



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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**#360-16(2)**

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**Barney Heath**  
Director

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## **PUBLIC HEARING MEMORANDUM**

**DATE:** May 5, 2017

**TO:** Councilor Ted Hess-Mahan, Chairman  
Members of the Zoning and Planning Committee

**FROM:** Barney Heath, Director, Department of Planning and Development  
James Freas, Deputy Director

**RE:** #360-16(2) – DIRECTOR OF PLANNING AND DEVELOPMENT requesting to rezone land known as Section 43, Block 45, Lot 33 located at 160 R Stanton Avenue from PUBLIC USE to MULTI RESIDENCE 3 in order to prepare the site for multi-family affordable housing development.

**MEETING DATE:** May 8, 2017

**CC:** City Council  
Planning and Development Board  
Maureen Lemieux, Chief of Staff  
Dori Zaleznik, Chief Operations Officer  
Donnalyn Kahn, City Solicitor  
Jim McGonagle, DPW Commissioner

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The water tower site off of Stanton Avenue was identified as one of seven priority opportunities to advance affordable housing development in Newton. The water tower itself is no longer necessary for City purposes and, as it is currently sitting empty, needs to be taken down. The Real Property Reuse Committee and the City Council approved an order releasing the property at a minimum price of \$500,000 and directing that the property be rezoned prior to a request for proposals (RFP) being released. Given the significant need in Newton for affordable housing, particularly for senior residents of the City, and the potential that Jewish Community Housing for the Elderly (JCHE) would likely be a strong contender as a RFP respondent in proposing to expand the neighboring Golda Meir House, there is a unique opportunity with this site to realize significant community benefits. The Planning Department recommends that the Zoning and Planning Committee and Planning and Development Board recommend approval of the proposed rezoning to Multi-Residence 3.

### Housing Strategy

Newton's Housing Strategy was released in June, 2016, laying out a blueprint for expanding the supply of affordable housing options in the City in order to preserve a more diverse and welcoming community for the future. As the strategy notes, the City is becoming increasingly exclusive as housing prices increase and low, moderate, and middle income households cannot find options to live in Newton. This trend is evident across all age groups in the City, but was particularly noted amongst seniors where, while the percentage of senior households in the City is increasing, and projected to be approximately a quarter of households by 2030, the data indicates that low, moderate, and middle income seniors who live in Newton now are being priced out of the community and replaced with high income seniors moving into the City.

Beyond looking at Newton's demographic change and recommending general policy changes, the Housing Strategy went a step further to recommend areas for new development, going as far as identifying more than 70 specific parcels that potentially could accommodate new housing development. Of this list, seven sites were identified as priority sites where housing development was appropriate and could happen more quickly; one of these was the Stanton Avenue water tower site. The reasons this site was prioritized are readily apparent as it is City owned and next door to the successful Golda Meir development, owned by JCHE, an experienced affordable housing developer looking for opportunities to development more senior housing opportunities. While the RFP process will be open to any and all respondents, JCHE is well positioned to make a good offer.

### Site Conditions

The Stanton Avenue water tower once served as storage to support adequate flow for fire protection. Staff from DPW Utilities Division and the Fire Department assessed the necessity of maintaining the water tower at this location and determined that, with modern improvements in the water distribution system, the tower is no longer necessary. On September 15, 2016, DPW Commissioner Jim McGonagle submitted a letter to Mayor Warren and City Clerk David Olson with the determination that the water tower was no longer necessary for municipal purposes and could be made available for sale or lease. DPW does have an essential utility monitoring antenna on the water tower. JCHE has agreed to place a new antenna on the roof of the Golda Meir House so that there is no loss of service when the water tower is demolished.

The Stanton Avenue water tower sits on an approximately 16,900 square foot parcel located off of Stanton Avenue, behind the Golda Meir House (see attached map). The parcel is essentially a square with the Brae Burn Golf Course abutting two sides and the Golda Meir House abutting the other two sides. City crews access the site via an easement through the Brae Burn property; while the easement would likely transfer with the sale or lease of this property to a private entity it is unclear whether the easement as it exists now could be used for anything but for limited access for the maintenance of a water distribution system thus requiring that a new owner seeking to use the easement for a different purpose would probably need to negotiate their own access. The parcel is currently zoned Public Land.

### Reuse Order

The Council Order (attached) releasing the Stanton Avenue water tower site for sale was approved on April 3, 2017. The order requires a minimum price of \$500,000, minus the cost of demolishing the water tower and installing the City's monitoring antenna. In addition, the price is described as including the public benefits of providing temporary and permanent locations for the City's monitoring antenna, the creation of permanent, deed restricted affordable housing, and other public benefits as described.

The Council Order provides direction on a number of issues related to the use, design, and process related to the eventual development of this site. On the issue of affordable housing, the order specifies the importance of affordable housing for seniors, seeks to ensure that all of the units created qualify for the State Housing Inventory (SHI) list, and, to the extent possible, provide a preference for Newton residents. The Order also

seeks to have the rezoning of the property complete before the RFP is issued and directs staff to provide what information we have on the condition of the property to the successful RFP respondent; both of these recommended in order to facilitate the eventual redevelopment of the site. Finally, there is a significant emphasis placed on working with the neighborhood and adjacent property owner throughout the process to minimize potential impacts, especially those related to traffic, parking, and shadows.

#### Request for Proposals

The RFP for the Stanton Avenue water tower site will be released in June. The RFP will seek a developer to build a residential development consistent with the Council Order. In addition, the developer will be required to provide 9 to 12 units to serve the chronically homeless without age restrictions. The RFP will encourage project designs that include energy efficiency and stormwater management. Finally, the developer will be required to work with the neighborhood and adjacent property owners to address concerns and mitigate project impacts. With regard to the water tower, the purchaser of the property will be directed to demolish the water tower within 6 months of property acquisition, maintaining the functionality of the City's monitoring antenna throughout demolition and subsequent development of the property.

#### Multi-Residence 3 Analysis

The Planning Department recommends rezoning the Stanton Avenue water tower site to Multi-Residence 3 (MR 3). As shown on the attached zoning maps, the MR 3 district is consistent with the zoning of the neighboring Golda Meir property. The existing Public Use District does not allow any private uses; it is a district intended only for land in public use and ownership. As the property will be transferred to private ownership, it must be rezoned and the zoning of the adjacent parcel is a natural choice.

#### Conclusion and Recommendation

The Planning Department recommends that the Zoning and Planning Committee and Planning Board forward recommendations to the City Council to rezone the Stanton Avenue water tower site to MR3. This recommendation advances this property towards redevelopment consistent with Newton's Housing Strategy.

#### Attachments

Attachment A: Stanton Avenue Water Tower Map

Attachment B: Council Order #360-16

Attachment C: Stanton Avenue Water Tower Zoning – Current

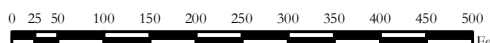
Attachment D: Stanton Avenue Water Tower Zoning - Proposed



# Stanton Avenue Water Tower

*City of Newton, Massachusetts*

CITY OF NEWTON, MASSACHUSETTS  
 Mayor - Setti D. Warren  
 GIS Administrator - Douglas Greenfield



Map Date: September 20, 2016

Legend	
	Building Outlines
	Open Space
	Parks and Conservation Land
	Median or Traffic Island
	Aqueducts or State Watershed Land
	Golf Courses



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON  
IN CITY COUNCIL

April 3, 2017

That, pursuant to Section 2-7 of the Revised Ordinances of 2012, as amended, after a public hearing and upon recommendation of the Real Property Reuse Committee through its Chair Susan Albright, it is hereby

ORDERED:

That His Honor the Mayor be and is hereby authorized to sell the land commonly known as the Stanton Avenue Water Tower site, located behind 160 Stanton Avenue, containing approximately 16,900 square feet of land, identified as Section 43, Block 45, Lot 33, in Ward 4, in a Public Use zoned district, and,

The property shall be sold, subject to the minimum financial terms and conditions as voted by the Honorable City Council as set forth as follows:

TERMS OF SALE

That the minimum price for the sale of the property shall be set at \$500,000 less the costs to the purchaser of demolishing the existing water tower within 6 months of closing in accordance with the demolition specifications provided by the Department of Public Works, including any environmental remediation if needed. In addition the purchaser shall also provide the following benefits to the City as part of the purchase price: a) provide a temporary and permanent site(s) for the City's utility monitoring antenna(s) located on the existing water tower according to the needs and specifications of the Department of Public Works; b) create permanently deed restricted affordable housing units; and c) include, at a minimum, the additional public benefits set forth in the resolution section of this Council Order. The monetary purchase price shall also be reduced by any expenses the purchaser may incur in relocating the City's monitoring antenna(s).

FURTHER BE IT RESOLVED:

1. In recognition of the significant need for affordable housing options serving Newton's growing senior population that the property be sold for the purpose of creating permanently deed restricted affordable housing that will qualify for the SHI inventory and to the extent permitted by law and regulation include a local residence preference for Newton seniors.
2. That development of the site should incorporate design practices to minimize energy use and mitigate stormwater impacts.

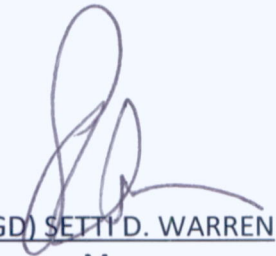


3. That prior to the issuance of a Request for Proposals to dispose of the property, the property should be rezoned to an appropriate zone.
4. That the City should provide sufficient information to the purchaser regarding the existing site conditions including, but not limited to, land surveying, contamination, adequacy of water and sewer services, and traffic data that may help determine the need for additional infrastructure improvements and/or development costs provided that the gathering of such information can be performed in-house and within existing departmental budgets.
5. As part of the disposition agreement, require that the purchaser work with the surrounding neighborhood, abutting properties owners, the Ward 4 Councilors and the Director of Transportation and/or Planning Department staff as appropriate regarding the following issues: a) on-site and off-site traffic and parking issues; b) impact of any proposed structure(s) on the property including visual and/or shadows; and c) mitigation of construction related impacts.

Under Suspension of Rules  
Readings Waived and Adopted  
24 yeas 0 nays

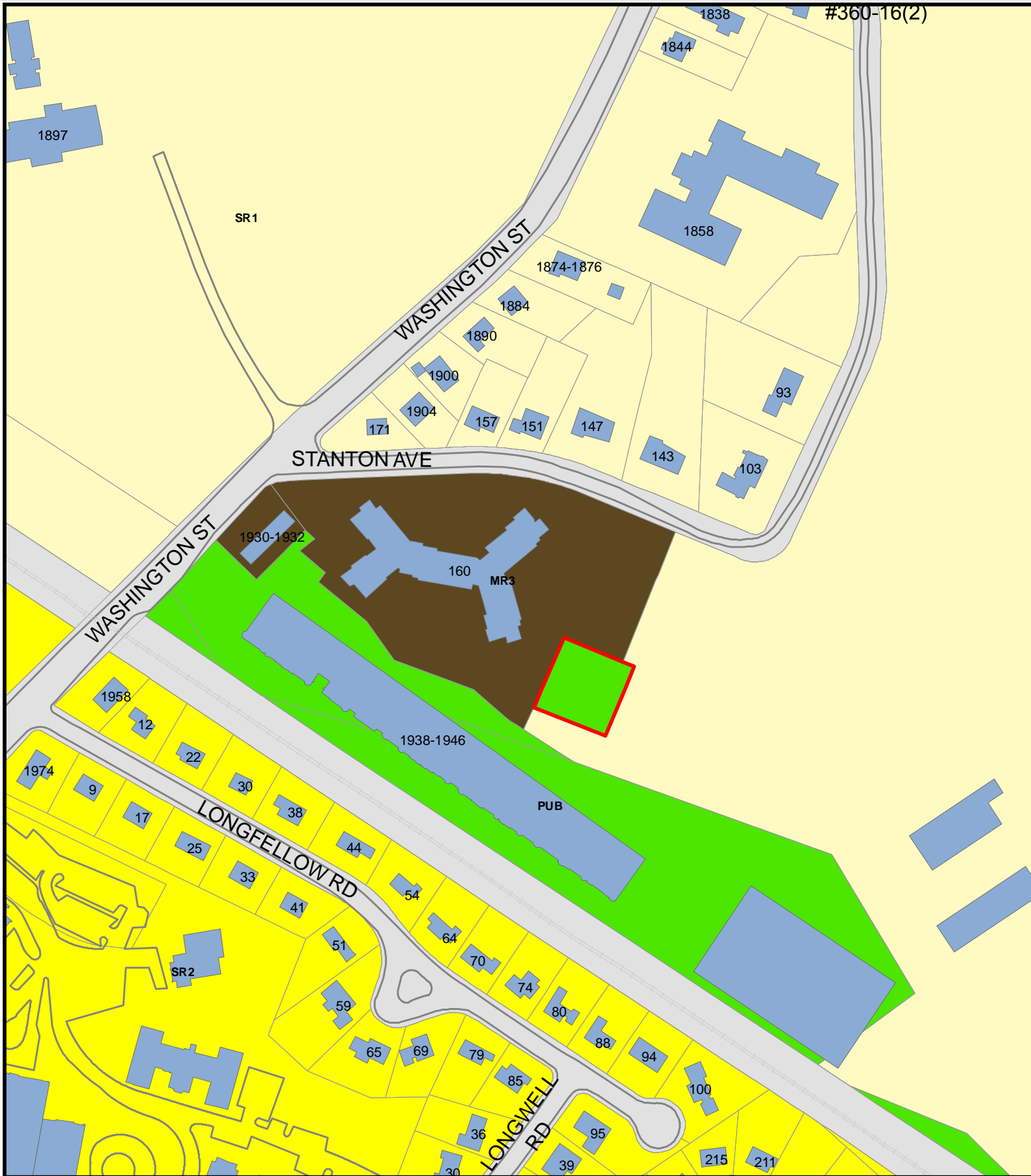


(SGD) DAVID A. OLSON  
City Clerk



(SGD) SETTI D. WARREN  
Mayor

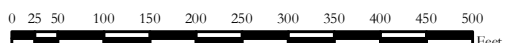
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# Stanton Avenue Water Tower

*City of Newton, Massachusetts*

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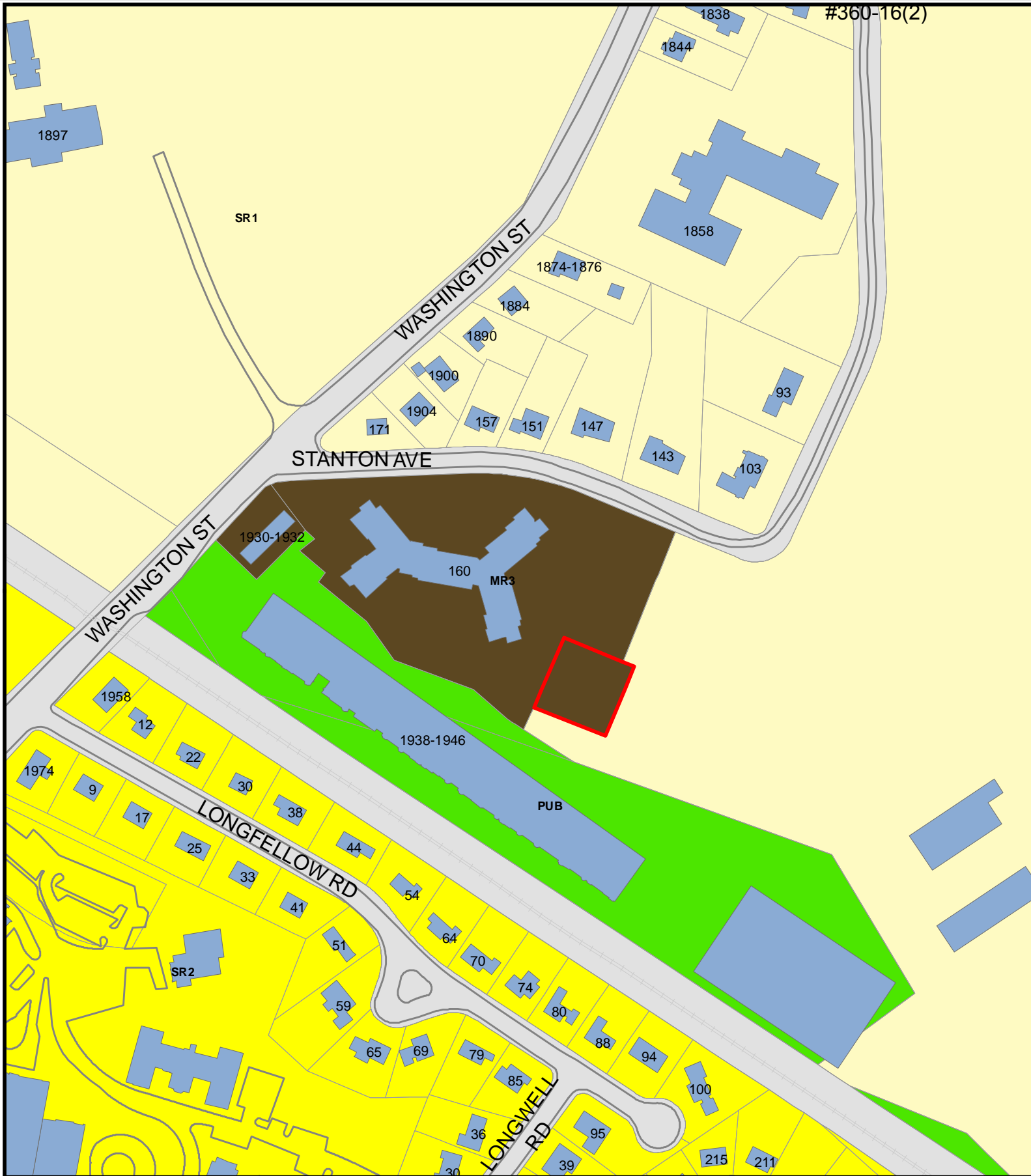


Map Date: May 04, 2017

Legend	
	Single Residence 1
	Single Residence 2
	Multi-Residence 3
	Public Use
	Building Outlines



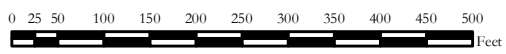
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# Stanton Avenue Water Tower

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Map Date: May 04, 2017

Legend	
<span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span>	Single Residence 1
<span style="display:inline-block; width:15px; height:10px; background-color:lightyellow; border:1px solid black;"></span>	Single Residence 2
<span style="display:inline-block; width:15px; height:10px; background-color:lightgreen; border:1px solid black;"></span>	Multi-Residence 3
<span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span>	Public Use
<span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span>	Building Outlines



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