



Land Use Committee Report

City of Newton

In City Council

Tuesday, May 11, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Markiewicz, Downs, Bowman and Laredo;
also Present: Councilors Albright, Oliver, Krintzman, Wright, Malakie, Crossley and Gentile

City Staff Present: Senior Planner Katie Whewell, Senior Planner Michael Gleba, Director of Planning and Development Barney Heath, Associate City Solicitor Jonah Temple

All Special Permit Plans, Plan Memoranda and Application Materials can be found at the following link
<https://www.newtonma.gov/government/city-clerk/city-council/special-permits/-folder-1058>.

Presentations for each project can be found at the end of this report.

#91-21 Zoning amendments for Riverside project

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.4 and 4.4.1 and 6.2.10 relative to the Mixed Use 3 District.

Action: **Land Use Held 8-0; Public Hearing Continued**

#27-20(2) Petition to amend Special Permit #27-20 for Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the Special permit site plan as approved by Council Order #27-20 to allow changes to: the square footage of all of the approved buildings, the heights of Buildings 1, 2, 3, 4, 7, 8, 9 and 10, the building footprints shown on the site plan, the open space as shown on the approved site plan, the Comprehensive Sign Package, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3). Ref: Sec. 4.2.3, 4.2.4, 7.3.3, 7.4, 7.3.5 of the City of Newton Revised Zoning Ordinance, 2017. Proposed Amendments are subject to the proposed text changes to the MU-3 zoning district.

Action: **Land Use Held 8-0; Public Hearing Continued**

Note: At the public hearing on April 27, 2021, the Committee was given a presentation from the petitioner on Housing and Fiscal Impacts. Given the lateness of the hour, there was not an opportunity for public comment and the Chair confirmed that there would be an opportunity at the beginning of the

next Land Use Committee meeting. The Chair opened the meeting on May 11, 2021 with public comment relating to Housing and Fiscal Impacts.

Public Comment

Randall Block, Lafayette Road, spoke on behalf of Right Size Newton. Mr. Block noted that the Municipal submission has no information on the City's expenditures that will result from the proposed development. He stated that members of the public have inquired and no information has been provided with respect to the increased number of classrooms, fire apparatus, etc. Mr. Block expressed concern that the City's peer reviewer is not requesting this information.

Mr. Jonathan Meyers, peer reviewer, confirmed that they reviewed all aspects of the Municipal report, which included capital expenses. He confirmed that the methodology used is consistent with industry standards and noted that it is difficult to translate the data into capital expenses as it is based on existing services.

Lisa Monahan, 1105 Walnut Street, expressed support for the project and the work by the petitioner. Ms. Monahan noted that the proposed project will have significant positive impacts with the increased tax revenue from the biomedical use. Ms. Monahan stated that the City is in desperate need of additional housing and noted that the project offers great open space and affordable housing.

Philip Plottel, Chair of the Economic Development Commission, explained that the Economic Development Commission is charged with the promotion and development of businesses within the City to expand the City's tax base. Mr. Plottel stated that primary contributor of the life sciences use will be jobs. He noted that there is a range of positions associated with the use and the additional opportunities created will be beneficial to the City. Mr. Plottel expressed support for the change in use from hotel to life sciences. The estimates of tax revenue appear to be too low and offered additional information upon request.

Jack Leader, types of jobs – went back to Economic Policy Institute. Multipliers – research and development for every 100 jobs put at Riverside, there are another 842 multiply by supplier jobs and induced jobs – support jobs. The hotel jobs – 161 extra supplier and induced jobs. Lot more people to work at higher paying jobs.

Cyrisse Jaffee, Hallron Road, urged the Council to consider that most people in support of the project are not Ward 4 residents and emphasized the importance of listening to the residents.

Sarah Rahman, 33 Staniford Street, noted that while she understands and shares the concerns relative to traffic and noise, she believes that the trade-offs offered by the project result in a positive benefit for the City. Ms. Rahman expressed support for the project and noted that there will be a lot of opportunities for improvement as stakeholders weigh in on aspects of the project.

Beth Nicklas, 100 Algonquin Road, member of the EDC, worked as Mass Life Sciences Center, worked to bring life sciences and economic development to Massachusetts. She emphasized her support for the life sciences use in Newton and noted that it will be a huge benefit to the City.

Atty. Steve Buchbinder, with law offices of Schlesinger and Buchbinder, 1200 Walnut Street, represented the petitioner. Atty. Buchbinder was joined by members of the development team Mark Development Principal, Damian Chaviano and VHB Traffic Engineer, Randy Hart. Mr. Hart reviewed details of the amended proposal's impact on traffic. A copy of his presentation can be found at the end of this report. Mr. Hart noted that an updated Traffic Report was submitted in conjunction with the special permit amendment. Mr. Hart noted that the amended application maintains 1,025,000 sq. ft. of total development space, with 362,000 sq. ft. of office/research and development, 550 residential units (reduced by 32 units) and 22,000 sq. ft. of retail space (reduced by 17,014 sq. ft.). Mr. Hart noted that on a daily basis, the expected number of trips are comparable, but that during the peak hour there is an approximate reduction by 40%. He explained that there is a significant reduction in trips resulting from the loss in retail space and noted that there is a shift in traffic based on the change in use to life sciences. Mr. Hart noted that the peer reviewer provided comments to the Traffic Report on April 27, 2021 and a final letter was issued on Friday, May 7, 2021. Mr. Hart noted that the City's peer reviewer, Green International, supports the study. He confirmed that the petitioner has responded to questions and addressed the concerns raised to date.

Mark Development Principal Damien Chaviano noted that a large part of the discussion during the special permit process in 2020 focused on mitigation. As approved, the proposed development project includes creation of a multi-use path system to allow access to Lower Falls and Auburndale. During the special permit process in 2020, the petitioner offered a \$20 million dollar mitigation package for off-site infrastructure improvements. Mr. Chaviano noted that this figure was based on a peak hour trip estimate of 633 trips between 5:00 pm – 6:00 pm. Any trips in excess of 110% (696 trips) of this estimate would trigger additional mitigation. Mr. Chaviano explained that this trip generation relied on Mass Department of Transportation (DOT) mode share data that has since been updated. DOT has amended their mode share analysis. Mr. Chaviano noted that as initially proposed, the trip generation as adjusted (based on updated mode share data) for the project would be 653 trips.

Based on the revision to the proposed development, ITE data suggests that the peak hour traffic will now generate approximately 302 trips between 5:00 pm and 6:00 pm. Mr. Chaviano noted that the difference in trips to/from the site is significant and suggested that the number of trips do not warrant a \$20 million dollar package. He noted that the petitioner recognizes the commitment made during the 2020 process. He suggested that the amended permit could allow flexibility for the conversion of one building (Building #1) to general office. The change in use for this building results in an updated trip generation of approximately 522 trips during the peak hour. Using the 110% adjustment, additional mitigation would be triggered at 574 trips. Mr. Chaviano noted that while this number is still significantly lower, the petitioner would be willing to maintain the \$20 million dollar mitigation package as approved, with this additional flexibility.

Mr. Chaviano showed sample trip data from life science companies in Cambridge. The peak demand by land use is shown on the chart in the attached presentation. He noted that it is typical for life science companies that by 5:00 pm only approximately 20% of the employees in the building. Mr. Chaviano reviewed details of the shared parking program. The presentation includes a chart that details peak parking demand, by hour, throughout the day.

The City's peer reviewer, Traffic Consultant Corinne Tobias, Green International, presented the peer review analysis of the revised program as shown on the attached presentation. Ms. Tobias noted that the largest change to the proposed development is the shift to research and development. Ms. Tobias confirmed that the mode share has been changed to include bike and walk share. She stated that there is a slight increase in the number of proposed parking spaces and noted that the reductions taken to account for mode sharing is consistent with industry standards. She confirmed that research and development uses do tend to begin work earlier, shifting the peak hour.

Ms. Tobias noted that the data for parking on research and development is somewhat limited and older. She noted that the Cambridge data is similar and suggested further review of the Cambridge reporting, which could influence the number of parking stalls at this site. She suggested further exploration of a transit subsidy for users of the R&D space and reiterated concern relative to the management of queuing on-site. She noted that staff management should resolve the queuing. Ms. Tobias confirmed that she will continue to work with the Planning Department and the petitioner to resolve outstanding issues. In response to Ms. Tobias' concern relative to queuing, Mr. Hart confirmed that the petitioner is committed to garage management and has stated that the petitioner has made this commitment to the MBTA as well.

In response to questions from the Committee, Ms. Tobias confirmed that no independent analysis was conducted of the trip generation for R&D use. It was noted that the national assumptions come from 20-year old data from California (location unknown) and Montana. Ms. Tobin noted reiterated that the Cambridge data is current (pre-pandemic) and better reflects trip generation for Newton. The Committee requested further verification of the trip generation data. Mr. Cronin confirmed that the City is still analyzing the trip generation numbers and mitigation threshold based on the development program. The Committee requested additional traffic data from the petitioner during the hours before and after the peak hour.

Alexandria Real Estate Equities, Inc. Executive Vice President Hunter Kass noted that Alexandria has over 10 million sq. ft. of operating assets in the Greater Boston Area. He noted that R&D employees do not work typical office hours and tend to have an earlier shift, consistent with the petitioner's conclusions.

Mr. Chaviano noted that the 556 residential spaces will be reserved from 5:00 pm to 9:00 am. He confirmed that the spaces for the residential units are decoupled. Responding to questions from Councilors, Mr. Chaviano stated that the petitioner is seeking flexibility to allow the change in use in building 1 but confirmed that they will not exceed either 300,000 sq. ft. or the 40%/60% commercial/residential use split as approved during the 2020 rezoning process. Atty. Buchbinder noted that the proposed flexibility is to account for a change in tenant, if needed. It was noted that as proposed, without an amendment to the special permit, up to 217,000 sq. ft. could be converted to general office.

A Councilor suggested that the reduction in \$20 million dollars of mitigation money is not appropriate. Atty. Buchbinder explained that the given the change in the metrics, the \$20 million dollars of off-site improvements wouldn't be necessary, but the petitioner agrees that a commitment was made. Councilors asked for additional information relative to the impact of the proposed development on the City's services.

Jane Frantz, 12 Glastonbury Oval, expressed support for the changes to the project. She noted that there are advantages to the changes and the impact on traffic. Ms. Frantz stated that traffic will be more predictable and that the proposed plans are an improvement to the traffic flow. Fewer people are needed to maintain a life science building, reducing the number of visitors to the site.

Sean Roche, noted that you rarely hear that built into the plan are the goals to reduce the traffic to reach the City's climate goals. He emphasized his support for the project and urged Councilors to vote in favor of approval.

Daniel Harris, expressed his support for the project. He noted that it is critical to look at the peak hours and noted that traffic will be reduced during peak hours.

Jay Walter, expressed support for the proposed changes. He noted that traffic will be reduced by the reduction of residential units, the lab use will stagger the traffic and the elimination of the hotel as well as reduction in residential units will improve traffic conditions.

Barbara Gruenthal, noted that its disconcerting to hear that Building 1 might be office. Zoning requires 110% or less of the PM peak. Ms. Gruenthal noted that if there is a market need for flexibility, it makes sense that the mitigation number is based on how the building is ultimately used – and not allow flexibility. The traffic mitigation cap should follow the material use for Building 1. Gruenthal noted that lowering the mitigation cap based on use will help limit traffic.

Leslie Zebrowitz, 62 Pinecrest Road, Co-Chair of the Electric Vehicle Task Force, noted that she has heard that the proposed plan includes 100% EV Charging readiness. She emphasized the importance of providing vehicle charging stations to encourage the purchase of electric vehicles. Ms. Zebrowitz stated that charging stations should lead and vehicles will follow and encouraged the petitioner to add additional EV charging stations.

Cyrisse Jaffee, Hallron Road, emphasized her concern relative to getting the traffic right and the trip numbers right. She noted that the increase in trips backing up on the roundabout will have a negative impact on the community. Ms. Jaffee noted that the elimination of the hotel and some of the other amenities will be a loss to the neighborhood. She urged the Council to consider the neighborhood needs, quality of life, and request new data.

Sue Parsons, expressed support for the project. She stated that the City should encourage life science development which will help the business tax base. Ms. Parsons noted that the ramp onto 128 will help with the traffic. Ms. Parsons noted that people can rely on public transportation.

Benita Danzing, expressed support for the project. Ms. Danzing noted that this project will infuse vitality into the community. She noted that peak hours show a significant decrease in traffic.

Scott Humphrey, 80 Crehore Drive, questioned people visiting and leaving the site. Mr. Humphrey asked whether any research been done to analyze how many people park in the neighborhood and walk to the development?

Liz Mirabile, Chair of the Lower Falls Improvement Association Riverside Committee, expressed concern relative to the change in use and the lack of data associated with the proposed use. Ms. Mirabile noted that there is a lot of uncertainty related to the proposal and emphasized the importance of enforceable mitigation measures in the event that the trips exceed 110%. Ms. Mirabile asked that the Council take a careful look at the proposal and ensure that traffic is kept as minimal as possible.

George Kirby, 19 Cummings Road, expressed support for the comments made by Sean Roche and Leslie Zebrowitz. Mr. Kirby expressed support for MBTA pass subsidies and electric vehicle charging stations.

It was confirmed that the petitioner will be providing \$500,000 in MBTA pass subsidies and a six-month shuttle pilot. Additionally, Mr. Chaviano noted that the garage will be made ready to accommodate EV charging stations.

Marcia Cooper, 170 Evelyn Road, Green Newton President, expressed support for the proposed changes to the development and noted that the change in use results in less traffic in the neighborhood.

Dan Ruben, 175 Auburn Street, look at traffic in the neighborhood and the region. Mr. Ruben noted that the proposed development will reduce traffic in the region.

Lisa Monahan, 1105 Walnut Street, expressed support for the proposed development. Ms. Monahan noted that the City is in need of business, retail space, green space and access to recreational space. Ms. Monahan expressed support for additional charging stations.

With that, the Committee voted unanimously in favor of a motion to hold items #91-21 and #27-20(2) from Councilor Markiewicz.

#443-20 **Petition to allow marijuana retailer at 232 Boylston Street and to amend Order #774-85**
MME Newton Retail, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #774-85 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 waive the 25% front façade ground floor transparency requirements, to allow a free-standing sign and to allow an oversized directional sign 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, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.

Action: **Land Use Approved 7-0-1 (Councilor Laredo abstaining)**

Note: Atty. Katherine Braucher Adams, with law offices at Schlesinger and Buchbinder, 1200 Walnut Street, represented the petitioner. Atty. Adams presented updates to the petition to locate a marijuana retailer at 232 Boylston Street. In response to concerns raised at previous public hearings, the petitioner has amended their proposal to include a staggered commencement of operations. For the first

six months of operations, the petitioner proposes to operate six points of sale stations with 10-minute appointments for a maximum of 35 appointments per hour. As the parking lot contains 19 parking stalls and the average transaction time is 7 minutes, it is anticipated that there is ample parking. As part of the proposal, the petitioner proposes to pay for a third-party entity (Beta Group) to monitor the parking lot. Beta Group would work with the Planning Department and petitioner to provide updates at 3 and 6 months. At the end of the six-month period, the petitioner would be permitted to increase operations to eight points of sale stations. Monitoring would continue for an additional three months at full capacity to allow Planning to track traffic impacts. The petitioners Transportation Demand Management Plan (TDM) include subsidized transportation costs for employees, including paying for off-site parking and/or ride share services to the site. Additional subsidies are proposed for visitors who carpool to the site. The petitioner's proposal includes \$25,000 to support (and participate in) a shuttle program. In response to comments from the Committee, the petitioner has incorporated modifications in the landscape plan that include more native and hardy plantings.

The City's peer reviewed, Beta Group Traffic Consultant, Jeff Maxtutis, reviewed and analyzed the updated submissions from the petitioner. Mr. Maxtutis' review focused on parking and traffic demand management. He reiterated his concern relative to parking stall configuration/maneuverability in the parking lot, congestion and parking on off-site, adjacent properties. Mr. Maxtutis confirmed that the parking supply can support the demand based on the staggered operations and six points of sale stations.

Senior Planner Michael Gleba reiterated updates to the petition as presented by the petitioner and shown on the attached presentation.

A Committee member recommended approval of the permit with six points of sale stations and noted that the petitioner may return for an amendment if operations are consistent with the expectations. Atty. Buchbinder noted that the business model is not sustainable long-term with six points of sale stations. Mr. Cronin confirmed that if the staggered operation approach fails after six months, the petitioner will not be permitted to expand operations. He stated that the petitioner will not be permitted to expand until they can demonstrate that they can successfully operate with six points of sale stations. Some Committee members noted that it may be easier to manage analysis of the parking impact if the petitioner must submit an amended application and corresponding traffic reports. Director Heath and Mr. Cronin emphasized that with the provision to expand after six months, the petitioner is paying for monitoring of real conditions. The Committee took a straw poll which was in favor of six points of sale stations with a consistency ruling to expand to eight after six months if the data supports the the expansion.

Atty. Adams noted that the petitioner may always reduce the number of appointments, make appointments "express" and/or have customers order online to minimize visit time. Atty. Buchbinder confirmed that the petitioner is comfortable with a condition for ongoing management of the managed parking spaces.

Public Comment

Robert Shulman, Florence Street, noted that the Committee is trying to fit a square peg in a round hole to accommodate the petitioner. He suggested locating the business in a place where it will work.

Jeffrey Fredberg, stated that the proposed plan includes incentives for public transportation, but noted that the bus stop is separated from the driveway and the crosswalk does not access the building.

Councilor Downs motioned to close the public hearing which carried unanimously. Councilor Downs motioned to approve the petition. Committee members reviewed the draft findings and conditions as shown on the attached draft Council Order. The Committee made minor changes to findings and conditions for clarity. The Committee discussed how the draft order should require a clear determination that there is sufficient parking for customers on site and the prohibition of employee parking on-site. It was noted that there may be some sharing of parking spaces by customers who visit the site to patronize multiple businesses in one trip.

With that, the Committee voted 7-0-1 in favor of approval, Councilor Laredo abstaining.

The Committee adjourned at 10:55 pm.

Respectfully Submitted,

Richard Lipof, Chair



Transportation

Presented by
Randy Hart

May 11, 2021



Approved Project 1,025,000 sf

Including:

- **254,120 sf General Office**
- **582 Residential Units**
- **39,014 sf Retail**
- **150 Key Hotel**



Special Permit Modification Proposed

Proposed 1,025,000 sf (same overall)

- **362,000 sf Research & Development Office**
- **550 Residential Units**
- **22,000 sf Retail**



Special Permit Modification Proposed

Overall Program stays the same 1,025,000 sf

Changes:

- **+107,880 sf Research & Development Office**
- **-32 Residential Units**
- **-17,014 sf Retail**
- **Hotel is Eliminated**



Traffic Change with Program Adjustment

Overall Daily traffic is comparable to former program

However significant reductions in traffic are expected during critical peak hour traffic periods:

- **Peak Hour Traffic will decrease by approximately 40%**



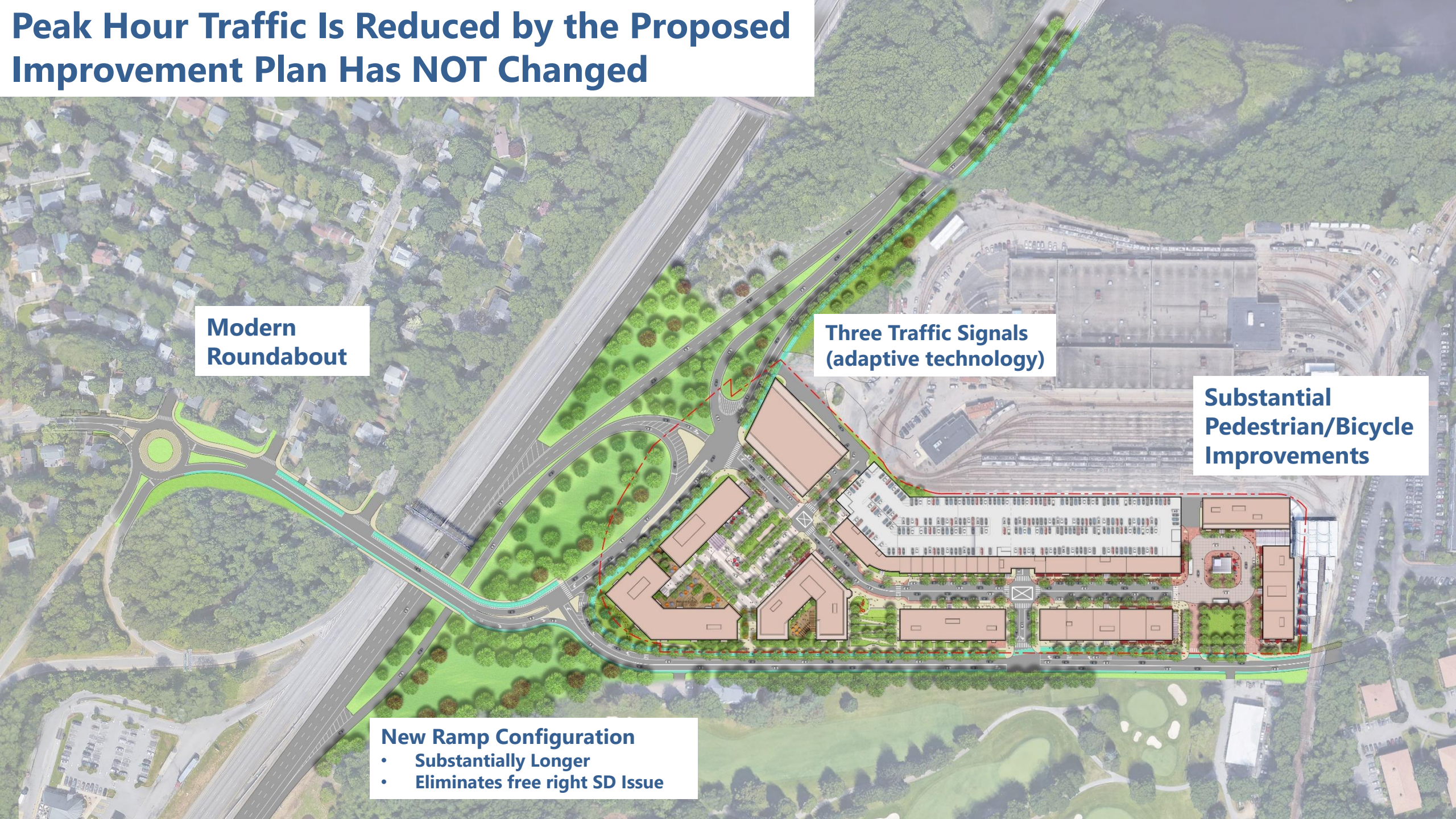
Traffic Change with Program Adjustment

What is Driving the Peak Hour Reductions in Traffic:

- **Significant reduction in retail**
- **Significant reduction in Residential**
- **R&D Office has different arrival and departure than General Office; In early in the morning, and out sooner in the afternoon.**
- **The R&D patterns are good for this project particularly early out in PM; will help with Red Sox Game Day Operations**



Peak Hour Traffic Is Reduced by the Proposed Improvement Plan Has NOT Changed



Modern Roundabout

Three Traffic Signals (adaptive technology)

Substantial Pedestrian/Bicycle Improvements

New Ramp Configuration

- Substantially Longer
- Eliminates free right SD Issue

City Hire Peer Review Firm

- **City Hired Green International to review the updated transportation study**
- **We received initial comments on 4/27**
- **We had a Zoom Meeting with City and Peer Consultant on later that day to discuss**
- **Final Letter was issued on 5/7 (states that they generally agree with the approach and traffic numbers generated)**
- **VHB will provide written response to the peer comments on 5/6**



Riverside Trip Generation Metrics

Riverside Peak Trip Summary	# of Peak Hour Trips** (5 PM – 6PM)	Adjustment To 110% Mitigation
1) Approved Project	633 Trips	696 Trips
254,000 SF of General Office		
\$20.0M Offsite Infrastructure Commitment		
2) Amended Project	403 Trips	443 Trips
362,000 SF of Life Science/Research + Development		
17,000 SF reduction in Retail SF		
32 Residential Unit Reduction		
Maintain \$20.0M Offsite Infrastructure Commitment		
3) Compromise Metrics	522 Trips	575 Trips
Allow for Building #1 (217,000) SF to convert to General Office		
Maintain \$20.0M Offsite Infrastructure Commitment		

Inclusive of “passby” trips

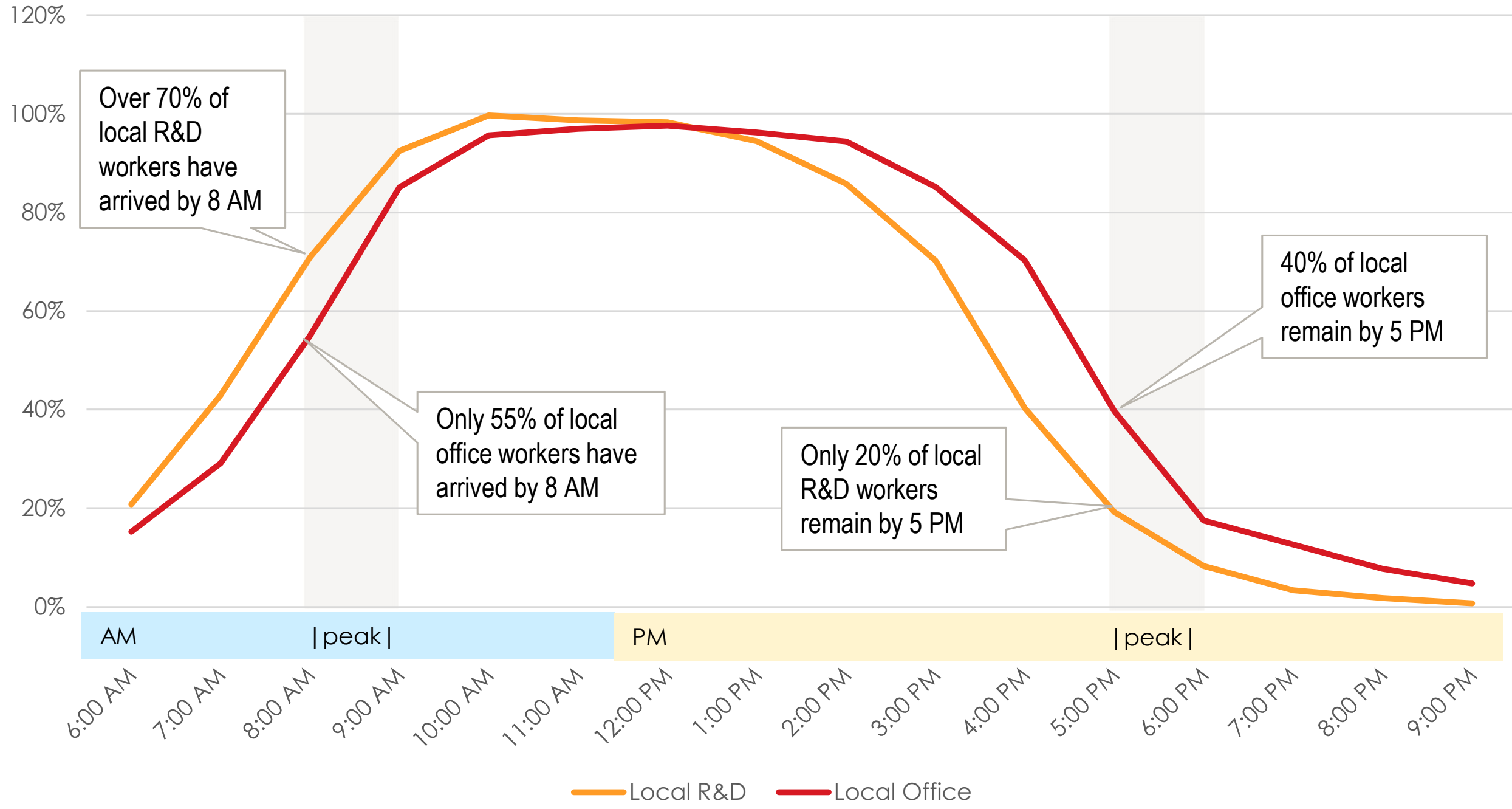
Riverside Trip: Mode-Share Analysis

MDOT Mode-Share Analysis: Peak Trip and Daily Trips

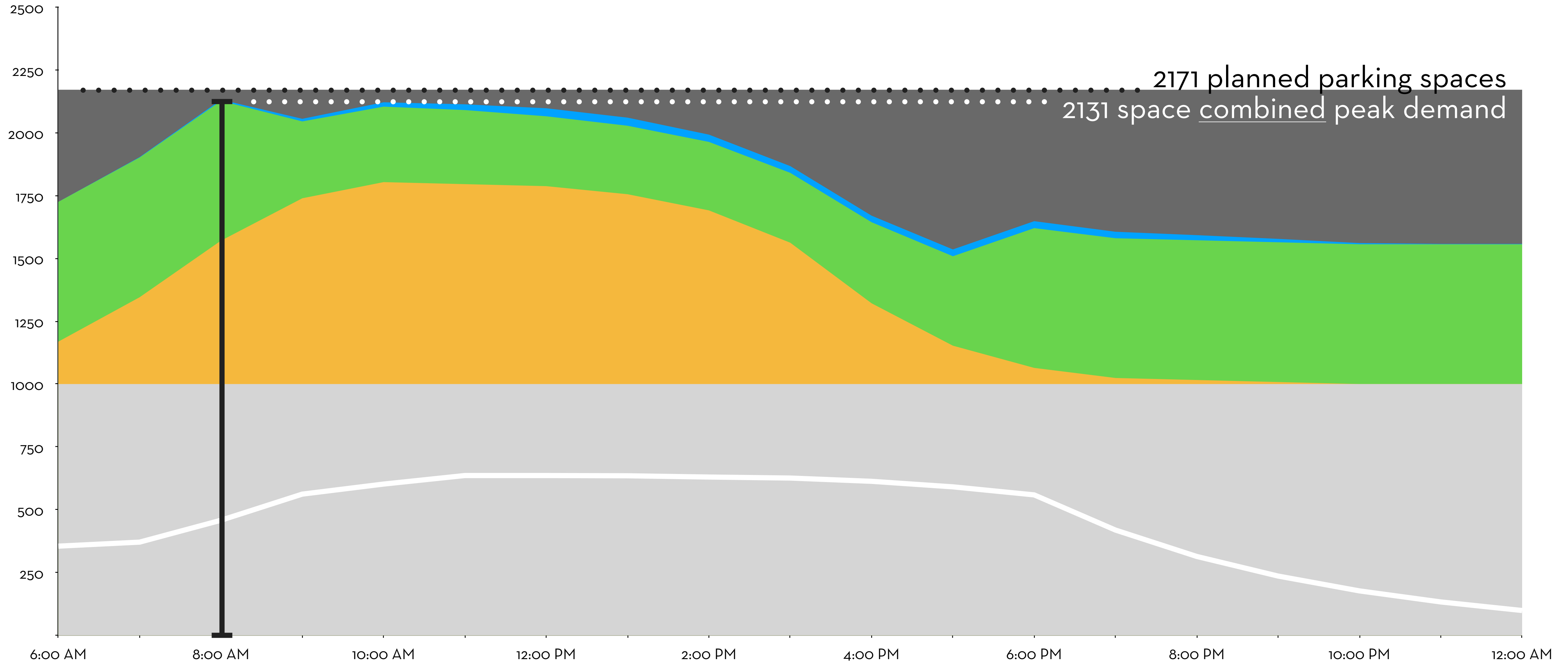
	Adjustment To 110% Mitigation	Total Daily Trips
1) Approved Project		
Trip Demand (Pre-2020 MDOT Mode-Share)	696 Trips	6,219 Daily Trips
Trip Demand (Post-2020 MDOT Mode-Share)	653 Trips	5,869 Daily Trips
3) Compromise Metrics		
Trip Demand (Post-2020 MDOT Mode-Share)	575 Trips	5,919 Daily Trips

50 additional Daily Trips +/- 1% increase in daily traffic from approved project





Percentage of Peak Demand by Land Use



Parking demand as it varies throughout the day: Stacked Chart






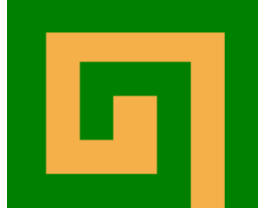
A Closer Look at the 8am peak

		Rate with contextual deductions	Resulting <u>individual</u> peak demands*	Projected % occupancy at 8am	Resulting 8am demand
 Residential	550 units	1.011 spaces per unit	556.05 spaces*	100%	556.05 spaces
 Retail	21,981 square feet	1.466 spaces per 1000 sq ft	32.90 spaces*	15%	4.83 spaces
 R&D	362,235 square feet	2.218 spaces per 1000 sq ft	806.02 spaces*	71%	570.44 spaces
 MBTA (fixed)	-	-	1000 spaces	n/a	1000 spaces
Total demand at 8am <u>combined</u> peak					2131.32 spaces

* Again, the three listed peak demands each occur at different times of day from one another: residential peak occurs overnight; retail peak at 1pm; and R&D peak at 10am. Thus these non-contemporaneous values cannot be combined.

Parking demand as it varies throughout the day: Complete table

	MBTA (Observed)	MBTA (Dedicated)	R&D 		Residential 		Retail 		Total
6:00 AM	355	1000	21%	168.72	nested	556.05	0%	0.00	1724.77
7:00 AM	371	1000	43%	345.48	nested	556.05	5%	1.61	1903.14
8:00 AM	458	1000	71%	570.44	nested	556.05	15%	4.83	2131.32
9:00 AM	562	1000	92%	739.16	55%	305.83	32%	10.31	2055.30
10:00 AM	602	1000	100%	803.44	54%	300.27	54%	17.40	2121.11
11:00 AM	636	1000	99%	795.40	53%	294.71	71%	22.88	2112.99
12:00 PM	636	1000	98%	787.37	50%	278.03	99%	31.90	2097.30
1:00 PM	635	1000	94%	755.23	49%	272.46	100%	32.22	2059.92
2:00 PM	630	1000	86%	690.96	49%	272.46	90%	29.00	1992.42
3:00 PM	626	1000	70%	562.41	50%	278.03	83%	26.75	1867.18
4:00 PM	613	1000	40%	321.37	58%	322.51	81%	26.10	1669.99
5:00 PM	591	1000	19%	152.65	64%	355.87	84%	27.07	1535.59
6:00 PM	559	1000	8%	64.27	nested	556.05	86%	27.71	1648.04
7:00 PM	419	1000	3%	24.10	nested	556.05	80%	25.78	1605.93
8:00 PM	314	1000	2%	16.07	nested	556.05	63%	20.30	1592.42
9:00 PM	236	1000	1%	8.03	nested	556.05	42%	13.53	1577.62
10:00 PM	177	1000	0%	0.00	nested	556.05	15%	4.83	1560.88
11:00 PM	133	1000	0%	0.00	nested	556.05	5%	1.61	1557.66
12:00 AM	99	1000	0%	0.00	nested	556.05	5%	1.61	1557.66



Transportation Peer Review
Riverside Station, Grove Street, Newton, MA
Revised Application



May 11, 2021



REVISED PROGRAM

Revised Submission

- Change in Use
 - General Office to R&D
- Reduction in Residential Units
- Reduction in Retail
- Elimination of Hotel
- Increased Number of Parking Spaces

Traffic

- Mode Share includes Walk/Bike Trip Reduction
 - Previous submission included Vehicle and Transit reduction only
- Reduction in Net Trips AM/PM/SAT Peak
- Similar Gross Daily Trips Weekday/Saturday



PARKING

Parking Approach

- **Similar approach to previous submission**
- **Peak Hour Surplus of 40 spaces at 8 AM (approximately 2%)**
- **Parking Demand measured over time of day**
 - Peak time period shifted from 10AM to 8AM due to change in use
- **Parking Demand adjusted for Mode Split/Internal Capture/Vehicle Occupancy**
 - Same as Previous Submission
- **Increased Demand due to Change in Use**
 - Limited Data from ITE on Parking
 - Current Data is over 20 years old from California and Montana
 - Local Data available – Cambridge
 - May reduce total parking requirement
 - Local data suggests much lower parking rates
 - ***Should use Local Data to supplement ITE Data***



ADDITIONAL COMMENTS

TDM

- Should explore transit subsidy for R&D

Managed Queuing On-Site

- Continues to be a concern – condition of special permit to manage queues
- Staffing should resolve issue

Site Plan Evaluation

- Minor site plan comments – resolution anticipated
- Continued work to refine site plan improvements

GREEN INTERNATIONAL AFFILIATES, INC.
CIVIL AND STRUCTURAL ENGINEERS



MedMen 232 Boylston Street Recreational Marijuana Dispensary

Managed Parking Plan
Peer Review

City of Newton



Peer Review Process

- Reviewed:
 - MedMen Commitment Memorandum, Schlesinger and Buchbinder, LLP, April 20, 2021
 - Traffic Demand Management/Parking Management Plan, Proposed Recreational Marijuana Dispensary, VHB, Inc., April 15, 2021
- Focus on on-site parking and traffic operations

Parking Management Plan Review

- **8 maximum points of sale (POS) proposed (counters):**
 - Customers scheduled at 10-minute intervals
 - 6 customers/hour per POS = Maximum 48 customers/hour
- **19 parking spaces on-site**
 - 9 general parking spaces
 - 10 managed spaces (valet, tandem)

Parking Management Plan Review

- **Concern that 48 customers/hour can be efficiently accommodated on-site**
 - Unconventional parking lot layout and operation
 - Additional time needed for valet to park/un-park vehicles
 - Customers arrive early/late, stay late
 - Potential for on-site congestion and vehicles to park in adjacent properties

Parking Management Plan Review

- **MedMen proposes a reduced capacity operation for first 6 months**
 - 6 points of sale with 6 customers/hour = **Maximum 36 customers/hour**
 - Parking lot (19 spaces) can accommodate 36 customers/hour (less than 2 vehicles/hour/space)

- **Monitor operations 3 times/week for 6 months**
 - Observe parking occupancy, spillover, queuing, conflicts
 - Weekday and Saturday peak times
 - Third party to perform observations
 - Submit reports to City/MedMen every 2 weeks
 - Notify City of issues observed

Parking Management Plan Review

- Reasonable approach to avoid impacts to adjacent properties
- Allows flexibility to make adjustments to operations

Thank You



Department of Planning and Development



PETITION #443-20

232 BOYLSTON STREET

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 WAIVE THE 25% FRONT FAÇADE GROUND FLOOR TRANSPARENCY REQUIREMENTS, TO ALLOW A FREE-STANDING SIGN AND TO ALLOW AN OVERSIZED DIRECTIONAL SIGN AND TO AMEND SPECIAL PERMIT BOARD ORDER #774-85



MAY 11, 2021

Updates



Monitoring:

The petitioner may never operate more than eight point of sale stations.

- For first six months of operations, petitioner will only schedule appointments at six point of sale stations.
- City, through Planning Department would engage a third party to monitor parking lot operations (reasonable costs paid by petitioner)
- Scope/nature directed by Director of Planning; shall include, but not limited to periodic unscheduled visits to obtain first-hand observations, ascertain whether there are demonstrable nuisances to the surrounding properties, use and occupancy of general and managed parking stalls onsite, use of adjacent off-site parking areas by petitioner's customers and/or staff, arrivals by petitioner's customers and/or staff by alternative transportation modes, and parking congestion.
- The Parking Monitor shall submit observation reports to the Planning Department as directed by Director of Planning
- If Parking Monitor identifies nuisances in such reports, petitioner shall, in consultation with Planning Department, adjust operations

Updates (cont.)



Monitoring (cont.):

- At end of initial six-month period, submit a report summarizing the site's parking operations; Planning Department and petitioner shall meet to discuss findings
- If Planning Department concludes that there are no nuisances regarding parking operations at this time, petitioner shall be permitted to schedule appointments at eight point of sale stations ("Full Operations").
- During first three months of Full Operations, Parking Monitor shall continue to monitor parking lot operations as directed by Planning Department
- At the conclusion of initial three-month period of Full Operations, Parking Monitor shall submit a report summarizing the site's parking; the Planning Department and petitioner shall meet to discuss the report's findings
- If nuisances are noted in report, petitioner shall, in consultation with Planning Department, adjust its operations, which may include reducing number of point of sale locations.

Updates (cont.)



Appointment-only system:

- Six months after commencement of full operations with eight points of sales, petitioner may submit a letter to the Commissioner of Inspectional Services, the Director of Planning and the Clerk of the Council requesting to no longer require that all customers be served by appointments only. Such letter shall only be filed after the petitioner has completed the following:
 - Met with the Director of the Transportation Division of Public Works, the Director of Planning, and the Newton Police Department to discuss pedestrian and traffic safety and site security
 - Met with the Director of the Transportation Division of Public Works, and the Director of Planning regarding Transportation Demand Management

Updates (cont.)



Appointment-only system (cont.):

- ISD Commissioner and Director of Planning may administratively waive the “appointment only” requirement if they determine that the petitioner is able to maintain an orderly flow of patrons, accommodate all patrons waiting to see a customer service representative inside the building, and accommodate patron parking on site without the “appointment only” requirement.
 - Prior to any decision, the ISD Commissioner and Director of Planning shall consult with the Land Use Committee of the City Council regarding the waiver request in the same manner as the Land Use Committee is consulted when a “consistency” ruling on a special permit is requested from the Commissioner of Inspectional Services.
- If “appointment only” condition is removed, and at any time the Director of Planning in conjunction with the ISD Commissioner, Chief of Police, and DPW Commissioner, determines there is a public safety concern due to the lack of appointments, the petitioner shall meet with the Director of Planning to discuss and implement measures to address concerns, including resuming appointments during peak periods.