

PLANNING & DEVELOPMENT BOARD MEETING MINUTES

September 12, 2022



Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Cat Kemmett, Senior Planner

Members

Peter Doeringer, Chair
Kelley Brown, Vice Chair
Kevin McCormick, Member
Jennifer Molinsky, Member
Barney Heath, *ex officio*
Lee Breckenridge, Member
Laxmi Rao, Alternate
Amy Dain, Alternate

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Members present:

Peter Doeringer, Chair
Kelley Brown, Vice-Chair
Kevin McCormick, Member
Jen Molinsky, Member
Lee Breckenridge, Member
Amy Dain, Alternate
Barney Heath, *ex officio*

City Staff:

Amanda Berman, Director of Housing & Community Development
Shaylyn Davis, Senior Community Development Planner
Nika Sandal, Community Development Planner
Malcom Lucas, Housing Planner
Cat Kemmett, Senior Planner

Meeting held virtually by Zoom Meeting

1. FY22 Consolidated Annual Performance and Evaluation Report (CAPER) Public Hearing Presentation and Vote

Chair Doeringer opened the meeting and the public hearing at 7:00 pm. Director of Housing & Community Development Amanda Berman and Senior Community Development Planner Shaylyn Davis gave a presentation on the FY22 Consolidated Annual Performance and Evaluation Report (CAPER).

The Annual Action Plan and Consolidated Plan describe the proposed use of CDBG, ESG and HOME program funds for housing and community development activities in Newton and the WestMetro HOME Consortium and the CAPER details efforts to address the needs and priorities identified in the Annual Action Plan and Consolidated Plan. The CAPER outlines programmatic expenditures made in the fiscal year. A total of \$3,122,230.09 in funds were expended for FY22 from July 1, 2021 through June 30, 2022.

CDBG-CV and ESG-CV funds must be used to prevent, prepare for, and respond to COVID-19 through eligible activities. \$600,575.35 of CARES Act Funds were expended in FY22, and there is a program balance of \$152,434.14. The programming for that funding includes the CDBG-CV Emergency Housing Relief Program, CDBG-CV Small Business Recovery Grant Program, CDBG-CV Human Service Program, and Emergency Solutions Grant CARES Program.

Ms. Berman provides information about the progress made this year toward goals highlighted in the FY21-25 Consolidated Plan and FY22 Annual Action Plan.

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Production of new affordable housing units and preservation and rehab of housing includes work done on Haywood House, a Newton Housing Authority project. This includes 55 new affordable units for seniors using \$875,000 of CDBG funds. The Golda Meir Expansion, a project lead by 2Life Communities, will have 68 new affordable units for seniors, anticipated to be completed in spring of 2023. This project used \$255,143 of HOME funds. There will also be rehab done by Cascap at Nonantum Village Place, including a roof, siding replacement and energy upgrades. This will use \$ 100,000 of CDBG funds. Additionally, in FY23, the City began rehabilitation work on 18-20 Coyne Road, a group home for adults with cognitive and developmental disabilities. In fall 2022 progress will be commencing on the rehabilitation of the former CAN-DO portfolio (this includes 16 units rental units for low-income households across 7 properties.)

To support new homeownership, 7 households were assisted in FY22, with each granted \$10,000 to first-time homebuyers of deed-restricted affordable ownership units. To increase awareness of fair housing policies and practices, the FY21-25 Analysis of Impediments to Fair Housing Choice on behalf of WestMetroHOME Consortium completed. Subsequently working groups were formed by the Consortium members continue to focus on advancing the recommendations in the Analysis of Impediments. Other efforts include collaborating with the MAPC and Consortium on looking at parking data.

FY22 ESG funds were awarded to three subrecipients in the Brookline-Newton-Waltham-Watertown (BNWW) region including the Community Day Center of Waltham, the Brookline Community Mental Health Center, and REACH Beyond Domestic Violence, which allocated \$164,708 in FY22 ESG funds. 165 people were assisted in FY22 by ESG.

FY22 CDBG Human Service funds were awarded to 13 subrecipients in Newton which were allocated \$295,205 in FY22 Human Service funds. 1,704 people were served by Human Services in the fiscal year.

Implementation of Architectural Access Improvements include installations of ADA accessible curb cuts at Watertown St. at Edinboro St. and Watertown St. at West St and installation of the Marty Sender Trail and McGrath Pathway.

The WestMetro HOME Consortium facilitated the rehab of 7 HOME-assisted rental units and served 81 families through TBRA/Security Deposit Assistance across the Consortium.

Written comments on the CAPER will be accepted through September 26.

No members of the public chose to speak. Upon a motion by Ms. Molinsky and unanimously approved, the public hearing was then closed.

Mr. McCormick asked what the MAPC parking study had to do with fair housing. Ms. Berman said that in the analysis of impediments, the high cost of parking and high parking ratios was identified as a barrier to affordable housing. The consortium has since committed to looking more into parking data in the region, and the MAPC is in the process of analyzing that data and creating a report.

Ms. Molinsky asked for clarification on the share of households served in these programs by race, income, and other factors that are not listed in the report. Ms. Berman did not have that breakdown available in the moment, but the department can look at the data and report back at a later time. She said that the subrecipients generally do a good job meeting the needs of a diverse group of folks, but there is always improvement that can be made to more inclusive and far-reaching engagement and outreach.

Chair Doeringer asked for more information about the composition of recipients as well, noting the large percentage of white individuals served by CDBG funds. Ms. Berman said that the department can look at the breakdown of people served by these programs and the composition of the city as a whole.

Mr. Brown shared his appreciation for the staff and subrecipients moving quickly to use CARES act funding quickly and effectively. He also asked for information about the timeline of the CAN-DO work. Ms. Berman said that it has been a long and complicated process. Some of the properties had multiple mortgages with varied funding sources, which required working with legal teams and different state authorities, which complicated the process of even acquiring the properties. It has been a protracted timeline, but staff is excited to continue pushing forward with it.

Chair Doeringer asked for more information about the composition of recipients for the small business programs.

Upon a motion by Mr. Brown and approved 6-0-1 with Director Heath abstaining, the Board voted to recommend the plan as presented for approval by the Mayor.

2. Petition #357-22 Request to Rezone three parcels (1314 Washington Street/31 Davis Street/33 Davis Street) to Mixed Used 4

Director Heath said a few words about the voting threshold for this petition. As part of the “Housing Choice” legislation enacted in early 2021, several amendments were made to Chapter 40A, the Zoning Act. Among those changes was a recommendation that the Planning Board, as part of their overall rezoning recommendation to the City Council, include an opinion on whether the specific location of the rezoning request meet the criteria for a simple majority vote (as opposed to a two-thirds majority vote for all other zoning amendments) of the City Council.

The rezoning petition #357-22 for rezoning 1314 Washington Street, 31 & 33 Davis Street are clear examples of the kind of project that was envisioned for this legislation. Its location in the heart of West Newton square and adjacent proximity to the commuter rail bus lines make it a good candidate for the simple majority vote.

Chair Doeringer asked for information about how the mismatch between what the Washington Street Vision plan calls for and the height proposed for this project. Director Heath said that the Vision Plan is not meant to be a strict guidance, and this project in his opinion does align with the spirit of what the Vision Plans calls for in many other ways.

Attorney Buchbinder noted that the project team is also planning to keep the historic façade, which comes with significant compromises on the site. He noted that last week there was a community meeting about the project, and many attendees were in support of the project.

Ms. Molinsky said that in general she is in favor of this rezoning but expressed concern for abutters nearby who will be impacted by loading and unloading and the sharp transition from smaller buildings to a larger one.

Mr. Brown voiced support for the project and said the mixed-use zoning makes sense for that area. Ms. Breckenridge agreed with Mr. Brown. She said that some of her concerns with projects like this cannot be adequately addressed on a project-by-project basis and require a more holistic view to ensure that parking and visiting village centers needs to be addressed at a higher level as we move forward.

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Mr. McCormick also voiced support for the rezoning.

Mr. Brown offered to draft a letter summarizing the concerns, thoughts, and sentiments of the Board to bring to the next Board meeting.

Atty. Buchbinder and Kathryn Winters provided detail about the specifics of the simple majority voting threshold and explained the ways in which this project should qualify for the lower threshold vote. Specifically, the site of the project, in close proximity to rapid transit, makes it eligible.

Upon a motion by Mr. Brown and approved 6-0-1 with Director Heath abstaining, the Board voted to recommend approving the rezoning of 1314 Washington Street/31 Davis Street/33 Davis Street) to Mixed Used 4.

Upon a motion by Ms. Molinsky and approved 6-0-1 with Director Heath abstaining, the Board voted in favor of recommending that this petition be subject to a simple majority vote rather than the 2/3 voting threshold at City Council.

3. Village Center Zoning Update

Director Heath said that the zoning exhibit is now open in the Newton Free Library and recommended that Board members visit if they have the chance. There is also a PDF version available online. Additionally, there is a feedback tool to solicit thoughts and opinions on the proposals for village center zoning from members of the community. The Long Range team continues to work on the zoning text itself, with the goal of having that available publicly in the fall.

Mr. Brown asked for clarification on how the village center zoning changes will work in light of the requirements of the MBTA communities. Director Heath said that he anticipates the village center work will bring us closer to compliance with those rules, but likely not all the way there. This will be addressed in more detail at ZAP in October.

4. Minutes

Upon a motion by Mr. Brown and unanimously approved (with Ms. Molinsky abstaining on the minutes from August 1), the minutes from July 19, 2022 and August 1, 2022 were approved.

5. Adjournment

Upon a motion by Director Heath and unanimously approved, the meeting was then adjourned.