



Zoning & Planning Committee Budget Report

City of Newton In City Council

Monday, May 9, 2022

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

Also Present: Councilors Downs, Lucas, Laredo, Greenberg, Humphrey, and Malakie

City Staff: Barney Heath, Director of Planning & Development; Jonathan Yeo, Chief Operations Officer, Josh Handverger, Senior Financial Analyst; Jen Caira, Deputy Director of Planning & Development; John Lojek, Commissioner of Inspectional Services, Andrew Lee, Assistant City Solicitor; Lara Kritzer, CPA Program Manager; Ouida Young, Law Department; Deb Finnamore, ISD Administrative Assistant; Perry Rosenfield, Senior Financial Analyst; Nathan Giacalone, Committee Clerk

DEPARTMENT BUDGET & CIP DISCUSSIONS:

CPA Administration:

Inspectional Services

Planning Department

Referred to Finance and Appropriate Committees

#213-22

Submittal of the FY23 to FY27 Capital Improvement Plan

HER HONOR THE MAYOR submitting the Fiscal Years 2023 to 2027 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.

Referred to Finance and Appropriate Committees

#213-22(2)

Submittal of the FY23 Municipal/School Operating Budget

HER HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY23 Municipal/School Operating Budget, passage of which shall be concurrent with the FY23-FY27 Capital Improvement Program (#213-22).

EFFECTIVE DATE OF SUBMISSION 04/19/22; LAST DATE TO PASS THE BUDGET 06/03/22

Referred to Finance and Appropriate Committees

#213-22(3)

Submittal of the FY23 – FY27 Supplemental Capital Improvement Plan

HER HONOR THE MAYOR submitting the FY23 – FY27 Supplemental Capital Improvement Plan.

CPA Administration

Note: Lara Kritzer, Community Preservation Act (CPA) Program Manager presented the proposed FY23 budget for the CPA. A copy of her presentation can be found attached to the end of this

report. The CPA funds may be used only for the specific uses according to the provisions of the MA Community Preservation Act: Open Space, Community Housing, Recreation and/or Historic Resources. Individual requests for funds are brought before the Council for final approval with a recommendation from the Community Preservation Committee. The proposed Program Administration budget for FY23, which may by law be no more than 5% of that year's CPA fund, totals \$179,376, which is a decrease of \$5,000 from FY22. Funding for the CPA program is generated by a 1% local surcharge on property taxes, which is partially matched by the state's trust fund, based on the prior year local surcharge. In 2022, Newton received a match of 43.8% of the FY21 CPA surcharge. Ms. Kritzer noted that funding may be used on an annual basis or saved for future projects, but at least 10% of each year's revenue must be used for each of three categories: open space acquisition, community housing and historic resource preservation.

In FY23, Ms. Kritzer stated that it is anticipated that the local surcharge will generate 3.9 million dollars and the state will match the FY22 surcharge with a match of \$765,273, which she believes is conservative. In FY22, the match was significantly higher than the budgeted 20%. The total FY23 budget totals \$5,565,875, including Program Administration. There is \$3,578,971. in general reserves, and \$556,588 in the community housing, historic resources and Open Space Reserves.

It was noted that the CPC had previously made a commitment for seed funds for the newly created Newton Municipal Affordable Housing Trust. Ms. Kritzer noted that while the Committee has committed to setting aside 30% (approximately \$1.9 million dollars annually), they must wait until there is an application before them to act. The Mayor has recently recommended appointments to all seats on the Trust, awaiting final Council approval. Ms. Kritzer noted that although the \$1.9 million dollars will help start the Trust initially, a petitioner may still choose to apply to the CPC for funding. As the Trust becomes established, application and review processes will be further.

A Committee member noted that Outcome 1 and Outcome 2 in the budget address promotion and publication of CPA services. Ms. Kritzer explained that it is the intent to perform outreach to smaller organizations who may have not previously considered the CPA as a resource. Currently, CPA outreach is performed using social media. A Councilor noted that it could be beneficial to see smaller neighborhood organizations applying for CPA grants. Ms. Kritzer confirmed that she would be happy to attend neighborhood meetings.

The Committee expressed excitement to see how the work of the Trust progresses. The Committee took a straw vote to approve the CPA Administration proposed budget of \$5,565,875, along with the Supplemental CIP and CIP, which passed 7-0 (Councilor Albright not voting).

Inspectional Services Department

Note: John Lojek, Commissioner of Inspectional Services presented the proposed FY23 budget for the Inspectional Services Department (ISD). The proposed budget is \$2,026,128, representing an 11% increase from the FY22 original budget. Mr. Lojek noted that the increase is primarily due to an additional Developmental Services Associate, funds to support the part-time leaf-blower enforcement staff and

personnel increases due to contractual agreements. The Commissioner began his presentation by thanking members of the Inspectional Services Department, commending staff for their continued work, particularly throughout the pandemic.

Commissioner Lojek discussed major ongoing initiatives for the department. The development and implementation of the permitting software OpenGov/NewGov has been led by members of the ISD team but is a collaborative cross departmental effort. Phase I of the project included development of workflows for Plumbing, Gas, Electrical, Health and some periodic inspections. Phase II went live on May 2, 2022 and included Building Permits, Engineering, Fire and ancillary applications. Commissioner Lojek stated that residents are using the software to apply for permits and noted that the department received 350 applications within the last week. Once an application is submitted through the software, it is triaged by staff and sent to the appropriate department(s) for review. The software is designed to identify specific sites and has flags for any unique markers at a site (property age, historic, conservation, special permits, etc.). The Commissioner noted that Phases III and IV are currently in development and will include the City Clerk's Office, Parks & Recreation and Public Works.

The Commissioner explained that the department has reviewed and or issued 9,294 permits through May 9, 2022. The number of permit applications is in line with recent previous years. He noted that conversion of the electronic records from Community Plus to OpenGov has been difficult but is progressing. A Committee member questioned whether enforcement requests will be tracked through OpenGov and how ISD will measure greater time saving, collaboration and enhanced transparency. The Commissioner and Chief Operating Officer Jonathan Yeo each noted that the OpenGov platform contains reporting software, which allows the city to generate reports on any of the data in the system. Chief Operations Officer Jonathan Yeo explained that while the department is currently focused on implementation, they will shift to reporting as soon as possible. Commissioner Lojek noted that there has been a visible reduction at the ISD counter since May 2, 2022. He stated that the streamlining of the application process has already allowed staff to spend more time in the field and process permits. The Committee questioned how the department will track ongoing conditions and/or conditions from older permits. Commissioner Lojek noted that it is the expectation that a collaborative effort among ISD, Planning and the City Clerk's office will result in the uploading of special permits to OpenGov. Although the OpenGov workflow includes a tracking mechanism for ongoing/post-occupancy conditions, the data still must be uploaded to each subject parcel. Councilors noted that the new program will result in time and cost savings. It was noted that although time will be saved during the permitting process, staff will still have to manage the work to support each permit.

Commissioner Lojek presented an update on leaf-blower compliance and enforcement. The ordinance requires payment and registration, display of the registration tag and the use of equipment that is less than 65 dB. He noted that as of May 9, 2022, 112 companies have registered. The Commissioner noted that ISD has been cross-referencing information with the Police Department and have issued 104 violations to date. He confirmed that ISD and Police are tracking repeat offenders and will ensure suspension after two violations. The Commissioner noted that Newton is not the only community requiring registration and stated that the landscaping companies are aware of the requirements. He

encouraged the Council to contact Code Enforcement Officer Andy Mavrelis regarding any code violations.

A Committee member noted that the city ran out of registration stickers. The Commissioner confirmed that new registration stickers have been received by the city and will be sent to registrants. It was asked whether there may be supply chain issues with the purchase of compliant equipment. Commissioner Lojek confirmed that the department has not yet identified any supply chain issues for compliant equipment.

The Commissioner reviewed several other ongoing enforcement actions:

91 Newtonville Avenue (is a safety hazard and will be demolished); 283 Melrose Street (construction began without proper permitting); 23 Howe Road (using space within the house for boarding). The Commissioner noted that the pace of construction in single- and two-family units is unabated. He stated that major projects coming on board include: 204 dwelling units at Riverdale on California Street, 800 dwelling units plus office and commercial for Northland on Needham/Oak Streets and 550 units plus laboratory and retail at Riverside. Commissioner Lojek emphasized the complexity of the major development projects between permitting and conditions. He noted that the city engages third party reviewers at the developer's expense to support such complex reviews. The Commissioner and Mr. Yeo also noted that a new Planning Department staff person will be instrumental for enforcement of ongoing special permit conditions.

Committee members expressed support for additional staff members, to ensure that the department has the adequate staff to successfully manage the evolving workload. The Commissioner confirmed that, with all positions now filled, the staff is sufficient for the work. The Committee emphasized their appreciation for the work of the ISD staff, the Commissioner and Mr. Yeo. Councilors noted their enthusiasm for full implementation of OpenGov.

The Committee took a straw vote to approve ISD proposed budget of \$2,026,128, along with the Supplemental CIP and the CIP, which passed 6-0 (Councilors Leary and Wright not voting).

Planning Department

Note: Director of Planning and Development Barney Heath provided an overview of the proposed FY23 Planning and Development department budget as shown in the attached presentation. The proposed budget totals \$2,545,136, representing a 13.14% increase from FY22. Mr. Heath reviewed the department organizational chart, which includes two new staff members in FY23; a Deputy Chief Planner and a Housing Program Manager. Mr. Heath noted the Deputy Chief Planner position will be critical for tracking and managing the ongoing special permit conditions associated with larger development projects, a position that will be instrumental for careful enforcement. The Housing Program Manager position is designed to work proactively to fortify city efforts to expand the supply of affordable housing and manage the increased deed-restricted affordable housing inventory. Mr. Heath noted that establishing the Housing Trust will be a great benefit and expects that the new Housing Program Manager can also support the work of the Trust. He assured the Committee that both new

positions will work closely with the Inspectional Services team on enforcement. In response to questions from the Committee, Director Heath and Mr. Yeo noted that the two positions have been contemplated for several years and are in response to the increased depth and breadth of work in the department.

In response to questions from the Committee regarding whether these positions might be more appropriate in the Inspectional Services Department, Deputy Director of Planning and Development Jennifer Caira stated that the positions belong within the Planning Department as they are responsible to evaluate compliance with conditions involving design standards during design development, and must monitor compliance with conditioned operations as well. Inspectional Services does not evaluate design issues or monitor ongoing operational compliance (such as required traffic counts and parking management).

Responding to questions, Mr. Heath answered that the Construction Manager handles all of construction monitoring for subsidized affordable housing projects (Golda Meir, Coleman House, Haywood House) and certifies that the work is done according to the proper specifications. Mr. Heath confirmed that any property within wetland jurisdiction is subject to review and can be approved, but with conditions set by the Conservation Commission. It was noted that there are different levels of wetland protections based on how close the property is to protected wetlands.

The Committee noted that there are 310 acres of Conservation land and only \$25,000 has been budgeted to manage the land. The Committee shared concerns that the budgeted funding is insufficient for Conservation purposes and questioned whether funds should be reallocated to better support stewardship of these lands. Mr. Yeo explained that although the department budget only reflects \$25,000 for FY23, conservation is an initiative that the Mayor supports and the conservation team has access to resources not contained in the Planning Budget (i.e. \$50,000 in maintenance, additional funds from the golf course, etc.). The Committee asked that a summary of all funds available to Conservation be drafted and provided to the Council prior to the end of budget deliberations.

The Committee questioned where the department's sustainability initiatives and goals are in the budget, noting that they are not separately expressed in the outcomes and/or the Sustainability division's outcomes (Sustainability Directors are in the Executive department budget) for FY23. Mr. Yeo noted that the sustainability details are contained in the Climate Action Plan and referred to, but not explicitly detailed in the proposed budget. He confirmed that as the budget for FY24 is drafted, the administration will look to include the sustainability commitments by departments.

A Committee member questioned whether \$200,000 for consultant fees is necessary. Mr. Heath confirmed that the consultants have been an integral part of completed and ongoing work for zoning redesign and the several visioning efforts. He noted that any consultant fees for individual projects will come out of this line item. The Council asked whether the shuttle service funding is gaining traction and what can be done to reduce single-occupancy vehicle trips. Mr. Heath noted that the Watertown shuttle service on Pleasant Street has not been very effective and confirmed that Director of Transportation Nicole Freedman would emphasize her support in favor of NewMo. He stated that Ms. Freedman is trying to secure grant funding to electrify the NewMo fleet.

The Committee commended the Planning Department for their extensive, high quality work, particularly in light of the loss of several critical staff members. With that, the Committee took a straw vote to approve the proposed Planning Department Budget of \$2,545,146, along with the Supplemental CIP and CIP, which passed 6-0 (Councilors Baker and Wright abstaining). Councilors Baker and Wright abstained pending the summary report detailing Conservation Commission available funds.

Councilor Krintzman made a motion to Hold items #213-22, #213-22(2), and #213-22(3) which carried 8-0.

The meeting adjourned at 10:45pm.

Respectfully submitted,

Deborah J. Crossley, Chair