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Barney S. Heath
Director

PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: September 22, 2017
MEETING DATE: September 26, 2017
TO: Land Use Committee of the City Council
FROM: Barney S. Heath, Director of Planning and Development
Neil Cronin, Senior Planner
CC: Petitioner

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

PETITION #132-17

Lagrange Street/Kessler Woods

Request for Special Permit/Site Plan Approval to amend Board Order #102-06(15) to locate the inclusionary units off site at 219 Commonwealth Avenue.

The Land Use Committee has held public hearings on this petition on June 13, July 11 and August 8, 2017. At those hearings the discussion has been focused principally on the comparability of the current inclusionary affordable housing units to be provided at the approved project at Hancock Estates (formerly known as Kessler Woods) versus a proposal for off-site affordable units to be developed by the petitioner at 219 Commonwealth Avenue.

In the most recent "Combined Enhanced Proposal" the petitioner proposes to relocate eight of the thirteen inclusionary units from Hancock Estates to 219 Commonwealth Avenue. Specifically, all eight (8) two-bedroom units will be relocated; the remaining units at Hancock Estates will be five (5) one-bedroom units available to households earning up to 50% of Area Median Income (AMI). Other than the eight (8) two-bedroom units, 219 Commonwealth Avenue will consist of two (2) studio and eighteen (18) one-bedroom units for a total of 28 units (**Attachment A**).

The Planning Department's Current Planning and Housing and Community Development Divisions have undertaken an extensive analysis of the various proposals and provided the Land Use Committee with guidance based on their review. In addition, both the Newton Fair Housing Committee (the City's fair and affordable advocacy interest group) and the City's American with

Disabilities Coordinator, Jini Fairley, have reviewed the proposal and provided the Land Use Committee with their respective analyses. The Fair Housing Committee reviewed the proposal again at their recent meeting on September 6th and the Committee's position did not change (**Attachment B**).

While the petitioner and the Planning Department respectfully disagree about the comparability question, there has been ample opportunity to air and examine the issues involved. The Planning Department believes the petitioner's claim of an incomplete analysis to-date is unfounded and would suggest that the Land Use Committee has been dutifully provided with the necessary information required to make an informed decision. We do not share the petitioner's belief that an "independent" analysis is warranted.

The Planning Department maintains the position that the units proposed at 219 Commonwealth Avenue are not comparable to the units required at Hancock Estates. In short, staff believes the significant differences between the two offerings include: accessibility, unit sizes, quality of finishes and other amenities associated with a modern building.

Attachments:

Attachment A: Combined Enhanced Proposal Unit Mix

Attachment B: Fair Housing Committee Letter, dated September 8, 2017

**Kessler Woods / 219 Commonwealth Avenue, Newton, MA
33 SHI Unit Scenario - Unit Detail**

| Unit | Unit Type | # BR | SF | Income Tier (AMI) |
|---|-----------|------|-----|-------------------|
| Kessler Woods Affordable Housing - 5 units | | | | |
| 110 | 1 | 1 | 842 | 50% |
| 128 | 1 | 1 | 842 | 50% |
| 210 | 1 | 1 | 842 | 50% |
| 228 | 1 | 1 | 836 | 50% |
| 310 | 1 | 1 | 842 | 50% |
| Count - Kessler Woods | 5 | | | |

219 Commonwealth Avenue Affordable Housing - 28 units

| Unit | Unit Type | # BR | SF | Income Tier (AMI) |
|------|-----------|------|-------|-------------------|
| 4 | 2 | 2 | 743 | 50% |
| 1 | 2 | 2 | 898 | 65% |
| 12 | 2 | 2 | 915 | 80% |
| 16 | 2 | 2 | 1,050 | 80% |
| 20 | 2 | 2 | 806 | 80% |
| 24 | 2 | 2 | 795 | 80% |
| 30 | 2 | 2 | 926 | 80% |
| 34 | 2 | 2 | 926 | 80% |
| 11 | Studio | 1 | 308 | 65% |
| 15 | Studio | 1 | 311 | 65% |
| 41 | 1 | 1 | 454 | 80% |
| 45 | 1 | 1 | 444 | 80% |
| 3 | 1 | 1 | 698 | 100% |
| 5 | 1 | 1 | 661 | 100% |
| 10 | 1 | 1 | 523 | 100% |
| 14 | 1 | 1 | 522 | 100% |
| 21 | 1 | 1 | 538 | 100% |
| 22 | 1 | 1 | 520 | 100% |
| 25 | 1 | 1 | 554 | 100% |
| 26 | 1 | 1 | 523 | 100% |
| 31 | 1 | 1 | 574 | 100% |
| 32 | 1 | 1 | 516 | 100% |
| 35 | 1 | 1 | 572 | 100% |
| 36 | 1 | 1 | 524 | 100% |
| 40 | 1 | 1 | 789 | 100% |
| 42 | 1 | 1 | 652 | 100% |
| 44 | 1 | 1 | 784 | 100% |
| 46 | 1 | 1 | 682 | 100% |

| | |
|----------------------------------|-----------|
| Count - 219 Comm Ave | 28 |
| Count - KW / 219 Comm Ave | 33 |



CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

September 8, 2017

Setti D. Warren
Mayor

Max Glickman, Project Manager
B'Nai B'rith Housing
34 Washington St., Brighton, MA 02135

Barney Heath
Director of
Planning & Development

Re: Kessler Woods/219 Washington St.

Malcolm Lucas
Housing Planner

Max,

At its meeting September 6, the Fair Housing Committee discussed the revisions to the Kessler Woods/219 Commonwealth Avenue arrangement you outlined in your memo of August 31 and other relevant information. The newer ideas included 5 accessible apartments, 2 accessible parking with access to 2 accessible apartments, dedicated parking, T-passes for those without access to a parking space, and 20 units of workforce units.

Members
Phil Herr, Chair
Esther Schlorholtz, Vice-Chair
Karen Allschwang
Kathy Laufer
Councilor Ted Hess-Mahan
Sheila Mondschein
Josephine McNeil
Susan Paley

There remained some unclarity regarding accessibility and other concerned matters, but there were no members who supported changing our earlier position that moving affordability requirements performance from Kessler Woods to 219 Commonwealth Avenue would not be a fair means for meeting the intent of the Newton Zoning Ordinance.

Thank you for your efforts. We look forward to seeing a different and supportable use of the existing building.

Sincerely,

Philip Herr, Chair

Cc: Barney Heath, Director of Newton Planning & Development
Jini Fairly, ADA Coordinator

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