



Ruthanne Fuller  
Mayor

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**#357-22 & #358-22**

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**Barney S. Heath**  
Director

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## PUBLIC HEARING/WORKING SESSION MEMORANDUM

**DATE:** December 2, 2022  
**MEETING DATE:** December 6, 2022  
**TO:** Land Use Committee of the City Council  
**FROM:** Barney S. Heath, Director of Planning and Development  
Katie Whewell, Chief Planner for Current Planning  
Michael Gleba, Senior Planner  
**CC:** Petitioner

In response to questions raised at the City Council public hearing, the Planning Department is providing the following information for the upcoming public hearing/working session. This information is supplemental to staff analysis previously provided at the Land Use Committee public hearing.

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### **PETITIONS #394-22 & #395-22**

**136-144 Hancock Street**

**Petition #394-22**, to rezone parts of the following 2 parcels: 136-144 Hancock Street (Section 43 Block 31 Lot 01) and ~~169 Grove Street (Section 43 Block 31 Lot 16)~~ from SINGLE RESIDENCE 3 TO MULTI RESIDENCE 2.

**Petition #395-22**, for SPECIAL PERMIT/SITE PLAN APPROVAL to allow multi-family dwellings, to allow single-family attached dwellings, to allow a reduced rear setback, to allow reduced lot area per unit, to alter and extend a nonconforming side setback, to waive parking stalls, to waive perimeter screening requirements and to waive lighting requirements at **136-144 Hancock Street** and ~~169 Grove Street~~ Ward 4, Newton, on land known as Section 43 Block 31 Lots 01 and ~~16~~ containing approximately 58,492 sq. ft. of land in a district zoned SINGLE RESIDENCE 3 (rezone to MULTI RESIDENCE 2 proposed). Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 4.1.3, 7.8.2.C.2, 5.1.4, 5.1.13, 5.1.9.A.1.ii, 5.1.10.A of the City of Newton Rev Zoning Ord, 2017.

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The Land Use Committee (the "Committee") held a public hearing on September 20, 2022, on this petition. This memo reflects additional information addressed to the Planning Department as of December 1, 2022.

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### **BACKGROUND**

The proposed subject site consists of a 58,492 square foot lot at the intersection of Grove and Hancock streets. Located in a Single Residence 3 (SR3) district, the property is improved with multiple buildings constructed between 1850 and 1957 known as the Walker Center, a nonprofit ecumenical retreat and inn.

The petitioner proposes to demolish a single-family dwelling on site and convert the two existing main Walker Center buildings into multi-family dwellings containing twelve residential units and to construct four single-family attached dwellings in two new structures along the Grove Street frontage. In total, the petitioner proposes 16 residential units in four buildings and 27 parking stalls (13 surface and 14 garaged).

To do so, the petitioner is seeking to have the subject parcels rezoned to Multi Residence 2 (MR2) and to be granted a special permit under MR2 zoning to allow for the proposed development. In order to construct the proposed development as designed and subject to MR2 zoning district requirements, the petitioner requires a special permit per Section 3.4.1 of the Newton Zoning Ordinance (NZO), to construct multi-family dwellings and single-family attached dwellings. As detailed in the Planning Department's previous memo dated September 16, 2022, several aspects of the proposed project also require a special permit.

## **UPDATE**

### **Infiltration and Inflow (I&I) fee**

As calculated by the City Engineer, the total sewer infiltration and inflow (I&I) fee for the project would be \$237,262. That office has recommended that 75% of that sum can be abated, leaving 25%, or \$59,316 to be used for the design and construction of upcoming sewer improvements.

The remaining 75% of the I&I fee, \$177,946, can be directed to "benefit the health and well-being of the public and is reasonably in the best interest of the city" toward other mitigation purposes.

Various consultations have indicated a preference for this amount to be distributed as such:

- \$88,972- to the Newton Affordable Housing Trust to support the creation and preservation of affordable housing in Newton
- \$44,487 toward NewMo, the City's shuttle service
- \$44,487 toward pedestrian and safety improvements in the immediate vicinity of the area

### **Parking, Transportation Demand Management, and Sustainability**

The petitioner has indicated that all 27 parking stalls (garaged and surface) will be "EV ready" and that the eight parking stalls located in the townhouse component of the development would have electric charging stations installed. The 13 exterior surface parking stalls would be subject to unbundling.

The petitioner will also provide secure bicycle racks and storage on site. The Planning Department also suggests that the petitioner contribute \$5,000 toward additional bicycle sharing services in the vicinity of the development.

The project was reviewed against a draft worksheet (**Attachment A**) the Planning Department developed with the goal of making Transportation Demand Management plans standardized and predictable amongst developments based on their size. The worksheet breaks out the project size by the number of parking stalls, as that is the most likely indicator of vehicle trips. Using this worksheet, the applicant would be encouraged to make a contribution toward NewMo and bikeshare of approximately \$13,500 based on the number of parking stalls provided, and a standardized payment of \$5,000 based towards bikeshare. The petitioner would also then be encouraged to adopt TDM options that are based on points. With the EV ready stalls and bike parking they are likely meeting their suggested number of points but have not committed to a contribution under this draft worksheet.

### **Rezoning Petition**

Attached is the Planning Board's determination and recommendation supporting the rezoning request (**Attachment B**). Additionally, the Planning Board found that this rezoning request requires a simple majority vote under the recent Housing Choice amendments to Chapter 40A.

The Planning Department expects to have a draft Council Order in advance of the upcoming public hearing.

### **ATTACHMENT(S)**

<b>Attachment A</b>	TDM draft worksheet
<b>Attachment B</b>	Planning and Development Board Zoning/Majority Vote Recommendation

## ATTACHMENT A

Last update: 2022.09.22	Project	Small (Baseline commitments + 3 points)	Medium (Baseline commitments + 6 pts)	Large (Baseline commitments + 9 pts)	Development Proposal
<b>Proposal</b>	Parking Spaces (Proposed)	20-34 parking spaces	35-99 parking spaces	100+ parking spaces	
<b>Baseline Commitments</b>	NewMo Service* (Contribution) or other shuttle, as per City	\$500/parking space one-time contribution	\$1500/parking space one-time payment	\$5000/parking space one-time payment	
	Bike Share* (sponsorship + membership subsidy)	\$5,000 one-time contribution	\$10,000 one-time contribution	\$80,000 + station on-site by request	
	Parking (Market rate, unbundled)	Yes	Yes	Yes	
<b>TDM Options</b>	Bus Shelters, as approved by City	As per City - 3 pts	As per City - 3 pts	As per City - 3 pts	
	Bike Parking (30% above zoning)	1 pt	1 pt	1 pt	
	Bike Shower/Locker (non-residential)	2 pts	2 pts	2 pts	
	Car Share (aka Zipcar) on site - to be verified with contract	1 pt per confirmed vehicle	1 pt per confirmed vehicle	1 pt per confirmed vehicle	
	EV Charging (100% EV ready. 50% residential with charger, 25% commercial with charger)	3 pts	3 pts	3 pts	
	Parking (Daily charge to driver, instead of monthly, annually)	3 pts	3 pts	3 pts	
	Transit Subsidy (> 50%) [includes mbta, car share, bike share, newmo...]	2 pts (3 years)	2 pts (3 years)	2 pts (3 years)	
	Car/vanpool spaces	1 pt	1 pt	1pt	
	TDM coord./TMA memb. * Incentives for walk/bike * GRH * Car/vanpool matching * Prioritized/Discounted HOV parking * Transportation Info (Contact info required) Other	1 pt      tbd	1 pt      tbd	1 pt      tbd	
<b>TDM Additional (for Large)</b>	SOV Mode Share Commitment	NA	NA	As requested by City	
	Annual Monitoring and reporting * Annual survey * Counts of cars, bike parking occupancy and driveway in/out * Annual status update of TDM measures	NA	As requested by City, annual peak time parking count, up to 3 years post occupancy	As requested by City	
	* Payment upon issuance of 1st building permit, which may include demo or foundation				

**CITY OF NEWTON**  
**Planning and Development Board**



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Mayor

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Planning & Development

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October 5, 2022

To: The Honorable City Council President, Susan Albright  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459

CC: Honorable Newton City Councilors  
Planning & Development Board

**SUBJ: Planning & Development Board Recommendation on Petition #394-22**  
Request to Rezone 136-144 Hancock Street/169 Grove Street from Single  
Residence 3 (SR3) to Multi-Residence 2(MR2)

Dear Honorable Council President Albright:

The Planning and Development Board joined with the City Council Land Use Committee for the September 20<sup>th</sup> opening of the public hearing on the above petition. Subsequently, the Planning & Development Board met on October 3<sup>rd</sup> to continue the public hearing. Following the close of the Planning Board's public hearing on the rezoning request, the Planning & Development Board voted in favor 6-0-1 (Director Heath abstaining) to recommend approval of this zone change request.

The Planning & Development Board additionally concluded that the petition to rezone the property referenced in Docket #394-22 from SR3 to MR2 qualifies as an eligible location for a simple majority vote under M.G.L Chapter 40A, Section 5 because the zone change requested would increase the residential density of the property and the site is also located within less than 0.5 miles of both the Riverside MBTA and the Auburndale Commuter Rail stations. The Board therefore recommends to the City Council by a vote of 6-0-1 (Director Heath abstaining) that this rezoning petition should be subject to a simple majority vote.

Sincerely,

Peter B. Doeringer, Chair