



Ruthanne Fuller  
Mayor

## CITY OF NEWTON, MASSACHUSETTS

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**ZONING BOARD OF APPEALS**  
Brenda Belsanti, Zoning Board Clerk

### **MEETING MINUTES**

**Wednesday, January 25, 2023.**

**7:00 p.m.**

**Hybrid – in person and via ZOOM**

**Board Members Present:** Michael Rossi (Chair), Brooke Lipsitt, Elizabeth Sweet, Stuart Snyder, William McLaughlin (remote), and Denise Chicoine (alternate)

**Staff Present:** Brenda Belsanti, ZBA Clerk; Jonah Temple, Deputy City Solicitor, Jennifer Wilson Assistant City Solicitor (remote); Heather Zaring, Executive Assistant (remote); Jennifer Caira, Assistant Director of Planning, and Michael Gleba, Senior 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, January 25, 2023, at 7:00 p.m. on the following petitions:**

1. **#09-22** Northland 160 Charlemont, LLC, requesting a Comprehensive Permit, pursuant to M.G.L. Chapter 40B, to construct a nine-story mixed-use development with 410 residential units and approximately 10,689 square feet of ground floor commercial space on 6.98 acres of land located at 160 Charlemont Street and 56 Christina Street in the Mixed Use 1 Zoning District. The proposal includes 103 affordable units and 486 parking stalls.

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**Agenda Item 1:** Elections; discuss and/or adopt changes to the Rules and Procedures of the Zoning Board of Appeals, effective May 26, 2022; any necessary briefing from the Law Department about items in litigation.

#### **Discussion:**

Agenda Item 1 was the formal organizational meeting for the year regarding elections of the Zoning Board of Appeals chair, vice chair, and clerk.

Brooke Lipsitt nominated Michael Rossi as chair. Stuart Snyder seconded the nomination. No



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other nominations were made for chair. No discussion was made on the nomination. The vote was unanimous. Brooke Lipsitt formally declared Michael Rossi chair.

Michael Rossi nominated Brooke Lipsitt as vice chair. Elizabeth Sweet seconded the nomination. No other nominations were made for vice chair. No discussion was made on the nomination. The vote was unanimous. Chair Rossi declared Brooke Lipsitt as vice chair.

Michael Rossi nominated Brenda Belsanti as board clerk. Brooke Lipsitt seconded the nomination. No other nominations were made for board clerk. No discussion was made on the nomination. The vote was unanimous. Chair Rossi declared Brenda Belsanti as board clerk.

There were no proposed changes to the Zoning Board of Appeals rules, so the rules remain as written.

Chair Rossi asked Attorney Temple for an update on any pending litigation.

Attorney Temple responded that there are two matters in litigation. The first is 229 Grassmere which is an illegal multi-family use of a single-family home with the homeowner looking to permit it as a single-family use with one accessory apartment. The homeowner is working with Inspectional Services towards that goal. The second is 115 Lowell Avenue and the violation of the election sign ordinance. The Board dismissed the appeal as moot and the applicant appealed to Superior Court. The City has filed a motion to dismiss which remains pending.

**Commented [ 1 ]:** Please confirm this with Jonah or Jen.

**Agenda Item 2:** #09-22 – Northland 160 Charlemont, LLC, Newton. This item was opened on October 26, 2022. Sitting Members: Michael Rossi (Chair), , Brooke Lipsitt Elizabeth Sweet, William McLaughlin, Stuart Snyder and Denise Chicoine.

#### Documents Submitted:

1. Memorandum with attachments from the Planning Department dated January 18, 2023.



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#### **Testimony:**

Mr. Gleba introduced Alan Mountjoy of NBBJ the design peer review consultant.

Alan Mountjoy, NBBJ, Boston, presented a review of the site design and how it compares to both the Needham Street Vision Plan and Washington Street Vision Plan and used the plans for guidance. The review focused on scale of blocks, walkability, grading of the land, and size of proposed project in a mixed-use district along with future possibilities for the district.

Attorney Stephen Buchbinder, Schlesinger and Buchbinder, 1200 Walnut Street, Newton, responded that the peer review was comprehensive and impressive. It is the intent of the petitioner to prepare comprehensive responses to all peer review reports by February 6, 2023.

B.K. Boley, Senior Principal, Stantec Architecture, 40 Water Street, Boston, presented a plan showing areas that had been included in the peer review regarding scale, use of the west side of project, grading, changes to building design, and studying other changes that could be done with pedestrian and vehicle traffic, parking and retail feasibility.

Chair Rossi asked for questions from the Board

Mr. Snyder stated he was still unsure of what the building will look like. Would like a scaled model. Could the project be split into two buildings?

Attorney Buchbinder responded that there would be a scaled model at the next meeting February 22, 2023.

Ms. Sweet stated that she needs to see more and would like to see a two-building modification to the design and what that would do to the connectivity of the project.

Ms. Chicoine stated that there has been such a focus on the open space and landscaping that it was interesting to see the peer reviewer stating that there was an opportunity to connect to the other Northland site and make it more pedestrian friendly and would be interested in hearing more on that goal.



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Mr. McLaughlin stated he appreciated the peer review report and many of the items brought up have been on the minds of the Board members.. Hopes the petitioner will make some changes according to the review and improve the plan to make it a better fit.

Ms. Lipsitt asked for clarification regarding Northland ownership of another parcel.

Mr. Mountjoy responded that Northland also owned a parcel between this site and Needham Street on Charlemont.

Ms. Lipsitt stated that it would be prudent to look at everything as more of a master plan for this whole ownership even though that is not in front of us.

Ms. Lipsitt stated she is also happy with the peer reviewer's suggestion of breaking up the blocks. Breaking up the blocks also influences the height of the structures and how would that be addressed.

Mr. Rossi asked if there would be a way to accomplish the breaking of the blocks and at the same keeping a single building or would two buildings be required?

Mr. Mountjoy stated that they are looking for the ability of pedestrian access whether it be two buildings, an archway, or some other solution.

Chair Rossi asked for clarification on the height of the building and the step-backs of height and if the heights would be the same if there were two buildings.

Mr. Mountjoy responded that the applicant stepped the building on the east side and if they could do something similar on the west side. Also, the one-story pop-out on the north side did not seem to make sense and feels there are ways to play with the massing.



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Mr. Buchbinder stated they would be responding to the suggestion of two buildings in the next meeting.

### **Public Comments:**

There were no public comments.

### **Deliberation:**

Mr. Rossi concluded the meeting.

The next hearing for this project will be February 22, 2023.

The hearing was continued to February 22, 2023.

Adjourned 8:00 p.m.

**ZBA DECISIONS can be found at [www.newtonma.gov/ZBA](http://www.newtonma.gov/ZBA)**