

LAND USE, PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of February 1, 2018

Members Present

<input type="checkbox"/> Brad Flamm, Chair	<input checked="" type="checkbox"/> Larry McEwen
<input type="checkbox"/> Cynthia Brey, Chair	<input checked="" type="checkbox"/> Ned Mitinger
<input type="checkbox"/> Steve Gendler	<input checked="" type="checkbox"/> Andrew Moroz
<input type="checkbox"/> Larry Goldfarb	
<input checked="" type="checkbox"/> John Landis	
<input type="checkbox"/> Joyce Lenhardt	<input type="checkbox"/> Laura Lucas, Pres, CHCA (ex-officio)
<input checked="" type="checkbox"/> Jean McCoubrey	<input type="checkbox"/> Joyce Lenhardt, VP Physical

Others Attending:

Carl Primavera, attorney, Woodward Company
Patricia Cove, Chestnut Hill Conservancy
Anne McNiff, Executive Director CHCA
Brendan Samples, Chestnut Hill *Local*
Melissa Nash, recorder

Larry McEwen, chair, opened the meeting at 8:03 pm. The agenda for the evening includes the Woodward property lines followed by committee business.

Woodward Property Lines

•Report: A brief report on the prior meeting including the 4 conditions. Two conditions, garages used as garages and discrepancy document, were acceptable. The remaining 2 conditions, protecting facades and sale limitations, were not agreed to via a letter. The motion from the DRC was not presented at the last Board meeting. The letter does suggest that the Woodward Companies meet with the Community Association each year to discuss the condition of the properties, status of sales and changes in the companies. The problem still remains about conserving properties after sales. There are complications due to trust arrangements, the IRS's aggressive examination of tax breaks. Woodward is in discussion with the Conservancy to develop strategies for protecting the buildings.

•Discussion: John Landis stated that he appreciates the dialogue and has no problem with things in the current situation but is concerned about changes in the future – new family interests and new owners. L McEwen provided an example of one of the Woodward properties, a large house that was sold could be demolished, and the property could be built with greater density. J Landis stated that the letter is a good step, meeting with the CHCA and having no more than 5 properties on the market at one time. The meeting would help blend in new generations. Carl Primavera noted a 2010 governing document confirms the Woodward vision. This vision is designed to exist in perpetuity. J Landis asked if creating a homeowners association of Woodward properties that would continue after a unit was sold would help preserve the appearance and care of the buildings. Ned Mitinger stated that he was disappointed that there was no representative of the Woodward family was present. He also noted that the problem was 10 years in the future when properties might be sold to developers. Jean McCoubrey asked how the annual meeting would be enforced. J Landis suggested that a trustee be appointed to run the meeting. L McEwen suggested that the March DRC could be the venue for the Woodward meeting. It would be public and regularly scheduled. P Cove agreed to that suggestion. Andrew Moroz stated that it is hard to imagine the character of Chestnut Hill without Woodward. C Primavera noted that the Woodward tradition is to ease a property before it is sold; both open space and façade easements have been used. J Landis reiterated his home owners

association idea. C Primavera noted the complexity of this as the properties not being covered are only a part of the Woodward building. Care must be taken with easements as the IRS is strict. P Cove noted that there are now 2 letters from Woodward and one is needed. N Mitinger suggested that the letter is no guarantee. P Cove noted that the Conservancy has faith in the Woodwards.

•Committee Action: *John Landis moved that the Committee expresses its appreciation to the George Woodward Company and the Woodward House Corporation for their efforts and their willingness to engage in a dialog with the community and agreement to support the stipulations that the garages will continue to be used as garages and that the document prepared by the Committee noting the discrepancies between the drawings and the refusals become part of the ZBA submission package. It is further noted that the proposal for an annual meeting to discuss future plans, especially regarding sales, between the Woodward companies and the community is accepted. The final stipulation is that the Woodward companies and the community continue to act in good faith to develop a mechanism to protect the facades of the buildings.* The motion was seconded. Discussion followed regarding how to accomplish the fourth condition before February 7. The motion was amended that good faith efforts be made as there is no solution to the easements in the short run. It was noted that once approved by the ZBA, all bets for this work will be off. The matter of protecting the properties is complex. It was suggested that the meeting be held in April, which would allow the first annual meeting to occur in 2 months. It was suggested that the motion be tabled. L McEwen noted that the committee should vote or the matter would be sent to the Board for a vote. The motion was restated:

The Committee expresses its appreciation to the George Woodward Company, the Woodward House Corporation, and their legal representatives for their continuing efforts to engage in a dialog with the community. We support the two organizations' variance applications to the ZBA based on the following agreements: (i) that the garages will continue to be used as garages; (ii) that the document prepared by the Committee noting discrepancies between the drawings and the refusals become part of the ZBA submission package; (iii) that there is an annual meeting between the Woodward organizations and the CHCA in which the organizations present their property disposition plans for the upcoming year; and (iv) that all parties involved commit (Within the coming year) to identify appropriate legal vehicles to protect and preserve the historical facades and appearance of the current buildings. The motion was voted on and passed.

Committee Business

•Northwest Planning Meeting Report: Some topics discussed at the meeting were extending the Germantown Avenue corridor overlay both in length and width, reviewing the watershed protections, defining the area between the overlay and the watershed, especially in regard to density control, ideas to manage demolition permits and transit oriented development.

•Rain Garden Norwood Avenue: Patricia Cove showed photos of the rain garden at the base of Norwood, which now includes very large boulders that were not a part of the original design. It is thought that they are there to prevent parking on the rain garden. Anne McNiff will contact the Water Department to get revised plans. She will also contact neighbors for more information.

Adjournment

•The meeting was adjourned at 9:57PM.