



Zoning & Planning Committee **Report**

City of Newton **In City Council**

Monday, April 13, 2020

Present: Councilors Crossley (Chair), Danberg, Leary, Albright, Baker, Ryan, Wright, and Krintzman

Also Present: Councilors Greenberg, Bowman, Kelley, Markiewicz, Gentile, Laredo, Auchincloss, Malakie, Kalis, Norton, and Lipof

Planning Board: Peter Doeringer and Kevin McCormick

City Staff: Gabriel Holbrow, Community Engagement Specialist; Barney Heath, Director of Planning and Development, Zachery LeMel, Chief of Long-Range Planning; Tiffany Leung, Senior Community Development Planner; Amanda Berman, Director of Housing and Community Development; Jonathan Yeo, Chief Operating Officer; Andrew Lee, Assistant City Solicitor; Katy Hax Holmes, Chief Preservation Officer; Nathan Giacalone, Committee Clerk

#213-20 **Authorization to submit the FY21-FY25 Consolidation Plan and FY21 Annual Action Plan**
HER HONOR THE MAYOR requesting City Council Authorization, pursuant to the 2019 Revised Citizen Participation Plan, to submit the FY21-FY25 Consolidation Plan and FY21 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium.

Action: **Zoning and Planning Approved 7-0-1 (Councilor Ryan Abstained)**

Notes: Barney Heath, Director of Planning and Development, Amanda Berman, Director of Housing and Community Development, and Tiffany Leung, Senior Community Development Planner, presented the FY21-FY25 Consolidation Plan and FY21 Annual Action Plan.

Action plans are reviewed annually to assess outcomes, progress, and to look ahead in light of CDBG, HOME, and ESG allocations for the coming year. This year the five-year consolidated plan is also due. The Consolidated Plan drives the Action Plans for the next five years. In addition, the Mayor has made known that the City will receive additional funds to address economic hardships resulting from COVID-19. A plan related to emergency rental assistance, for example, is being developed and will come forward under a separate docket item. Ms. Berman and Ms. Leung then presented to the Committee (PowerPoint attached). Also attached to the report is a letter by Ms. Josephine McNeil on behalf of U-

CHAN (Uniting Citizens for Housing Affordable in Newton) that references a Brandeis University survey conducted with Newton's low-income population to determine priority needs.

Ms. Berman presented the desired timeline for decision making, through to seeking authorization from the Council. A comprehensive program of data collection and public outreach concluded with the Planning and Development Board recommending approval. The presentation of the plan to the Zoning and Planning Committee this night seeks the Committee's recommendation to authorize the Plan. If approved by the full Council, the Department will submit the final plan to HUD by May 15.

Ms. Berman described three distinct sets of funds the City receives from HUD: Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grant (ESG). The funds are proposed to be allocated in order to meet the five goals for the FY21-25 Consolidated Plan: 1. creating and sustaining affordable housing, 2. assuring fair housing requirements are met, 3. Providing human services, 4. providing supportive services for homeless and at-risk of homelessness persons, and 5. expanding architectural access.

Funds allocated for FY21 are as follows: CDBG-\$1,931,323, HOME-\$1,480,032, ESG-\$167,734. The Recommended FY21 CDBG Allocation is for 60% of the funds to go towards creating and sustaining affordable housing with the rest divided (in descending order of percentage share) among Program Administration, Human Services, and Architectural Access. Some of these percentages are capped in which case the recommended funding is the maximum amount possible. Ms. Berman then explained how the funds would be used to address each goal.

Goal #1: Affordable Housing

The intention is to develop affordable rental and ownership options and to provide financial support to income-eligible first-time homebuyers. Three projects in Newton were highlighted. FY20 funding was allocated to develop 55 affordable rental units at the Haywood House. The FY21 funds allocated through this Action Plan will continue that development with construction set to begin in the Summer of 2020. The Golda Meir House expansion project, run in coordination with 2Life Communities is a public-private partnership to develop 57 affordable rental units for seniors, including 9 for chronically homeless with disabilities. Construction is set to begin in Fall 2020. The Newton Housing Authority has also acquired CAN-Do's Affordable Housing Portfolio consisting of 33 units spread across 12 sites in Newton. There are also Rehabilitation efforts underway in 3 homeowner and 25 rental units and a down payment Assistance program for low-to moderate income first time homebuyers.

Goal #2: Fair Housing

The intention is to collaborate with the FHC and WestMetro HOME Consortium to increase knowledge about fair housing laws and practices. It also seeks to research fair housing impediments and implement actions to address them.

Goal #3: Human Services

These services provide direct aid to Newton's low-to moderate-income residents. A chart is provided (see attached PowerPoint) naming the agencies, their respective programs, and the allocation needed for each.

Goal #4: Supportive Services for Homeless and At-Risk of Homelessness

This is to provide direct support services to Newton's homeless population including financial support for existing emergency and transitional housing. A chart shows ESG service categories, provider agencies, their respective programs, and the allocation needed for each (page 17 of PowerPoint #213-20).

Goal #5: Architectural Access

The objective is to continue to fund projects across the city to facilitate accessible environments particularly for elderly and severely disabled persons, such as reconstruction of the Marty Sender Path and adding curb cuts in desirable locations.

Since Newton alone is not eligible to receive the HOME funds, the WestMetro HOME Consortium was formed in 1991 with Brookline, Waltham, and Watertown with Newton as the lead member. Since then Consortium membership has expanded to include several more communities in the Boston metro west area. The WestMetro HOME Consortium Goals were then summarized as the rehabilitation of existing units, the production of affordable units, and tenant based rental assistance.

Public comment on the Consolidated Plan and the Action Plan will be ongoing until May 5, 2020. Residents are provided the resources to properly direct their questions and feedback.

The presentation concluded. Questions, answers, and comments are as follows:

The Chair reminded the Committee that there is a separate docket item which will address emergency rental assistance made necessary due to the COVID-19 related shutdowns.

Are the affordable housing developments coming from the first year of the action plan or prior to it?

Haywood House is identified in the Action Plan as items that could be spent in 2021, the 9 units for the chronically homeless with disabilities are a requirement of the HUD settlement with the city due to shutting down the Engine 6 project.

How much of this money comes to Newton through HOME compared to the rest of the metro west consortium?

Newton has received about \$140 thousand out of the total fund of about \$1.4 million.

Referring to Ms. McNeil's letter, there was agreement that it was an important step to survey the residents receiving aid to find out what they perceive their own needs to be. Citing one of the most discussed needs being job training, is there a plan to find someone to do this?

There is a challenge for this as it needs to be an organization that meets all CDBG requirements. Secondly, if it is a public service request it comprises many other needs and most job training organizations charge high fees. Further, economic development funds are stipulated by HUD to go towards for-profit entities, eliminating many possible agencies. As an example, this condition prevented these funds from going to Newton-Wellesley Hospital for job training programs in the past as it is a non-profit. The Planning Department will continue to investigate this matter.

On the recommended service program applications, 15 were made and 13 accepted, is there somewhere an overlap of services, Career Family Opportunity Program, or is there another reason why it wasn't chosen as its funding was cut from \$35k to 0?

Being able to fund 13 proposals meant that cuts had to be made somewhere, the Committee looked hard at which programs can meet the most critical needs for the most people in the most effective way possible. The Review Committee felt that this program did not have a strong enough presence in Newton and that there were more efficient ways to spread the money to help more people. It also felt comfortable making this cut as the program said it would still work to help its individuals.

Referring to the ESG, who decides the difference between FY20 and 21 on the recommendations of the money allocated. What is the reason behind two Waltham-based organizations seeing their funding downgraded?

The Review Committee consists of HHS, Planning Staff, as well as representatives from Waltham, Brookline, and Watertown as ESG money supports all these communities as a former continuum of care group. Most service providers are also based outside the city. Some of these homeless providers are also on the committee. The reduction of funding for the mentioned proposals is due to some challenges from the programs. Specifically, this is due to strict requirements from HUD on how these programs should operate and concerns that these programs were not doing enough to permanently move individuals out of homelessness.

A formal request that in the next period of data gathering there should be an effort to speak to the recipients of the services as done in the U-CHAN survey.

The Chair clarified that the Committee role would be to vote on whether to authorize this plan to move forward for approval. She requested that through the Planning Department, an update be given on the progress of the Plan and its allocation of funds in the short term, to address the fast-changing economic conditions due to the COVID-19 virus, and changing needs.

Councilor Albright moved approval which carried 7-0 (Councilor Ryan abstaining).

#88-20 Discussion and review relative to the draft Zoning Ordinance

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Action: Zoning and Planning Held 8-0

Notes: Introducing the item, the Chair said that many residents have been contacting the Council with a wide variety of opinions on Zoning Redesign. She also reiterated that the goal of these discussions is to maximize understanding of the material as it stands, and that the final ordinance is subject to change. Additionally, the maps provided by the Planning Department are not a simple compare and contrast with the current ordinance or a line-by-line as such a comparison is not possible.

Mr. Heath, Zachery LeMel, Chief of Long-Range Planning, and Gabriel Holbrow, Community Engagement Specialist, joined the Committee to present on this item. The presentation is attached to this report.

Mr. LeMel led the presentation, explaining its two parts:

(I) comparing the current and proposed residential districts through maps and tables and (II) case studies on Building Types and alternative lot configurations.

Mr. LeMel explained that the Pattern Book is one of the most important sources for determining where the new residential district lines were drawn in the current draft. The extensive and detailed information found within the Pattern Book was used to create zoning districts that more accurately reflect Newton's physical form and uses. In this way, the proposed ordinance is intended to more accurately match what exists on the ground. Oddities in the current zoning such as country clubs, UMass Mt. Ida, and Newton-Wellesley Hospital, all zoned as residential in the current ordinance, would be zoned more accurately in the proposed ordinance. Staff reiterated that the best method of analysis when looking at these maps at present is to compare at a city-wide level, not lot-by-lot. However before finalizing these zoning districts staff will rely on the public and City Council to ensure not only that the districts are accurate to matching like with like, but also areas deemed appropriate for deviating from the existing pattern to better achieve the City's goals (i.e. more housing and economic opportunities near transit) are zoned accordingly.

The Lot Standards table, comparing the current standards with the proposed standards shows how current ordinance defined "old lot" standards require a smaller minimum lot size, smaller setbacks, and increased lot coverage allowance as compared to current ordinance defined "new lots." A benchmark referred to in this presentation is changes made to Newton zoning in the 1950s which put the city on a trajectory to a more spread out and car focused environment. Such zoning, which is Newton's current zoning, does not match Newton's goals today. The proposed ordinance is not intended to send Newton zoning back to the 1950s, but it uses that period as a reference point for how Newton's development trajectory pre-1950s was more aligned with city goals today, such as equity and sustainability.

The presentation then showed where the proposed residence districts (R1-R4 and N) are drafted and what the current zoning is of the lots that make up each proposed residence district. The majority of the

proposed R1 lots are SR1 and SR2 in the current ordinance. R1 lots tend to be larger homes on larger lots.

R2 lots will make up most residential zoning in the proposed ordinance. It would be comprised of mainly SR2 and SR3 lots in the current ordinance.

R3 lots would be comprised of mostly MR1 and MR2 lots with some SR2 and SR3 lots as well.

R4 lots, intended as higher density clusters near public transportation are comprised of what is currently MR1 and MR2 with some MR3 and business lots.

The proposed N lots number only about 500 lots and is the smallest category in the proposed ordinance. N is intended to be the transition zone from village districts into residential districts.

Another purpose of going through the breakdown of each proposed residence district was to reiterate that there is no direct comparison to a single current zoning district and a single proposed zoning district. In other words, SR1 does not equal R1, MR1 does not equal R3, and so on.

Committee members and Councilor questions, answers, and comments are as follows:

A Committee member suggested that based on where the Pattern Book and the current zoning ordinance are out of phase with each other, these instances could be fixed on their own rather than rewriting the entire zoning code.

Is reducing the size of newer lots a wise choice to make?

How should the Committee and the Council move forward from here as the residential districts will likely take up the most time? What is the long-term timeline in place?

A Councilor said that the Planning Department is driving the process too much when this role should be instead held by the City Council.

It is a good thing to identify the zoning outliers as the process has been doing so far. That is the kind of thing that can be done every 10-15 years without rewriting the entire code.

How did the Planning Department come up with its proposed setback requirements?

A: The setback requirements, and all district standards, are first derived from the Pattern Book data and are chosen to align with the existing conditions in Newton. In this way, any new development within the residence districts would strongly relate to its surroundings.

What do the green streets in the current zoning ordinance map represent?

A: That is a GIS mapping error that will be removed in future renditions.

What are the residential housing goals?

A: This has been a long-going process and part of it is to clean up the code. It is also to promote smaller houses on smaller lots with greater housing diversity and a modest increase in density.

Is lot frontage or another factor the main determinant for a lot's classification in the proposed ordinance?

A: The Planning Department will work on a clear answer to this.

Will there be more details given on the street level?

A: The Planning Department is working on providing these details. This process will improve as office hours start and working with GIS to create better maps.

The deep dive information should be more directly presented instead of directing the reader to another table.

A: The Planning Department will work to improve this.

Is the proposed lot chart supposed to have no minimum lot sizes?

A: This is correct as removing the minimum lot size is intended to promote the modest increase in density. However, setback and lot size requirements will remain in place, making buildings un-buildable past a certain point, creating de facto minimum lot standards. This is intended to be more flexible than the current ordinance and allow development more in line with neighborhood character. Cases studies will be presented in the future on this topic.

Multiple Committee members and Councilors expressed concern and had questions on the proper process to submit questions regarding Zoning Redesign along with how these materials are shared with the Committee and the rest of the Council. It was said that this issue will be addressed and clarified in a Chair's meeting with City Clerk David Olson.

Where is there concrete information that the zoning changes made in 1953 were to accommodate cars?

A: There is no specific data for this, but the Pattern Book uses historical data to describe how the city was growing at a rapid pace at that time and that the new zoning was put in place to control this change.

While the surge in car use was a main factor in Newton's 1950s zoning changes, considering the segregation environment of the time is it possible that the zoning update was also influenced by racism?

Going forward with Zoning Redesign, the City needs to be more efficient with its resources and keep environmental goals in mind.

Will residents be able to input their address to see what their current zoning is and what is proposed for them?

A: They are already able to do this with the current zoning ordinance and the Planning Department will work to make this possible for the proposed ordinance.

Demolishing more single-family housing for larger multi-family constructs will create more impermeable surfaces, can the Planning Department speak more on how this influences Newton's climate goals?

A: This is not true. The current ordinance allows for the building of more impervious surfaces than the proposed ordinance, regardless of single-family vs. multi-family. This is because the proposed ordinance limits buildable square-footage (bulk) to a greater degree than the current ordinance. The proposed ordinance definition of lot coverage includes all impervious surfaces, whereas the current ordinance only includes the building footprint.

What can we say to residents concerned about how this proposed ordinance will impact teardowns?

A: The Planning Department believes that the proposed ordinance will reduce the likelihood of teardowns. While teardowns cannot be prevented entirely, the proposed ordinance is intended to ensure that those that do happen develop in line with the community context. The Planning Department, with input from the Assessor's Office and local real estate developers, established a developed a formula to help measure what size a teardown needs to be in order to be profitable, so that zoning guidelines can develop around this measure.

Is it possible to provide examples of this teardown formula in use?

A: Presentation of case studies and the Build-Out Analysis previously provided to the City Council show these examples.

How is the "modest increase" in density defined?

A: Though the deep dive is a good place to start on this question, along with the build-out analysis and case studies, there is no precise answer to this. However, based on the data from these sources this "modest increase" can be estimated to be about 3,000 units. Staff reiterated that they did not have the exact numbers from the build out analysis in front of them and would need to confirm this number.

When referring to the "modest increase", now estimated at about 3,000 units, how does this factor in non-residence districts like the Washington Street Corridor which are seeing their own developments with large increases to housing

A: Reflect on the Consolidated Plan to see the need for more housing in Newton. It was also noted that housing numbers the Councilor shared regarding the Washington Street Vision Plan reflect the estimate before the height limit change and does not represent the City Council adopted plan. It was also noted when speaking about the maximum possible number of units, that there is no evidence to suggest Newton will meet that maximum. This is true for the current ordinance, which allows for more housing units to be built by-right than exist today.

With architects and professionals providing input on the zoning redesign process, is there a plan in place to account for them not informing the City about certain loopholes in the process which will benefit them?

A: Staff is looking to architects and other building professionals to find loopholes within the proposed ordinance. This was done for the first draft and was successful. In addition, the Planning Department current planning team and Inspectional Services Staff investigate this issue through bi-weekly meetings.

In light of the COVID-19 pandemic, will there still be a desire for high density housing centered on mass transportation? The Council should not rush this decision.

The “modest increase” needs to be understood in context as the increase will be borne mostly by R2 districts. The R1 district also needs to be reviewed to see if it takes up too much space from Newton’s other housing needs. I understand how the first draft of the residence districts matches like lots, but maybe we need to think of allowing an increase in housing in R1 so the increase in density is dispersed more equally throughout Newton.

A: The R2 district will see an increase because it is the largest district proposed. The Planning Department can study exactly how the increase in housing will be dispersed throughout the City’s residence districts.

Would a maximum height of 30 feet lead to more flat roof buildings?

How are areas like tennis courts going to be zoned?

Where is the Planning Department getting its numbers for the teardown formula from? Is there a more empirical and scientific method than just conversations with professionals?

To reiterate some important information from the Comprehensive Plan, it states that under current circumstances, Newton is not expected to add enough housing to meet the growing need.

Mr. LeMel resumed the presentation with Part II and the case studies.

19 Crescent Ave:

The purpose of this case study is to answer previous questions about the potential of subdivisions in the proposed ordinance. The lot is currently in an SR2 district but would be classified R1 in the proposed ordinance. This classification is due to the context of the house and the size of the lot. A large house on a double-sized lot, under the current ordinance cannot be subdivided: it can only be renovated, remodeled, or subject to a teardown. Under the proposed ordinance, the lot could be subdivided into two individual lots. Option 1 is to keep the original house and divide the lot to build a House B or C on the new lot. Option 2 is to tear down the existing house to then allow a more equal subdivision of the lot. A House A or B would replace the existing structure and a House B or C could be built on the new lot with a larger footprint than in Option 1.

473 Waltham Street:

This case study focuses on the courtyard cluster concept. Under the proposed ordinance, these would be allowed in all residence districts though they would require a special permit. Courtyard clusters are

viewed to help Newton achieve its housing diversity goals, though their application would be limited due to the minimum lot size requirements of either 0.75 or 1 acre depending on the district.

The current property on this site is classified SR3 and would be N under the proposed ordinance. It is located near the West Newton Commuter Rail Station and is seen as a site within the soft transition between village centers and surrounding residential neighborhoods. The current property is an outlier in its neighborhood as it's a large building on a large lot amidst smaller and denser housing. Many lots are smaller than 7,000 square feet. It is a converted three-unit building. Under the current ordinance, it can either be treated as one lot, torn down and replaced by a single-family home up to 12,500 square feet in size, or the lot can be subdivided into two lots with a 6,500 square-foot home on each. Under the proposed ordinance, this would be one of the sites in Newton where a courtyard cluster would be possible. With the requirement of one parking space per unit and a certain amount of open courtyard space, the reasonable maximum development from this configuration would be 5 buildings, and 15-units with a minimum interval of 10 feet between each one. As an N district, there is a wide variety of possible building type configurations.

Mr. LeMel then discussed the next steps. At the April 27th Zoning and Planning meeting, garages (building components and accessory structures) are set to be discussed. The Committee's "homework" is to continue reading Article 3 Section 3.3 and Article 2. A Planning Memo will be released in this week's Friday Packet, in advance of the Zoning and Planning meeting two weeks from now.

The presentation concluded and questions resumed.

Would it be possible to build three buildings or an attached dwelling on the first case study?

A: No, however a multi-family conversion of the existing structure would be possible with a special permit. It would also be possible to divide the lot and make one building a multi-family structure with a special permit.

Are there other examples of cluster housing developments in Massachusetts or the Northeast beyond one mentioned in Concord that would match the conditions in Newton?

A: The Planning Department will work to provide this information.

How is there an R1 lot so close to Newton Centre and its transportation point? Shouldn't it be a space used for a denser lot?

A: The R1 designation is due to the existing conditions today. The proposed residence districts are derived from the Pattern Book and priority was given to matching like with like. Allowing for a denser lot is a policy decision, one that seems in-line with previously stated goals of increasing density near transit hubs/village centers. However, the Planning Department seeks guidance from the City Council on such a policy decision. The proposed ordinance is not yet final so this can still be changed.

Could this proposed ordinance lead to too many older homes being torn down and is this the direction the city wants to move in? And are the special permit standards going to change at all?

Will there be greater clarification on who is driving the zoning redesign process?

A: Staff is always willing to provide clarification regarding the Zoning Redesign Process. Councilors and the public should also look to Planning Department memos provided at the beginning of this term for more background/historical information. For example, the annotated bibliographies, previously shared with the City Council in January and February 2020, offer an extensive amount of material dating back to the 2007 Comprehensive Plan.

Why is there a parking requirement for the Waltham Street development when not all families need a car in a dense housing lifestyle?

A: This requirement may change if parking limits do as well.

What is the lot size needed to apply for a cluster housing special permit?

A: 1 acre for an R1 and R2 lot and three quarters of an acre for R3, R4, and N.

How will parking garages be dealt with in the proposed ordinance?

A: A case study can be developed to answer this.

Councilor Krintzman moved hold which carried 8-0.

#30-20 **Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting amendment to Chapter 30 of Newton's Zoning Ordinance, section 3.4.4 on garages (delayed implementation until July 1). This ordinance has been delayed five times.

Action: **Zoning and Planning Held 8-0**

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with item #88-20.

#38-20 **Request for discussion relative to single-family attached dwellings**
COUNCILOR LAREDO requesting a review of the zoning requirements for single-family attached dwelling units.

Action: **Zoning and Planning Held 8-0**

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with item #88-20.

#148-20 Request to amend Chapter 30 to eliminate parking minimums
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS, GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN
seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing, and support the climate action goals.

Action: Zoning and Planning Held 8-0

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with item #88-20.

#29-20 Review and possible amendment of Demolition Delay and Landmark Ordinances
COUNCILORS KELLEY, ALBRIGHT, AUCHINCLOSS, CROSSLEY, GREENBERG, KALIS, KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, BOWMAN, HUMPHREY, RYAN AND NORTON
requesting a review and, if appropriate, an update of Chapter 22, Sections 22-50 to 22-76 that relate to demolition delays, historic designation, and landmarking.

Action: Zoning and Planning Held 8-0

Notes: The purpose at this meeting is to update the progress of the historical ordinance working group, on proposed revisions to the landmarking section of the ordinance. Director Heath, Katy Hax Holmes, Chief Preservation Officer, and Andrew Lee, Assistant City Solicitor compared the changes proposed by the working group to the current ordinance in a PowerPoint, which is attached to this report.

The presentation and discussion covered the following subjects:

Who may nominate, what makes a property eligible for Nomination, who must receive notice of a nomination (and by when), what are criteria for acceptance or rejection of a nomination, notice required to and the role of the Planning Board, designation criteria, minimum votes required for designation, and how to amend or rescind a landmark designation.

The Working Group plans to finalize Draft Ordinance language by Friday, April 17 and present its draft ordinance language at the Thursday, May 7th Zoning and Planning meeting. In advance of that meeting the Planning Department will present the draft to the NHC.

Questions, comments, and answers are as follows:

What is the role of the National Parks Service in this process?

They have no direct role; their standards were used to guide the drafting of recognized criteria.

What is the status of the appeals process?

The Working Group is looking to other communities to develop a best practices model for this. The Metropolitan Area Planning Council is still cited for administrative appeals but has indicated they wish

to back out. Atty. Lee is seeking a formal response from the MAPC but meanwhile the Committee will continue to consider an alternative.

When can the demolition delay be addressed?

This still needs to be determined.

Is there any consideration for removing a designation?

The current ordinance allows for removal, but the Working Group wants to clarify and improve the process.

Does the eligibility nomination review process also include properties not on the National Register or is that a separate step? Do properties currently on the National Register continue to be eligible?

Properties on the National Register will remain eligible for nomination. There is a separate review process for other properties deemed historically significant. There would have to be a request of the NHC to initiate this administrative review process.

Are the criteria for nomination eligibility and the NHC part of the review process?

Properties on the National register can still be nominated, others deemed historically significant are part of a separate process.

Should the presentation say notice received "within 14 days" of nomination petition being received instead of "14 days after?"

Yes, this should say "within 14 days"

Is there a timeframe for Planning Board review?

Not yet, the Working Group is developing an answer to this question.

Councilor Danberg motioned hold which carried 8-0.

The meeting adjourned at 10:49 PM.

Respectfully Submitted,

Deborah J. Crossley, Chair