



Town of Wayland Massachusetts

Planning Board Meeting Minutes for Meeting of June 21, 2016

**7:30 P.M. Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of the Meeting
Approve Minutes of June 7, 2016, Zoning Articles Fall Town Meeting**

7:35 P.M. 52-60 Rice Rd LEGAL NOTICE PUBLIC HEARING NOTICE

The Wayland Planning Board will hold a public hearing on Tuesday evening, June 21, 2016 at 7:35 PM, in the Wayland Town Building, 41 Cochituate Road, Wayland, MA The purpose of the hearing is to act on an application for a Conservation Cluster Special Permit for 52-60 Rice Road to develop the property into single family house lots and preserving house # 60 Rice Road. The proposed development will have a net increase of 2 houses. The public is invited to attend and offer comments regarding this application.

8:00 P.M. Attend Affordable Housing Meeting with Town Boards and Committees that deal with Affordable Housing issues: Planning Board, Housing Authority, Municipal Housing Trust and Housing Partnership. Agenda posted under Housing Partnership.

9:30 P.M. Adjourn

In attendance: Reck (Chair), Montague, Hill, Riley.

The meeting was called to order at 7:35 PM in the Senior Center Meeting Room.

Public Comment

None.

New Business

52-60 Rice Road Conservation Cluster Special Permit Application

Mr. Reck read the public hearing notice.

Tom Greenaway, the applicant, provided a presentation. Offered his view on the public benefits to the application. Proposal to donate 40% of land as open space

(100,988 sf). Will provide screening along southern boundary. The house on Lot 3 is being pulled further back from Rice Road. Tom provided photos of site. Tom stated that they are willing to create a “no disturb zone” 50’ in width parallel to Rice Road on Lots 3 and 5.

Sarkis reported that the Board of Health agent witnessed perc tests – all lots passed.

Sarkis mentioned that Board could impose a height restriction for buildings, and conditions protecting trees.

There was some discussion of the access road for the conservation land. Andrew and Dan expressed a desire for the house on Lot 3 be located on the existing house footprint.

Dan asked whether a septic system would be allowed under the Bylaw in the 50’ buffer zone. Sarkis says there is precedent for it.

Betsy Brigham – “how did you arrive at the 5 lots for the application?”

Dalia, Rice Road – “what are the square footage of the houses?”

Several residents wanted to continue with the hearing and requested more time to speak.

S.Sarkisian stated that we would devote more time to the abutters at the next meeting.

Hill moved to continue the hearing to July 5th. Seconded by Montague.
Approved 5-0.

Town Planner Report

Sarkis reported on the status of the state zoning reform act.

Joint Affordable Housing Committee Meeting

The Board joined the other members of the Ad-Hoc Joint Housing Committee for a meeting in the same senior center conference room.

Meeting #4

June 21, 2016

Invited Participants (*attended meeting)

Town employees

*Sarkis Sarkisian, Town Planner

Nan Balmer, Town Administrator

*Brian Boggia, Executive Director, Wayland Housing Authority

*Katherine Provost, Wayland Housing Authority

Wayland Planning Board

Kevin Murphy *Ira Montague

*Daniel C. Hill

*Andrew Reck, Vice Chair

*Nicole Riley, Associate Member

Wayland Housing Authority

*Kevin Goodwin, Chair *Susan Weinstein,
ViceChair

Russell Ashton *Mary Antes

Jackie Ducharme

Municipal Affordable Housing Trust Board

*Stephen A. Greenbaum, Vice Chair

*Brian O'Herlihy, Treasurer

Kevin Murphy *Jennifer Steel, representative from WHP

*Susan Weinstein *Mary M. Antes, Chair

Wayland Housing Partnership

Armine Roat Martin S. Nichols

Kathleen Boundy *Rachel G. Bratt,
Chair

*Mary M. Antes * Christine DiBona

Stephanie May *Patricia Mottla
Harlan

Betty Salzberg

Rachel Bratt called the meeting to order at 8:10. The boards with a quorum did the same.

Planning board members joined the meeting at about 8:30. Molly Upton attended part of the meeting as an observer.

1. Participants introduced themselves.

2. Information on existing housing programs and resources in Wayland

Brian Boggia mentioned that he recently met with a group of seniors to discuss the existing housing programs and resources in Wayland. He distributed a table listing this information. He reported that several of those who had attended the meeting complained about the asset requirements being too high to qualify for the Town's affordable housing.

Next steps: Brian B. will post the information on the WHA's website.

3. Concerns from market-rate condo owners in 40B developments

At the meeting with seniors, Brian B. noted that several were very upset about the extent to which they are "carrying" the costs of running the development, since the below market rate owners pay less per unit than the market rate owners, but that they all get the same level of services. He reported that one person calculated that this amounted to about \$100/month. While the market rate owners indicated that they understood when they bought their unit that the development would include lower income owners, they did not fully understand the implications for them, on a financial level. They also feel that, overall, the Town is having to carry these owners, since they pay lower property taxes, but that they get the same level of services as those who pay more. Brian B. underscored that the problem is not unique to Wayland; it is statewide.

Rachel mentioned that she had recently met with the Undersecretary of Housing for Massachusetts, Chrystal Kornegay, about another issue and she raised the above concern. She and her staff advised that condo association members can write to her office and that she would refer the issue to legal counsel who, perhaps, would be able to meet with them.

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Brian O'Herlihy questioned whether the ZBA could require developers of mixed income developments to provide more detailed information to market rate buyers.

Katherine noted that there is a shift to producing affordable rental units, rather than for-sale units, where this issue is not relevant.

Rachel also mentioned that the Housing Partnership had met with below market rate owners at 89 Oxbow (Nike site), who were upset about the increase in their taxes, which some feel that they cannot afford. Rachel pointed out that while the new high school and other Town improvements, the cost of which are reflected in higher taxes, will help to increase the value of our homes when we sell, the below market rate owners cannot look forward to a similar price appreciation of their homes, since they are restricted in terms of value.

Brian B. also reminded everyone that he is aware that some of the below market condo owners have violated the restrictions in their deeds in a number of ways, but that the Town does not have sufficient resources to take legal actions and to force compliance.

Next step: It was agreed that developing a Q & A information sheet would be helpful for existing and future condo owners in mixed income developments. Brian B. will work on this with assistance from Rachel.

6. Update on plans for “Whole Foods” site (Sarki)

Sarki reported on a meeting held on May 12 with the person representing the firm that owns the Whole Foods site. In short, he is not in favor of putting housing units above a supermarket and Chinese restaurant, for example, due to noise, odors, etc. He is, however, interested in affordable housing elsewhere along Route 20.

There are also wastewater discharge issues with changing any of the existing uses. The Town needs to get approval to discharge more water into the Sudbury River than is presently allowed, but this requires approval from the EPA and the state’s DEP. However, it seems that changes in the permitting process may mean that only the state would need to provide the permit. The rationale is that more outflow could be allowed because of the high quality of the water being discharged from the new treatment plant.

7. Update on Housing Production Plan

Most of the remainder of the meeting involved a discussion of a memo that Susan wrote, with edits from Rachel, concerning Town goals and strategies for meeting the state-mandated 10% affordable housing goal. Susan explained that this document is, in a sense, the most important part of the HPP, since it lays out what we hope to achieve regarding affordable housing and how we hope to achieve those goals. The bulk of the remainder of the document contains a lot of background, demographics, and housing production information. It will be written to conform with the state’s suggestions about the key sections required.

Sarki has received feedback from the state on a draft HPP document submitted several years ago indicating that we are very much on the right track – it is a solid document that just needs to be finalized. The state official also recommended that we talk more about the River’s Edge project.

Susan indicated that there were a number of policy decisions that needed resolution before the document could be finalized and submitted to DHCD. We discussed the memo and each of the items. A number of suggestions were made for revisions or to omit strategies that were either redundant or not necessary. Although we did not take votes, and not everyone agreed 100% with each item listed, there was broad support and consensus that the overall list of goals and strategies, with the recommended changes, was very much on target. BIG THANKS TO SUSAN. It looks like we will be able to finalize the report and submit it to the state without any expenditure of additional Town funds.

Next steps: Susan will incorporate the many suggestions into the Housing Production Plan. She anticipates that the report will be completed by July 13 and that it will be available for review, by anyone interested. The BOS has to submit the report before it is submitted.

8. MA Zoning Reform Legislation

In connection with the updates to the Housing Production Plan, Rachel noted that the Senate recently approved a zoning reform bill requiring cities and towns to create “by right” multifamily zones. In addition, Sarki mentioned that, under the new law, cities and towns would have the ability to decide whether, in the future, they want zoning changes to have to be approved by a 2/3 majority, as at the present time, or whether they want to go to a simple majority.

9. Policy discussion about desirability of using WAHTF for buying existing homes and writing down cost of units to make them affordable.

Issue was passed over. The WAHTF will discuss as they see fit.

10. Post-development cost certifications of the recent 40B projects in Town

Next step: Dan Hill had been authorized by the joint committee at our meeting in May to write to Nan asking the BOS to pay attention to this issue and to contact MassHousing requesting action on the two outstanding cost certifications. He did this, but he said that he had to follow up with letters to other entities, such as CHAPA. Apparently, Mass Housing has no trouble with the idea of the WHA taking over the monitoring of units that they have funded.

11. WHA taking over monitoring responsibilities

There was quite a bit of discussion about what Brian B. would need in order to take over the monitoring functions. He thought that, perhaps, an additional \$10,000-12,000 to cover more staff time might be sufficient. In addition, a later conversation pointed out that, in the absence of the Town having a housing planner, some additional funds provided to the WHA would help with paying for some needed tasks. In particular, it was noted that someone should be in charge of actually implementing the various strategies listed in the Housing Production Plan. This is a staff function but, at the present, there is no funding to cover this cost.

Next step: Mary will meet with Nan, Brian B. and Katherine to discuss the monitoring issues and how additional funds can be provided to cover WHA staff time for the tasks discussed above.

Speaker/forum on Affirmative Fair Housing

Next step: Mary Antes will explore with other MetroWest towns, perhaps through the HOME consortium, the idea of holding a forum in the fall, with a guest speaker. The purpose is to become better informed about the new federal guidelines, which direct each city and town in the U.S. to reduce racial and economic barriers for accessing affordable housing.

12. Brief update on the three housing working groups that were formed as a result of the Jan. 2014 meeting:

- Visions group, chaired by Katherine Provost has completed a draft report. The major need is for rental housing with at least 2 bedrooms.
- Zoning group, chaired by Sarki., is supposed to meet at some point after the other two groups have submitted their reports. The issue is whether the Town needs to implement any zoning changes to accommodate the needed affordable housing.
- Monitoring group, chaired by Brian B. Brian distributed his group's report. The major issue here is the monitoring of our affordable units, to assure that long-term affordability is being maintained. Each development was built under a different set of guidelines and the funding agency assigns a monitoring agent. This issue is discussed above.

Next step: Sarki is aware that there may be a need for zoning changes. There will be a number of zoning articles presented at the fall Town Meeting. He characterized these as housekeeping and clean-up of various issues. A key issue to be addressed perhaps for the spring 2017 Town Meeting, is how to create a by-right multifamily zone in Town (in addition to River's Edge), which would be needed to comply with state zoning reform legislation, if it passes.

13. New business

Sarki mentioned that he had just received a site approval application from Steven Zieff, the developer of the Mahoney's site, which includes 60 units, 25% of which would be affordable under Chapter 40B. He indicated that it first has to go through MassHousing, since they will be the funder.

The meeting concluded at 9:45 pm.

No further meetings of the Joint Committee were scheduled.

Motion to adjourn at 9:45 PM by Montague, seconded by Hill.

Respectfully Submitted,
Daniel C. Hill