

PLANNING AND DEVELOPMENT BOARD MINUTES

September 14, 2009 City Hall, Planning and Development Department Rm 209, 6:30 p.m.
1000 Commonwealth Avenue, Newton, Massachusetts 02459

Full Members Present:

Tabetha McCartney, Chair
David Banash
Leslie Burg
Doug Sweet
Scott Wolf

Staff Present:

Mike Kruse, Director of Planning and Development
Amy Yuhasz, Associate Director for Housing and Community Development
Lowell Haynes, Community Development Planner
Danielle Bailey, Community Development Planner
Kathleen Cahill, Community Development Senior Planner
Rob Muollo, Housing Development Planner
Stephanie Pelkowsky, Recreation Manager

Public:

John Cedrone, Resident
Marie Cedrone, Resident
Larry Cedrone, Resident
Josephine McNeil, CAN-DO
Pat Hamilton, Resident
Reverend Haywood, Resident
Phil Herr, Resident
Michael Lepie, Resident
Florence Salvucci, Resident
Bithyah Whittaker, Resident

T. McCartney, Chair, called the meeting to order at 6:30 p.m.

Community Development Board [7:30]

1. Discussion Item: Planning and Development Board priorities for 2010.

L. Burg suggested that the Board focus on crafting local regulations that will act as criterion for the State's statute on scenic roads. Since the regulations do not need to go through the Board of Alderman for approval she believes this is an achievable goal for the next year. There was a discussion about whether or not there was a Board sub-committee in the past dealing with this issue. D. Banash believes that there was a sub-committee that looked at amending rules and regulations with regard to traffic. Board members discussed resurrecting this effort and even combining it with the goal of crafting a Scenic Road Ordinance. M. Kruse indicated that the

establishment of a Scenic Road Ordinance is called out in the Comprehensive Plan with lead responsibility given to the Planning and Development Board. He explained that the State statute provides municipalities with the authority to approve tree removal or cutting and the removal of stone walls on scenic roads. Although 17 scenic roads have been established in Newton no regulations stipulating how the State statute will be enforced have been created.

L. Burg moved that the Planning Board craft regulations as well as procedures to govern the administration of Scenic Roads. D. Sweet seconded the motion. The Board voted 5-0-0 to work on crafting regulations as well as procedures to govern the administration of Scenic Roads. S. Wolf indicated that he would like to reinstitute the work on the traffic amendment. He agreed to make a brief report summarizing the progress on this work during the October Planning and Development Board meeting.

D. Banash requested a reprieve from work on the home business ordinance. Upon request of T. McCartney, D. Banash made a motion to relax efforts on the home business ordinance, at least for the next year. S. Wolf seconded the motion and it passed 5-0-0.

2. Action Item: Approve the minutes of the July 13, 2009 meeting of the Planning and Development Board acting as the Community Development Board.

On request of T. McCartney for a motion to approve the minutes, D. Banash so moved. Michael Lepie, a resident of Newton, submitted documentation contesting the record of his comments on page seven. L. Burg seconded the motion. The Board voted 5-0-0 to approve the minutes.

3. Public Hearing and Action Item: Recommendation from the Mayor's Committee for People with Disabilities to grant \$2,485 in CDBG funds to purchase raised garden beds and to construct an accessible route at Angino Farm to facilitate handicap access at the Newton Community Farm's Learning Garden.

Peter Barrer, President of the Board of Directors for Newton Community Farm, was present at the meeting to answer questions about the Angino Farm project. The Newton Community Farm Inc. is the non-profit that runs Angino Farm. Mr. Barrer explained that the Farm, which was purchased with CPA funds, is located at the intersection of Winchester and Nahanton Street. Accessible, stone dust pathways have been installed in the garden area. There are two designated handicap parking spots. The funding request is for raised cedar beds and the reconstruction of the driveway where it was "roughed up" during work on the barn. The Department of Public Works (DPW) has provided a cost estimate for the repair of the driveway and the Farm has selected vendors for the raised beds. Since DPW will be completing this work D. Banash asked how other City work will be affected. M. Kruse stated that the schedule for city work, made by the Commissioner of DPW, builds in the expectation that city crews will be used to work on CDBG funded projects. Some discussion took place surrounding the "roughed up" pavement and how it got that way. Mr. Barrer explained that the utilities had to be buried under the barn. Prior to this work, and since Newton Community Farm acquired the property, the driveway was never fully accessible.

L. Burg made a motion to approve the recommendation from the Mayor's Committee for People with Disabilities to grant \$2,485 in CDBG funds to purchase raised garden beds and to construct an accessible route at Angino Farm to facilitate handicap access at the Newton

Community Farm's Learning Garden. D. Sweet seconded the motion and the Board voted 5-0-0 to approve the request.

4. Public Hearing and Action Item: Annual Performance Hearing – Newton CDBG, HOME and ESG Programs and WestMetro HOME Consortium.

Housing and Community Development staff made a presentation on the City's annual performance report completed for the U.S. Department of Housing and Urban Development (HUD). The presentation included a performance report on the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and HOME Investment Partnership Program entitlement funds received by the City. A financial summary and accomplishments in the areas of housing development, housing rehabilitation, architectural access, neighborhood improvements, and human services were covered in the presentation. Highlights of projects completed by the HOME Consortium members were also included.

D. Sweet made a motion to approve submittal of the Consolidated Annual Performance and Evaluation Report (CAPER) to HUD. L. Burg seconded the motion and the Board voted 5-0-0 to approve submittal of the CAPER.

5. Public Hearing: Presentation of the DRAFT FY11-FY15 Consolidated Plan – Needs Assessment.

A presentation by the Housing and Community Development staff described the process used to document needs in the areas of housing, homelessness, human services, architectural access, and neighborhood improvements in the four target neighborhoods. An overview of the needs that were identified by residents and staff was also included in the presentation.

D. Sweet wondered why the elderly rehabilitation program funded lead paint remediation since lead paint is an issue for small children. A. Yuhasz explained that the Department's Rehabilitation Program is subject to state and Federal lead paint requirements. The Department of Housing and Urban Development's goal is to make housing lead free, so all funded units must be lead-safe. The State requires that the age of the residents living in the structure be used to determine if lead paint remediation is required. The Housing Rehabilitation program must meet the more stringent requirement. D. Banash asked what type of cost analysis (is rehabilitation more expensive than new construction?) is completed by the Department on the units that apply for rehabilitation funds. A. Yuhasz indicated that an analysis is completed as part of the environment review process.

D. Banash also asked if the regulations on detectable warnings for curb cuts were relatively new. L. Haynes stated that while the Americans with Disabilities Act (ADA) is the source of the requirement, the Architectural Access Board only provides guidance that includes these warnings. D. Banash also wondered how the curb cuts funded through the CDBG program are prioritized considering access requirements keep changing. Staff responded that funding does put limitations on getting curb cuts up to compliance. If an intersection contains hazardous curb cuts it becomes just as much a priority as intersections with no curb cuts. Staff work with the Mayor's Committee on these priorities and consider user frequency. Girard, a member of the Mayor's Committee, stated that the evolving regulations are apparent in the way different

communities construct curb cuts. He believes that accessibility is improving as a result of these evolving regulations.

S. Wolf asked about the marketing efforts made by the Department for the microenterprise loan program. D. Bailey responded that the City has a relationship with the University of Massachusetts Boston, which houses the nearest small business development center. The Center and Newton make referrals to each other. The City website also acts as an advertising tool.

John Cedrone, resident of Newtonville, wanted to know how much consideration is given, by the Planning and Development Board, to the opinion of residents that live nearby proposed neighborhood improvements, when approving neighborhood projects. Mr. Cedrone is particularly concerned with the decisions resulting from the Lowell traffic trial. A. Yuhasz explained that the Lowell traffic trial was the result of the Consolidated Plan needs assessment developed five years ago with help from target neighborhood residents. There was also some discussion around why Mr. Cedrone was not notified about the Planning and Development Board's public hearing on the needs assessment. Advisory committee members were notified of this meeting by email. Because Mr. Cedrone lives outside the target neighborhood he was not notified. Staff will mail the residents present at the meeting a list of the advisory committee members.

Phil Herr, a resident of Newton, stated that he believed that the needs assessment represented good work by all of the people involved. Mr. Herr also pointed out the increasing stratification of the City's population. Between the 2000 Census and the recent American Community Survey estimate Newton's middle income population has been cut in half. Mr. Herr also stated that although he noted the Fair Housing Committee's input was included in the document there were some missing elements. One of these elements included the need for a proactive approach to comprehensive accessibility in the City. The accessibility section of the needs assessment is a reactive approach to Newton's current access problems.

6. Discussion Item: Meeting schedule for 2010.

The schedule of meetings for 2010 was confirmed with the agreement that these meetings would be rescheduled if the need arose closer to the date.

7. Informational: City of Newton Committee Handbook and Oath.

The Planning and Development Board members that have not taken an oath agreed to do so at the Clerk's Office.

8. Other Business: Michael Lepie, a resident of Newton, submitted a letter to the Board about some items he does not understand.

S. Wolf made a motion to adjourn the meeting at 8:45 p.m., L. Burg seconded the motion and the Board voted 5-0-0 to adjourn the meeting.

Respectfully submitted,

Amy Yuhasz
Secretary