



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Barney S. Heath  
Director

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**PUBLIC HEARING VIII MEMORANDUM**

DATE: October 18, 2023  
MEETING DATE: October 25, 2023  
TO: Zoning Board of Appeals  
FROM: Barney Heath, Director of Planning and Development  
Jennifer Caira, Deputy Director for Planning and Development  
Katie Whewell, Chief Planner for Current Planning  
Michael Gleba, Senior Planner  
  
COPIED: Mayor Ruthanne Fuller  
City Council

In response to questions raised at the Zoning Board of Appeals public hearing on October 26, 2022, December 21, 2022, January 25, 2023, February 22, 2023, April 26, 2023, June 22, 2023, July 31, 2023, and September 13, 2023, the Planning Department is providing the following information for the upcoming continued public hearing/working session. This information is supplemental to staff analysis previously provided at the public hearing.

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**PETITION #09-22**

**60 Charlemont Street and 56 Christina Street**

The Zoning Board of Appeals (Board) opened the public hearing on this petition on October 26, 2022, which was held open for the petitioner to respond to questions and concerns raised in the Planning Department's Memorandum and at the public hearing by the Board as well as by members of the public. The Board continued the public hearing on December 21, 2022, January 25, 2023, February 22, 2023, April 26, 2023, June 22, 2023, July 31, 2023, and September 13, 2023.

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## **EXECUTIVE SUMMARY**

The subject site is comprised of two parcels known as 160 Charlemont Street and 56 Christina Street located in a Mixed Use 1 (MU1) zoning district and is improved with two structures. The applicant, Northland Charlemont LLC, intends to demolish the existing structures and combine the lots into a single 304,308 square foot through-lot with frontage on Charlemont and Christina streets.

Throughout the Comprehensive Permit process and public hearings, the design of the development was further refined to comprise two separate buildings connected via an underground garage and a courtyard above. The current iteration of the project consists of two seven story buildings with below grade parking. In the revised proposal the total number of units is reduced to 370 units, with 93 affordable units. Of the affordable units, 20% (19 units) will be made available to households with income levels at 50% of the AMI. The remaining 74 affordable units will be made available to households with income levels of 80% of the AMI.

Much of the proposed site plan remains the same since the revisions breaking up the building into two buildings. The site plan still accounts for the significant and sizable open space that will serve as a buffer between the project and neighborhood to the east while providing passive and active recreational use. The site plan also contemplates a roundabout and shuttle stop to support future shuttle service from a nearby development.

Project materials submitted for review can be found on the City's website at: <https://newtonma.viewpointcloud.com/locations/117660>.

### **I. UPDATES**

#### **A. Transportation**

On October 11, 2023, the Applicant submitted an updated Transportation Demand Management (TDM) plan.

While most of the plan remains unchanged, there are two significant modifications. First, previous TDM approaches provided that during the first two years of the development's occupancy the applicant would reimburse 50% of the cost of MBTA Link Passes for up to two residents of any unit that did not lease an on-site parking space during the residents' initial lease term. That amount could also otherwise be used to subsidize costs related to bike- or car- shares.

The applicant worked with city staff to provide a more impactful TDM plan around transit passes. As such, there is now a commitment to make \$100,000 available to residents and employees of the building to an "alternative transit reimbursement fund". This will allow flexibility in reimbursement for transit passes. The Planning Department also recommends the applicant ensure that all units have access to those funds and requires

annual reporting to the City on how these funds are expended. Any such funds left unused after five years will be paid to the City for use on other “neighborhood transit projects.”

The other change is the elimination from the proposed TDM plan of a provision pertaining to shuttle service to/from the nearby Newton Highland Station on the MBTA Green Line D Branch. As previously described, the shuttle service would be integrated into the shuttle system the applicant is expected to operate in relation to its special permit-approved Northland Needham Street Development located to the west across Needham Street. As previously proposed, the bus shelter on Charlemont Street would be served every half hour as an add-on to some of the system’s runs to/from the Newton Highland Station. The applicant has agreed to operate the shuttle in accordance with the Newton Needham Street Development but does not agree to be required to operate a shuttle for just this site. The Planning Department is supportive of this change as the proposed condition still allows for a shuttle from the Northland Needham Street Development to service this site while providing a stronger TDM plan and accounts for the significant benefit of the improvements to Charlemont Street.

Alternately, in drafting language around the Charlemont Street improvements, the applicant is required to design and construct the improvements to the south side of Charlemont Street, including a shared use path. The structure of this condition allows for a reduction of the I&I mitigation payment. This is in accordance with the Department of Public Works’ preferred structure around improvements associated with development projects and strongly advises against a monetary cap set that gives an option to opt out of these improvements with a payment to the City. The shared use path will provide an important connection through the site from points south, such as the Christina Street Bridge, to Needham Street and Newton Highlands.

The Planning Department recommends that the applicant be prepared to discuss the above at the upcoming public hearing.

## **B. Signage**

The applicant has also submitted the presentation it expects to deliver at the upcoming public hearing. Responding to previous comments, the presentation contains information about the proposed signage plan. Planning forwarded this information to Urban Design Committee staff for an initial review who had the following comments:

- the applicant should work with the UDC for a sign review before any sign is finalized.
- the proposed size and location of the free-standing sign seems appropriate and while it would be larger than the 35 square feet size allowed by the Newton Zoning Ordinance, a waiver can be sought for the larger size.

- waivers would also likely be required for signs larger than 3 square feet as well as for more than two secondary signs.

### **III. ADDITIONAL INFORMATION AND MATERIALS**

The applicant should be prepared to respond to all questions and requests for more information raised above at the upcoming public hearing.

### **IV. CONCLUSION AND NEXT STEPS**

The Planning and Law Departments will make a Draft Decision available to the Board in advance of the next hearing to be reviewed in the event of approval.