

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON

Massachusetts

INTER-OFFICE CORRESPONDENCE

DATE: August 18, 2010

TO: John Lojek, Commissioner of Inspectional Services

FROM: Candace Havens, Interim Director of Planning and Development  
Alexandra Ananth, Senior Planner

SUBJECT: **Administrative Site Plan Review – Sec. 30-5(a)(2)**  
**Boston College Stokes Hall**

CC: Mayor Setti D. Warren  
Alderman Scott F. Lennon, President of the Board  
Ward 7 Alderman R. Lisle Baker  
Ward 7 Aldermen-at-Large Sydra Schnipper and Ruthanne Fuller  
Tom Daley, Commissioner of Public Works  
John Daghlian, Associate City Engineer  
Assistant Chief Bruce A. Proia, Fire Department

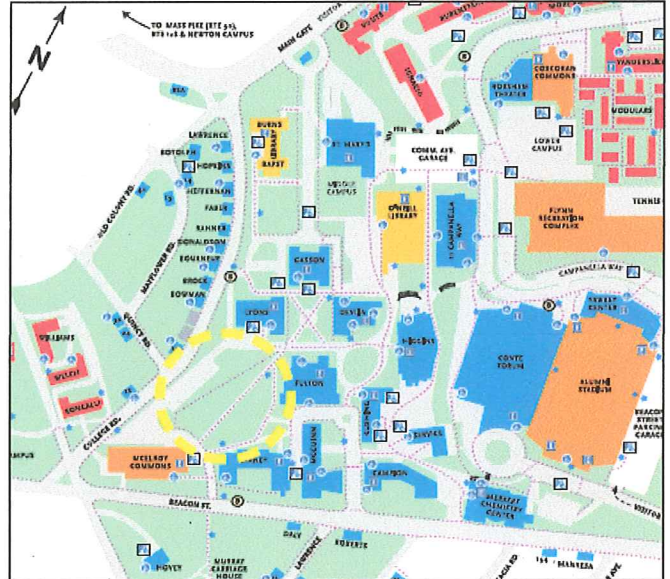
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In accordance with Section 30-5(a)(2) of the City's Zoning Ordinance, which requires *Site Plan Review for nonprofit educational uses*, the Planning Department and other City departments have reviewed the proposed plans for the **BOSTON COLLEGE, STOKES HALL, COLLEGE ROAD** submitted to the City of Newton in June 2010. The proposed project is located near the intersection of College Road and Beacon Street and includes the construction of an approximately 183,000 square foot academic building between the existing McElroy and Lyons Hall buildings. The Planning Department held a neighborhood meeting to discuss the project on Wednesday July 21, 2010.

Massachusetts General Law (MGL) Chapter 40A, Section 3 exempts agricultural, religious, and educational corporations from certain zoning restrictions, and is commonly referred to as the "Dover Amendment." It is a mechanism that allows certain uses to construct or alter a structure and to seek exemptions from local zoning laws in order to provide such services. In Newton, the administrative site plan review procedure governs the review of Dover amendment type entities, and Newton Zoning Ordinance Section 30-15, Table 2 for a multi-use institution in the SR-1 zoning district, lays out the dimensional standards applicable to such uses. However, existing conditions that vary from and pre-date the table adopted in 1987, are considered legally nonconforming. In addition, such uses may request and obtain waivers from the required dimensional standards from the Commissioner of Inspectional Services, if the granting of such waivers is determined to be reasonable in order to provide such services.

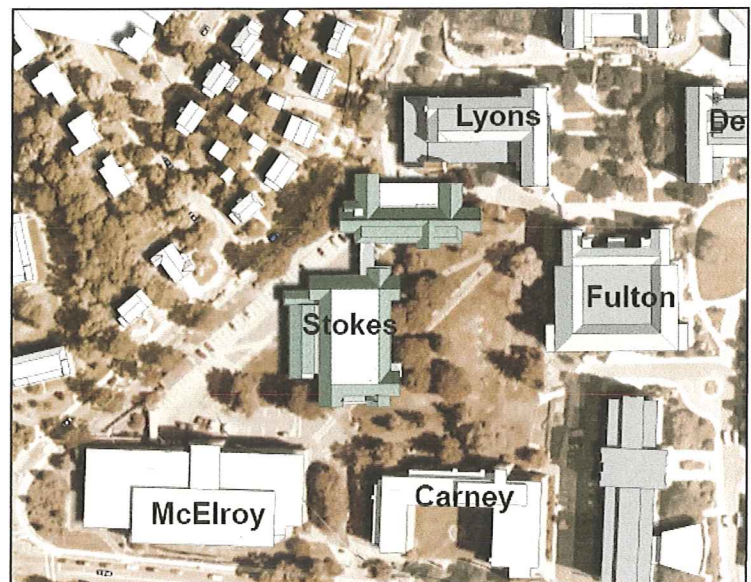
## PROJECT OVERVIEW

The subject parcel is located in a Single Residence 1 (SR1) District and is part of the Boston College's (the College) Chestnut Hill Campus located in Newton, just west of the Boston border, in an area of campus known as the Middle Campus. The proposed building will be located parallel to College Road close to the intersection of Quincy Road between McElroy Commons and Lyons Hall. Currently the site of the new building is a mix of green space and surface parking; the area also contains a steep slope down from College Road, retained in some places by a stone wall. The College intends to remove 69 surface parking spaces in order to construct the new 183,000 sq. ft. academic building.



The project consists of two buildings, Stokes North and Stokes South, but the buildings connect via a bridge at the second story, which is open at grade in order to let pedestrians pass underneath. The building is “L-shaped” with the north and south buildings oriented perpendicular to each other and the building as a whole is generally oriented perpendicular to College Road. Both buildings are proposed as four stories high and are designed in the English Collegiate Gothic architectural style characteristic of the Middle Campus, including Gasson Hall and Bapst Library. The new facilities are academic buildings and will feature approximately 36 new classrooms with seating for approximately 1,606 students, 239 new academic offices, lounge/café space, and conference and seminar rooms.

The proposed project does not comply with the required dimensional standards for front setback from College Road, building height, or number of stories. The College may request and obtain a “Dover waiver” from the Commissioner of Inspectional Services in order to construct the building as proposed. The College is also altering a pre-existing nonconforming parking lot by reducing the number of stalls from 114 to 45 in order to site the new building. As the lot is considered “grandfathered,” the College is not required to bring the lot into compliance with the City’s interior landscaping or lighting requirements for





parking facilities.

It is important to emphasize that the City of Newton values Boston College as a vital educational, cultural and economic asset, and we support their efforts to remain a selective educational institution. We appreciate the willingness of the College to engage in conversations with the City's Planning Department and affected constituencies over the past year to bring this project to fruition. Over the past few years Boston College has undergone a thorough strategic planning initiative and master planning process and the proposed new Stokes Hall was included as part of the ten-year plan in Boston College's Institutional Master Plan (IMP) of June 2008. The City notes that in response to concerns raised by the Planning Department in its review of the IMP, the proposed Stokes Hall buildings have been reoriented and set back farther from College Road to better complement the streetscape and avoid the "canyon effect" along this narrow public way. The mass of the proposed structure has also been reduced since its conception. The City had hoped the College would consider providing additional underground parking under the proposed buildings in order to make up for the spaces lost; however, the College is not proposing to replace lost surface parking at this time.

According to the College, Stokes Hall will house Humanities departments in the College of Arts and Sciences as follows: Classics, English, History, Philosophy, and Theology. Offices will also include Pulse (a program combining philosophy and community service), Academic Advising, and First Year Experience. Department offices will include faculty offices, as well as workstations of associated graduate students, and seminar/workrooms. The College also notes that as a general matter, the classrooms in the building will be scheduled by the registrar's office and thus may be used by all Arts and Sciences departments, not just Humanities departments.

The IMP notes that the College has both a faculty office space and classroom deficit. The building is expected to primarily house the Humanities Department and will not significantly increase the intensity of the use of the college campus in that the building will primarily be used to relocate functions already on campus rather than to create new or expand existing programs. The College has stated that the Stokes Hall project will not create any material additional parking demand but will allow BC to better serve its educational mission by upgrading its academic space, classrooms, much needed office space for professors, and for the teaching of interdisciplinary courses in the Humanities division. The proposed building is not expected to increase student enrollment, but will accommodate the hiring of an additional 19 new faculty members over a ten year period. According to Boston College, the additional faculty members are part of the College's strategic plan and will be hired regardless of whether the new Stokes Hall project is constructed, in order to maintain their position as a leading and competitive university.

According to the IMP, undergraduate student enrollment has remained stable for the last two decades and is not projected to increase in the future from its current levels of approximately 9,000 full-time students. Graduate student enrollment growth will be moderate with an expected increase of approximately 350 students from roughly 4,630 students to roughly 5,000 students (~8% over a ten year period). Faculty and staff are expected to increase by about 350 people over the next 10 years.

The IMP notes that parking counts were taken in April 2008 to determine utilization of the existing parking supply on a typical weekday. Although the Planning Department is concerned that utilization counts were conducted on only one day, there appears to be ample parking available in the Beacon Street and Commonwealth Avenue garages. The study notes a 70% utilization rate at the Beacon Street Garage and a 64% utilization rate of the Commonwealth Garage. Surface parking spaces in the Chestnut Hill Campus have a 90% utilization rate bringing the utilization rate of the entire Chestnut Hill Campus to 77%. This information shows that the Chestnut Hill Campus appears to have sufficient parking to accommodate projected demand as a result of the proposed Stokes buildings. Parking counts for both garages were taken again on Tuesday October 13, 2009 through Monday October 19, 2009 excluding Friday and the weekend; 2009 parking counts appear consistent with the 2008 data.

However, the Planning Department notes that the IMP calls for a removal of approximately 713 parking spaces and the addition of 740 new parking spaces for a net change of only +27 parking stalls in the 10-Year Plan. Coupled with projected growth in graduate students and faculty and staff over the next 10 years, the Planning Department is concerned that this signifies a tightening of parking conditions on the Chestnut Hill Campus. The Planning Department strongly urges Boston College to construct additional underground parking whenever possible in order to accommodate projected future parking demand and so as not to impact the surrounding residential neighborhood with parking spillover. In conclusion, although it appears Boston College can accommodate the proposed increase in parking demand from Stokes Hall, future construction projects in the Chestnut Hill Campus that remove surface parking must be studied further to assess the affects on the surrounding areas and recommend additional parking spaces elsewhere and/or mitigations.

Although the College's IMP and the Vanasse Hangen Brustlin, Inc. Traffic and Parking Study, which accompanied the Administrative Site Plan Review filing, maintains that existing parking capacity currently meets and is projected to meet the parking demand of the Middle Campus and the Chestnut Hill Campus as a whole, the Planning Department has some concerns that parking will be near capacity on some occasions with the addition of Stokes Hall. The City raised concerns about the relocation of parking spaces in relation to parking users in our review of the IMP and urged Boston College that planned parking expansion must be timed with anticipated increase in faculty and student population. Specifically, the City is concerned that displacing convenient surface parking, coupled with even a small increase in parking demand, will lead to parking encroachment into abutting residential neighborhoods, particularly as surface parking facilities have a significantly higher utilization rate than either of the two garage structures on the Chestnut Hill Campus. To its credit, the College has begun steps to identify College related students and faculty that park on neighborhood streets (where parking is not restricted) and has scheduled meetings with such individuals. However, the College must remain diligent in its pursuit to eliminate off-site parking, continue to engage its population in parking management strategies, and seek to expand its parking inventory in this portion of the campus, particularly as surface parking facilities have a significantly higher utilization rate than either of the two garage structures on the Chestnut Hill Campus.

*The Planning Department urges Boston College to submit a formal Memorandum of Understanding to the City in order to establish how the College will monitor and handle*



*additional parking demand in a way which will not result in additional vehicles parking on local Newton streets.*

## **BACKGROUND**

Boston College, a nonprofit educational institution in the Chestnut Hill section of Newton has operated at this locus for approximately 100 years and has expanded its facilities over time. The proposed expanded building is the latest in a series of renovations and new buildings on the Boston College Campus. The most recently reviewed project in Newton includes 10 Stone Avenue, the renovation of a house to support several existing academic institutes, now under construction.

Several years ago, a different project known as the Middle Campus Project ("MCP") was proposed at approximately the same location as the currently proposed Stokes Hall project. The MCP did not comply with a number of dimensional controls set out in Section 30-15, Table 2, including setbacks, height, number of stories, FAR and the 150-foot vegetative buffer. The MCP was the subject of litigation and resulted in a Land Court decision, upheld by the Appeals Court, that would have allowed Boston College to construct the MCP as proposed provided that the City and the College reached an agreement regarding the required number of parking spaces. The Land Court decision also found that regulation of FAR and the 150-ft. vegetative buffer could not be applied to any project on Boston College's Middle Campus. The MCP was never built and the Stokes Hall project is proposed to replace the academic portion of the MCP.

## **TECHNICAL CONSIDERATIONS**

As Boston College is a nonprofit educational use, in accordance with Section 30-5 of the City's Zoning Ordinance, plans for Stokes Hall are to be reviewed for compliance with the dimensional tables contained in Section 30-15, and with parking regulations contained in Section 30-19. In addition, the Director of Planning and Development may consider the application in light of the *Site Plan Review Criteria* listed in Section 30-5(2)(c). A Zoning Review was performed by the Chief Zoning Code Official (*SEE ATTACHMENT "A"*).

**I. COMPLIANCE WITH SECTION 30-15**

The following is a technical analysis of the proposed Stokes Hall buildings with respect to the dimensional requirements for a Multi-Use Institution in a Single Residence 1 District (Section 30-15, Table 2).

<b>STOKES HALL</b>	<b>ORDINANCE REQUIREMENTS</b>	<b>EXISTING BUILDINGS</b>	<b>PROPOSED</b>
Minimum lot area	50,000 sq. ft.	1,573,189 sq. ft.	No change
Minimum setbacks			
College Road	60' (or avg. 31' & 150'buffer) <sup>1</sup>	17'	26.7' (avg. 92.61 ft.)
Beacon Street	60'	25'	213.7'
Maximum building lot coverage	30%	25%	28%
Minimum open space	30%	56%	54%
F.A.R. <sup>2</sup>	.2 (plus bonus)	.98	1.13
Maximum building height	36'	49.6'	64.2'
Maximum number of stories	3	4	4

As noted above and in the Chief Zoning Code Official's Zoning Review Memorandum, based on the submitted plans, the proposed project does not comply with the required dimensional standards for front setback from College Road, building height, or number of stories. The College may request and obtain a "Dover waiver" from the Commissioner of Inspectional Services in order to construct the building as proposed. As noted above, the Land Court decision invalidated the regulation of FAR on the subject site.

**II. COMPLIANCE WITH SECTION 30-19**

The Land Court decision involving the MCP found that Newton's parking regulations as related to Boston College Middle Campus are not reasonable since the regulations double count students who cannot physically be in two places at the same time. As the City has not revised its parking standards since the Court Decision the Chief Zoning Code Official has determined that existing parking standards are not applicable to the Stokes Hall project in terms of the number of parking stalls required. Please see *Section III.A.* for additional parking information. However, the Court did uphold the City's right to require Boston College to provide sufficient parking for the MCP. The Court left the question of what constituted sufficient parking up to Boston College and the City. That question was never answered given that the MCP was never built.

The Planning Department notes that the June 2008 IMP states that the Chestnut Hill Campus has 3,011 parking spaces and an observed parking utilization of 77%, implying

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<sup>1</sup> The requirement of a 150-foot vegetative buffer was found unreasonable by the Court Decisions.  
<sup>2</sup> In accordance with Section 30-15, Table 2, the permitted FAR may be increased by 0.1 for each additional 10% of the lot area that is devoted to usable open space to a maximum FAR of 1.0. However, the Court Decisions invalidate the regulation of FAR on the subject site.



that there is sufficient parking in this portion of the campus to support the removal of some surface parking and the anticipated increase in parking demand as a result of this project. Although there appears to be sufficient parking to accommodate the Stokes Hall project as proposed, the Planning Department is concerned with the removal of convenient and heavily-utilized surface parking stalls with the expectation that displaced and new parkers will utilize distant campus garages. The IMP noted that the proposed Humanities Building may include an underground parking facility for up to 90 parking spaces and the City is disappointed that this consideration did not make it in to final plans. The Planning Department urges Boston College to reconsider this issue and urges consideration of more underground parking whenever future new buildings are proposed.

Although the College is altering an existing surface parking facility and removing 69 parking spaces in order to locate the Stokes Hall project, the parking facility is considered preexisting nonconforming and as such is not required to be brought up to current zoning standards including interior landscaping, lighting, and bicycle parking requirements.

#### Site Lighting

Boston College did not submit a photometric plan for the surface parking lot adjacent to the new Stokes Hall project. Although exempted from these requirements, *the Planning Department recommends that should the College choose to upgrade any lighting in this parking area, all exterior lighting make use of shields and/or directed in a way to prevent glare, particularly on the rear of the building and in the new parking area.*

#### Bicycle Parking

*The College has stated that although not shown on plans, they will be locating bicycle parking at the new facility. The Planning Department recommends final plans include the location of a bike rack to accommodate and encourage students and faculty who may bike to the new facility.*

### III. SITE PLAN REVIEW CRITERIA

As per Section 30-5 of the Zoning Ordinance, the Director of Planning and Development may consider this project in light of the following criteria:

A. Convenience and safety of vehicular and pedestrian movement within the site and in relation to the adjacent streets, properties or improvements

As an academic building with limited parking in the immediate area, most of the users of will access the proposed new building via foot. Vehicular access will be either from the existing minor campus entrance on Beacon Street east of McElroy or from the existing minor campus entrance on College Road north of Lyons Hall. All truck deliveries destined for the proposed new Stokes Hall buildings are expected to use the loading facilities of Lyons Hall. Minor changes to the College Road access are expected to facilitate access to the Lyons Hall loading and delivery area. The existing curb cut on Beacon Street east of McElroy will continue to serve as access to the remaining surface parking area between McElroy and Stokes. The Beacon Street entrance east of McElroy will also serve as primary access for emergency vehicles.

The Fire Department has approved plans for site accessibility and water and has sufficient access to the building (*SEE ATTACHMENT "B"*).

Pedestrians will access the site primarily from College Road where there are two new proposed breaks in the fencing with walkways leading to the proposed new buildings and underneath the second story connector. Although some concerns about vehicular drop-off of students along College Road were raised at the community meeting, it is not expected that this would occur frequently as undergraduates cannot have cars on campus.

The College is proposing to widen a portion of the City sidewalk along College Road at the site of the proposed Stokes Hall project. This should greatly improve the pedestrian experience in this area, as the sidewalk is currently interrupted with utility poles that can now be placed in the loam border between the proposed sidewalk and street, along with additional shade trees.

City staff reviewed the Traffic and Parking Study, prepared by Vanasse Hangen Brustlin, Inc. (VHB) dated June 7, 2010. Staff agrees with the study's methodology, and believes that spaces available in the Commonwealth Garage and in the Beacon Street Garage are sufficient to accommodate the additional parking that will be displaced from the existing surface lot as a result of this project and new parkers going to Stokes Hall. However, the College will need to continue to be vigilant about incentivizing the use of existing garages by staff, faculty, and visitors so they do not rely on street parking in the neighborhood where it is also allowed. *The Planning Department urges Boston College to submit a Memorandum of Understanding to the City in order to establish how the College will monitor and manage parking in a way that will not result in additional vehicles parking on Newton streets.*

The *2008 Newton Comprehensive Plan* aims to reduce the demand for parking by providing alternatives to the automobile. The City has taken steps to encourage bicycle travel and has recently improved the bicycle infrastructure, including the extension of the Beacon Street bicycle lanes from the Boston City line to Hammond Street. *With plans for new bicycle accommodations along Commonwealth Avenue in Newton, and an extension of the existing bicycle lane on Beacon Street towards Newton Centre, we encourage Boston College to work with the City of Newton to promote bicycling by examining the introduction of a northbound striped bicycle lane on College Road and a southbound striped bicycle lane on Hammond Street. This could be designed to connect with the existing bicycle lanes on Beacon Street and Commonwealth Avenue and would be of great public benefit.*

The City has also been taking steps to encourage safer pedestrian travel by designing and constructing flashing pedestrian beacons throughout the City (the beacons are silent and flash yellow only when a pedestrian is crossing the street). Within the past year, new pedestrian beacons were installed at the following intersections: Langley & Langley Path; Waverly & Franklin; Waverly and Arlington; and Crafts and Linwood. Additional pedestrian beacon locations are currently under examination. *To promote*



*pedestrian safety near the proposed project, we encourage Boston College to work with the City to design and construct a pedestrian beacon on Beacon Street at an existing crosswalk east of the Hammond Street intersection. This may be designed and constructed in combination with curb extensions to help promote pedestrian safety and visibility.*

Finally, the Planning Department notes that there is Boston College shuttle bus service along College Road and questions if a cut-out for a bus stop would facilitate such service by dropping off and picking up students without hindering through traffic.

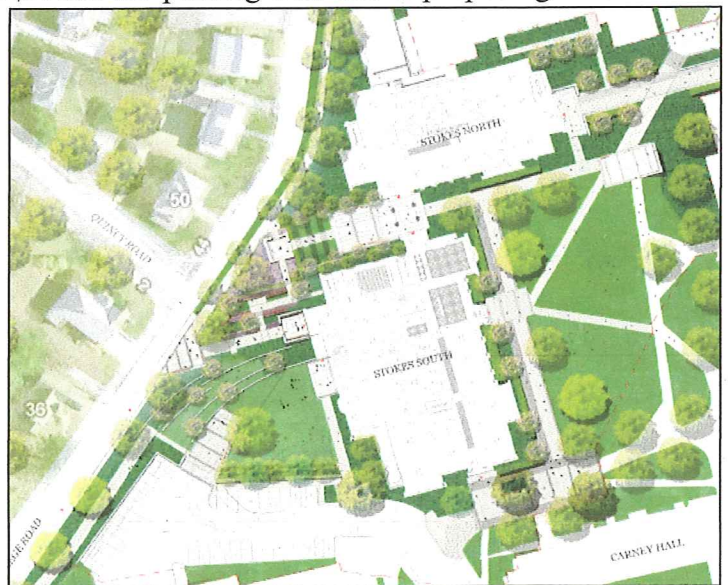
**B. Provision of off-street loading incidental to the servicing of the building**

Stokes Hall will share the existing loading area and dock at Lyons Hall for loading and deliveries. The College has stated that the existing Lyons Hall loading area averages 14-22 external deliveries and 2-6 internal deliveries per day (Monday through Friday). Currently deliveries to Lyons Hall take place between 6:00 a.m. and 3:00 p.m. and consist of food and dining supplies, and office supplies. Vehicles range in size from 12 feet to 52 feet and the loading area is large enough to accommodate several vehicles at one time. Stokes Hall is expected to add 2-5 deliveries per day to the Lyons Hall loading area. Trucks will reach the loading area through the existing curb cut on College Road near Lyons Hall. The curb cut will be widened to assure that trucks can enter the campus and maneuver into the loading area on internal campus roadways. The Planning Department is concerned with the additional truck traffic on College Road, but does not foresee issues or potential conflicts with pedestrians on-site or along College Road.

**C. Screening of parking areas and structures**

Since the existing surface parking area associated with the Stokes Hall project already exists, the College is not required to add additional screening to this lot even though they are proposing to alter and reduce the number of spaces in the lot. Nevertheless the College is removing some trees around the parking area and is proposing to add additional trees to screen this lot both along College Road and around portions of the parking area perimeter.

The College is proposing a significant number of Sugar Maple and American Hornbeam trees along College Road in the vicinity of the proposed buildings, which will soften the impact of the new Stokes Hall project and improve the pedestrian experience along this stretch of the road.





Hornbeam and Flowering Cherry Trees will be planted along the pedestrian pathways leading from College Road to the new buildings and a variety of other shade, ornamental, and evergreen trees will be placed around the building site, as well as shrubs and groundcover. Although the Planning Department is concerned that the site will appear underplanted upon completion of the project due to the mass of the building and the size of trees at installation, in time the trees will mature and should provide adequate softening of the hardscape. Although interior to the site, the Planning Department notes that additional deciduous trees could be placed along the south side of Stokes North.

D. Provision of Utilities, adequacy for the methods for disposal of sewage, refuse and waste, and location of utility service lines underground

The Associate City Engineer reviewed the subject proposal and included his comments in a memorandum, dated July 13, 2010 (*See ATTACHMENT "C"*). He notes a number of items that need additional information or clarification before the issuance of a building permit. *Boston College should respond to all issues raised by the Associate City Engineer before the issuance of a Building Permit.*

E. Avoidance of topographic changes

As part of the proposed Stokes Hall project the College is softening the grade transition from College Road into Stokes South and raising the grade in order to create a pedestrian entrance into what is the second floor of the Stokes South building. The area between the two buildings, which includes the pedestrian pathway underneath the connector, includes a series of steps down towards the green between Stokes Hall and Fulton Hall. This pathway also has a connection from College Road.

The College is also proposing to soften the slope down from College Road in front of Stokes North although there is no connecting entrance from College Road in front of this building. A series of low retaining walls is proposed for the area between Stokes Hall and College Road that may serve as an informal gathering and seating area for students.



Submitted Plans indicate that 49 protected trees will be removed for the construction of Stokes Hall and 11 trees will be preserved. Although the College is proposing 87 new trees be planted around the new building, there remains a net loss of 526 caliper inches of trees. The Planning Department urges the College to seek to preserve more trees slated for removal and to add additional trees where possible, particularly along the south side of Stokes North.



The Associate City Engineer has included his comments on site drainage in a memorandum dated July 13, 2010.

F. Site/Relationship to Nearby Structures

The proposed new Stokes Hall buildings are four stories high, consistent with the heights of other buildings on the Middle Campus, and are designed in the Gothic architectural style characteristic of the Middle Campus. The North and South buildings are oriented perpendicular to each other and are connected via a bridge at the second story that is open at grade in order to let pedestrians pass underneath. The City appreciates the proposed footprint of Stokes Hall has a varied setback, with green space between the building and the street. Although the proposed setback to College Road does not meet the required minimum at its closest point, the average building setback exceeds this requirement due to its “L” shape. Although the height also exceeds that which is allowed per the City’s Zoning Requirements, the granting of a “Dover” waiver appears reasonable given the heights of other buildings on campus, the grade at which the proposed buildings sit in relation to the street, and the fact that the properties on the other side of College Road are also owned by the College. The Planning Department also notes that the number of stories is consistent with other buildings on the Chestnut Hill Middle Campus.



The Planning Department notes the proposed Stokes North is quite close to the existing one-story portion of Lyons Hall and urges the College to consider pulling the building slightly south or reducing the size of this portion of the project in order to provide for adequate light and air.

The College is proposing granite stone masonry facades for both buildings with clay tile roofs in keeping with Bapst Library and Gasson Hall. The building will also frame an internal existing green quadrangle.

**ENVIRONMENTAL SUSTAINABILITY**

Boston College has a policy that all new buildings, including Stokes Hall, will be LEED Silver certified or higher, where practicable. Major initiatives proposed for the Stokes Hall project include a 20% water reduction; reducing energy usage by 10%; increased reliance on recycled and regional materials of approximately 10%-20%; improved indoor air quality with low emitting materials, adhesives, and sealants; reduction of heat absorbing paving materials; care with stormwater runoff; efficient lighting and controllability of systems; drought-tolerant plantings; and system commissioning. Post-occupancy verification measures will be taken to ensure that the systems are performing to their optimal environmental targets.

As a masonry building, Stokes Hall has a high insulating value in the exterior wall that will reduce heat loss in the winter and heat gain in the summer. In addition, the College is proposing to recycle much of the construction waste. The College has also stated that an educational signage program will be provided in the buildings highlighting its sustainable design strategies to inform students, faculty, and visitors about green building practices used.

### **CONSTRUCTION MANAGEMENT**

Boston College must perform all construction in accordance with the conditions of a Construction Management Plan (“C.M.P.”) which has yet to be submitted to the City by the College. With an approximate construction period of 36 months, area residents will be concerned about the impact of truck traffic, noise, and dust on the streets and in the neighborhood, contractor parking during construction, and wear and tear on City streets. These issues, along with the security of the site, should be emphasized in the C.M.P. The C.M.P. should be submitted to the City Engineer, City Traffic Engineer, Director of Planning and Development, and Commissioner of Inspectional Services for review and approval prior to the issuance of a building permit for this project. The C.M.P. should be expected to include all items listed below, as well any additional requirements contained in the Associate City Engineer’s memorandum:

- a) Designated contract person for the construction along with 24-hour contact phone numbers to be distributed to area residents every month
- b) Monthly construction updates for distribution to neighbors
- c) Security fencing around the entire construction site
- d) Stabilized driveway entrances with a tire wash and mud removal to ensure City streets are kept clean
- e) Designated truck routes and truck access points to the construction site, including the hours of delivery of any materials
- f) Plans designating on-site parking for contractors and subcontractors
- g) Provision to control construction debris and dust on neighborhood streets;
- h) Hours of construction
- i) Statement regarding noise control (Noise levels at the site must comply with the City's Noise Control Ordinance, Section 20-13)
- j) Plans designating on-site construction staging area and an on-site holding area of sufficient size to prevent queuing of trucks waiting to deliver materials
- k) Erosion control measures
- l) Material storage area(s)
- m) Construction phasing plan with anticipated completion dates and milestones
- n) Tree Protection Plan

### **BOSTON COLLEGE NEIGHBORHOOD COUNCIL**

The Planning Department strongly recommends continued and frequent communication through the Boston College Neighborhood Council, as this Council provides a forum to discuss material issues of general and mutual concern to the City of Newton, Boston College, and area neighbors.



## **CONCLUSIONS AND RECOMMENDATIONS**

With your agreement, prior to the issuance of a building permit, Boston College should be expected to:

- *Identify the location of a bike rack to accommodate and encourage students and faculty who may bike to the new facility;*
- *Prepare and sign a Memorandum of Understanding to the City establishing how they will handle additional parking demand in a way which will not result in additional vehicles parking on local Newton streets;*
- *Reconsider creating a cutout for a bus stop to facilitate Shuttle Bus service along College Road;*
- *Respond to requests for additional information made by the Associate City Engineer in his July 13, 2010 memorandum;*
- *Provide information on any exterior or roof top mechanical systems and proposed noise mitigation;*
- *Show the location of any dumpsters on-site, including proposed screening; and*
- *Submit a Construction Management Plan, with the requirements described above, acceptable to the Commissioner of Inspectional Services, the Engineering Division, and the Director of Planning and Development.*

*NOTE: All plans must be stamped and signed by a registered professional.*

### **ATTACHMENTS:**

*ATTACHMENT A – ZONING REVIEW MEMORANDUM, DATED JUNE 22, 2010*

*ATTACHMENT B - MEMORANDUM FROM THE FIRE DEPARTMENT, DATED AUGUST 10, 2010*

*ATTACHMENT C - MEMO OF ASSOCIATE CITY ENGINEER, DATED JULY 13, 2010*

*ATTACHMENT D – STOKES HALL EAST ELEVATION*

The following plans were reviewed as part of the Stokes Hall Administrative Site Plan Review process:

- Plans for “Stokes Hall at Boston College, Administrative Site Plan Review” all dated June 1, 2010 and signed and stamped by Richard L. Kobus, Registered Architect as follows:
  - Drawing No. AP0.00, Cover Sheet
  - Drawing No. AP0.02, Existing Site Conditions – Sheet 1
  - Drawing No. AP0.03, Existing Site Conditions – Sheet 2
  - Drawing No. AP0.04, Site Plan Setbacks
  - Drawing No. AP0.05, Spot Elevations and Average Grade
  - Drawing No. C.01, Civil Engineering Level and Notes
  - Drawing No. C.02, Drainage Layout and Erosion Control Plan
  - Drawing No. C.03, Utilities Plan
  - Drawing No. C.04, Site Details
  - Drawing No. PRO.01, Proposed Storm Drain Plan and Profile
  - Drawing No. PRO.02, Proposed Sanitary Sewer Plan and Profile
  - Drawing No. L01.1, Demolition Plan
  - Drawing No. L01.1A, Tree Removal Plan
  - Drawing No. L02.1, Material and Lighting Plan
  - Drawing No. L02.2, Material and Lighting Plan, Detail - West
  - Drawing No. L03.3, Material and Lighting Plan, Detail - East
  - Drawing No. L03.1, Grading Plan
  - Drawing No. L03.2, Grading Plan, Detail - West
  - Drawing No. L03.3, Grading Plan, Detail - East
  - Drawing No. L04.1, Planting Plan
  - Drawing No. L04.2, Planting Plan, Detail - West
  - Drawing No. L05.1, Fire Truck Access Plan, revised 7/26/10
  - Drawing No. AP0.10, Fire Department Ladder Access, revised 7/26/10
  - Drawing No. AP1.00, Basement Floor Plan
  - Drawing No. AP1.01, First Floor Plan
  - Drawing No. AP1.02, Second Floor Plan
  - Drawing No. AP1.03, Third Floor Plan
  - Drawing No. AP1.04, Fourth Floor Plan
  - Drawing No. AP1.05, Penthouse Floor Plan
  - Drawing No. AP1.06, Roof Plan
  - Drawing No. AP3.01, East and West Elevations
  - Drawing No. AP3.02, North & South Elevations



**Zoning Review Memorandum**  
**Administrative Site Plan Review – Education**

**ATTACHMENT A**

Dt: June 22, 2010

To: Candace Havens, Interim Director, Department of Planning and Development  
John Lojek, Commissioner of Inspectional Services



Fr: Eve Tapper, Chief Zoning Code Official

Re: Zoning review of application for administrative site plan review for the construction of Stokes Hall, a new academic building on College Road.

**Applicant(s): Boston College**

**Site:** College Road

**SBL:** Sect 63, Blk 9, Lot 2

**Zoning:** Single Residence 1

**Site Area:** 1,573,189 square feet

**Current use:** Middle Campus

**Prop. Use (new build):** Middle Campus with one additional academic building

Background:

Boston College, a nonprofit educational institution in Chestnut Hill, has operated at this locus for some time and has expanded its facilities over the years. Boston College has submitted an application to the Interim Director of Planning and Development for review. The proposed project requires the removal of 69 parking spaces to construct an approximately 183,000 square foot academic building on a portion of its campus near the intersection of College Road and Beacon Street.

Several years ago a slightly different project was proposed for approximately this same site. That project ("Middle Campus project") was the subject of litigation and resulted in a Land Court and an Appeals Court Decision. The project proposed at the time was never built and the Stokes Hall project is proposed to replace it.

Administrative determinations

1. As the applicant is a non-profit educational entity, the proposed project is subject to the administrative site plan review procedure per Section 30-5(a)(2). This procedure governs the review of "Dover amendment" type entities. Existing conditions that vary from and pre-date Table 2, *Dimensional Requirements for Religious and Non-profit Educational Uses*, adopted in 1987, are considered legal nonconforming.
2. The subject site is located in the SR-1 zoning district and must comply with the dimensional standards laid out in Section 30-15, Table 2 for a multi-use institution (see table below). However, the Court Decisions that were handed down in connection with the previous so-called "Middle Campus Project" hold that regulation of FAR on the subject parcel and the requirement of a 150-foot vegetative buffer as prescribed in Section 30-15, Table 2 of the Newton Zoning Ordinance cannot be applied to a project on this lot.

Dimensional Standard	Required	Existing Buildings	Proposed
Lot Area	50,000 sq. ft.	1,573,189 sq. ft.	No change
Setbacks			
• College Road	60 feet or average (31 feet) and 150 foot buffer <sup>1</sup>	17 ft.	<b>26.7 ft.</b>
• Beacon Street	60 feet	25 ft.	213 ft. 7 in.
Floor Area Ratio	0.2 plus bonus <sup>2</sup>	0.98	<b>1.13<sup>2</sup></b>
Building Height	36 feet	49.6 ft.	<b>64 ft. 2 in.</b>
Max. No. of Stories	3	4	<b>4</b>
Max. Lot Coverage	30%	25%	28%
Min. Open Space	30%	56%	54%

<sup>1</sup>The requirement of a 150-foot vegetative buffer was found to be unreasonable by the Court decisions.

<sup>2</sup>The Court decisions invalidate the regulation of FAR on the subject site.

3. The proposed project does not comply with the required dimensional standards for front setback from College Road, building height, or number of stories. The proponents must obtain a so-called "Dover waiver" from the Commissioner of Inspectional Services to construct the building as proposed.
4. The proponents contend that Stokes Hall will not significantly increase the intensity of the use of the college campus. They state that the new building will be used to relocate functions already on campus rather than create new programs. The proposed building is not expected to increase student enrollment at all, but will accommodate the addition of 19 new faculty members. According to Boston College, the addition of these faculty members is part of the College's strategic plan and they will be hired regardless of whether the new Stokes Hall is constructed. The Court decisions allow for some reasonable regulation of parking on the BC campus. However, the Court did not find that the provisions of Section 30-19 of the Newton Zoning Ordinance are reasonable since the regulations inherently double count students who cannot physically be in two places at the same time. The City has not revised its parking standards since the court decisions and therefore the existing parking standards are not applicable to the Stokes Hall project.
5. Section 30-19(i)(2) sets requirements for interior landscaping of parking facilities with twenty or more stalls. The submitted plans do not show any interior landscaping of the reconfigured parking lot. The proponent must either add the required landscaping or request a Dover amendment waiver from the Commissioner of Inspectional Services.
6. Section 30-19(j) outlines lighting requirements for parking facilities with more than five parking stalls. The submitted plans do not include a lighting plan for the proposed surface parking lot. The proponent must either add the required lighting or request a Dover amendment waiver from the Commissioner of Inspectional Services.
7. Section 30-19(k) requires that parking for five bicycles are incorporated into the design of the proposed parking facility. The submitted plans do not include bicycle parking spaces. The



proponent must either add this amenity or request a Dover amendment waiver from the Commissioner of Inspectional Services.

8. While the applicant has not indicated any signs, any signs that are desired are subject to permitting requirements established in Section 30-20.

9. See table "Administrative Site Plan Review – Nonprofit Educational Use," below.

<b>Administrative Site Plan Review</b>		
<b>Ordinance</b>		<b>Action Required</b>
<b>Nonprofit Educational Status</b>		
30-5(a)(2)(a)(i)	Evidence of nonprofit educational status provided	
<b>Section 30-15, Table 2</b>		
30-5(a)(2)(a) 30-15, Table 2	Permit reduction in front setback, increase in building height and additional stories	Dover waiver
<b>Parking</b>		
30-19(i)(2)	Waive interior landscaping requirement for parking lot	Dover waiver
30-19 (j)(1)	Waive lighting requirement for parking lot	TBD, no info provided, Dover waiver
30-19 (k)	Waive bicycle parking requirement for parking lot	TBD, no info provided, Dover waiver

Plans and materials reviewed:

- Letter to John Lojek from Franklin G. Stearns, dated June 7, 2010
- Memorandum to Candace Havens, Interim Director of Planning and Development from Joseph Herlihy, General Counsel, Boston College, dated June 7, 2010
- "Traffic and Parking Study, Stokes Hall Project Boston College," prepared by VHB/Vanasse Hangen Brustlin, Inc., dated June 7, 2010
- Plans for "Stokes Hall at Boston College, Zoning Review" all dated 12-22-2009 and signed and stamped by Richard L. Kobus, Registered Architect as follows:
  - Drawing No. AZ0.00, Cover Sheet
  - Drawing No. AZ0.01, Existing Site Plan
  - Drawing No. AZ0.02, Proposed Site Plan
  - Drawing No. AZ1.00, Basement and First Floor Plan
  - Drawing No. AZ1.01, Second & Third Floor Plan
  - Drawing No. AZ1.02, Fourth & Penthouse Floor Plan
  - Drawing No. AZ1.03, Roof Plan Spot Elevations & Average Grade
  - Drawing No. AZ3.01, West & East Elevations
  - Drawing No. AZ3.02, North & South Elevations



**CITY OF NEWTON, MASSACHUSETTS**  
**FIRE DEPARTMENT HEADQUARTERS**

1164 Centre Street, Newton Center, MA 02459-1584  
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230  
FAX: (617) 796-2211 EMERGENCY: 911



Setti D. Warren  
Mayor

Joseph E. LaCroix  
Chief

Candace Havens  
Planning Department  
Newton City Hall  
1000 Commonwealth Avenue  
Newton Centre, Ma 02459

August 10, 2010

Re: Stokes Building  
Boston College

Dear Ms. Havens,

We have reviewed the site plans for the new Stokes building at Boston College located in the middle of the upper campus. This is to advise you that the Newton Fire Department has stamped the plans and approves the site layout for accessibility and water.

We will of course be reviewing the plans relative to Fire Prevention matters during the building permit process.

If you have any questions, please do not hesitate to call me at 796-2210.

Sincerely,

A handwritten signature in blue ink that reads "A/C B/R".

Bruce A. Proia  
Chief of Operations

Cc: Frank Stearns, LLP  
Deputy Chief Michael Castro, Fire Prevention



CITY OF NEWTON  
ENGINEERING DIVISION

MEMORANDUM

To: Candace Havens, Acting Director of Planning (via email)

From: John Daghlian, Associate City Engineer

Re: Administrative Site Plan Review – Stokes Hall

Date: July 13, 2010

CC: Lou Taverna, P.E., City Engineer (via email)  
Linda Finucane, Associate City Clerk

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In reference to the above site, I have the following comments for a plan entitled:

*Stokes Hall  
At  
Boston College  
Administrative Site plan Review  
June 1, 2010  
Prepared By: VHB*

1. A new sanitary sewer & storm drainage easement will have to be granted to the City for the purposes of access and maintenance for the future. The easement plan shall be in a format to be recorded at the Middlesex Registry of Deeds. Copies of the instrument record shall be submitted to the City Engineer along with a Mylar copy of the plan.
2. The applicant will have to file a petition with the Board of Aldermen to abandon a portion of the 1916 easement and reconfigure the new easement.
3. The applicant will need to generate an easement plan for Public Facilities need a petition for a Utility Easement Relocation with the following:
  - a. Existing City easement limits, and area to be abandoned
  - b. Proposed easement with bearings and distances for new alignment showing existing & proposed Stokes buildings.

- c. Show proposed relocated sanitary sewer pipe & 36" drain pipe (note materials).
  - d. On a separate sheet show a plan & profile of both relocated utilities [rim & invert elevations, slopes. Station 0+00 (sanitary sewer) @ existing SMH invert = 188.10 ft.; Station 0+00 (storm drain) @ existing DMH rim = 199.29 ft. and start station every 0+50 going upstream towards College Road.
  - e. Clarification sketch for any multiple utility crossings (anticipated elevations, clearances, slopes label pipe material, etc...
  - f. Sanitary sewer minimum slope 2% maximum slope 10%. Storm drainage submit charts and calculation to demonstrate scour prevention.
4. Sleeve both sewer/drain pipes under the footbridge between the two new buildings.
  5. Sleeve the sanitary sewer main under the retaining wall.
  6. Submit drainage calculation & study for Pre & Post Construction; drainage analysis needs to be performed based on the City of Newton's 100-year storm event of 6.5-inches over a 24-hour period. All runoff from increased impervious areas need to be infiltrated on site.
  7. An on site soil evaluation needs to be performed to obtain the seasonal high groundwater elevation, percolation rate in accordance to Title V. This information must be submitted with the building permit application. The locations of these tests need to be shown on the site plan.

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.
2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.
3. As the total site disturbance is over an acre, a Phase II General Construction (NPDES) Permit will need to be filed with DEP & EPA. A Stormwater Pollution Prevention Plan (SWPPP) will need to be developed.



Construction Management:

1. A construction management plan is needed for this project. At a minimum it must address the following: staging site for construction equipment, construction material, construction worker's vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor.
2. Stabilized driveway entrances are needed during construction which will provide a tire wash and mud removal to ensure City streets are kept clean.
3. An approved type of siltation control needs to be incorporated onto the plans, as well as a detail of the proposed system.

General:

1. When a connection to the City's drainage system is proposed, prior to approval of the Building permit a Closed Circuit Television (CCTV) inspection shall be performed and witnessed by the Engineering Division, the applicant shall retain a contractor that specializes in CCTV inspection. The applicant shall contact the Engineering Division 48 hours in advance to schedule an appointment. At the end of the inspection the video or CD shall be given to the inspector. Furthermore upon completion of the connection to the drainage system a Post – Construction video inspection shall also take place and witnessed as described above. ***This note must be incorporated onto the site plan.***
2. No excavation is allowed within any City right-of-way between November 15<sup>th</sup> and April 15<sup>th</sup>. If an emergency exists or there are extenuating circumstances, Applicant may seek permission for such work from the City DPW Commissioner via the City Engineer. If permission is granted, special construction standards will be applied. Applicant or Applicant's representative must contact the City of Newton Engineering Department prior to start of work for clarification. ***This note must be incorporated onto the site plan.***
3. The contractor needs to notify the Engineering Division 48-hours in advance and schedule an appointment to have the drainage system, water & sewer services inspected. The system & utilities must be fully exposed for the inspector. Once the inspector is satisfied, the system & utilities may then be back-filled. ***This note must be incorporated onto the site plan.***

4. The existing water & sewer services shall be cut and capped at the main and be completely removed from the site and properly back filled. The Engineering Division must inspect this work; failure to having this work inspected my result in the delay of issuance of the Utility Connection Permit. ***This note must be incorporated onto the site plan.***
5. The new water and sewer services must be in-place AND accepted by the Engineering Division prior to the issuance of the Certificate of Occupancy. ***This note must be incorporated onto the site plan.***
6. A detailed profile is needed which shows the existing water main, proposed water service, sewer main and proposed sewer service with the slopes and inverts labeled to ensure that there are no conflicts between the sewer services and the water service. The minimum slope for a service is 2.0%, with a maximum of 10%. In order to verify the slopes and inverts of the proposed service connection, two manholes of the existing sanitary sewer system need to be identified on the plan with rim & invert elevations. The crown of the service connection & the sewer man need to match.
7. The new sewer service and/or structures shall be pressure tested or video taped after final installation is complete. Method of final inspection shall be determined solely by the City Engineer. The sewer service will NOT be accepted until one of the two methods stated above is completed. ***This note must be incorporated onto the site plan.***
8. Due to the fact that College Road was paved less than 5 years ago, the utility trenches and road way will have to be milled 25' on both sides of the utility trenches and curblin to curblin; then paved with 1-1/2" of Type I-1 Bituminous Concrete. ***This note shall be incorporated onto the plans.***
9. The service connection from the proposed building to the existing sewer manhole will have to be cored by either a hydraulic or an electric coring machine to eliminate groundwater infiltration. Jackhammering a hole for the connection will not be allowed. A rubber boot and hydraulic cement will also be required for the connection. ***This note shall be incorporated onto the plans***
10. As of January 1, 2009, all trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. ***This note shall be incorporated onto the plans***

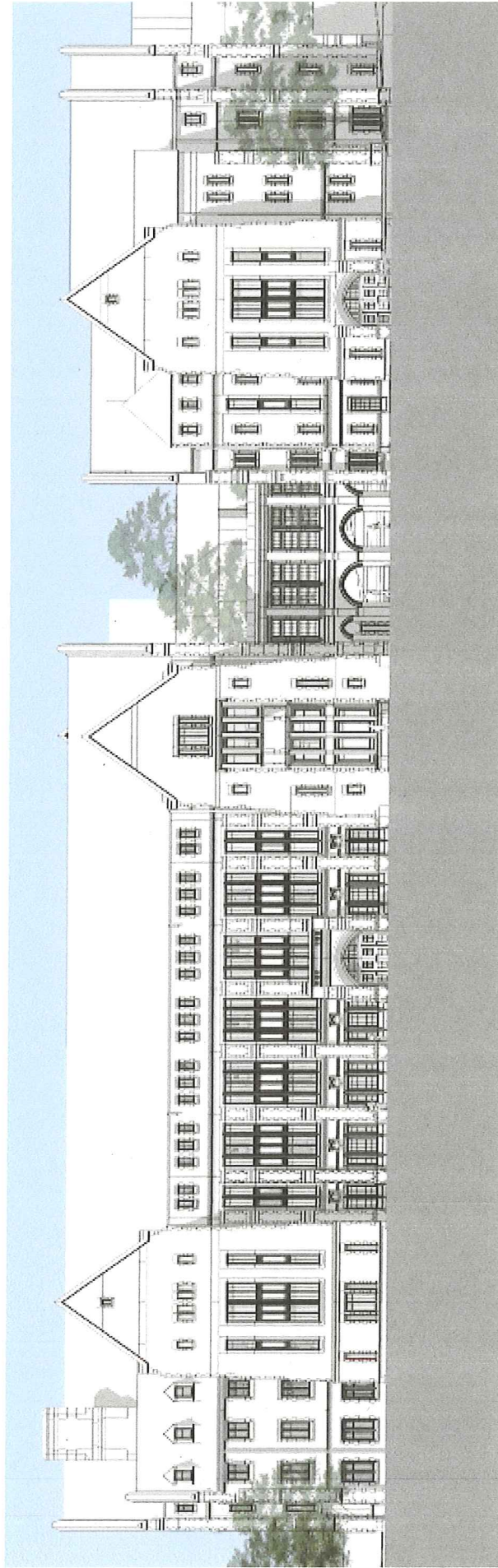


- 11.** Prior to Occupancy permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. ***This note must be incorporated onto the site plan.***
- 12.** The applicant will have to apply for a Street Opening & Utilities Connection Permits as well as a sidewalk crossing permit with the DPW. ***This note must be incorporated onto the site plan.***
- 13.** If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work. ***This note must be incorporated onto the site plan.***

If you have any questions or concerns please feel free to contact me @ 617-796-1023

# Elevation Study East

STOKES HALL  
July 21, 2010



ATTACHMENT D



BOSTON COLLEGE

TK&A

TSOI / KOBUS & AI  
ARCHITECTS  
ORBIT