



# Zoning & Planning Committee Report

## City of Newton In City Council

**Monday, November 14, 2022**

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

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

Planning & Development Board: Kelley Brown (Chair), Kevin McCormick, Amy Dain, and Peter Doeringer

City Staff: Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; Zachery LeMel, Chief of Long Range Planning; John Sisson, Economic Development Director; Nevena Pilipovic-Wengler, Community Planning/Engagement Specialist; Jonathan Yeo, Chief Operating Officer; Andrew Lee, Assistant City Solicitor and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [11-14-22 Zoning & Planning Committee Meeting | \(newtv.org\)](https://www.newtv.org/11-14-22-Zoning-&-Planning-Committee-Meeting)

**#489-22      Requesting review and discussion for the creation of as-of-right zoning for animal service establishments**

HER HONOR THE MAYOR requesting amendment to Chapter 30, Newton Zoning Ordinance, to allow animal service establishments by-right in BU1 and BU2 zones.

**Action:**      **Zoning & Planning Held 7-0 (Councilor Baker not voting); Public Hearing set for 12/12/2022**

**Note:**      John Sisson, Economic Development Director explained that it came to his attention recently, when a pet grooming business wished to establish in Newtonville, that animal service establishments are omitted from the use table in the adopted 2015 revised Ch30 ordinances. Currently, 6 animal service establishments exist in BU1 and BU2 zones, but are legally noncompliant, due to what is believed to be an error in the table. He noted that the proposed amendments are to allow these uses in business zones, a desirable use in village centers across the City. Multiple Committee members agreed, and moved to set a public hearing quickly to remedy this issue. Andrew Lee, Assistant City Solicitor noted that the public hearing notice can be written broadly in response to a Councilor proposing that these establishments may be allowed in BU3 and BU4 zones as well. Seeing no concerns, the Committee voted 7-0

(Councilor Baker not voting) on a motion to hold and set a public hearing for 12/12/2022.

Kelley Brown, Chair of the Planning & Development Board also set a public hearing for 12/12/2022 through chair's discretion.

**#38-22 Discussion and review relative to the draft Zoning Ordinance regarding village centers**

ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

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

**Note:** Nevena Pilipovic-Wengler, Community Planning/Engagement Specialist, presented the results of the recent community engagement period (attached). Ms. Pilipovic-Wengler noted that this phase of community engagement was built on a multi-year effort. The purpose of this engagement period was to raise community awareness about and collect feedback on the proposed zoning framework workshopped by the Committee in June.

**Methods**

The engagement consisted of four methods:

1. the feedback tool developed with the *Stanford Crowdsourced Democracy Team*,
2. library exhibit (in-person at Newton Free Library and online PDF),
3. equitable focus groups (to reach renters and a younger (18-44) demographic),
4. the community engagement network (over 80 volunteer network leaders to community/ neighborhood groups).

The feedback tool focused on three (3) questions:

- **Scale:** whether the proposed three districts are the right tool to accommodate the diversity of scale in our village centers,
- **Mapping:** what districts should be mapped in which village centers, and
- **Parking:** whether the on-site parking requirements for each use on the mark.

Importantly, each question allowed for open ended responses that did help to qualify responses.

These questions were designed to get at core reasoning and received 1,078 completed submissions. This tool did not require identification so as to increase accessibility, but Stanford noted that these results are valid and nefarious actors did not have a substantial impact on the main conclusions. The library exhibit illustrated all parts of the framework, and the feedback tool incorporated all information needed to answer the questions within the tool, including links to the entire exhibit in PDF form, which remains available on the City's website. In the exhibit, the Planning Department showcased the various ways that density can be regulated.

Structuring equitable focus groups were made possible through a grant from MAPC (Metropolitan Area Planning Council). renters, individuals with disabilities, and young people;

gathered at community events and staffed library visits. Numerous community engagement network leaders helped to test drive the feedback tool along with doing outreach and having meaningful discussions with Newton residents.

### **Demographics**

The demographic data from the feedback tool shows a disproportionate number of responses received from certain demographic groups. For example, a higher proportion of responses came from individuals above 45 years of age than reside in Newton. A disproportionately higher number of responses also came from homeowners versus renters and white people. In their report (but not in the Planning memo) the Stanford team provided 'adjustments' of the feedback tool results to show what the feedback would look like should the demographics of the respondents have been proportional to Newton's actual demographic. Ms. Pilipovic-Wengler presented some of these charts from the Stanford report in her PowerPoint (attached), but emphasized that the numbers are actual counts in the Planning department memo. She affirmed that these 'adjustments' are shown alongside the unadjusted responses in the Stanford report, in response to clarification sought by Councilors.

### **Variety of Zoning Districts scaled to Village Centers**

When asked for feedback on having a variety of zoning districts in village centers respondents overall expressed positive interest in the proposed districts with 36.6% indicating that the proposed districts are appropriate. Adjusting for age and homeowners v. renters a 9.4 and 8.8 percentage point increase respectively were noted. Open-ended responses revealed that some respondents who selected 'goes too far', also indicated a desire for no changes to the current zoning or to require less than 2 floors by-right. Others selected 'doesn't go far enough', while indicating a desire for higher density. Ms. Pilipovic-Wengler noted in the staff takeaways that overall, respondents slightly favored the variety seen in the framework with focus groups also expressing general support.

### **Mapping**

Respondents were asked to identify which proposed zoning districts should be applied to each village center. Results were mostly mixed with responses for some village centers trending to a particular scale. Ms. Pilipovic-Wengler noted that the Stanford team did not show adjusted calculations for this section in their report, due to insignificant changes in results. Focus groups echoed these mixed results in terms of support for increasing density. Two main takeaways were found with this question with the first being that defining a village center as 'small', 'medium', or 'large' was useful in the beginning but not a helpful distinction for this exercise. Respondents showed a strong interest in concentrating medium and large districts near public transportation.

### **Parking**

This question sought to gauge interest in the proposal to reduce on-site parking requirements for new residential, retail, and office buildings in village centers. In the takeaways from the responses, staff saw slightly more support for the proposal in all 3 uses, however, the number

of responses decreased from residential to retail, to office. Focus group responses were mixed overall with concerns over decreases in accessible parking being noted. Staff also noted common sentiments among respondents regarding the consideration of EV charging infrastructure and impacts on village centers without public transportation.

### **Discussion**

Councilors expressed overall enthusiasm for the work of the Planning Department and Stanford team along with an appreciation for receiving this community input. Several councilors asked similar questions about the methods used to adjust the data, and requested additional analysis from the Stanford team. Staff emphasized that the Stanford work to develop the feedback tool and data analyses were done on a pro-bono basis, and that answers to those questions might be difficult to obtain according to Mr. Heath. It was as well clarified several times that the Planning department memo includes only the actual numbers of responses. The presentation tonight as well included Stanford's analyses adjusting for Newton's demographic.

Peter Doeringer, a member of the Planning & Development Board, described three data points that stood out for him. First was the amount of work undertaken to reach underrepresented groups, and that reaching out to these groups helps to engage small business owners and individuals in lower income census tracts. Second, Mr. Doeringer recommended adding gender demographics to the results of the feedback tool. Last was regarding the contribution of respondents and how much Newton residents engage with multiple village centers. He also mentioned the long-term implications of such data on the City's transportation policy, parking policies, and business development activities. The Chair stated that this engagement period has helped to raise awareness regarding village center zoning redesign. It was also noted during the discussion that the data is not presented as a scientific survey and shouldn't be treated as such. Ms. Pilipovic-Wengler mentioned that this engagement period helped to also educate the public about zoning terminology.

### **Conclusion and Next Steps**

Ms. Pilipovic-Wengler noted that this process was successful with the feedback tool receiving over double the initial response goal and a majority of network members wanting to see something similar in the future. It was also stated that the library exhibit while successful was very labor intensive and that the City needs to prioritize engaging communities that were underrepresented in the feedback tool responses. Mr. Heath stated that the draft zoning text will be presented to the Committee at our next meeting on November 28th and until the end of the year, the draft maps presented at the October 24th meeting will be on display in City Hall through the rest of the year. The Planning Department will also be conducting information and input sessions with property and business owners along with meetings with Councilors.

Committee members voted 8-0 on a motion to hold from Councilor Krintzman.

**#490-22      Reappointment of Michael Kaufman to the Urban Design Commission**  
HER HONOR THE MAYOR reappointing Michael Kaufman, 24 Turner Terrace, Newtonville as a full member of the Urban Design Commission for a term of office to expire on December 31, 2025. (60 Days: 01/06/2023)

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

**Note:**      The Chair read items #490-22 and 491-22 into the record. Committee members expressed no concerns relative to the reappointments and voted 8-0 on a motion to approve from Councilor Albright.

**#491-22      Reappointment of Visda Saeyan to the Urban Design Commission**  
HER HONOR THE MAYOR reappointing Visda Saeyan, 7 Marcellus Drive Newton Centre as a full member of the Urban Design Commission for a term of office to expire on December 31, 2025. (60 Days: 01/06/2023)

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

**Note:**      This item was discussed concurrently with #490-22.

The meeting adjourned at 10:12pm.

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**