

**24-084**  
**PLANNING AND PERMITTING COMMITTEE**  
**MEETING REPORT**  
**WEDNESDAY, APRIL 24, 2024 @ 6:00 P.M.**

Attendees: Council Vice President Kit Collins, Committee Chair; Councillor Matt Leming, Committee Vice-Chair; Council President Isaac “Zac” Bears; Councillor Anna Callahan; City Clerk Adam Hurtubise; Emily Innes, Innes Associates; Paula Ramos Martinez, Innes Associates; Attorney Jonathan Silverstein; Jimmy Rocha, Innes Associates; Building Commissioner Scott Vandewalle; PDS Director Alicia Hunt; Brenda Pike, Planning, Development and Sustainability; Adithi Moogoor, PDS; Carsten Snow-Eikelberg, Massachusetts Housing Partnership; Laura Shufelt, Massachusetts Housing Partnership; other participants as noted in the body of this report.

Vice President Collins called the meeting to order at 6:00 p.m. on April 10, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall and via Zoom. The purpose of the meeting was to discuss zoning ordinance updates with the Innes Associates team (Paper **24-033**). The second topic of the meeting was Affordable Housing Training with the Mass. Housing Partnership (Paper **24-083**).

Vice President Collins thanked participants for attending. She highlighted work to date. She said that the meeting would recess at 7:00 and reconvene from recess after the Public Works and Facilities Committee Meeting.

Ms. Innes discussed work to date and provided a timeline to take the work forward into September of 2025. She discussed definitions and some changes in wording. She discussed the table of uses. She discussed a table of use and parking regulations. She discussed site plan review since site plan review is in discussion at the state level. She used a precedent from Pittsfield as an example.

Councillor Leming asked about changing the SPGA to the Community Development Board. Ms. Innes said that this needed to be added to the definitions but would not likely change any operating law.

Councillor Leming asked if there are any other cases where a permit from the CD Board would best be reviewed at the staff level. Ms. Innes said that smaller projects that are fairly straightforward would fit those parameters.

Commissioner Vandewalle said that it's not uncommon to see changes during the course of a project. Ms. Innes said that language could play into that, and we would need to define what a minor change is and what a major change is. Commissioner Vandewalle said that it's likely that a Building Inspector would be the first person to see the change.

President Bears asked about the discussions of site plan review at the state level, what could happen, and when. Ms. Innes said that there has been a proposed legislative change. She said that site plan review is not currently covered under 40A. The special permit process is. She said she expects that conversation to be ongoing. She said that some municipalities have site plan review processes that are very close to special permit processes. She said site plan review should be about modifications or controlling the use, where as the granting authority for a special permit can actually deny the use.

President Bears asked for clarification on what will be worked on before June 30. Ms. Innes said we are looking at things that will be easiest to address between now and then.

President Bears said that it would be useful to have a table with additional supporting items on it, that may need more funding. He said he is excited to see this progress.

Vice President Collins asked about the table of uses and whether it would be discussed at the next meeting, and Ms. Innes said yes. She also clarified that certain things are changing only in nomenclature and not in substance and Ms. Innes said yes.

President Bears said that the 40B process is outside of site plan review, but he understands that the ZBA is spending a great deal of time on these projects, and he asked if there is anything we can do in zoning around the 40B process to make that happen in a more timely manner.

Ms. Innes said she would discuss this with Director Hunt and Attorney Silverstein. Director Hunt said that our ZBA is choosing to be very thorough on these projects and is choosing to go into great detail because they would have liked to have seen these projects go through site plan review. She said some of the things being requested are not allowed under our current zoning. She said we do now have safe harbor so we can't get any new 40B applications for two years.

Commissioner Vandewalle said that in some communities, the Planning Department drives the 40B process, but the ZBA is involved.

Attorney Silverstein mentioned the PDD process because that is less cumbersome.

Ms. Innes said that the city is looking to have a forum for a public review, but not necessarily imposing zoning restrictions. Director Hunt said it is her understanding that municipal buildings are subject to zoning.

Attorney Silverstein said that there are ordinances and bylaws that have exemptions for municipal properties. He said that there is not a broader exemption from zoning but there are some exceptions.

Vice President Collins detailed the work expected for the next meeting.

Gaston Fiore, 61 Stickney Road said that Somerville has an urban agriculture ordinance. He said Medford does not allow the keeping of chickens. He asked if it would be worth considering something similar to what Somerville has. Councillor Callahan said she has been discussing this topic.

Vice President Collins said that there would be recess of approximately thirty minutes to accommodate the Public Works Committee, on the same zoom link and channel.

Councillor Callahan moved for a recess at 7:01 p.m. (President Bears second)—approved on a roll call vote of five in favor and zero opposed. Councillor Scarpelli departed the meeting during the recess.

Vice President Collins called the meeting back to order at 7:36 p.m. Discussion turned to affordable housing training with the Massachusetts Housing Partnership.

Ms. Moogoor introduced Ms. Shufelt and Ms. Snow-Eikelberg. Ms. Shufelt gave an overview on how MHP works. She described roadblocks to affordable housing in Massachusetts.

Ms. Snow-Eikelberg said she wanted to define affordable housing. She said “affordable housing” is housing that allows anyone to live in a place, but “Affordable Housing” has definitions based on area median income. She detailed home sales, asking market rents, and rents for “Affordable Housing.” She detailed housing costs in Medford. She said a household is considered cost-burdened if they spend more than 30% of income on housing and severely cost-burdened if that figure is more than 50%. She said several factors have led to the current housing status in Greater Boston. She said there is a lack of supply, costs and rents are increasing faster than income, and other factors. She said Medford is creating housing slightly ahead of the state, but that home costs are increasing faster than incomes. She said the median house price is approximately five times the median income. She said that there is also a huge jump in construction costs.

Ms. Shufelt said that the key players are the Department of Housing and Urban Development, and on the State side, the Executive Office of Housing and Livable Communities, MassHousing, the Mass. Housing Partnership, MassDevelopment, and CEDAC; on the local side, planning and zoning departments, community preservation committees, the Municipal Affordable Housing Trust, local government, and local housing authorities. She said that developer teams include development sponsors, architects, contractors, and consultants. She detailed federal and state resources. She said that resources are allocated in competitive funding rounds according to the priorities laid out in the annual QAP.

Councillor Leming asked if there are sources for affordable housing trusts. Ms. Shufelt said that there are resources available and large developments in one town can lead to funds for surrounding towns. She said that cell towers provide revenue. She said many

communities use some short-term rental fees for the trust. She said that Qualified Allocation Plans can help. States are required to publish criteria for housing priorities.

Vice President Collins asked who the recipients for funding can be. Ms. Shufelt said it has to be a partnership and can't be a housing authority or a public entity. She described the Low-Income Housing Tax Credit, the largest funding program for affordable housing in the US. She detailed the requirements. She discussed both federal and state public housing. She said neither federal nor state public housing has funded new units since 1989. She said Massachusetts is one of only four states that has state affordable housing. She discussed two types of housing vouchers. One is mobile, can be used in the private market, and moves with the tenant. The other is project-based and stays with the housing unit. She discussed Section 8 Housing and Section 18 Housing for Veterans, which is federal, and state funding for families, seniors, and disabled, and for younger disabled. She discussed the funding assembly process.

Councillor Leming asked if there is any way at the local level that could feasibly reduce the burden on people trying to apply for grants for funding. Ms. Shufelt said that certain state processes are one-stop.

Ms. Shufelt said land costs are increasing, as are construction costs. She said that some places have restrictive zoning and community opposition. She said that resources include municipally-owned land, local funds, flexible, predictable zoning and permitting, and local advocates for housing. She said it is necessary to work together to create a culture of support.

Ms. Snow-Eikelberg said that we should look at development feasibility. Sources must equal uses. She said that there are also multiple sources which means multiple reporting requirements. Income must be greater than expenses. Net operating income must be greater than the permanent mortgage debt payments. She said insurance costs have gone up.

Councillor Leming asked why insurance costs are going up. Ms. Shufelt said the larger insurers are charging more because of an increase in events such as storms and other factors. Ms. Snow-Eikelberg said that climate change is a factor. She said that feasibility is affected when the scope of a project gets smaller but there are still costs for the smaller project regardless of the size. She said a decrease in units might not result in a decrease in development costs.

Vice President Collins thanked the presenters. She said this is something we should do every term.

Councillor Callahan departed at 8:15 p.m.

Councillor Leming asked for recommendations for making projects more predictable for developers. Ms. Snow-Eikelberg said predictable zoning and permitting is helpful. She

said having multi-family housing as of right is generally beneficial. She said anything that helps a development team be accurate in its parameters is helpful. She said community opposition can play a big role and opposition can delay permitting.

Councillor Leming said he read the Boston Globe Spotlight Series on housing. He listed a number of factors for high costs. He asked for an opinion on how that might evolve, in terms of building housing in the private market. Ms. Shufelt said the increase in construction costs is a big factor. She listed other factors as well.

Councillor Leming asked what areas have been the most successful. Ms. Shufelt said upstate New York, California, Oregon and Minnesota.

Ms. Snow-Eikelberg said there are items on the affordable-production side. She said that projects with less than 20 units are not feasible and 60 units tends to be the sweet spot. She said developers are waiting longer and longer for materials. She said we have to have discussions about doing work next to the big credit programs.

Councillor Leming said he would like to find a way to distinguish between people who live in their houses, or own property and live locally, versus a large corporation outside the state where the corporate owners live elsewhere and the tenants are here.

Ms. Shufelt said there have been many recent studies on what that market looks like and how much are investors actually purchasing. Councillor Leming said short-term rentals are a major source of the problem.

President Bears said we have Medford Community Housing that does a few units here and there. He said we don't have a lot of non-profits focused on the city. He asked for recommendations to get some of these groups focused on Medford. Ms. Snow-Eikelberg said that the Affordable Housing Trust is a great starting point. Ms. Shufelt said that neighboring communities have pretty active housing groups.

Vice President Collins thanked the participants again and asked for the slides if possible. She also thanked the Planning Department.

Councillor Leming moved to receive the housing presentation and place it on file, and to adjourn at 8:45 p.m. (President Bears second)—approved.

Vice President Collins adjourned the meeting at 8:46 p.m.