



Zoning & Planning Committee **Report**

City of Newton **In City Council**

Monday, February 10, 2020

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

Also Present: Councilors Laredo, Downs, Malakie, Kalis

City Staff: Jonathan Yeo, Chief Operating Officer; Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; Gabriel Holbrow, Community Planner/Engagement Specialist; Nathan Giacalone, Committee Clerk

#93-20 **Appointment of Scott Aquilina to the Upper Falls Historic District Commission**
HER HONOR THE MAYOR appointing Scott Aquilina, 1253 Commonwealth Avenue, Newton, as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on June 8, 2021. (60 days: 04/03/20)

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

Notes: Mr. Aquilina was invited to the table where he was asked to summarize his experience and explain why he wanted to join the Upper Falls Historic District Commission. He said that he has been a practicing architect for 25 years with a concentration on existing buildings and historic preservation. With more time his schedule now, Mr. Aquilina seeks to give more back to the community. A committee member asked him how he would consider balancing historic preservation and economic development in Newton. Mr. Aquilina answered that while pro-development himself, there are also historically important properties that must be preserved. He cited his experience with the Belmont Hill School Chapel as an example of his experience balancing these two goals.

Councilor Wright moved approval on item #93-20. The Committee voted 8-0 to approve.

#94-20 **Appointment of Daphne Romanoff to the Upper Falls Historic District Commission**
HER HONOR THE MAYOR appointing Daphne Romanoff, 36 Canterbury Road, Newton, as a member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire on December 24, 2022. (60 days: 04/03/20)

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

Notes: Ms. Romanoff was invited to the table where she was asked to summarize her resume and explain why she wanted to join the Upper Falls Historic District Commission. She said that her background is in city planning and she renovates houses on a small scale. Ms.

Romanoff said that her method is to avoid teardowns as she enjoys the challenge of modernizing an old house. She said that she wants to serve on the Commission because she served on the Economic Development Commission under Mayor Mann and has wanted to volunteer for a long time.

Councilor Danberg moved approval on item #94-20. The Committee voted 8-0 to approve.

#92-20 **Appointment of Martin Smargiasi to the Auburndale Historic Commission**
HER HONOR THE MAYOR appointing Martin Smargiasi, 20 Fern Street, Auburndale, as an alternate member of the AUBURNDALE HISTORIC DISTRICT COMMISSION for a term to expire on February 28, 2023. (60 days 04/03/20)

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

Notes: Mr. Smargiasi was appointed to the Community Preservation Committee in the previous term and seeks to change his membership on the Auburndale Historic Commission from full status to alternate.

Councilor Krintzman moved approval on item #92-20. The Committee voted 8-0 to approve.

#95-20 **Reappointment of Chris Steele to the Planning and Development Board**
HER HONOR THE MAYOR reappointing Chris Steele, 254 Elliot Street, Apt. 1, Newton Upper Falls, as a member of the PLANNING AND DEVELOPMENT BOARD for a term to expire on February 1, 2025. (60 days: 04/03/20)

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

Notes: Councilor Danberg moved approval on item #95-20. The Committee voted 8-0 to approve.

#96-20 **Reappointment of Dan Brody to the Community Preservation Committee**
HER HONOR THE MAYOR appointing Dan Brody, 15 Brewster Road, Newton Highlands, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire on February 1, 2023. (60 days: 04/03/20)

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

Notes: Councilor Danberg moved approval on item #96-20. The Committee voted 8-0 to approve.

#88-20 **Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

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

Notes: Chair Crossley introduced the item. After hearing concerns about whether and to what degree the new code would be context-based or some hybrid employing other zoning tools,

she said it matters less what we call the code, but more that we first agree on the problems we need to solve/ issues we need to address, and that we then employ the correct tools to get the job done. With that, she said the focus of this meeting would be to discuss issues relevant to each section of the code, in a discussion led by the planning department, and that overall process and timeline can be discussed at a future meeting.

Barney Heath, Director of Planning, Jennifer Caira, Deputy Director of Planning, and Gabriel Holbrow, Community Planner/Engagement Specialist addressed the Committee on this item. They planned on giving an interactive presentation which would allow the Committee to add the issues they wanted to see addressed for each of the 12 Articles. This presentation including the Committee additions in attached to this report. Before Planning presented, Councilor Baker distributed a memo to the Committee. His memo asked several clarifying questions such as balancing zoning redesign with other Committee business. The then-most recent list of unscheduled Zoning and Planning items he provided is also attached to his memo.

Prior to beginning the presentation, Committee members and Councilors attending discussed how to proceed.

Concern that the Law Department recommended (in the memo) waiting until the end of the term for a full council vote on the entire ordinance.

That the Committee does not get too bogged down with Zoning Redesign so that other business will not receive the proper attention.

The Chair reminded that the intention is to devote half of each regular meeting to the Zoning Redesign, and half to a range of other discreet subjects, such as revising the landmarking ordinance, the language of the fifth special permit criterion, and other climate related ordinances.

One Councilor felt the Committee should focus on incremental changes to the existing zoning code rather than replacing the entire code and starting over with a new one.

Others felt that Individual items should not be taken out of context and addressed erroneously as many of the issues are interconnected, and that the Committee should concentrate its time for the evening talking about the issues of zoning redesign and save deliberations on process for another date.

The existing zoning code is filled with split items, redundancies, and conflicting information making it inaccessible to the average person. Simply amending this code is not possible.

Some worried that the timeline suggested in the Planning Department memo is too long-taking us to the end of the term, noting that zoning redesign was put off in the previous term due to the Washington Street Vision Plan. Concern was expressed that actions must be taken soon as demolitions cannot be undone.

Mr. Holbrow then began the Planning presentation. He said that the Zoning and Planning Committee will be the main forum for discussion as the draft zoning redesign ordinance is reviewed in smaller, more manageable pieces. There will be constant community engagement with a vote on the complete Ordinance in line with a plan to adopt by December 2021. Once the Committee decides what issues will be addressed by each Article, there will be a separate meeting for each one.

Ms. Caira continued the presentation and focused on how prioritization would work. She said that the plan would be to build from the Zoning Reform Group's 11 themes. The Process will also identify and address issues to be resolved in each Article. Article 3 was proposed as a starting point due to the number of Zoning Reform principles and pressing issues, such as tear downs, it has the potential to address. The presentation would be interactive and allow Councilors to submit their suggestions for each Article. The key issues identified for each Article are as follows.

Article 2-General Standards: Clarify how setbacks, height, etc. are measured; Address any "loopholes" in height measurement that incentivize manipulating the grade of the site and that lead to excess bulk; Retaining walls; Define impervious; Define lot; How count attic space; What is driving teardowns; Defining half-stories; Defining basements; Easy to understand and enforce; Long narrow lots; Elevator penthouse as third floor (Austin Street); Exemptions to setbacks, encroachments into setbacks.

Article 3-Residence Districts: Tear downs; Single family attached; Garages; Impervious area; Detached garage locations; Long narrow lots, oddly shaped lots; Residential special permits – what needs; Flexibility of building size; Shadowing (related to height); Buildable lot size (new possibilities for subdivision); Bee friendly; Availability of starter homes; Economic diversity; Require visible house numbers; Protect public way for people: driveways, curb cuts; Rear-lot subdivisions; Setback requirements; Different building outcomes on different size/shape lots; Change of street character from two-family to multi-family; What is the "context"?; Protecting the streetscape: consistency of street-facing part of buildings; Policy decision: what is the context we want to create (house sizes, housing diversity, locations for density)?; Cluster housing / Courtyard housing.

Article 4-Village Districts: Incentivize mixed use buildings; Regulate building form –length of façade, location of parking, transparency; Variation of front setback; Shop sizes/width (small size for small business; Incorporate old with new; Materials, texture –variation to distinguish shops; Incentives for historic preservation; Fenestration: no blank walls, effect on street experience; Allow increased size / other reuse of historic buildings; Signage/wayfinding, building numbers visible, legibility of the streetscape; Building height, variation of height; Roof type requirements; How use roofs: solar, green roofs, roof decks, restaurant seating; Mechanical equipment ductwork, visibility/screening.

The Committee adjourned at 9:33pm.

Respectfully Submitted,

Deborah J. Crossley, Chair