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PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: November 5, 2021
MEETING DATE: November 9, 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 #293-21

967 Washington Street, 92 and 96 Walker Street

Petition #293-21, for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 28-unit three-story multi-family dwelling with underground parking, to waive 26 parking stalls and to alter and extend a non-conforming front setback at **967 Washington Street, 92 and 96 Walker Street**, Ward 2, Newtonville, on land known as Section 21 Block 33 Lots 1-3, containing approximately 34,210 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

The Land Use Committee (the "Committee") held a public hearing on September 21, 2021, on this petition. This memo reflects additional information addressed to the Planning Department as of November 3, 2021.

Background

The subject site at the corner of Washington and Walker streets is comprised of three Multi Residence 3 (MR3) zoned lots totaling 34,210 square feet. The property is improved with a one-story mixed commercial building; a single-family dwelling built in 1910; and a two-family dwelling built in 1920.

The petitioner proposes to replace the existing structures on the property with a three-story, 28-unit, multi-family dwelling with 30 parking stalls in an underground parking garage. Per Section 3.4.1 of the

Newton Zoning Ordinance (NZO), a special permit is required to allow a multi-family dwelling in the Multi Residence 3 district. As proposed, the project requires additional zoning relief to alter and extend a nonconforming setback along Washington Street and to waive 26 required parking stalls.

Also, petitioner would be required to provide inclusionary zoning units. Of the 28 proposed units, four units (15%) must be affordable to households earning 50-80% of the Area Median Income (AMI) and one (2.5%) must be available to those earning up to 110% of the AMI. Lastly, as the development would include the construction of a building totaling 20,000 square feet or more of gross floor area, it would be required to meet the sustainable development requirements established by Sec. 5.13.

UPDATE

Building and Site Design

The Planning Department continues to note its concern regarding the proposed location of the lobby/entrance on Walker Street rather than Washington Street, as this would likely diminish the development's presence on Washington Street as only private space would be located on, and face, that public way. As such, the Planning Department continues to suggest that the petitioner consider relocating the main entrance to the more prominent Washington Street.

The Planning Department also continues to recommend that the petitioner provide additional information regarding the materials to be used on the structure's facades and the expected location of items such as transformers, HVAC units, gas meters, etc.

Parking

In its previous memo on this petition, the Planning Department recommended the petitioner provide documentation/information as to how the project would meet the criteria established by Sec. 5.1.13 to allow its requested significant reduction, from 48 to 30, of required parking spaces. In response, the petitioner provided a memorandum (**Attachment A**) addressing several issues, including its Transportation Demand Management (TDM) approach, public transportation, ridesharing, and bicycle facilities. The Planning Department notes that there is limited parking on Washington Street in the general area of the project (with some located on its north side to the east and west of the project, and none located on its south side), and it shares concerns expressed by City Transportation staff that in the absence of sufficient on-site parking, overflow parking would likely seek spaces on the currently unrestricted Walker Street.

Also, as discussed in the Planning Department's previous memorandum and the Engineering Division's memorandum attached thereto, the Planning Department continues to recommend that the petitioner provide a turning template plan of the garage showing adequate and safe maneuverability areas for vehicles entering, exiting, and moving within, the garage.

Inclusionary Zoning

In its previous memo on this petition the Planning Department noted that at that time petitioner had not submitted an Inclusionary Housing Plan (IHP) for review by the Planning Department's Housing staff. The petitioner has since provided Planning Housing staff with some material and is working with city staff to confirm the applicable calculation (and mix) of the project's required inclusionary zoning units (and fractional cash payments) and to finalize the required submission materials.

Landscaping

As noted in its previous memorandum, the Planning Department continues to recommend that the petitioner provide a caliper inch analysis of the proposed tree removals and installations.

Sustainability

Members of the City's Climate and Sustainability team have reviewed the proposal and has made several comments.

It noted that the project is "on track" to satisfying the requirements of Secs. 5.13.4.A and 5.13.4.B. of the NZO, respectively, by planning to construct the building to LEED Gold certifiable standards, and by including a minimum of three charging station-equipped parking spaces and charging infrastructure for the rest of the parking stalls.

The team encourages the use of low embodied carbon materials and appreciates that the petitioner is considering the project's embodied carbon impacts of this project, with the goal of reducing the use of cement in the concrete mix and using recycled steel.

The team also encourages the petitioner to fully electrify the building, including installing appliances such as induction stoves and electric/heat pump dryers as well as for space heating and cooling and hot water. Noting references to solar PV in the submitted energy narrative, the team encourages the petitioner to provide more details of the proposed installation, and noted that at minimum, the roof should be "solar ready" and suggested that the petitioner provide a "solar assessment" that included information including orientation, shading, roof square feet available for solar, structural capacity of roof to support solar, and the number of panels, kW and kWh of the proposed system.

Lastly, the Climate and Sustainability team indicated that it would be interested in learning why the petitioner does not intend to conduct a Passive House feasibility study and/or seeking Passive House certification. It suggested that even if the petitioner does not fully commit to Passive House construction, it should nevertheless target Passive House building envelope and air infiltration standards as much as possible.

Engineering

The City Engineer has calculated the project's sewer infiltration/inflow mitigation fee, assuming the installation of low flow fixtures throughout the project, at \$294,909.

ATTACHMENT(S)

Attachment A Petitioner's memorandum re TDM plan (dated October 20, 2021)

ATTACHMENT A

From the Law Office of Terrence P. Morris, Esq.

Memorandum

To: Michael Gleba Senior Planner
Planning & Community Development

From: Terrence P. Morris, Esquire

Cc: Nadia Khan, Committee Clerk

Date: October 20, 2021

Re: 967 Washington Street: TDM Plan

Background

The site (967 Washington Street) is a 34,210+/- sq. ft. parcel consisting of 3 lots containing a one-story, commercial strip, a single-family dwelling, and a two-family dwelling, all constructed circa 1910-1920. It is situated in the village of Newtonville on Washington Street, a major thoroughfare. The property is located in the multi-residence 3 (MR3) zoning district. It is within 1,000 feet of the MBTA commuter rail station and the Newtonville retail district. On July 1, 2021, the Historical Commission determined that the existing structures were not preferably preserved.

Current Proposal

The petitioner proposes to construct a 28-unit multifamily dwelling with garage parking for 30 cars beneath the building. The development is to be a residential condominium. According to the current parking standards 56 spaces (2 per dwelling unit) would be required. The petitioner is seeking a waiver of 26 spaces under that provision in the ordinance which allows for a reduction by special permit. The parking is to be “unbundled”, i.e., not designated for any unit, which allows use of the spaces to be maximized on an “as-needed” basis for visitors and other short-term use. As periodic site visits have confirmed there is rarely used capacity for curbside parking on both sides of Washington Street regardless of time of day or day of the week.

Transportation Demand Management

Parking management affects vehicle travel demand. The goal of a Transportation Demand Management (TDM) plan is the implementation of measures that are aimed at minimizing the use of single occupancy vehicles and maximizing the use of the available spaces at all times each day. The 1st such measure is for the parking is to be “unbundled”, i.e., not designated for any unit, which allows use of the spaces to be maximized on an “as-needed” basis for visitors and other short-term use. The practice of leasing parking spaces separately from units is a recognized Transportation Demand Management strategy that helps residents balance the costs and benefits of alternative transit. By unbundling parking from unit sales, this project hopes to attract residents with fewer cars (if any), who prefer to get around on foot, bike, or public transit. Unbundled parking provides a financial incentive for the residents to drive less or own fewer cars. The petitioner will not be including a parking space or spaces as part of the sale/purchase of each individual unit. Beyond unbundling, the project will implement several Transportation Demand Management strategies to educate building residents about alternative transportation modes, reduce private vehicular use, and coordinate programs such as ridesharing.

Public Transportation

The Development is situated along and in proximity to two of the most prominent public transportation services provided by the MBTA. It is located within a five-minute walk to the Newtonville Commuter Rail

Station and serviced by two bus lines with connection to Downtown Boston. The parking needs for the Project will be lessened due to the nearby availability of such public transit service, which should help to reduce reliance on automobile travel.

To encourage the use of transit by the residents, the petitioner proposes a reimbursement program for the MBTA monthly LINK Pass (value \$84.50/mo.). Along with the creation of the condominium the owner/declarant will establish a reimbursement program set forth in the condominium budget, rules, and regulations, which provides for a 100% reimbursement for the purchase of a monthly LINK pass. This program would require proof of purchase and be in place for a period of 2 years, at which time it would expire. The program would be administered by the company which will have responsibility for the management of the condominium and functioning as the transportation coordinator (TC) for the building.

Ridesharing/services

Alternate means of travel, such as taxi, private ride services (Uber, Lyft, and others) should continue to reduce the parking needs for this area. The company will promote ridesharing to its residents by way of carpools and vanpools. Information regarding carpooling and its benefits will be distributed to all interested carpoolers. The TC will have, and post data related to MassDOT's MassRIDES Program. This information will be posted in common areas and provided by the property manager.

Bicycle Facilities

It is possible that some residents may specifically choose to live at this Site due to either the availability of public transportation or proximity to their place of employment, further reducing the need for vehicular travel. This ongoing trend of reducing automobile dependency in Newton and other surrounding communities is the result of increased transit usage, and improved accommodations for bicycle and pedestrian travel in the area. Bike-sharing services (such as "Blue Bike") recently have been introduced to the area and are another option available instead of driving. Major deterrents to bicycle transportation include inadequate parking facilities and fear of theft. Providing secure bicycle racks provides the cyclist with a degree of comfort, knowing their bicycle is safe, and as such more likely to be used as a means of travel to/from work or for recreation. Within the site, secure bike racks and on-site bicycle storage will be provided.

Conclusion

Evaluating the adequacy of a development's parking supply typically consists of comparing the unfettered parking demand to the proposed supply. The resulting parking demand then can be compared to the proposed parking supply. This approach essentially assumes that there are no limitations to parking availability and that anyone wishing to park can freely do so. A market setting where parking is limited and unbundled from the primary residence, creates a self-selection market where buyers consider the available supply measured against their parking needs when opting to purchase. It is a variation on the theme, "if you build it they will come"..." If you don't, they won't [buy]". Providing excess parking through this approach removes any incentive for utilizing public transportation or other means of travel. Accordingly, the proposed Project parking supply is appropriately limited to help promote travel to the Site by means other than automobile. For all of the reasons set forth above, we believe that the parking waiver is warranted in this situation.