



LOWER FALLS IMPROVEMENT ASSOCIATION RIVERSIDE COMMITTEE

PRESENTATION TO THE LAND USE COMMITTEE

PRELIMINARY CONSTRUCTION MANAGEMENT PLAN

April 28, 2020



THANK YOU

Thanks to the Land Use Committee for your attention to our input

Thanks to Mark Development for a collaborative approach to working on the details of this project.

Thanks to Lower Falls and Auburndale communities and others for continuing comments, contributions, and suggestions



OVERVIEW

We commend the peer review recommendations, which should be supplemented based on the following important considerations:

- Require all highway ramp approvals before any construction begins.
- Before a special permit is granted, the preliminary CMP can and should be made more complete – including a more detailed construction schedule, at least a preliminary traffic management plan, and a preliminary RAM.
- Tighten the CMP wording of requirements, criteria, and decision-making processes.
- Provide for an Advisory Council/Liaison Committee to ensure effective neighborhood involvement in matters not finalized before a special permit is granted and through completion of construction.
- Require baseline and performance environmental monitoring, and release results publicly.

Because the preliminary CMP lacks many details, our ability to comment is limited. We request an opportunity to comment more fully after the preliminary CMP is more complete.



KEY TIMING ISSUE: OFFSITE ROADWAY CHANGES

The Planning Department's draft transportation conditions (4/3/20) would:

- (1) allow building permits to be granted before the new direct access ramp to/from Rt. 128/I-95 northbound has received final federal and state approvals; and
 - (2) allow the developer to seek an amendment to the special permit if changes required by FHWA or MassDOT eliminated direct access.
- However, direct access both to and from Rt. 128/I-95 northbound is **required** under the new MU3 zoning (see § 4.2.4.J). Thus:
 - If either FHWA or MassDOT fails to allow direct access to and from Rt. 128/I-95 northbound, it would violate the zoning ordinance to grant a special permit amendment allowing the project to be built.
 - No building permits should be granted before there is final federal and state approval of the direct access and egress.
 - Because the direct access/egress and the roundabout are so integral to the viability of the project, no certificate of occupancy (other than for the garage) should be issued until these off-site roadway changes are complete.



CONSTRUCTION TIMELINE NEEDED

We are pleased that MD has provided more information on the construction timeline that was included in its April 14, 2020 preliminary CMP submission. That said:

- Before a decision on the special permit, MD should incorporate into its proposed preliminary CMP a more formalized and complete timeline, including correction of inconsistencies between that timeline and the April 14 version (e.g., 48 vs. 57 months).
- The potential impacts of cold season conditions (and other external factors) on project scheduling should be acknowledged explicitly, especially regarding whether the total duration is an adequately conservative estimate.



TRAFFIC PLAN NEEDED

The preliminary CMP indicates that a Traffic Maintenance Plan will be developed “during this process,” and that “efforts will be made to provide uninterrupted two-way traffic flow” (Page 3). But, specifics are needed and therefore:

- **Before a decision on the special permit, MD should provide a detailed plan for traffic management throughout the construction process**
- That plan should be submitted now and, if changes to it are later required by MassDOT, there must be a procedure for the plan to be reassessed by the City with consideration of input from stakeholders.
- The plan should be clear on specifics, including the following requirements:
 - Maintain two-way traffic on Grove Street.
 - Prohibit detours off of Grove Street through Newton Lower Falls or Auburndale.



CONSTRUCTION VEHICLE AND WORKER TRAFFIC

The proposed truck route (CMP, p.13) has all traffic to and from Rt. 128/I-95 traveling on Grove Street through Newton Lower Falls and over the Grove Street bridge. However:

- This is unacceptable, because it creates unnecessary noise and traffic congestion on roadways under construction.
- Therefore, all construction vehicles and workers should be required to access the site without using Grove Street in Lower Falls or the Grove Street bridge. One feasible approach:
 - From Rt. 128 Southbound: Exit to Washington Street/Rt. 16 to reverse direction and then exit from Rt. 128/I-95 Northbound, cross Grove Street, and enter at the planned temporary construction access.
 - To leave and head Southbound: Take Rt. 128/I-95 Northbound and reverse direction at Rt. 30.



COMMUTER PARKING DURING CONSTRUCTION

To protect the surrounding neighborhoods from commuter parking and from turn-around/“parking-hunter” traffic by commuters who find Riverside parking full, the following should be required at least 2 months before construction begins:

- A resident-only parking plan for Lower Falls.
- Signage placed at the Riverside parking lot entrances and Green Line platform, informing parkers that space will be limited during construction and that parking at Woodland Station should be used.
- Arrangements with MassDOT for electronic message boards to be placed at strategic locations on Rt. 128/I-95, that will indicate when Riverside parking is full, directing MBTA users to the Woodland Station.



CONSTRUCTION HOURS

This subject is of great importance to neighborhood impacts, requiring specific wording of the requirements and of the criteria for any exemptions. Here are two examples of the need for consistency and specificity:

- The CMP says that exterior construction will occur “predominately” between 7am-6pm on weekdays and 7am-5pm on Saturdays and that the Building Inspector can allow longer hours for unspecified non-emergency “special circumstance” (CMP, pp. 4-5), but as noted by the Planning Department the Noise Ordinance says construction may not begin before 8am on Saturdays.
- The proposed “special circumstances,” under which a request for extended construction hours may made, should be specified so that they may be assessed by the City Council (with public input). The Mayor’s discretion should be limited and clearly defined instead of the vague “undue hardship” language of the Ordinance (20-13(i)).



CONSTRUCTION NOISE

Because of the anticipated 4-5 year (or more) duration of construction, maintenance of acceptable and safe noise levels should be ensured through the following requirements:

- In addition to compliance with the Newton Noise Ordinance, compliance with the MassDEP noise policy should be required, as recommended by peer reviewer, prohibiting noise levels to 10 dB(A) **over ambient levels**.
- Pre-construction baseline and continuous noise monitoring during construction should be conducted at: (1) the Woodland Grove condominiums; (2) the Woodland Park Apartments/Riverside Center; and (3) DeForest Road.
- Weekly monitoring results should be provided to appropriate City departments and made available to the public.
- Limitations should be imposed on the use of hydraulic hammers that are used to reduce the size of rock and concrete debris before removal from the site.



AIR QUALITY EMISSIONS

Because of the earthwork and demolition to be conducted and the construction vehicle traffic, the following should be required:

- Continuous dust monitoring should be required at the site perimeter toward the following nearest receptor locations: (1) the Woodland Grove condominiums; (2) the Woodland Park Apartments/Riverside Center; (3) DeForest Road; and (4) the Charles River DCR park land.
- Weekly monitoring results should be provided to appropriate City departments and made available to the public.
- Maximum acceptable values for particulate matter should be established, as well as mitigation measures to be employed if these values are exceeded.



STORMWATER, GROUNDWATER & SOILS

We support the recommendations of the peer reviewer concerning processes to be included in the CMP for control of environmental contamination. They should be supplemented as follows:

- Given the site's history and indications from prior subsurface sampling, a Release Abatement Measures (RAM) plan in as close to final form as possible should be included in the preliminary CMP.
- The project's LSP should lead the RAM related efforts, including and especially the characterization of excavated materials and their proper handling as well as any mitigation activities needed for ensuring adequate control of surface water and groundwater contaminant migration.
- Existing monitoring wells should be considered for baseline sampling as well as for ongoing monitoring during construction and post-construction phases, and new ones installed as needed to fill data gaps.
- Additional parameters beyond those recommended by the peer review should be included, because of the site's history, including documented underground storage tanks, artificial fill, and prior spills/leaks/releases.



COMMUNITY COMMUNICATION AND COMPLAINT HOTLINE

We are encouraged by the improved effectiveness of interactions with MD, and offer the following for helping ensure that this continues:

- There should be regular meetings of the Advisory Council called for in the MU3 zoning language and/or a Liaison Committee, when construction plans are being finalized and throughout the construction, so that the community will be kept fully informed and have effective input on final plans..
- All finalized or revised construction-related plans as well as all testing and monitoring results should be made available to the community members of the Advisory Council and/or Liaison Committee.
- Regarding environmental compliance, the project's LSP should participate in Advisory Council/Liaison Committee meetings.
- A hotline should be set up to allow construction-related complaints to be called in and addressed promptly.



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