

PLANNING & DEVELOPMENT BOARD MEETING MINUTES

January 16, 2018



Full Members Present:

Scott Wolf, Chair

Peter Doeringer, Vice Chair

Megan Meirav

Barney Heath, Director of Planning & Development, *ex officio*

Staff Present:

Rachel Powers, Community Development Programs Manager

1. Minutes from the Planning and Development Board Meeting held on December 4, 2017

2. Updates/Discussion:

- Needham Street Vision Plan Meeting
- Food trucks
- Inclusionary Zoning
- Lodging Houses
- Recreational Marijuana
- Zoning Redesign
- Affirmatively Furthering Fair Housing
- 83-85 West St
- 236 Auburn St
- Upcoming CDBG RFP Process

1. Action Item: Approval of Minutes of December 4, 2017 meeting

Chair Wolf opened the meeting at 7:31 p.m. The motion was made by Vice Chair Doeringer and Seconded by Ms. Meirav, and approved 4-0-0, to approve the minutes of December 4, 2017.

2. Updates/Discussion:

a. Needham Street Vision Plan Meeting

Director Heath initiated discussion, explaining that 21 out of 23 Needham Street Community Engagement Group members were in attendance at the December 11, 2017 meeting. Approximately 50 residents and business owners were also present.

The initial meeting was positive and primarily dedicated to reviewing previous Needham Street studies. Dir. Heath announced two upcoming meetings, scheduled for January 22, 2018 and January 29, 2018. The meeting set for January 22nd will focus on open space and sustainability, while the meeting on January 29th will concentrate on transportation. Feedback from the Needham Street Community Engagement Group will be essential in determining a vision for the Needham Street area. Dir. Heath pointed P & D Board members to the website, listed with other such high interest City projects:

<http://www.newtonma.gov/gov/planning/current/devrev/hip/needhamstreet.asp> .

The webpage outlines participating group members and all upcoming meetings. The current consensus at this early stage is that no one likes Needham Street the way it is.

Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Rachel Powers
CD Programs Manager
Planning & Development

Members

Scott Wolf, Chair
Peter Doeringer, Vice Chair
Barney Heath, *ex officio*
Megan Meirav
Sonia Parisca

1000 Commonwealth Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

www.newtonma.gov

b. Food trucks

Dir. Heath confirmed briefly that the Ordinance Amendment to Allow Food Trucks-#276-17 passed in December. Economic Development director Kathryn Ellis is currently seeking interesting food trucks to participate in the new ordinance.

c. Inclusionary Zoning

Dir. Heath indicated that significant progress had been made in the last year. Feedback from ZAP included a recommendation to perform a financial analysis to ensure that the proposed ordinance was viable in the marketplace and encouraged housing development. RKG, who completed the Housing Strategy, and similar studies in Somerville and Cambridge, will perform the financial impact analysis. The consultants will be on a tight time frame; results are expected back in time for the Council to revisit the proposed Inclusionary Zoning Ordinance in March 2018.

d. Lodging Houses

Dir. Heath explained that the Lodging Housing Ordinance had also made huge strides and is expected to go back before ZAP on February 12, 2018. Since the ordinance didn't pass during 2017, it had to be refiled in the New Year. The Planning and Development team has also been working on the licensing end of the proposed ordinance.

e. Recreational Marijuana

Dir. Heath clarified that Recreational Marijuana is a topic many Massachusetts communities are grappling with; some have chosen to institute an outright ban, others have zoned appropriate areas, and other communities have stated they need additional time before implementing the new law. Newton is proposing that Newton adopt a temporary moratorium to allow time to develop a plan designating appropriate locations for operations.

Chair wolf inquired about "on premises" consumption? Dir. Heath indicated that regulations on this matter are hazy and would be referred to the Cannabis Control Commission. Communities must choose to adopt ruling around this specific topic and would generally be up to retailers. "On premises" consumption would not be allowed on public property. Newton, however, is pursuing a local tax option.

f. Zoning Redesign

Dir. Heath shared that another Zoning Redesign meeting was planned for January 18th on parking at the Newton Free Library. Discussion would tie into reducing parking requirements in the existing ordinance; instead of imposing minimum number of spaces, a revised ordinance would impose a maximum number of spaces. The Chestnut Hill Mall is an example as it's owners seek to amend their special permit and have discussed hiring a shuttle bus. A study was completed on Black Friday in 2017 that found 690 empty spaces at its peak. ZAP is extremely interested in being involved in the process.

A lot of work is anticipated on the Zoning Redesign process between now and the fall, including new zoning map, which is scheduled to be presented in May. Vice Chair Doeringer inquired into Brookline's design review process and what ours should be. Vice Chair Doeringer further questioned new setback arrangements and doesn't understand the reasoning behind the maximum setbacks. Dir. Heath responded that it had to do with consistency of the lots and reminded Board members that Planning and Development would also review lot sizes, density and village centers in upcoming Zoning Redesign meetings.

g. Affirmatively Furthering Fair Housing-

Ms. Powers alerted the Board to recent federal changes that suspended the Assessment of Fair Housing (AFH) Tool requirement for local governments until after October 2020. The AFH was to replace the previously required Analysis of Impediments to Fair Housing Choice (AI), stemming from the AFFH Final Rule issued in 2015. HUD believes program participants need additional time and technical assistance to adjust to the new AFFH tool and process. Approximately 35% of completed AFHs were not accepted by HUD in 2017. The City must now complete an updated AI in lieu of the AFH.

Despite these changes, Ms. Powers reaffirmed the Division's commitment to affirmatively furthering fair housing and desire to create a meaningful document through robust planning and citizen participation. Ms. Powers will work with staff to reevaluate the Housing and Community Development Division's strategy and schedule.

Vice Chair Doeringer inquired as to how City staff are limited in moving forward with the AI versus the AFH. Ms. Powers indicated that the tool provided readily-available data and planning guidance that enabled staff to spend additional time engaging the community and produce more substantial goals and actions. Josephine McNeil, from the audience, spoke to the Consortium's obligations and desire for the City to go beyond the guidelines.

h. 83-85 West St-

Ms. Powers indicated that legal agreements for this project have been drafted and are currently being reviewed by the legal department. She outlined the loan terms, explaining that funding would be for 0% interest, deferred and forgiven, but monitored over a 20-year period. The City is requiring affordability in perpetuity.

The construction bids are set to go out on Thursday, January 18th and a pre-bid walk-through is scheduled for Thursday, January 25th. Bids would be received in February. The mortgage refinance is to be processed immediately following the execution of grant agreements. The Division is aiming for rehabilitation to begin in March.

i. 236 Auburn St-

Ms. Powers explained that CAN-DO's Comprehensive Permit Application had been submitted in December. The ZBA will open the public hearing Tuesday, January 23rd. The Division is hoping for the Comp permit to be issued in late February/ early March. She indicated that legal agreements for this project have also been drafted and are currently being reviewed by the legal department. The loan terms will also be set at 0% interest, deferred and forgiven, but monitored over a 20-year period. The City is requiring affordability in perpetuity.

The mortgage refinance will be processed following the execution of the grant agreements and issuance of the Comp permit. Construction is anticipated to begin in May.

j. Upcoming CDBG RFP Process-

Ms. Powers announced that planning was underway for the City's FY19 Annual Action Plan. The Division is expecting to present proposed goals, activities and allocations at the P & D Board's April 2nd meeting. Human Service and ESG RFPs are scheduled to be released on Wednesday, January 24th and will be due back Wednesday, February 21st.

Like the previous year, Ms. Powers also seeks P & D Board volunteers to participate in the RFP review process. The review will take place between March 1st and March 9th and all materials will be distributed electronically to participants no later than Monday, February 26th. Ms. Meirav volunteered to assist in reviewing human services applications, while Vice Chair Doeringer volunteered to review ESG applications.

Vice Chair Doeringer indicated that he would like to see the review committee rank applications versus the City's traditional scoring methods. Ms. McNeil mentioned that there could be a conflict of interest issue with members proposed for the committee and spoke to previous processes.

3. Next Meetings

Staff member Rachel Powers discussed the timeline for upcoming meetings and confirmed the availability of Board members. ZAP Meetings are currently scheduled for 7:00PM on Feb 12th and March 26th. There could be potential conflicts in achieving a quorum with the regularly scheduled March 5th meeting. The Board is currently awaiting new members.

4. Action Item: Adjournment

Upon a motion by Chair Wolf and Vice Chair Doeringer, and unanimously passed 4-0-0, the meeting was adjourned at 8:17p.m.