

PLANNING AND DEVELOPMENT BOARD MINUTES

December 10, 2009 City Hall, Planning and Development Department Rm 209, 7:30 p.m.
1000 Commonwealth Avenue, Newton, Massachusetts 02459

Full Members Present:

Tabetha McCartney, Chair
Joyce Moss, Vice Chair
David Banash
Leslie Burg
Doug Sweet

Staff Present:

Amy Yuhasz, Associate Director of Housing and Community Development
Danielle Bailey, Community Development Planner
Kathleen Cahill, Community Development Senior Planner
Trisha Guditz, Housing Program Manager
Lowell Haynes, Community Development Planner
Robert Muollo, Jr., Housing Planner

Public:

John Cedrone, Resident
Reverend Howard Haywood
Michael Lepie, Resident
Josephine McNeil, CAN-DO
William Roesner, Resident
Florence Salvucci, Resident
Jim Schpeiser, Resident
Janet Serman, Resident

T. McCartney, Chair, called the meeting to order at 7:40 p.m.

Community Development Board

1. Minutes: Approve the minutes of the November 2, 2009 meeting of the Planning and Development Board acting as the Planning Board and Community Development Board.

On request of T. McCartney for a motion to approve the minutes, D. Banash so moved. L. Burg seconded the motion. The Board voted 4-0-0 to approve the minutes.

2. Public Hearing: Presentation of the DRAFT FY11-FY15 Consolidated Plan – Needs and Strategies.

Housing and Community Development staff presented the priority needs and strategies that have been developed as part of the FY11-FY15 Consolidated Plan. This is the third public hearing that has been held as part of the development of this plan. Priority needs and strategies were presented in the following program areas: housing for both Newton and the WestMetro HOME Consortium, homelessness, public service, architectural access, and the four target neighborhoods (West Newton, Newtonville, Newton Corner, and Nonantum). The City's

approach to addressing homelessness was discussed in response to a resident's question. Newton is a member of a four community Continuum of Care, Brookline-Newton-Waltham-Watertown. Each community in the Continuum of Care complements the others by providing services and shelter for the homeless. For example, Waltham has a large number of emergency shelters while Newton provides units of transitional and permanent supportive housing.

During the public service part of the presentation, one of the residents asked if property owners' of existing for-profit housing developments could submit a proposal for funds to provide services to residents in privately owned rental housing. L. Haynes suggested that the interested party contact him directly about submitting this proposal.

Several questions arose about the access priorities, which were presented in the following order: public thoroughfare improvements, public buildings improvements, park and recreational facilities improvements, and non-profit improvements. Residents and Planning and Development Board members wondered why public thoroughfares were prioritized above public buildings. The primary reason for this prioritization concerns project feasibility. While improvements in public buildings are important because these modifications increase equal access to public services, these projects are also very expensive and difficult to undertake solely with CDBG funds.

The four CDBG target neighborhoods contain the highest percentages of low- and moderate-income residents in the City. This income data is based on the 2000 Census, and it is possible that the target neighborhoods could change with the new data released as part of the 2010 Census. The tabulation of census block group data necessary for the formulation of target neighborhoods is released after the 2010 Census. If target neighborhood changes occurs, it is possible that funds allocated for a project in a part of the City that is no longer included in a target neighborhood could be re-allocated to a different project in a new target area.

3. Discussion: Debriefing on the City's current efforts to update the Analysis of Impediments to Fair Housing Choice (AI).

R. Muollo explained that the Analysis of Impediments (AI), which is a document required by the Department of Housing and Urban Development, must be completed on the same cycle as the Consolidated Plan. Entitlement communities, like Newton, must affirmatively further fair housing. This process includes three steps: identifying impediments to fair housing, then developing a plan to address these impediments, and finally maintaining records to document the community's efforts to mitigate impediments to fair housing.

Although the lack of affordable housing in Newton is part of a larger barrier to fair housing, this situation does not explain all the City's impediments to fair housing. Between the years 2005 and 2007 the Disabilities Law Center and the Fair Housing Center of Greater Boston completed fair housing testing in Newton. The testing consisted of 86 cases of paired housing applicants. In each pair one individual was a member of a protected class and one individual was not included as a protected class under the Fair Housing Act. A total of 47 percent of these cases showed evidence of discrimination. The test provided quantitative evidence that affordability was not the only barrier to fair housing in Newton.

In 2007, Newton was awarded a Fair Housing Initiatives Grant to train and educate realtors, staff, and residents on fair housing. The Fair Housing Action Plan was then developed as part of this grant. The last Analysis of Impediments was completed in 2005, and staff will be working to update this AI. One of the goals of this update is to provide more community members with the opportunity to identify impediments to housing choice. Housing and Community Development Staff have attended meetings of the Mayor's Committee for People with Disabilities, the Fair Housing Committee, the Newton Housing Partnership, and the Human Rights Commission. Staff also plans to speak with for-profit and non-profit housing providers, service providers, City staff, realtors and educators of real estate agents, about fair housing. This May staff will come back to the Planning and Development Board to present the final update to the 2005 Analysis of Impediments.

L. Burg requested a copy of the current Analysis of Impediments.

Michael Lepie requested to submit an agenda item to the Planning and Development Board. He submitted a letter addressed to the chair of the Planning and Development Board to T. McCartney.

Planning Board [8:45]

3. Discussion: Update from the Scenic Road Ordinance Subcommittee.

The charge of the Scenic Road Ordinance Subcommittee is to create rules and regulations governing the cutting or removal of trees or the modification of stone walls on the Newton roads that have been designated as scenic. The Subcommittee last met November 23, 2009. The Subcommittee has been in the process of taking photographs of the roads that are currently designated as scenic. The photos will be posted online. At the last Subcommittee meeting, P. Herr crafted a checklist of potential elements that could be included in the rules and regulations for Scenic Roads. The Subcommittee went through the list and based on the results, Eve Tapper, Newton's Chief Zoning Code Official, will draft regulations. This draft will be discussed at the next Subcommittee meeting on December 14, 2009. After a final version of the regulations is completed the Subcommittee will discuss whether these regulations could be made into an ordinance. The regulations need to be passed as an ordinance in order to enforce a penalty for a violation.

Michael Lepie asked the Board for clarification on the property that will be covered by the proposed Scenic Road Regulations and the origin of the current scenic roads. The proposed regulations have jurisdiction over the public right of way on the existing roads that have been designated as scenic and any roads that will be designated in the future. The public/private property line differs on each road. There are currently 17 roads that were designated as scenic and these roads were approved by the Board of Aldermen.

T. McCartney made a motion to adjourn, D. Banash seconded the motion and the Board voted 5-0-0 to adjourn the meeting at 9:15 p.m.

Respectfully submitted,

Amy Yuhasz
Secretary