles in this location?

VHB Response T20. The trash enclosure is an existing condition. The spaces blocking it are managed and can be moved at any time. Trash pickup can be done during off hours.

BETA Response T20. **Comment addressed.**

BETA Comment T21. Is a Newton Police detail needed for the project opening even if appointment-only operation is used at the onset?

VHB Response T21. We anticipate that there will be Newton Police present for the opening.

BETA Response T21. **Comment addressed.**

BETA Comment T22. There is no pedestrian connection from Route 9 to the east, and The Shops at Chestnut Hill on the opposite (north) side of Route 9, and the project site.

Indicate how pedestrians (including disabled pedestrians) will access the site from Route 9. The applicant should consider providing a new at-grade or raised crosswalk across the main access driveway to Chestnut Hill Square (at the corner with Seasons 52) and the project site. This would require permission of the owner of Chestnut Hill Square.

VHB Response T22. There is a sidewalk along Route 9 eastbound to the east and west of the site. There is also a protected crosswalk from The Shops at Chestnut Hill via the traffic signal at the site driveway with Route 9. There is also a sidewalk from Route 9 into the site on the east side of the driveway. The Proponent is evaluating the feasibility of providing a crosswalk from the southwest corner of the Season 52 Restaurant building to the site to allow a pedestrian connection. The proponent does not control that area where the crosswalk would be introduced, and we are currently exploring the feasibility of such a connection.

BETA Response T22. **As discussed at the meeting on January 19, 2021, the applicant should continue to explore the feasibility of this measure along with other options including providing a new sidewalk on the west side of the main site driveway and pedestrian access at the northwest corner of the site.**

BETA Comment T23. A loading zone is shown on the south side of the parking lot. Explain the expected size of trucks used for deliveries and if the trucks can maneuver within the parking lot. Explain the loading operation into the building.

VHB Response T23. Primarily vans will be used for delivery although there could be panel truck (SU-30) at times. The loading zone on the south side of the parking lot was part of the handicap parking space. It has been relabeled as Handicap (HC) vehicle access aisle. The loading area will be at the northwest corner of the building and all deliveries will be by delivery van.

BETA Response T23. **Please confirm that SU-30 trucks can adequately maneuver in and out of the loading area without conflicting with traffic movements.**

MITIGATION

BETA Comment T24. Some dispensary customers will use Florence Street to access the project. Florence Street is included on the City's priority list for traffic calming measures. The applicant should provide or fund traffic calming devices on Florence Street to improve safety for all users and discourage customers from using Florence Street.

VHB Response T24. There is no expectation that vehicular traffic will use Florence Street to gain access to the site and the Proponent doesn't have permission for such access to

Neil Cronin, Senior Planner

January 21, 2021

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exist. The Proponent is evaluating the feasibility of providing a crosswalk from the site to the sidewalk area in front of the Seasons 52 Restaurant. If it is determined that such a crosswalk is not feasible the Proponent will consider making a contribution to the city for Florence Street traffic calming.

BETA Response T24.

As noted in Comments T2 and T10, it should be acknowledged that some project vehicle traffic will use the Florence Street driveway. In addition, Florence Street residents will use this access to walk to the site and would benefit from traffic calming measures to reduce vehicle speeds in this area.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,
BETA Group, Inc.



Jeff Maxtutis
Project Manager

cc: Job No: 7426

ATTACHMENT B

City of Newton



Ruthanne Fuller
Mayor

DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION DIVISION

110 Crafts Street
Newton, MA 02460

DATE: January 21, 2021

TO: Michael Gleba, Senior Planner, Planning Department

FROM: David Koses, AICP, Transportation Coordinator, DPW Transportation Division
Jason Sobel, P.E., PTOE, Director, DPW Transportation Division

RE: 232 Boylston Street

MEMORANDUM

Staff from the City's Transportation Division reviewed the TIAM for the Recreational Marijuana Dispensary proposed for the old Shreve Crump and Low site at 232 Boylston Street in Chestnut Hill. Staff also reviewed the Peer Review, participated in various meetings and conducted a site visit. The following observations and comments are offered for consideration:

It is proposed that motorists to the 232 Boylston Street site will be directed to park within the site itself, in one of 19 parking spaces. When the most accessible of these parking spaces are full, visitors will be directed to use the valet service. It seems extremely likely, however, that some motorists will find the use of the valet service unnecessary and inconvenient for making a quick visit to a site, especially when alternative parking spaces are within very close proximity. Transportation Division staff believe that many visitors to 232 Boylston Street will simply choose to park in an available nearby parking space within the Chestnut Hill Square parking lot or within the Capital Grill parking lot, and will walk to 232 Boylston Street from there. In fact many motorists (especially motorists traveling to the site from the south) will likely find the Capital Grill parking lot particularly attractive, as they could easily drive to and from the site via Florence Street, thereby avoiding the need to negotiate across several lanes of Boylston Street traffic and through additional traffic signals. These patrons may simply park in a space within the Capital Grill parking lot and walk (about one minute) to 232 Boylston Street.

Signs posted in a section of the Capital Grill and Chestnut Hill Square parking lots state: “Parking for Guests of Chestnut Hill Square, The Capital Grill and 250 Boylston St Offices”, with violators towed at the vehicle owner’s expense. From the point of view of nearly any motorist and customer, it appears that 232 Boylston Street is, in fact, part of Chestnut Hill Square. How would a motorist traveling to 232 Boylston Street know that 232 Boylston Street is the only (?) building in the vicinity that is *not* part of what appears to be an interconnected Chestnut Hill Square/Capital Grill parking arrangement? Furthermore, the enforcement of towing by Chestnut Hill Square or the Capital Grill management, under these unclear conditions, could potentially be viewed as misleading and unfair.

It does not appear to Transportation Division staff that it would be beneficial for the management of Chestnut Hill Square to be put in the position of needing to identify and actively tow vehicles that are parked within their site, where patrons may not clearly understand the intended parking regulations. In fact, it would benefit Chestnut Hill Square and 232 Boylston Street to encourage multiple trip-making within the overall site (parking once, with no need to move the vehicle within the site while visiting different nearby businesses). For example, one can easily envision a patron parking within the site, visiting Wegman’s, then visiting 232 Boylston Street, and then departing the site.

It appears to be more beneficial to encourage a shared parking experience, and to work toward building safer connections between the different buildings and uses in the area. Transportation Division staff prefers that the petitioner work toward the creation of a site plan that does *not* design a stand-alone, separate site-within-a-site, that depends on valets moving around vehicles in a parking lot, and on the Chestnut Hill Square/Capital Grill management spending time and money advertising that they will identify and tow vehicles if that they think that the vehicle owner is at 232 Boylston Street.

Instead, the management of Chestnut Hill Square, the Capital Grill, 250 Boylston Street and 232 Boylston Street should be encouraged to focus on complimentary uses and shared parking, on building better pedestrian connections within the overall site, and on working together toward providing a safe and reliable public transit option (shuttle), which was a requirement of the Chestnut Hill Square Special Permit.