

Ruthanne Fuller Mayor

City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone (617) 796-1120 Telefax (617) 796-1142 TDD/TTY (617) 796-1089 www.newtonma.gov

Barney S. Heath Director

MEMORANDUM

January 19, 2024 Date:

TO: Councilor R. Lisle Baker, Chair, Zoning & Planning Committee

Members of the Zoning & Planning Committee

FROM: Barney Heath, Director, Planning & Development Department

Jennifer Caira, Deputy Director, Planning & Development Department

RE: #74-24 Discussion Regarding 40B Process Post 'Safe Harbor' Designation

> COUNCILORS OLIVER, BAKER, AND WRIGHT requesting a discussion with the Law and Planning departments regarding the process going forward for 40B projects since meeting the 10% 'Safe Harbor' designation. The discussion should address the different parameters that can or will be used to accept, deny and modify projects and

the criteria allowed to be used by ZBA or any other approving authority.

MEETING: January 22, 2024

CC: City Council

Planning Board

Jonathan Yeo, Chief Operating Officer

Alissa Giuliani, City Solicitor

As of January 8, 2024, Newton reached the 40B safe harbor status for the first time since the state law was enacted in 1969. Safe harbor status is available to municipalities that have met either the General Land Area Minimum, achieved when housing units eligible for inclusion on the state's Subsidized Housing Inventory ("SHI") exist on sites comprising 1.5% or more of a municipality's total land area; or the Housing Unit Minimum, achieved when a municipality's SHI Eligible Housing units exceed 10% of its total housing units. Newton met the housing unit minimum, with 10.82% of housing units currently eligible for the SHI. This is an important milestone; however, the safe harbor calculation is not static, and it is possible Newton will fall back below the 10% threshold again in the future. More information how on the safe harbor is calculated can be found in the January 4, 2024 Safe Harbor Status memo to



the Zoning Board of Appeals (ZBA) <u>here</u>. The data used to calculate the safe harbor, as of January 8, 2024, is attached to this memo (Attachment A).

Current SHI List

Current SHI	List							
EOHLC ID#	Organization	Property	Property Address	Tenure	Total Units	Units on SHI	Total Affordable Units (deed restricted)	% SHI Eligible Units
2170	NHA	Horace Mann Apartments	674-690 Watertown Street	rental	72	72	72	100%
			111 JF Kennedy Circle/Green Street					
2171		Jackson Gardens	(106-128 and 83-127 Kennedy Circle)	rental	64	64	64	100%
2172 2173		Norumbega Gardens Parker House	46 Ash Street 21 Parker Street	rental rental	57 33	57 33	57 33	100% 100%
2174		Hampton Place	77 Florence Street	rental	99			5%
	NHA (with NWW)	Centenary Village (ID# 2175 & 2180)	234 Central Street	rental	12	12	12	100%
			76 Thurston Road (60 - 80 Thurston					
2176		Echo Ridge	Road)	rental	40	40	40	100%
2177	NHA	Hamilton Grove Apartments	541 Grove Street 239 Watertown Street (237-251	rental	42	42	42	100%
2178	NHA	Nonantum Village Apts.	Watertown Street)	rental	36	36	36	100%
	NHA (with NWW)	Centenary Village (ID# 2175 & 2180)	234 Central Street	rental	7	7	7	100%
2181	NHA	New Hyde School Apartments	82 Lincoln Street	rental	24	24	24	100%
2182	NHA	Beaconwood Apartments	4-6, 14-16,3-5, 13-15, 21-23 Wilson Cir. & 28-30,36-38, 41-43, 35-37, 27- 29 Hargrave Circle	rental	20	20	20	100%
2182		Chestnut Street	1200 -1202 Chestnut Street	rental	20	20	20	100%
2183		Carter Street (scattered site under 2183)	18-20 Carter Street	rental	2	2	2	100%
2183	NHA	Tremont Street (scattered site under 2183)	223-225 Tremont Street	rental	2	2	2	100%
		D D	29-31 Bryon Road and 6 - 6A Bryon					
2183 2183		Bryon Road (scattered site under 2183)	Road 47-49 Colella Road	rental	4	4	4	100%
2183		Colella Road (scattered site under 2183) Christina Street (scattered site under 2183)	91 Christina Street	rental rental	2	2	2	100% 100%
2183		248-250 Lagrange Street (scattered site under 2183	l l	rental	2	2	2	100%
2184		Langley Road (scattered site under 2184)	399 Langley Road	rental	2		2	100%
2184		Nonantum Village Apartments (scattered site under		rental	5		5	100%
2184		High Street (scattered site under 2184)	24-26 High Street	rental	2	2	2	100%
2184 2184		Winchester Street (scattered site under 2184) Grove Street (scattered site under 2184)	303-309 Winchester Street 406-416 Grove Street	rental in ownership	20 9		2	10% 11%
2184		Jackson Street (scattered site under 2184)	43 Jackson Street	rental in ownership	12		1	8%
2184		Falls Ridge (scattered site under 2184)	51 Pettee Street	rental in ownership	33	4	4	12%
2185	NHA	Kerry Court (scattered site under 2185)	27 Kerry Court	rental	1	1	1	100%
			465 Lowell Avenue (447-449 Lowell					
2185		Lowell Avenue (Claflin School Studios) (scattered si		rental in ownership	17	3	3	18%
2185 2185		Rebecca Road (scattered site under 2185) Florence Street (scattered site under 2185)	8 Rebecca Road 116 Florence Street Unit B	rental rental in ownership	9	1	1	100% 11%
2185	NHA	The Gazebo (scattered site under 2185)	160 Pine Street	rental in ownership	28		3	11%
2185	NHA	Alden Place (scattered site under 2185)	18 Alden Place	rental in ownership	10		1	10%
2186	NHA	Chestnut Grove (scattered site under 2186)	1175 Chestnut Street	rental in ownership	35	4	4	11%
			181 Oak Street/Chestnut Street (193					
2186		Village Falls (scattered site under 2186)	Oak Street)	rental in ownership	123	14	14 5	11%
2189	NWW	Beard House	21 Bontempo Road 276-278 Newtonville Ave / 22-24	rental	5	5	5	100%
2190	Benchmark Assisted Living	Cabot Park Village	Munroe St.	rental	100	100	20	100%
	2Life	Coleman House (formally Campus House I)	601 Winchester Street	rental	100	100	99	100%
2192		Coleman House (formally Campus House II)	677 Winchester Street	rental	46	46	45	100%
	NCDF	Casselman House	195 Sumner Street	rental	43		43	100%
	Charles River ARC NHA	California Street Newton CLN House	538 California Street 390 Newtonville Ave	rental rental	8 11	8	8 11	100% 100%
	NWW	Coyne Road Residence	18-20 Covne Road	rental	6		6	100%
		Crescent Field Condominiums (with NHA)	36-48 Crescent Street	mixed	20		12	60%
2199	CAN-DO	Garfield House	14 Nonantum Place	rental	3	3	3	100%
	2Life	Golda Meir House I	160 Stanton Ave	rental	100	100	88	100%
	2Life	Golda Meir House II	160 Stanton Ave 27-80 Hamlet Street	rental	99	99	88	-
	NCDF (with NHA) Benchmark Assisted Living	Houghton Village Evans Park at Newton Center	430 Centre Street	rental rental	50 115	50 115	50 23	100% 100%
	Barry Price Rehab. Ctr.	The Barry Price Residence	1751 Washington St	rental	4		4	100%
2205	NCDF	Auburndale Yard (Homes at Auburndale)- RENTAL &	32-50 Pine St.	rental	10	6	6	30%
2206	NWW	Juniper House	14 Newtonville Ave.	rental	7	7	7	100%
			2281 Washington St. (2251 - 2311					
	Barkan Management Meredith Management, Inc.	New Falls Apartments Peirce House	Washington St.) 88 Chestnut Street	rental rental	60 34	60 34	41 29	100% 100%
	NCDF	Warren House	1600 Washington Street	rental	59	59	29	100%
2213			7 Hereward Road (John W. Weeks		39	39	21	100/6
2214	NCDF	John W. Weeks House	House)	rental	75	75	42	100%
			·					
	YMCA CAN-DO	West Suburban YMCA-SRO Webster Street House	276 Church Street 228 Webster Street	rental rental	28		28 6	100% 100%
	NWW	Orchard Avenue	40 Orchard Avenue West	rental	8		8	100%
2219		Osbourne Path	117 Osbourne Path	rental	4	4	4	100%
	Boca Development	Woodmere Commons	412-416 Parker St. Units A,B,C,J,K	ownership	15			33%
	Avalon Bay	Avalon at Upper Falls	99-109 Needham Street	rental	294	294	74	100%
	CASCAP	Nonantum Village Place	239 Watertown Street 18-20 Cambria Road	rental	35		34	100%
	CAN-DO	Cambria Road (18-20 Cambria), completed 2003 Kayla A. Rosenberg House	90 Christina St	rental mixed	5	2 5	2	100% 100%
	DDS confidential	DDS Group Homes	confidential	rental	-	105	-	100%
4591		DMH Group Homes	confidential	rental	-	36	-	-
	NHA	Pelham House	45 Pelham Street	rental	10	10	10	100%
	Avalon Bay	Avalon at Chestnut Hill	160 Boylston Street	rental	204	204	43	100%
	The Second Step	Foster Street	confidential	rental	8			100%
7021	CAN-DO	Linden Green Homes Millhouse Commons	248 Elliot Street 1093 & 1101 Chestnut St	ownership ownership	5		3	60% 33%
	Nat'l Dev. of New England	Arbor Point at Woodland Station	1940 Washington St	rental	180	180	36	100%
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Newton SHI 10% Calculation January 8, 2024

	I		462 1-1	T	_1	_1	- ا	400
	CAN-DO	Jackson Road	163 Jackson Rd	rental	2	2	2	100%
	CAN-DO	Falmouth Road	20 Falmouth Rd	rental	2	2	2	100%
7163		Wyman Street	52-54 Wyman	rental	10	10	10	100%
	confidential	confidential	confidential	rental	-	4	-	-
	confidential	confidential	confidential	rental	-	5	-	-
	City of Newton		12 Green Court	ownership	1	1	1	100%
	City of Newton	Newton Homebuyer Assistance Program (FTHP-19;		ownership	2	1	1	50%
	City of Newton	Newton Homebuyer Assistance Program (FTHP-01;		ownership	12	1	2	17%
	City of Newton	Newton Homebuyer Assistance Program	16 Whittemore Road	ownership	2	1	1	50%
7886	B'nai B'rith	Covenant Residences on Commonwealth Ave.	27-35 Commonwealth Ave.	ownership	57	15	15	26%
8396	CAN-DO	Cambria Rd. (11-13 Cambria), completed 2006	11-13 Cambria Rd	rental	2	2	2	100%
8998	City of Newton	Newton Homebuyer Assistance Program	548 Centre St	ownership	12	1	1	8%
9372	Donna Realty Trust	Ellis Heights	2-10 Cragmore Road Unit 4a	ownership	8	1	1	13%
			192 Lexington Street, Unit #3B, 4A,					
9374	SEB, LLC	Parkview Homes	4B, 5A, 2,6A	ownership	10	6	6	60%
9526	City of Newton	Newton Homebuyer Assistance Program (FTHP-32,	133-135 Edinboro St. Unit #2	ownership	4	1	1	25%
	City of Newton	Newton Homebuyer Assistance Program (FTHP-, res		ownership	36	1	1	3%
9661		Walnut Street (Oxford House Condominium)	391 Walnut Street, Unit #3 and #6	ownership	11	2	2	18%
10121		Myrtle Village	12-24 Curve Street (Myrtle Village)	Rental	7	7	7	100%
10122		54 Taft	54 Taft Avenue	Rental	2	2	2	100%
10122		Court Street	75-83 Court Street	ownership	36	9	9	25%
10123		Adams Street	150-152 Adams Street	Rental	9	1	1	11%
10124		Additis Street	1521 Beacon Street (1521 Beacon	Kentai	3		1	11/0
			Units 1,2,3; 1523 Beacon Units 1,2;					
10125		1521 Beacon	1525 Beacon Units 1,2,3)	ownership	8	2	2	25%
	CAN-DO	10-12 Cambria Road	10-12 Cambria Road	rental	2	2	2	100%
	Austin Street Partners	28 Austin Street	28 Austin Street	Rental	68	68	23	100%
10286		429 Cherry Street	429 Cherry Street	Rental	13	3	3	23%
10287		Langley Terrace	400 Langley Road	Rental	66	4	4	6%
			254/258 Derby Street (Derby Street					
10509	Derby Street Condominiums	Derby Street Condominiums	Condominiums)	ownership	8	2	2	25%
10549	Chestnut Hill Realty Developm	Hancock Estates / Kesseler Woods; Lagrange Street	200 Estate Drive, Chestnut Hill	rental	88	13	13	15%
10554	CAN-DO	236 Auburn Street	236 Auburrn Street	rental	8	8	8	100%
10622	Newton Housing Authority	Haywood House	Haywood House	rental	55	55	55	100%
10623	2Life Communities	Golda Meir Expansion	160 Stanton Ave	rental	68	68	68	100%
			875 Washington Street & additional					
10624	Mark Newtonville, LLC	TRIO / Washington Place	parcels	rental	140	21	35	15%
9661		Walnut Street	391 Walnut Street, Units #3	ownership	11	1	2	9%
			182-184 California Street (68 Los					
	182-184 California Street	182-184 California Street	Angeles Street)	ownership	20	3	3	15%
	Criterion	Allee on the Charles	2-4 Los Angeles Street	rental	204	204	51	100%
	Citterion	Aliee on the charles	2 4 203 Angeles Street	Tental	204	204	31	100%
SUBTOTAL					3.577	2.879	1,729	80%
SUBTUTAL					3,5//	2,879	1,729	80%
CIU Elland	h							
SHI Eligible,	but not Inventoried	T.	4425 4427 14 - 15 - 15 - 15 - 15 - 15	1				105::
	Metro West/Civico	Armory	1135-1137 Washington Street	rental	43	43	43	100%
	Northland	Northland Charlemont	160 Charlemont Street	rental	370	370	93	25%
	Garden Homes	Dunstan East	1185 Washington Street	rental	292	292	73	25%
SUBTOTAL						705	209	30%
Total SHI Eli	igible (Inventoried plus Uninv	entoried)				3,584	1,938	54%
							,	
Census 2020	O Year Round Housing Units					33,116		
Dorcont CL	esidized (as of 1/9/2024)					10.82%		
Percent Subsidized (as of 1/8/2024)								

10% of year round housing units:3,312Additional units needed to reach 10%-272