

**Planning Board Meeting Minutes
(Planning Board Attendance at Select Board Meeting)
Wednesday July 12, 2023
6:00 pm
Via Zoom Remote Participation
Westwood, MA 02090**

The Planning Board attended the Select Board meeting to discuss the Potential Revisions to Westwood's MBTA Communities Action Plan.

Planning Board members present via Roll Call: Ellen Larkin Rollings, Christopher A. Pfaff, Joshua C. Ames, Philip M. Giordano and Kathleen Wynne.

Staff members present: Nora Loughnane, Director of Community & Economic Development, Elijah Romulus, Town Planner, Amanda Wolfe, Housing & Land Use Planner and Jessica Cole, who recorded the meeting minutes.

Pursuant to Chapter 2 of the Acts of 2023, On March 29, 2023, Governor Maura Healey signed into law, an Act Extending pandemic-related authorizations related to public meetings, allowing remote meeting options for public bodies through March 31, 2025. The July 12, 2023 Planning Board meeting was conducted via remote participation by the Board.

Call to Order:

The meeting was called to order by the Chair Ellen Larkin Rollings at approximately 6:12pm. The remote meeting was video recorded by Westwood Media Center and was available on Comcast channel 12, Verizon channel 42 and on Westwood Media's YouTube channel https://www.youtube.com/results?search_query=westwood+media+center.

Discussion of Potential Revisions to Westwood's MBTA Communities Action Plan

Nora Loughnane presented and gave a brief history of the MBTA Communities Law that was established in January 2021. Ms. Loughnane discussed the 3 paragraphs of the straightforward law. MBTA communities are required to create a multifamily housing zone of at least 50 acres within a half mile of the station that can hold at least 750 units of new or existing development. The MBTA Communities Law applies to 177 communities including Westwood. In July 2021, the Planning Board set up work with the Housing Partnership evaluating all properties within half a mile of the 3 T stations. Route 128 Station, Islington Station and Dedham Corporate Station.

The Planning Board then proposed the MUMFROD District, which included 3 areas, 2 at University Station and 22 Everett Street, which is under discussion.

Went to Town Meeting and in May of 2022, it was approved at Town Meeting. In November 2022 it was approved by the Attorney General. On January 31, 2023, all MBTA Communities were required to submit an Action Plan to the Department of Housing and Community Development (DHCD) – now known as the Executive Office of Housing and Livable Communities (EOHLC). Ms. Loughnane submitted it on behalf of the Town.

Westwood submitted 16.16 acres, but the Law required 50 acres. EOHLC staff met with Ms. Loughnane who expressed concern and felt the Action Plan was too vague, and said that Westwood will not receive interim compliance certification of the Action Plan unless it is amended. The Select Board and the Planning Board can amend the Action Plan in a public session.

The Planning Board will pursue an expansion of the MUMFROD District to a minimum of 50 acres in order to achieve interim compliance with EOHLC guidelines under the MBTA Communities Law.

Westwood has until Dec 31, 2024 to have Town Meeting adopt and have the Attorney General's office approve an expanded MUMFROD District of at least 50 acres.

Ms. Cummings LeBlanc stated that Westwood will consider expanding the zone.

Ms. Loughnane went over the steps needed to get to expansion if desired.

- Evaluate the existing MUMFROD Overlay District.
- Public outreach for the expansion of the MUMFROD Overlay District, if desired.
- Develop zoning amendment for expansion of the Mumford Overlay District, if desired.
- Apply DHCD's compliance model to test for density and unit capacity.
- Hold Planning Board public hearings and Finance and Warrant Commission public hearings for expansion of the MUMFROD Overlay District, if desired.

The State wants us to be compliant with their guidelines, not consider them.

Pat Ahearn, Town Counsel, the Attorney General stated that those who do not comply with this zoning process could be subject to civil rights actions. We are still in control to pick our zoning, to pick the 50 acres. We should zone additional acres to get to 50 acres or close to 50 acres.

Ms. LeBlanc asked about what language changes the Town is considering. Ms. Loughnane: The "if desired" needs to be removed and the language that "we will determine whether it wishes to propose an expansion". The State would like it to say "Westwood will propose an expansion to a minimum of 50 acres."

Board Comments:

- Mr. Ahearn: Point of Order, it requires a simple majority vote, and it has to pass at Town meeting.
- What if it does not pass at Town Meeting? *Ms. Loughnane: Interim process will be revoked.*
- What is the threshold vote? *Mr. Ahearn: Simple majority.*
- Ms. Loughnane: If it does not pass the Town will be ineligible to grants with state funding, and may take civil rights action against the Town.
- If we resubmit the Action Plan with the changes they asked for, we will be in Interim Compliance until 12/31/2024.
- Are we required to find contiguous parcels? *Ms. Loughnane: 25 contiguous acres, and land masses of 5 acres at minimum.*
- Ms. Loughnane suggested it be approved at the May 2024 Town Meeting.
- Existing stock? *Ms. Loughnane: Existing construction, 480 units of multi housing and 2 family housing none are counted towards this. The Town needs a minimum of 50 acres and the land needs to produce at least 870 units of multifamily housing and need to be available for housing.*
- How unique is our position? *Ms. Loughnane was unaware, but Westwood has been singled out as a town that did not comply. Ms. Wolfe: Many towns have said they have not written a plan at all.*
- Grants at risk? Chapter 70 and 90 funds? *Ms. Loughnane: Probably not, but other plans that Westwood traditionally takes advantage of may be at risk.*
- Amending the Action Plan, what does it require? *Ms. Loughnane can submit the amended plan, but is looking for confirmation from the Select Board and Planning Board.*
- It appears that the state is very serious about this.
- Amanda Wolfe: There is a housing need.

Public Comments :

F. Fusco, 20 Pine Lane, typed in chat: Wouldn't the number of units be 750 (15 units X 50 acres)? Not 870. Who is going to pay for kids going to our school (\$20,000/student/year). We are having constraints on our water resources as it is, our fire department is understaffed and our Westwood Police Department and traffic? We are a small town. How are we to handle all of this?

With conversations about Hale, why can't we negotiate acres there since we may possibly be giving them \$10 million?

Ms. Loughnane explained the math using the 3 criteria and chose the highest number.

The MBTA Communities Law does not come with funding. The developer would pick up some of the cost, if any land was developed. School, police and fire are picked up by the municipality. We are looking for 50 acres, simply a need to zone the land. Only 25 acres need to be ½ mile from a transit station.

Action Taken:

Ms. Loughnane asked the Planning Board to consider voting to recommend that Ms. Loughnane revise the Action Plan to show that Westwood will put forth a zone with a minimum of 50 acres compliant with DHCD requirements prior to December 31, 2024, and recommend that Ms. Loughnane remove the disclaimers that were read in the original Action Plan and restate the statements in the plan to confirm that Westwood intends to comply with EOHLG guidelines.

Ms. Wynne made the motion.

Mr. Giordano I seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Joshua C. Ames-Not in attendance at the time of the vote. He later typed in chat that he was in support.

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

Adjournment:

Upon a motion made by Ms. Wynne and seconded by Mr. Giordano, the Planning Board voted in favor (4-0) via roll call vote to close the public hearing.

Roll Call Vote:

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes