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Mayor

Barney Heath  
Director of  
Planning & Development

Malcolm Lucas  
Housing Planner

*Members*

Esther Schlorholtz, Chair  
Donna Rigg, Vice-Chair  
Josephine McNeil  
Tatjana Meschede  
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## CITY OF NEWTON, MASSACHUSETTS

### Fair Housing Committee

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## MEETING MINUTES

Date: November 1, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

**Members Present:** Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Josephine McNeil

Alexandra Weiffenbach

Tatjana Meschede

Ellen Tanowitz

**Members Absent:** Judy Korzenowski

**Staff Present:**

Malcolm Lucas, Housing Planner

Jini Fairley, ADA/Sec. 504 Coordinator

Barney Heath, Planning and Development Director

Shaylyn Davis, Housing Development Planner

**Public Present:**

Franklin Schwarzer

John Pears

Lou Tamposi

Stephen Buchbinder

Kathy Winters

Bryan Oos

Lucie Chansky

Ketan Joshi

Sheila Gleeson

Sharyn Roberts

Alexis Lanzillotta, Barrett Planning Group

Malcolm Lucas, Housing Planner served as recorder, Esther Schlorholtz, Chair, called the meeting to order at 8:00 a.m.

### 1. Approval of October 2022 minutes



- Upon a motion by JM, ET seconded the motion. The minutes for June 2022 were approved 6-0-0.

## 2. 528 Boylston Street Presentation

- Toll Brothers began the presentation after introducing their staff and explained that this proposal is a 40B rental project and they have filled out an application with Mass Housing for funding and mentioned that they are going to file with the ZBA if approved by Mass Housing. After introductions, Mr. Tamposi started the presentation and talked about the specifications of the project.
- The site will be about 5.82 acres and they will be proposing around 244 units. About half of the units will be two bedrooms, 13 percent will be three bedrooms and the remaining units will be one bedroom. There will be just under 400 parking spaces. According to the 40B statute, there will be 25% units (61) that will be at 80% area median income (AMI).
- The presenter ranked the project based on the Fair Housing scorecard. They ranked themselves. Affordability (0) they acknowledged that 80% AMI is not always affordable, and they will review the 80% threshold. Accessibility (0) the project has 13 accessible units (5.3%), which is required, and the entire building will be adaptable. Visitability (3). The project will meet visitability requirements and there will be elevators and other accessible features. Proximity to Employment (1), the project is within a half a mile of commercial or major employment. Proximity to Public Transportation (1). Discretionary Impact (3) The project appears to have no disparate impact on any protected class, nor does it perpetuate segregated housing patterns. Total Points: 8
- ES opened the meeting for questions which included discussion of increasing affordability below 80% AMI, access to employment and improved amenities for families including open spaces and parks/playgrounds. The presenter stated that they are working with a landscaping designer and gave some examples of another project they have in Needham, MA.

## 3. 41 Washington Street Presentation

- Franklin Schwarzer introduced himself and his team. He stated that there will be 16 for-sale condominium units on Washington Street near the Brighton-Newton line. He stated that the 25,902 square foot lot has an existing two-family home. The proposal is to incorporate the existing building into the new design. The existing structure is an 1891 Victorian structure which will have additions added. They will build seven new townhouses at the rear of the property. There will be five above ground parking spaces and 17 stalls underground for parking. The designer then went into further detail about the project. There will be an elevator and staircase in the addition to the existing structure. There will be 4 units that are affordable (two 2-bedrooms and two 4-bedrooms).
- Affordability (0) 40B statute requires projects to have 25% units that are affordable: 4 units at 50-80% AMI). Accessibility (0) the project meets the required number of units. The seven proposed townhouse units will not be accessible or visitable. The developer will work with an accessibility consultant and thanked JF for her comments on ways to improve accessibility. Visitability (2). The seven townhouse units will not be visitable. Proximity to Employment (1), the project is within a half a mile of commercial or major employment. Proximity to Public Transportation (2). Discretionary Impact (3) The project

appears to have no disparate impact on any protected class, nor does it perpetuate segregated housing patterns. Total Points: 8

- Mr. Buchbinder discussed the number of affordable units and the affordability levels in this project and explained that this project will be harder to subsidize because of the small number of units and stated that the economics of developments that have 200-250 units would be more feasible to reach a lower income.
- The committee and JF asked questions about accessibility, visitability, parking, local employment, and the condo fees in respect to the lower income condo owners and how the costs will be affordable to them. Mr. Buchbinder stated that they will be paying a different fee, but they have not determined how this will be structured. ES asked about the marketing and outreach process in terms of addressing the need to do outreach to diverse populations. The developer stated that they are very early in the process, and they will contract with SEB to be the lead on that.
- JM asked with respect to the condo fees that they should look at what CANDO has done with the affordable units and their assessments. Mr. Buchbinder stated that he would follow up with JM to have that discussion. He also stated that they are very early with this project, and they are looking to go in front of the ZBA in March 2023.

#### **4. WestMetro HOME Consortium HOME/ARP Funds Allocation Plan**

- SD introduced Alexis Lanzillotta, Project Manager, Barrett Planning Group. She explained that the HOME ARP program is funded with federal funding, and it is only going to be utilized one time. The program is intended to address homelessness assistance and supportive services for people who are experiencing homelessness. These are HOME funds, and the program will be funneled through Newton similar to the way it is done through the HOME Consortium. The funds will be used across the 13 Consortium communities. In order to receive these funds, the Consortium needs to develop an allocation plan. The allocation plan has to include a consultation and public participation process. They are currently conducting smaller interviews at this time and starting in December there will be larger community meetings scheduled.
- Once this data is gathered a plan needs to be put together to see how to use the funding that will be given to the consortium. The consortium is eligible for \$5.4 million but the consortium will not receive this fund if the plan is not approved by HUD. The funds can only be used for specific activities such as: homelessness, at risk of homelessness, fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.
- Income Eligibility
  - Have annual income  $\leq$  30% of area median income AND are severely housing cost burdened, OR
  - Have annual income  $\leq$  50% of area median income AND meet other program requirements for being at risk of homelessness.
- The committee asked questions about the selection process, addressing homelessness in Newton and the needs in the Consortium communities. ES thanked SD and AL for their

presentation and stated that the FHC will draft a letter with its comments and concerns and forward it to them.

## 5. **ADA/504 Transition Plan**

- JF stated that she would like comments on the newly revised plan. She thanked the members who already gave them. They are updating the plan since it was required in 1991 by HUD because the city receives federal funding. The city needs to comply to make the city's facilities accessible where the funds are used. This document lists what has been done and what the city is planning to do. It includes the use of federal funds for ADA/504 uses in the past 30 years. JF stated that the document will be updated every 5-6 years and she was trying to get comments by this week.
- The committee discussed the Housing Navigator and the HUD funded projects that are referenced in the plan. They recommended that JF's valuable role on the committee regarding affordability, accessibility and visitability be included and that it would be valuable to include Newton's designated Subsidized Housing Inventory (SHI) projects. JF stated that the focus is mostly on projects that have HUD funding. She said that if there is a possibility to add SHI units, that are required by the state, that would be great. The committee will submit written comments.

## 6. **Subcommittee Updates**

### • **Lottery Results & Lease-ups Sub-Committee**

- TM stated that the meeting has been moved to next Tuesday at 8 am and invited the committee.

### • **Membership & Nominating Sub-Committee**

- DR contacted HRC Chair Rabbi Stern and scheduled a meeting for JF, ML, ES and herself on November 9 to discuss the FHC's membership requirement and the HRC's complaint process. DR said that she has been working with Rabbi Stern to find a date for her to attend HRC.

### • **Fair Housing Award Sub-Committee**

- ES stated that she received a nomination for the Fair Housing Award. ES proposed that it be a joint nomination for Ted Hess Mahan and Kathy Laufer. Everyone enthusiastically agreed.

### • **Fair Housing Literature Sub-Committee**

## 7. **Updates on Fair Housing Committee Priorities**

### **Fair Housing Protected Groups**

- Promote housing choice for diverse populations to advance Affirmatively Furthering Fair Housing (AFFH), with focus on race/ethnicity, public subsidy and disability
- Promote Diversity, Equity, Inclusion and Belonging in Newton
- Promote improved practices for real estate professionals to achieve more housing choice for diverse populations

- Identify and work to overcome barriers to successful tenancies and to improve processes/practices for tenant selection in lottery and market rate multifamily rental housing
- Promote effective process/practices for new affordable homeownership and resales

### **Learning/Teaching**

- Enhance FH literature and website information and access for the public
- Promote FH training for real estate professionals, public and committee members

### **Data and Analysis**

- Promote data collection on multi-family rental and new homeownership occupancy
- Enhance Project Review of Housing Developments to advance AFFH
- Support AI/Consortium Fair Housing Testing and FH testing in Newton

### **Collaboration**

- Collaborate with Related Newton commissions and committees to increase affordable housing for households of various sizes and lower incomes and to encourage increased funding for affordable housing
  - ES discussed the meeting with the Housing Trust and the Housing Partnership regarding ways to better coordinate the three groups that are all engaged with affordable housing. The aim is to reduce stress on developers and the committees and to have a coordinated response. ES stated that the other committees were pleased that the FHC took on the lottery and lease up in relation to the data collection and wanted the FHC to take that lead.
- Promote affordable housing production in coordination with other City commissions and committees
- Support federal, state and city initiatives that promote AFFH (including zoning redesign, use of funding resources and other initiatives to facilitate affordable housing)
- Collaborate with Human Rights Committee on Fair Housing Complaint Process
- Contribute to Newton's FH-related plans
- Address committee membership appointments with representation from Human Rights Commission and legal counsel with FH specialty

## **8. Next meeting Tuesday, December 6, 2022**

\*Supplementary materials are available for public review in the Planning Department of City Hall (basement) the Friday before the meeting. For more information contact **Malcolm Lucas at 617.796.1149**. 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](mailto: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