



# **Zoning & Planning Committee** **Report**

## **Revised**

### **Part 1**

#### **City of Newton** **In City Council**

**Monday, January 10, 2022**

Present: Councilors Crossley (Chair), Danberg, Albright, Leary, Ryan, Wright, Krintzman and Baker

Also Present: Councilors Kelley, Downs, Lipof, Greenberg, Malakie, Kalis, Lucas, Oliver, Humphrey, Norton and Laredo

City Staff: Deputy Director of Planning and Development Jen Caira, Director of Planning and Development Barney Heath, Assistant City Solicitor Andrew Lee, Chief of Long Range Planning Zachery LeMel and Planning Associate Cat Kemmett

Planning and Development Board: Barney Heath and Kevin McCormick

Others Present: NewTV

**#62-22      Appointment of Ali Erol to the Economic Development Commission**

HER HONOR THE MAYOR appointing Ali Erol, 204 Dedham Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on December 31, 2023. (60 days: 03/02/22)

**Action:**      **Zoning & Planning Approved 8-0**

**Note:**      The Chair invited Mr. Erol to join the Committee to discuss his interest in serving as a member of the EDC. Mr. Erol joined the Committee and stated that he looks forward to becoming a member of the EDC because he lives and works in Newton since emigrating to the US, feels a deep connection to the city, and wants to contribute.

As a professor at Boston College, Mr. Erol conducts academic research on urbanization, urban spaces, social justice food scarcity in urban areas, and food equity in New England. By serving on the EDC, he can assist the city with research and understanding ongoing economic. He

anticipates opening a center at Boston College where he can work with undergraduate students to help write grant applications, and in other ways serve as interns where Newton may benefit from additional staff to conduct research.

Committee members noted that Mr. Erol has a unique skill set, an interesting background and resume and look forward to him serving.

Committee members thanked Mr. Erol for his willingness to serve on the EDC. Councilor Ryan moved approval and the Committee voted in favor 8-0.

**Chair's Note: Planning staff will provide a draft calendar for the term, and the Clerk's Office will provide a list of docket items filed to date for committee consideration/discussion.**

**Note:** The Chair noted that three documents are provided in the Packet for this item: a draft calendar for the term, organized by subject area, a list of items either docketed or contemplated, as well as efforts coming up this term, also organized by subject area, and the complete ZAP Docket to date. Tonight's discussion is to lay out the scope of work imagined for the term and hear from the committee and Council on prioritizing the work.

Chief of Long Range Planning Zachery LeMel screen-shared the draft calendar for the term (attached). Chair Crossley provided a brief overview on each section of the calendar under several headings: Zoning Redesign-Village Centers, Housing Choice-MBTA Communities, Master Planning Projects (Newton Wellesley Hospital request for a hospital zone and mechanism for creating a master plan), Sustainability/Environmental Zoning Amendments, Economic Development Zoning Amendments, Historic Preservation Zoning Amendments, Housing Zoning Amendments (non-Village Centers) and Development Standards/ Other. See attached lists.

**Committee members suggestions, comments, questions and answers:**

It was widely acknowledged that the work outlined is ambitious for one term.

A suggestion was made to refer and center discussions on docket item #58-22, which is regarding enforcing the noise ordinance, to the Programs and Services committee. P&S Chair Councilor Krintzman agreed. Similarly, enforcement updates on other ordinances should not need to go before ZAP, unless such ordinances need amending.

Docket #57-22 requests a general discussion on ways to thwart tear downs (razing of one- and two family homes). This item is listed but not shown specifically on the one page graphic calendar. Several councilors felt it important to address this issue despite how much other work is before the committee. Several committee members noted that the committee's work in 2020 focused on developing a different set of metrics to limit house size in various ways in order to reduce the incentive to replace existing homes with larger ones, but no consensus was reached. The committee agreed to table residential zoning metrics and focus on village centers since January

2021. Others noted that an effort (to revisit these metrics) is larger than it may seem and would impede progress on the village center work.

Nonetheless, several councilors suggested bringing forward the tear down discussion in the first six months of 2022, perhaps as a brainstorming session.

Chair Crossley stated that the Committee can hold a general discussion on how to disincentivize tear downs, but a continued effort would require either a third meeting a month and/or a working group to delve into the details and report back to committee. Staffing would be difficult. The Committee tabled residential metrics both because committee members were unable to reach consensus on policy, and sufficient analyses were not yet available.

One committee member suggested eliminating any further work on the accessory apartment ordinance (adopted 12/2017). The Chair responded saying that several councilors and others have expressed interest in some very specific amendments to that ordinance, not a complete review.

## **Q&A**

**Regarding zoning redesign in village centers, are the economic analyses included in the draft calendar?** Mr. Heath answered yes, the first two items below the heading are: Existing zoning analysis (existing conditions, development potential, and economic analysis), and Alternative development scenarios for small and large village centers (graphic and economic analysis).

**Where it says “refine and vote on zoning amendments to achieve preferred development scenarios (will be split up)” – what does that mean?** Mr. LeMel answered that there are numerous elements making up village centers, including dimensional standards and building types. The Committee and the community have expressed concern that there cannot be a one size fits all approach.

**What is the “California Street Manufacturing Zoning District (study)” on the calendar?** Mr. LeMel answered that the City has received a state grant from the Housing Choice fund to study the area north of California Street and consider what a more vibrant 21<sup>st</sup> century manufacturing zone could look like.

**It is important to maintain commercial buildings to help with the tax base. Why is the funding for the California Street Manufacturing Zoning District (study) coming from Housing Choice monies? Is this a proposal to change the district from manufacturing to housing?** Mr. Heath answered no, California Street is seeing development pressure from both housing and commercial sectors. This is a zoning study to examine the area, have a community process to solicit input and lay out different potential alternatives. Many state grants have the imprint of Housing Choice grants but have to do with economics and zoning.

**Will the California Street manufacturing zoning district study be handled by an outside consultant?** Mr. Heath answered that Housing Choice Grant of \$75,000 will be used for an

outside or an on-call consultant. He then stated that he is unsure if this decision (choosing the consultant) has been made.

A few Committee members suggested that perhaps working groups may assist the Committee with several of the more complex items on the calendar, particularly to lay the groundwork on some of the climate action items.

A councilor said that all pending docket items should be identified in the graphic calendar and asked to know when all items will be heard.

Chair Crossley reminded again that in addition to the one page graphic calendar showing categories of items and how we may address them over the term, there is a two page document that organizes all items (both docketed and contemplated to date) by substantive category that can be easily cross-referenced. She added that the two year term draft graphic calendar can help guide and focus our work, but that Agendas cannot be specifically determined more than a month or so at a time.

It was noted that Ms. Caira has prepared a memorandum summarizing both current and future housing data, that will be provided to Council via the Clerk's office on January 11, 2022.

Committee members thanked the Planning staff for their diligence, specifically noting the well organized documents as helpful to the discussion. The Chair urged councilors to advise her regarding any future docket items, they may be considering aide in calendar planning.

**#39-22      Requesting discussion on state guidance for implementing the Housing Choice Bill**

COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

**Action:      Zoning & Planning Held 8-0**

**Note:**      This section will be available at a later date. To view this section of the report from NewTV, use this link <https://newtv.org/recent-video/107-committee-meetings-and-public-hearings/7302-zoning-planning-committee-january-10-2022>, and use the 16:47 mark in the timestamp.

Without further discussion, Councilor Krintzman made a motion to hold this item. Committee members agreed 8-0.

**#42-22 Citizens petition to amend the village center district**

ATTORNEY PETER HARRINGTON ET AL., submitting a 60-signature citizen to strike Chapter 30, Section 4.1 Business Districts, in its entirety and insert, in place thereof, the following 4.1. Village Center District; 4.1.1. District Intent and 4.1.2. Dimensional Standards.

**Action:** **Zoning & Planning Held 8-0; Public Hearing set for February 28, 2022**

**Note:** Chair Crossley stated that tonight, the Committee will not discuss this item. The sixty signatures have been certified on the petition obligating the City to hold a public hearing within 60 days of the item being docketed.

Without discussion, Councilor Krintzman made a motion to hold the item and set the public hearing for February 28, 2022. Committee members agreed 8-0.

**#63-22 Reappointment of Elizabeth Sweet to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Elizabeth Sweet, 281 Lexington Street, Auburndale, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60 days: 03/02/22)

**Action:** **Zoning & Planning Approved 8-0**

**Note:** Without discussion, Councilor Krintzman made a motion to approve Ms. Sweet appointment as an associate member of the ZBA. Committee members agreed 8-0.

**#64-22 Reappointment of Lei Reilley to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Lei Reilley, 130 Pine Street, Newton, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60 days: 03/02/22)

**Action:** **Zoning & Planning Approved 8-0**

**Note:** Without discussion, Councilor Krintzman made a motion to approve Ms. Reilley appointment as an associate member of the ZBA. Committee members agreed 8-0.

**#65-22 Reappointment of Denise Chicoine to the Zoning Board of Appeals**

HER HONOR THE MAYOR reappointing Denise Chicoine, 275 Islington Road, Newton, as an associate member of the ZONING BOARD OF APPEALS for a term to expire on January 10, 2023. (60 days: 03/02/22)

**Action:** **Zoning & Planning Approved 8-0**

**Note:** Without discussion, Councilor Krintzman made a motion to approve Ms. Chicoine appointment as an associate member of the ZBA. Committee members agreed 8-0.

At approximately 10:15 p.m., Councilor Danberg made a motion to adjourn. Committee members agreed 8-0.

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**