

Good evening, I'm Liz Mirabile and I'm representing the Lower Falls Improvement Association Riverside Committee—also known as RightSize Riverside.

We are a subcommittee of the Lower Falls Improvement Association, and have been working with members of the Auburndale community to represent our neighborhoods' positions on the Riverside site.

We want to thank Susan Albright and the Zoning and Planning committee as well as Greg Schwartz and the Land Use committee for giving us an opportunity to speak tonight and explain the reasoning behind the zoning amendments we have proposed for the MU3 district.

I want to take a moment to orient everyone to where Lower Falls and Auburndale are and how they relate to Riverside.

**Slide (2)**

You'll see here a ward map of the City. Lower Falls and Auburndale are on the western edge of Newton.

**Slide (3)**

On the left, this slide shows the assessor's map. Riverside nestled up against Lower Falls. On the right is a view of what Grove Street – that Riverside sits on – looks like now.

**Slide (4)**

Here you can see that Riverside is only a few hundred feet from houses in Lower Falls – less than the distance from the front door of City Hall to the other side of Walnut Street and that it is across the street from a residential condominium complex

**Slide (5)**

Similarly, you can see that Riverside is also close to apartments and houses in Auburndale.

**Slide (6)**

It's also important to understand that Lower Falls is more than just a parcel of land close to Riverside. We are a vibrant community that's invested for decades in our own well-being and community. We have pride in and love for what we've created.

We're here tonight because we are alarmed that there is so much enthusiasm for building at Riverside that, for some, the approach is anything goes – no matter what the cost to the surrounding neighborhoods; no matter whether what is built will be a healthy and quality environment for its residents.. To us, it's like living in the twilight zone. And before you dismiss that idea, where else in Newton would we even consider 20 story/260 feet towers? The planning department refers to Riverside as an anomaly. It will certainly be an anomaly if what has been proposed gets built.

When members of our group have met with you over the last few months, you've told us that you want to hear what we want at the site – not what we object to. These amendments do just that. We've spent countless hours turning our vision for the site into zoning amendments.

Yes, they seek to protect our neighborhood. It's naïve to expect the developer to protect the neighborhood. That's not its job, so we have to look to the City to do that. That aside, it's entirely unfair to criticize us for this because the amendments also seek ways to create community at and provide protection for what we hope will be a new neighborhood at Riverside that embodies the best of Newton. They also prioritize housing given the significant interest in more housing.

From our perspective, deciding what will be built at Riverside is an extraordinarily important decision. There are huge risks involved. This has to be done right, so we have put in the work to do the best we can to craft what we think are important and thoughtful amendments. We hope you will give them equally serious thought and attention and not dismiss them out of hand.

I won't have time to go over all of the proposed amendments tonight or get too in-depth on any of them, so please read the memorandum in support of the amendments that you received.

**Slide (7)**

Now let's turn to the amendments themselves – they have 4 objectives:

To make sure the intent of the zone reflects the facts and reinforces our city's desire to have great neighborhoods.

To encourage the creation of community at Riverside.

To make development at Riverside fit within its context and

To add studies and standards to protect both existing neighborhoods and the new neighborhood at Riverside.

**Slide (8)**

To reach these objectives we are proposing amending the district name and purpose, adding a requirement of civic open space and a community center, proposing dimensional standards and adding new special permit application requirements and criteria.

**Slide (9)**

We'll start with the district name and purpose

Our first amendment removes the Transit Oriented Development and TOD labels from the zone. This is important because labels encourage people to make assumptions. We can't decide what should be built based on a label.

There's a lot going on in this slide. The gist of it is, though, that public transportation at Riverside is weak. There is one infrequent local bus to the Financial District and the D Line offers a long ride to Government Center. Both rides often take an hour and 15 minutes at rush hour. In addition to being slow, these two options are not viable for commuting to many major centers of employment.

The only thing that currently distinguishes Riverside from other stops along the Green Line in Newton (that are not labeled TOD) is its access to the Pike and 128. So what makes it unique is how car-centric it is. If we need to label it, the more accurate label would be HOD or highway oriented development.

And from what we've seen of the proposed development – the site will continue to have a highway focus – with the possibility of more than 3000 office workers arriving by car each day and 1/3 of the land cost devoted to the construction of one highway ramp just to facilitate cars.

So while we're discussing this site, let's let facts speak for themselves and not rely on labels like HOD or TOD. An optimist might hope that real quality transit comes to Riverside, making it worthy of the TOD label. In the meantime, the label should be struck from the zone. When we get to the size and planned uses of the project we will revisit this issue.

### **Slide (10)**

The next amendments add language to the zone to more clearly articulate its purpose. These additions make protecting the existing neighborhoods from traffic, noise and changes in character explicit and add language to ensure a healthy, safe and comfortable environment for the new residents at Riverside.

### **Slide (11)**

We'll now move onto our second category of amendments – those that seek to create on-site spaces to foster community – specifically civic open space and a community center.

### **Slide (12)**

To create high-quality, useable open space at the site, we've included a new requirement called Civic Open Space. We believe that the zoning code's definition of Beneficial Open Space is not adequate to support the connections and community we want to have in all neighborhoods in Newton. Beneficial Open Space can consist of green strips along walkways, glorified turnaround circles or small patches of green next to highway ramps. This won't cut it at Riverside. It is not a single building or even a

collection of buildings. It is meant to be a new village. Creating a neighborhood feeling when thousands of people who don't live there come and go each day presents a challenge that community space can help solve.

We drew our inspiration for Civic Open Space from zoning in Washington State and California as well as from the new Somerville proposed zoning code. This new category would require on-site open space for people to be able to gather in non-commercial settings in **central** locations to encourage community building. Civic Open Space includes spaces like plazas, parks, playgrounds and community gardens.

The proposed Riverside Greenway isn't a substitute – it's 1/4 mile walk to the river – and while a lovely recreational amenity that we support, it isn't the same as having a respite from the intensity of building on-site that's centrally located so you can run into your neighbors.

### **Slide (13)**

Our next amendment keeps the community center that was included in the previously approved plan. Its size is calculated as 1.5% of the development. At the overall size proposed in our amendments, the community center would be 9,600 sf. (not the 11,000 previously approved size). A community center is critical to offer space to hold events, classes, talks, children's activities, senior programming, and indoor recreation. The former Hamilton School serves this purpose for our neighborhood and it is an invaluable resource.

### **Slide (14)**

The third set of amendments provide a vision of how Riverside could mesh with its surroundings. These amendments make several changes to the section of the ordinance that addresses building heights and setbacks. They are divided into those that apply to Grove Street and those that apply to the rest of the parcel. These amendments are critical to ensure that any development at the site follows the Comprehensive Plan directive that **“Development is to be guided to reflect the character held or sought by existing residential neighborhoods, protecting the qualities of that which exists.”**

### **Slide (15)**

On Grove Street, we propose that, from the Grove Street level, the buildings be limited to 4 stories – this would allow for development at the site to take advantage of the change in topography of the site – the buildings at the Indigo end of the property could be taller - while the ones at the current MBTA entrance on Grove Street would need to be 4 stories or less.

The amendments also propose a 30 foot setback from the lot line that is both appropriate and necessary and an additional 15 foot setback for portions buildings longer than 115 feet, so that there will be no more than 100 feet of unbroken building

along the 30ft set back line, which would otherwise make it feel like Grove Street has a wall next to it.

### **Slide (16)**

Grove St. is a narrow designated scenic roadway that is perceived as tree-lined to the passerby. In this slide you can see how Riverside Center fits into the streetscape. It is next door and 4 stories tall. It has a setback of up to 90 feet from the street. The setbacks we propose are significantly less than this, but would help avoid overwhelming Grove Street with a wall-of-buildings especially if landscaping and mature trees are placed on it.

Even more importantly, a wider setback would allow for both a bike/scooter path and pedestrian sidewalk – for basic safety. The last thing we need is a bike commuter zipping down Grove Street to catch the T and knocking over a pedestrian. MassDOT guidelines recommend 10 feet for a two-way bike path. With a sidewalk in addition to the bike path and room for appropriate landscaping, the setback proposed by Mark Development is just too small.

### **Slide (17)**

We did not increase or decrease the 135 foot limit that currently exists in the zone. In 2013 it was determined that this height was appropriate after giving careful consideration to the height of the Hotel Indigo, the site's topography, and the impact on Lower Falls residents a few hundred feet away. What was actually approved for the site was a 120 foot 10 story structure. The diagram on the slide gives a good sense of how you can keep building heights in line but take advantage of topography. Keep in mind that a 10 story height is what is being proposed for the most dense and tall section of the City's zoning redesign (Village 3). If this going to be the maximum height allowed in the rest of Newton – and there are many who rightly object to even this height in their villages– there is no reason to treat our neighborhood of Newton any differently.

### **Slide (18)**

We included an amendment to add adequate light, air and sky exposure into the development. We suggest that the city consider adopting a sky exposure plane analysis or adopt language similar to that found in zoning redesign that requires buildings above 5 stories to have an additional setback of 15 feet to yield a 20% smaller footprint than the floors below. Either approach would allow light to penetrate the development.

### **Slide (19)**

The next category of amendments covers the total square footage allowed in the zone and the mix of uses.

You'll see that the amendments increase the square footage allowed and include a larger percentage of residential housing. We started with 580,000 square feet - the previously approved project size. This reflects our belief that when a city, its

neighborhoods and a developer have spent 4 years ironing out a plan, you start with that plan. We still believe that number is appropriate. Nonetheless, we added 10% or 70,000 square feet so the overall size allowed in the zone would be 650,000 square feet.

The amendments also provide that if the Hotel Indigo is included in the development parcel, there can be an additional 175,000 square feet of development for a total of 825,000 sq. ft.

We also provided a 100,000 square foot bonus if the developer finds a way to provide direct access from both directions – 128 South and 128 North. We arrived at this number because in 2012 the planning department indicated that an increase of 100-125,000 square feet would be the appropriate **if** the developer were to find a way to take all the traffic from 128 North **and** South off of Grove Street.

### **Slide (20)**

The amendments also change the mix of uses to include a higher percentage of residential development than the current ordinance. This:

- Prioritizes housing and affordable housing needs
- Reduces traffic at the site because housing units create less traffic than office space and
- Protects the commuters using the site by reducing traffic and parking conflicts between MBTA commuters and office workers. Commuters and office workers would be arriving at the site at the same time. Residents leave when commuters arrive. This makes housing a very compatible use at the site.

Finding compatible uses is important if we want Riverside to become a TOD instead of an HOD. We want to get people out of their cars and concentrating residential development and supportive retail at the site is the best way to do this.

### **Slide (21)**

It's worth noting that the changes requested by Mark Development would allow for development that would be even larger than 1.5M sf. They would allow close to 1.7M SF. This is a picture of Boston Landing. With the dimensional controls that are being asked for, this is what could be built at Riverside. This is unacceptable.

### **Slide (22)**

The last category of amendments are designed to protect current and future residents of Newton. Some are to provide more information on traffic. Others include studies that are required in more urban environments. Specifically, these amendments add studies and standards to the zone for traffic, visual impact, noise, pedestrian-level wind and construction impact. They also highlight the importance of determining that there is no adverse impact on the neighborhoods of Lower Falls and Auburndale.

### **Slide (23)**

The traffic study would be amended to require:

- An analysis of the impact from ride-hailing services like Uber and Lyft. Even if the development successfully reduces car ownership, it could actually increase traffic. This is because when you use Uber or Lyft you generate 2 trips instead of 1. It is critical that the City be provided with an analysis of this impact.

-An assessment the impact of delivery vehicles (from online shopping). Again, if people don't own cars, they may rely more heavily on home delivery. It's important to know how a proposed development would handle this traffic.

-An analysis of traffic within the development. We need to sure there won't be any significant back-ups that could impact commuters and office workers who will be coming to and leaving the site at the same time. It's also critical that the city know that backups in the site won't create safety hazards or impact other roadways.

### **Slide (24)**

The amendments also require that any post-construction mitigation plan actually works before construction begins. The zone currently requires that post-construction mitigation measures be proposed to reduce the volume of post-construction traffic if it's greater than 110 percent of projections. But there's no requirement that the City Council even consider if they will actually work. Let's add a requirement that real and viable mitigation measures be identified.

### **Slide (25)**

The amendments also add a noise analysis for Lower Falls and Auburndale and for portions of the development site that have residences, beneficial open space or civic open space.

For Lower Falls and Auburndale the standard of review would be that any development will not increase noise levels because in some areas noise levels are already above acceptable levels.

For the development, the noise levels would not be allowed to exceed 55 decibels in residential and open space areas. This limit is set to avoid the impacts of excessive noise on health.

### **Slide (26)**

We also propose that the buildings proposed for Riverside be studied to be sure they don't produce a wind tunnel effect. We based these proposals on Boston's wind study requirements and thresholds. This would be the same study that Mark Development had to complete for its Kenmore Square development where the proposed buildings are 210 and 260 feet tall – not much different from what is being proposed here.

**Slide (27)**

We have heard concern over how a development at Riverside would look. The proposed amendments add a visual impact study that includes

- photographs with renderings of the project from locations in Auburndale, Lower Falls, the Charles River and Riverside Park
- a simulation that would show what the project would look like after dark
- and a balloon test so that the public and city council can see what the proposed development would look like on site – cannot be manipulated

**Slide (28)**

Here you see how a balloon test accurately shows a proposed buildings height on-site.

**Slide (29)**

The last amendment we'll discuss is about construction impact. With a large development at Riverside, construction could go on for years. Our amendments add a requirement that the developer submit a construction management plan and that there be an assessment of impacts on the surrounding neighborhoods.

**Slide (30)**

As we conclude, I'd like to connect back to where we started – with the premise that all neighborhoods in Newton - both existing ones and ones we are considering creating- should be safe, healthy and comfortable places to live.

To ensure this we have to be willing to put basic standards - like the ones we're proposing - in place. It is not some crazy NIMBY stance to say we shouldn't even consider the possibility of 20 story/260 foot towers when 10 stories is the maximum being considered in Newton at large. It is not unreasonable to ask for studies to show that traffic will actually work or noise will not be excessive in and around the development.

We cannot afford to adopt the planning department's view that we should have an oversized zone for Riverside so we can be sure that something big and dense enough can be built. This is the twilight zone development-at-all-costs analysis that has no place in our city.

If, and only if, the City is willing to say what it will and won't accept, will other actors, like the state, be forced to get creative to help reduce cost and density.

We are not opposed to development at Riverside, but it must be done right.