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## ZONING REVIEW MEMORANDUM

Date: May 5, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Neil Cronin, Chief Planner for Current Planning

Cc: 2Life Holdings LLC, Applicant  
2Life Coleman Limited Partnership, Applicant  
Jewish Community Center of Greater Boston, Inc, Applicant  
Alan Schlesinger, Attorney  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

RE: **Request to amend Special Permits #175-18, #292-93, #147-79(2) and (3) and ZBA decisions #3-83 and #17-96 to subdivide the lots to create a third parcel and construct a congregate living facility**

**Applicants: 2Life Holdings LLC, 2Life Coleman Limited Partnership,  
Jewish Community Center of Greater Boston, Inc**

<b>Site:</b> 333 Nahanton Street and 677 Winchester Street	<b>SBL:</b> 83035 0004 and 83035 0004B
<b>Zoning:</b> SR1	<b>Lot Area:</b> 1,225,207 square feet
<b>Current use:</b> Vacant (part of the JCC and Coleman House properties)	<b>Proposed use:</b> Congregate Living Facility

### BACKGROUND:

The proposed development is located on two parcels totaling 1,225,207 square feet; 333 Nahanton Street and 677 Winchester Street in the Single Residence 1 zoning district. The property located at 333 Nahanton Street is improved with the Leventhal Sidman Jewish Community Center (JCC) and associated accessory parking areas. The property at 677 Winchester Street is improved with Coleman House, a five-story building that contains elderly housing. The petitioner proposes to subdivide the

lot to create a 255,538 square foot separate lot and construct a 174-unit congregate living facility. The proposed facility will connect with the existing Coleman House via a one-story enclosed walkway and shared amenity space. The petitioner also proposes to construct two levels of underground garage parking. To construct the project as proposed, the petitioner requires an amendment to the existing special permit and comprehensive permit, as well as a new special permit.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Alan Schlesinger, attorney, submitted 3/3/2021
- Existing Conditions Plan, signed and stamped by Michael A. Pustizzi, surveyor, dated 3/9/2020
- JCC Campus Site Plan, prepared by Stantec, dated 3/3/2021
- Opus Site Plan, prepared by Stantec, dated 3/3/2021
- Coleman House Site Plan, prepared by Stantec, dated 3/3/2021
- Floor Plans and Elevations, prepared by Perkins Eastman, architects, dated 2/19/2020
- Special Permit #175-18, dated 4/17/2018
- Special Permit #292-93
- Special Permit #147-79(2) and (3)
- Comprehensive Permit Decisions #3-83 and #17-96

#### **ADMINISTRATIVE DETERMINATIONS:**

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1. The proposed project will acquire land from both the JCC and the Coleman House. 2Life will acquire a 218,583 square foot portion of 333 Nahanton Street, the site of the JCC. The JCC was constructed by Special Permit #147-79 in the 1980s. The special permit has been amended several times for changes to the JCC program, with the most recent permit, Council Order #175-18 for an expansion project. An amendment to the special permit and site plan associated with Council Order #175-18 is required to allow for the subdivision of the property for the creation of the lot for the 2Life construction.

The subject property will also be created in part with the acquisition of 36,955 square feet from 677 Winchester Street, the site of the Coleman House. Coleman House was constructed in the 1980s pursuant to the terms of ZBA Decision #3-83, a Comprehensive Permit. An eight-story addition adding 46 units to the existing 100 units was constructed pursuant to ZBA Decision #17-96.

Amendments to the special permits and site plans associated with Council Order #175-18 and ZBA Decisions #3-83 and #17-96 are required to allow for the conveyance of land from the JCC and Coleman House parcels to create the third parcel for 2Life.

2. The petitioner proposes to construct a congregate living facility in the Single Residence 1 zoning district (SR1). Per section 3.4.1, a special permit is required.
3. The only by-right residential use in the SR1 zoning district is single-family dwellings. While congregate living facilities are a use allowed by special permit, no dimensional and density controls are specified for it in section 3.1. Section 3.1.2.A.3 states that in the instance where a dimensional or density control is not set forth for a use granted by special permit, then the most restrictive density or dimensional control applicable to such use in any district where the use is allowed by right would apply, unless otherwise required in the special permit. Congregate living

facilities are not allowed by right in any district, and thus the City Council determines the dimensional and density requirements for this use.

SR1 Zone	2Life Opus	JCC	Coleman House
Lot Size	218,583 square feet	852,995 square feet	116,674 square feet
Setbacks			
• Front	125 feet	feet	255 feet
• Side	0 feet	feet	0 feet
• Rear	80 feet	feet	2 feet
Building Height	86.31 feet	feet	54 feet
Stories	7		8
Lot Area Per Unit	1,452 square feet	NA	799 square feet
FAR	1.28		1.07
Open Space	60%	74%	59%
Lot Coverage	25%	8.3%	19.9%

Per section 3.1.2.A.3, where a density or dimensional control is not set forth for a use granted by special permit, the most restrictive controls applicable to such use where it is allowed by right are applicable, unless otherwise determined by the City Council in the special permit.

Condition 13(f) of Special Permit #175-18 limits buildings to three stories on the JCC parcel. As a portion of the JCC parcel is being subdivided to create the Opus lot, the special permit condition must be amended to allow for an eight-story building.

- There are 61 surface stalls available on the Coleman House property and 409 on the JCC campus. The petitioner proposes to construct 243 parking stalls on site; 230 in the garage under Opus and 13 surface stalls at the entry circle. The JCC campus will lose 65 stalls on the property to the conveyance and subsequent construction, however they will be replaced by using 30 surface stalls from the adjacent Coleman House surface parking and 35 in the Opus garage. The remaining 238 stalls will be available for shared use of residents and employees of the existing Coleman House and 2Life Opus.

	JCC	Coleman House	2Life Opus
Existing	409	60	NA
Proposed Visitor/Staff	409 344 on campus 30 Coleman surface 35 Opus garage	38 25 Opus garage 13 Entry Circle surface	
Proposed Residential	NA	60 30 Coleman surface 30 Opus garage	140 Opus garage
TOTAL	409	238	

Per section 5.1.4, a congregate living facility requires one parking stall per every two dwelling units, plus one stall for every three employees. With 174 dwelling units and 33 employees proposed at 2Life Opus, 98 parking stalls are required. Sixty stalls are existing for Coleman House and will remain available. The proposed 238 parking stalls available to 2Life Opus and Coleman

House satisfy the existing parking requirement for Coleman and the proposed parking requirement for Opus.

5. Section 5.1.3.E requires that parking stalls are not assigned to specific tenants. The petitioners seek a special permit to waive this restriction.
6. Per section 5.1.8.A.1, no parking stall may be located within any required setback distances from a street or side lot line. The petitioners propose to construct 13 surface parking stalls in an entry circle, a number of which are within five feet of the side lot line, requiring a special permit per section 5.1.13.
7. Section 5.1.8.A.2 requires that no outdoor parking locate within five feet of a building containing dwelling units. The accessible stall in the entry circle is within five feet of the proposed building, requiring a special permit per section 5.1.13.
8. Section 5.1.8.B.1 requires that parking stall widths are at least 9 feet. The petitioners propose several stalls which are 8'11" wide, requiring a special permit per section 5.1.13.
9. Section 5.1.8.B.2 requires parking stall lengths of at least 19 feet. The petitioners propose several stalls which are 17.6 feet in depth, requiring a special permit per section 5.1.13.
10. The proposed accessible stalls are all 8 feet in width with loading aisles of either 5 feet or 8 feet. Per section 5.1.8.B.4 accessible stalls require a minimum width of 12 feet. A special permit per section 5.1.13 is required. The proposed stalls meet the requirements for the AAB and the requested relief is relative to the local ordinance only.
11. Per section 5.1.8.C.1 requires a minimum width of 24 feet for access aisles for 90-degree parking. The petitioners propose a 23.6-foot wide aisle in one location of each level of parking, requiring a special permit per section 5.1.13.
12. Per section 5.1.9.A.1.i, outdoor parking facilities containing more than five stalls require a strip of at least five feet in width of densely planted shrubs or trees at least 3.5 feet high at the time of planting that provide year-round screening. The petitioners seek a special permit per section 5.1.13 to waive this requirement.
13. Section 5.1.10.A.1 requires outdoor parking facilities used at night to provide lighting maintaining a minimum density of one-foot candle on the entire surface. The petitioners seek a special permit per section 5.1.13 to waive this requirement.
14. Section 5.11.11.C requires that 5% of beds on site are required to be designated as affordable at at 80% AMI in all Elder Housing with Services projects. The proposed 174 units will have a total of 280 bedrooms. A total of 15 beds will be designated as at 80% AMI, which exceeds the 5%, or 14 beds required. Three beds will be in one bedroom units and the remaining twelve will be within six two-bedroom units.

See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
	Amend Special Permit #147-79(2) and (3)	
	Amend Special Permit #292-93	
	Amend Special Permit #175-18	
	Amend ZBA Decision #3-83	
	Amend ZBA Decision #17-96	
§3.4.1	To allow a congregate living facility	S.P. per §7.3.3
§3.2.2.A.3	To determine the density and dimensional controls	S.P. per §7.3.3
§5.1.3.E	To allow assigned parking	S.P. per §7.3.3
§5.1.8.A.1	To allow parking within the side setback	S.P. per §7.3.3
§5.1.8.A.2	To allow parking within five feet of a building containing dwelling units	S.P. per §7.3.3
§5.1.8.B.1	To allow reduced parking stall width	S.P. per §7.3.3
§5.1.8.B.2	To allow reduced parking stall depth	S.P. per §7.3.3
§5.1.8.B.4	To allow reduced accessible stalls	S.P. per §7.3.3
§5.1.8.C.1	To allow a reduced aisle width	S.P. per §7.3.3
§5.1.9.A.1.i	To waive perimeter landscaping requirements	S.P. per §7.3.3
§5.1.10.A.1	To waive lighting requirements for outdoor parking	S.P. per §7.3.3