

**Planning & Development Standing Committee**  
**Wednesday, March 3, 2021 – 5:30 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

**Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett**

**Other Councilors Present: Councilor John McCarthy; Councilor Jamie O’Hara; Councilor Sean Nolan**

**Also Present: Assistant City Clerk, Grace E. Poirier; Clerk of Committees, Sherry Karvelas; CAO, Nicole Kieser; Assistant to CAO, Chris Sicuranza; Planning Director, Gregg Cademartori; Community Development Director, Jill Cahill;**

**Applicant: National Grid representative, Elizabeth Cardarelli**

*This meeting was conducted remotely through ZOOM  
All votes conducted by ROLL CALL*

**Meeting called to order at 5:30 p.m.**

**Councilor Gilman** announced that the meeting was being recorded by video and audio in accordance with state open meeting law. Consistent with the Governor’s orders, suspending certain provisions of the open meeting law and banning gatherings of more than 10 people, the meeting would be conducted by remote participation. The public may not physically attend the meeting but every effort would be made to allow the public to view and listen to the meeting in real time. Persons wishing to do so were invited to view the meeting via the information that was on the posting. If calling on a phone, press \*9 to request to speak. If watching on a computer a device, there is a raise hand button that can be tapped or pressed to request to speak. Either option can be used to be recognized to speak.

**Councilor Gilman** announced the names of the P&D Committee members in attendance (Councilors Holmgren, Pett and herself) as well as the members of the City Council and city staff who were attending via Zoom. She announced the presence of a quorum of the City Council.

**1. Public Hearing: PP-2021-001: Request by National Grid to install 1 JO Pole on Witham Street beginning at a point approx. 60’ northwest of the centerline of the intersection of Witham Street and Thatcher Road and continuing approx. 0’ in a northerly direction**

**The public hearing opened at 5:32.**

**Summary of Discussion: Those speaking in favor: Elizabeth Carderelli** of National Grid, 44 River Street in Beverly, stated the pole petition was for a pole set that was going to be set approximately 50 feet just before the intersection of Witham and Thatcher Road. The pole would be set on Witham Street. The pole request was for some feeder monitoring equipment, as well as a communication unit for 4G. **Councilor Gilman** stated the pole was in front of the private property that was vacant on the corner of the two streets. **Ms. Caderelli** explained that it was the property on Thatcher Road that was being developed.

**Councilor Pett** asked for clarification on the location of the pole as the application for the pole petition stated 60 feet. **Ms. Carderelli** confirmed that from the intersection of Thatcher and Witham it was 50 feet according to her sketch. The last pole on Witham before the Thatcher Road pole 850 and the new pole being set will be set approximately 50 feet before that.

**Councilor Gilman** confirmed that the City Clerk's office mailed noticed to the abutters on February 16.

**Those speaking in opposition:** None.

**Communications:** The **Assistant City Clerk** read the following from **DPW Director, Mike Hale** in favor of the pole petition:

*"Councilors, the Department of Public Works has reviewed the above mentioned application by Massachusetts Electric Company, doing business as National Grid and Verizon New England, Inc., requesting permission to locate poles, wires and fixtures including the necessary sustaining and protecting fixtures along and across the following public way:*

***Witham Street** – National Grid to install 1 JO Pole on Witham Street beginning at a point approximately 60 feet northwest of the center line of the intersection of Witham Street and Thatcher Road and continuing approximately 0 feet in a northerly direction. Installing 1 new P850-50 between P850 and P851 on Witham Street with Feeder Monitor, 4G Comm Unit and new Ground Rod.*

*Also for permission to lay and maintain underground laterals, cables and wires in the above intersecting public ways for the purpose of making connections with such poles and buildings at each of the said petitioners may desire for distributing purposes.*

*In an attempt to maintain the quality of City roadways, the Department of Public Works requests the following be required of the applicant:*

- 1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.*
- 2. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November.*
- 3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.*
- 4. All excavations must be secured at all times.*
- 5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2- inches, totaling 4- inches.*
- 6. Sidewalks must be restored with like material immediately after pole set.*
- 7. All final paving shall be done in consultation with the Department of Public Works and an agreed upon final paving plan executed by the applicant.*

*Should you have any questions regarding the conditions requested, please do not hesitate to contact my office.*

**Councilor Gilman** again clarified that the distance on the pole petition is 50 feet, not 60 feet.

**The public hearing closed at 5:42 p.m.**

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted BY ROLL CALL 3 in favor (Gilman, Holmgren and Pett), 0 opposed, to waive the reading of the conditions listed in the motion as they were included in the letter submitted by Public Works Director Mike Hale**

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to permit Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the public way, and install 1 JO Pole on Witham Street beginning at a point approximately 50 feet northwest of the centerline of the intersection of Witham Street and Thatcher Road and continuing approximately 0 feet in a north direction. Installing 1 new P850-50 between P850- & P851 on Witham Street with Feeder Monitor, 4G Comm. unit and new ground rod – as shown on a plan included in the application dated October 14, 2020 – with the following conditions:**

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.
  2. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November.
  3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.
  4. All excavations must be secured at all times.
  5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4-inches.
  6. Sidewalks must be restored with like material immediately after pole set.
  7. All final paving shall be done in consultation with the Department of Public Works and an agreed upon final paving plan executed by the applicant.
2. *RZ2021-001: Amend GZO Sec. 5.11 “Inclusionary Housing Requirement” in accordance with GZO Sec. 1.11.2(a)* (Contd. from 2/3/2021) **Advertised for PH on 3/9/2021**

**Summary of Discussion:** Planning Director Gregg Cademartori gave a presentation: **Proposed Amendments to Sec. 5.11 Inclusionary Housing Requirements.**

- **Affordability:** HUD Metropolitan Statistical Area (100+ Communities)
  - Area Median Income (AMI) - \$119K vs. \$65K [Gloucester]
  - “Affordable” – available to household 80% AMI

The **Planning Director** stated the AMI for Gloucester from a 2020 statistic was around \$65,000.

Income Limits

	Household Size							
	1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people
50% AMI Minimum Income	\$44,800	\$51,200	\$57,600	\$63,950	\$69,100	\$74,200	\$79,300	\$84,450
80% AMI Maximum Income	\$67,400	\$77,000	\$86,650	\$96,250	\$103,950	\$111,650	\$119,350	\$127,050

**Fair Market (“Affordable”) Rents:**

- Studio: \$1,715
- 1BR: \$1,900
- 2BR: \$2,311
- 3BR: \$2,880
- 4BR: \$3,131
- 5BR: \$3,601
- 6BR: \$4,070

The **Planning Director** pointed out there has been some shock of what the rents have been because the rents are calculated based upon the \$119,000 average median income statistic by HUD.

**Councilor Gilman** asked the **Planning Director** to give a brief explanation about a 15-community task force he is part of that looks at the complexity about being affiliated with a metropolitan statistical area. The **Planning Director** explained there has been a disparity between many of the communities in the region. If statistics are run for an individual community, there would possibly be a great difference between the median income for the larger region versus the individual community. He stated there is a very diverse North Shore region with smaller towns with higher median incomes and then some small cities that have a lower median income. The challenge was there was a large area that the statistics are created around and it’s ‘a one size has to fit all’. The **Planning Director** explained the City is part of a 15-community task force that is a subregion of the metropolitan area of which the question of is there a way to utilize the statistics for an individual community to generate what it means to be an affordable unit in that community was asked. He explained the alternative was to try to work with those statistics, but ratchet them down to a percentage that makes sense for trying to provide affordability that matches the local need. He stated there was no answer, but was something that resonated with the planning staff and others that attended the North Shore task force. He explained they are redefining the affordability in the ordinance by a different percentage, but there are a host of complications with that. The statistic would change each year, but it would always be a percentage. The **Planning Director** stated there was a lot of updating and modernizing and expansion of the definitions to really have parity with the HUD definitions. The **Planning Director** stated that there was no real strategy, but they typically in the early months of a calendar year they go through an exercise of what as a region they think they can focus some attention on and cross-pollinate in terms of common issues to try to address. The task force has been working on figuring out if there are other ways to try to deal with the disparity between the Boston area statistic and local municipal statistics of affordability.

- **Gloucester Affordable Housing Inventory**
  - Current subsidized housing inventory
    - 1,005/13,000 units – 7.57% of housing stock
    - Variety of affordable levels depending on subsidy
  - Affordable Units permitted/under construction
    - Halyard Apartments – 30 units (80% AMI)
    - Harbor Village – 30 units (50% & 30% AMI)
    - 71 Middle Street – 44 senior units (60 & 30% AMI)

The **Planning Director** stated the city has just over 1,000 units in the community that are in some way restricted by deed or a regulatory agreement out of approximately 13,000 housing units in Gloucester, which equated to 7.57%. He stated that number will go up a little because of the production over the last two years with projects coming online and some that are in the pipeline as well. He relayed that the State’s goal for subsidized housing was 10% in each community. He stated Gloucester may have more affordability than represented in the inventory, but stated there has to be some form of a deed restriction in order to be placed in the subsidized housing inventory.

**Councilor Pett** asked the **Planning Director** if any of the units at Halyard, Harbor Village or the proposed senior units at the current Y are slotted for veterans. The **Planning Director** stated both Harbor Village and the Middle Street project had a local preference and a veteran preference placed by the Zoning Board of Appeals. **Councilor Gilman** asked if the qualifying age was 62.5 for the senior units at 71 Middle Street. The **Planning Director** stated he believed 62 was the qualifying age.

- **Current Proposal: Inclusionary Housing Requirements**
  - **Who Needs Affordable Housing?**

<b><u>\$67,000 (80% AMI)</u></b>	<b><u>\$53,700 (60% AMI)</u></b>
Surgical Assistant	Dental Assistant
Interior Designer	Postal Carrier
Security Systems Installer	Solar System Installer
Pilots of Water Vessels	Skincare Specialist
Physical Therapist Assistant	Optician
Life Science Technician	Medical Technician
Paralegal	Machine Operator

The **Planning Director** stated the above information was from the U.S. Bureau of Labor Statistics, which showed the median income for each of the job classifications.

- **Real Life Examples**
  - **Halyard Apartments – 4 Schoolhouse Road**

<b><u>Bedrooms</u></b>	<b><u># of Units</u></b>	<b><u>Rent</u></b>	<b><u>Income Limit</u></b>	<b><u>Maximum Income</u></b>
Studio	2	\$1,591	80% AMI	\$67,400
1	12	\$1,806	80% AMI	\$77,000
2	16	\$2,008	80% AMI	\$86,650

The above list demonstrates rents that are at or below the fair market rent that is calculated by HUD and is what the Halyard Apartments are expected to be marketed at with a slight escalation over time to account for inflation. These are the affordable rents; the market rate rents are available online. The **Planning**

**Director** stated this is the real crux of what is being addressed in providing units that have some deeper affordability for the region, with matched affordability for the City.

o **Harbor Village – 206 Main Street**

MIXED-INCOME (INCOME RESTRICTED) RENTS\*

Bed	# of Apts.	Rent	Income Limit	Minimum Income
1 BR	7	\$1,440	60%	\$43,200
1 BR	3	**	50%	n/a
2 BR	5	\$1,728	60%	\$51,840
2 BR	6	**	50%	n/a
2 BR	6	**	30%	n/a
3 BR	1	\$1,995	60%	\$59,850
3 BR	2	**	30%	n/a

The above chart was taken from the marketing materials for Harbor Village, which indicated a difference between the maximum rents from Halyard Yards. The **Planning Director** pointed out that some residences have a maximum income limit or, in some cases, a minimum income limit so a resident doesn't find themselves cross-burdened.

- **Current Proposal: Inclusionary Housing Requirements**
  - o Apply in all districts for creation of 6+ units
    - Projects up to 9 units, 10% affordable (80% AMI)
    - Projects 10+ units, 15% affordable (80% AMI)
    - Excludes group homes, assisted living, rehab/renovation with no increase in unit count above 6 units
  - o On site required for projects 10+ units
  - o Up to 9 –In-lieu payment tied local median sales figures
  - o Addresses affordability for Gloucester residents, 10% of units may be provided at 60% AMI.

The **Planning Director** stated the proposal was not calling for sweeping changes, but it will start to calibrate what will be created under the ordinance to match the local need. He stated the proposal was a wholesale replacement of Sec. 5.11, Inclusionary Housing Requirements. He stated it always had applied to all housing types, but the threshold was 8 units, so there has been a lowering of any project that would result in 6 housing units that would now have to comply with this ordinance or provide affordability in some form. He conveyed the current ordinance had just one standard to be applied, which was 15% of all the units would have to be affordable to households making 80% AMI, but it has been broken up very specifically to not put too much of a burden on smaller projects because there are real development costs to having to provide inclusionary housing. With smaller projects up to 9 units, he explained that only 10% affordability was required, or one unit. For projects of ten or more, the number was still at 15% at 80% AMI. Also, he stated this ordinance is very clear that they must be provided within a project so there was no option for offsite or in-lieu payment. The title of the ordinance was inclusionary so therefore the

intent of the ordinance was to provide inclusion, so for the larger projects of ten units or more, he stated that 15% of the units would have to be restricted or deed-restricted to sale.

- **Inclusionary Housing Requirements**

<u>Existing</u>	<u>Proposed</u>
<u>8 Unit Threshold</u>	<u>6 Unit Threshold</u>
15% affordable units	10% projects 6-9 (or in-lieu)
	15% projects 10+ @ 80% AMI
	<u>10% projects 10+ @ 60% AMI</u>
<u>¾ fractions in cales round up</u>	<u>Any fraction in cales rounds up</u>
In-lieu if economic hardship	In-lieu elected by applicant
<u>Payment = delta market-affordable</u>	<u>Excludes ALR, group homes</u>
	Definitions greatly expanded

The **Planning Director** stated there was discussion of the complexity of some other housing types so there was exclusion of some housing types from having to comply with the ordinance, which would include group homes, assisted living and rehab or renovation projects that do not increase the count above 6. The **Planning Director** stated the City will have to see how it plays out when faced with the requirement of having to comply with the ordinance, whether a development proposal will choose to provide fewer units at a deeper affordability or units at the 80% AMI. The **Planning Director** stated there was a demand at all income levels, but this was a way to try to tailor the local ordinance to create units that better match the local need.

**Councilor Holmgren** asked how the 6+ units recommendation was arrived at and what 8 units would do if the City kept it at 8+ as opposed to 6+. The **Planning Director** stated the recommendation was based upon a combination of factors including relying on Judi Barrett’s experience and data points including how much the market can bear.

**Councilor Nolan** asked when looking at the AMI, if it’s a condo situation, subdivision or a cluster division where there was an HOA involved with expenses added to the monthly expenses of what the project costs to operate above and beyond the rent and the sale, was there any exclusion or thought upon that on how that can be added? Or, what was your opinion in what we adjust to? The **Planning Director** stated there was one example that he was aware that some of those additional fees were also distributed disproportionately among the units in the development so the market rate units might be carrying the higher percentage of HOA fees.

**Councilor Gilman** asked the **Planning Director** and **Ruth Carroll Pino**, Affordable Housing Trust board member attending the meeting, if there was anything that could be highlighted in terms of how the City could use the Trust to try to get to the 10%. The **Planning Director** stated the greatest challenge of the Affordable Housing Trust was that they don’t have any funding. He stated depending upon how it was utilized there wasn’t any one solution and there were different ways that projects can be supported by the City, particularly through the Affordable Housing Trust. He conveyed when the State awards funding for projects, the State had to see that it was a project that the City was committed to and one of the ways to do that was by having funding in the project. He stated that was an important way that the Affordable Trust can be involved.

**Ruth Carroll Pino, 82 Wheeler Street**

Stated she lived in Gloucester and has been a realtor for a long time. She stated she was an advocate for housing reform. She asked that the City not forget about the people who actually finance and build the properties. She asked the Council to think about if the proposed changes to the ordinance will attract

people who actually finance and build the buildings and then give the City back some guaranteed units as affordable.

**Councilor McCarthy** asked the **Planning Director** the question if the split AMIs had to be distributed equally across the board for local preference or was there a way that the lower AMIs can be preferenced locally. The **Planning Director** stated that most of these projects would only advance with some form of a decision by the Council or the Planning Board, so those preferences were typically articulated when the City issues a decision. **Councilor McCarthy** asked the question if the lower AMIs could all be dictated for resident preference. The **Planning Director** stated that it pans out in the regulatory agreement and then also what the Department of Community Housing and Development would support. He stated the City has always been successful at that so he doesn't think that anything that would change.

**Councilor Gilman** asked the **Planning Director** for the benefit of the public to explain why it was important that the City continue to get to that 10%. What are the benefits to get to that 10%? The **Planning Director** stated in the Housing Production Plan there were ten strategies that were identified and they were developed out of the overarching goals, with the number one goal being that anything called affordable was something that was matching the local need in the community. Another was that any of the units that were created under this ordinance would qualify for the subsidized inventory. If the City does surpass the 10%, it provides a safe-haven whereby the City could reject a 40B proposal or have an influence on it such that it comes back in a form that the community desires.

#### **QUESTIONS FROM THE PUBLIC:**

**Christopher McCarthy, 166 Bray Street**

**Q1.** Asked for a clarification regarding if there was an option to go with 10% at the 60% AMI or are they requiring 10 units at the 60% and 10 units at the 80%?

**A1.** The **Planning Director** stated that would be an option. It is either 15% at 80% or 60% at 10%. If there is a mix of the two that is also a possibility. It is provided so that it's either fewer units at the deeper affordability or 15% at 80%.

**Christopher McCarthy, 166 Bray Street**

**Q2.** How are you looking at dealing with building offsite units? Is that still something that is going to be an option in the cluster zoning?

**A2.** The **Planning Director** stated that it's a strong recommendation from the Planning Board. The ordinance is about inclusion so offsite units are no longer included in the proposal. The issue has been addressed by the potential for the in-lieu payment and the different options of affordability and the number of units that would have to be provided.

**Christopher McCarthy, 166 Bray Street**

**Q3.** Asked if there was any option to be able to at the 60% AMI to create more than 10%, possibly 15% at the offsite location?

**A3.** The **Planning Director** stated currently there isn't a consideration of offsite. **Councilor Nolan** added that the 10% is a number derived by the State.

**Councilor Gilman** voiced her appreciation to everybody for all their hard work and stated it has been a collaborative process. She reminded everyone the Public Hearing is on March 9, 2021.

**Councilor Pett** thanked everyone for their work and asked **Community Development Director, Jill Cahill** for her input. **Ms. Cahill** thanked everyone for their collaboration and dedication. She stated there were three initiatives she hopes to bring forward to City Council this year to help address the crisis related to housing.



**COMMITTEE RECOMMENDATION:** On a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor (Gilman, Holmgren and Pett), 0 opposed to recommend that the City Council accept the proposed amendments to the Gloucester Zoning Ordinance Section 5.11 “Inclusionary Housing Requirements” as is included in the Planning Board memo dated February 24, 2021 to the City Council and attached hereto by incorporation and reference. The main revisions include lowering the project threshold of applicability from the current 8 units to 6 units providing clear definition of the number of units to be provided based on project size, providing an in-lieu payment option for smaller projects and providing an incentive to create units available to lower income households. These revisions are accompanied by an expansion of defined terms to make it clear what the ordinances require and what an applicant needs to consider in project development.

**MOTION:** On a motion by Pett, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 7:02.

Submitted by Sherry Karvelas, Clerk of Committees

**Documents submitted at the meeting:** Slide presentation by Gregg Cademartori, Planning Director

**Meeting Recording:** [https://gloucester-ma-gov.zoom.us/rec/share/71caqZysNbktAKqD0S-KAs8QPYPpXb8OgSSQ\\_RCkL0fxPTdg6lALWM-I55Lwr1YA.KCCXpHflxhgLj8yf?startTime=1614809929000](https://gloucester-ma-gov.zoom.us/rec/share/71caqZysNbktAKqD0S-KAs8QPYPpXb8OgSSQ_RCkL0fxPTdg6lALWM-I55Lwr1YA.KCCXpHflxhgLj8yf?startTime=1614809929000)