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**Barney S. Heath**  
Director

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## MEMORANDUM

**Date:** January 19, 2024

**TO:** Councilor R. Lisle Baker, Chair, Zoning & Planning Committee  
Members of the Zoning & Planning Committee

**FROM:** Barney Heath, Director, Planning & Development Department  
Jennifer Caira, Deputy Director, Planning & Development Department

**RE:** **#74-24 Discussion Regarding 40B Process Post ‘Safe Harbor’ Designation**

COUNCILORS OLIVER, BAKER, AND WRIGHT requesting a discussion with the Law and Planning departments regarding the process going forward for 40B projects since meeting the 10% ‘Safe Harbor’ designation. The discussion should address the different parameters that can or will be used to accept, deny and modify projects and the criteria allowed to be used by ZBA or any other approving authority.

**MEETING:** January 22, 2024

**CC:** City Council  
Planning Board  
Jonathan Yeo, Chief Operating Officer  
Alissa Giuliani, City Solicitor

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As of January 8, 2024, Newton reached the 40B safe harbor status for the first time since the state law was enacted in 1969. Safe harbor status is available to municipalities that have met either the *General Land Area Minimum*, achieved when housing units eligible for inclusion on the state’s Subsidized Housing Inventory (“SHI”) exist on sites comprising 1.5% or more of a municipality’s total land area; or the *Housing Unit Minimum*, achieved when a municipality’s SHI Eligible Housing units exceed 10% of its total housing units. Newton met the housing unit minimum, with 10.82% of housing units currently eligible for the SHI. This is an important milestone; however, the safe harbor calculation is not static, and it is possible Newton will fall back below the 10% threshold again in the future. More information how on the safe harbor is calculated can be found in the January 4, 2024 Safe Harbor Status memo to

the Zoning Board of Appeals (ZBA) [here](#). The data used to calculate the safe harbor, as of January 8, 2024, is attached to this memo (Attachment A).

Current SHI List

EOHLC ID#	Organization	Property	Property Address	Tenure	Total Units	Units on SHI	Total Affordable Units (deed restricted)	% SHI Eligible Units
2170	NHA	Horace Mann Apartments	674-690 Watertown Street	rental	72	72	72	100%
2171	NHA	Jackson Gardens	111 JF Kennedy Circle/Green Street (106-128 and 83-127 Kennedy Circle)	rental	64	64	64	100%
2172	NHA	Norumbega Gardens	46 Ash Street	rental	57	57	57	100%
2173	NHA	Parker House	21 Parker Street	rental	33	33	33	100%
2174	NHA	Hampton Place	77 Florence Street	rental	99	5	5	5%
2175	NHA (with NWW)	Centenary Village (ID# 2175 & 2180)	234 Central Street	rental	12	12	12	100%
2176	NHA	Echo Ridge	76 Thurston Road (60 - 80 Thurston Road)	rental	40	40	40	100%
2177	NHA	Hamilton Grove Apartments	541 Grove Street	rental	42	42	42	100%
2178	NHA	Nonantum Village Apts.	239 Watertown Street (237-251 Watertown Street)	rental	36	36	36	100%
2180	NHA (with NWW)	Centenary Village (ID# 2175 & 2180)	234 Central Street	rental	7	7	7	100%
2181	NHA	New Hyde School Apartments	82 Lincoln Street	rental	24	24	24	100%
2182	NHA	Beaconwood Apartments	4-6, 14-16,3-5, 13-15, 21-23 Wilson Cir. & 28-30,36-38, 41-43, 35-37, 27-29 Hargrave Circle	rental	20	20	20	100%
2183	NHA	Chestnut Street	1200-1202 Chestnut Street	rental	2	2	2	100%
2183	NHA	Carter Street (scattered site under 2183)	18-20 Carter Street	rental	2	2	2	100%
2183	NHA	Tremont Street (scattered site under 2183)	223-225 Tremont Street	rental	2	2	2	100%
2183	NHA	Bryon Road (scattered site under 2183)	29-31 Bryon Road and 6 - 6A Bryon Road	rental	4	4	4	100%
2183	NHA	Colella Road (scattered site under 2183)	47-49 Colella Road	rental	2	2	2	100%
2183	NHA	Christina Street (scattered site under 2183)	91 Christina Street	rental	1	1	1	100%
2183	NHA	248-250 Lagrange Street (scattered site under 2183)	248-250 Lagrange Street	rental	2	2	2	100%
2184	NHA	Langley Road (scattered site under 2184)	399 Langley Road	rental	2	2	2	100%
2184	NHA	Nonantum Village Apartments (scattered site under 2184)	237 Watertown Street	rental	5	5	5	100%
2184	NHA	High Street (scattered site under 2184)	24-26 High Street	rental	2	2	2	100%
2184	NHA	Winchester Street (scattered site under 2184)	303-309 Winchester Street	rental in ownership	20	2	2	10%
2184	NHA	Grove Street (scattered site under 2184)	406-416 Grove Street	rental in ownership	9	1	1	11%
2184	NHA	Jackson Street (scattered site under 2184)	43 Jackson Street	rental in ownership	12	1	1	8%
2184	NHA	Falls Ridge (scattered site under 2184)	51 Pettee Street	rental in ownership	33	4	4	12%
2185	NHA	Kerry Court (scattered site under 2185)	27 Kerry Court	rental	1	1	1	100%
2185	NHA	Lowell Avenue (Claffin School Studios) (scattered site under 2185)	465 Lowell Avenue (447-449 Lowell Avenue)	rental in ownership	17	3	3	18%
2185	NHA	Rebecca Road (scattered site under 2185)	8 Rebecca Road	rental	1	1	1	100%
2185	NHA	Florence Street (scattered site under 2185)	116 Florence Street Unit B	rental in ownership	9	1	1	11%
2185	NHA	The Gazebo (scattered site under 2185)	160 Pine Street	rental in ownership	28	3	3	11%
2185	NHA	Alden Place (scattered site under 2185)	18 Alden Place	rental in ownership	10	1	1	10%
2186	NHA	Chestnut Grove (scattered site under 2186)	1175 Chestnut Street	rental in ownership	35	4	4	11%
2186	NHA	Village Falls (scattered site under 2186)	181 Oak Street/Chestnut Street (193 Oak Street)	rental in ownership	123	14	14	11%
2189	NWW	Beard House	21 Bontempo Road	rental	5	5	5	100%
2190	Benchmark Assisted Living	Cabot Park Village	276-278 Newtonville Ave / 22-24 Munroe St.	rental	100	100	20	100%
2191	2Life	Coleman House (formally Campus House I)	601 Winchester Street	rental	100	100	99	100%
2192	2Life	Coleman House (formally Campus House II)	677 Winchester Street	rental	46	46	45	100%
2193	NCDF	Casselman House	195 Sumner Street	rental	43	43	43	100%
2194	Charles River ARC	California Street	538 California Street	rental	8	8	8	100%
2195	NHA	Newton CLN House	390 Newtonville Ave	rental	11	11	11	100%
2196	NWW	Coyne Road Residence	18-20 Coyne Road	rental	6	6	6	100%
2197	WIHED (Women's Institute for Homebased Education)	Crescent Field Condominiums (with NHA)	36-48 Crescent Street	mixed	20	12	12	60%
2199	CAN-DO	Garfield House	14 Nonantum Place	rental	3	3	3	100%
2200	2Life	Golda Meir House I	160 Stanton Ave	rental	100	100	88	100%
2201	2Life	Golda Meir House II	160 Stanton Ave	rental	99	99	88	-
2202	NCDF (with NHA)	Houghton Village	27-80 Hamlet Street	rental	50	50	50	100%
2203	Benchmark Assisted Living	Evans Park at Newton Center	430 Centre Street	rental	115	115	23	100%
2204	Barry Price Rehab. Ctr.	The Barry Price Residence	1751 Washington St	rental	4	4	4	100%
2205	NCDF	Auburndale Yard (Homes at Auburndale)- RENTAL & OWNERSHIP	32-50 Pine St.	rental	10	6	6	30%
2206	NWW	Juniper House	14 Newtonville Ave.	rental	7	7	7	100%
2208	Barkan Management	New Falls Apartments	2281 Washington St. (2251 - 2311 Washington St.)	rental	60	60	41	100%
2209	Meredith Management, Inc.	Peirce House	88 Chestnut Street	rental	34	34	29	100%
2213	NCDF	Warren House	1600 Washington Street	rental	59	59	21	100%
2214	NCDF	John W. Weeks House	7 Hereward Road (John W. Weeks House)	rental	75	75	42	100%
2215	YMCA	West Suburban YMCA-SRO	276 Church Street	rental	28	28	28	100%
2216	CAN-DO	Webster Street House	228 Webster Street	rental	6	6	6	100%
2218	NWW	Orchard Avenue	40 Orchard Avenue West	rental	8	8	8	100%
2219	RCC	Osbourne Path	117 Osbourne Path	rental	4	4	4	100%
3902	Boca Development	Woodmere Commons	412-416 Parker St. Units A,B,C,I,K	ownership	15	5	5	33%
3903	Avalon Bay	Avalon at Upper Falls	99-109 Needham Street	rental	294	294	74	100%
3906	CASCAP	Nonantum Village Place	239 Watertown Street	rental	35	35	34	100%
3907	CAN-DO	Cambria Road (18-20 Cambria), completed 2003	18-20 Cambria Road	rental	2	2	2	100%
3908	CAN-DO	Kayla A. Rosenberg House	90 Christina St	mixed	5	5	5	100%
4393	DDS confidential	DDS Group Homes	confidential	rental	-	105	-	-
4591	DMH confidential	DMH Group Homes	confidential	rental	-	36	-	-
6110	NHA	Pelham House	45 Pelham Street	rental	10	10	10	100%
6111	Avalon Bay	Avalon at Chestnut Hill	160 Boylston Street	rental	204	204	43	100%
6112	The Second Step	Foster Street	confidential	rental	8	8	8	100%
7021	CAN-DO	Linden Green Homes	248 Elliot Street	ownership	5	3	3	60%
7022	CAN-DO	Millhouse Commons	1093 & 1101 Chestnut St	ownership	6	2	2	33%
7153	Nat'l Dev. of New England	Arbor Point at Woodland Station	1940 Washington St	rental	180	180	36	100%

