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Newton Housing Partnership (NHP)

February 27, 2024 from 5:00 pm - 7:00 pm

Virtual meeting: <https://newtonma-gov.zoom.us/j/82091218656>

Meeting ID: 820 9121 8656

- 1. 78 Crafts St.**
 - a. Presentation from Boylston Properties
- 2. 1149 Washington St., Dunstan East**
 - a. Presentation from Garden Homes
- 3. 528 Boylston St., Toll Brothers**
 - a. Presentation from Toll Brothers
- 4. Review and Approval of January minutes, 2024 Meeting Summary**
- 5. FY25 Annual Action Plan Update**
 - a. Staff Presentation
- 6. Newton THRIVE**
 - a. Staff Update
- 7. Upcoming Meeting**
 - a. Next Meeting: March 26, 2024, 5:00 pm - 7:00 pm via Zoom

Attachments:

- January 2024 Meeting Minutes

Meeting Access Instructions

No in-person meeting will take place at City Hall.

The Newton Housing Partnership will hold this meeting virtually on February 27, 2024 at 5:00 pm.

Access the meeting audio and video on your smartphone:

- 1) Open your smartphone's app store. If the Zoom app is already installed on your smartphone, this step is not necessary
- 2) Download the "ZOOM Cloud Meetings" app
- 3) At the above date and time, open the ZOOM Cloud Meetings app, and tap, "Join a Meeting"
- 4) Type the following Meeting ID into the dialogue box: 820 9121 8656

It is also possible to open your smartphone's internet browser app, navigate to www.zoom.us, and join the meeting with the same Meeting ID: 820 9121 8656. Doing so would provide access to the meeting's audio and video.

OR

Access the meeting audio only on your phone or smartphone:

- 1) Dial + 1 301 715 8592
- 2) Dial the following Meeting ID: 82091218656#

OR

Access the meeting audio and video on your computer:

- 1) Open your internet browser on your computer
- 2) At the above date and time, copy the following link into your browser's URL bar:
<https://newtonma.gov.zoom.us/j/82091218656>
- 3) Type the following Meeting ID into the dialogue box: 820 9121 8656

The location of this meeting/event is wheelchair accessible and Reasonable Accommodations will be provided to persons with disabilities who require assistance. If you need a Reasonable Accommodation, please contact the city of Newton's ADA/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

DRAFT

Newton Housing Partnership Meeting

Notes from

January 23, 2024 Meeting

Conference Call

5:00pm-7:00pm

Partnership Members in Attendance:

Eliza Datta, Chuck Eisenberg, Ann Houston, Josephine McNeil, David Rockwell, Marva Serotkin

Others in Attendance: Allison McIntyre, Shaylyn Davis-Iannaco, Lara Kritzer and members of the community

It was moved by Chuck Eisenberg and seconded by David Rockwell to approve the November minutes. The vote to approve was unanimous.

Staff Updates

Shaylyn Davis-Iannaco provided the following updates to the Partnership:

1. Garden Homes is the current applicant for Dunstan East. Previously, this was Mark Development.
2. The approval process for when the project sponsor changes is different for comprehensive and special permits. A comprehensive permit may contemplate successors, but only to ensure they follow through with the ongoing conditions stated within the permit. A special permit runs with the land so a change of applicant after approval or construction is not necessary.
 - David Rockwell clarified that the subsidizing agency has some say so over the identity of their sponsor and asked whether the local government has any say so over the change of a sponsor. Shaylyn clarified that a comprehensive permit may contemplate successors and what they may be responsible for as far as the ongoing conditions listed in the comprehensive permit.
 - Chuck Eisenberg mentioned that there are comprehensive permits with broader authority.

Lara Kritzer provided the following updates:

1. Under the Inclusionary Zoning Ordinance, developers are required to pay the City the cash payment option before the issuance of the certificate of occupancy. Lara K. noted that the City has interpreted this to mean that the payments can be made at building permit as well, meaning there have been times when the City has received 50% of the payment at the issuance of the building permit and 50% of the payment at the issuance of the certificate of occupancy.
 - Marva Serotkin asked for clarification as to where the funding goes once received. Lara K. responded that 50% of the payment goes to the Affordable Housing Trust and 50% of the payment goes to the Newton Housing Authority.

Safe Harbor Update

Shaylyn D.I. provided a brief update regarding the City's safe harbor status. A memo was issued to the ZBA in early January, stating that Newton had almost reached the 10% safe harbor status. Since the issuance of that memo, the City surpassed the 10% threshold for safe harbor status with Dunstan East's approval.

- Marva S. asked for clarification as to what it really means to hit safe harbor. David R. stated that applicants could still apply for a comprehensive permit from the ZBA, but the applicant can no longer appeal an adverse decision to the state's Housing Appeals Committee. Chuck E. clarified further that the ZBA has more discretion in the conditions they can put on a project.
- Eliza Datta thought there was an updated memo released for the ZAP meeting the previous evening with the updated information. Shaylyn D.I. will distribute the updated memo if there is one.

Members discussed that it may be possible to dip back below the 10% threshold, as happened in Brookline last fall, though think it is unlikely due to the nature of the City's pipeline.

- Chuck E. stated that the membership of the ZBA has become much more critical, as they have more discretion and decisions cannot be appealed. Comprehensive permit is the only real alternative to the special permit, and that process is not easy particularly for 100% affordable housing.
- Eliza D. clarified that developers could still apply for a friendly 40b and asked staff if there were currently any affordable housing projects before the ZBA.
- Ann H. agreed with Eliza D. and stated that it was important to send out a clear message that the Partnership supports the need for more affordable housing. Ann H. asked Chuck E. if there was a real chance to increase the threshold to 15%. Chuck E. stated that this was unlikely.
- Lara K. stated that we are not currently expecting any imminent applications, and noted Crafts St. came in just before reaching Safe Harbor.
- Josephine McNeil asked if the Toll Brothers project was currently before the ZBA. Lara K. responded that they came in before safe harbor.
- Ann H. asked if the Riverside project would still be coming in under the same permitting. Lara K. responded that she was not sure how they were going to apply.

Marva S. asked staff to keep the Partnership updated on the pipeline and staff agreed. Shaylyn D. I. let everyone know that she is working with the developer of the Crafts St. project, Boylston Properties to bring them in to present at the February meeting.

Mitigation Fees

David R. provided an update on the mitigation fee research. Shaylyn D.I. informed members that there is no database that currently exists that lists out all the ordinance-based and discretionary fees that can be charged as part of the permitting process. Shaylyn D.I. has started putting the information together to show all the I&I, building permit, and tree ordinance fees as well as any on or offsite improvement fees that are stated in the permit. Staff in Current Planning suggested using data from 2022. Shaylyn D.I. will look at 2022 and the few projects permitted in 2023 so the Partnership can have two test years.

- Chuck E. stated that what interested him in this topic was the gross vs. net City contribution to an affordable housing project receiving CPA, Trust, or grant funding and what the impact may be.
- Ann H. expressed curiosity in mitigation fees for abutter concerns and suggested potentially sending out an inquiry to developers.
- Eliza D. brought up the issue of getting a real cost associated with the mitigation and suggested the Partnership might have to combine efforts to determine what the actual costs of what was required might be.

Real Estate Transfer Fees

Chuck E. gave a brief update on the Real Estate Transfer Fee, stating that the legislation is in limbo. Chuck stated that there does not seem to be a consensus in the legislature, in the Governor's Office, or within the City of Newton on the topic.

- Marva S. noted that Allison sent over a resource about the transfer fee. Allison M. briefly summarized the study done in Somerville and noted that there is an existing transfer fee in Massachusetts.
- Ann H. stated that the Transfer Fee seems to be the most controversial part of the Affordable Homes Act and noted several municipalities that have asked for authorization to enact transfer fees which the legislature has not authorized. Ann H. noted that there are many opponents to this piece of legislation and stated that municipalities in Western MA are looking for a lower threshold to impose a transfer fee.
- David R. questioned if the Partnership knew the will of the City should the act pass. Marva S. suggested further education on this topic would be necessary for the Partnership to take a position.
- Josephine M. suggested that the funding should be targeted toward deeper affordability, for people with incomes under 50% AMI.

Shaylyn D.I. will try to get representatives from the Greater Boston Real Estate Board (GBREB) and Local Options for Housing Affordability (LOHA) at the February or March meeting.

Coordination with Affordable Housing Trust and Fair Housing Committee

Chuck E. and Ann H. gave a presentation on the data updates the coordination group has received from the Barrett Planning Group.

- David R. asked what data is still being collected and looked at. Ann H. responded that Allison M. and she are working on the next pieces, specifically looking at the City's affordable housing without City-investment, which includes looking at the Subsidized Housing Inventory (SHI) and the Newton Housing Authority portfolio. Additionally, there were pieces of the Newton Leads 2040 Plan that need further analysis. Ann H. stated that this information will hopefully be ready for the next priorities meeting.
- Eliza D. clarified that the City-funded projects included all City money, like CPA, CDBG, HOME, etc.
- Members discussed that smaller projects tend to be much more expensive for the City than larger projects, because they don't have access to Low-Income Housing Tax Credit funding and the state largely does not fund projects under 10 units. Josephine

- M. noted this is inconsistent with how communities generally feel, as many do not want larger projects. Josephine M. suggested having more discussions and potentially community meetings. David R. suggested that it is more complicated than just communities do not like large projects and does not want to close off large projects in the community.
- Josephine M. would like to see more demographic breakdown of the various projects. Ann H. noted that Allison M. and she are looking to include the unit income breakdown and potentially surveying developers.
 - Ann H. indicated that a third category will be added to the types of housing available: senior, family, and supportive housing will be looked at.
 - Chuck E. stated there's a community in New Hampshire that has offered to buy down affordability levels of 40Bs in the community. Ann H. did the math on this in Newton and found that it would cost approximately \$240,000 to buy-down an 80% unit to a 50% unit.
 - Eliza D. noted how low the production number is. Members agreed and noted how difficult production can be for several reasons, including local permitting, available land, and available funding. David R. and Chuck E. briefly discussed which developers are out there who will come into Newton to produce more affordable housing post safe harbor.
 - Josephine M. discussed the importance of having clear and true data without contradictions, particularly around the data points around type of unit. Lara K. responded that she was confident in the data provided, as these are the projects the City funded over the last several years.
 - Members discussed that there are many ways to show the data once it expands to more than what the City has invested money in over the last several years.
 - Chuck E. presented the demographic information that was updated by the Barrett Planning Group, noting specifically that Newton's population is largely white and getting older. Members noted that the only multi-generational households exist because the younger members cannot afford their own places to live.
 - Members discussed that the data updates regarding income levels were frightening. Josephine M. noted that unless a lot of people in Newton feel that the numbers are frightening, the data is not going to go that far and Ann H. suggested that once the data set is more complete and the project comes to an end, the Partnership and other committees should discuss how best to disseminate this data and the issues discussed to the public.

The Coordination Group will continue to look at the new data collected and will come back next month.

Marva S. asked that there be a Newton THRIVE update in February, an update from the Coordination Group, and potentially an update on the Mitigation Fee research.

Note: meetings will be held on the fourth Tuesday of each month 5-7p.

Respectfully Submitted,

Shaylyn Davis-Iannaco, Housing Program Manager