



Land Use Committee Agenda

City of Newton In City Council

Tuesday, September 29, 2020

6:00 PM

The Land Use Committee will hold this meeting as a virtual meeting on Tuesday, September 29, 2020 at 6:00 pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/83303288979> or call 1-646-558-8656 and use the following Meeting ID: 833 0328 8979

#316-20 Petition to allow rear-lot subdivision at 432 Dedham Street

FREDERICK KAPLAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear-lot subdivision to create two lots fronting on Dedham Street at 432 Dedham Street, Ward 8, Newton Centre, on land known as Section 81 Block 11A Lot 47, containing approximately 66,503 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.5, 3.1.10 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#252-20 Petition to extend FAR and allow accessory apartment at 30-32 Salisbury Road

SHARONA MIZRAHI AND DAVID NAHOUMI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a first-floor addition to the principal dwelling and to construct dormers to the existing detached garage to allow for an accessory apartment in a detached structure, further increasing the non-conforming FAR to .66 where .64 exists and .48 is allowed and where the structure does not meet principal setback requirements at 30-32 Salisbury Road, Ward 2, Newton, on land known as Section 13 Block 07 Lot 16, containing approximately 9,773 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11, 7.8.2.C.2, 6.7.1.E.1, 6.7.1.E.5 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Referred to Land Use and Finance Committees

#364-20 CPC Recommendation to appropriate \$1,244,857 of CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million two hundred forty-four thousand eight hundred fifty-seven dollars (\$1,244,857) in Community

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Preservation Act (CPA) funding for the creation of affordable housing in the Golda Meir House Expansion Project.

#342-20

Appointments to the Northland Construction Liaison Committee

PRESIDENT ALBRIGHT appointing the following individuals to the Neighborhood Liaison Committee as established in Condition 40 of Special Permit 426-18 granted on December 2, 2019 to Northland Investment Corporation for an 800-unit mixed use development, with 193,200 sq. ft. office space, 115,114 sq. ft. of retail/commercial/restaurant space, below grade parking for approximately 1,350 spaces and related site amenities.

Ward 5 City Councilor: Councilor Deborah Crossley
Ward 8 City Councilor: Councilor Holly Ryan

Neighborhood representative(s): Gary Miller, 16 Shawmut Park (Ward 5)
Jay Werb, 31 Williams Street (Ward 5)
Tom Friedman, 50 Verndale Road (Ward 8)

Needham Street Commercial Community Representative, *informational only*: Sarah Gardella (Nothing but the Cakes)

#341-20

Class 2 Auto Dealers License

KG Motors LLC
1235 Washington Street
West Newton, MA. 02465

**7:00 PM
Or Later**

#336-20

Petition to exceed FAR at 29 Hawthorne Avenue

VARUN GOEL AND RIMA PATEL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition and enlarge the existing detached garage, creating an FAR of .37 where .23 exists and .34 is allowed at 29 Hawthorne Avenue, Ward 4, Auburndale, on land known as Section 43 Block 34 Lot 11, containing approximately 9,790 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#318-20

Petition to extend nonconforming two-family dwelling at 107-109 Grove Street

JUDY LAI YEE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-story rear addition with a basement accessory apartment, extending the nonconforming two-family use in the SR3 zone at 107-109 Grove Street, Ward 4, Auburndale, on land known as Section 43 Block 31 Lot 14, containing approximately 12,437 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

#26-20

Request to Rezone Approximately 4.4 acres to MU-3 to Create a Contiguous MU-3 Zone

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to

Mixed Use 3/Transit Oriented District for portions of land located at 355 Grove Street (currently zoned BU-2) and 399 Grove Street (currently zoned BU-5), also identified as Section 42, Block 11, Lots 3, 4, and 4A, abutting the existing MU-3 Zone.

#27-20

Petition to allow Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development of residential units, office, retail, personal services, restaurant, hotel, and related commercial uses not to exceed 1,025,000 square feet of gross floor area, with residential uses comprising not less than 60% of the total gross floor area with a residential density of not less than 800 square feet per unit with not less than 560 units nor more than 620 units with special permit relief and/or waivers as follows: as to dimensional standards, a development of more than 20,000 square feet of gross floor area, building height of up to 170 feet, buildings up to 11 stories, Floor Area Ratio of up to 2.5, beneficial open space of not less than 15%, increase of height of certain buildings with the Grove Street Area Corridor (to the extent necessary), and reduction in setback from Grove Street for certain buildings within the Grove Street Corridor Area (to the extent necessary); as to design standards, waiver of the sustainable development design standards and placement of a retaining wall greater than 4 feet in height located in a setback; as to uses, for-profit educational use, retail sales of over 5,000 square feet, restaurant with more than 5,000 square feet of gross floor area, personal service use of over 5,000 square feet, place of amusement, health club on ground floor, animal services, hotel, bank up to and over 5,000 square feet, theatre/hall, laboratory/research facility, parking facility, accessory, multi-level, parking facility, non-accessory, single level; as to parking, reduction of the residential parking requirement to 1.25 stalls per unit, reduction of the overall commercial parking requirement by 1/3, and waiver of parking stalls not to exceed 685 stalls, above and beyond the reductions specified above; as to parking facilities, waivers of the parking stall dimension requirements, the end stall maneuvering space requirements, the driveway entrance and exit requirements, the 5% interior landscaping requirements, the interior planting area requirements, the tree requirements, the bumper overhang requirements, the one-foot candle lighting requirement, the parking stall striping requirements (to the extent necessary), the curbing, wheel stop, guard rail, or bollard requirements, and the number of off-street loading facilities requirements; and as to signage, waiver of the number, size, type, location, and design requirements, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3), BU2 (a portion to be rezoned to MU3), BU5 (to be rezoned to MU3). Ref: Sec. 4.2.2.B.1, 4.2.2.B.3, 4.2.3, 4.2.4, 4.2.4.A.4, 4.2.4.B.3, 4.2.4.G.2, 4.4.1, 5.1.4, 5.1.4.A, 5.1.4.C, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.B.6, 5.1.8.D.1, 5.1.8.D.2, 5.1.9.B.1, 5.1.9.B.2, 5.1.9.B.3, 5.1.9.B.4, 5.1.10.A.1, 5.1.10.B.3, 5.1.10.B.5, 5.1.12, 5.1.12.B.4, 5.1.13, 5.2, 5.2.13, 5.4.2.B, 5.12, 6.4.29.C.5, 7.3.3, 7.3.5, 7.4 of the City of Newton Revised Zoning Ordinance, 2017. Additionally, as to infiltration and inflow mitigation, an abatement of the infiltration/inflow mitigation fee pursuant to Section 29-170 of the City of Newton Revised Zoning Ordinance, 2017.

Respectfully Submitted,
Richard A. Lipof, Chair

CITY COUNCIL

RECEIVED
Newton City Clerk

CITY OF NEWTON

DOCKET REQUEST FORM

2020 AUG 31 PM 3:27

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 9:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

David A. Olson, CMG
Newton, MA 02459

To: Clerk of the City Council

Date: LAugust 31, 2020

From (Docketer): Lara Kritzer, Community Preservation Program Manager

Address: Planning Department, Newton City Hall, 1000 Commonwealth Avenue Newton MA 02459

Phone: 617-796-1144

E-mail: lkritzer@newtonma.gov

Additional sponsors: Community Preservation Committee

1. Please docket the following item (it will be edited for length if necessary):

Recommendation from the Community Preservation Committee for the allocation of \$1,244,857 in Community Preservation Act funding for the creation of affordable housing in the Golda Meir House Expansion Project

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input checked="" type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input checked="" type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|--|---|--|
| <input type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. I estimate that consideration of this item will require approximately:

- | | |
|--|--|
| <input type="checkbox"/> One half hour or less | <input checked="" type="checkbox"/> Up to one hour |
| <input type="checkbox"/> More than one hour | <input type="checkbox"/> An entire meeting |
| <input type="checkbox"/> More than one meeting | <input type="checkbox"/> Extended deliberation by subcommittee |

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, *especially relevant Department Heads*):

City personnel

Citizens (include telephone numbers/*email please*) Lara Kritzer Barney Heath Amanda Berman

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

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8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

CPC Funding Recommendation and 2Life Communities' Golda Meir House Expansion, Additional Funding Proposal

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Lara Kritzer

Signature of person docketing the item

[Please retain a copy for your own records]



Ruthanne Fuller
Mayor

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

364-20

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(617) 796-1089
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Barney S. Heath
Director

Community Preservation Committee Funding Recommendation for Golda Meir House Expansion Additional Funding Affordable Housing

Date: August 24, 2020
From: Community Preservation Committee
To: The Honorable City Council

PROJECT GOALS & ELIGIBILITY This proposal requests \$1,244,857 to increase the affordability of the 68-unit expansion proposed by 2Life Communities at their existing Golda Meir House located at 160 Stanton Avenue in Auburndale. In December 2018, City Council approved the use of \$3.25 million in CPA affordable housing funds for the construction of this project. Since that time, 2Life has assembled all of its project funding process, including an award of HUD 202 funding, the only such grant in Massachusetts, which provides \$4 million in Capital Advance funds and 25 Project Rental Assistance Contract (PRAC) vouchers. 2Life Communities is now proposing to leverage the HUD 202 funds to provide a deeper level of affordability than was originally presented to the CPC and City Council in 2018. The overall number of units has not changed, but the level of affordability has shifted significantly as shown below:

Level of Affordability	1 Bedroom		2 Bedroom	
	2018	2020	2018	2020
Up to 30% AMI	7	18	1	2
Up to 50% AMI	20	25	2	0
Up to 60% AMI	18	2	2	3
Up to 100% AMI	8	8	2	2
No Income Restriction	4	4	4	4
Total Units	57	57	11	11

As noted above, the project will continue to create a total of 68 units, 57 of which will be restricted to residents who are 62 years of age or older. 60 of the units will be permanently affordable to households with incomes ranging from 30% to 99% of the federally defined Area Median Income (AMI), including nine units without age restrictions which are designated for individuals with disabilities who have experienced chronic homelessness.

www.newtonma.gov/cpa

Lara Kritzer, Community Preservation Program Manager
lkritzer@newtonma.gov 617.796.1144

Preserving the Past  Planning for the Future

August 24, 2020

The increase in affordability has created a funding gap which 2Life Communities proposes to address with the additional \$1.5 million in combined Newton HOME and CPA funding. HOME funding of \$255,143 was approved by the Planning and Development Board at the joint public hearing with the CPC on August 11. The 60 new permanently affordable housing units developed through this project are all CPA-eligible under Creation of Community Housing. Those units which are not deed restricted and other site amenities to be constructed at this time are not eligible for CPA funding.

RECOMMENDED FUNDING At its monthly meeting on Thursday, August 11, the Community Preservation Committee unanimously recommended, with a vote of 8 to 0, the appropriation of \$1,244,857 in Community Preservation Act Funding to the control of the Planning & Development Department for a grant to 2Life Communities for the development and construction of 60 units of permanently affordable senior housing at the deeper range of affordability stated in the July 2020 funding proposal.

SPECIAL ISSUES CONSIDERED BY THE CPC

Funding leverage & project costs: The CPC appreciates the tremendous leveraging of CPA funding achieved by this project, and recognizes the work that had gone into creating the funding package which includes state and federal funding programs, private philanthropic and foundation funding, local grants, private loans, and other funds. The project costs have risen to \$40,436,000 from the 2018 total of \$32,314,845, but the amount of CPA funding requested for the project has remained at 11% of total project costs. State and federal funding sources will cover approximately 57% of total project costs.

Community spaces & services: In their 2018 recommendation, CPC members pointed to the benefits provided by Golda Meir's recently renovated and expanded common spaces, strong supportive services, wide array of enrichment programs, and subsidized weekday lunch program. 2Life Communities' partnership with Newton-Wellesley Hospital will provide nursing-level care and geriatric care management through the new wellness center. Further, [Hearth, Inc.](#), a well-respected nonprofit dedicated to eliminating elder homelessness, will provide support services for the 9 formerly homeless tenants. This has not changed from the original proposal.

Accessibility: As noted in both project proposals, the expansion will accomplish a number of accessibility improvements for the Golda Meir House including creating an at-grade accessible upper entrance, four fully accessible units, two units adapted for residents with hearing impairments, and 65 units that are adaptable, with wide doorways, showers rather than tubs, existing grab bars plus framing for additional supports, and kitchens that can be reconfigured for roll-in use.

ADDITIONAL RECOMMENDATIONS *(funding conditions)*

1. The CPC assumes that all recommended funds will be appropriated within three years after the date of this recommendation. If this deadline cannot be met, 2Life Communities should submit a written request to the CPC to extend that deadline.
2. A grant agreement governing the phased release of both the current proposal and the 2018 CPA funding award should be executed following the City Council's approval of the CPA funding. That agreement's conditions should include, but not be limited to, those usual in other recent grants for CPA-funded affordable housing projects, including permanent affordability restrictions on all of the funded units, a final report to the CPC, and an independent "accessibility audit" to ensure as-built compliance with accessibility standards.
3. Any CPA funds appropriated but not used for the purposes stated herein should be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this project based on its success in using CPA funds to create much needed deeply affordable senior housing units which are not only affordable in perpetuity but also provide residents with the supportive services described in 2Life Communities' 2018 and 2020 proposals.

ATTACHMENTS

- 2020 Proposal and selected attachments submitted to the CPC for the August 11, 2020 review
- Presentation to August 11 joint public hearing with the CPC and Planning and Development Board

Additional information not attached to this recommendation, including petitions and letters of support, are available on the CPC's website at:

www.newtonma.gov/gov/planning/cpa/projects/jche.asp