

Ruthanne Fuller Mayor

## City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1142 TDD/TTY (617) 796-1089 www.newtonma.gov

Barney S. Heath Director

#### STAFF MEMORANDUM

DATE:	March 4, 2022
то:	Peter Doeringer, Chair, Planning & Development Board Members of the Planning & Development Board
FROM:	Barney Heath, Director, Department of Planning and Development Cat Kemmett, Planning Associate
RE:	303 Walnut Street Lighting Waiver Request
MEETING:	March 7, 2022

#### Overview

The Planning and Development Board is authorized under Newton's City Ordinances [Section 20-26 (a)] to grant waivers to allow an exception to the prohibitions pertaining to light pollution and light trespass contained in Section 20-24 and/or Section 20-25.

303 Walnut Street, operating as a Bank of America in Newtonville, has requested a waiver to Section 20-25 for the excess foot candles included in their exterior lighting program. As proposed, this lighting scheme would emit light onto adjacent properties in violation of Section 20-25. a.

#### **Waiver Request**

According to the project narrative, the applicant is seeking a waiver to Section 20-25. a, which limits the emission of light to within the boundaries of the parcel of land upon which the light source is sited unless certain conditions apply. They request this waiver on the basis that an inability to increase light levels beyond what is allowed by the ordinance would pose safety and welfare concerns for bank customers.

Section 20-25. b.2 exempts light sources falling on abutting public ways from light trespass regulations, so most of the lights on Austin Street and Walnut Street in their plan are allowed under the ordinance. However, the proposed lighting that would impact 305 Walnut Street and 10 Austin Street are not permitted, as those parcels are privately owned.

The applicant has submitted supplementary material for the Board's review, including a plan showing the exterior light programming for the property, details about the light fixtures, a project narrative, and

a presentation with images from the site to demonstrate what the proposed lighting would look like if the waiver is approved.

#### **Considerations for the Planning & Development Board**

In evaluating waiver requests for light trespass, Section 20-26 provides some guidance for Board members to take into consideration.

- Did the applicant attempt to get the permission of the owner or person in control of the parcels of land upon which the light falls? (Section 20-25. a.1)
- Is there a substantial hardship that warrants a waiver from strict compliance with the light ordinance? (Section 20-26.c)
- Is the extent to which the applicant is allowed to exceed the light ordinances as shown in this plan strictly limited to what is needed to abate the hardship? (Section 20-26. c. i)
- Is the proposed light that would fall on abutting properties limited as much as possible so that it abates the hardship?



# 303 Walnut Street Newtonville, MA 02460

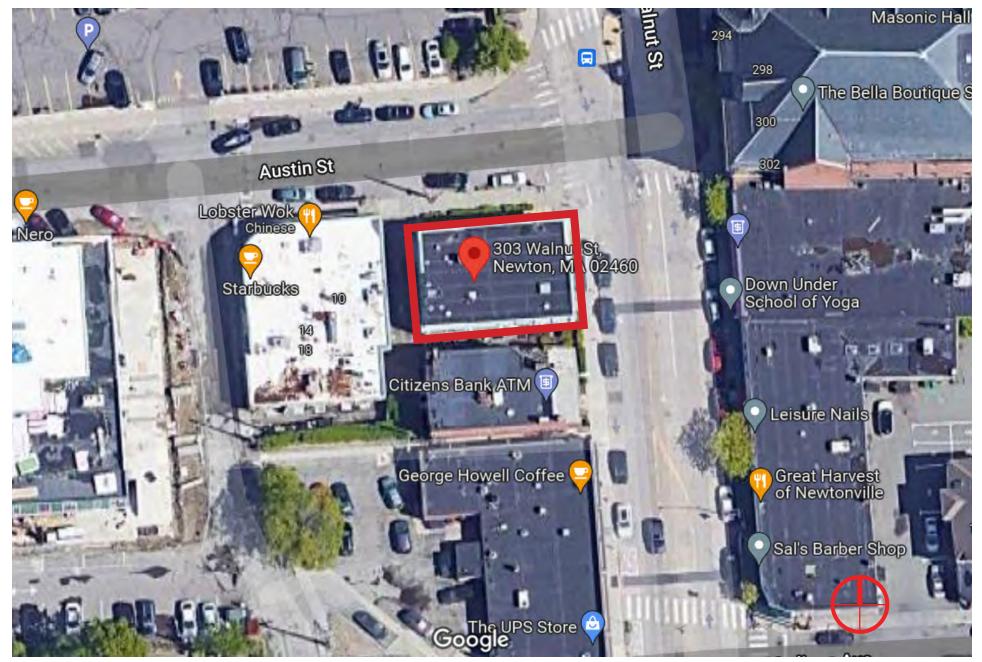
Lighting Upgrade March 7, 2022

Prepared by:

Gensler

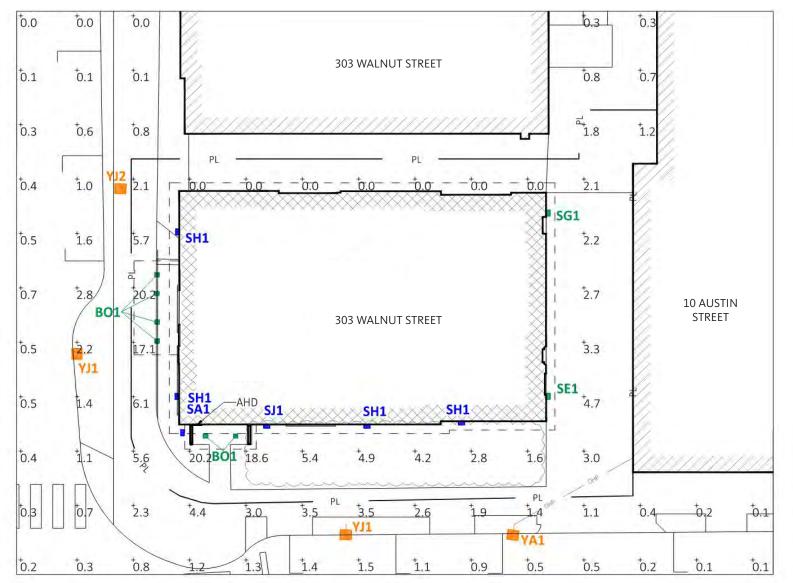


# SITE LOCATION AND SITE ABUTTERS





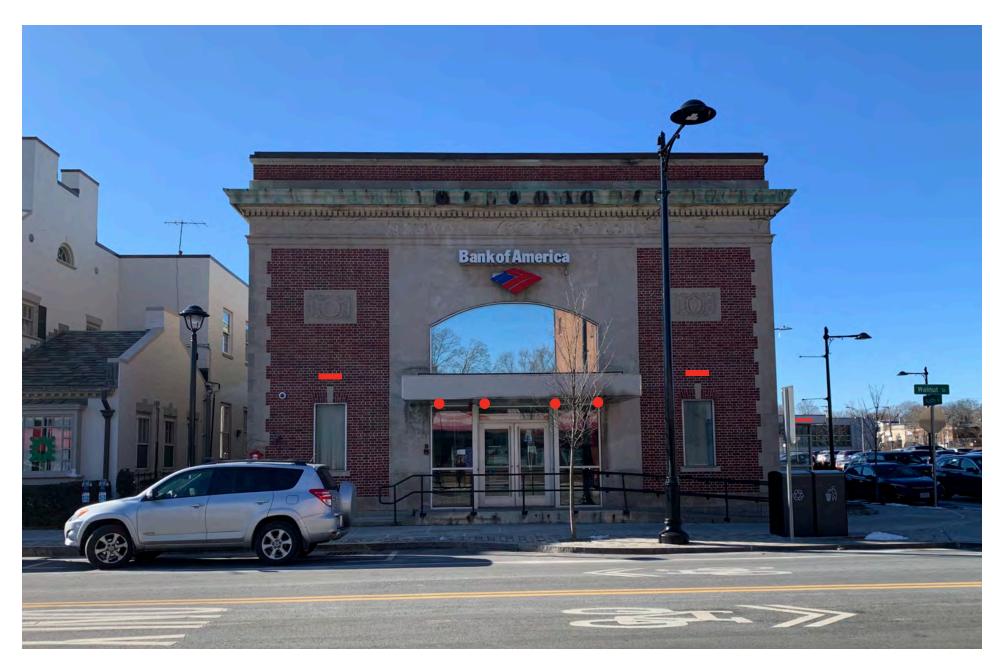
# **FULL SITE PHOTOMETRICS PLAN**



BLUE = NEW FIXTURE GREAM = EXISTING FIXTURE LOCATION TO BE REPLACED ORANGE = EXISTING FIXTURE TO REMAIN TURQUOSE = FIXTURE TO BE REMOVED PINK = REPLACE WITH NEW POLE AT NEW HEIGHT — INDICATES NEW SECURITY FINCE — PL — PROPERTY LINE BASED ON COUNTY APPRAISAL INFORMATION NOTE: THIS LIGHTING PLAN ILLUSTRATES ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) APPROVED METHODS. ACTUAL SITE ILLUMINATION LEVELS AND PERFORMANCE OF LUMINARIES MAY VARY DUE TO VARIATIONS IN WEATHER, ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS AND OTHER RELATED VARIABLE FIELD CONDITIONS.



# **BUILDING ELEVATIONS** WALNUT STREET ELEVATION





# **BUILDING ELEVATIONS** WALNUT STREET ENTRANCE AND CANOPY





# **BUILDING ELEVATIONS** AUSTIN STREET ELEVATION



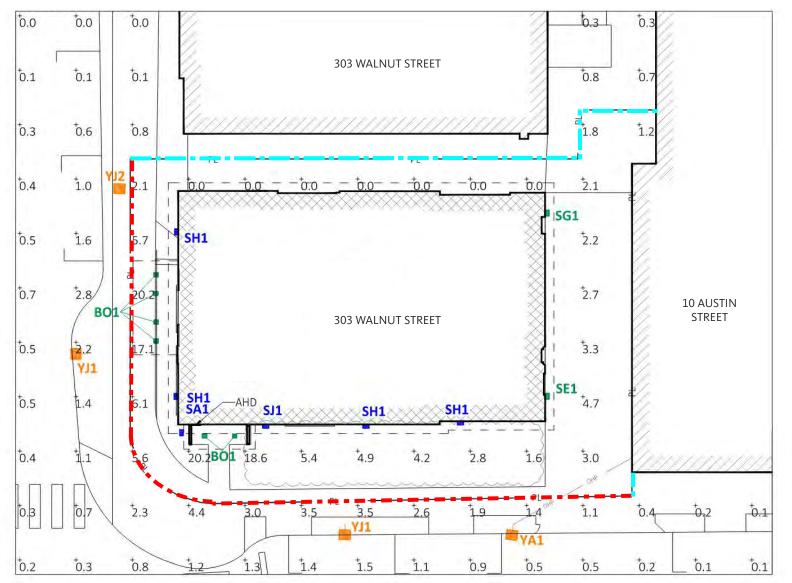


# **BUILDING ELEVATIONS** ALLEY OFF OF AUSTIN STREET





# **PHOTOMETRICS PLAN - LIGHT TRESPASS**



 
 BLUE = NEW FIXTURE

 GREEN = EXISTING FIXTURE LOCATION TO BE REPLACED

 ORANGE = EXISTING FIXTURE TO REMAIN

 TURQUOISE = FIXTURE TO BE REMOVED

 PINK = REPLACE WITH NEW POLE AT NEW HEIGHT

 — — = PROPERTY UNE BASED ON COUNTY APPRAISAL INFORMATION
 NOTE: THIS LIGHTING PLAN ILLUSTRATES ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) APPROVED METHODS. ACTUAL SITE ILLUMINATION LEVELS AND PERFORMANCE OF LUMINARIES MAY VARY DUE TO VARIATIONS IN WEATHER, ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS AND OTHER RELATED VARIABLE FIELD CONDITIONS.

One Beacon Street Third Floor Boston MA 02108 USA Tel 617.619.5700 Fax 617.619.5701

## Gensler

03/02/2022

Cat Kemmett City of Newton 1000 Commonwealth Avenue Newton, MA 02459

Subject: 303 Walnut St. Lighting Upgrades Project Narrative Project Number: 011.6561.267 File Code: 3PD

Dear Board Members:

We propose adding four (4) light fixtures on the Austin Street facade, and two (2) light fixtures on the Walnut Street facade. Replace two (2) canopy light fixtures under the Austin Street facing canopy, and four (4) canopy light fixtures under the Walnut Street facing canopy. Replace two (2) light fixtures at the rear of the building. This will increase foot candles to meet the bank's lighting safety standards of minimum two (2) foot candle power extending outwards in all unobstructed directions fifty (50) feet from the face of the ATM and after-hour depository. All lights are dark sky compliant.

For the bank to provide improved safety and wellbeing of customers after dark, we request relief from Sec. 20-25 allow the installation and replacement of light fixtures which emits light which falls outside the boundaries of the parcel of land upon which the light sources are sited. The illuminance of light measured at any point which is located five or more feet outside of the boundary of the parcel of land upon which the light sources are .35 vertical footcandles after astronomical twilight. Those parcels would be 305 Walnut Street and 10 Austin Street.

The intent of this project is to provide improved safety for customers after dark. The bank building is on a corner lot facing Austin and Walnut Streets on, the other two facades are facing alleys. The literal enforcement of the Newton Zoning Code would reduce safety of customers after dark by not allowing increased light levels on the building corners close to the alleys. Most of the new light fixtures along Austin and Walnut Streets emit light which falls upon the public way and therefore meet the criteria for exception 20-25 (C) (2&3).

Per ALM GL ch. 167B, § 3, "A financial institution or organization shall adopt and maintain safeguards to insure the safety of a customer using the electronic branch, to insure the safety of the funds, items and other information at the electronic branch and to assist in the identification of criminals. The commissioner shall promulgate rules and regulations establishing minimum standards for such safeguards. Such safeguards shall be in place and operational at the time such electronic branch begins to transact business; provided, however, that such safeguards shall not apply to an electronic branch located at an office of a financial institution.

# Gensler

Cat Kemmett City of Newton 03/02/2022 Page 2

Sincerely,

Michael Bech A.I.A. LEEP AP BD+C Architect

Enclosure

cc: CBRE (Bill Sharkey)

# **CPY Series - Version B**

CPY250® LED Canopy/Soffit Luminaire

#### Product Description

The CPY250® LED Canopy/Soffit Luminaire has an extremely thin profile constructed of rugged cast aluminum. It can be surface mounted easily from below the canopy deck and can be pendant mounted. Direct imaging of the LEDs is eliminated with a highly efficient patterned flat or 0.91" (23mm) drop glass lens. Applications: Petroleum canopies, CNG fueling stations, soffits

#### Performance Summary

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K)

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

#### IP66 Rated (Direct Mount only)

<sup>+</sup>See http://creelighting.com/warranty for warranty terms

#### GC TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR TO PURCHASING

#### Accessories Field-Installed

#### **Direct Mount Luminaires**

Canopy Upgrade Kits (18 ga. steel, except where noted)

CPY-AP304\* - for use with Cree Lighting CAN-304 luminaires, 16 ga. 5052 aluminum XA-BXCCMW - for use with Jet-Philips, 21.60" (549mm) square, white

XA-BXCCNW – for use with Elsco Franciscan, 22.06" (560mm) square, white XA-BXCCPW – for use with LSI Dakota or Masters, 22.50" (572mm) square,

white XA-BXCCQW – for use with Whiteway Riviera or Rig-A-Lite, 20.60" (523mm)

square, white XA-BXCCRW – for use with Elsco Merrit, 18.06" (459mm) square, white

XA-BXCCSW - for use with LSI Richmond or Whiteway Civic, 23.00" (584mm) L x 13.00" (330mm) W, white

#### Direct Mount Junction Box/Stem Kit

XA-BXCCJBOX - 6.0" (152mm) H x 3/4" (19mm) NPT Stem

- Watertight - Rated for feed through 8 (4 in, 4 out) #12 AWC conductors

#### Direct Mount Beauty Plates

XA-BXCCBPW - 26.17" (665mm) Beauty Plate Only (18 ga. steel), white XA-BXCCBPB12W - 26.17" (665mm) Beauty Plate (18 ga. steel) w/12" (305mm)

- Backer Plate (16 ga. steel), white - For use in canopies where deck opening is larger than what is required for
- mounting the CPY250 luminaire. Maximum deck opening 10.75" x 15' (183mm x 375mm)

XA-BXCCBPB16W - 26.17" (665mm) Beauty Plate (18 ga. steel) w/16" (406mm) Backer Plate (16 ga. steel), white

- For use in canopies where deck opening is larger than what is required for

mounting the CPY250 luminaire. Maximum deck opening 12" x 15 (305mm x 375mm)

\* Must specify color

## Ordering Information Example: BXCC9133&

	BXCC9133&										
Product	Version	Mounting	Optic	Input Power Designator	Voltage	Color	сст				
CPY250	8	DM Direct	F Flat Lens	C - With Special Limiter 15W	GC TO VERIFY VOLTAGE AND SPECIFY CHANGES BASED UPON FIELD CONDITIONS	GC TO REFERENCE PLANS FOR COLOR DESIGNATION	<mark>40K</mark> 4000K				



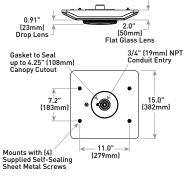
Canada: creelighting-canada.com T (800) 473-1234



#### GC TO SEE NOTES BELOW

Rev. Date: V16 09/25/2020





12.5 lbs. (5.7kg)

Weight

# LRX Series

#### LR6X<sup>™</sup> LED Downlight - 6" GC TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR TO PURCHASING

#### Product Description

The LR6X<sup>™</sup> downlight is an unparalleled combination of light quality and efficacy – bringing outstanding performance and value to the retrofit downlight space. Delivering up to 3000 lumens of exceptional 90+ CRI light while achieving up to 89 lumens per watt, this breakthrough performance is achieved by combining the high efficacy with an integrated driver and thermal management design. The LR6X<sup>TM</sup> downlight is available in warm or neutral color temperatures, three lumen packages, and offers a variety of trim options.

Applications: Commercial new construction and retrofit

#### Performance Summary

Utilizes Cree TrueWhite® Technology

Initial Delivered Lumens: 650L - 3,000L

Input Power: 7.5 - 34 watts

CRI: 90+

**R9:** >54

CCT: 2700K, 3000K, 3500K, 4000K

Limited Warranty\*: 10 years

L<sub>70</sub> Lifetime: > 100,000 hours at 35°C

Dimming: Dimmable to 5%

\* See http://creelighting.com/warranty for warranty terms

#### **Housing & Trims**

Housinas

Reference Housing & Trim documents for more details

#### CONTRACTOR TO DESIGNATE 120V GU24 Base Cord Mount Housings 277V Recessed

120V GU24 Base Recessed Housings H6-GU24 - Architectural new construction RC6-GU24 New construction RR6-GU24 Retrofit 120V GU24 Base Recessed "Pan" Conversion Kit C6-GU24 C6-120V-LSA - Less socket adapter 120V GU24 Base Surface Mount Housings SC6-GU24 Textured white finish SC6-BL-GU24 Textured black finish

SC6-CM-GU24 Textured white finish SC6-CM-BL-GU24 Textured black finish 120V GU24 Base Wall Mount Housings SC6-WM-GU24 Textured white finish SC6-WM-BL-GU24 - Textured black finish 277V Recessed Housinas H6-277V - Architectural new construction RC6-277V New construction RR6-277V - Retrofit

'Pan" Conversion Kit C6-277V-LSA Less socket adapter 277V Surface Mount Housings SC6-277V Textured white finish SC6-BL-277V - Textured black finish 277V Cord Mount Housings SC6-CM-277V Textured white finish SC6-CM-BL-277V Textured black finish 277V Wall Mount Housings SC6-WM-277V - Textured white finish

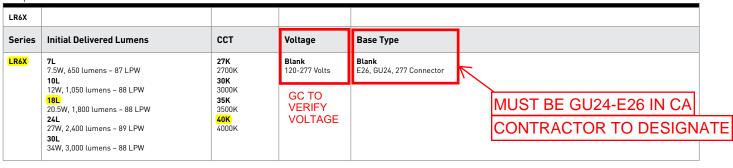
#### Trims

LXT6AB Diffused Anodized trim with White Flange LXT6BB Flat black reflector/flange

8" Adapter GR8 - Optional goof ring accomidations existing housings with apertures from 6.25" (159mm) to 8.5" (216mm) in diameter

#### Ordering Information

Example: LR6X-7L-27K

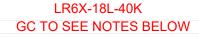




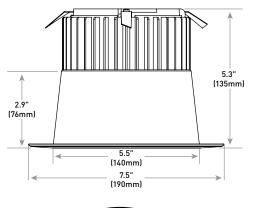


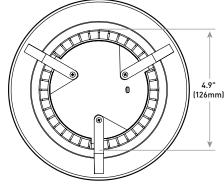














US: creelighting.com (800) 236-6800 Canada: creelighting-canada.com (800) 473-1234

## **TYPE SA**

LED Security Wall Pack Luminaire

#### **Product Description**

#### CONTRACTOR TO SEE NOTES BELOW

The Cree Edge™ wall mount luminaire has a slim, low profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Secures to wall with four 3/16" (5mm) screws (by others). Conduit entry from top, bottom, sides and rear. Allows mounting for uplight or downlight. Designed and approved for easy through-wiring. Includes leaf/debris guard.

Applications: General area and security lighting

#### **Performance Summary**

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

+See http://lighting.cree.com/warranty for warranty terms CONTRACTOR TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR **TO PURCHASING** 

Accessories

Field-Installed

**Bird Spikes** 

XA-BRDSPK

**Beauty Plate** WM-PLT12\*\* - 12" (305mm) Square WM-PLT14\*\* - 14" (356mm) Square - Covers holes left by incumbent wall packs

Hand-Held Remote

XA-SENSREM - For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required

"Must specify color

#### CONTRACTOR TO VERIFY AND SPECIFY IF NOT UL

#### CONTRACTOR TO REFERENCE PLANS FOR COLOR DESIGNATION

**Ordering Information** Example: SEC-EDG-2M-WM-06-E-UL-SV-700

SEC-EDG		WM		E				
Product	Optic	Mounting	LED Count (x10)	Series	Voltage	Color Options	Drive Current	Options
SEC-EDG	2M Type II Medium 2MB Type II Medium w/BLS 2S Type II Short 2SB Type II Short w/BLS 3M Type III Medium 3MB Type III Medium w/BLS 4M Type IV Medium 4MB Type IV Medium w/BLS	(WM) Wall Mount	02 04 06 08 10 12	E	UL Universal 120-277V UH Universal 347-480V 34 347V	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA -Available with 20-80 LEDs 700 700mA -Available with 20-60 LEDs	DIM       0-10V Dimming         - Control by others       - Refer to Dimming spec sheet for details         - Refer to PML specified drive current         F       Fuse         - Refer to PML spec sheet for availability with PML options         - Available for U.S. applications only         - When code dictates fusing, use time delay fuse         ML       Multi-Level         - Refer to ML spec sheet for details         - Intended for downlight applications with 0° tilt         - Available only with 20 LEDs and UL voltage         - May only be combined with F option with 525mA drive current         - Not available with other options         P Photocell         - Must specify UL or 34 voltage         PML         Photocell         - Refer to GPML spec sheet for details         - Intended for downlight applications with 0° tilt         4000K Color Temperature         - Minimum 70 CRI         - Octor temperature per luminaire

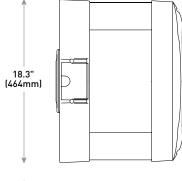


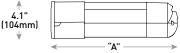
US: lighting.cree.com

Rev. Date: V5 01/09/2019









LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
04	11.9" (303mm)	22 lbs. (10.0kg)
06	13.9" (353mm)	25 lbs. (11.3kg)
08	15.9" (404mm)	27 lbs. (12.2kg)
10	17.9" (455mm)	31 lbs. (14.1kg)
12	19.9" (505mm)	32 lbs. (14.5kg)

## TYPE SE

LED Security Wall Pack Luminaire

#### **Product Description**

#### CONTRACTOR TO SEE NOTES BELOW

The Cree Edge™ wall mount luminaire has a slim, low profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Secures to wall with four 3/16" (5mm) screws (by others). Conduit entry from top, bottom, sides and rear. Allows mounting for uplight or downlight. Designed and approved for easy through-wiring. Includes leaf/debris guard.

Applications: General area and security lighting

#### **Performance Summary**

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

+See http://lighting.cree.com/warranty for warranty terms CONTRACTOR TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR **TO PURCHASING** 

Accessories

Field-Installed

**Bird Spikes** XA-BRDSPK

**Beauty Plate** WM-PLT12\*\* - 12" (305mm) Square WM-PLT14\*\* - 14" (356mm) Square - Covers holes left by incumbent wall packs

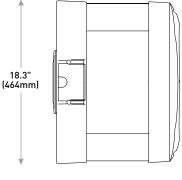
"Must specify color

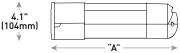
#### Hand-Held Remote XA-SENSREM

- For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required



A	
	cas+1





LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
04	11.9" (303mm)	22 lbs. (10.0kg)
06	13.9" (353mm)	25 lbs. (11.3kg)
08	15.9" (404mm)	27 lbs. (12.2kg)
10	17.9" (455mm)	31 lbs. (14.1kg)
12	19.9" (505mm)	32 lbs. (14.5kg)

#### CONTRACTOR TO VERIFY AND SPECIFY IF NOT UL

#### CONTRACTOR TO **REFERENCE PLANS** FOR COLOR DESIGNATION

**Ordering Information** 

xample: SEC-EDG-2M-WM-06-E-UL-SV-700					7			
SEC-EDG		₩М		E				
Product	Optic	Mounting	LED Count (x10)	Series	Voltage	Color Options	Drive Current	Options
SEC-EDG	2M Type II Medium 2MB Type II Medium w/BLS 2S Type II Short w/BLS 3M Type III Short w/BLS 3M Type III Medium w/BLS 4M Type IV Medium 4MB Type IV Medium w/BLS	WM Wall Mount	02 04 06 08 10 12	E	UL Universal 120-277V UH Universal 347-480V 34 347V	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA -Available with 20-80 LEDs 700 700mA -Available with 20-60 LEDs	DIM       0-10V Dimming         - Control by others       - Refer to Dimming spec sheet for details         - Refer to Dimming spec sheet for details       - Can't exceed specified drive current         F       Fuse       - Refer to PML spec sheet for availability with PML options         - Available for U.S. applications only       - When code dictates fusing, use time delay fuse         ML       Multi-Level       - Refer to ML spec sheet for details         - Intended for downlight applications with 0° tilt       - Available only with 20 LEDs and UL voltage         - May only be combined with F option with 525mA drive current       - Not available with other options         P       Photocell       - Must specify UL or 34 voltage         PML       Free to PML spec sheet for details         - Intended for downlight applications with 0° tilt       - Must specify UL or 34 voltage         PML       Free to PML spec sheet for details         - Intended for downlight applications with 0° tilt       - Intended for downlight applications with 0° tilt         400K       400K Color Temperature       - Minimum 70 CRI         - Color temperature per luminaire       - Minimum 70 CRI



Rev. Date: V5 01/09/2019



Canada: www.cree.com/canada

## **TYPE SG**

LED Security Wall Pack Luminaire

#### **Product Description**

#### CONTRACTOR TO SEE NOTES BELOW

The Cree Edge™ wall mount luminaire has a slim, low profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Secures to wall with four 3/16" (5mm) screws (by others). Conduit entry from top, bottom, sides and rear. Allows mounting for uplight or downlight. Designed and approved for easy through-wiring. Includes leaf/debris guard.

Applications: General area and security lighting

#### **Performance Summary**

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

+See http://lighting.cree.com/warranty for warranty terms CONTRACTOR TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR **TO PURCHASING** 

Accessories

Field-Installed

**Bird Spikes** 

XA-BRDSPK

**Beauty Plate** WM-PLT12\*\* - 12" (305mm) Square WM-PLT14\*\* - 14" (356mm) Square - Covers holes left by incumbent wall packs

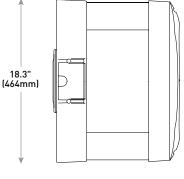
"Must specify color

#### Hand-Held Remote XA-SENSREM

- For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required









LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
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#### CONTRACTOR TO VERIFY AND SPECIFY IF NOT UL

#### CONTRACTOR TO **REFERENCE PLANS** FOR COLOR DESIGNATION

**Ordering Information** 

xample: SEC-EDG-2M-WM-06-E-UL-SV-700					7			
SEC-EDG		WM		E				
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Rev. Date: V5 01/09/2019



## **TYPE SH**

LED Security Wall Pack Luminaire

#### **Product Description**

#### CONTRACTOR TO SEE NOTES BELOW

The Cree Edge™ wall mount luminaire has a slim, low profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Secures to wall with four 3/16" (5mm) screws (by others). Conduit entry from top, bottom, sides and rear. Allows mounting for uplight or downlight. Designed and approved for easy through-wiring. Includes leaf/debris guard.

Applications: General area and security lighting

#### **Performance Summary**

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

+See http://lighting.cree.com/warranty for warranty terms CONTRACTOR TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR **TO PURCHASING** 

Accessories

Field-Installed

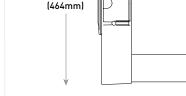
**Bird Spikes** XA-BRDSPK

**Beauty Plate** WM-PLT12\*\* - 12" (305mm) Square WM-PLT14\*\* - 14" (356mm) Square - Covers holes left by incumbent wall packs

"Must specify color

#### Hand-Held Remote XA-SENSREM

- For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required



18.3"



LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
04	11.9" (303mm)	22 lbs. (10.0kg)
06	13.9" (353mm)	25 lbs. (11.3kg)
08	15.9" (404mm)	27 lbs. (12.2kg)
10	17.9" (455mm)	31 lbs. (14.1kg)
12	19.9" (505mm)	32 lbs. (14.5kg)

#### CONTRACTOR TO VERIFY AND SPECIFY IF NOT UL

#### CONTRACTOR TO REFERENCE PLANS FOR COLOR DESIGNATION

**Ordering Information** INDUSED EDG 2M WM 06 E UL SV 700

SEC-EDG		WM		E				
Product	Optic	Mounting	LED Count (x10)	Series	Voltage	Color Options	Drive Current	Options
SEC-EDG	2M Type II Medium 2MB Type II Medium w/BLS 2S Type II Short 2SB Type II Medium 3MB Type III Medium w/BLS 4M Type IV Medium 4MB Type IV Medium w/BLS	WM Wall Mount	02 04 06 08 10 12	E	UL Universal 120-277V UH Universal 347-480V 34 34 347V	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA -Available with 20-80 LEDs 700 700mA -Available with 20-60 LEDs	DIM       0-10V Dimming         - Control by others       - Refer to Dimming spec sheet for details         - Refer to PML spec sheet for availability with PML options       - Available for U.S. applications only         - When code dictates fusing, use time delay fuse         ML       Multi-Level         - Refer to ML spec sheet for details         - Intended for downlight applications with 0° tilt         - Available only with 20 LEDs and UL voltage         - May only be combined with F option with 525mA drive current         - Not available with other options         P Photocell         - Must specify UL or 34 voltage         PML         POBL code dualis         - Intended for downlight applications with 0° tilt         - Available with other options         P Photocell         - Must specify UL or 34 voltage         PML         - Refer to PML spec sheet for details         - Intended for downlight applications with 0° tilt         4000K Color Temperature         - Minimum 70 CRI         - Ocior temperature per luminaire



US: lighting.cree.com

Rev. Date: V5 01/09/2019



SEC-EDG-4M-WM-02-E-UL-BZ-350-40K



## **TYPE SJ**

LED Security Wall Pack Luminaire

#### **Product Description**

#### CONTRACTOR TO SEE NOTES BELOW

The Cree Edge™ wall mount luminaire has a slim, low profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Secures to wall with four 3/16" (5mm) screws (by others). Conduit entry from top, bottom, sides and rear. Allows mounting for uplight or downlight. Designed and approved for easy through-wiring. Includes leaf/debris guard.

Applications: General area and security lighting

#### **Performance Summary**

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty<sup>+</sup>: 10 years on luminaire/10 years on Colorfast DeltaGuard<sup>®</sup> finish

+See http://lighting.cree.com/warranty for warranty terms CONTRACTOR TO VERIFY THAT FIXTURES CAN BE MOUNTED PER PLAN AND ALL NECESSARY HARDWARE IS SPECIFIED FOR INSTALLATION PRIOR **TO PURCHASING** 

Accessories

Field-Installed

**Bird Spikes** XA-BRDSPK

**Beauty Plate** WM-PLT12\*\* - 12" (305mm) Square WM-PLT14\*\* - 14" (356mm) Square - Covers holes left by incumbent wall packs

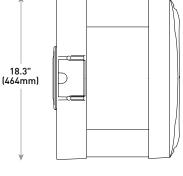
"Must specify color

#### Hand-Held Remote XA-SENSREM

- For successful implementation of the programmable multi-level option, a minimum

of one hand-held remote is required







LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
04	11.9" (303mm)	22 lbs. (10.0kg)
06	13.9" (353mm)	25 lbs. (11.3kg)
08	15.9" (404mm)	27 lbs. (12.2kg)
10	17.9" (455mm)	31 lbs. (14.1kg)
12	19.9" (505mm)	32 lbs. (14.5kg)

#### CONTRACTOR TO VERIFY AND SPECIFY IF NOT UL

#### CONTRACTOR TO **REFERENCE PLANS** FOR COLOR DESIGNATION

**Ordering Information** 

Example: SEC-EDG-2M-WM-06-E-UL-SV-700								
SEC-EDG		₩М		E				
Product	Optic	Mounting	LED Count (x10)	Series	Voltage	Color Options	Drive Current	Options
SEC-EDG	2M Type II Medium 2MB Type II Medium w/BLS 2S Type II Short 2SB Type II Short w/BLS 3M Type II Medium 3MB Type II Medium w/BLS 4M Type IV Medium Type IV Medium w/BLS	( <mark>WM)</mark> Wall Mount	02 04 06 08 10 12	E	UL Universal 120-277V UH Universal 347-480V <b>34</b> 347V	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA -Available with 20-80 LEDs 700 700mA -Available with 20-60 LEDs	DIM       0-10V Dimming         - Control by others       -         - Refer to Dimming spec sheet       for details         - Can't exceed specified drive current         F       Fuse         - Refer to <u>PML spec sheet</u> for availability with PML options         - Available for U.S. applications only         - When code dictates fusing, use time delay fuse         ML       Multi-Level         - Refer to <u>ML spec sheet</u> for details         - Intended for downlight applications with 0° tilt         - Available only with 20 LEDs and UL voltage         - May only be combined with F option with 525mA drive current         - Not available with other options         P       Photocell         - Must specify UL or 34 voltage         PML Programmable Multi-Level         - Refer to <u>PML spec sheet</u> for details         - Intended for downlight applications with 0° tilt         400K Color Temperature         - Minimum 70 CRI         - Color temperature per luminaire



Rev. Date: V5 01/09/2019



## SEC-EDG-4M-WM-02-E-UL-BZ-700-40K

US: lighting.cree.com

Canada: www.cree.com/canada

# Bank of America ® **EXTERIOR LIGHTING PROGRAM**



Office: (972) 771-6038

# 1629 Smirl Drive, Suite 200, Heath, Texas 75032 www.gmr1.com

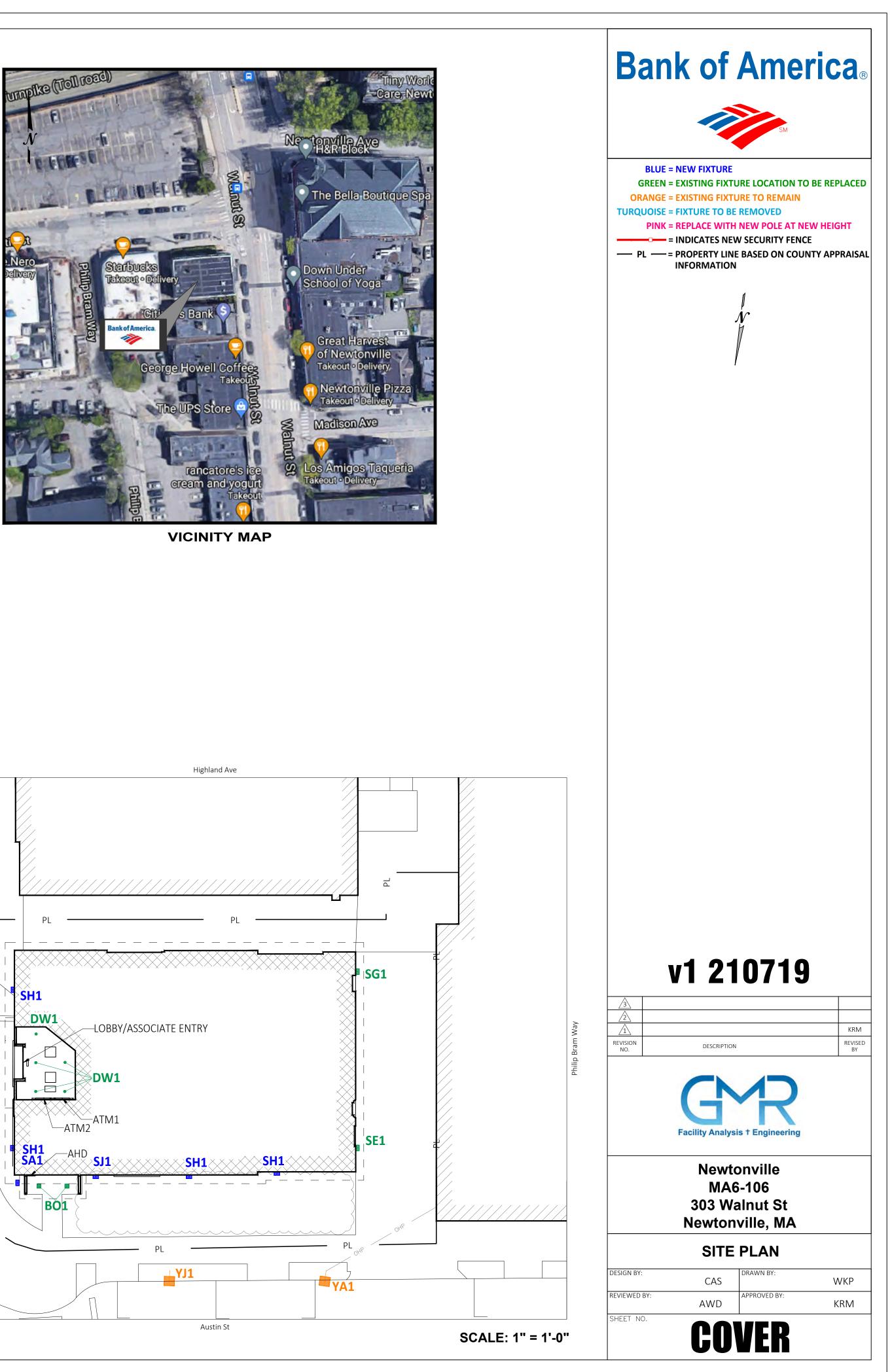
LUMINAIRE S	SCHED	ULE **	SEE FIXTURE CLARIFICATIO	N NOTE #9	(NI	P) = NEW POLE (CBO) CONTROLLED BY OTHERS *	* CONTRACTO	R TO VERIFY MOUN	TING ACCESSORIES BEFORE ORDERING**	
SYMBOL	QTY	LABEL	FIXTURE ARRANGEMENT	TOTAL FIXTURE COUNT	NEW POLE COUNT	FIXTURE TYPE / MOUNTING / MANUFACTURER	BUG RATING	MOUNTING HEIGHT	MOUNTING ACCESSORIES	NOTES
	6	BO1	SINGLE	6	-	(BO) CPY250-B-DM-F-C15W-UL-WH-40K / CANOPY MOUNT / CREE	B1-U1-G1	MATCH EXISTING	XA-BXCC9001	REPLAC
	5	DW1	SINGLE	5	-	(DW) LR6X-18L-40K / CANOPY MOUNT / CREE	B1-U0-G0	MATCH EXISTING	GR8 TRIM RING	REPLAC
	1	SA1	SINGLE	1	-	(SA) SEC-EDG-2S-WM-02-E-UL-BZ-350-40K / WALL MOUNT / CREE	B1-U0-G1	7' AFG	-	ADD NE
	1	SE1	SINGLE	1	-	(SE) SEC-EDG-3M-WM-02-E-UL-BZ-350-40K / WALL MOUNT / CREE	B1-U0-G1	MATCH EXISTING	-	REPLAC
	1	SG1	SINGLE	1	-	(SG) SEC-EDG-3M-WM-04-E-UL-BZ-350-40K / WALL MOUNT / CREE	B2-U0-G2	MATCH EXISTING	-	REPLAC
	4	SH1	SINGLE	4	-	(SH) SEC-EDG-4M-WM-02-E-UL-BZ-350-40K / WALL MOUNT / CREE	B1-U0-G1	12' AFG	-	ADD NE
	1	SJ1	SINGLE	1	-	(SJ) SEC-EDG-4M-WM-02-E-UL-BZ-700-40K / WALL MOUNT / CREE	B1-U0-G1	12' AFG	-	ADD NE
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-	2	YJ1	SINGLE	2	-	EXISTING DECORATIVE POLE FIXTURE	-	-	-	OUT OF
	1	YJ2	SINGLE	1	-	EXISTING DECORATIVE POLE FIXTURE	-	-	-	OUT OF

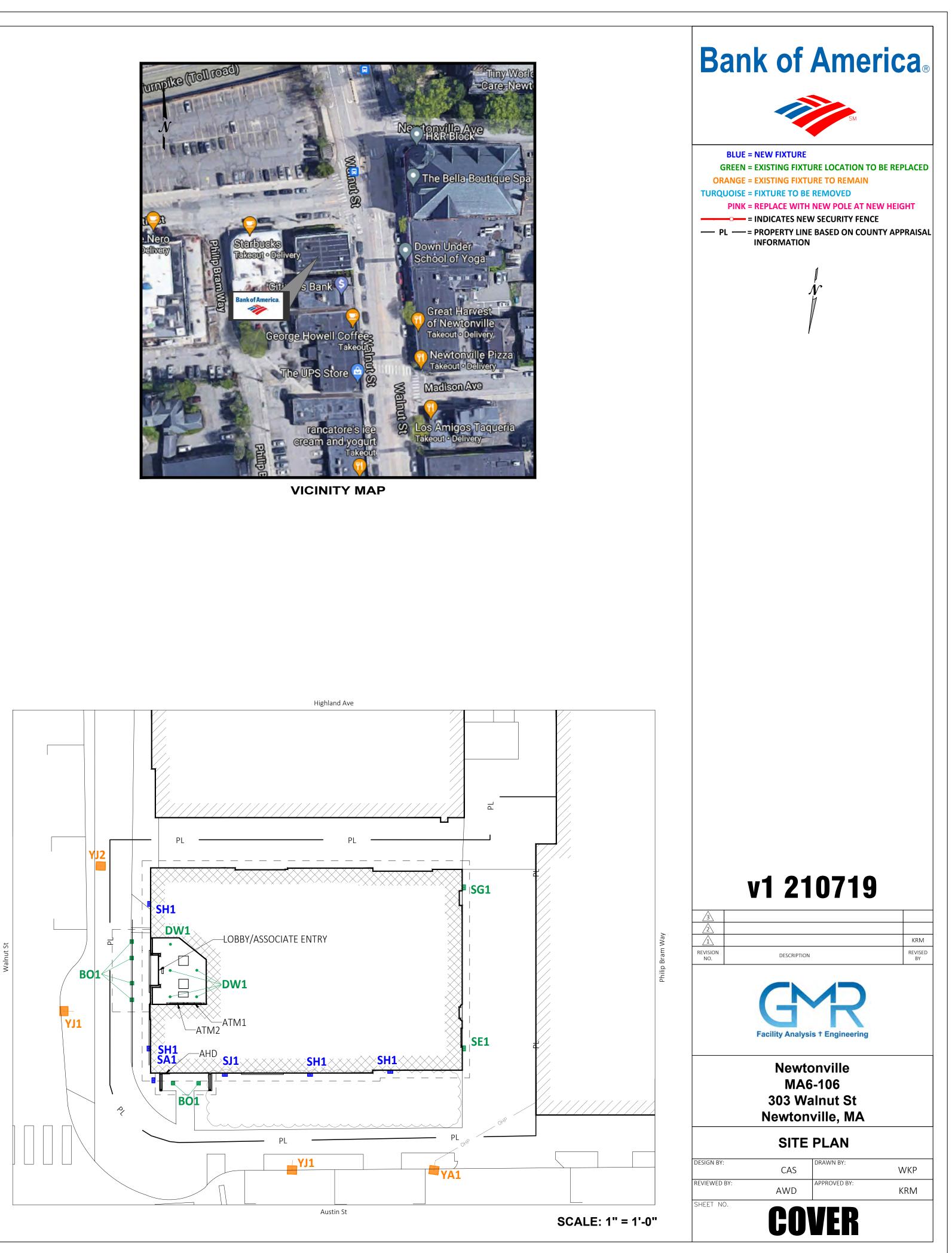






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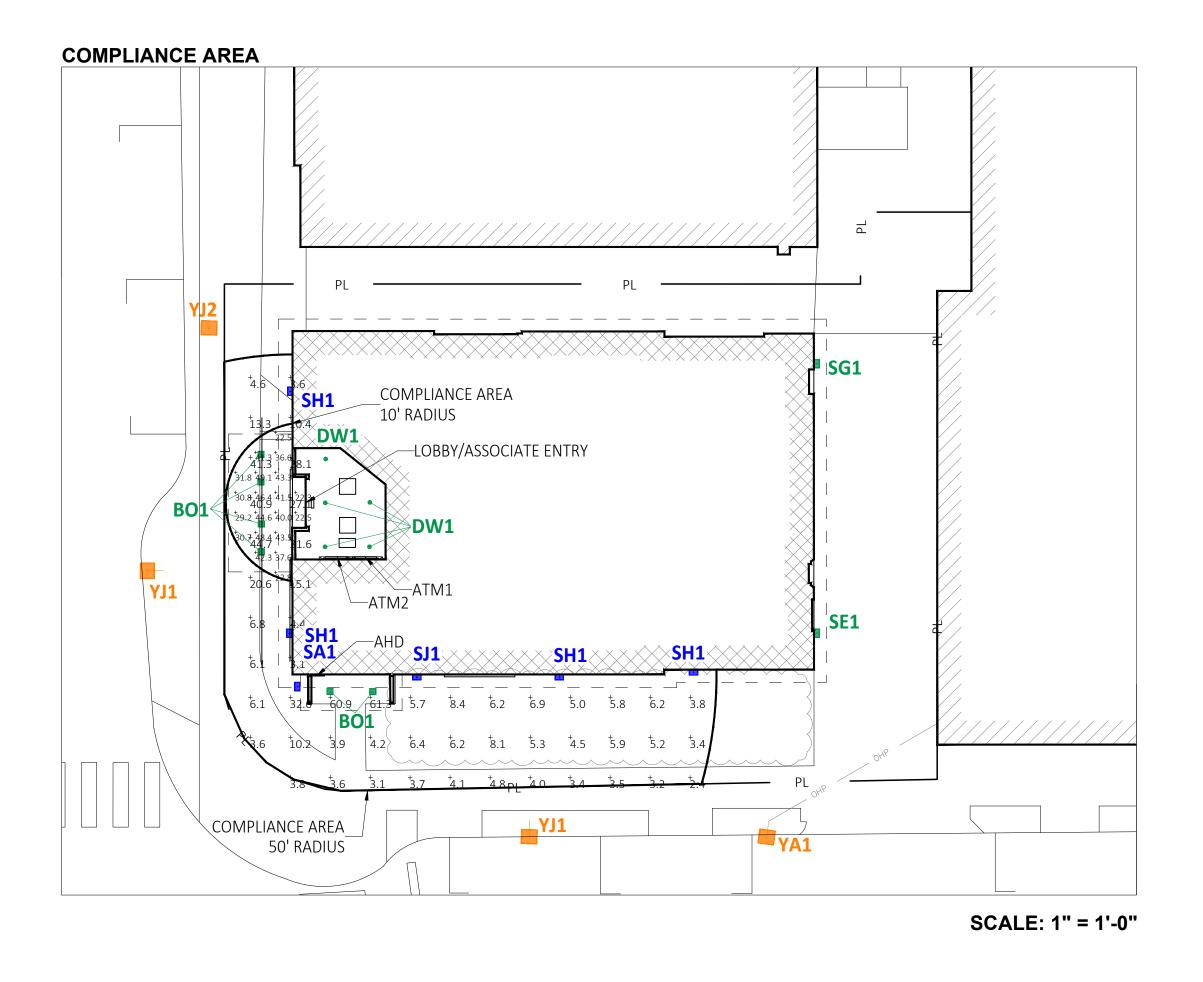


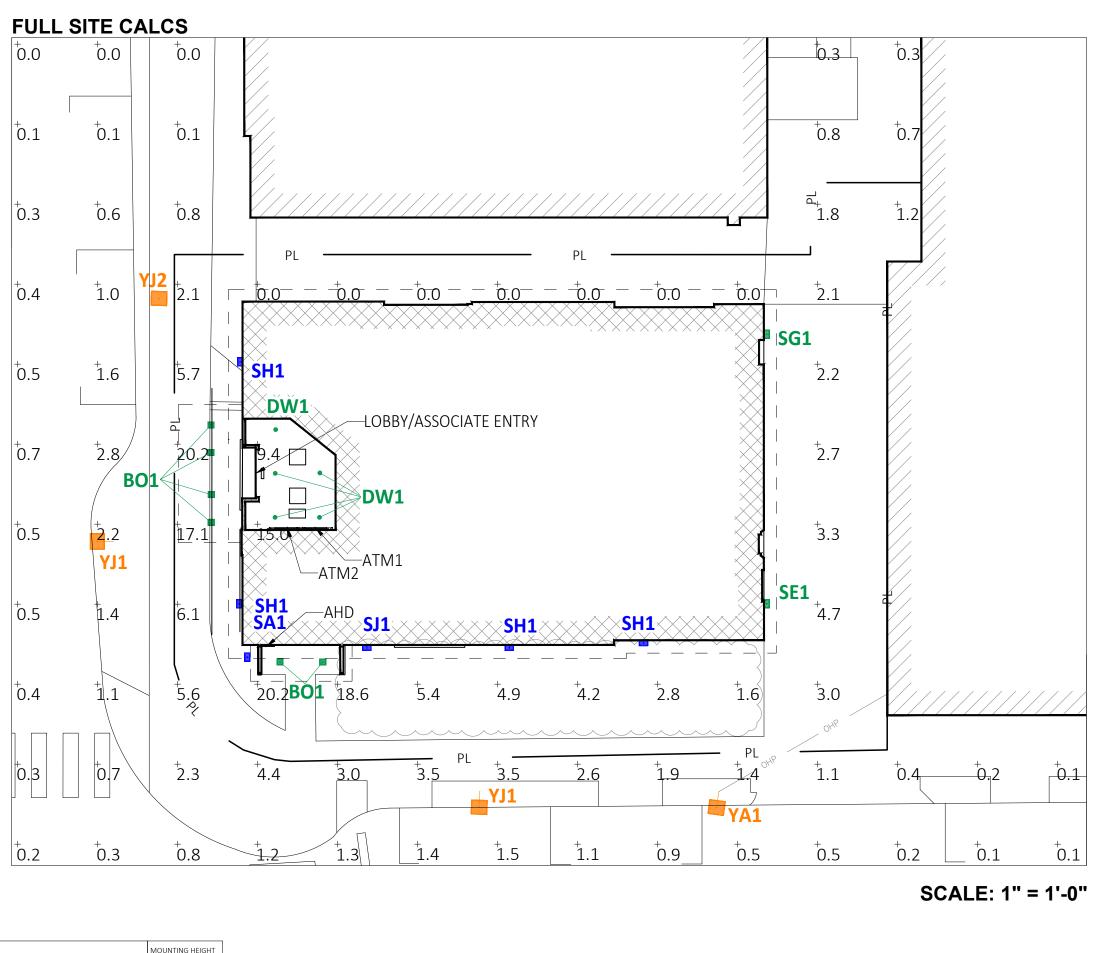


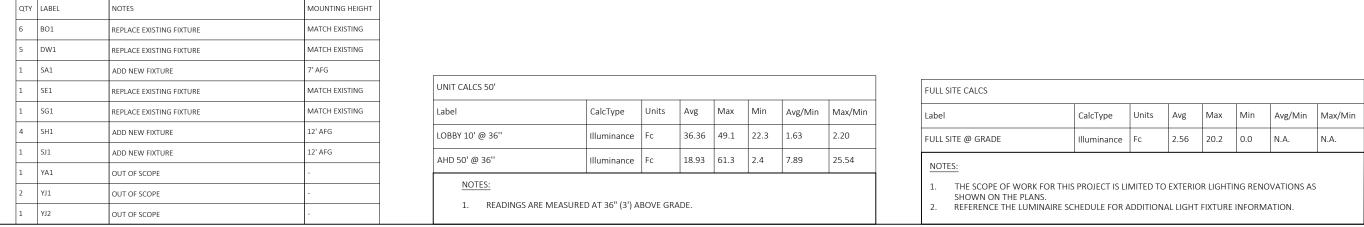
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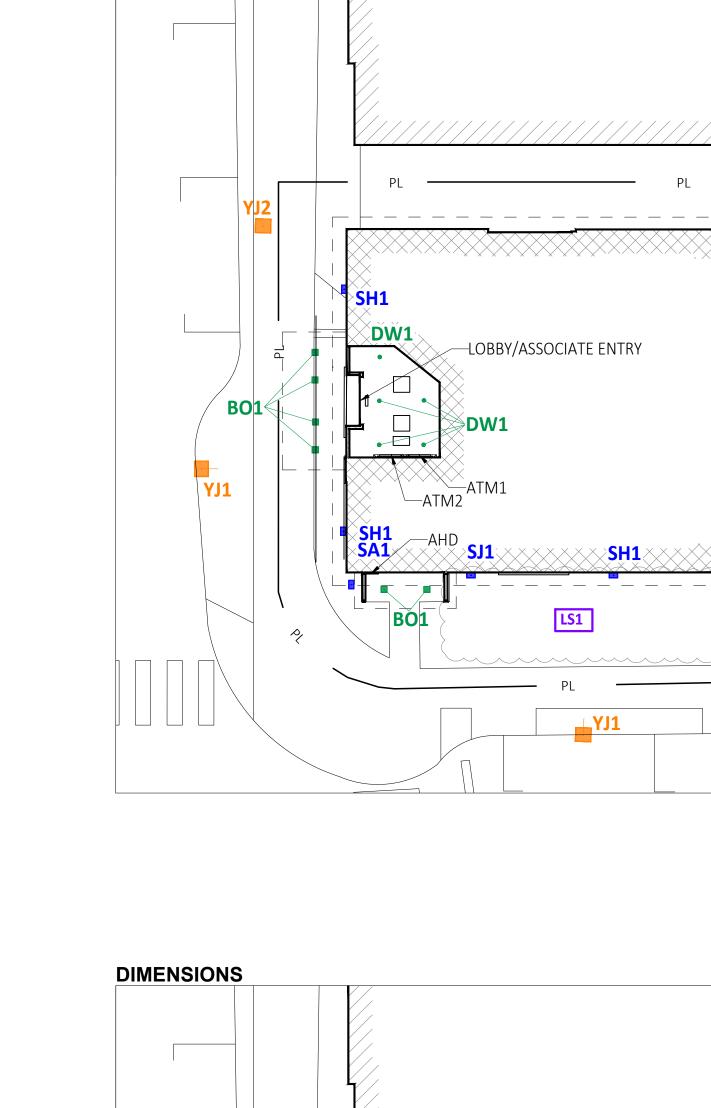
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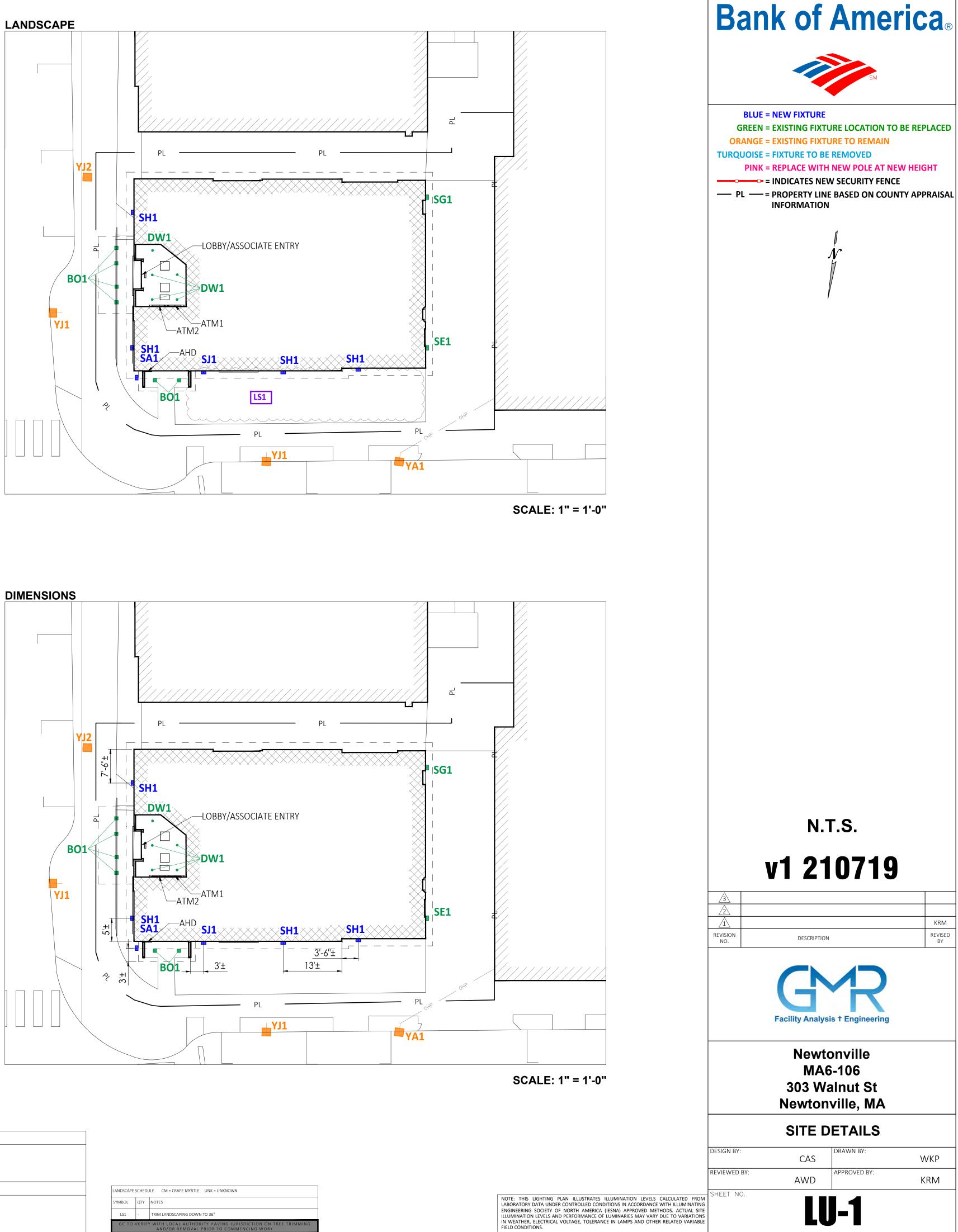


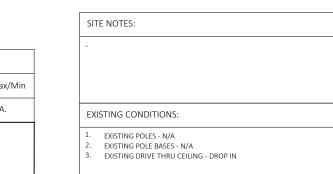


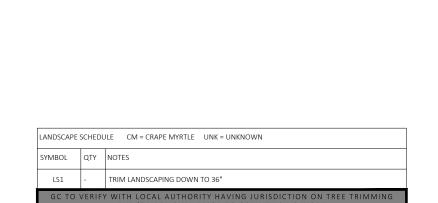














Ruthanne Fuller Mayor

## City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1142 TDD/TTY (617) 796-1089 www.newtonma.gov

Barney S. Heath Director

## MEMORANDUM

**DATE:** March 4, 2022

- **TO:**Peter Doeringer, Chair, Planning and Development BoardMembers of the Planning and Development Board
- FROM:Barney Heath, Director, Department of Planning and DevelopmentJennifer Caira, Deputy Director Department of Planning and DevelopmentZachery LeMel, Chief of Long Range Planning
- RE:
   #127-22 Request for amendment to the Zoning Code to regulate "last mile" delivery services

   COUNCILORS LAREDO, DOWNS, CROSSLEY, RYAN, KALIS, DANBERG, KRINTZMAN AND

   ALBRIGHT
   requesting an amendment to the Zoning Code to regulate "last mile" delivery

   services in the City of Newton.

MEETING: March 7, 2022

#### Introduction

The idea of regulating "last mile" delivery services (ex. Gopuff, Fridge No More, Getir, and Buyk) was presented to ZAP at their <u>January 24, 2022 meeting</u>. ZAP, and other City Councilor input, guided Planning staff to develop a regulation that allows these types of uses in Newton's commercial and industrial areas, but with additional standards within the village centers and along commercial corridors that require these uses to have an in-store component and sufficient transparency.

Determining the need for new zoning use arose from an inquiry the City's Economic Development Director and Inspectional Service Department (ISD) received by a "last mile" business looking to open a in one of Newton's village centers. Based on our existing Use Regulations (Article 6), ISD determined that this type of business would be categorized as a Retail Sales use (Sec. 6.4.30), which is allowed byright in Newton's business zones (BU). Newton's village centers are primarily zoned BU1 and BU2. As it stands, a "last mile" delivery operator could open in any of our village centers by-right without any requirement that the space be open to the public or have a transparent façade along the street.

Working closely with an advisory group made up of members from the Planning Board, Economic Development Commission (EDC), and the Regional Chamber, City staff are recommending a new zoning use definition, Microfulfillment Center, for your review (Attachment A).

#### Why Regulate and Not Ban Outright

#### We don't allow warehouses or distributions in our village centers currently

"Last mile" delivery businesses, or mor accurately describes as "microfulfillment centers", as they are most typically built out, physically resemble mini-warehouses or distribution centers. Our existing zoning does not allow these types of uses in our village centers or commercial corridors, with some exception by Special Permit. That said, speaking directly with representatives of these businesses, we understand they have models with a retail component giving it the appearance like a convenience store or bodega (see below). This is what we want to require if locating in high pedestrian activity areas.



Figure 1 Gopuff retail store concept

#### E-commerce is here to stay

E-commerce and on-demand delivery services have been impacting traditional brick-and-mortar retail for years now. Over the last year, spurred largely by the pandemic, cities across the United States have seen a rapid rise in the number of "last mile" delivery services both as a primary business and as a supplement to existing businesses. Through proper regulation these businesses can locate in Newton providing a clearly desired service, contribute to the local commercial tax base, and not detract from the active and vibrant village centers we strive for.

#### Traffic Reduction and Sustainability

While this may seem counterintuitive, allowing these businesses to locate in centrally position areas can lead to a reduction in automobile usage. We have learned that most deliveries taking place in Boston, Cambridge, and Brookline are happening via e-bike and scooter. While zoning cannot require the usage of e-bikes and scooters, it does seem certain locations greatly encourage the use and is more efficient for the business.

Staff recognize there are additional considerations when it comes to curbside management and the possibility of congestion caused by automobiles, or e-bikes/scooters, more frequently coming and going from village centers. Other standards are being considered, but in the meantime staff believe the parking requirements will mitigate this by requiring dedicated space(s) for delivery vehicles.

#### Viable business option for difficult to lease commercial spaces

It is no secret that opening and maintaining a business in Newton's village centers is difficult. While this is because of a number of factors, one is associated with the certain space location or configuration. For example, below grade space at Piccadilly Square along Union Street in Newton Centre or the former L'aroma Café in West Newton that is located behind buildings and has no street frontage could be occupied by these businesses with minimal impact. Additionally, historically deep spaces for when retailers needed more back of house space for storing goods, are now typically too large and therefore too expensive, for smaller/independent businesses that we want to see in village center. Allowing microfulfillment centers in the back of spaces could lead to the demising of these larger spaces leading to smaller, more affordable, space along the street that did not exist before.

#### **Remaining Questions to Consider**

This new use definition is a work in progress. We are continuing to work with ISD and transportation staff to make sure the definition is clear, enforceable, and mitigates undesirable outcomes. Some questions that remain on our end are:

- 1. Are there additional standards needed to mitigate congestion and improve curbside management?
- 2. Should there be a site plan review process, most likely by administrative review, in certain cases? If so, what are those cases?

#### **Looking Ahead**

While it may be important to create new regulations for last mile delivery services, limiting where they can locate does nothing to help desirable businesses locate and thrive in Newton. Therefore, the advisory group has recommended exploring other targeted zoning amendments that would level the playing field for desirable businesses to locate within Newton immediately following the creation of this new use. Working through our advisory group, we have spoken with property owners, business owners, and real estate brokers who spoke in support of the following changes:

- Eliminate parking requirements for ground-floor non-residential uses under a certain square footage of leasable space
- Revise the Use Table for commercial and industrial uses that:
  - o Combines and categorizes uses to ease understanding and enforcement
  - Introduce new uses for the 21<sup>st</sup> century economy (ex. co-working)
  - o Remove or modify specific rules applying to certain uses

#### **Next Steps**

This item is scheduled to be discussed at the next Zoning and Planning Committee meeting on March 14, 2022. Planning staff want to hear from the Planning Board to help further develop and ultimately support the proposed zoning use.

Links

Newton Zoning Map https://www.newtonma.gov/home/showpublisheddocument/27803/637393052403770000

#### Attachments

Attachment A - Microfulfillment Centers – draft zoning use definition

#### Use Table (Sec. 4.4.1) -

Business, Mixed Use & Manufacturing Districts	B U 1	B U 2	B U 3	B U 4	M U 1	M U 2	M U 3	M U 4	М	L M	Definition / Listed Standards
Microfulfillment Center	L	L	_	_	L	L	_	_	L	L	6.X.XX

## Number of Parking Stalls (Sec. 5.1.4) -

Use	Parking Stalls Required	Allowed by Special Permit
Microfulfillment Center	1 per 1,000 sf plus 1 per 4 employees	

## Off-Street Loading Requirements (Sec. 5.1.12) -

Table of Off-street Loading Requirements								
Number of bays required for new or expanded uses by gross floor area of structure of land use (in sf)								
Uses	Under 5,000 sf	5,000 - 50,999 sf						
Microfulfillment Center	0	1						

#### Use Definition -

## 6.X.XX Microfulfillment Center

A. Defined. A facility whose primary use is for the receipt, transfer, short-term storage, dispatching, coordination, preparation, routing of package pick-up and delivery, and parking of vehicles associated with the delivery of goods directly to consumers.

## B. Standards for Allowed Uses

1. Size. The following size requirements shall be required for Microfulfillment Centers in accordance with the following table.

Zoning District	Maximum Gross Floor Area
Business 1 and 2	5,000 square feet
Mixed Use 1 and 2, Manufacturing and Limited Manufacturing	10,000 square feet

#127-22 Request for amendment to the Zoning Code to regulate "last mile" delivery services

- 2. Parking. In addition to complying with the parking requirements of Sec. 5.1, the operator of a Microfulfillment Center shall have at least one parking space dedicated for direct to consumer deliveries per 5,000 square feet of gross floor area.
- 3. Design Standards. The following design standards shall be required in the Business 1 and 2 and Mixed Use 1 and 2 Districts when the Microfulfillment Center use is located at street-level, and any gross floor area is located less than 16 feet from the street-facing building facade, and any point of the building containing the use is located less than [insert # feet] from a street or public right of way.
  - a. A minimum percent of the gross floor area of the use shall be devoted to the on-site display of goods for sale, or the rendering of on-site personal services, for use or consumption by the immediate purchaser in accordance with the following table.

Zoning District	Minimum Gross Floor Area Retail Component
Business 1 and 2	20%
Mixed Use 1 and 2	15%

b. Transparency. A minimum of 50 percent of the street-facing building facade at ground level shall consist of clear windows that allow views of the indoor space used for the on-site personal services and display of goods.

## PLANNING & DEVELOPMENT BOARD MEETING MINUTES

February 7, 2022



**Ruthanne Fuller** Mayor

Barney Heath Director Planning & Development

Cat Kemmett, Planning Associate

#### Members

Peter Doeringer, Chair Kelley Brown, Member Sudha Maheshwari, Member Jennifer Molinsky, Member Chris Steele, Member Kevin McCormick, Member Barney Heath, Planning Director ex officio Lee Breckenridge, Alternate

1000 Commonwealth Ave. Newton, MA 02459 T 617-796-1120 F 617-796-1142 www.newtonma.gov

Members Present: Peter Doeringer, Chair Kelley Brown, Vice-Chair Jennifer Molinsky, Member Sudha Maheshwari, Member Chris Steele, Member Kevin McCormick, Member Barney Heath, ex officio Lee Breckenridge, Alternate

Staff Present: Cat Kemmett, Planning Associate

Meeting held virtually by Zoom Meeting

#### 1. Minutes

Upon a motion by Ms. Maheshwari the minutes from January 3, 2022 were adopted 6-0-1 with Director Heath abstaining.

#### 2. Recommendation on Landmark Proposal before Newton Historical **Commission for 206-208 Concord Street**

Chief Preservation Planner Valerie Birmingham gave a presentation on the local landmark nomination for 206-208 Concord Street. For further detail about the history of the property, please see Ms. Birmingham's memo to the Board dated February 3, 2022.

The home is located in a largely residential neighborhood in Newton Lower Falls across from the Charles River. First built in 1830, several renovations and additions have been made to the building over time.

Ms. Birmingham provided details about how the house has changed over time, and the various owners of the property. This property has been deemed significant due to its connection to the Crane family who owned it for a time. The Crane family has a notable and enduring history in the mill and paper making industry.

Ms. Kemmett added that in terms of neighborhood context, as a two-story home, 206-208 Concord fits in with the predominantly residential character of its surrounding parcels. There are no city plans or policies that give much specific guidance for a case like this. Historic preservation of significant structures is listed as a priority in the Comprehensive Plan, but preservation goals should be

Page 1 of 5

#### City of Newton Planning and Development Board

considered along with housing, environmental, and economic goals as well. Additionally, though there are no MBTA stations within a half mile of the site, there are several that are within 1 mile, so there is a possibility that this area could be impacted by the changes required by the state for rezoning to allow multi family structures in MBTA communities.

Mr. McCormick asked whether this would protect the house itself, or the whole site. Ms. Birmingham confirmed that it would effectively protect the whole site, and any significant changes made once it is landmarked would likely need to get approval.

Ms. Maheshwari asked if the property is part of a historic district, and details about ownership of the property. Ms. Birmingham said that it is not in the national register or in a historic district. The property was sold recently to an LLC, and their plan is to sell the property as two condos, retaining the two-family status. They have no intention to demolish the structure.

Mr. Brown asked who nominated the property. Ms. Birmingham said that many neighbors expressed interest in landmarking the home because of the Crane connection, and Councilor Gentile nominated it along with a member of the NHC. Mr. Brown pointed out that Lower Falls does have a historic district not too far away, and this property is not one of them. Ms. Birmingham said that that district was established in the 1980s, and at that point the Crane connection may not have been well known.

Mr. Steele observed that 206-208 Concord fits in well with the other buildings included as part of the Lower Falls Historic District, so it seems odd that it was not included initially. He said that because the MBTA stations nearby are not within a ½ mile, the MBTA communities zoning requirement would not necessarily apply. He noted that the lot is long and narrow, and asked what a historic designation would mean for the rest of the lot. Ms. Birmingham said that it would be up to the NHC to determine if any new construction or change elsewhere on the lot would be appropriate.

Chair Doeringer said that he had visited the property in person and saw that it was for sale and looked abandoned. He asked if it was the case that the house was for sale. Ms. Birmingham said that as far as she knew the owners did want to sell it, and that though it was not owner occupied at this time, it was not abandoned.

Cyrisse Jaffee, a neighbor and local historian in support of the landmark nomination, said that to her knowledge the developer was planning to sell it and keep it as a two-family, with the possibility of some yet to be determined project on the rest of the lot. She also mentioned that the property is adjacent to, but not part of, the historic district around St. Mary's Episcopal Church. This developer has also purchased multifamily properties elsewhere in the city.

Tori Zissman, also a neighbor and local historian, spoke in favor of the nomination. She noted that the architecture is interesting, the history is significant not just in the neighborhood but also to the greater Newton community and preserving the structure will support a sense of community and continuity with history.

Ms. Molinsky reflected on the role of the Planning Board and planning implications for this nomination. She does not see this particular neighborhood as one that is likely to experience significant change in terms of density in the near future, since it is not immediately proximate to the village center. It's also possible that in an SR3 district, if this house were to be demolished, it's very likely a single-family home would replace it, rather than a two-family. She said that alone did not seem compelling enough of a reason to landmark the building, though. Mr. McCormick agreed with Ms. Molinsky and said that he was leaning towards supporting the landmark status to preserve the two-family status of the building.

Page 2 of 4

Randall Block, a resident of Newton Lower Falls, made a statement on behalf of Beverly Hurney, the historian for St. Mary's Episcopal Church, and also a resident of Lower Falls. The statement outlined the relationship between the Crane family and the church and spoke in favor of landmarking 206-208 Concord Street to confirm the importance of the Crane family's legacy in Lower Falls and in Newton at large.

Chair Doeringer said that he is broadly supportive of acknowledging the importance of the paper industry to the Newton Lower Falls economy and community and asked if there are other similar examples of working-class homes owned by mill workers from this era that are still standing. Ms. Birmingham said that she has not researched the significance of other buildings in the area, but there are probably other similar examples, but they may not have the heft of the significance of the connection to the Crane family. Ms. Zissman added that 206-208 Concord is also a bit unique in that it is a two-family house. Ms. Jaffee added that the humbleness of this home is another thing to consider, since it is rare to grant landmark status to more modest homes. She also does not believe a commercial venture would be viable at this location.

Ms. Maheshwari observed that many homes in this area do have long and rich histories, so it is not so unusual to have a connection to local history. Further, by conferring a local landmark status, whoever owns this home in the future will need to contend with the added cost and bureaucratic complexity that comes with having that historic designation.

Director Heath said that the Board should consider where the property sits in relation to city policies and plans, and the NHC will weigh the historic significance of the property. Chair Doeringers said that he sees the Board's role as not limited to only considering city plans and policies, but to balance the historic value along with other planning considerations.

Mr. Brown and Ms. Molinsky were compelled by the historic significance of the property, but Ms. Molinsky noted that the Board's role is not to assess the historic value. She said that she is in favor of not making a formal recommendation to the NHC. Mr. Steele concurred with this assessment and said that though he too was convinced there was some historical merit in preserving the building, there are no pressing planning or zoning concerns that necessitate the Board making a recommendation whether to landmark it or not.

Several Board members spoke in favor of writing a brief explanation to the NHC to explain the Board's thinking on this matter, even though they will not be making a formal recommendation.

Upon a motion by Mr. Brown, the Board voted 6-0-1, with Director Heath abstaining, to authorize Chair Doeringer to send a letter to the Newton Historical Commission indicating the reasons why the Board voted no action necessary with respect to the landmark nomination for 206-208 Concord Street.

## 2. Zoning Matters Ahead Discussion

## Multifamily Zoning Requirement for MBTA Communities

Mr. McCormick asked what next steps are for the MBTA community requirements. He was concerned by the number of councilors who spoke out against the regulations in the MBTA communities' requirements and was generally in favor of the city coming into compliance with the multifamily zoning requirements. Mr. Heath said that according to the rules, by the 1st of May the city needs to hold a briefing for a committee of the whole. The Planning Department plans to meet with the council in March to share with them the latest thinking on this in order to convey their feedback to DHCD before the end of the comment period. There are deadlines along the way where communities would need to take certain actions as well.

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Mr. Brown noted that some city councilors and community members seemed under the impression the MBTA communities multifamily zoning requirements could be opted out of and expressed support for getting clarification from DHCD about whether this is a requirement or not. To him the language makes clear that it is a requirement, but others have a different interpretation, and making expectations and requirements very clear would be helpful.

#### Sustainability/ Environmental Amendments – Climate Action Plan

On February 14<sup>th</sup> at ZAP, the sustainability team will be providing an update on the status of implementing the Climate Action Plan and possible strategies to move some of this work forward. Climate action plan items to be discussed include

- BERDO Building Energy Reduction and Disclosure Ordinance ("Boston/Cambridge Model")
- Sustainable Residential Incentives ("Lexington Model")
- Updates to Sustainable Development Requirements (Ch. 30 Sec. 5.13)
- Electrification home rule petition/the State electrification bill

#### Citizen's petition to amend the village center district

Director Heath said that Attorney Peter Harrington has submitted a citizen's petition to amend village center zoning districts. This petition was formulated separate from the work the city has done on village center zoning. A public hearing for this item will take place later in February.

#### Regulation of "last mile" delivery services

A docket item that the Board has not yet discussed is #41-22, a discussion of whether and how "last mile" delivery services with physical locations in village centers should be regulated. More information about this use is forthcoming from staff. Chair Doeringer, who is part of a subgroup looking into this topic in depth, reported out about the group's plans to talk to so-called "dark store" operators and convenience stores who can provide an insider perspective on dark stores.

#### Zoning cleanup

Ms. Kemmett will be giving a presentation on the 2022 zoning cleanup items at ZAP on February 14<sup>th</sup>. It is a very short list of updates, the most significant of which is a sustainability item to make it easier for buildings to add exterior insulation.

#### Outdoor Dining

The Mayor has submitted a request to amend the Zoning ordinance to insert a new Section 5.1.14 to allow restaurants for nine months to add outdoor seating on their private property regardless of the impact on any applicable parking and seating requirements from April 1, 2022 until January 1, 2023. The Governor had issued an order which allowed restaurants to use privately owned outdoor spaces as dining areas, but that order is set to expire on April 1. Though there is a possibility the legislature may extend the order for another year, this amendment will allow Newton restaurants to continue this practice for another year even if the state order expires. Without this amendment, restaurants that plan to take advantage of this option would need to seek a special permit or amend an existing one to allow for that use.

#### 4. City updates

#### West Newton Armory

Metro West Collaborative Development and Civico held a meeting on January 16 to talk about their plans and receive comments from the public. Director Heath said that the project was generally well received. The

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development team still needs to assemble funding and permitting, and they are planning to seek a comprehensive permit with the zoning board of appeals.

#### 5. Adjournment

Upon a motion by Mr. Steele and approved unanimously, the meeting was adjourned at 8:40 p.m.

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