

ROUTE 20 SEWER CITIZEN'S ADVISORY COMMITTEE

Zoning Sub-Committee Report

The Zoning Sub-committee met on:
Thursday, April 4, 2013
6:30 PM at Flynn Building

Sub-committee members attending:

Pete Abair, Jon Danielson, Jonathan Lapat

Additional attendees:

John Baranowsky

REPORT

The meeting was called to order shortly after 6:45 PM. Peter Abair was assigned meeting clerk.

The group discussed approaches to meeting its obligation to the full committee. The Zoning sub-committee is charged with developing a presentation that will clearly demonstrate to the community how sewer service to the district will allow for redevelopment in-line with the community vision for the area that is not inhibited by the town zoning by-law. In other words, if we build the sewer, zoning in the district will allow the kind of redevelopment that the community has supported in past visioning projects.

The sub-committee will also monitor actions of the Planning Board, as it considers changes to the town zoning that will affect the sewer district. Any real or planned changes in zoning will be reflected the presentation created by the zoning sub-committee.

In addition, the sub-committee presentation will work to identify types and size of redevelopment NOT supported by zoning.

In order to consider zoning and the community vision for the district, the sub-committee will review the following materials, in addition to other sources:

- *Route 20 Visioning* report, August , 2001
- *A Community Vision for Boston Post Road*, May, 2011
- *Zoning Bylaw Article IX, 2011*
- Route 20 Property owners survey, in development

The group also discussed potential impacts that the sewer could have in the district in supporting Chapter 40B projects. 40B projects proceed despite town planning and zoning. The existence of a sewer

could draw such projects to the district. There was a brief mention of how various communities, by incentivizing high density housing in selected locations, have been able to forestall such projects where not desired. Two such occurrences, not discussed by the sub-committee, are attached as an addendum.

It was uncertain to the group how the 40B issue could be appropriately considered by the subcommittee pertaining to the provision of a sewer in the district without substantial input from other actors. The discussion was closed pending additional input.

The subcommittee ended the meeting at 8:05 PM.

The next meeting has not been set. Proposed dates for consideration are in the first week of May. Peter Abair will provide links to the aforementioned materials for the sub-committee to review in advance of the next meeting.

Addendum

Easton

(from *Enterpriseneews.com*, March 7, 2012)

Easton's efforts to make more affordable housing in town are being noticed.

The state authority that oversees affording housing, MassHousing, recently denied a company financing to build a development in Easton under the auspices of Chapter 40B, the state's "anti-snob" zoning law. Chapter 40B allows developers to skirt local zoning regulations if they designate a portion of the development's units as "affordable."

In a letter dated March 1, Gina Dailey, director of comprehensive permits for MassHousing, said part of the reason for the denial of Saw Mill Village, a planned 36-unit complex off Foundry Street, was the town's proactive approach to creating affordable housing.

Dailey wrote that the project's proposed layout has problems, but also adds that Easton's recent designation of a Smart Growth Overlay District and approval of affordable units in the planned Shovel Works development show a commitment to affordable housing. (Smart growth is tied into mass transportation and is considered by some to be a town-friendly alternative to 40B.)

"Taken together, these municipal actions demonstrate to MassHousing that the town has made measurable progress in creating opportunities for affordable housing and multi-family housing ... and has committed significant local resources to advance these efforts," Dailey wrote.

Reading

(From *MassHousing* website)

A recent decision by MassHousing to reject a Chapter 40B proposal in Reading helps to illustrate why new 40B housing isn't always the answer . . .

The case in point involved a proposal to build 20 new affordable home ownership units on 2.16 acres. While new housing stock is needed, there were two primary reasons MassHousing rejected this proposal.

First, Reading has made a good-faith effort to increase its affordable housing stock, most notably by approving two Smart Growth Overlay Zoning Districts under Chapter 40R. These districts – one of which is located in close proximity to where the 20 new units would have been located – permit 458 new units by right. One of the points of emphasis of the Comprehensive Permit Guidelines and Regulations issued in 2008 is that Subsidizing Agencies like MassHousing should, when they are considering applications for site approval, take into account "municipal actions previously taken to meet affordable housing needs." Reading's actions in this instance were substantial.

Second, the parcel of land already included two existing homes that fit in well with the pattern of development in the surrounding neighborhood. To "de-construct" this well-established neighborhood and replace the existing homes with 20 new units of housing, especially in the context of a constrained site plan, was in our opinion ill-advised. We also viewed the site plan as inconsistent with the 2008 guidelines and regulations.

A combination of these factors led us to conclude that a site approval letter should not be issued in this instance.