

PLANNING & DEVELOPMENT BOARD MEETING MINUTES

September 17, 2018



Full Members Present:

Peter Doeringer, Chair
Kelley Brown, Member
Jennifer Molinsky, Member
Sonia Parisca, Vice Chair
Chris Steele, Member
Kevin McCormick, Acting Member for September Meeting
Barney Heath, *Ex Officio*

Staff Present:

Rachel Powers, Community Development and HOME Program Manager
Amanda Berman, Director
Malcolm Lucas, Housing Planner
Tiffany Leung, Community Development Planner
Alice Ingerson, Community Preservation Manager

Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Rachel Powers
CD and HOME
Program Manager
Planning & Development

Members

Peter Doeringer, Chair
Barney Heath, *ex officio*
Kelley Brown, Member
Sudha Maheshwari, Member
Jennifer Molinsky, Member
Sonia Parisca, Chair
Chris Steele, Member
Kevin McCormick, Alternate
James Robertson, Alternate

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1. Minutes from the Planning and Development Board Meeting held on August 6, 2018

2. **Action Item:** FY18 Consolidated Annual Performance and Evaluation Report (CAPER) Presentation and Public Comment

3. **Project Update:** 236 Auburn Street – CAN-DO/MetroWest

4. **Staff Updates**

5. **Planning & Development Board Member Statements**

6. **Next Meetings**

1. **Action Item: Approval of Minutes of August 6, 2018 meeting**

Chair Doeringer opened the meeting at 7:00 p.m. The motion was made by Mr. Steele and Mr. Kelley and approved 7-0-0, as amended by Mr. Doeringer, to approve the minutes of August 6, 2018.

2. **Project Update: 236 Auburn Street – CAN-DO/MetroWest**

Jennifer Van Campen, representing CAN-DO/MetroWest CD, provided an update to the Board relative to ongoing work at 236 Auburn Street. She anticipates attending the October Planning and Development Board meeting to discuss the project's amended budget and potential request for an increase in federal funds. Ms. Van Campen presented an overview of the project, which will culminate in the development of 8 units of affordable rental housing; 5 of which are incorporated in a congregate home for severely disabled adults and involve 2 family rental units in a new modular home and one within the restored historic home.

Over 2017, CAN-DO/MetroWest worked on obtaining local approvals from the Newton Historic Commission, Community Preservation Committee, City Council and the P & D Board. They spent 2018 securing the necessary Comprehensive Permit and funding commitments. From there, CAN-DO/MetroWest architects put together

construction documents, working within parameters of Newton's procurement policy. Newton's internal policy exceeds MA Chapter 30B standards and is atypical of other municipalities. The organizations navigated several challenges with this stringent policy. Two bids were received; both extremely over budget and lacking in affordable housing experience. The exercise ultimately failed to produce viable bids. CAN-DO/MetroWest moved forward with a second procurement attempt, which more closely resembled an RFP. CAN-DO/ MetroWest solicited 16 firms. They received 3 responses, including the two who responded previously. The responses improved, and a new respondent emerged who matched the budget and had the requisite experience. The contractor is now working on finalizing budget and pricing, with value engineering in mind. Ultimately the original budget was not quite enough, so CAN-DO/MetroWest will come back in October with a revised number and potential new funding request.

The developer will most likely need to go back to the Newton Historic Commission for permission on several value engineering ideas and options; however, they will try to avoid amendments to the Comprehensive Permit. They are trying to move forward as quickly as possible, so they can apply for the building permit in October and be underway in November. Ms. Van Campen distributed a hypothetical timeline which compares where the project currently is after utilizing the City's existing procurement process, as opposed to how far along the project could be had the developer been able to select their own GC last year. The project is essentially a year behind in terms of value engineering and final pricing. Pricing could have been finalized in parallel to securing financing, as opposed to being sequential. Housing development is extremely sensitive due to the limited construction season.

Mr. Brown has not seen or experienced private non-profits following public procurement processes and inquired for the reasoning behind this. Dir. Heath agreed that it isn't necessarily time or cost-efficient but attempts to be a fair and transparent process. Mr. Brown further inquired if the CM-At risk style was the preferred methodology. Ms. Van Campen confirmed this and recommended distributing the current city policy to Board members. A past Washington Post expose reported on wild overspending relative to the HOME program, which impacted the development of the current policy. A concern has never been risen locally, but the story fed the fear. The policy is required by the City for City-funded projects. Ms. Ingerson indicated the policy initially only applied to housing projects, but eventually shifted to all federally and CPA-funded projects.

Ms. Molinsky wondered if the policy would be revisited; the short answer is yes. Chair Doeringer also asked when the process was created; Ms. Ingerson replied that it was initiated in 2011. Mr. Brown speculated when the situation could be improved. Dir. Heath said we now have an efficient model that we can point to. The Executive Office needs to give direction to the Purchasing officer. Staff can report on procurement updates by the November meeting.

3. Action Item: FY18 Consolidated Annual Performance and Evaluation Report (CAPER) Presentation and Public Comment

Dir. Heath introduced Housing and Community Development Division staff and kicked off the presentation of the FY18 CAPER. Staff discussed the activities, accomplishments and expenditures undertaken by the Housing and Community Development Division during the July 1, 2017-June 30, 2018 program year. These items are associated with the HOME, CDBG and ESG Programs and subsequently reported in the FY18 CAPER (see attached slides).

Dir. Heath commended Ms. Powers, Mr. Lucas, Ms. Leung and Ms. Berman for their work and ongoing efforts to move projects forward, given the City's limited resources. Chair Doeringer also commented that the presentation continues to get better; but he would like to see the funds that are leveraged by our federal dollars. He also encouraged the Board to be present during the RFP review process.

Going back to the WestMetro Consortium slides, Chair Doeringer questioned why other communities are producing more units, noting that they look better on paper. Mr. Steele commented that these differences could be a matter of leveraged funds. Other questions were prompted, such as what funds are they leveraging, where are those communities doing better and where we can be doing better. Ms. Molinsky asked how funds were prioritized and Ms. Powers explained the housing allocation and Action Plan RFP processes.

Mr. Brown commented that it seemed there was an enormous amount of public funds versus private funds in Newton projects. It also wasn't clear whether assistance came in the form of loans or grants. Smaller projects more often than not are just as costly as the larger ones. We need to go to scale; Newton has too many resources to allow this. Mr. Brown urged more creative options and noted his work with The Community Builders. Dir. Heath indicated that we're having these conversations.

Ms. Molinsky questioned how much of an impediment zoning was for housing development. Dir. Heath indicated that multifamily and affordable housing development are traditionally extremely difficult, in part due to community resistance. However, City staff is doing a better job at working with the community. Dir. Heath and Dir. Berman spoke to the challenges of scaling up work and efforts to build the pipeline and craft a revised, more common-sense Inclusionary Zoning Ordinance. The City tends not to mix public dollars with private developments. Those developments generally are not represented in Division presentations; it is driven by HUD requirements.

Ms. Maheshwari inquired if Austin Street was part of the federal projects. Ms. Molinsky noted many communities' experience challenges in implement accessibility and visitability ordinances. Mr. Brown noted that he would like see less funding utilized in Neighborhood Improvement (NIP) projects. Staff indication that the NIP policy has changed moving forward; funding is being prioritized for affordable housing development. Mr. Kelley supported this shift.

Ms. Maheshwari asked how marketing occurs and how residents find out about the available services. Staff indicated that agencies must market their own services, but we often provide referrals.

Public Comment

No public comments

The motion was then moved by Ms. Molinsky and seconded by Mr. Steele and approved 7-0-0 to accept and submit the FY18 CAPER as presented.

4. Staff Updates

Dir. Heath presented a new departmental organizational chart and walked the Planning and Development Board through the Conservation, Long-Range Planning, Current Planning, Economic Development, Transportation Planning and Housing and Community Development teams. He noted the role each staff member plays and several new hires in the department.

5. Planning Board Member Statements

Chair Doeringer recommended that members produce biographies for the Board's page on the City website, so that the public has a sense of who the Board is. The deadline to submit biographies is 9/28/18.

6. Next Meetings-

The Board's joint meeting with ZAP originally scheduled for 11/12, will be moved to 11/14. That evening will cover the new Inclusionary Zoning ordinance.

Next Monday's (9/24) Public Hearing will focus on identified zones where recreational marijuana will be allowed. The hearing is ultimately about the zoning map.

Next Tuesday's (9/25) Public Hearing will focus on the opening of the Northland Rezoning process. Four Board members still need Northland project binders (Barney, Kevin, Jennifer and James).

Dir. Heath discussed merits of setting the schedule at the opening Northland LUC hearing and suggested implementing a subcommittee option. Anywhere from 1-7 members, plus alternates, can make up subcommittee; a quorum would not have to be present at subsequent LUC public hearings. If the matter is left open until the closing hearing, the P & D Board has more time to obtain information. If the subcommittee option is not exercised, not having a requisite quorum at hearings could present a problem. The item would remain on regular P & D Board agendas until the matter is closed. Mr. Brown asked if the proponents could potentially present at P & D Board meetings; while this is an option, the Board can also opt for continued joint meetings with LUC, utilizing the public testimony received at the joint hearing. In any event, the Board could carve out time for each topic at regularly-scheduled meetings. The P&D Board, part of the initial publicized hearings, could publicize and commence other hearings, closing out the matter at the final hearing. Dir. Heath will follow up with the Legal Department as to how the Board's schedule should be set.

7. Action Item: Adjournment

Upon a motion by Mr. Steele, seconded by Ms. Parisca, and unanimously passed 7-0-0, the meeting was adjourned at 8:59 p.m.