

Responses to Questions Posed at July 19, 2022
Land Use Committee Meeting

September 19, 2022

Transportation/Circulation

1. *Councilor Laredo and several residents expressed concern over available parking in West Newton Square and over the parking waiver sought. Is there enough parking for a restaurant of this size? How will employee parking be handled?*

VHB has performed a parking study of West Newton Square which shows a parking inventory and occupancy study within a five-minute walking radius (approximately 0.25 miles) of the proposed project site at 1314 Washington Street. The parking occupancy counts were conducted hourly between 11:00 AM and 9:00 PM on a typical weekday (Tuesday), a typical Friday, and a typical Saturday in August 2022 for all on-street and public parking locations. Based on the inventory and occupancy counts conducted, the following trends were observed:

- During the hours observed, the on-street and off-street public parking spaces within the study area were 46-67 percent occupied and there were more than 100 parking spaces available during all time periods
- The peak parking occupancy period occurs during a typical Friday evening between 7:00 PM and 8:00 PM when approximately 207 parking spaces are occupied and 101 parking spaces are still available
- The peak parking occupancy period on a Tuesday occurs between 1:00 PM and 2:00 PM when approximately 200 parking spaces are occupied and 108 parking spaces are still available
- The peak parking occupancy period on a Saturday occurs between 8:00 PM and 9:00 PM when approximately 168 parking spaces are occupied and 140 parking spaces are still available

- While the on-street parking spaces directly in front of some businesses may be occupied, there is generally always on-street parking available on streets that are a block or two from the center of the village

Based on the findings above, there is adequate available parking supply within a five-minute walk of West Newton village for patrons of businesses in the area.

With respect to the restaurant, the seating has been reduced from 160 indoor seats and 65 outdoor seats to 130 indoor seats and 30 outdoor seats, a reduction of nearly 30%. For purposes of context, the seating at Paddy's is approximately 140 seats.

2. *Councilors Laredo and Downs both asked for more detail regarding site circulation. How will deliveries be handled? Where will pick-ups and drop-offs occur.*

We believe that the revised plans provide for improved site circulation. Circulation within the ground floor retail parking space will flow one-way, with the entrance on Davis Street and the exit on Highland Street. Deliveries will occur onsite at the ground floor parking level. In addition, a loading area was previously designated on Washington Street as part of the West Newton Square redesign. The loading area is striped but there are no signs formally marking it as such. Subject to Traffic Council approval, we propose that this loading area be shifted eastward by one parking space to be more centralized and that it be clearly marked with signage. It would be shared with the community as loading/pick-up and drop-off.

3. *Residents expressed concerns about traffic and pedestrian safety. The intersection at Washington Street and Highland Street has an F rating.*

The Washington and Highland Street intersection currently operates at a level of service ("LOS") E under existing conditions during both the critical weekday morning and evening peak hour periods. The projected operations in the future with and without the project is the same, i.e., LOS E. The change from No-Build to Build in the future shows the same overall delay, so the project is not anticipated to influence operations or safety in a significant way.

We are improving the pedestrian experience with the addition of outdoor amenity space along both Highland Street and Washington Street. West Newton Square has strong bicycle and pedestrian connections, with recent construction along Washington Street resulting in improved pedestrian facilities and bicycle accommodations in each direction. We are adding five street parking spaces and a continuous treeway between the pedestrian sidewalk and Highland Street which will also act as a buffer for pedestrians.

4. *Residents asserted that public transportation is lacking in this area.*

The Framingham/Worcester Line of the commuter rail provides service at West Newton Station located approximately .15 miles from the site. The proposed development is also directly served by two MBTA bus routes: Routes 553 and 554.

The MTBA is currently conducting a review of all bus networks within the service area as part of the Bus Network Redesign Project. In May 2022, the MBTA released a draft of the proposed Bus Network Redesign. In West Newton, the draft plan proposes to eliminate Bus Routes 553 and 554 and replace them with modified Routes 61 and 505:

- Proposed Route 61: Will travel between North Waltham and Watertown Yard via Waltham Center, Washington Street, and Newton Corner. The closest inbound stop will be on Washington Street west of Highland Street (across the street from the Site) and the closest outbound stop will be on Waltham Street south of Webster Street (approximately 600 feet from the Site). Bus Route 61 is proposed to operate seven days a week with frequency every 60 minutes or better between 6:00 AM and 7:00 PM.
- Proposed Route 505: Will travel between Waltham Center and Downtown Boston via Elm Street, Washington Street, and I-90 (accessed at Newton Corner). The closest inbound stop will be on Washington Street west of Highland Street (across the street from the Site) and the closest outbound stop will be on Washington Street at Cherry Street (approximately 250 feet away). Bus Route 505 may operate five days a week (Monday through Friday) during peak periods only, with peak period frequency of 60 minutes or less.

While the Bus Network Redesign proposes to eliminate the existing Bus Routes 553 and 554 serving West Newton, the proposed Bus Routes 61 and 505 will approximately replace the existing service. In some cases, service will be expanded over existing conditions as bus service is expected to operate seven days a week (under existing conditions there is no bus service in West Newton on Sunday). In addition, the proposed Bus Route 505 will provide a direct bus connection to Downtown Boston during peak hours, replacing the direct service that was eliminated because of service cuts during the COVID-19 pandemic.

5. *Can the sidewalks along Highland Street be uniform at 8 feet width?*

Our landscape consultant has advised that 6-foot-wide sidewalks provide a comfortable walking experience. The redesigned sidewalk along Highland Street, with the addition of trees and an outdoor amenity space, will provide an improved pedestrian experience. In addition, the treeway eliminates any pinch points in the sidewalk by allowing for streetlights and traffic signage to reside within the treeway. A larger sidewalk along Highland Street would result in excess paving, increased runoff, and a reduced tree and planting zone.

Building Design

6. *Residents remarked on the scale of project both in terms of building massing/height and the number of units.*

The project has been designed to accommodate the preservation of the existing bank building and the height and scale are appropriate for this site in a village center. The building massing is intentionally sculpted with multiple bay projections, balconies, setbacks, and a

mansard roof so as to minimize the perceived size of the building and to respect the surrounding context.

7. *Multiple residents expressed concerns over granting a setback waiver.*

There may be some confusion over the setback waivers requested. In this case we are requesting two different setback waivers: (i) a waiver of the 0-10 foot maximum setback requirement, and (ii) a waiver of the setback requirement for buildings with height over 40 feet.

- (i) Section 5.2.5.4.a of the Zoning Ordinance requires that in the MU-4 District, a minimum of 75 percent of the frontage of the lot facing a public way shall contain a building or buildings setback 0-10 feet from the lot line. As a general matter that means if the building is setback **more than 10 feet** from the lot line along Davis Street, Highland Street, and Washington Street, a waiver is required. A frontage setback diagram is attached as Exhibit A and shows that relief is required because most of the building is setback **farther** from the street than the required 0-10 foot "Build To Zone."
- (ii) An additional setback requirement applies to buildings with a height over 40 feet. Any portion of a building greater than 40 feet in height must be setback 1 foot from the adjacent lot line for each additional foot of height. This is also referred to as a 1:1 stepback plane requirement. The design of this building -- which includes a mansard roof and provides for preservation of the existing 2-story bank building -- is such that small portions of the building will not meet the 1:1 stepback plane requirement for height over 40 feet. A diagram showing the portions of the building which do not meet the 1:1 stepback plane requirement is attached as Exhibit B.

8. *A resident commented that the apartment building is too far back from Washington Street and would like to see it moved over the bank building in part.*

Because of structural capacity we cannot build over the existing bank building.

9. *Where will the transformer and dumpster be located?*

The revised plans clearly show the location of the transformer and dumpsters. The transformer will be located on Highland Street in front of the retail use and will be screened from view. The retail dumpsters will be located within the ground floor level garage.

10. *A resident requested the shadow study show the impact on Captain Ryan Park.*

The revised shadow study shows the impact on properties across Washington Street. Captain Ryan Park is not affected.

11. *Councilor Downs requested a roof plan.*

A roof plan has been submitted.

12. *Councilor Downs asked if the reconfigured terrace and driveway will be sheltered.*

The ramp to the below grade parking is sheltered. The outdoor amenity spaces are not covered.

13. *Councilor Downs requested renderings showing the views of the building from the homes on Davis Street.*

The renderings show the views from Davis Street but not from the homes themselves.

There are three residential homes located at 15, 19-21, and 23 Davis Street. All three homes are located within the Business 1 Zoning District. As early as 1921, the three residential home lots and the 1314 Washington Street property were located within a business district according to the 1921 Newton Zoning Map (attached as Exhibit C), which shows the entire block bounded by Washington Street, Chestnut Street, Davis Street, and Highland Street was within the Business Zoning District. Based on the records of the Massachusetts Historical Commission, this block has been used for commercial purposes for a century, including the bank building at 1314 Washington Street (constructed in 1915), the commercial block at 1298-1308 Washington Street (constructed in 1937), the West Newton Theatre (constructed in 1937), the commercial block at 1286-1294 Washington Street (constructed in 1927), the commercial block at 1274-1284 Washington Street (constructed in 1915), and the West Newton Branch Memorial Library/Newton Police Annex (constructed in 1926).

Green Space/Landscaping

14. *Councilor Laredo and several residents expressed a desire to see more green and open space in the design.*

The revised landscape plans include enhanced outdoor amenity space. The new residential entrance on Washington Street will include large planting areas on either side with public benches facing the sidewalk and the entry. Along the Highland Street portion of the site, a public pocket park has been created with small gathering seating areas and large swaths of planting.

There is no beneficial open space requirement for lots under one acre in the MU-4 District. However, the requirement for beneficial open space for lots over one acre is 5%, and the revised landscape plan includes 7.6% beneficial open space.

15. *A resident remarked that the developer should not get credit for trees planted on City property.*

In this case, the public sidewalk has been moved onto the applicant's property in order to allow space for the sidewalk trees.

MU-4 Requirement For Commercial Use At Ground Floor

16. *Councilor Laredo expressed concern over the limited commercial use at the ground floor and the waiver for allowing residential at the ground floor.*

Section 4.2.5.A.2 of the Newton Zoning Ordinance allows the City Council to grant special permits for mixed-use residential buildings to be up to 5 stories and 60 feet of height within the MU4 district. A mixed-use residential building is defined in Section 8.3 of the Ordinance as “a building occupied by both residential and nonresidential uses.” The project meets this definition of a mixed-use residential building. The Ordinance does not specify a minimum percentage or ratio of commercial to residential uses. The project meets the purposes of the MU4 district as the project (i) includes a proposed restaurant/retail space along Washington Street with an outdoor dining area and has relocated the residential lobby to Washington Street, to promote a lively pedestrian environment and create a sense of place and community, (ii) includes a restaurant/retail use that adds to the diverse mix of uses in West Newton Square, (iii) provides housing with various unit sizes, both market rate and affordable, to expand the diversity of housing options available in the City, (iv) includes limited parking and bicycle parking to promote the use of alternative modes of transportation, and (v) aligns with the Washington Street Vision Plan.

Restaurant or retail uses are not viable along Highland Street or Davis Street. While the residential lobby has been moved to Washington Street to create additional doors on the street to further activate the pedestrian environment, this move has not meaningfully impacted the restaurant/retail space as the lobby is taking over the area that was previously occupied by the restaurant kitchen.

Construction Management

17. *Councilor Laredo asked to see details regarding construction management and staging. A resident expressed concern over rodent control.*

We will submit a Construction Management Plan which will address these issues.

Cinema Purchase

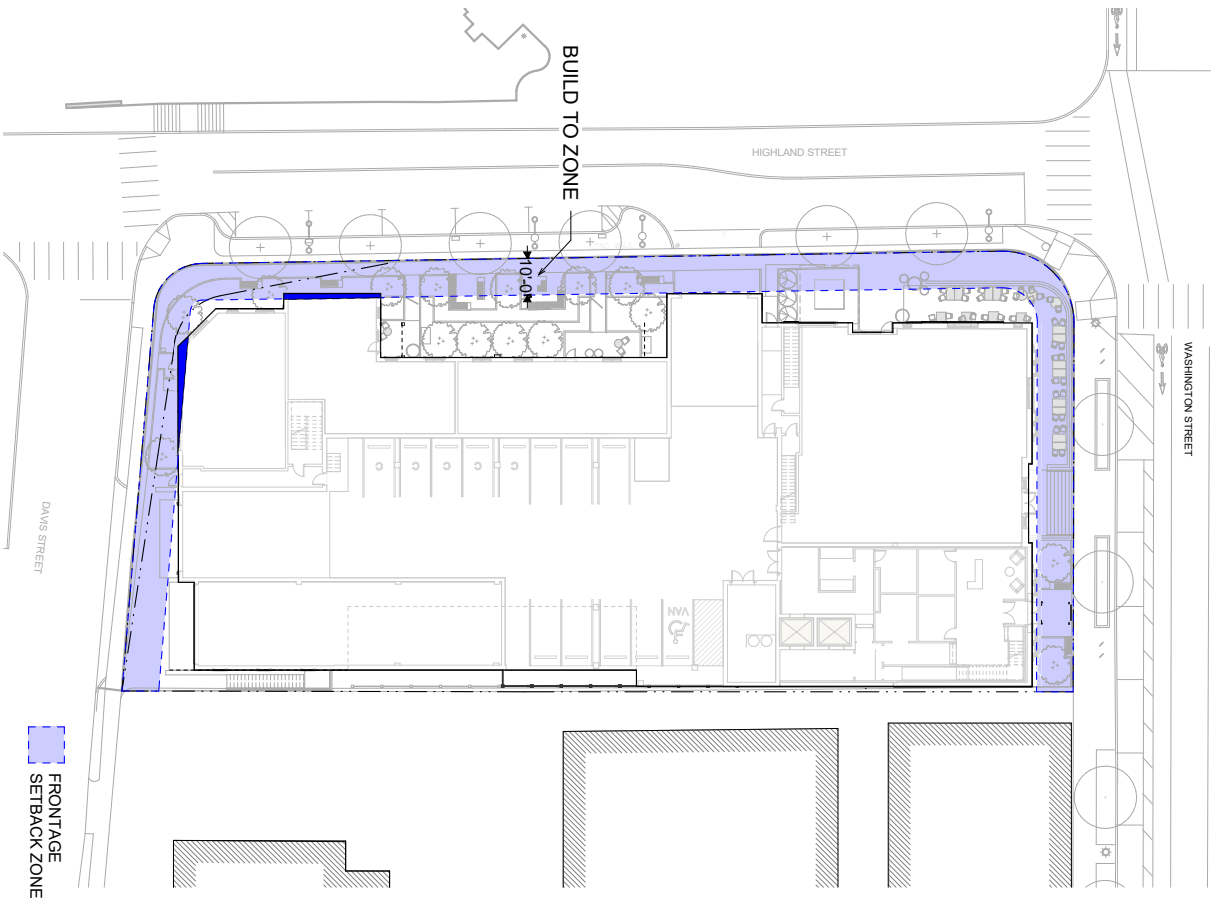
18. *Councilor Laredo would like to see the P&S for the cinema property and said if the City Council cannot view the terms of the agreement they should not be taking that transaction into account.*

An affiliate of Mark Development acquired the cinema property on August 11, 2022. We are not comfortable sharing the Purchase and Sale Agreement, but we can represent that pursuant its terms, the Mark Development affiliate leased the cinema property back to the Seller (Star Theaters, Inc.) for a period of two years at below market rent. So long as the Seller is not in default during the 2-year lease term and provided a nonprofit corporation or foundation has been created to maintain the property as an independent movie theatre (such as the model used by the Coolidge Corner Theatre), the Seller has an option to repurchase the

theater property at the same price it was sold for and title will be conveyed to the nonprofit corporation or foundation.

8016 (5)

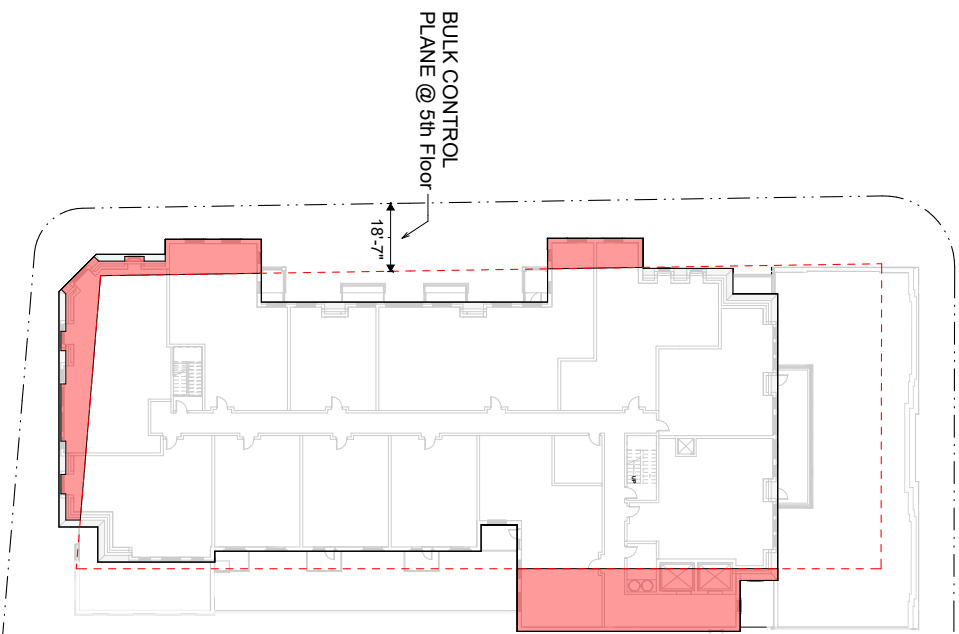
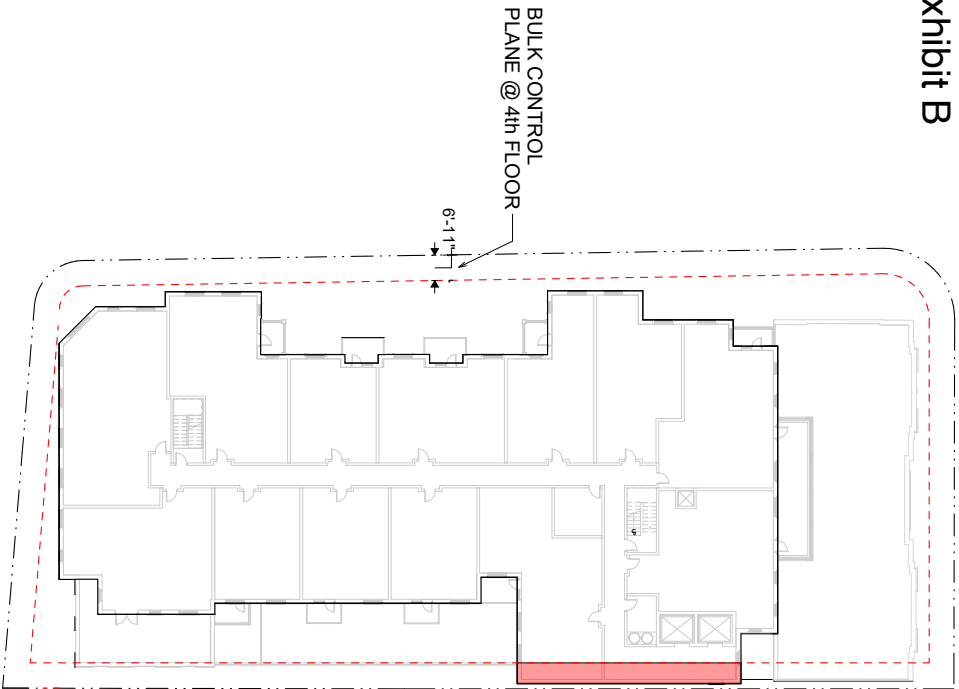
Exhibit A



FRONTAGE SETBACK DIAGRAM

1314 Washington St.

Exhibit B



AREAS FOR WHICH SETBACK RELIEF IS REQUIRED

4TH & 5TH FLOOR SETBACK RELIEF PLAN

Exhibit C

MAP ACCOMPANYING DRAFT OF ZONING ORDINANCE FOR THE CITY OF NEWTON MASSACHUSETTS

- DISTRICTS**
- 1 SINGLE RESIDENCE
 - 2 GENERAL RESIDENCE
 - 3 BUSINESS
 - 4 COMMERCIAL
 - 5 INDUSTRIAL

USES PERMITTED

SINGLE RESIDENCE DISTRICTS—Single detached single family houses and detached garages and sheds. Churches, schools, kindergartens, hospitals and institutions, clubs, and other public buildings. Public parks and playgrounds and athletic fields and tennis courts, swimming pools, and other public buildings. Public garages by permission of Board of Aldermen.

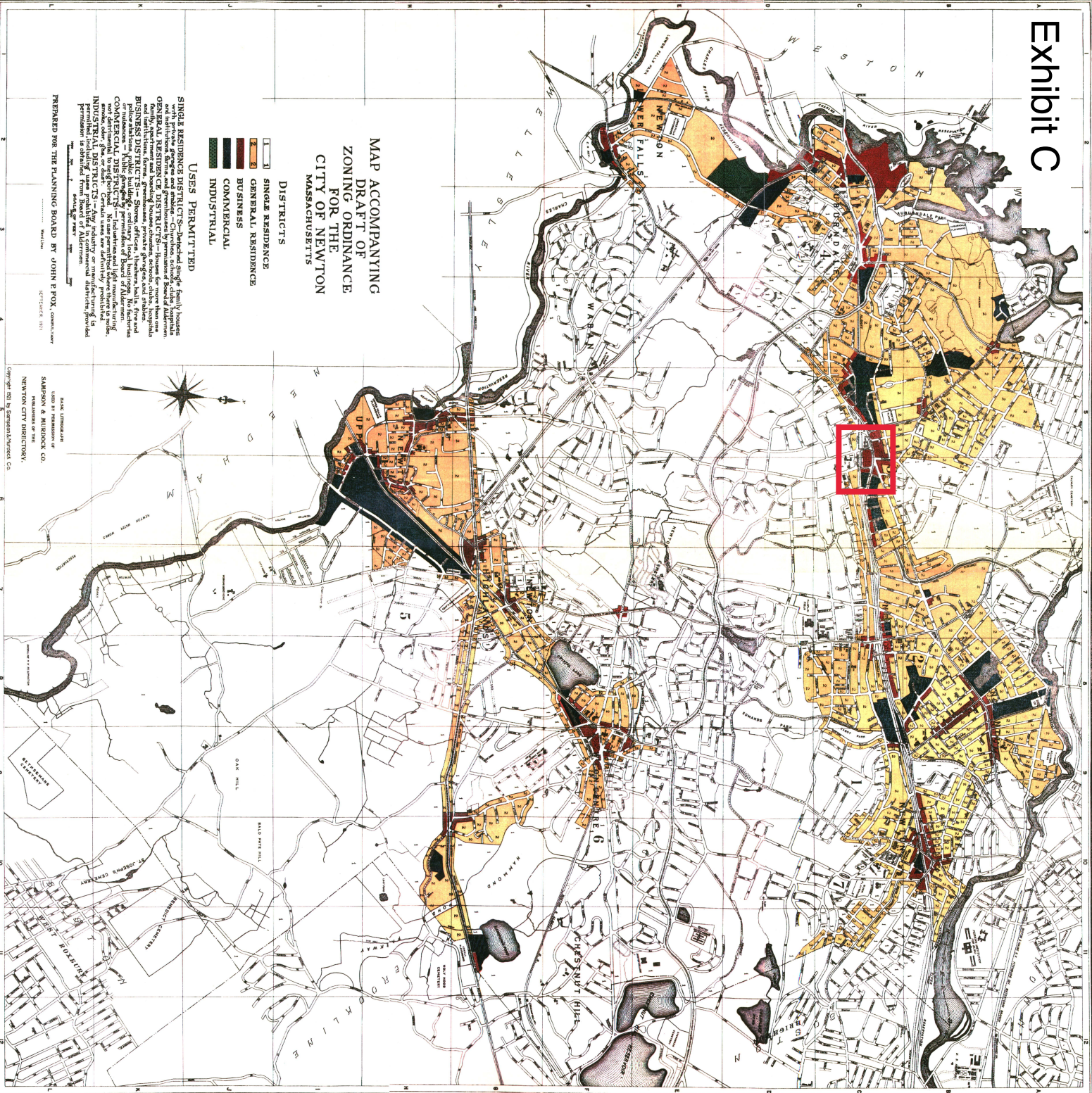
GENERAL RESIDENCE DISTRICTS—Houses for more than one family, duplexes, townhouses, row houses, and other public buildings. Public garages by permission of Board of Aldermen.

BUSINESS DISTRICTS—Stores, offices, theaters, halls, five and ten cent stores, and other public buildings. Public garages by permission of Board of Aldermen.

COMMERCIAL DISTRICTS—Industries and light manufacturing, and other public buildings. Public garages by permission of Board of Aldermen.

INDUSTRIAL DISTRICTS—Industries and manufacturing, and other public buildings. Public garages by permission of Board of Aldermen.

Permitted uses are defined by the Board of Aldermen. Permission is obtained from Board of Aldermen.



PREPARED FOR THE PLANNING BOARD BY JOHN E. FOX, CONSULTING ENGINEER

MADE BY PERMISSION OF SAMMONS & MITCHELL CO., PUBLISHERS OF THE NEWTON CITY DIRECTORY, Copyright 1925 by Sammons, Mitchell Co.