

September 30, 2021

A zoning amendment to protect Newton village centers from over development has been filed with the City Council by Peter F. Harrington, a West Newton Attorney familiar with zoning law.

“This proposal is intended to protect the visual character of our villages, encourage reasonable village redevelopment and meets new state requirements for multi-family residences,” according to Mr. Harrington.

Innovations included in the amendment include elimination of special permits, a strict limit on building height and a bonus allowance for sloped roofs. The two story threshold height limit in village centers remains the same. A third floor is allowed, as of right, if it is used for multi-family housing. Under the present law a third floor requires a special permit. If a sloped roof is added the owner can use the interior attic space.

Harrington, a former Vice President of the Newton Board of Aldermen and a former Newton State Representative said, “We need to address the new State requirements while the City Council is rewriting our zoning ordinance. They are discussing Village Center zoning. This proposed zoning law meets the State’s new requirements and we can take advantage of the Council calendar meet our obligations.”

Some of the objectives of this proposal are to eliminate uncertainty of development in our villages for both neighbors and builders, speed up the time between conception and production, allow flexibility in unit design, provide an opportunity to build new naturally affordable housing, and preserve the New England Village character of our community

Over 65 Newton voters have signed a petition asking the City Council to hold a public hearing on Harrington’s proposed zoning amendment. Under Section 10 of the City Charter a public hearing is required if 50 or more citizens request it.

In January 2021 Governor Baker signed an amendment to Section 3 of Chapter 40A, the State Zoning Law.

Section 3 A. (a)(1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; . . . ; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative. . . ; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.”

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