

WABAN AREA COUNCIL

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May 12, 2016

Ms. Alexandra Ananth
Chief Planner for Current Planning
Newton City Hall
1000 Commonwealth Ave.
Newton, MA 02459

Re: Proposed Development at 1615 Beacon Street in Waban

Dear Ms. Ananth:

We are writing to comment on the Project Eligibility application recently submitted by 1615 Beacon LLC (the “Applicant”) to the Massachusetts Housing Partnership (“MHP”) for a proposed development at 1615 Beacon St. in Waban (the “Project”). As you know, the Waban Area Council is an elected local council that hears, responds to, and represents concerns of the village of Waban. We are joined in this letter by Ward 5 Councilors Brian Yates and John Rice.

We recognize that, as a general matter, the property at 1615 Beacon is an appropriate site for multi-family and affordable housing, but we have several concerns about the design of the Project. We look forward to the design review that MHP will apply at this stage to ensure that the proposed design is generally appropriate for the site before allowing the Applicant to apply to the Zoning Board of Appeals for the comprehensive permit.¹ As MHP applies the criteria of 760 CMR 56.04(4), we point out the following areas of concern: (i) issues regarding the garage entrance/exit and number of parking spaces, (ii) building massing and scale, (iii) amount of usable green space, and (iv) historic preservation.

¹ We are encouraged by MHP Exec. Director Clark Ziegler’s recent testimony before the Joint Committee on Housing, where he pointed out that legitimate complaints over the years about the way 40B has been implemented have been addressed through changes to state policy, among them: “critically evaluating project design against state standards before allowing a developer to apply for a comprehensive permit.” *Testimony of Clark L. Ziegler, Executive Director Massachusetts Housing Partnership before the Joint Committee on Housing, February 2, 2016.*

Safety Issue – Garage Entrance/Exit; Excessive Parking

The proposed development has 37 parking spaces, with 31 spaces in a semi-underground parking garage (some tandem spaces) and 6 above-ground spaces. Cars from the site will exit onto Windsor Rd. near the busy intersection of Windsor Rd. and Beacon St. The garage entrance/exit appears to be 10-12 feet from the sidewalk and the ramp to the garage slopes down immediately from the sidewalk. This sidewalk sees heavy pedestrian use throughout the year, *especially among school-aged children*. Cars for customers of the retail establishments across the street are parked along the road throughout the day. We are very concerned about the sight lines of drivers exiting the garage and ask that MHP pay particular attention to this issue.

We also note that the dedicated garage entrance/exit adds a third curb cut to the property near a busy intersection in the center of the village. This additional driveway will reduce the amount of street parking available to the merchants across the street. In general, adding an additional curb cut runs contrary to the idea of promoting a vibrant and walkable village center.

We recognize the site's appeal as a transit-oriented development because of its proximity to the T. We also think that the Project should have fewer than 1.5 parking spots per unit in order to further the goals of a transit-oriented development. If the Project is built with 36 spaces, the renters will likely fill them. If it is built with fewer spaces, it will attract renters who intend to utilize the transit options available to them at this location.

Massing and Setbacks

1615 Beacon St. occupies a prominent spot in the heart of the Waban village center. We recognize that a 40B development will, by its nature, introduce buildings that differ from their environs in terms of massing and scale, but we are hopeful that MHP's design review standards will be applied to ensure that the Project integrates well with the surrounding neighborhood. We ask that MHP examine whether the mass of the proposed new building overwhelms the historic farmhouse and neighboring buildings. We also draw attention to the 5 ft. 1 inch side setbacks, which could exacerbate the impact of the mass of the apartment building on surrounding properties. We have not seen any contextual renderings in the application and hope that MHP will have opportunity to review street-scape or aerial renderings that illustrate the size of the proposed new buildings relative to surrounding buildings.

Green Space

The current plans show little usable open green space for the residents of the 24 units. We ask that MHP take into consideration whether the lack of green space is appropriate given the setting for the proposed development.

Historical Preservation – MHC Review

The house at 1615 Beacon sits on the site of a farmhouse built by Deacon John Staples in the late 1600's. Staples was a prominent citizen who was appointed Newton's first schoolmaster in 1700. The current home was erected in the mid-1700's by Staples' heir, and incorporates the foundation, structural members, and hardware of the original 17th century house. The 93-acre property was a working farm until the mid 19th century. In the 1870's the property was acquired by William Strong, who developed the estate into streets and frontage lots. The final subdivision of the original estate at 1615 Beacon occurred in 1917 when a tract of land was sold to the Waban Neighborhood Club (renamed the Windsor Club).

Since 1986 the property has been listed on the National Register of Historic Places, meeting National Register criteria because "the farmstead is an important visual link to Waban's 18th century agricultural beginnings and has associations with...families who were among the area's earliest inhabitants." (MHC Inv. # NWT.3740). The property is also a designated Newton landmark preservation site. In addition to its own historical significance, the property is surrounded by other historically-significant buildings (including the Waban Library Center directly across Beacon St., also listed on the National Register; see MHC Inv. # NWT.DV for information on the Village Center buildings).

We are pleased that the Applicant intends to preserve and restore the historic portion of the existing home (and has retained a historic consultant), but are concerned about the potential adverse impact the large new apartment building may have on the historic nature of the property and its surroundings. Among the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Properties is the following standard:

New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. 36 CFR 68.3(b)(9).

As you are aware, under Massachusetts law, the Massachusetts Historic Commission must review any project that is funded or licensed by a state body that affects property on the Historic Register. M.G.L. Ch. 9, §§ 26-27C. The statute and regulations contemplate early review, so that MHC can consult with MHP during the

early stages of the Project when design changes can still be made to avoid adverse historical impact.

At the May 12, 2016 site visit, the developers and representatives from MHP told WAC representatives that the developer has not yet filed a Project Notification Form (PNF) with MHC, and the developers explained that they would wait until later in the ZBA process to notify MHC. When asked if MHP would file a PNF in order to initiate an early review, the MHP representatives said that they would not, that it was up to the developer to decide when to file a PNF. They also explained that it was the usual practice in a 40B for MHC to review the project only after the comprehensive permit has been issued, when the project comes back to MHP for final approval.

We recognize that late MHC review may be the usual practice in a 40B, but that practice runs contrary to the statute and regulations, which clearly contemplate *early* MHC review to be initiated by the state agency. Specifically, the regulations state:

(1) State Body Responsibilities. Prior to any state body undertaking a project, or any state body funding or licensing, in whole or in part, a private project, the state body must notify the MHC of the project, unless the project clearly does not have an area of potential impact due to its nature. *Furthermore, the notice should be given to the MHC as early as possible in the planning process of a project, and must be given before a state body takes action or makes a decision which forecloses alternatives that could eliminate, minimize, or mitigate adverse effects, or limits the MHC's ability to comment or consult.* 950 CMR 71.07(1)(emphasis added).

We ask that you formally request that Mass Housing Partnership initiate the early review process of M.G.L. Ch. 9, §§ 26-27C, as we believe that early consultation between MHC and MHP will help shape a better project. Once that process begins, we would be happy to assist in notifying the public to facilitate participation in the MHC review process pursuant to 950 CMR 71.02(d).

Conclusion

We hope that the Planning Department will incorporate into their MHP comment letter these concerns regarding safety, massing and scale, green space, and historic preservation. We are prepared to assist the Planning Dept. in any way to keep the community up to date on the status of this application and on the opportunities for public comment.

Thank you for your consideration.

Sincerely,

Waban Area Council

By: Sallee Lipshutz, President



City Councilor Brian Yates



City Councilor John Rice



cc: Hon. Mayor Setti Warren
David Hanifin, Massachusetts Housing Partnership
City Councilor Deb Crossley