



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
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Barney Heath
Director

To: Honorable City Councilors

From: Barney Heath, Director of Planning & Development
Jennifer Caira, Chief Planner for Current Planning
Amanda Berman, Director of Housing & Community Development
Eamon Bencivengo, Housing Development Planner

Date: September 13, 2019

Subject: Clarification on Comprehensive Permit (40B) Project Eligibility Response

Attached below is the procedure followed in response to receiving a project eligibility letter for a proposed Comprehensive Permit (40B) project.

Project Eligibility Procedure

1. A letter is received in the Mayor's office indicating that a proposed development has been filed with a State agency in accordance with Chapter 40B (see attached 15 Riverdale letter).
2. The letter provides for a 30-day window for the City to offer comments and often indicates a date for a site visit.
3. A letter is sent to all abutters within 300 feet and email sent to the City Council apprising them of the project and requesting comment within two weeks (so there is time for the City to prepare a response).
4. A similar request and deadline is sent to department staff (i.e. engineering, transportation, conservation, historic, and parks and recreation) to solicit comments from their boards and commissions.
5. At the same time, a project website is created and made known to all containing all information received about the project.
6. The Planning Department prepares a summary letter and attaches all comments received (see Dunstan East letter).

At Council President Laredo's suggestion, we will now include adding a hard copy of the State's project eligibility notice as part of the Council's Friday packet.

The project web pages for the two 40B submissions can be found at:

Dunstan East: http://www.newtonma.gov/gov/planning/current/dunstan_east.asp

15 Riverdale Avenue: http://www.newtonma.gov/gov/planning/current/15_riverdale_avenue.asp



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

Tel: 617.854.1000
Fax: 617.854.1091 | www.masshousing.com
Videophone: 857.366.4157 or Relay: 711

August 29, 2019

The Honorable Ruthanne Fuller
Mayor, City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

**Re: Proposed 40B – The Residences on the Charles
Newton, MA
MH ID No. 1047**

Dear Ms. Fuller:

MassHousing is currently reviewing an application for Site Approval submitted by CDP Land Acquisition Company, LLC (the Applicant). The proposed development will consist of 204 units of rental housing on approximately 3.4 acres of land located at 15 Riverdale Avenue in Newton.

The Site Approval process is offered to project sponsors who intend to apply for a Comprehensive Permit under Chapter 40B. MassHousing's review involves an evaluation of the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies. As part of our review, we are soliciting comments from the local community and we would appreciate your input. You also may wish to include in your response, issues or concerns raised by other city boards, officials or other interested parties. Pursuant to the Massachusetts General Laws Chapter 40B regulations (760 CMR 56.00) your comments may include information regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, multifamily districts adopted under G.L. c.40A and overlay districts adopted under G.L. c.40R. Your comments will be considered as part of our review.

We have been informed by the Applicant that the City has received a copy of the application and plans for The Residences on the Charles. Please inform us of any issues that have been raised or are anticipated in the City's review of this application. We request that you submit your comments to this office by September 30, so we may process this application in a timely manner.

During the course of its review, MassHousing will conduct a site visit, which Local Boards, as defined in 760 CMR 56.02, may attend. The site visit for The Residences on the Charles has been tentatively scheduled for Tuesday, September 10 at 9:30 a.m. Please notify me promptly if any representatives of your office or if other Local Boards plan to attend the scheduled site visit.

Please note that if and when an application is submitted for a comprehensive permit, assistance is available to the Newton Zoning Board of Appeals (ZBA) to review the permit application. The Massachusetts Housing Partnership's (MHP) *Ch. 40B Technical Assistance Program* administers grants to municipalities for up to \$15,000 to engage qualified third-party consultants to work with the city's ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, www.mhp.net/40B or e-mail MHP at kbosse@mhp.net.

If you have any questions, please do not hesitate to contact me at (617) 854-1116.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Miller".

Katherine Miller
Planning and Programs

cc: Marc Laredo, President, City Council
Brooke Lipsitt, Chair, Zoning Board of Appeals
James Freas, Deputy Director of Planning & Development



Ruthanne Fuller
Mayor

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Barney S. Heath
Director

September 6, 2019

[By Electronic Mail and Regular Mail]

Katherine Miller
Planning and Programs
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

RE: Chapter 40B Comprehensive Permit Project Eligibility Application/Site Approval

Project Name:	Dunstan East
Location:	1149, 1151, 1169, 1171-1173, 1179, and 1185 Washington Street, 32-34 Dunstan Street, and 12,18, 24, and 25 Kempton Place
Number of Proposed Units:	243
Subsidizing Agency:	Massachusetts Housing Finance Agency (MassHousing)
Applicant:	Mark Development, LLC

Dear Ms. Miller:

The Planning and Development Department, on behalf of the City of Newton, appreciates the opportunity to comment on the Project Eligibility/Site Approval application recently submitted by Mark Development (the "Applicant") for Dunstan East (the "Project"). This letter constitutes the City's response to your letter addressed to Mayor Fuller, dated August 7, 2019, seeking comments regarding the Project.

The Planning and Development Department (the "Department") solicited written comments from abutters to the proposed project as well as from City staff, and members of the City Council and Boards and Commissions. All of the comments received can be found in Attachments A, B, and C.

Comments in Response to the Project Proposal

The Planning and Development Department offers the following comments in response to the information provided by the Applicant, Mark Development, LLC, to help MassHousing evaluate this request for Project Eligibility/Site Approval:

A. Affordable Housing

- **Affordable Housing Need.** The need for affordable housing in Newton is vast, impacting extremely low-income individuals and families to those earning upwards of 120% of the area median income. These needs continue to persist as evidenced by the latest Comprehensive Housing Affordability Strategy data published by HUD. Of the total 30,900 households in the City, 27% are low-to-moderate with incomes at or below 80% of the area median income (AMI). More startling is the percentage of housing cost burdened families in the City – close to 30% of *all* households in Newton, regardless of income level. Housing cost burden pertains to those individuals or families that spend over 30% of their monthly gross income on housing costs. As a result, these households are likely to struggle to afford other basic needs such as food, clothing, transportation, medical care, and childcare, which force difficult trade-offs. An even more shocking statistic is that over 44% of low-to-moderate families (at or below 80% AMI) in Newton are considered severely housing cost burdened, paying greater than 50% of their annual incomes on housing costs.¹

In Newton, the lowest income families experience the greatest challenges related to housing. Close to 19% of all households in the city, or over 5,700 households, earn at or below 50% of AMI, yet there are only 2,145 rental units and 106 ownership units affordable to families at these low-income levels.² This affordability gap amongst Newton's vulnerable populations is also highlighted by the over 1,300 families and seniors on the Newton Housing Authority waitlist. Many of these households spend close to ten years on the Housing Authority's waitlist before receiving notification of an available unit in Newton.

While there are a handful of pending and approved developments in the City with SHI-eligible units, as of August 2019 only 7.5%, or 2,425 units, of the City's housing units are listed on Newton's Subsidized Housing Inventory (SHI). These additional units will not meet the overwhelming demand for affordable rental housing throughout Newton.

- **Newton's Housing Strategy and Priorities.** Newton's housing priorities stem from the urgent need for affordable housing. According to the City's *Newton Leads 2040 Housing Strategy*, published in 2016, since 2003 the average sale price of a single-family home in Newton has doubled from approximately \$600,000 to \$1.2 million. The rental market in

¹ 2012-2016 CHAS.

² 2011-2015 CHAS.

Newton also corresponds to this widening price trend as most rentals in the City are only affordable to households earning 100% of the area median income (AMI) or higher. In addition, the number of households earning less than \$125,000 declined by 22.2% between 2000 and 2013. The combination of escalating housing prices and the City's significant loss of low- and middle-income households over the past 15 years means that without action, Newton will become predominantly a city affordable to only the wealthy, with limited diverse housing options for younger and older Newtonians and those of more limited means.³

The dearth of housing options affordable to a variety of populations at a range of incomes threatens the vibrancy of our village centers, our schools, and community life. The City, therefore, has consulted with stakeholders and residents to create public plans with clear goals to guide Newton in combatting this challenge. These documents, the City's Comprehensive Plan, the *2040 Housing Leads Strategy*, the Economic Development Strategic Plan, and the Needham and Riverside Vision Plans all identify the protection and broadening of Newton's housing diversity as major priorities. The plans emphasize that the creation of affordable housing could assist in maintaining the diversity of Newton by providing housing opportunities of varying types to different populations at mixed incomes. Doing so creates the opportunity for greater economic and social diversity, as families and individuals of varying ages, ethnicities, occupations, and income levels can find a home in Newton.

The enactment of these overarching goals and others (e.g., walkable village centers, lowering greenhouse gas emissions, co-locating housing and public transit to address congestion) requires the implementation of key strategies, which are also outlined in the City's public planning documents. One strategy is the purposeful placement of new housing. For instance, housing development near transit centers with comfortable pedestrian access to Newton's important village centers may attract young professionals and seniors with a walkable environment with adjacent amenities. In addition to new development in these locations, the City recognizes the value in utilizing existing housing. Reversing the decline in housing permitted on the upper floors of existing commercial buildings offers increased housing opportunities while creating desired foot traffic to the below commercial retailers. Thus, the development of mixed-use housing is another key strategy to meet the City's housing goals.

In addition to the desirability of mixed-use development, Newton also recognizes mixed-income development as an integral strategy. Mixed-income projects that offer equitable housing units and amenities for both low-and middle-income and higher income individuals and families are crucial for encouraging newcomers to Newton and helping residents stay in community. The creation of a greater number of mixed-income

³ Newton Leads 2040 Housing Strategy, p. 28

developments may help to reverse the trend of Newton's shrinking low- and middle-income populations. Finally, leveraging a mix of local, state, federal, and private dollars to create affordable ownership and rental housing is crucial for Newton to meet its housing goals and create the diverse and welcoming city it desires.

- **Project Unit Mix and Affordability.** The Project will add 61 units affordable to households at 80% of the Area Median Income (AMI): 13 studios, 26 one-bedrooms, 15 two-bedrooms, and 7 three-bedrooms. By producing affordable units at these sizes, the Project allows individuals and families with a range of social and economic diversity to find a home in Newton. The remaining 182 units will be rented at market-rate.

The affordability of Dunstan East responds to the City's diverse housing goals as articulated earlier in this document. However, while the Department supports this variety of unit sizes at an income-restricted affordable rent, we would like to see a deeper level of affordability represented throughout the 61 affordable units, including units set at or below 50% AMI and 65% AMI, in addition to the 80% AMI units.

B. Land Use, Site Plan Design and Sustainability

The regulation for a Comprehensive Permit under M.G.L. Chapter 40B states that the Subsidizing Agency determines whether *"the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns."*⁴

- **Land Use and Density.** The subject site is located along Washington Street in West Newton Square. The properties to the east and west are zoned Business 2 ("BU2") and contain a mix of commercial and light industrial buildings as well as the former Massachusetts Army National Guard Armory, currently being considered by the City for reuse as 100% affordable housing. To the south of the site, across Washington Street, is the Massachusetts Turnpike and directly to the north is the Cheesecake Brook. The parcels to the north of the project site, across the Cheesecake Brook, are zoned Multi-Residence 1 ("MR1") and are comprised of primarily multi-family buildings with a range of two to six units along the south side of Watertown Street. The north side of Watertown Street is comprised of a mix of single-family and two-unit dwellings. The BU2 zone allows for commercial and mixed-use multifamily buildings. Considering the site's location along Washington Street, a major corridor, as well its proximity to the West Newton village center and transportation (including a commuter rail station) and services, the Department believes that the site is an appropriate location for the proposed use of mixed-use housing, retail, and parking.

⁴ (760 CMR 56.04(4)(c))

Mark Development proposes three mixed-use buildings ranging from three to six stories on two blocks. There would be a total of 243 apartments ranging from studios to three bedrooms, of which 61 (25%) would be affordable at 80% of area median income (AMI). In addition to the residential units, the applicant also proposes 12,521 square feet of ground floor retail space along Washington Street. Two subterranean parking garages would include 288 parking stalls (a ratio of 1:1 for the 243 apartments and 45 stalls for the retail space). The following table provides a comparison of the zoning requirements and the proposed project.

The Project requires zoning relief for parking, lot area per unit, setbacks, floor area ratio, height and stories. While the project requires relief from numerous provisions of the Newton Zoning Ordinance, the project is largely consistent with the draft zoning proposed by the Planning Department (but not yet voted on by the City Council) as part of a recent Washington Street Visioning process. The July 29, 2019 draft of the Washington Street Vision Plan (Vision Plan) recommends locating buildings with additional height and density just outside the core of village centers, but still well within areas served by transit and walkable to the village center amenities. The "Cheesecake Brook lots," site of this proposed project, are specifically identified in the plan as a location appropriate for mixed-use in buildings up to six stories. For this area, the draft Vision Plan recommends heights of three to six stories, transitioning to one to three stories at the rear of the site. While the proposed project must seek relief from the current zoning ordinance, the Planning Department is supportive of the project as it is consistent with the draft Vision Plan to guide the design. (To repeat, the City Council has yet to vote on the draft zoning ordinance.)

- **Building Massing, Design and Architecture.** The proposed project would locate the 243-unit mixed-use development with 12,521 square feet of ground floor retail along Washington Street, just east of the West Newton village center. The site slopes down significantly from Washington Street to the Cheesecake Brook at the rear of the site. The applicant proposes three buildings; two of which will comprise the block between Dunstan Street and Kempton Place, and one which will be located behind existing buildings to the east of Kempton Place. The applicant also proposes a new roadway, Brook Road, at the rear of the site, adjacent to the Cheesecake Brook and connecting Dunstan Street and Kempton Place. Buildings F and G front along Washington Street and continue through to Brook Road. Building F would be six stories from Washington Street, and three stories at the rear of the building. Building G would have a three-story portion and a five-story portion along Washington Street and would be three stories at the rear of the building. The two buildings would be connected by a public courtyard, which would be at grade level along Washington Street and would connect to Brook Road by a large stairway and an elevator inside of the building. Building H would be four stories and would have frontage along Kempton Place, but not Washington Street. All three buildings would be

located further from the Cheesecake Brook than the existing buildings on the site. Parking would be provided in subterranean levels. Due to the grade change across the site, parking under Buildings F and G that would be exposed at the rear of the site is lined by residential units that will have individual entries from Brook Road.

The proposed Project fulfills many goals of the Draft Washington Street Vision Plan by proposing multiple buildings instead of one large building, by varying the building heights, locating all parking either underground or screened, and breaking up the massing with a courtyard. In addition, the City's Urban Design Commission will conduct a full review of the project if deemed eligible for the Comprehensive Permit process by MassHousing to ensure compatibility for neighboring building design.

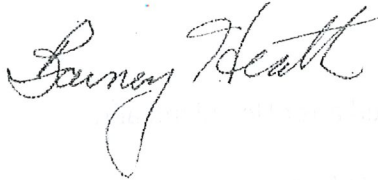
- **Open Space, Landscaping and Tree Removal.** The existing site is built out with commercial and industrial uses, and surface parking lots. The project proposes improvements to the Cheesecake Brook, a perennial stream, and a viewing area at the rear of the site. A portion of the site is within FEMA flood zone AE. The proposed project includes new landscaping and public open space and the application states 35% of the site will be usable open space, which is a vast improvement over existing conditions.
- **Noise, Lighting, and Construction Management.** The applicant should submit a detailed site lighting plan to ensure the lighting does not negatively impact neighboring properties. HVAC and other equipment and their locations should be selected carefully in order to minimize sound heard by residential abutters. A construction management plan should be prepared to give assurance to the neighborhood that the contractor will mitigate the impacts of construction, including noise and vibration. The construction management plan should include a designated contact person for the construction along with 24-hour contact information.
- **Access to Public Transit and a Village Center.** The Department believes the Project's location fulfills thoughtful growth principles, as it will add housing and retail in a walkable location with access to transportation, amenities and services.
- **Traffic, Parking and Transportation Impacts.** The Planning Department will undertake a peer review process to analyze the Applicant's traffic study and potential impacts and mitigations. The Project proposes to add 288 parking stalls for the mixed-use project with 243 apartments and 12,521 square feet of retail. More information is necessary to fully analyze traffic impacts, parking needs, infrastructure improvements, loading, and circulation within the site. The Department supports minimizing parking to the extent feasible and incentivizing alternative modes of transportation. The applicant should submit a traffic study, parking analysis, and transportation demand management plan as part of their Comprehensive Permit application.

C. Conclusion

As detailed above, the Planning Department is supportive of Dunstan East due to its alignment with Newton's goals of creating diverse housing opportunities. The Project's creation of 61 income-restricted housing units for individuals and families at 80% of AMI in a mixed-use development with easy access to public transportation responds to an identified goal for broadening the City's diversity of housing options. However, we urge the Applicant to provide a deeper level of affordability below 80% of AMI for the project. In addition to its support, the Department will still provide planning analysis of the Project, both internally and through the peer-reviews, as the Comprehensive Permit process continues pending an announcement of 40B project eligibility from MassHousing.

Please do not hesitate to contact me if you have any questions about the contents of this letter.

Sincerely,



Barney Heath
Director, Planning and Development Department

cc: Mayor Ruthanne Fuller
Alissa O. Giuliani, City Solicitor
Applicant
Councilor Barbara Brousal-Glaser
Councilor Andrea W. Kelley
Councilor James R. Cote

Attachments:

Attachment A: Summary of Additional City Staff Comments

Attachment B: Comments from Abutters and Other Stakeholders

Attachment C: Comments Received by City Post-Deadline (from Abutters and Other Stakeholders)

ATTACHMENT A
Summary of Additional City Staff Comments

➤ **Affordability**

- Desire a deeper level of affordability represented in the 61 affordable units. Income limits set at 50% AMI and 65% AMI in addition to the Chapter 40B required 80% AMI would further provide much-needed diverse housing options in Newton.

➤ **Environmental**

- Clarification needed on the scope of landscaping along Cheesecake Brook.
- Further detail needed on stormwater management on the site due to its proximity to Cheesecake Brook.
- Need to ensure Brook Road is wide enough for public use and details on salt use during winter weather events.

➤ **Transportation**

- Potential transportation demand management modeled after Northland and Washington Place projects.
- Possibility of creating pedestrian crossing to reach MBTA bus stops.



ATTACHMENT B
Comments from Abutters and Other Stakeholders

- 1. The proposed development is located in a residential area and will have a significant impact on the surrounding environment. The residents of the area are concerned about the noise and traffic generated by the development.
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- 7. The proposed development is located in a residential area and will have a significant impact on the surrounding environment. The residents of the area are concerned about the noise and traffic generated by the development.
- 8. The proposed development is located in a residential area and will have a significant impact on the surrounding environment. The residents of the area are concerned about the noise and traffic generated by the development.
- 9. The proposed development is located in a residential area and will have a significant impact on the surrounding environment. The residents of the area are concerned about the noise and traffic generated by the development.
- 10. The proposed development is located in a residential area and will have a significant impact on the surrounding environment. The residents of the area are concerned about the noise and traffic generated by the development.



Ruthanne Fuller
Mayor

City of Newton, Massachusetts

Newton Historical Commission

1000 Commonwealth Avenue Newton, Massachusetts 02459

Nancy Grissom, Chairman

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Barney Heath
Director

TO: Jennifer Caira, Chief, Current Planning

From: Katy Hax Holmes, Chief, Preservation Planning

RE: Dunstan East 40B

I am writing on behalf of the Newton Historical Commission in response to your request for comment on the proposed Dunstan East 40B project by Mark Development, LLC located in West Newton. The 2.98 acres in the proposed project bordered by Kempton Place, and Dunstan and Washington Streets contain seven buildings defined as 'historic' under the Newton Demolition Delay ordinance.

One of the historic buildings is listed on the National Register of Historic Places (C.G. Howes Dry Cleaning/Carley Real Estate Building, NWT.3886). On July 27, 2017, this property was reviewed by the Newton Historical Commission as a full demolition proposal and it was preferably preserved for 18 months. The property was sold to Mark Kempton, LLC on October 2, 2017. As such, the demolition delay was automatically extended to April 2, 2019. The new owner has two years from that date on which to act on the demolition of the property.

The six other historic buildings were not previously surveyed or assessed for historical significance. They are:

- 34 Dunstan Street (1911). Built as a shop for "manufacturing purposes." The building permit states "building to be constructed of old structure cut apart and reassembled as a portable building of same dimensions."
- 25 Kempton Place (1880). In 1919, the building was described as a storage warehouse and in that year, and the next, had two additions. The building was used as an auto repair shop and manufacturer of auto parts and accessories in the 1930s. More storage space was added in 1957.
- 24 Kempton Place (1900). Described in building permits as a cement block building used as a warehouse.
- 12 Kempton Place (1915). Built as a garage. The garage was constructed of concrete block and was added to in 1922, at a minimum.
- 1169 Washington Street (1930). Built as a gas station. Lubritorium was added in 1940.
- 1179 (formerly 1177) Washington Street (c.1895). Constructed as a residential building and was connected to the city's sewer in 1898.

Newton Historical Commission
1000 Commonwealth Avenue, Newton, Massachusetts 02459
Email: Kholmes@newtonma.gov
www.ci.newton.ma.us

Jennifer Caira

From: Shubee Sikka
Sent: Friday, August 30, 2019 1:59 PM
To: Jennifer Caira
Subject: FW: FW: Dunstan East 40B - Notice of Project Eligibility

Hi Jen,

Comments from another UDC member. See email below.

Have a great weekend,
Shubee

From: James Doolin <jpdoolin1953@gmail.com>
Sent: Friday, August 30, 2019 1:26 PM
To: Shubee Sikka <ssikka@newtonma.gov>
Subject: Re: FW: Dunstan East 40B - Notice of Project Eligibility

Shubee - I don't have extensive comments at this time. I have looked over the application. At this juncture there is sparse information on characteristics related to urban design issues, etc. and no dimensioned plans so my comments may be more 'going forward'. I offer the following:

1. How does this all fit into the emerging plan for Washington Street corridor? Public connections along Cheesecake Brook, etc.? Will developer make any contribution to re-sectioning / rebuilding of Washington Street?
2. The 25% affordable meets the State's requirements as I understand it - all at 80%AMI which is good but - should some be 50% AMI?
3. Can't understand their proposal along Cheesecake Brook, nor their overall public open space proposal.
4. Parking seems like too much 1 per unit (trend is significantly lower - can walk to Commuter Rail, etc.) plus 45 for commercial (only 12,500 sf 'retail')
5. I am curious about the building sections with one level of parking 'partially' below grade - how does that meet the sidewalk? We will need several building and street sections to understand this proposal.
6. Will project be phased?
7. Traffic flow information will be important especially given how close it is to Trader Joe's.

Overall, is this too dense?? It may be but it is really hard to evaluate without more 3D drawings, etc.

Having worked with Tim Love and Utile for many years in a design review capacity (Massport) - I think this would be a good project for their evaluation and input.

Thanks, Jim

On Thu, Aug 15, 2019 at 2:03 PM Shubee Sikka <ssikka@newtonma.gov> wrote:

Good afternoon,

Carol Todreas, UDC Member
August 28, 2019

Comments RE Retail Component of Dunstan East
40B Mixed-Use Project

So far in the Boston area, placing retail on the ground floor of residential units is in its early stages with best examples at a relatively large scale compared to Dunstan East. I refer to Fenway, Assembly Row, The Ink Block, and Third Ave Kendall Square. These mixed-use projects are in relatively dense urban residential neighborhoods and retail spaces are large enough for standard national chains. Each area, except the Ink Block, has a substantial visitor market for the retail. (Assembly Row is an outside mall and is a destination shopping and entertainment center with parking lots and on- street parking.)

Retail in todays challenging marketplace, requires different marketing, leasing , and operations/management than residential development and many residential developers are surprised when their retail does not become a profit center.

In the case of Dunstan East, the location on Washington Street provides opportunity as well as challenges for the retail square footage which is small in comparison to the others noted above. The type and quality of

retail tenants will set the character of the building, and influence the residential marketability.

Although food uses are desirable, such tenants require special venting and if not done right will be problematic with odors effecting the upper floors. Restaurant hours in suburbs are often restricted because of residents, and garbage and trash can be an issue.

Consumers are interested in local retail offering neighborhood services and special unique concept stores; however, generally such retailers cannot afford the high rents, which are usually affordable only by national chains. Most national chains dictate exactly what they need in parking, delivery space, access, and a handful of other construction requirements.

Dunstan East retail space will likely not have the parking, nor acceptable space for any chain, except perhaps fast foods, Dunkin, or convenience store.

The retail at Dunstan East could be marketed to new-age retail, such as yoga studios, art studio, small café, but the rents need to be low enough to be affordable. If the developer takes the tenants who have ability to pay without suitability for the market, the space could be vacant within a 6 month or so period.

This property will be a piece of the grand vision for the Washington Street Corridor and local retailers are part of that vision. If done properly the retail in the three proposed buildings will add value to the neighborhood, the street, and the residents. If not, it could just be more vacancies.

Cheryl Forté
888 Watertown Street
West Newton, MA 02465

August 28, 2019

Ms. Jennifer Caira, Chief Planner for Current Planning
Newton Planning and Development Department
1000 Commonwealth Avenue
Newton, MA 02459

Via email: jcaira@newtonma.gov

Re: Dunstan East

Dear Ms. Caira:

On August 17, 2019, I received your notice of Mark Development, LLC's Comprehensive Permit Site Approval Application submitted to MassHousing for its proposed Dunstan East project. As an abutter and homeowner at 888 Watertown Street, where I have lived for more than 39 years, I submit the following comments for consideration as you compile the Planning Department's letter due to MassHousing by September 6, 2019.

Environmental concern: The Dunstan East project site lies in and adjacent to a FEMA SHFHA Zone AE. This zone, designated in 2010, spans Cheese Cake Brook, which is one of just two Newton regulatory floodways. In this time of unaddressed climate change and increasingly frequent severe weather events, is this site appropriate for a residential development of 419,618 sf? The City of Newton Climate Vulnerability Assessment and Adaptation and Resiliency Action Plan (April 2018) already expresses similar concern.

Public safety: The Dunstan East project conceptual site plan includes 288 parking spaces and the addition of Brook St., which would run parallel to Cheese Cake Brook and connect Kempton Place to Dunstan Street. Dunstan Street is narrow, with poor sight lines at both ends. The intersection of Dunstan Street and Watertown Street is already extremely dangerous for both pedestrians and vehicles; for every accident reported to the Newton Police Department, there are dozens of near-misses. Allowing vehicular access to Dunstan East via Brook Street and Dunstan Street is inadvisable.

Newton residents deserve a thorough review of the proposed Dunstan East project, including environmental and public safety impacts.

Sincerely,



Cheryl Forté
888 Watertown St.
West Newton, MA 02465

Jennifer Caira

From: Nancy McKenna <njmck27@hotmail.com>
Sent: Thursday, August 29, 2019 7:33 PM
To: Jennifer Caira
Subject: Washington/Dunstan/Kempton Place ("Shoe Barn Proposal")

Follow Up Flag: Follow up
Flag Status: Completed

Hi Jennifer,

I would like to add my two cents regarding the August 16, 2109 letter and Mark Development in general.

First of all, I would like to say I am not against change and construction – I have done two houses on Watertown Street so who am I to say a neighbor can't work on and improve their house.

A general concern with Mark Development is that they don't play by the rules and wish to bend them to their advantage. I say this based on, for example, 1) just walking by Santander Bank and the long list of variances they wanted (I think parking, lighting, etc., etc. etc.); 2) what was proposed for Riverside and now what the plans are (almost doubling the number of floors because "we can't make money on anything less" – here is a hint, DON'T DO IT THEN) 3) threatening additional low income housing if they don't get their way in Newtonville and 4) pressuring the town to change the zoning laws so they can build bigger and higher in West Newton.

My house is in the backyard of the proposed development. I can practically throw a softball to three issues that concern me 1) the Shoe Barn development 2) the low income Armory development proposal (and where are they going to park??? – I could only build so far because of the flood plain – how will this plan get away with it?) and 3) a marijuana dispensary where Beacon Health Club was – oh joy. Yikes – please slow down and stop selling the city to the highest bidder!!!!

Just venting, thanks for listening...

Here are my concerns with regard to the Shoe Barn proposal – fine, build what you want, however, keep the height to 4 floors. I have no idea if this will increase the value of my house, decrease the value or remain neutral. Change is good, the area is dumpily looking, fine, go for it – BUT keep to the current zoning laws.

I am concerned with the post-construction noise level. Yes, the construction will be noisy but so what – this will end. What concerns me is the noise of the dumpsters being dumped and truck deliveries before the hour of 7:00 am. I have quite a record of calling the Golden Living nursing home on Armory Street making complaints about Waste Management picking up trash at 5:00 am and banging the dumpsters on the ground to dislodge debris – oh the echo of it especially when the leaves are off the trees... They are quite responsive though, very pleasant folks.

Sadly, the folks in my neighborhood feel that their voices will not be heard (or heard and dismissed) and that the city will go for the \$\$\$\$ and we are wasting out time with the meetings - very disappointing....

In summary, here are my concerns for the Shoe Barn Proposal are:

Height

Post-construction noise (dumpsters and deliveries to shops and restaurants) not abiding by the "not before 7:00 am" rules.

Other than that, bring it on!

Thanks,

Nancy McKenna

876 Watertown Street

Jennifer Caira

From: Gabriel179 <gabriel179@aol.com>
Sent: Wednesday, August 28, 2019 5:24 PM
To: Jennifer Caira
Subject: Dunstan East

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Caira:

I live on Watertown Street with our property abutting Cheesecake Brook. I cannot add much to what Cheryl Forte has already written you. We who abut Cheesecake Brook and Kempton Place are very concerned with the mega-development that is proposed for this small area of West Newton.

I, too, have lived here for 39+ years and find this proposed development very unsettling for a relatively small area. I won't even go into what it will do for the traffic in the area with Dunstan Street, etc. including noise from Kempton Place.

We are not against development in Newton, but to us, this is not a development that we can support in good conscience.

Sincerely,

Gabrielle M. Meyer

Jennifer Caira

From: Susan Sullivan <susmazsul@gmail.com>
Sent: Thursday, August 29, 2019 9:30 AM
To: Jennifer Caira
Subject: Response to letter re Dunstan Street East

Dear Ms Caira,

Thank you for the opportunity to weigh in regarding the proposed Dunstan East Project. As an abutter, having lived at 898 Watertown Street with my family since 1991, I am very concerned about potential environmental fallout as well as light and noise pollution and traffic safety as a result of this massive building plan.

In the spring, I attended a neighborhood meeting with Robert Korff and, although he and his team seemed amiable, I am not convinced that vision boards fully and concretely address the concerns listed above.

Our property includes a protected wetlands area, ending in Cheese Cake Brook. In the last ten years, we have been designated by FEMA as being part in a flood zone. It is not clear that the development of such scale on the other side of the Brook is environmentally safe or wise.

Mr Korff described mixed-use buildings of varying heights—three to five stories. I have seen such structures begin to proliferate locally in then last few years, notably in Watertown. These looming structures cut off natural light, while generating light pollution.

The developer's vision for the buildings would, in his words, include shops and cafes, resulting in a convivial boulevard-like atmosphere. This statement prompted my question regarding noise pollution. In addition to noise resulting from two hundred or so occupants and their cars, generating the acceptable daily noise of daily living, there would also be the evening noise of people eating and drinking in the restaurants.

(As an aside, and not really the focus of this letter, I cannot imagine enough small retailers willing to fill the designated spaces on the ground floor of these buildings. As I write, there are empty storefronts in West Newton Square and in Newtonville. And another developer is proposing a similar project, also on the north side, according to the mayor's recent email.)

Finally, and perhaps most concerning, is traffic safety. Route 16 is often congested even now, and in the past month there have been two accidents on the corner of Watertown Street (16) and Dunstan, the most recent crash occurring Saturday morning.

In sum, Ms. Caira, my neighbors and I are looking to the City to be vigilant in protecting our environment, even as we accept necessary development plans. I thank you for eliciting these preliminary concerns and sending them along to MassHousing.

Sincerely,

Susan M. Sullivan
898 Watertown Street
West Newton MA 02465
Sent from my iPad

ATTACHMENT C
Comments Received by City Post-Deadline
(from Abutters and Other Stakeholders)

Jennifer Caira

From: Warren Abramson <warren.abramson@homebridge.com>
Sent: Thursday, September 5, 2019 2:47 PM
To: Jennifer Caira
Subject: 40b Proposal

Dear Ms. Caira

Despite some progress in recent years, Newton is in great need of more housing options. Though the new projects on Austin Street and Washington Place will both add new apartment choices and some protected affordable units, they are no where near enough in the face of the demand for homes in our wonderful community. That demand is driving up the cost of older housing stock, starter homes and apartments of all types. It is only by adding to the overall supply and creating new protected affordable housing will we start to see some of the costs moderate. That is why I write in support of Mark Development's proposed new 40B project on Washington Street in West Newton. As a 40B project, we will be guaranteed more than 60 new affordable units. In addition, the streamlined review process means that the other 180 units will be available more quickly and offer more choice to current residents, empty nesters, returning young families and recent college graduates.

My home address: 77 Court St. #208

Sincerely,

Homebridge



WARREN ABRAMSON, Mortgage Loan Originator, NMLS #85300

Homebridge Financial Services, Inc.

313 Washington St, Suite 221

Newton, MA 02458

o: 781-906-2893 **c:** 781-424-8931 **f:** 877-791-6134

e: Warren.Abramson@homebridge.com

web: www.HomeBridge.com/WarrenAbramson

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Jennifer Caira

From: Tamara Bliss <tamarajbliss@icloud.com>
Sent: Thursday, September 5, 2019 4:55 PM
To: Jennifer Caira
Subject: Why I support mark Development 40B Proposal

Dear Jennifer,

I am writing to express my strong support for Mark Development's proposed new 40B project on Washington Street. Newton's severe shortage of affordable housing has been well documented. This project guarantees 60 new affordable units, including a number of three bedroom units which are especially high demand. The 180 market-rate units in this development will also provide more options for long-time older Newton residents who want to sell their multi-story single family home and move into a one floor accessible apartment. .

The lack of affordable housing in Newton is not a new problem. Soon after moving to Newton in 1968, I read a report about the City's need for low and moderate income housing that was written by Jim Miller, the Director of Newton's Planning Department. As Chair of the League of Women Voter's Housing Committee, I led a coalition of six Newton organizations to sponsor a conference in May, 1969 to educate community leaders about the need to increase the supply of low and moderate-income housing in Newton. Sadly, for decades the shortage of affordable housing has only become much worse.

After watching how expensive and time consuming it is for any developer to persuade at least 16 City Councilors to vote for any significant affordable housing proposal, I have become a supporter of the 40B process. I first realized this fifty years ago as a member of the founding board board of Newton Community Development Foundation (NCDF). It was heart breaking to see NCDF lose by one vote in the Board of Aldermen its proposal to build several hundred units of mixed-income housing on seven sites scattered through the city. NCDF then filed a 40B proposal which led to the construction of The Hamlet (now called Houghton Village), which is recognized as a very successful family housing development in Newton.

Over the years I have watched our city become less economically diverse as the cost of housing has sharply increased. I know if my husband and I were now in our twenties and were trying to buy our first home that it would no longer be possible for us to move in to Newton. I applauded the approval of the Austin Street and Washington Place. However, we still have a huge need to greatly increase the supply of affordable housing as well as offering greater housing choices for seniors who want to down size and young adults and families who wish to move here.

Please support the process for getting this 40B proposal rapidly approved.

Regards, Tamara J. Bliss

Tamara J. Bliss
9 Lewis Street
Newton, MA 02458

Jennifer Caira

From: Sarah Ecker <sarahcecker@gmail.com>
Sent: Friday, September 6, 2019 9:43 AM
To: Jennifer Caira
Subject: Enthusiastic support of West Newton 40B project

Dear Ms. Caira:

I'm a Newton resident and am writing to lend early and enthusiastic support of Mark Development's proposed 40B project on Washington Street in West Newton. Our region desperately needs the 60 new affordable units, as well as the other 180 units and I'd love to see this project receive state and local approval.

I'm delighted to see that the proposal incorporates many thoughtful design features including: a courtyard, connectivity between Washington and Watertown Streets, a boardwalk on Cheesecake Creek, and appealing facades facing both streets.

In addition, I'm very encouraged by the streamlined state process that should allow this project to get underway quickly. Newton is in great need of the housing options that this project can provide and I would like MassHousing to hear about local support.

Thank you.

Sincerely,

Sarah Ecker
68 Prospect Park
Newtonville, MA 02460

Jennifer Caira

From: Tom Gagen <tomgagen1@verizon.net>
Sent: Thursday, September 5, 2019 11:46 AM
To: Jennifer Caira
Subject: Dunstan East

Dear Jennifer Caira,

I am writing in support of the Dunstan East housing proposal.

It is widely known that the Boston area has endured a housing shortage for many years. Although Newton has made some progress in permitting multifamily housing, a report by the Boston Foundation found that it has allowed only 20.6 percent of the housing it requires to meet its share of the need.

Dunstan East would help to fill this gap. As a 40B project, it would guarantee that 61 of the 243 apartments would be affordable for people of limited means. The streamlined review process means that the other 182 units would be available quickly for people who can afford to pay the market rate.

The project would include 27 three-bedroom apartments, seven affordable – an important consideration for families with more than one child. Thirteen of the apartments would be accessible for the disabled, four of them affordable. Newton urgently needs these kinds of housing.

In addition, the project is in line with the visioning process being completed for the area along Washington Street in West Newton and Newtonville. And the developer offers the prospect of beautifying the neglected Cheesecake Brook in back of the housing.

This is a worthwhile project that ought to be supported by both the city and state. Please pass this letter on to MassHousing.

Sincerely,

Tom Gagen

32 Fern Street, Auburndale

Jennifer Caira

From: Gloria Gavis <gloriagavis@gmail.com>
Sent: Thursday, September 5, 2019 6:02 PM
To: Jennifer Caira
Subject: Washington St Project Support

Jennifer,

I'm writing to support Mark Development's proposed 40B project in West Newton and wanted to share my thoughts. Mark Development's proposed 40B project on Washington Street is in an ideal location for apartment homes, with appropriate density and new residential development. I feel he is a responsible builder and has been open to the city's suggestions and concerns.

Right now, this area is home to a few businesses, with the most popular (The Shoe Barn) set back from the street and not visible for visitors and shoppers alike. The street and whole corridor is not as welcoming as it could be. A new residential complex would be a beautiful, appropriate and a big enhancement in this location.

As the city and state review this project, I strongly encourage you to assure that Robert Korf and MARK Development meet good design standards, consider carefully what the project looks like from the street, and maximizes the opportunity to improve and compliment the neighborhood and surrounding village centers.

Thanks for your time.

Gloria M. Gavis
21 Monadnock Road
Chestnut Hill, MA 02467
Phone: 617-480-3646

This electronic message contains information from Attorney Gloria M. Gavis that may be privileged or confidential. The information is intended for the use of the addressee(s) only. Any disclosure, copy, distribution, or use of the contents of this message is prohibited.

Jennifer Caira

From: Fran Godine <godine@comcast.net>
Sent: Thursday, September 5, 2019 1:48 PM
To: Jennifer Caira
Subject: Support for 40B West Newton proposal

Dear Ms Caira,

I am writing in full support of Mark Development's 40B proposal for West Newton.

It is exciting that it is fully in keeping with the community Washington St Vision and is a contribution of 60 new affordable units greatly needed in Newton.

In addition, this more agile review process for 40B allows 180 additional units to provide opportunity for increased choice for current residents who want to stay in Newton but not in single family homes, for younger people who may want to return to Newton but also not in a single family house, as well as those looking to live our City even as they commute to Boston for work. And if we can have some of our Newton workers live in our city, how wonderful!

Thank you for continuing this process for success.

Fran Godine
19 Crofton Rd
Newton 02468

Jennifer Caira

From: Tim Kausch <timkausch411@gmail.com>
Sent: Thursday, September 5, 2019 11:38 AM
To: Jennifer Caira
Subject: Washington St. 40B

Ms. Caira and the Newton Planning Department:

For far too long, Newton has not done its fair share regarding housing affordability. As a result, moderate and middle income young families are priced out of our community, diversity suffers and many of our own municipal employees cannot afford to live here.

Projects like the 40B proposed by Mark Development on Washington Street make a small, but important, dent in our very clear housing needs. This is an important project for our community and I look forward to seeing it approved and built.

Timmy Kausch
417 Waltham Street
West Newton, MA

Jennifer Caira

From: Sean Roche <sean.roche@gmail.com>
Sent: Thursday, September 5, 2019 8:04 AM
To: Jennifer Caira; yesengine6@gmail.com
Subject: 40B Project on Washington St

I write in support in Mark Development's proposed 40B project on Washington St. in Newton. This promises to be a very high quality project that will not only provide desperately needed affordable housing, but will revitalize both the Washington St. streetscape and the Cheesecake Brook corridor. It's particularly encouraging that this project will have 3-bedroom units, both affordable and market.

This is a very exciting project. It's great that a project like this will get the benefit of the streamlined 40B process.

My only concern: the project has too much parking. In light of the proximity to commuter rail and area amenities, residents should be able to live car-free or car-lite. And, the retail will be able to draw customers who don't have to drive -- from the project itself and the nearby neighbors.

I can't wait for this project to be completed!

Thank you.

Sean Roche
42 Daniel St.
Newton, MA 02459

Jennifer Caira

From: Doris Ann Sweet <dasweet3@gmail.com>
Sent: Thursday, September 5, 2019 11:00 AM
To: Jennifer Caira
Subject: Dunstan East

Hi Jennifer-

I strongly support the Dunstan East 40B development in West Newton. It aligns closely to the Washington Street Vision Plan which was developed with a very active level of community input. The preliminary design elements are appealing, with variations in building heights and facades, space for first floor retail, and an outdoor courtyard area. The affordable units in the project will be a very important addition in a city where only a small amount of much-needed affordable housing has been actually produced in the last few years. In addition, the proposed rehabilitation of Cheese Cake Brook will provide a significant public benefit for the whole city.

Sincerely,
Doris Ann Sweet
281 Lexington St.
Auburndale

Jennifer Caira

From: Jay Walter <jaycwalter@icloud.com>
Sent: Friday, September 6, 2019 9:08 AM
To: Jennifer Caira
Subject: West Newton -East of Dustan Street 40B project

Ms. Caira:

I am writing in support of the proposed mixed use project east of Dustan Street. The will provide much needed housing and conforms with the City's comprehensive plan as well as the Washington Street visioning plan. The project is well designed and will be a real amenity for the local area.

Thank you for your time.

Jay Walter
83 Pembroke Street

Jennifer Caira

From: Lynn Weissberg <lweissberg@jsmtlegal.com>
Sent: Friday, September 6, 2019 10:00 AM
To: Jennifer Caira
Subject: West Newton 40B project

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Caira:

I'm a writing to strongly support Mark Development's proposed 40B project on Washington Street in West Newton. There is no doubt that there is a housing crisis in the Boston area and Newton needs to do its share to increase the supply of affordable housing. This project would have 25% of the units, 60 units, at the affordable range which is considerably higher than under Newton's Inclusionary Zoning Ordinance. Our region desperately needs the 60 new affordable units, as well as the other 180 units and I'd love to see this project receive state and local approval.

This project also fits perfectly with the Washington St. Vision Plan and proposed zoning. In short, Washington Street needs development like this. We ask the city to lend its support for this project when presenting it to MassHousing.

Thank you for your consideration.

Lynn Weissberg
5 Alden St.
Newton M 02459

Jennifer Caira

From: Alexandra Wolf <sprecherwolf@gmail.com>
Sent: Thursday, September 5, 2019 4:48 PM
To: Jennifer Caira
Subject: Support for West Newton 40b Project

Dear Ms. Caira,

I am writing to you to voice my strong support for the West Newton 40B project. I have seen the plans and believe that they are very much in keeping with the community developed Washington Street Vision.

As you likely well know, Newton is in great need of more diverse housing options. As a 40B project, this facility will guaranteed more than 60 new affordable units. In addition, a streamlined review process means that the remaining 180 units will be available more quickly, offering more choice to current residents, empty nesters, returning young families and recent college graduates.

My husband grew up in Newton and it wasn't until 5 years ago when we were finally able to move back to be near his family. This is exactly the type of facility that, had it been available, we would have loved to rent an apartment in before we had enough money for a down payment on a home. Prior to this, when we told realtors that we wanted to rent in Newton, we basically got told that was an impossibility. This project would be one small step in the right direction.

Sincerely,

Alexandra Wolf
Waban, MA