

Housing Needham (HONE) Advisory Group

Thursday, April 18, 2024

7:00 p.m.

Charles River Room

Public Services Administration Building, 500 Dedham Avenue

AND

Virtual Meeting using Zoom

Meeting ID:

834 7583 6726

(Instructions for accessing below)

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Direct Link to meeting: <https://us02web.zoom.us/j/83475836726>

- I. Welcome and Meeting Goals. *Heidi Frail and Natasha Espada, Co-Chairs*
- II. HONE composition update. *Heidi Frail and Natasha Espada, Co-Chairs*
- III. Approval of Minutes from prior HONE Meetings.
- IV. Presentation of Draft Zoning Articles. *Emily Innes, Innes Associates; Lee Newman, Director of Planning and Community Development; Christopher Heep, Town Counsel*
- V. Update on Fiscal Impact Analyses. *Katie King, Deputy Town Manager*
- VI. Next Steps.

Housing Needham (HONE) Advisory Group

Heidi Frail	Select Board (co-chair)
Natasha Espada	Planning Board (co-chair)
Kevin Keane	Select Board
Jeanne McKnight	Planning Board
Karen Calton	Finance Committee
Ronald Ruth	Land Use Attorney
William Lovett	Real Estate Developer
Liz Kaponya	Renter
Michael Diener	Citizen at Large

Town of Needham, Massachusetts
Housing Needham (HONE) Advisory Group
Meeting Minutes
March 7, 2024

Place: Charles River Room, 500 Dedham Ave, Needham and Virtual Meeting via Zoom
Present: Co-Chair, Heidi Frail; Co-Chair, Natasha Espada; Michael Diener, Kevin Keane, Joshua Levy, William Lovett, Jeanne McKnight, Ronald Ruth
Absent: Liz Kaponya
Staff: Alexandra Clee, Assistant Town Planner; Amy Haelsen, Director of Communications and Community Engagement; Katie King, Deputy Town Administrator; Lee Newman, Director of Planning & Community Development
Guests: Bob Dermody, Design Review Board; Mark Gluesing, Chair, Design Review Board; Eric Halvorsen, RKG Associates

At 7:00 pm, H. Frail called the meeting to order announcing the meeting is being video recorded.

I. Welcome and Meeting Goals, Heidi Frail and Natasha Espada, Co-Chairs
Co-Chair Frail reviewed the agenda and purpose of the meeting.

II. Approval of HONE Meeting Minutes from 12/20/23, 1/18/24, and 1/29/24

MOTION: J. McKnight moved to approve the meeting minutes of 12/20/23, 1/18/24 and 1/29/24.
SECONDED: J. Levy
VOTE: M. Diener, aye; N. Espada, aye; H. Frail, aye; K. Keane, aye; J. Levy, aye; W. Lovett, aye; J. McKnight, aye; R. Ruth, aye.
MOTION CARRIES: 8-0

III. Presentation of Final Maps and Zoning Parameters for the Base and Add-on Scenarios for MBTA Communities Compliance, Eric Halvorsen, RKG Associates

The Consultant reviewed **Updated Scenario Modeling Results** from Housing Needham (HONE) Town Visioning for Multi-Family Housing available at: <https://www.needhamma.gov/Archive.aspx>

The Consultant reviewed the Base Scenario zoning metrics for various districts with potential for a 1,868 unit capacity at 18.6 dwelling units per acre. Bonus Scenario zoning metrics for various districts have potential for a 3,339 unit capacity at 36.1 dwelling units per acre.

Members discussed the absence from the Bonus Scenario map of Webster Green apartments (recently re-named Hamilton Highlands) and Avery School eCondominiums from the Bonus Scenario map, which are already multi-family housing within one half mile of the Needham Heights commuter rail station. At the last meeting, the compliant map was whittled down to reduce unit capacity below 4,000 units. This, as well as 100 West St., will be clarified for residents.

Members discussed ways to write Articles for compliance and about conferring with the Town Moderator so it is clear how each article works together and their impact on compliance.

Members will hold Precinct meetings with Town Meeting members to inform about the proposals. They will be addressed at Community Meeting #3. Town zoning changes have thus far not led to the desired housing changes. One goal for these proposals is that they will produce development.

The Base and Bonus Scenarios were compared with existing units built (775 units) and existing zoning capacity (1,636 units).

IV. Presentation of Susceptibility to Change Analysis for Base and Add-on Scenarios for MBTA Communities Compliance, Eric Halvorsen, RKG Associates

The Consultant presented **Propensity for Change Models** from Housing Needham (HONE) Town Visioning for Multi-Family Housing available at: <https://www.needhamma.gov/Archive.aspx>

This model identifies parcels in districts more likely to change based on economic conditions and zoning changes. The Consultant, Town Staff and Departments are collaborating together to ensure that departments have a chance to review the models and fiscal analysis before the eCommunity Meeting. The fiscal impact analysis shows that, on a per unit basis, a multi-family housing unit would generate more in tax revenue than operating costs for the Town.

The Consultant described the Rate of Change Analysis using a Financial Feasibility Model for Multifamily Development that derives land value utilizing market return metrics, asking rents, and construction costs.

Maps were reviewed for Base and Bonus Scenarios indicating the rate of change for parcels most or least likely to be developed. Members discussed underdeveloped or underutilized parcels and potential benefits for sellers to know a buyer's potential use.

V. Presentation of Fiscal Impact Analysis for Base and Add-on Scenarios for MBTA Communities Compliance, Eric Halvorsen, RKG Associates

The Consultant reviewed **Fiscal Impact Models** from Housing Needham (HONE) Town Visioning for Multi-Family Housing available at: <https://www.needhamma.gov/Archive.aspx>

Members clarified that the existing zoning unit capacity ~~which~~ includes units allowed by Special Permit as part of mixed use. Existing zoning allows for 1,636 units. If the MBTA Communities Law went away today, we would have that unit capacity under our existing zoning.

ACTION: Add a column for Existing Zoning by Right and Existing Zoning by Special Permit.

The Base Scenario Propensity of Units is a likely build out of 222 units; the full build out is a maximum of 1,868 units. The Bonus Scenario Propensity of Units is a likely build out of 1,099 units; the full build out is a maximum of 3,339 units.

The propensity measures potential future changes and does not account for replacing existing units. These are units we think might turn over or replace existing units **such as a parking lot** unclear.

Non-conformity is counted for lots under the minimum square feet required in each district.

The Consultant reviewed the Net Fiscal Impact for the Base Propensity Model versus the Base Full Build Propensity Model and the Bonus Propensity Model versus the Bonus Propensity Full Build Model. The presentation shows how to calculate the estimated Net Fiscal Impact for each district under each Scenario/Model:

Gross Property Tax Review - Municipal Costs - Education Costs = Net Fiscal Impact

Whatever is to be built, the Net Fiscal Impact shows a net positive across all districts. The presentation of this fiscal analysis needs simplification for the community meeting. The Town will need to show how this will impact capital needs.

The Consultant assessed the net absorption of multifamily units over a 10-year period and found that Needham has had an absorption rate of 100 units per year for large multi-family projects. At that rate, it could take 19 years to absorb the Base Scenario Full Build and 34 years to absorb the Bonus Full Build.

HONE should consider recommendations to the Finance Committee. We could track new units under this zoning from the Building Inspector and the Assessor and designate funds for the Capital Stabilization Fund in anticipation of future capital demands from new construction to prevent overspending the additional revenue.

VI. Review of Format for Community Meeting of 3/28/24, Eric Halvorsen, RKG Associates

The Consultant reviewed **Public Meeting #3 Outline** from Housing Needham (HONE) Town Visioning for Multi-Family Housing available at: <https://www.needhamma.gov/Archive.aspx>

Please feel free to email HONE at planning@needhamma.gov.

The agenda was reviewed. Members discussed sharing the Parking Study.

ACTION:

- The Consultant will prepare the presentation one week prior to the Community meeting to make available to the public by the usual means of communication and posting.
- The maps will be simplified and pertinent numerical data added.
- Consultants will visually model 3 districts for the Base Compliance Plan and for the Neighborhood Housing Plan (formerly referred to as the Bonus Scenario).
 - Model the district generically and not with specific parcels
 - These are not projects. This is about zoning.
 - Visualize envelope scale, not building details; show current zoning versus proposed zoning.

Members renamed the Scenarios: Base Compliance Plan and Neighborhood Housing Plan.

The April 4 meeting will be the last HONE working meeting which will synthesize public comment from those in attendance at the Community ~~Meeting~~. Then zoning will be written. The last meeting will be to discuss recommendations to the boards that appointed HONE members.

VII. Overview of Design Guidelines Options for MBTA Communities Compliance, Mark Gluesing, Chair, Design Review Board

The Design Review Board (DRB) was contacted to assist HONE. They were asked to review existing design guidelines for potential modifications and extension to other districts. The guidelines are currently available for Chestnut St. and Needham Center, but may not be applicable to Avery Square, Hillside Ave. Business, and the Business districts.

Because it's as of right and will have limited Site Plan ~~R~~Review, we want to make sure what is in the zoning will protect and fit into every district.

M. Gluesing proposed forming a HONE subcommittee to meet with the DRB to discuss design guidelines, HONE concepts, and expectations. The DRB will review regulations such as when HONE is referencing guidelines, how they are enforceable. It is possible to tweak existing Chestnut St. regulations.

MOTION: R. Ruth moved to adjourn the meeting at 9:37 pm.
SECONDED: E. Espada
VOTE: Unanimously approved
MOTION CARRIES: 8-0

Respectfully submitted,

Dale Michaud
Recording Secretary

Informational

To subscribe to the multi-family zoning initiative in Needham, **visit the project page on the Town's website.** The Meeting Packet is available at <https://www.needhamma.gov/Archive.aspx>
The public is welcome to watch HONE meetings: <https://www.youtube.com/user/TownofNeedhamMA>

Town of Needham, Massachusetts
Housing Needham Advisory Group (HONE)
Powers Hall, Town Hall, 1471 Highland Ave.
TOWN-WIDE COMMUNITY WORKSHOP
Minutes
March 28, 2024

Place: In-person at Powers Hall or on-line registration to participate via Zoom
Present: Co-Chair, Heidi Frail; Michael Diener, Liz Kaponya, Kevin Keane, Joshua Levy, William Lovett, Ronald Ruth, Jeanne McKnight
Absent: Natasha Espada
Staff: Katie King, Deputy Town Manager; Lee Newman, Director of Planning & Community Development; Alexandra Clee, Assistant Town Planner
Guests: Eric Halvorsen, RKG Associates; Emily Innes, Innes Associates; See Public Comment, pages 5-12

Call to Order

At 7:00 pm, H. Frail called the meeting to order. The meeting is being video recorded.

Sign-in and Welcome

Attendees were welcomed to the third public forum of the plan for MBTA Communities compliance.

Introductory Remarks

H. Frail expressed gratitude for public participation acknowledging Town Staff, HONE Committee volunteers, the amazing work accomplished by Consultants, the Needham Channel and volunteer groups for keeping the community informed. H. Frail described next steps of the process.

The Needham Housing Coalition and Oscar Mertz assisted by creating street and aerial views. The Base Plan aims to establish compliance with MBTA Communities Law using existing zoning; the Neighborhood Housing Plan focuses on housing development. Both plans will be sent to the State for compliance.

HONE supports the Neighborhood Housing Plan as it will unlock numerous benefits beyond housing such as its potential to revive economic vitality by redeveloping older commercial buildings with modern stormwater management standards, encourage public transportation, reduce single passenger auto travel, increase the tax base and customers for local businesses, and create energy efficient multifamily homes.

The most significant change to many districts is to allow by-right what was previously only allowed by Special Permit. HONE strove to keep heights standard at 3 to 4 stories with one exception on Chestnut St. West where the tallest building could be 4 1/2 stories as long as there is first floor commercial which is allowed under existing zoning. Apartment A1 districts including Rosemary Ridge complex are built to the maximum allowed under zoning. The Neighborhood Housing Plan aims to make access to all zoning easier by shortening the permit process, considering neighborhood needs, amenities, walkability, and potential shading based on heights.

Misinformation exists regarding Plan unit counts. The meaning of net new units was clarified. All zoning is potential. To understand the outcome of different zoning, pretend nothing exists and the map is wiped clean. Then look at the number that the zoning allows. Or, you can subtract the number of existing real-life buildings from the total potential number of units. The map includes this information in a table of existing versus potential unit counts. *Note that adding existing real-life housing to the bottom line number results in more than the zoning would allow.*

This zoning applies to private property which is based on basic rules for development, but the government is not mandating you to change or redevelop your property. MBTA rules prohibit age restrictions in the zoning, but developers can place restrictions on real-life buildings and studios. The zoning cannot restrict the size of apartments or condos so the real-life build could be more varied than HONE maps which use 1,000 square feet as the standard size dwelling.

Consultants will present a fiscal analysis from Town departments including DPW and the potential impacts of buildings. School, Police and Fire have assessed the data. The final report will be available on April 30. The presentation analyzes likely development versus allowed development, highlighting the slow pace of development despite the Neighborhood Housing Plan. Needham Housing Authority and Planning Board are alternate tools available besides MBTA Communities.

The HONE Committee will refer areas for future consideration to the Planning Board due to the need for more investigation or public scrutiny. Public comment will begin after the presentation.

Presentation

Needham MBTA Communities Process, MBTA District Scenarios, Public Meeting #3

Eric Halvorsen of RKG Associate; Emily Innes, Innes Associates

See the **Meeting Packet** available at: <https://www.needhamma.gov/Archive.aspx>

HONE Draft Scenarios

E. Halvorsen presented the Base Compliance Plan draft and the Neighborhood Housing Plan draft along with three layers of analysis: the Propensity for Change Models which examine likely build-out, fiscal impacts, affordability, operational impacts, and capital. Reports are more detailed.

Needham already has multifamily housing in various forms and densities with the goal to meet 15 dwelling units per acre density metric for MBTA Communities compliance. Multifamily housing exists at 30-40 dwelling units per acre. MBTA Communities Law allows for a mix of densities in districts. Artist renderings of multifamily housing types were shown: 3-4 story dwellings, live-work townhomes, 3-story dwellings, and mixed-use buildings. Though not mandated, mixed use can be encouraged with first floor commercial as part of the zoning. It is part of existing zoning.

HONE draft Scenarios for community consideration include:

1. **Base Compliance Plan** - A Scenario that adheres very closely to the zoning boundaries and dimensional standards in Needham's current Zoning Bylaw. This Scenario is intended to meet the minimum compliance requirements of the MBTA Communities Act.
2. **Neighborhood Housing Plan** - A Scenario that increases dimensional standards and the number of units that can be built on a parcel of land as a way to encourage housing production and respond to Needham Housing Plan goals. This Scenario is intended to meet and exceed the minimum compliance requirements of the MBTA Communities Act.

Needham's Minimum MBTA Communities Requirements:

- Acreage: 50 acres
- Unit Capacity: 1,784 units (measured by zoning not actual units built or existing multifamily units)
- Percent in Transit Areas: 90%
- Density: 15 Dwelling Units per Acre

Two Scenario Plan maps were compared side by side down to the individual shaded districts for a sense of size, scale, scope, and geography of the two proposed plans.

The multifamily housing target differs slightly in geography, size, and acreage. Zoning parameters of height, floor area ratio, and setbacks do vary. Renderings of aerial views showed building heights.

The Consultant reviewed existing units and existing unit capacity under today's zoning.

- Existing units for all zoning districts is 775 units.
- Existing zoning unit capacity for all zoning districts is 1,019.
- Existing zoning with overlay Special Permit unit capacity for all zoning districts is 1,636.
 - Number represents capacity of Chestnut Street utilizing the overlay district

The Consultant compared unit capacity under the two HONE scenarios to the above:

- Base Compliance Plan unit capacity is 1,868
- Neighborhood Housing Plan unit capacity is 3,339

A lot of the added unit capacity is in the Apartment 1 and Chestnut Street West districts.

Maps of existing zoning parameters (lot, height, floor area, parking) compared to the Base Compliance Plan were shared to see how closely the HONE tried to adhere to existing zoning, and so the audience can see where changes were made.

Propensity for Change Models

The Propensity for Change Analysis uses a financial feasibility model for multifamily development land value utilizing market return metrics, asking rents, and construction costs.

Consultants estimated parcel turnover for each Plan predicting it highly unlikely that all parcels in all districts will be developed as the process involves not just zoning, but buyers and sellers.

Criteria for Propensity for Change Modeling include:

- Identify development scenarios
- Run financial feasibility model
- Identify potential parcels
- Derive land value

Base Compliance Plan

The propensity of units from a **Likely Build Out** would be 222 units.

The propensity of units for a **Full Build Out** would be 1,868 units.

Neighborhood Housing Plan

The propensity of units from a **Likely Build Out** would be 1,099 units.

The propensity of units for a **Full Build Out** would be 3,339 units.

The greatest number of units would be achieved with greater height and floor area ratio in Apartment A1 and Chestnut St. West districts. Under the most flexible zoning scenario, the Neighborhood Housing Plan, possibly 33% of those parcels and units get built out over time.

Fiscal Impact Results

To test the fiscal impact of HONE's two Scenario Plans, RKG Associates constructed a fiscal impact model to understand the potential tax revenues from new development compared to the municipal and school operational costs to support that development.

Consultants reviewed potential property tax scenarios, benefits, costs, the timeline for building and occupying units, and calculating fiscal impact by subtracting municipal costs from property tax revenue.

Net Absorption of Multifamily Units

When large projects are delivered, annual absorption averaged 100 units annually. It could take 19 years to absorb the Base Scenario Full Build and 34 years to absorb the Neighborhood Housing Plan Full Build.

The Propensity Model Likely Build Out could be in the 2-10 year timeframe for the Base Plan and more than 10 years for the Neighborhood Housing Plan.

Over the past 10 years, Needham has delivered an average of only 53 units per year with most years showing no new multifamily housing.

For a more detailed explanation, the Consultant suggested viewing the presentation on-line or watching the last HONE meeting of 3/4/24 at <https://www.youtube.com/TownofNeedhamMA>

Capital Costs - A detailed memo of Capital Costs will be included in HONE's final report.

HONE's Proposal for Affordability:

- Continue to require that 12.5% of all new units in buildings with 6 or more units are set aside as deed restricted, affordable housing.
- RKG's Economic Feasibility Analysis (EFA) supports HONE's recommendation to keep the current affordability requirements in place for MBTA Districts.
- Keeping the affordability set aside at 12.5% helps Needham continue to stay above the State's requirement of 10% affordability.

Comments - See attachment

Wrap-up & Next Steps

- April 4 - HONE meeting
- April 30 - Joint meeting (Select, Planning, Finance)
- May 1 - Submit Plans to State for Review
- July/August - State returns Plans to Town
- Before October Town Meeting:
 - o Plans brought to Planning Board for zoning articles
 - o Public Hearing

Stay engaged, speak with neighbors, participate in groups, email Town Meeting members, and read relevant FAQ's. Contact HONE or H. Frail at her Town email with questions or concerns.

Informational - The Meeting Packet is available at: <https://www.needhamma.gov/Archive.aspx>

Watch HONE meetings: <https://www.youtube.com/user/TownofNeedhamMA>

Maps can be found at <https://www.ma.gov/mbta>

To learn more and subscribe to updates on the multi-family zoning initiative in Needham, please **visit the project page on the Town's website.**

Respectfully submitted,

Dale Michaud
Recording Secretary

Comments

Ethan Fener, 40 Tanglewood Road

Q. E. Fener asked about the allowances or requirements for parking.

A. Parking was reduced to one space per unit since the housing will be close to train stations creating a walkable community. See the [Parking Study](#) for evidence of excess parking.

Remote: Jay Spencer, French Press Bakery, 74 Chapel St.

This business owner supports the Neighborhood Housing Plan due to high foot traffic, costs, and retaining staff talent who commute from afar. A zoning change that maximizes local customers would help maintain prices and staffing. The proposed Plan would allow residents, students and graduates to stay in Town reducing the cost of building. He encouraged residents to review the Plan and speak to everyone about passing this Plan. The Special Permit process creates a financial barrier for business owners.

Eric Bailey, 64 Hillside Ave.

We've accomplished much since the first meeting. He supports the Neighborhood Housing Plan.

Remote: Dan Goodman, 807 Plain Ave.

Owner of Building 36 Technologies and member of the Council of Economic Advisors (CEA), he is impressed with HONE's accomplishments. He supports the Neighborhood Housing Plan. Increased foot traffic and a diverse business sector will enhance Town Square vibrancy. He struggles with recruiting engineers who commute from afar due to lack of Needham housing which makes his business less attractive than the competition.

Len Singer, Corner and West St.

Q. He is in favor of the Housing Plan which gets you to 4 stories as long as there is commercial building on the first floor. How do we get more residential housing between 3 and 4 stories in height?

A: The Base Compliance Plan proposed 3 stories in commercial districts while the Housing Plan suggested 4 stories. However, the unit capacity numbers for both Base and Neighborhood Housing Plans only calculate 3 and 4 stories. Under the guidelines, you can't model mixed use; to access the extra half story, the developer has to add first floor commercial.

Remote: Joni Schockett, 174 Evelyn Rd.

The presentation is impressive. She has watched all the meetings and read all she could.

The new medical building will bring 1,500 to 2,000 cars. and traffic While this is supposed to be MBTA compliant to encourage people to use public transportation, there will be 3,000 cars if you use the biggest plan because each unit will have at least one car. People need cars to get around in Needham.

As a language teacher of 40 years, she suggests renaming the Plans as Base 1, 2 and 3 to avoid a clear preference for one over the other. The proposed 3,000 unit Neighborhood Housing Plan is too large for the community and will negatively impact quality of life. She suggests starting with 1,800 units and revisiting to add more but disagrees with the 34 year timeline for building the units.

William Betcher, 38 Oakland Ave.

There is risk in proceeding with the plans on a rushed timetable set by the MBTA. HONE is not only complying with the Base Plan but going far beyond it. There is a risk to opening up property for zoning giving developers more control than the Town. We should pay attention to other communities that have appealed the MBTA Communities Law. He requests a commitment from HONE to meet with Town Meeting members.

Remote: **Alexander Cullen, 133 Grant St.**

Q. Explain what it means when an area is in the Base Plan but not in the Neighborhood Housing Plan.

A. The details of the differences in the Plans are in the Consultant's presentation slides. We had to follow zoning rules. Some areas did not meet those rules and were pushed out of one plan and into another.

John Crimmings, 32 Plymouth Road

Thanks for your efforts. With all due respect, numbers presented by the Consultant are educated guesses. We shouldn't commit to the Neighborhood Plan not knowing the infrastructure impact for several years. He supports the Base Compliance Plan.

Q. What prevents us from expanding the Base Plan in 15 years?

Remote: **Jane Volden, 133 Brookside Rd.**

She supports the Base Plan for future Town expansion but is concerned about limited parking per unit. Local transportation is essential to children's schools and activities. A one car per unit requirement is too low. Developers will not offer more parking than required.

A. We put requirements into the zoning that the minimum parking a developer could offer is one space but a developer could offer more parking.

Nordo Nissi, 450 Chestnut Street

The Base Plan is not the best option for the community. The Central Business districts are not included and the Neighborhood Plan seems to be trying to do too many things at once. He and others have contacted HONE regarding the Harney Greymont parcel which is located between two MBTA bridges and has limited activity. The property could be developed as an apartment building but would have significant impacts on the junction of Chestnut St. neighborhoods. HONE should review the property and consider additional changes at the townwide level.

Paul Lennox, Fair Oaks Park

He moved from a community that experienced these changes in a 3-5 year timeframe. Roads were always packed with aggressive drivers. People who stop for coffee in Needham are traveling through and need to park. We need to think how more housing will affect traffic. Needham is advertised as being close to the Charles River; without a car, you'll wait 20 minutes for an Uber driver. Needham needs a bus line.

Sarah, student

She expressed frustration that teachers have long commutes to school due to a lack of affordable housing. She'd like to return to Needham after college but acknowledged current housing prices are too high. She advocated for more diverse housing options like condos and duplexes. The Social and Political Action Club is working with the Housing Coalition to improve real estate availability. She urged the community to consider the Town's future at different timeframes and act quickly to improve Needham. With the

current housing climate, we will have to find a new place to settle down, cut ties with this community, its great school system and the safe place that we all currently call home. She asked HONE to consider what Needham should look like in a few years; if it looks like the students, then we need you to fix Needham fast. Thank you.

Remote: **Bill Wharton, Dale St.**

For the district that goes from Rosemary up to West Street between Hillside and the tracks, the height was limited to 3 stories. There are buildings there that are taller than that. Why has HONE limited the height to 3 stories there as that seems to be a place that has capacity for more? Thank you.

A. One side of the street is significantly higher than the other side of the street. HONE was concerned that if we went up to 4 stories, that would have a shady effect on the residences across the street. We wanted to be sensitive to the neighbors so we decided to make that change.

Student, **Nina, 419 Webster St.**

She is a high school student and president of the Social and Political Action Club who has been attending Housing Coalition meetings for months. She supports expanding affordable housing in Needham. This is a major priority for the community which makes it more welcoming, diverse, and reachable. The Neighborhood Housing Plan is a significant step in the right direction and should be supported now. There has been community apathy toward this important, long-standing issue. The community should take advantage of this opportunity to its full potential. The Neighborhood Housing Plan will enable she and peers to return home after college, able to afford housing, and make Needham a welcome place for the middle-class, teachers, nurses, and young families. She urged everyone to support this important step.

Remote: **Laura Mayer, 484 Chestnut St.**

She expressed gratitude for the detailed presentation. She is interested in parking availability and the potential disappearance of excess parking due to new building construction. She wants to know the location and amount of excess parking and requests it be noted on the maps. She expressed it is a bad idea to leave the responsibility for ensuring adequate parking with builders.

A. The Parking Study can be found on the website.

Erin Doyle, 99 Linden St.

She lives in the Chestnut St. area and fully supports the Neighborhood Housing Plan despite concerns for limited parking. She is proud to live in an area with affordable housing and Housing Authority units although they affect housing values. She desires her community to promote inclusivity and accessibility.

Remote: **Paula Jacobson**, Executive Director of the Charles River YMCA

She is Executive Director of the Charles River YMCA which owns property at 863 Great Plain Ave. and leases the property at 380 Chestnut St. The YMCA has been in Needham for more than 100 years and is an integral part of the community. Retired individuals who want to stay connected to Needham and work part-time cannot afford to stay in Needham and face long commutes. The Y hires young professionals in health and fitness, sports, aquatics and childcare. Not a full-time employee lives in Needham; all have lengthy commutes from home to work. She urged listeners support the Neighborhood Housing Plan. A vibrant, walkable and economically robust Needham is contingent upon available housing. Thank you.

Alyssa Kence, 59 Coolidge Ave.

She works at Beth Israel Hospital in Needham and supports more housing for hospital staff.

Remote: **John Fogarty**, President of BIDMC, Beth Israel Deaconess Medical Center

The hospital in Needham has been in operation for 112 years. He advocates for the Neighborhood Housing Plan for the reason that adequate housing is crucial for a stable healthcare workforce especially since many senior staff retired during the pandemic. Only 7% of the hospital's 1,000 employees live in Needham, only 18% live in the surrounding area, and 70% of our nurses are under 30 years of age. The two high school students that spoke may be your future nurse, your doctor, or your pharmacist but not if they can't afford to live in town. He supports everything they said. We have to create a housing plan that supports the workforce of tomorrow, or access to healthcare will become increasingly difficult.

Lee Betcher, 38 Oakland Ave.

He supports diversity, affordable housing and Needham businesses. MBTA Communities compliance is rushing this process and it is being concentrated within one half mile of the railroad. We have 11,000 housing units. With the Base plan, we're asking for a 17% increase of housing units.

A. Correction-you have overestimated the number of units. The increase on the flyer adds existing units to the bottom line number on the map. Subtract the existing units from that number. The number is 1,868 units for the Base plan and 3,339 units for the Neighborhood Housing plan.

He feels that By Right development prioritizes developer interests over that of the community's and calls for a voice before the Select Board to prevent passing the Neighborhood Housing Plan.

Remote: **Henry Ragin, 25 Bennington St.**

He supports the Neighborhood Housing Plan due to the significant housing need for medical professionals, teachers, seniors, physical education workers, and tradespeople. The plan is particularly exciting for Chestnut St. Developers may need to add more parking for two or three-bedroom units. The Fiscal Impact Analysis shows a significant gap between expenditures and revenue, especially with bills looming for Pollard, Mitchell, and High Rock properties. This should be revisited. No is paying that little in taxes.

Bob Smart, 25 Mayo Ave.

How will HONE handle the two Scenarios with the Moderator and Town Meeting?

A. If the Neighborhood Housing Plan is approved, it will supersede the Base Plan.

Remote: **Bill Singos, no address provided**

He expressed concern for the change from Special Permit to zoning as it empowers for-profit motives and diminishes residents' ability to collaborate with the Town to maintain the community's charm. He cited unrealistic assumptions about parking spaces and the capacity of schools campuses to accommodate a student increases. Not everyone can work and live in Needham, so the premise that everyone can work and live here is unrealistic. The long-term impact on town charm and sense of community will be significant. Why can't we comply with MBTA Communities Law using the Base Plan but have a more vigorous and expedited permit process while preserving the town's character?

Brian Phillips, Bigbelly Solar (local business)

Each year it gets a little tougher to retain people who live in the area. There has to be a path for residents to live and work where they want to be. He supports the Neighborhood Housing Plan. Thank you

Remote: **Bruce Wolfeld, 208 Nehoiden St.**

If a builder establishes additional retail or commercial space, where are the homeowners utilizing the one allotted space going to be parking?

Barbara MacDonald, 147 Perrin St.

Why did HONE wait until after the SJC hearing before putting the vote in the plan? Too few people here understand what's happening with the plan. When you go into the district to meet with Town Meeting members, it would be beneficial to invite the public and make time for questions and answers.

A. Residents can also reach out to H. Frail who is happy to come and talk to groups.

Remote: **Praveen Purushotham, 296 Hunting Rd.**

The presentation on housing in Needham is lacking a holistic approach suggesting that if voters approve and comply with MBTA Communities Law, housing might be built. The focus should be on commercial and business empowerment, affordability, and community development to make Needham an attractive place. Housing is not the only reason for people to come to Needham especially young people who want to start families. A more holistic Community Development plan is needed for housing as part of Needham's government responsibilities. The projected number of students is off with only half a student per household. The presentation also shows only direct costs with 61% of direct revenue taxed at 61%. I'd like to see indirect costs.

Jonathan Traud, 12 Alfreton Road

HONE has considered feedback from residents and reduced the number of units from 4,000 to a smaller number. Having one parking space per unit is insufficient and will cause road congestion. The speaker supports the Base Plan as it offers more opportunities for affordable and family housing that is not limited to .5 acre from the MBTA station. Everyone is concerned about schools and housing affordability. Developers will build unaffordable units that sell for \$1,200,000. If the Base Compliance Plan is approved, the Town can explore other areas that don't need to fit within the confines of the MBTA Communities Act.

Remote: **Lois Sockol, 611 Greendale Ave.**

She thanked the committee for educating her so she could make an informed decision. She is in favor of progress but caution. She is leaning toward the Base Compliance Plan. If it proves to be insufficient to provide the needed housing, more will be done.

Holly Clark, 1650 Central Ave.

As a Town Meeting member, she has concern that the new State law could take away town authority. Consider the Base Compliance Plan, or Plan B using an overlay district with Town zoning, require a permit. Use the tools we have presently. Who will this plan benefit? There has been no discussion of trees, transit options for seniors, and there will be a lack of parking. The cost of raising class sizes in the schools would be too high. We want to develop housing options for people to be able to stay in town. The State law is new. She emphasized the importance of listening to each other's opinions.

Remote: **Michael Normile, 5 Larkspur Rd.**

He supports the Neighborhood Housing Plan though there are risks. He is worried about risk. The lack of housing threatens the economic vibrancy of the Boston area which has benefitted everyone. Business owners struggle to attract employees. He would prefer to live with more traffic congestion than to lose the vibrancy that makes the area a wonderful place to live. He thanked those who support the plan.

Claire Franz, 304 Brookline St.

She supports housing but not the Neighborhood Housing Plan. It won't bring affordable housing to this town at 12.8%. This plan is for greedy developers. We are naive to say employees of the French Press can afford those apartments. The town faces parking issues and limited transportation. She urged a more thorough examination of the new Law. The Town should investigate why Milton is refusing to comply.

Remote: **Louis Wolfson, 29 Cimino Rd.**

He commended the two students who spoke earlier for their wisdom and support of the Neighborhood Housing Plan which provides for maximum housing development. He questioned why Brookline Oriental Rug is not included in the plan. Developers should consider parking. He is unsure whether Hersey Station is being considered but appreciates the progress made to create housing and a more vibrant downtown.

Ellen Sorter Holmes, 805 Highland Ave.

She supports the Neighborhood Housing Plan because it will attract people like she and her mother to a walkable neighborhood which has served them well. Parking recommendations are realistic.

Remote: **Lynne Claflin, 229 Garden St.**

Diverse businesses once made Needham a destination spot. To make a walkable town, more commercial is needed. Because big box stores replaced small shops, it's necessary to own a car to go to a hardware store. Increasing parking is crucial to attracting people. Long-term she's thinking green.

Artie Crocker, 17 Fairlawn St

A Town Meeting and Planning Board member, he questions the decision to reduce the number of units in the proposed scenarios from 987 to 370 in the Base Plan. Housing should offer ownership as it brings generational wealth. A lot of this zoning will bring rentals. He expressed concern about not zoning areas that don't fit within MBTA Communities guidelines. Residents have expressed concern about the Neighborhood Housing Plan. If we do not listen to them now, they won't approve this at Town Meeting.

A. The MBTA Communities Law only allows you to count zoning. HONE was trying to adhere to existing zoning minus what the Special Permit would allow on Chestnut St. which explains the huge reduction in the Base Scenario because we were trying to adhere to, not what's allowed in the Special Permit today for Chestnut St., but with the Base zoning, , will allow. HONE is not including some areas Town because there was not sufficient time to include it in this zoning. HONE is sending the Planning Board a very long list of potential parcels to review.

Remote: **James Goldstein, 40 Coolidge Ave.**

He expressed gratitude to the HONE group for their thoughtful consideration of comments from residents. He is in favor of the Neighborhood Housing Plan due to the housing crisis and the need for homeownership as well as rental housing for workers. He supports a vibrant Business District in the downtown and in the Heights. He acknowledged HONE's limited responsibilities and the importance of additional zoning suggestions the committee will pass on to the Planning Board.

Adam Block, 103 High Rock St.

The Planning Board and Council of Economic Advisors member commended the work of the committee and highlighted the competing interests of public policy goals. He emphasized the importance of supporting the Commonwealth and preserving the character of the town, rather than focusing on building policies or encouraging housing that reduces traffic. The character of the town is determined by the community support rather than details and preferences such as the number of parking spaces required. The Planning Board will work with the community to balance all of the community interests including infrastructure within the next 5 years. This is responsible development. Though much of this is for uses and not Special Permit for large scale development, the Planning Board can impose conditions on development through the Site Plan process to mitigate adverse impacts on site circulation, vehicle safety, pedestrian safety, infrastructure, and capacity. The goal is not to impose a perfect solution for all, but to ensure that the town's character is preserved and that the Planning Board's efforts contribute to the Commonwealth. The goal is to create workforce housing that accommodates diverse choices and ensures that everyone can live in the same community.

Greg Reibman, President of the Charles River Regional Chamber at 117 Kendrick St.

A developer needs to get financing to make money. A bank will not finance the project if there is not a market for the project and it is not rentable if there is not enough parking. Leave the matter up to the developer to add the parking.

Why rush the Housing Plan? Have you noticed how much longer it takes to get any services, a prescription at the drugstore, parents finding childcare, a needed doctor's appointment, your favorite coffee? We need more workers. We need more housing. Business owners said they can't find enough workers to commute because there is not enough housing for Needham employees.

Remote: Steve Volante, 745 Central Ave.

He thanked the committee for their efforts. He and co-owners of Volante Farms support the Neighborhood Housing Plan despite opposition to preserve the Town's character. He believes that character is defined by shared spaces where we shopping and dine.

Small businesses in Needham are facing a challenge to find local labor from this area. To maintain the area's charm and support small businesses, it is crucial to address the issue of housing for employees of area businesses. This requires action to ensure the preservation and continued growth of small businesses including the larger labor and customer bases that new development will bring rather than relying on apathy, nostalgia and kicking the can down the road to progress.

Dan Matthews, 31 Rosemary St.

There is confusion about the terms affordable housing which can be divided into two categories: subsidized affordable housing and market affordable housing. Subsidized affordable housing is where someone contributed additional funds at housing thresholds where a person of low income pays one third of their income, who otherwise could not afford to rent a home.

There's a shortage of subsidized housing because of the almost wholesale of the Federal government from 30 years ago. We've been limping along like this. The Housing Authority is working to redo 130 units in

this next funding round inclusive of provisions that 12 1/2% will be internally subsidized by the development.

The main elemental piece of this MBTA Communities Law compliance is market affordable housing and that means housing that ordinary people in the middle class can afford rental or homeownership units that they themselves will occupy.

The MBTA is pushing towns to act because the towns won't do anything otherwise. If everyone waits until everyone else acts, nobody is going to act. Yes, these units are going to cost \$1,000,000. Developers are going to make money because there is no subsidy coming in to pay for this. The theory of this Act is to unlock marketing forces to drive most of our economy. Let people get to work building with simplified permitting requirements. If we don't do this, it's going to get worse. We shouldn't be waiting for the result of Milton's court case. There are 50 other towns getting their programs off the ground and there's another hundred that are working on their plans. Let's get our town moving. Thank you.

Michael Fisch, 419 Webster St.

When I was growing locally in places where middle-class people could afford to live and rent, no one promised that I could live 15 or 20 minutes away from home. The geography of where people can live and work is getting further and further apart. It is worth taking a look at what's happening in California's Silicon Valley. People are commuting 2-3 hours to work and living in their automobile vans. This is not a sci-fi movie; this is real. If we are honest with ourselves, and we think we are going to do the minimum the State requires, we can see that we're close to being another Silicon Valley.



MEMORANDUM

To	Katie King, Lee Newman, Alexandra Clee, Amy Haelsen, Town of Needham
From	Emily Keys Innes, AICP, LEED AP ND, President
Date	April 15, 2024
Project	23125 - Needham
Subject	Draft Zoning Text for MBTA Communities – MEMO 2
Cc:	Eric Halvorsen, AICP, Vice President and Principal, RKG Associates Alison Christensen, Market Analyst, RKG Associates

This memorandum contains the clean version of the four articles. Comments have been retained as they indicate some unresolved issues.

ARTICLE 1: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. By amending Section 1.3, Definitions by adding the following terms:

Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following:

- (a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
- (b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Metropolitan Boston Transit Authority (MBTA) commuter rail station; and
- (c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development. Where the provisions of the Multi-family Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the underlying district:

- (a) A-1
- (b) B
- (c) ASB
- (d) CSB
- (e) HSAB
- (f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Unit as defined by Section 1.3 of this By-Law.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review authority – The Town of Needham Planning Board

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Section 3.17.3.1:

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District that overlays the underlying districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Section 4.3.1 Table of Regulations and Section 4.4.1 Minimum Lot Area and Frontage

	A-1	B	ASB	CSB	HSAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^a	10 ^c	20 ^a	20 ^a	20 ^a

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Section 4.4.8 or Section 4.6.5 shall not apply, as the only allowable use in the Multi-family Overlay District is residential. Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.

- (b) An underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Section 4.4.8.5.
- (c) The rear setback is 20 feet along the MBTA right-of-way and 30 feet from a residential zone line with the remaining 10 feet to be landscaped.

3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.3.1 Table of Regulations and Section 4.4.3 Height Limitation.

	A-1	B	ASB	CSB	HSAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0	3.0	3.0	3.0
Maximum Building Height (feet)	40	40	40	40	40	40

- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not occupy more than 25% of the gross floor area of the building.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Section 3.17.5.2 Building Height Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district, and shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB subdistrict, the Applicant may apply for a Special Permit for a height of four stories and 44 feet.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Section 4.3.1 Table of Regulations and Section 4.4.2 Maximum Building Bulk.

	A-1	B	ASB	CSB	HSAB	IND
Floor Area Ratio (FAR)	0.50	N/A	1.00	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%*	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre*	18**	N/A	N/A	18	N/A	N/A

* The total land area used in calculating density shall be the total acreage of the lot on which the development is located.

- (a) In the ASB subdistrict, the Applicant may apply for a Special Permit for an FAR of 1.4.
- (b) In the Multi-family District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Section 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) Enclosed parking areas shall comply with Section 4.4.6 Enclosed Parking.
- (d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrances must be located on those streets.

- (c) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
- (d) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- (e) Storm-water and snow melt drainage shall be provided for without causing surface flows across any public sidewalk and without creating more than a 10% increase in peak flows in any off-site drainage structures or water courses in a 25-year storm unless provisions have been made to accommodate that increase without public expense.
- (f) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (g) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- (h) Pedestrian and vehicular movement shall be protected, both within the site and egressing from it, through selection of egress points and provisions for adequate sight distances.
- (i) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
- (j) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.
- (k) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and the will not adversely impact adjacent property or the public.

Special Development Standards for the APT-1 Subdistrict

The following requirements apply to all development projects within the APT-1 Subdistrict of Multi-family Overlay District:

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space
- (c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the Business and Industrial Subdistricts:

- (a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District.

3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review is required for all projects within the Multi-Family Overlay District.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review:

- (a) Locus plan;
- (b) Location of structures within 100 feet of the property line;
- (c) Existing and proposed building showing setback from the property lines;
- (d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
- (e) Existing and proposed contour elevations in one foot increments;
- (f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;

- (g) Driveways and access to site, including width of driveways and driveway openings;
- (h) Facilities for vehicular and pedestrian movement;
- (i) Drainage;
- (j) Utilities;
- (k) Landscaping including trees to be retained and removed;
- (l) Lighting;
- (m) Loading and unloading facilities;
- (n) Provisions for refuse removal; and
- (o) Projected traffic volumes in relation to existing and reasonably anticipated conditions.

3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) to provide any written comment. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Section 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

- (a) the Applicant has submitted the information as set forth in Section 3.17.8.2; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Section 3.17.5, the parking requirements contained in Section 3.17.6, and the development standards contained in Section 3.17.x.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Section 5.1.3 Parking Plan and Design Requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Section 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Standards which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department.

Article 2 Neighborhood Housing

To see if the Town will vote to amend the Needham Zoning By-Law as follows, and to act on anything related thereto:

1. Amending Section 3.17 Multi-family Overlay District by revising 3.17.2.1 Subdistricts to read as follows:

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MMOD Boundary Map and indicated by the name of the underlying district:

- (a) A-1
- (b) B
- (c) ASB
- (d) CSB-E
- (e) CSB-W
- (f) CSB-GS
- (g) HSAB
- (h) IND
- (i) IND-C

2. Amending Section 3.17.4. Use Regulations, by adding the following to 3.17.4.1 Permitted Uses:

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (c) Mixed-use buildings in the CSB subdistricts.
 - i. All uses permitted as of right in the underlying district.
 - ii. Accessory uses permitted as of right in the underlying district.

3. Amending Section 3.17.4. Use Regulations, by adding the following after 3.17.4.1 Permitted Uses and renumbering 3.17.4.2 Accessory Uses to 3.17.4.3:

3.17.4.2 Special Permit Uses in the CSB subdistricts.

- (a) Accessory uses permitted by special permit in the underlying district.

4. Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5. Dimensional Requirements with the tables below, to read as follows:

3.17.5. Dimensional Requirements

Replace the table in 3.17.5.1 Lot Area, Frontage and Setback Requirements with the tables below:

Table 1A. Lot Area, Frontage and Setback Requirements

	A-1	B	ASB	HSAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20	25
Minimum Side and Rear Setback (feet)	20	20	10	20 ^a	20 ^a

Table 1B. Lot Area, Frontage and Setback Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80

Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet, whichever is smaller	25
Minimum Side and Rear Setback (feet)	20 ^a	20 ^a	20 ^a	20 ^a

Replace the table in 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	B	ASB	HSAB	IND
Maximum Building Height (stories)	<u>4.0</u>	<u>4.0</u>	3.0	3.0	3.0
Maximum Building Height (feet)	<u>50</u>	<u>50</u>	40	40	40

Table 2B. Building Height Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Maximum Building Height (stories)	<u>3.0</u> <u>3.5 with commercial ground floor</u>	<u>4.0</u> <u>4.5 with commercial ground floor</u>	<u>3.0</u> <u>3.5 with commercial ground floor</u>	<u>3.0</u>
Maximum Building Height (feet)	<u>40</u> <u>45 with commercial ground floor</u>	<u>50</u> <u>55 with commercial ground floor</u>	<u>40</u> <u>45 with commercial ground floor</u>	<u>40</u>

Replace the table in 3.17.5.3 Building Bulk and Other Requirements with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB	HSAB	IND
Floor Area Ratio (FAR)	<u>1.00</u>	<u>2.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.0</u>
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre*	<u>36</u>	<u>N/A</u>	<u>N/A</u>	<u>24</u>	<u>24</u>

Table 3B. Building Bulk and Other Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre*	N/A	N/A	N/A	24

5. Amending Section 3.17 Multi-family Overlay District by adding the following to 3.17.7 Development Standards, to read as follows:

- (l) For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building.
- (m) For a mixed-use building, the ground floor of the front façade shall contain only retail, restaurant or office uses allowed by right or by special permit.

Article 3. Map Changes

To see if the Town will vote to amend the Needham Zoning Map as follows:

Add the following areas to the Multi-family Overlay District, by subdistrict:

1. A-1 Subdistrict
 - a. Meets and bounds 1
 - b. Meets and bounds 2
 - c. Meets and bounds 3
 - d. Meets and bounds 4
2. B Subdistrict
 - a. Meets and bounds 1
3. ASB Subdistrict
 - a. Meets and bounds 1
4. CSB Subdistrict
 - a. Meets and bounds 1
5. HSAB Subdistrict
 - a. Meets and bounds 1
6. IND Subdistrict
 - a. Meets and bounds 1
 - b. Meets and bounds 2
 - c. Meets and bounds 3

Article 4: Map Changes for Neighborhood Housing

To see if the Town will vote to amend the Needham Zoning Map as follows:

Add or amend the following areas to the Multi-Family Overlay District, by subdistrict:

1. A-1 Subdistrict (add one of the IND Subdistricts; reduce two of the original A-1 subdistricts)
2. B Subdistrict (no change)
3. ASB Subdistrict (no change)
4. CSB Subdistrict (~~delete this subdistrict~~)
5. CSB-E Subdistrict (split one of the two CSB subdistricts)
6. CSB-W Subdistrict (split one of the two CSB subdistricts)
7. CSB-GS Subdistrict (one of the two subdistricts)
8. HSAB Subdistrict (add one of the original IND Subdistricts)
9. IND Subdistrict (~~The remaining subdistrict is the one marked Hillside.0~~)
10. IND-C Subdistrict (add the other IND Subdistricts)

MEMORANDUM

TO: Housing Needham (HONE) Advisory Group
FROM: Katie King, Deputy Town Manager
SUBJECT: Capital Impacts Assessment on Proposed MBTA Communities Act Zoning
DATE: April 16, 2024

One component of the Housing Needham (HONE) Advisory Group's charge, as it creates multi-family zoning that complies with the MBTA Communities Act, is to "evaluate build-outs, projections, and analyses of fiscal, school enrollment, and infrastructure impacts provided by staff and consultants." The Town's consultant, RKG Associates, has run six analyses to answer various questions of interest to HONE and to the community:

- **Propensity for Change:** What is the likely number of housing units that will be developed under each zoning proposal?
- **Net Absorption of Multi-family Units:** What is an estimated time frame for this build out?
- **School Enrollment:** What is the estimated number of school aged-children that could result from each of the zoning scenarios?
- **Fiscal Impact Analysis:** On a per unit basis, how will the potential tax revenues from new development compare to the municipal and school operating costs needed to support that development?
- **Tax Implication Analysis:** How does the existing property tax revenue generated from these parcels today compare to the anticipated tax revenue generated under each zoning proposal?
- **Economic Feasibility Analysis:** Can a reasonable variety of multi-family housing types be feasibly developed at a proposed affordability level of 12.5%? This analysis is required by the State for any community that includes an affordability requirement of greater than 10%.

Initial results from each of these analyses have been presented to HONE and will be included in RKG's final report. Relevant Town departments, including the Finance Department, the Needham Public Schools, the Department of Public Works, the Police Department, and the Fire Department, were consulted on the sections related to each department. Staff reviewed the anticipated development growth under these zoning proposals and compared them to known Town capital infrastructure needs and proposed improvement projects¹. Below are the anticipated impacts on capital projects that are already being planned for and new projects they may result from development under the zoning scenarios. For context, this chart summarizes the likely and maximum build out under each plan, in terms of housing units and students generated:

	Base Compliance Plan	Neighborhood Housing Plan <i>[note: to be updated w/final NHP]</i>
Likely Build Out	222 units, 19 students	1,099 units, 91 students
Full Build Out	1,868 units, 151 students	3,339 units, 268 students

¹ FY2025-2029 Capital Improvement Plan: <https://needhamma.gov/5495/FY2025-2029-Capital-Improvement-Plan>

SCHOOLS

Background: The School District's current FY25-39 enrollment projection² predicts that the District will return to pre-pandemic, 'capacity' enrollment levels within the next 15 years, particularly at the elementary and middle school levels. The largest projected elementary enrollment of 2,628 (FY39) is at the District's 2,634 calculated capacity for its five existing elementary schools. The largest projected middle school class of 1,347 (also in FY39) is close to the middle level capacity of 1,419 students.

To address the 'capacity' conditions of existing schools, the School Department engaged a consultant to develop a master plan³ for updating aging school facilities and creating enrollment capacity, district-wide. The School Committee's preferred master plan scenario, entitled "High Rock as Elementary School (C1a)", addresses these needs by: a) positioning grades 6 - 8 under one roof at the Pollard School, b) repurposing the High Rock as a sixth elementary school and c) renovating the aging Mitchell School as a smaller, 3-section elementary school. An alternative version of this plan (C3) would leave open the possibility of re-constructing the Mitchell as a 4-section school, its current configuration. The School Committee's preferred master plan scenarios increase the district's elementary and middle school enrollment capacities, largely as a result of re-purposing High Rock as a sixth elementary school. The current anticipated cost of the C1a Master Plan is \$465.8 million, and would begin with a proposed renovation/addition project at Pollard, done in partnership with the Massachusetts School Building Authority. A request of \$2.75 million for Pollard feasibility study funds is included in the 2024 Town Meeting warrant.

The new students predicted to result from the "Likely" and "Full" build out of each zoning scenario (in the chart above) represent an addition to the McKibben projections. These students would be distributed across the Sunita Williams, Newman, Eliot, and Broadmeadow districts, with the majority of students projected at Williams and Newman.

The zoning analysis does not predict the grade levels of the anticipated students. Below is an analysis comparing anticipated total school enrollment (McKibben FY39 estimates plus RKG estimates) with capacity under the school master plan preferred scenario. This analysis takes a conservative approach, first assuming that every new student generated from the rezoning enters an elementary school, and then a second calculation assuming that every new student generated enters into middle school.

In the unlikely event that the additional development would result in all elementary-aged students, the maximum elementary enrollment resulting from the "Likely" scenario of the Neighborhood Housing Plan would be 2,719, which is within the 2,854-student capacity of the C1a master plan (with Mitchell as a 3-section school). Additionally, the maximum elementary enrollment under the "Full" model of the Neighborhood Housing Plan (2,896) would fall within the capacity of the alternative C3 model (of 2,983, with Mitchell as a 4-section school). At the middle level, the potential maximum enrollments of 1,438

² FY25 Enrollment Report to the School Committee (December 2023) and McKibben Population & Enrollment Forecast FY25-39 (November 2023)

https://www.needham.k12.ma.us/departments/business_operations/business_office/enrollment_growth_forcasts

³ Master Plan Extension Update Final Report and Master Plan Update (2023),

<https://www.needham.k12.ma.us/cms/one.aspx?portalId=64513&pageId=37970530>

("Likely") and 1,615 ("Full") under the Neighborhood Housing Plan, would also be within the master plan's projected middle school capacity of 1,624 students.

Conclusion: Based on best available information, the additional students projected under the "Likely" and "Full" build out scenarios for the Base Compliance Plan and the Neighborhood Housing Plan can be accommodated within the School Committee's preferred master plan scenarios.

Over the next several years, the Needham Public Schools and Town will assess the impact of the MBTA Communities Act on school enrollment as developments materialize. In the short term, if enrollment increases at individual schools need to be accommodated, the district could consider temporary classrooms, redistricting and/or higher class sizes, as needed. In the long term, the School Department can adjust its plans for a renovated Mitchell school to accommodate more or fewer students.

POLICE & FIRE

Background: The Town of Needham has recently made significant investments in the capital needs of the Police and Fire Departments. The Town opened a new Fire Station 2 in Needham Heights, at the intersection of Highland Avenue and Webster Street, in the Fall 2021. The Public Safety Building on Chestnut Street, which houses the Needham Police Department and Fire Station 1, opened in 2022. These stations are located in close proximity to the areas proposed for multi-family housing zoning. The Fire Department's vehicles and apparatus can serve the height and density of the buildings that would be allowed under the proposed zoning, as buildings of this size (and larger) exist in town.

Conclusion: Needham Police and Needham Fire do not anticipate any significant impact on their current operations. There may be a need for a small increase to staff over time as the Town's population grows, which is something that both departments regularly monitor. There are no anticipated public safety capital needs (e.g., new stations or equipment) as a result of these proposals.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works (DPW) is both proactive in its planning around potential development and reactive to each development as they are built. DPW has several plans to investigate and manage the Town's infrastructure through master plans in the next 1-3 years for transportation, sewer, water, and drainage. These plans will provide the department with a comprehensive study of the age and condition of our infrastructure, identify locations for needed replacements and upgrades, and inform the prioritization of these projects. DPW will also be undertaking drainage, sewer, and transportation projects in the plan areas in upcoming years. The funding needed for these plans and anticipated projects are detailed below. These projects are necessary given the current conditions and any changes in zoning will be factored in to adjust the project scopes, as needed.

DPW provides a thorough review of all projects that go through the Planning Board to ensure that projects comply with local requirements related to water, sewer, and drainage, as to not overtax Town systems. This departmental review will apply to development applications received under the proposed MBTA Communities Act zoning as part of the Planning Board's site plan review process.

WATER

Background: The Town's water distribution system is a single service pressure zone system supplied by two sources. The Town's primary source of water is the Charles River Well Field. The well field consists of three groundwater-pumping stations. Needham's second water source is a connection to the Massachusetts Water Resources Authority (MWRA) surface water supply originating at the Quabbin Reservoir and delivered through the Metrowest Tunnel and the Hultman Aqueduct. This water is pumped into the Needham system at the St. Mary's Pumping Station located at the corner of St. Mary Street and Central Avenue. This supply is used when the Town's demand for water is greater than the local supply, and serves as a backup should the Town's wells need to be taken off-line. The Town can be supplied 100% of its water through the MWRA, if necessary. Water Division staff operate the water treatment plant and also operate, maintain, and repair the townwide water distribution system. The system is comprised of more than 143.5 miles of water mains, 1,344 public and private hydrants, 3,231 water gate valves, and 10,294 water service connections. This system supports 15,612 installed meters as of June 30, 2023.

Overall water production during calendar year 2023 declined by more than 126 million gallons of water compared to 2022 due to drought conditions in 2022 followed by flooding in 2023. The Town's use of MWRA water declined by 41.6% from the prior year, 249.5 million gallons compared to 427 million gallons of water. During calendar year 2021, approximately 27.1% of the total water production came from the MWRA; during calendar year 2022, 32.5% of production came from the MWRA; during calendar year 2023, approximately 21.0% of production came from the MWRA. Water usage increases significantly every year during the summer months (as compared to the off-season), when the majority of the Town's usage is due to outdoor watering. The Water Enterprise Fund operating budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

The Town has been investing in the Town's water treatment, storage, and distribution systems over the past several years and the work continues. Planning is underway to add redundancy to Needham's water system. Town Meeting appropriated design funding in FY2024 to create a fourth well at the Charles River Well Field, to add reliability to the Town water supply. DPW has requested \$3M in FY2026 to construct this fourth well. The MWRA is also advancing their Metropolitan Water Tunnel Program to create redundancy of the water distribution system to the Metropolitan Boston area.

FY25 - 29 Water Capital Project Requests:

Project	FY25	FY26	FY27	FY28	FY29
Water Distribution Master Plan		\$300,000			
Water Supply Development (creation of 4 th Town well)		\$3,000,000			
Replacements: Mills Road from Sachem to Davenport; and Mayo Avenue from Harris to Great Plain		\$50,000	\$470,000		
Replacement: Kingsbury Street from Oakland to Webster			\$122,000	\$555,000	
Replacement: Oakland Avenue from May to Highland				\$380,000	\$500,000

Conclusion: The Town believes it has enough water capacity to support housing developments that may result from the proposed zoning. Needham has capacity in its local water supply in the off-season and augments that local supply with additional water available through the Massachusetts Water Resources Authority. Irrespective of this zoning, the Town is working on redundancy systems for its local water supply and the MWRA is undertaking a redundancy project for their regional supply system.

DPW has requested \$300,000 in FY2026 for a water distribution system master plan to study and prioritize potential water distribution system improvements townwide. This study will inform future water capital projects and how they will be prioritized. At this time, DPW does not anticipate any new capital projects resulting from the proposed zoning, but may adjust the scope of projects (e.g., replace with a larger diameter pipe) to factor in any anticipated population growth. For a specific development, the property owner/developer would be required to pay for the infrastructure needed to tie their project site into the existing water system.

SEWER

Background: The Town's sewage collection system consists of more than 130 miles of collector and interceptor sewers, 3,700 sewer manholes, and ten sewer pump stations. The Town's sewer system is a collection system that discharges its wastewater to the MWRA system for treatment. Approximately 65% of the Town's sewer collection system is a gravity-only system, and 35% of the sewer system is pumped into the gravity system. Needham has two principal points of discharge into the MWRA system and nineteen other public locations where subdivisions discharge to the MWRA system. Personnel maintain and operate 24 sewer pumps, motors, switchgear, gates, valves, buildings, and grounds contained in ten pumping facilities located throughout Town. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the cost of the sewer operations.

The Town has been preparing for several major sewer system infrastructure replacement and upgrade projects. The largest challenge facing Needham's current sewer capacity and reliability is existing deficiencies with the Greendale Avenue/Route 128 sewer interceptor from Cheney Street to Great Plain Avenue. This is a trunk sewer that collects and conveys wastewater from numerous surrounding sewer lines and plays a critical role in the operation of the Town's sewer system. The existing interceptor sewer line is deteriorating and in need of rehabilitation in order to remain functional. This multi-phase project would consist of replacing or relining the 12,000 feet (2.5 miles) of 18-inch reinforced concrete gravity sewer main. Design funding was provided in FY2023, and Phase 1 of construction is currently underway, funded via the American Rescue Plan Act (ARPA). DPW has requested that Town Meeting appropriate \$13.6 million at the 2024 Annual Town Meeting to begin Phase 2 in FY2025. Due to the investment required to complete the remaining phases, the Town intends to apply for several sources of outside funding (including MWRA and MassDEP programs) to reduce the local funding required.

The Town of Needham is also under Administrative Orders from MassDEP to identify and remove Infiltration and Inflow (I/I) in its existing sewer systems. I/I is groundwater and stormwater that enter into the sewer system, rather than into stormwater drains, limiting the capacity to process sewer wastewater. Failure to address I/I will result in increases to the percentage of sewer costs from the MWRA borne by the Town as well as additional administrative requirements. The Town completed a study in 2016 that identified target areas for I/I removal over the next ten years. DPW has been

undertaking these projects using funds appropriated at Town Meeting, supplemented by funding from private development and grant funding secured from the MWRA, and all projects identified in the 2016 study have been completed. DPW has requested \$1M in FY2026 to formulate a new plan and cost estimates for the continuation of the I/I removal program. Most of the funding for the implementation of this updated plan will be sourced from private entities and developments, as required by the Town's Sewer System Impact Program Regulations.⁴

American Rescue Plan Act (ARPA) Project	Amount
Sewer Main Replacement: 128-Interceptor Phase 1 (CY2024)	\$3,000,000

FY25 - 29 Sewer Capital Project Requests:

Project	FY25	FY26	FY27	FY28	TBD
128-Interceptor Phase 2: Kenney Street to Valley Road at Norwich Road	\$13,600,000				
128-Interceptor Phase 3					\$14,000,000
128-Interceptor Phase 4					\$6,000,000
Cooks Bridge Sewer Pump Station Replacement		\$195,000	\$3,900,000		
Sewer System Infiltration & Inflow Assessment		\$1,000,000			

Conclusion: Sewer infrastructure is in place throughout the areas proposed for rezoning. DPW has requested \$1M in FY2026 for a townwide sewer system infiltration and inflow assessment to identify priority capital projects with cost estimates. At this time, DPW does not anticipate any new sewer capital projects resulting from the proposed zoning, but may adjust the scope of priority projects identified in the I/I assessment if they fall in the area of the proposed rezoning. Current conditions require the Town's investment in rehabilitating the Rt.128 sewer interceptor. The proposed zoning will not impact the scope, timeline, or estimated cost of that project. Individual housing developments will be subject to DPW's Sewer System Impact Program Regulations to reduce I/I.

STORMWATER

Background: The DPW Water, Sewer, and Drains divisions oversee the collection and transportation of stormwater (drains program) originating from rain and snowstorms for discharge into streams, brooks, rivers, ponds, lakes, flood plains and wetlands throughout Town. Stormwater and associated discharges are now considered by the federal government as potentially contaminated and have come under increasingly severe discharge performance standards. The intention is to reduce or eliminate contaminants contained in the flow washed from ground surfaces considered to be harmful to the environment. The Town's drainage infrastructure consists of approximately 100 miles of various size drainage pipes, 4,300 catch basins, 1,500 drainage manholes, and 295 drainage discharges.

⁴ DPW Sewer System Impact Program: <https://www.needhamma.gov/DocumentCenter/View/25715/Sewer-System-Impact-Program-Requirements-Final-2016>

Needham has experienced increased levels of flooding during intense rainfall events. The Town is focused on strengthening infrastructure, protecting critical assets, and educating residents about flood protection best practices. The Town is looking at two sets of strategies for stormwater management. The first are the system-wide improvements needed in the Town's stormwater drainage system. The second are site-specific improvements required of developments under the Town's Stormwater Bylaw.⁵

For system-wide improvements, DPW has requested that the May 2024 Annual Town Meeting appropriate \$250,000, as part of Article 31 for Public Works Infrastructure to supplement ARPA funds to support a Stormwater Plan that would evaluate the capacity and the condition of the existing townwide stormwater drainage system. The plan would identify, prioritize, and address the health and safety, regulatory, and capacity concerns associated with the management of stormwater. It would also provide estimates for the financial investments that would be required for the construction and maintenance of future storm drain improvement projects, including storage areas for discharge (e.g., retention ponds, underground vaults, dry wells).

The Stormwater Plan would be closely tied to the ongoing master planning of the Town's brooks and culverts, which function as another important component of the stormwater network capacity by controlling the flow of surging water during heavy rains/storms. Destructive flooding in the summer of 2023 continued a pattern of increasingly erratic weather that is expected to worsen over time, further illustrating the need to continuously maintain and improve stormwater management infrastructure through holistic planning.

In addition to the capacity and resiliency considerations, the Stormwater Plan would allow the Town to identify ways to improve surface water quality by mitigating pollutants through the stormwater drainage system. This portion of the Stormwater Capacity Plan would assist the DPW in their efforts to comply with standards set by the National Pollutant Discharge Elimination System (NPDES) permit. To meet these permit obligations, the Town must increase its investment in stormwater infrastructure management.

In April 2023, the Needham Select Board approved a Stormwater Utility Fee Program,⁶ which will spread the cost of this public service. Beginning in April 2024, residential and non-residential properties in Needham which have more than 200 square feet of impervious surface will incur a stormwater utility assessment. The assessment will be included in the monthly or quarterly water/sewer bill. Impervious surfaces are hard areas such as roofs, concrete, asphalt driveways, and patios that do not allow water to soak into the ground easily. Instead, water runs off the impervious surfaces, and then flows into a storm drain or a nearby body of water taking everything on that surface (pollution, trash, animal waste, etc.) with it. Properties with more impervious surface create more runoff and have a larger impact on water quality and quantity, therefore the fee charged is related to the amount of impervious area on the property. As every property generates runoff and benefits from a stormwater program, the utility model is a recommended method of collecting revenue from those who place a demand on the

⁵ Needham General Bylaws Article 7, <https://www.needhamma.gov/DocumentCenter/View/17787/Stormwater-By-Law-OTM-for-warrant-9192018-Clean-FINAL?bidId=>

⁶ Stormwater Fee: [https://www.needhamma.gov/5548/Stormwater-Utility-Fee?ct=t\(EMAIL_CAMPAIGN_5_25_2021_14_31_COPY_01\)](https://www.needhamma.gov/5548/Stormwater-Utility-Fee?ct=t(EMAIL_CAMPAIGN_5_25_2021_14_31_COPY_01))

stormwater management system. The revenue generated by the stormwater utility fee will be used to manage and upgrade our Town's public stormwater drainage system.

Site-specific improvements required of developments fall under the Town's Stormwater Bylaw, which requires new construction to collect and infiltrate 1-inch of water runoff from the roof. If a new building is located on a site with more than 4,000 square feet of impervious surface, that development is required to ensure that there is no impact from water runoff to abutting properties. The original focus of the Town's Stormwater Bylaw was on water quality and reducing pollutants. The Select Board has appointed a Stormwater Bylaw Working Group⁷ to make recommendations for revisions to the Town's bylaws to strengthen requirements related to stormwater capacity. Recommendations from this working group are anticipated in 2025.

American Rescue Plan Act (ARPA) Project	Amount
Town Reservoir sediment removal	\$2,150,000
Walker Pond Improvements	\$750,000
Rosemary Lake Sluiceway Replacement	\$120,000

FY25 - 29 Stormwater Capital Project Requests:

Project	FY25	FY26	FY27	FY28	FY29
NPDES Support Projects		\$816,000	\$987,000	\$1,200,000	\$1,200,000
Public Works Infrastructure: Storm Drain Capacity	\$250,000				\$250,000
Public Works Infrastructure: Brooks & Culverts	\$225,000		\$1,100,000	\$250,000	

Conclusion: As projected flood risk continues to increase, addressing stormwater quality and capacity will be a Town priority for the foreseeable future. There has been flooding throughout Needham, including in some of the areas proposed for multi-family housing zoning. DPW has a variety of [stormwater improvement projects](#) completed, in process, and planned for throughout town. These and future investments will be informed by a townwide master plan and individual project scopes will be adjusted based on any zoning changes.

Housing developments under this proposed zoning are subject to the Town's Stormwater Utility Fee and Stormwater Bylaw, and to any future amendments of the Stormwater Bylaw adopted by Town Meeting to strengthen on-site requirements for stormwater retention. New developments will also be subject to local and state wetlands regulations and the Town's Flood Plain District requirements.

ROADWAYS

Background: The Department of Public Works is currently working on a redesign of two of the three main arterials running through the proposed zoning areas: Great Plain Avenue from Linden Street to Warren Street and Highland Avenue between Webster Street and Great Plain Avenue. The goals for these roadway improvement projects are to design with a Complete Streets approach, to slow car

⁷ Stormwater Bylaw Working Group: <https://www.needhamma.gov/5492/Stormwater-By-Law-Working-Group>

speeds, better accommodate bicycles and pedestrians, and improve traffic flow. The redesign of Great Plain Ave will be funded by Chapter 90 and completed in 2025, with construction anticipated in 2026-2027. The Highland Avenue project is estimated in the next 5 – 7 years. This project will be designed with Chapter 90 funds, with a goal of having construction funded by the State if it is accepted as a Transportation Improvement Program (TIP) project. The designs of both projects are in an early enough stage that they will incorporate the anticipated traffic volumes associated with the proposed zoning.

DPW undertakes a periodic analysis of roadways townwide to determine a pavement condition index for each street to prioritize maintenance projects. A recent surface treatment of Chestnut Street was completed in 2023; one segment of the road was redone by Eversource after the completion of a gas main project with the balance undertaken by the Town due to need based on the roadway condition.

The Department is currently partnering with the Metropolitan Area Planning Council (MAPC) to complete a Transportation Master Plan, anticipated by the end of 2025. This master plan will analyze Needham's existing transportation infrastructure from a holistic perspective, not just in terms of infrastructure maintenance but also in terms of safety considerations, use patterns and traffic flows, community connectivity, walking and biking accommodations, and how to best bridge gaps. The plan will be a foundational document from which the Town's Mobility Planning & Coordination Committee will establish transportation goals, set standards governing when and where to install bike lanes, identify target areas for improvement, and cost out solutions. The study will also investigate how the Town's transportation network integrates with surrounding communities to improve multimodal connectivity throughout the region.

FY25 - 29 Roadway Capital Project Requests:

Project	FY25	FY26	FY27	FY28	FY29
Public Works Infrastructure: Street Resurfacing	\$1,700,000	\$1,800,000	\$1,900,000	\$2,000,000	\$2,000,000
Public Works Infrastructure: Sidewalks	\$995,000	\$1,100,000	\$1,100,000	\$1,200,000	\$1,200,000
Public Works Infrastructure: Intersection Improvements	\$1,100,000 Hunnewell at Central	\$1,300,000 Central at Great Plain	\$405,000 Central at Gould; Kendrick at 4	\$802,000 Central at Gould	\$250,000 Great Plain at Greendale

Conclusion: Major roadway improvement projects of two of the three main arterials running through the proposed zoning areas are underway. Improvements to Chestnut Street are not currently in the Town's FY25-29 capital improvement plan and may become a priority, depending on where multi-family development occurs. There has not been a feasibility study nor design of what a major roadway improvement project of this corridor would cost, but the Department has suggested \$10 - \$20 million as an order-of-magnitude estimate to undertake a major redesign of Chestnut Street, including drainage infrastructure, wider sidewalks, new pavement, and other amenities.

The Town has also studied the build-out of additional segments of the Rail Trail, between High Rock Street to Needham Junction and from Needham Heights to Newton. Funding for these projects, or

alternative networks of bicycle accommodations on our roadways, are not currently in the Town's FY25-29 capital improvement plan and may become a higher priority with an increase in nearby, transit-oriented development.

PARKING

Background: Needham's current zoning by-law requires 1.5 parking spaces per housing unit. The proposed zoning reduces that requirement to 1 parking spot per unit for multi-family residential uses in the overlay area only. This is informed by two parking studies: the Metropolitan Area Planning Council's Perfect Fit Parking study⁸ and the Needham Center & Needham Heights Parking Study conducted for the Town by Stantec in 2023.⁹

MAPC has conducted four phases of their study, conducting overnight weeknight parking counts at multi-family housing sites in Greater Boston to get data on peak parking utilization. Phases 1 and 2 examined nearly 200 sites and found that "only 70% of the off-street parking spaces provided at multifamily developments were occupied during peak hours (in the middle of the night), while Phase 3 similarly found only 76% parking utilization during peak hours." Needham participated in Phase 4 of the study, which focused on communities west of Boston (Bedford, Belmont, Brookline, Concord, Framingham, Lexington, Natick, Needham, Newton, Sudbury, Waltham, Watertown, and Wayland). Parking counts were conducted at 37 multi-family housing sites and concluded that the parking supply was 1.45 spaces/unit while the parking demand was 0.92 spaces/unit. This is a parking utilization rate of 62%. The data collected in Needham showed a parking utilization rate of 57%, with parking supply of 1.20 spaces/unit and parking demand of 0.57 spaces/unit.

As part of a comprehensive parking study undertaken by the Town of Needham, Stantec provided a zoning analysis comparing Needham's requirements for parking in comparison to best practice national standards. In nearly all categories of land use, including residential, office, medical office, and retail, Needham's zoning requirement is higher than the national standards. For residential developments, the national standard is 1.15 spaces per unit.

The proposed zoning does not change any of the parking requirements for non-residential uses.

Conclusion: The parking requirement of a minimum of 1 space per unit is expected to be sufficient. A multi-family housing developer may choose to build additional parking, if they believe that a higher ratio is necessary to successfully rent or sell each unit based on market demand.

ENVIRONMENTAL

Housing more people in denser homes has net positives for the Town's per-capita emissions. The areas that have been selected for rezoning are largely already developed and seek to promote "in-fill" development or redevelopment that takes advantage of the fact that there is already utility infrastructure and a pre-existing building footprint that limits the need to add additional impervious surfaces. In addition, increasing public transit ridership and reducing transit-related emissions is one of the goals of Needham's Climate Action Roadmap, which is why revising local zoning requirements to ensure compliance with the MBTA Communities zoning law is one of the stated actions in the Roadmap.

⁸ MAPC Parking Study: <https://perfectfitparking.mapc.org/>

⁹ Stantec Parking 2023 Study: <https://www.needhamma.gov/5383/Needham-Center-and-Needham-Heights-Parki>

Neither the MBTA Communities Act nor the proposed local zoning override state or local environmental regulations. The Town's existing bylaws (e.g., stormwater, floodplain, and wetlands) will still be applicable to any new development that occurs in these rezoned areas. This proposal does not rezone any Town-owned open space for housing.

Needham adopted the Opt-In Specialized Energy Code at the October 2023 Town Meeting, effective July 1, 2024. Any new multi-family housing over 12,000 square feet will need to meet Passive House standards and any new multi-family housing under 12,000 square feet will need to be all-electric or if using fossil fuel combustion systems, will need to provide pre-wiring for future appliances and HVAC electrification and install solar to offset energy usage.

DRAFT

Tax Implication Analysis of MBTA Communities Scenarios

Town of Needham, Massachusetts

April 5, 2024

The Town of Needham engaged RKG Associates, Inc. (RKG) to conduct an analysis of the impacts of the MBTA Communities rezoning scenarios on gross property taxes. The focus of this analysis was to understand the tax implications of shifting a parcel of land within the MBTA District from a commercial/industrial use to a residential use. Since Needham has a split tax rate where residential property is taxed at a lower rate than commercial/industrial property, shifting the use of a parcel could reduce its annual tax payment.

Recognizing that the ability to permit multifamily housing as of right in the MBTA District could result in some parcels redeveloping, the Town wanted to try to quantify the potential impact of redevelopment on the tax base.

To do that, RKG worked closely with the Town's Assessor to collect FY24 property assessments and total tax bills for every parcel that falls within the proposed MBTA Districts under the Base Compliance and the Neighborhood Housing Plan scenarios. RKG analyzed the property tax implications for four build-out scenarios in total, which included:

- Base Compliance Scenario using the Propensity for Change Model to Estimate Build Out (222 Units)
- Base Compliance Scenario Full Build (1,868 Units)
- Neighborhood Housing Plan Scenario using the Propensity for Change Model to Estimate Build Out (1,099 Units)
- Neighborhood Housing Plan Scenario Full Build (3,339 Units)

For each of the four build-out scenarios, RKG selected all impacted parcels within the proposed MBTA Districts and joined their parcel information with the assessed value and total tax bill information from the Town's Assessor. This created a link from each MBTA District parcel to the taxes currently paid in FY24. RKG summed the total tax bills for these parcels and compared those totals to the gross property tax revenue projections from RKG's fiscal impact model. The following page shows the comparisons of existing property taxes today to the projected property taxes under each MBTA District scenario.

Property Tax Comparison – Base Compliance

The two tables below illustrate the differences in the use of the parcels, total assessed value, and total property taxes between the FY24 existing conditions and the MBTA Base Compliance scenario. Under the propensity for change model, RKG is only projecting 57 parcels to redevelop yielding a potential for 222 multifamily units. Under this scenario, the projected property taxes are not enough to cover the transition of 43 parcels from commercial to residential classification. There is a projected loss of nearly \$150,000 in gross property taxes. This is mostly due to the low number of units (222) projected under the propensity model scenario, but again, this is a projection and not prediction of what will happen in the future.

Under the Base Compliance full build scenario, the gross property taxes are enough to offset the loss of commercial properties because of the much higher total unit count of 1,868 units which drive far more value than the propensity for change model.

Base Compliance – Propensity Model

Scenario	Commercial/ Industrial Properties	Residential Properties	Total Assessed Value	Total Property Taxes
Existing Conditions	43	14	\$40,634,700	\$884,215
Base Compliance	0	57	\$58,707,000	\$735,012
Difference	-43	43	\$18,072,300	-\$149,203

Base Compliance – Full Build Model

Scenario	Commercial/ Industrial Properties	Residential Properties	Total Assessed Value	Total Property Taxes
Existing Conditions	85	25	\$223,908,700	\$4,768,964
Base Compliance	0	110	\$493,152,000	\$6,174,263
Difference	-85	85	\$269,243,300	\$1,405,299

Property Tax Comparison – Neighborhood Housing Plan

The two tables below illustrate the differences in the use of the parcels, total assessed value, and total property taxes between the FY24 existing conditions and the MBTA Neighborhood Housing Plan scenario. Under the propensity for change model, RKG is projecting 80 parcels to redevelop yielding a potential for 1,099 multifamily units. Under this scenario, the projected property taxes are enough to cover the transition of 60 parcels from commercial to residential classification. There is a projected increase of nearly \$2M in gross property taxes over existing tax amounts. This is due to the higher total unit count (1,099) projected under the propensity model scenario.

Under the Neighborhood Housing Plan full build scenario, the gross property taxes continue to be more than enough to offset the loss of commercial properties because of the much higher total unit count of 3,339 units which drive far more value than the propensity for change model.

Neighborhood Housing Plan – Propensity Model

Scenario	Commercial/ Industrial Properties	Residential Properties	Total Assessed Value	Total Property Taxes
Existing Conditions	60	20	\$79,142,600	\$1,689,551
NHP	0	80	\$290,136,000	\$3,632,503
Difference	-60	60	\$210,993,400	\$1,942,951

Neighborhood Housing Plan– Full Build Model

Scenario	Commercial/ Industrial Properties	Residential Properties	Total Assessed Value	Total Property Taxes
Existing Conditions	85	24	\$205,828,400	\$4,538,096
NHP	0	109	\$881,496,000	\$11,036,330
Difference	-85	85	\$675,667,600	\$6,498,233

From: [Ronald W. Ruth](#)
To: [Lee Newman](#); [Alexandra Clee](#)
Subject: Work Force housing
Date: Monday, April 8, 2024 11:15:32 AM

Lee and Alex, I see that in Appendix B to the MBTA Sample Zoning that Work Force housing up to 120% of AMI is permitted and could achieve MBTA compliance. I think this may warrant further consideration.

Thanks,

Ron

Appendix B. Affordable Housing Section 3A and Affordable Housing Section 3A does not address affordable housing. Section 4.b. of the Compliance Guidelines addresses affordable housing as noted in the comments for Section [x] H. Affordability Requirements. Municipalities have an option to include deeper affordability requirements with EOHLC approval of an Economic Feasibility Analysis (EFA). Guidance related to submission of an EFA can be found on the mass.gov/mbtacommunities web pages. A community may impose affordability restrictions as permitted by the Compliance Guidelines without such restrictions being inconsistent with the as of right multi-family use required by Section 3A. The community's requirements also need not be tied to the use of the Site Plan Review process. (See Appendix G. Site Plan Review.) Affordability requirements can be tied to the as of right use or as part of a special permit process with development incentives – an option for a special permit is discussed in Appendix D. Special Permits. Affordability under the Compliance Guidelines is restricted; the use of special permits may provide greater flexibility for specific local initiatives for affordable housing above the requirements allowed by the Compliance Guidelines. Workforce Housing: Affordability Requirements for units over 80% of AMI Communities may choose to work towards including their units on the Subsidized Housing Inventory (SHI) which must be restricted to be affordable to households making not more than 80% of the AMI and meet other SHI eligibility requirements. However, some communities are addressing local needs for Workforce Housing that has affordability requirements for households making over 80% of AMI – typically between 81% and 120% of AMI. Affordable units that are restricted to households in that income range will not qualify for the SHI because of the higher income levels. Such affordable workforce units must have recorded deed restrictions and must be monitored for compliance with income restrictions. MassHousing provides information about their Workforce Housing Fund and the program guidelines here: <https://www.masshousing.com/developers/workforce-housing> Subsidized Housing Inventory In Section [x] H. Affordability Requirements, optional language in the Sample Zoning ties the creation of Affordable Units to the SHI. For units to count on the SHI, they must comply with all applicable requirements under 760 CMR 56.00 et seq., including without limitation (a) income limitations no higher than 80% AMI, (b) receipt of a state subsidy, which may take the form of technical assistance under EOHLC's Local Initiative Program/Local Action Unit Program, and (c) recordation of an affordability restriction with

the records of the Registry of Deeds. Section 3A/MBTA Communities: Sample Zoning 37 Note that any development standards for SHI units must comply with the requirements of an eligible subsidy program. (This may apply to both Section [x] H. Affordability Requirements and Section [x] G. General Development Standards.) SHI eligible units may be subject to a recorded regulatory agreement with the relevant subsidizing agency. In the case of Local Action Units created through EOHLC's LIP program, such regulatory agreement shall be executed by the developer/project sponsor, the municipality, and EOHLC in accordance with Local Initiative Program regulations and guidelines. Communities using the Local Initiative Program/Local Action Unit Program should coordinate with EOHLC early in development process to ensure compliance with program and development requirements (e.g., unit size, number of bedrooms required, or long-term use restriction/ regulatory agreement to be executed with EOHLC). Resources For detailed information about SHI eligibility and a list of Eligible Subsidy Programs, please review EOHLC's G.L. c. 40B Guidelines: <https://www.mass.gov/doc/guidelines-gl-c40b-comprehensive-permit-projects-subsidizedhousing-inventory/download> For more information about the LAU Program, visit the LIP/LAU Program website: <https://www.mass.gov/service-details/local-initiative-program> Other resources to review include MHP's Local Action Units Guidelines: <https://www.housingtoolbox.org/resources/local-action-units-laus-guide> and EOHLC's 40R program if the community does not already have a 4

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