



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS
Brenda Belsanti, Zoning Board Clerk

MEETING MINUTES

Wednesday, October 19, 2022
7:00 p.m.

Hybrid – in person and via ZOOM

Board Members Present: Brooke Lipsitt (Chair), Michael Rossi, Elizabeth Sweet, Lei Reilley, William McLaughlin, and Jennifer Pucci

Staff Present: Brenda Belsanti, ZBA Clerk; Jonah Temple, Deputy City Solicitor (remote); Heather Zaring, Executive Assistant (remote); Anthony Ciccariello, Deputy Commissioner of Inspectional Services; Barney Heath, Director of Planning; and Katie Whewell, Chief Planner

A public hearing of the Newton Zoning Board of Appeals was held as a hybrid meeting in person and virtually via Zoom on Wednesday, October 19, 2022, at 7:00 p.m. on the following petitions:

1. **#08-22** Josh Ehrenfried of 78 Winston Road, Newton, Massachusetts, pursuant to M.G.L. c. 40A, § 8, and 15, appealing the August 18, 2022 issuance of a building permit by the Commissioner of Inspectional Services for the installation of foundations for sports field lighting. The subject property is at 140 Brandeis Street, Newton, Massachusetts within a Public Use (PUB) zoning district.
2. **#10-22** Metro West Collaborative Development, Inc., requesting a Comprehensive Permit, pursuant to M.G.L. Chapter 40B, to redevelop the West Newton Armory into a 100% affordable mixed-use development with 43 affordable residential units, community space, office space, and 33 parking stalls. The subject property is located on 33,150 square feet of land at 1135-1137 Washington Street in the Business 2 Zoning District.

Agenda Item 1: #08-22 – Josh Ehrenfried of 78 Winston Road, Newton. Sitting Members: Brooke Lipsitt (Chair), Michael Rossi, Elizabeth Sweet, William McLaughlin, and Jennifer Pucci

Documents Submitted:

1. 140 Brandeis Street appeal application dated August 19, 2022.

Testimony:

Chair Lipsitt asked for clarification as to why the ZBA would have authority over this appeal



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS Brenda Belsanti, Zoning Board Clerk

application.

Mr. Ehrenfried asked to present a Powerpoint outlining his argument.

Chair Lipsitt directed that it must separate the zoning piece from any other information due to the Board's not being able to hear the rest of the presentation until it is determined whether or not this is a zoning issue. She asked Mr. Ehrenfried to present the part of the zoning ordinance that applies to the case.

Mr. Ehrenfried questioned a site plan review stating there was no site plan review

Chair Lipsitt responded the site plan review section of the Zoning Ordinance is not carefully crafted but Section 6.3.14 refers to private schools not city public schools. The city does not run either for-profit or non-for-profit schools referred to in that Section. The city runs schools in public use districts. The schools are subject to Section 5.58 of the general ordinances which is not a zoning ordinance.

Mr. Ehrenfried responded that if 5.58 applied, a site review should have been undertaken and no site review was undertaken

Chair Lipsitt responded she questioned if 5.58 should have been implemented in this case and referred to Attorney Temple

Attorney Temple explained that 5.58 is applicable to all city projects but is not triggered for every project. It is only triggered for projects of a certain size. Projects of a smaller scale such as the installation of solar panels or lights do not trigger 5.58.

Mr. Ehrenfried responded that a substantial change in usage would trigger 5.58 and stated, "I would suggest that there is a very strong evidence substantial change in usage applies here."

Chair Lipsitt responded that she understood there could be disagreement on whether or not 5.58 is triggered, but that is not a debate that is under the purview of the Zoning Board of Appeals. That



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

needs to be handled in another forum and asked Attorney Temple to advise what forum that would be.

Attorney Temple responded that he is not able to give legal advice, but the city has made a determination that 5.58 does not apply to this particular city project and if there is disagreement Mr. Ehrenfried would need seek legal counsel for the actions he could take.

Mr. Ehrenfried asked the reasoning behind the justification that the project does not apply as a substantial change in use.

Attorney Temple responded that it is a field, and the addition of lighting is considered maintenance of that field.

Mr. Ehrenfried asked whether changing a field that for 60 years had no lights and now does for nights is not a change in usage.

Attorney Temple responded that, even with that argument, the ZBA still has no authority to hear this.

Mr. Ehrenfried argued that a field never used at night and now used at night is a change in usage.

Mr. Ehrenfried presented the zoning ordinances he believed applied to the appeal. Ordinances 5.58 and 21.2. 21.2 applies because School Committee should have jurisdiction over the decision not Parks & Recreation because it's a substantial change in use not a maintenance issue. Mr. Ehrenfried also asked what forum there was for questioning the ordinances.

Attorney Temple responded that he is not aware of any forum other than filing a lawsuit.

Mr. Ehrenfried stated that "the project has moved very quickly and is not the most appropriate use of the land nor has it received a comprehensive plan adopted by the Planning Board and City Council". Mr. Ehrenfried asked if his points should be addressed one at a time.



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS Brenda Belsanti, Zoning Board Clerk

Chair Lipsitt stated it was her position that none of the points apply because under the ordinances this is a public use district so none of the zoning ordinances apply. She continued, "You are welcome to take your time and the time of the Board reading through the ordinances not being appropriately applied, but I'm not sure what part of the ordinance is not being respected if the entire ordinance does not apply here."

Mr. Ehrenfried asked for clarification. Did the Chair mean that this project adding lights is not governed by any zoning regulations?

Chair Lipsitt stated that her understanding that it does not apply.

Mr. Ehrenfried asked if other members of the Board could give opinions.

Chair Lipsitt stated that once the Board speaks, the question will be decided so to speak before we poll the Board.

Mr. Ehrenfried asked for clarification on public use and zoning.

Chair Lipsitt explained that Chapter 30 of the Zoning Ordinance does not apply according to the wording of the zoning ordinance itself. Which reads in section 2.2.1, "Public uses are allowed provided that such uses shall be subject to site plan review." Site plan review has been interpreted for many years as review under section 5.58 of the ordinances which is not part of this chapter. Chair Lipsitt stated confusion is understandable because it does say 'site plan review' and 'site plan review' is also referred to in the Zoning Ordinance because it is also what we do in this body and the Land Use Committee of the City Council, but the site plan review referred to here is in chapter 5.58 which is not a Zoning Ordinance. Chapter 6.3.10 is the use regulations chapter for public use and it says that where the City of Newton is the owner the building must be constructed with the revised ordinances chapter 5.58

Mr. Ehrenfried asked if the site plan review in section 6.3.14 refers to schools.

Chair Lipsitt replied that those are not public schools. 6.3.14 refers to schools organized by people



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

other than the city, such as the Jackson School or the Russian School of Mathematics, not public schools.

Mr. Ehrenfried stated the project was announced October 4, 2021 and he was told by the Mayor's Office that there was nothing planned for this project and no one was in charge of it. "The neighbors have tried to understand the process for months. City Council stated they were not in charge and now you are saying they should have been. Is that what you are suggesting?"

Chair Lipsitt responded that if anyone was in charge it was the City Council. Attorney Temple tells us that 5.58 is applied on larger projects, not every single thing the city does. If the city put everything like paving a sidewalk through all the boards and City Council the sidewalks would never be repaired.

Mr. Ehrenfried stated the City Council should have been called in but the Mayor subverted them by using ARPA funds. There was no public hearing and we've never been given an opportunity to speak on this. This is the first opportunity we have had to speak on this. There are significant concerns about this project and the lighting in this neighborhood.

Chair Lipsitt apologized but the Board cannot hear the substance of the complaint without getting through the first portion and stated she was not convinced the Board could help on this subject.

Mr. Ehrenfried asked if the only action the neighborhood could take is sue the City. He asked if he could give his full presentation to see if there are Zoning Ordinances involved. What other steps are there to take to be heard?

Chair Lipsitt stated she is sympathetic to his concerns. "Let me query the Board to see if there is a Zoning issue to be heard and after that we can discuss how to proceed."

Mr. Ehrenfried asked if anything could have been communicated over the last two months of filing that the Board would not hear this matter.

Chair Lipsitt explained that the Board does not discuss items outside of the meetings. We will



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

address the issue now. Chair Lipsitt asked for comments from the public on the narrow issue of whether this belongs in front of us.

Public Comments:

Steven Farrell, 30 Winston Road, asked if the conversation now with the Board that it would be the end of the conversation for us.

Chair Lipsitt stated that it would be the end of this portion of the conversation. If the Board determines that the item is properly before us, then we would hear the item on its merits.

Mr. Farrell stated he had one specific ordinance I believe has been infringed on by these lights, the light diffusion ordinance

Chair Lipsitt stated the lighting ordinance is not covered by Zoning either. So, it is like 5.58. It does not belong here.

Carolyn Craft, 295 Dudley Road stated the city did a power grab putting unhealthy, hideous LED light in and we have had no say in the process. It is unacceptable and we should gather and protest at City Hall. Promises were made three years ago of no more lights, and we are very unhappy with the Mayor.

Amy Sangiolo, 389 Central Street asked if someone wants to challenge the issuance of a building permit is the ZBA not the appropriate body. If you are, then this petition is properly before the body. If someone goes and pays \$1000 to make an appeal of a building permit or go before your body is there a vetting process to look at it and say this may not be something we take and tells the petitioner to appeal somewhere else, but that your body is not the appropriate place to do it. Is there a process in place?

Chair Lipsitt stated the ZBA is the appropriate body to appeal building permits. Under the rules of



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS Brenda Belsanti, Zoning Board Clerk

the ZBA an appeal can be filed if any person is aggrieved by an order or decision of the Commissioner of Inspectional Services in violation of any provision of general laws under Chapter 40A or the Newton Zoning Ordinance. There is not a formal process in place for vetting. Things get to the board once they are on the docket. I am sorry but I cannot address the administrative piece that goes on before that. The question before the Board is do we have anything here that is in conflict with the Zoning Ordinance. There are building permits that are happening that don't fall under the Zoning Ordinance because they are happening on city properties which are not subject to the Zoning Ordinance.

Attorney Temple stated that he had an extensive conversation with the petitioner's attorney back in June and explained all of this in detail and in emails with copies of the ordinance, stating that this was not subject to Zoning and they should not file an appeal with the ZBA, long before they filed.

Chair Lipsitt asked the Board for comments on whether the item is properly before us.

Mr. Rossi agreed with the sentiments expressed by the chair and stated he was sympathetic to the residents of the neighborhood wanting to be heard, but it is not the function of this Board to be a sounding board or a discussion session or a forum to banter about the wisdom of a project. Our focus is narrow and it is to grant relief under the zoning ordinances. We can't do that here for all the reasons the Chair has put forth, primarily because this is a public use district and is not subject to the zoning ordinance. We can't do our job with this issue. Also, if we did grant relief, I don't believe it would be enforceable. It would be quickly overturned because we do not have the authority to make the decision and grant the relief or make the changes the petition is requesting because it is not our job it would not be binding. This is not properly us before because we do not have the authority to grant relief.

Mr. McLaughlin stated he is in agreement with both the Chair and Mr. Rossi. Once it was determined this was not a substantial change a year ago, it never entered the public realm. therein lies the debate between the residents and the city, and someone should have that conversation, but it is not this Board. I would like to make a motion to refund the \$1000 since they did not belong here in the first place.



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS
Brenda Belsanti, Zoning Board Clerk

Chair Lipsitt chose to table the motion of refund until the conclusion of the merit discussion.

Mr Ehrenfried asked to speak prior to the Board vote.

Chair Lipsitt stated she would let him speak but to be concise.

Ms. Sweet agreed with her colleagues that the issue does not belong with this Board.

Ms. Pucci stated agreed with the interpretation of the applicable law and with what Attorney Temple said.

Ms. Reilley agreed.

Mr. Ehrenfried asked for clarification on the ordinance concerning schools and voiced his appreciation of being heard.

Chair Lipsitt stated that Mr. Temple is not Mr. Ehrenfried's legal counsel and unable to advise.

Deliberation:

A motion was made by Michael Rossi that the petitioner lacks standing to seek relief from the Board, seconded by William McLaughlin with an amendment to refund the \$1000 filing fee. Mr. Rossi agreed to the amendment. Mr. Rossi stated that it not infrequent that a petitioner comes before us with a case that lacks merit. I don't recall ever refunding the filing fee. I will support the amendment because the situation is unique and not simply because the petitioner lacks standing.

Chair Lipsitt agreed with Mr. Rossi and believes the Board is being quite generous.

Ms. Reilley stated she is concerned about setting the precedent for a refund after the City Solicitor already communicated with the petitioner's attorney that this motion was not proper to be brought here and wondered how that will affect future filings.

Mr. McLaughlin suggested voting on the issues separately.



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS
Brenda Belsanti, Zoning Board Clerk

Chair Lipsitt agreed which is permitted under Robert's Rules.

On the first motion made by Mr. Rossi and seconded by Mr. McLaughlin that the item is not properly before us.

The motion passed 5-0.

On the second motion to amend made by Mr. McLaughlin and seconded by Mr. Rossi to refund the filing fee of \$1000

The motion passed 4-1 (Lipsitt, Rossi, McLaughlin, Sweet in favor; Pucci opposed)

Agenda Items 2: #10-22 Metro West Collaborative Development, Inc., requesting a Comprehensive Permit, pursuant to M.G.L. Chapter 40B, to redevelop the West Newton Armory into a 100% affordable mixed-use development with 43 affordable residential units, community space, office space, and 33 parking stalls. The subject property is located on 33,150 square feet of land at 1135-1137 Washington Street in the Business 2 Zoning District.

Sitting Members: Brooke Lipsitt (Chair), Michael Rossi, Elizabeth Sweet, William McLaughlin, Lei Reilley, with Jennifer Pucci as alternate

Documents Submitted:

1. 1135-1137 Washington Street comprehensive permit application stamped dated September 20, 2022
2. Set of plans dated September 23, 2022
3. Memorandum from the Planning Department dated October 12, 2022
4. Memorandum from the Urban Design Commission dated October 13, 2022
5. Memorandum from the Fair Housing Committee dated October 17, 2022



CITY OF NEWTON, MASSACHUSETTS

City Hall
1000 Commonwealth Avenue, Newton, MA 02459-1449
Telephone: (617) 796-1060 Fax: (617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

Testimony:

Caitlin Madden, Executive Director of Metro West Collaborative Development, presented a PowerPoint presentation outlining the redevelopment of the West Newton Armory located at 1135-1137 Washington Street, Newton for which was submitted a comprehensive permit application under Chapter 40B. She gave a brief introduction of the team, provided a high-level program and process overview of the project, reviewed the current design, summarized the requested waivers, and highlighted the next steps in the project cycle. The Newton Armory redevelopment project is a collaborative project between Metro West Collaborative Development and CIVICO Development. Team members present included Sharone Small, MWCD Senior Project Manager, Andrew Consigli of CIVICO, Laura Cello-Mowatt, Davis Square Architects and additional project team members available to help answer questions including Terrence Morris our permitting attorney.

Ms. Madden stated that they would be submitting a request for funding to the state the following week. She also shared rental and housing cost data for the City of Newton, the number of applicants for affordable housing, and the shortage of accessible units and senior housing.

Katie Whewell, Chief Planner for the City of Newton presented a PowerPoint outlining the project, history of the project, boards and commissions reviewed, and waivers needed. The Planning Department will be working with the developers for any further studies and planning needed for the project.

Public Comments:

Thor Halverson, 872 Watertown Street asked about the light ordinance and wanted to know what waiver they are seeking so abutters can view it objectively. He also expressed concern about how construction will handle the hazardous materials and dust on the site during demolition.

Chair Lipsitt stated the Board will be looking for a lighting plan and what the developer will be doing about a 21E investigation. That should address issues of site contamination.

Sean Roche, 42 Daniel Street stated he supports the project, especially the deeply discounted rents



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

and the proximity to public transportation. One concern is that the city needs to get this done quickly for the development to get the state funds, so he urged the Board to move quickly.

Tom Gagen, 32 Fern Street stated his concern is to get it done as quickly as possible due to inflation, increasing cost of building materials, etc., It's important to get this done to get the state funds before January.

Chair Lipsitt responded that the Board does move as quickly as it can. Planning would like to hire a peer reviewer for parking and transportation issues, and we won't be able to get too far until those are done, but will move as expeditiously as we can.

Lynn Weisberg, 5 Alden Street stated she agrees with the previous speakers and that it is fabulous that 15 units are at 30% AMI and that there are 7 three-bedroom units since they are suitable for families.

Nancy Zollers, 154 Oliver Road stated there is a need for this housing for families since there are so few. This is so good to Newton to have so many that will be available. She is proud of Newton and the developers for this and supports the project.

Henry Korman, 45 Wedgewood Road stated this serves families and those with disabilities that most 40B projects in Newton usually don't do, so this is needed. Since this is a public building, this really creates opportunity. MetroWest is a strong partner and they have been great working with the neighbors. He has faith in them to address any issues. He hoped it moves quickly to receive the state funds.

David Rockwell, 13 Floral Place agreed with the previous comments. This development team brings so much value especially to affordable housing. After this project is operating it important to have good sponsorship and Maloney Properties is an excellent low-income property manager that has the capacity to deal with the issues that come up with low to moderate income families. They know how to find services people need if families run into difficulties. Mr. Rockwell stated that he retired from doing affordable housing financing after 25 years and that Maloney is one of the highest regarded property management companies in the affordable housing area. Also, the



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

responsiveness of this developer to the comments from the various city boards and neighborhoods shows they are willing to listen and he thinks this will continue throughout the project. This is a unique opportunity to bring this type of housing into Newton and he looks forward to welcoming these families into the city.

Board Discussion:

Mr. Rossi asked for clarification on his understanding that there were 26 parking stalls for residents and 5 stalls for visitor and office use. Will the garage spaces be assigned? Aside from the five spaces, is there any plan for visitor parking?

Ms. Cella-Mowatt responded that is correct. 26 stalls would be in the garage for the residents and the 5 surface spaces would be used by Metro West. We are open to those spaces being available to visitors and residents off hours and overnight. The garage spaces will be assigned, and we will use a lottery system to choose the residents that will receive a space. Having assigned spaces will avoid people searching for space and reduce the amount of traffic in and out of the garage. Currently there is a lot of street parking on Washington Street, over 200 spaces within a ¼ mile radius, that is under-utilized so there should be ample street parking for visitors.

Mr. McLaughlin asked for clarification on water/sewer drainage and the sensitive areas around. It is his understanding that there will be no natural gas used on the site. Can we have an overview of the utilities?

Chelsea Christiansen, Civil Engineer with Nitsch Engineering presented the rendering of the site utility plan. There will be further studies.

Chair Lipsitt asked the state of the waiver for storm water requirement. Will there be further investigation? When is this investigation going to happen?

Ms. Christiansen responded that there is further testing regarding ground water being done. They are hoping to complete all testing prior to the next hearing.



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

Attorney Terrence Morris, 57 Elm Road, representing Metro West Collaborative and CIVICO, explained that the City Council adopted an ordinance in the spring which included new storm water and erosion management regulation. The ordinance Chapter 29 section 148 has a provision for exemptions that are a bit circular. Ultimately the decider may be the Engineering Division.

Ms. Sweet stated she is interested to hear more about the storm water study with climate change and more Atlantic storms predicted. She asked for clarification on the landscaping. Can there be more pollinators and less lawn for the design?

Rebecca Bachand, Landscape Architect with RBLA Design, presented the landscape plan and referred to the comprehensive permit application plans. There is not much lawn. The un-mowed slopes in the back could be more pollinator heavy and there will be a focus on native planting.

Chair Lipsitt asked if there would be any screening between the steep back and the parking lot adjacent below and clarification of the waiver for the tree ordinance with no trees currently on the site. Could more vertical screening be installed for more privacy for the side patio?

Ms. Bachand responded that the existing vegetation should be adequate for screening. It is correct there are no trees on the site. More screening for the patio has been discussed and there are taller plants on that side.

Ms. Reilley expressed concern about the adequacy of the parking especially since there will be some three-bedroom units that could potentially have two cars for the household.

Attorney Morris responded that a previous project he worked in Newton had 29 units and 32 spaces and the spaces are not being used. That is with market rate housing so we feel it would be even more so with more affordable housing.?

Ms. Pucci asked to share the thinking on the mix of units and if there was any focus on the units that could support a family. Also, five units are fully accessible – what size units are those?



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

Ms. Madden responded that the general rule of thumb for tax credits is you need at least 40 units to make it viable. They tried to be aware of the height of the building and fitting in with the context of the neighborhood and abutters and also tried to maximize the number of three-bedroom units with 7 units.

Ms. Cello-Mowatt responded that there are five accessible units. They are required to have two units, but there is a need for this type of housing to help with aging in place. Four units are one-bedroom units that are also CBH type units with enhanced accessibility above and beyond building code requirements and one two-bedroom unit. All the units in the project will be visitable by wheelchair with elevators to all floors and maintained minimal clearances.

Chair Lipsitt asked for clarification about how this project fits in with the Washington Street Design Plan, a sign package and a lighting plan. Also, bicycle storage is in an area where someone would have to go through the entire garage to get in and out; is there another alternative?

Chair Lipsitt stated the architecture does not seem to meld between the old and the new building. She would like to see something in the new structure that relates to the old. Are there more discussions with the Urban Design Commission? What is the purpose of the front balcony where the stairs are being taken out.

Ms. Madden responded there were no plans to go back to the UDC.

Mr. Heath responded the proponents have been through many iterations of the design and met multiple times with UDC and responded to all the comments they did receive.

Ms. Cello-Mowatt presented and spoke to the materials, colors, and building lines being planned and the changes in design over time. She pointed out the visual connections and internal ties. The goal of the balcony was to have an outdoor area for people to gather and they needed to remove the stairs. The Historic Commission is in support of the balcony.

Chair Lipsitt asked for a motion to hire a Peer Review Team for transportation and parking, as recommended by the Planning Department.



CITY OF NEWTON, MASSACHUSETTS

City Hall

1000 Commonwealth Avenue, Newton, MA 02459-1449

Telephone: (617) 796-1060 Fax: (617) 796-1086

www.newtonma.gov

Ruthanne Fuller
Mayor

ZONING BOARD OF APPEALS

Brenda Belsanti, Zoning Board Clerk

On the motion made by Ms. Sweet and seconded by Mr. McLaughlin to hire a peer review team,

The motion passed 5-0.

The hearing was continued to December 7.

Adjourned 9:30 p.m.

ZBA DECISIONS can be found at www.newtonma.gov/ZBA