

Town of Needham, Massachusetts
Housing Needham Advisory Group (HONE)
Public Services Administration Building, 500 Dedham Ave.
Minutes
April 18, 2024

Place: Charles River Room and Virtual via Zoom
Present: Karen Calton, Heidi Frail, Michael Diener, Natasha Espada, Liz Kaponya, Kevin Keane, Jeanne McKnight, Ronald Ruth
Absent: William Lovett
Staff: Katie King, Deputy Town Mgr.; Lee Newman, Dir. of Planning & Community Dev.
Guests: Christopher Heep, Town Counsel
Remote Guest: Emily Innes, Innes Associates

Call to Order

At 7:03 pm, H. Frail called the meeting to order, performed roll-call; the meeting is being video recorded.

Welcome and Meeting Goals, *Co-Chairs, Heidi Frail and Natasha Espada*

H. Frail reviewed the meeting goals.

HONE Composition Update, *Co-Chairs, Heidi Frail and Natasha Espada*

Joshua Levy has been elected to the Select Board and has stepped down from the HONE Committee as a Select Board liaison. Replacing J. Levy as Finance Committee liaison is Karen Calton.

Jeanne McKnight is no longer a member of the Planning Board (due to not running again in the election) but remains a HONE member, as the Planning Board designee.

Approval of Minutes from Prior HONE Meetings

MOTION: R. Ruth moved and K. Keane seconded to approve the meeting minutes of 03/07/24 and 3/28/24 with non-substantive edits.

Vote: K. Calton, **abstained**; M. Diener, **aye**; N. Espada, **aye**; H. Frail, **aye**; L. Kaponya, **aye**; K. Keane, **aye**; J. McKnight, **aye**; R. Ruth, **aye**. **Motion Carries: 7-0**

Update on Fiscal Impact Analyses, *Katie King, Deputy Town Manager*

K. King shared Tax Implication Analysis of MBTA Communities Scenarios, from the **Meeting Packet**.

At previous HONE meetings, Consultants provided analysis for the **Propensity for Change** that showed the Likely Build-Out and school enrollment numbers as well as the **Fiscal Impact Analysis** for both Plans.

Consultants clarified the implications of the split tax rate using both Plans:

- How would tax revenue generated from one unit compare with operating costs incurred by the Town and schools to support that unit?
 - o Consultant analysis showed the per unit revenue would exceed costs to the Town and schools.
 - o HONE met with Finance to discuss the results of the analysis. Further clarification was needed.
- When looking at gross tax revenue of parcels to be rezoned, how is revenue generated?
- What tax revenue would be generated today or future if the unit was built-out under either Plan?
 - o Needham has a split tax rate (Commercial rate of \$24.57 per \$1,000 of assessed value versus the Residential rate of \$12.52 per \$1,000 of assessed value).

- o We are rezoning areas that have a lot of commercial development existing today.
- o Though adding assessed value when creating a new development probably at higher density, if those all turn over to residential, what would be the tax revenue implications?

Methodology

The Assessor's office provided existing tax revenues by parcel. Consultants provided the **Propensity for Change** model (**Likely Build-Out**) of anticipated assessed value and the **Full Build-Out** for each Plan.

Two observations:

1. The model assumes 100% residential Build-Out though some developments may be mixed use.
2. It was assumed that buildings would be Built-Out to maximum dimensions under the zoning.

Property Tax Comparison projections for the Plans were reviewed from the Meeting Packet at: <https://www.needhamma.gov/Archive.aspx>

Results compared tax revenue generated for likely redevelopment under each Plan and considered the impact of changing a commercial parcel to a residential parcel. In conclusion, the Town needs to generate net positive gross tax revenue, and mixed use could increase revenue beyond conservative projections.

Members discussed Assessor's data on actual tax revenue received for larger housing projects in existence. The Consultants' \$3,100 per unit tax revenue estimated is very, very conservative compared to the actual tax revenue the Town is likely to see from redevelopment. These numbers are meant to give an order of magnitude and not to be taken literally.

Matters not reasonably anticipated by the Chair 48 hours in advance

Discussion of Citizens' Petition, Gary Ajamian

HONE will hear the Citizens' Petition on 4/25 and provide feedback to the Select Board and FinCom on whether HONE feels the work done by HONE Consultants has satisfied the purpose of the Citizens' Petition.

Memo on Capital Impacts Assessment Related to Proposed MBTA Communities Act Zoning

K. King reviewed her 4/16/24 memo to the HONE Advisory Group.

The memo was taken from RKG's analysis of Likely and Full Build-Outs as well as school enrollment revealing where and at what pace development is likely to occur. Results were then shared with Town departments. Staff met with department heads to understand current infrastructure, needs, and anticipated impacts of the zoning. This memo records conversations and analyses conducted by each department. Highlights are available in the Meeting Packet is available at: <https://www.needhamma.gov/Archive.aspx>

Town Staff conducted a conservative analysis to determine if the School Master Plan (School Committee preferred scenario) which includes placing grades 6-8 at Pollard School and renovating Mitchell School, would have enough capacity to support all elementary students and middle school students anticipated from this zoning. The answer is yes with one caveat. The preferred Master Plan would place grades 6-8 at Pollard School, renovate the Mitchell School and convert the High Rock School to a sixth elementary school, which adds capacity at the elementary school level. The added enrollment from the Base

Compliance Plan Likely and Full Build-Outs and the NHP Likely Build-Out fits within the capacity of the plan.

If we took the student enrollment in the Full Build of the NHP, the School Committee Master Plan preferred scenario would accommodate all of those students *if* the Mitchell School was a 4 section school as opposed to a three section school. The School Committee has been thinking about both.

They did a similar analysis. If all students that are anticipated to be generated from this zoning showed up on day 1 in middle school, would there be enough capacity at the Pollard School for them? Yes.

The overall conclusion is that the existing School Committee Master Plan will accommodate anticipated student growth. The student data sources used were consistently conservative with RKG using Area data which was higher than Needham Public Schools data and student "yield" was not considered.

This zoning is not prompting or changing the scope of the School Master Plan. It exists and needs to happen under current conditions. It just happens to be able to accommodate the student growth under this zoning.

K. King reviewed impacts to Police and Fire, Department of Public Works, Water, Sewer, Stormwater, Roadways, Parking and Environmental which are detailed in a memorandum the Meeting Packet. Both Fire and Police Chiefs don't anticipate any impacts to their departments. Members confirmed with Town Counsel that developers cannot secure a Building Permit if they cannot meet building code requirements including stormwater, floodplain, and wetlands regulations.

Members discussed as the need for arranging a Traffic Study on the proposed zoning. They agreed to conduct the study if funds could be identified as they cannot determine current traffic counts and conditions at major intersections.

MOTION: K. Keane moved and N. Espada seconded to fund and conduct a Traffic Study at an accelerated pace before the October Town Meeting.

Vote: K. Calton, **aye**; M. Diener, **nay**; N. Espada, **aye**; H. Frail, **aye**; L. Kaponya, **aye**; K. Keane, **aye**; J. McKnight, **aye**; R. Ruth, **aye**. **Motion Carries: 7-1**

The memo provides clarity on parking. There will continue to be no overnight parking in Needham. The proposed parking minimum of 1 space does not create more but less traffic. A developer may choose to add more than the minimum of 1 parking space.

Presentation of Draft Zoning Articles, *Emily Innes, Innes Associates; Lee Newman, Director of Planning and Community Development; Christopher Heep, Town Counsel*

Draft Zoning Articles are available in the Meeting Packet at: <https://www.needhamma.gov/Archive.aspx>

Consultant, E. Innes noted two cautions:

1. The requirements for multifamily as of right use should not conflict with requirements for other uses.
2. The development standards and design guidelines should be consistent with the as of right use and not so overly burdensome as to create barriers to the as of right use.

E. Innes laid out the format for Zoning Articles. She described each section and why it was included and what its purpose was, and also explained some of the details in subsections.

ACTION: E. Innes will clarify wording in the proposed zoning Bylaw in case the Solar Bylaw Article allowing solar installations by right passes at Town Meeting. Have the requirements follow the Solar Bylaw Article.

The NHP cannot pass alone. The Zoning By-Law Change for Base Plan must pass first. NHP zoning can then be discussed and amends the Base Plan if passed.

If Base Plan passes, the zoning map change for the base plan must pass. The next article would add/modify the subdistricts for the NHP Plan if it passes. If the NHP passes, the zoning map change for the NHP must pass.

Workforce Housing

At the Community Meeting, there was a call for Workforce housing. HONE members, R. Ruth, H. Frail and L. Newman discussed incentivizing developers as an option to use the fourth story, half floor as workforce housing at 80% to 120% AMI (average median income) in the Neighborhood Housing Plan only.

Members discussed whether it is equitable to identify residents as workforce as opposed to seniors or disabled residents.

MOTION: N. Espada moved and K. Keane seconded that the HONE Committee adopt workforce housing as a bonus incentive for a half story in the Neighborhood Housing Plan Districts of Chestnut St. Garden, Chestnut St. East, and Chestnut St. West and the Business District . Workforce Housing would mean an additional 7.5% (above current zoning) would be for a total of 20% of units set aside as affordable / workforce housing units.

Vote: Unanimous. **Motion Carries:** 8-0

100 West St. Parcel, Carters Building at Avery Square Overlay

Since HONE is establishing the zoning dimensional requirements for this District, members should be aware the property owners would like setbacks changed to be allowed to accommodate open space and ancillary uses and amenities.

The rule mandates the residential zone line to be 30 feet in and the remaining land must be landscaped.

The Consultant is concerned that the residential line is not included in the zoning or model as restricted which has the potential to alter the compliance model since only full parcels were modeled. The Executive Office of Housing and Livable Communities (EOHLC) will review the model and could determine the split lot is half residential and not suitable for building development.

This is the only parcel in this overlay, so it would not affect all the models.

The State mandated modeling to follow lot lines, but the Avery Square is split between two Districts with the overlay zoned over the entire parcel District.

Also, the property owners would like the height increased from 44 feet to 49 feet. Currently, that height is achieved only through a Special Permit which takes us out of the MBTA Communities by right system.

L. Newman, E. Innes and HONE members discussed setbacks in the Avery Square District and agreed it would be easiest to create setbacks and state which specific uses are allowed which distances from the lot line.

ACTION: E. Innes and L. Newman will work out exact setback dimensions.

ACTION: L. Newman will reach out to property owners of the 100 West St. parcel to discuss a solution. Members agreed to keep the setback at the fourth floor because that is what Town Meeting approved.

E. Innes clarified with members a setback in the overlay versus a step back for fourth floor recess.

ACTION: L. Newman and Consultants will clarify to which buildings this applies.

E. Innes clarified that a subdistrict is part of a multifamily overlay, not a separate entity. The multifamily overlay has multiple subdistricts within it. Property owners can choose between underlying zoning or the overlay with overlay rules based on the subdistrict they are in.

ACTION: N. Espada requested the Consultant compare current stormwater development zoning standards to changes made with MBTA Communities Law zoning to identify any differences.

Town Counsel clarified the Accessory Dwelling Unit Bylaw does not conflict with MBTA Communities Law as ADU use supposes one principal use and separate or attached accessory, residential use on the same property. In MBTA Communities Law zoning, dwelling units are all within the same building or a set of buildings. None of these units should qualify as ADUs. They should be independent, free-standing units.

ACTION: Counsel recommends revising language to require that all structures on the lot be shown on the Site Plan.

ACTION: L. Newman will provide members and Staff with Articles 3 and 4 before the next meeting.

Members discussed projected traffic volumes or conducting a professional Traffic Study. Consultants modeled the number of units or projected square footage and projected traffic volumes to reach a total.

ACTION: Consultants and Counsel will revise this to be more specific in the Bylaw.

Consultants clarified that this applies to all multifamily developments including three-families or two duplexes on a site. Counsel suggests assigning the Waiver to the Planning Dir. or Building Commissioner for daytime consult to prevent incomplete applications after filing and waiting for hearing notice.

Next Steps

4/25, Last HONE Meeting to finalize everything

- Prepare to discuss the zoning plan and all of the Capital Analysis discussed and requested changes
- Consultants will prepare some Bylaw changes discussed
- Presentation of Citizens' Petition by Gary Ajamian

4/30, Joint meeting with HONE Advisory Board, Finance Committee, Planning Board, and Select Board

- HONE will present the MBTA Communities Law zoning including the final report from Consultants
- Report feedback to Select Board and FinCom for satisfaction of Consultants' work to satisfy Petition
- Turn everything over to the State for review

Adjourn

MOTION: K. Keane moved and R. Ruth seconded to adjourn the meeting at 9:58 pm.

Vote: Unanimous. **Motion Carries:** 8-0

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