



# Zoning & Planning Committee Report

## City of Newton In City Council

**Monday, January 23, 2023**

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

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

City Staff: Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Zoning & Planning Committee January 23, 2023 \(newtv.org\)](https://www.newtv.org/Zoning-Planning-Committee-January-23-2023)

**Chair's Note:** For the following item the Zoning & Planning Committee will hear first from Planning staff who will provide a general summary of feedback to date on version 1 VC zoning and describe list of elements within the draft needing further exploration and refinement. By no later than 7:30 we will continue to hear from Boards, Commissions and community groups on Version 1.0 of the [draft zoning text](#) and [draft maps](#).

**#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:** Jennifer Caira, Deputy Director of Planning presented the feedback received to date on version 1.0 of the draft zoning text and maps. All recordings and notes from information sessions can be found at the [link](#) in the presentation. (attached) Ms. Caira noted that comments in these sessions ranged from specific suggestions for amending future map iterations to broader comments on the proposal. The main themes of these comments were outlined and more details on these comments will be provided when Version 2.0 is presented in March.

Ms. Caira then outlined the following work the Planning Department and Utile has underway for version 2.0:

- Estimating of unit capacity enabled by proposed zoning that would satisfy **MBTA Communities compliance**. In addition, in anticipation of the VC zoning not achieving full compliance, staff and Utile are looking at rezoning transit proximate locations across the city.
- Changing the metrics of the **VC1** district that can better balance goals of more multi-family housing near village centers while incentivizing the preservation and reuse of existing structures.
- **Identifying historically significant properties** on future maps and incentivizing the preservation and reuse of these structures.
- **Allowing alternative uses in existing churches, temples** etc. in order to provide options for adaptive reuse, without incentivizing demolition.
- **Updating visuals** to illustrate what typical streetscapes can look like under various stages of build-out the proposed zoning.
- **Developing detailed comparisons of VC district metrics to existing (underlying) zoning**
- **Continuing to track local data on parking utilization**, such as transit proximity, user demographics, and affordability, to better refine parking requirements in the proposal.
- Working with the Newton Housing Partnership to analyze options for **affordable housing incentives** beyond what the inclusionary ordinance requires.
- Refining strategies for incentivizing **mixed-use** to ensure compliance with the MBTA Communities guidelines.

Progress on these will be provided to the Committee beginning in February to the release of version 2.0 in March. The Chair noted that the calendar in the presentation is amended from previous versions, extending the time frame to public hearing by a month or so, and that adding committee meetings to get through all of this work may be necessary.

The Chair provided a brief recap of public engagement at the January 9<sup>th</sup> meeting. ([Zoning & Planning Committee, January 9, 2023 \(newtv.org\)](#)) Below are short summaries of key points made by the following groups that testified this evening.

*Note: if a group submitted testimony in writing it is linked to the name of the group. Visual materials submitted with written testimony may not have been vetted for accuracy against versions 1 of the proposed zoning. Full audio visual is linked to the report above. Groups were asked to submit descriptions of their mission, when founded, and who they serve.*

**Glenwood Ridge Neighbors** represents approximately 60 addresses and works to give those living in close proximity a way to be in touch with issues of common concern. Norma Swenson represented this group and urged the Committee to prioritize green space in the zoning proposal.

Ms. Caira and Director Heath clarified that zoning can only regulate what may be built on privately owned lots, noting that the proposed VC2 and VC 3 zones are laying over existing business zones, where there are no requirements for green space or open space and where parcels are typically fully built out today and do not contain green space. Green space in village centers is provided on city-owned land which will not be impacted by this zoning. The zoning will include requirements for new public space on private land and wider sidewalks. The City also continuously works to upgrade its green infrastructure.

**Waban Area Council** was founded in 2013 and acts as an intermediary between the City, City Council, and residents, in providing information on issues important to their district. Rena Getz spoke for them noting that the Waban Area Council surveyed the members on village center zoning redesign and received 325 responses. She said the majority of respondents noted their lack of information on and understanding of the zoning redesign effort. Ms. Getz responded in the affirmative when a Councilor asked about potentially partnering to send materials to residents.

The **Newtonville Area Council**, represented by Jennifer Bentley, said that this Area Council has the same story as the Waban Area Council but for the Newtonville area. She noted member concerns regarding increased development within this village center, that the public transit is inadequate and advocated that Chestnut Hill be included in these zoning redesign efforts.

**Neighbors for a Better Newtonville** was founded in 2015 to preserve the village character of Newtonville, limit gentrification, and protect local businesses. Represented by Margaret Ward and Robert Kavanaugh, this group advocated for the City to work with other municipalities on regional rezoning efforts versus only local efforts, the need for consistency in the zoning ordinance, and improvements to transit within Newton.

[Neighbors for a Historic Newtonville](#) is a group of approximately ten neighbors, including those who were involved in establishing the Newtonville Historic District. Represented by Ellen Fitzpatrick, this group noted the need for truly affordable housing but while also preserving historic buildings. They feel strongly that no portions of the historic district be included in the village center rezoning.

Director Heath noted that no historic protections will be altered in the proposed zoning and that the Department is working on incentivizing adaptive reuse of existing structures, by allowing them to become multifamily by right (only two family is allowed by-right currently). The Historic District Commission would continue as the primary authority for any exterior change to a structure within the district, as it is today.

[Newtonville Neighbors for Historic Preservation](#) was founded in 2023 and strives to make Newton more diverse, affordable, and welcoming to all individuals. Represented by Lindsey Fieldman and Chris Klaehn, they noted the need to evaluate how this zoning will impact current infrastructure and the need for transit improvements within the City.

**Lowell Avenue Neighbors** was founded over 22 years ago to protect economic and cultural diversity, maintain the Newtonville Historic District, and limit urbanization within the neighborhood. Peter Harrington represented this group and advocated for the removal of the Newtonville Historic district in future map iterations and the need to preserve green space.

[Nonantum Neighborhood Association](#) was founded twelve (12) years ago to foster the prosperity of Nonantum. Represented by Terry Sauro, this group advocates for preserving current buildings and improvements to public transit. They also requested a transportation study to see the potential impacts of the overlay district.

The [Jackson Homes Historic Neighborhood Association](#) was founded in 2017 and serves over 100 individuals in the Newton Corner neighborhood. Wendy Plesniak represented this group and noted concerns over further increases in the density in Newton Corner. The Chair recommended that this group speak with the Newton Corner Neighborhood Association, who testified at the previous January meeting, submitted specific recommendations on the proposal and have met with staff to review the maps, which will be amended.

**Newton Villages Alliance**, represented by Kathleen Kouril Grieser, was founded almost a decade ago and is a community and open space advocacy organization for residents in all village centers. Ms. Grieser advocated that all residents be notified by mail of this zoning proposal, that she feels this proposal is discriminatory and that Newton should work with the State delegation to amend the MBTA Communities guidelines.

The [Newton Interfaith Coalition for Housing Equity](#) formed 18 months ago with a mission to significantly increase Newton's housing affordability, diversity, and abundance. represented by Lisa Keshet and Reverend Devlin Scott. Both noted the need for abundant, equitable, and diverse housing and expressed support for the stated goals and objectives of village center rezoning, while noting several specific provisions within the proposal designed to meet them.

The [Newton Lower Falls Improvement Association](#) has been operating since 1915 striving to promote the interests of members, foster community spirit, and promote civic engagement. Represented by Cyrisse Jaffee, this group outlined questions submitted in written testimony and requested a response at a later date from the Planning Department.

Ms. Caira agreed that staff will develop a Q&A that will cover these and many other questions. She reiterated that the Department is working on a comparison table between the current zoning and the proposal, and clarified that the zoning would not change the current process by which properties under the jurisdiction of the Conservation Commission, such as the Lower Falls properties along the Charles River, are regulated.

The **Economic Development Commission**, represented by EDC Chair Philip Plottel, was established under MGL Chapter 40, Section 8A, to promote and develop business and industry within Newton, and is tasked to advise local officials and city agencies on strengthening the local economy. Chair Plottel noted that the EDC voted unanimously in support of the village center zoning framework proposal, and explained how it - helps to further economic development opportunities within Newton (particularly smaller scale projects), - supports meeting housing needs and compliance with MBTA Communities, aligns with Newton's Climate Action Plan, respects the unique character of Newton's village centers, makes sensible parking proposals and represents an inclusive, city-wide effort.

One Councilor raised concerns about those who may own or purchase multiple parcels in village centers in order to develop very large projects, noting the situation in West Newton. Another Councilor noted that this can be and is done today by requesting a change of zone and special permit. Planning Director Heath noted that many property owners in village centers have long-term leases suggesting that this is not likely in every village, and reminding that lots over 30,000sf will still require special permits in the VC zones.

A Councilor stated that about 3500 units have been either constructed, approved, permitted, filed or are under consideration by the City in recent years to the present, saying that these numbers come from the Planning Department records. Another councilor asked for these numbers to be sorted and provided to the committee, citing key information and status of each project. *(Follow up: Councilor Wright submitted her data and projections of housing units since 2020 to the planning department for their review and response prior to the Feb.13 ZAP meeting)* Another Councilor responded noting that multiple larger projects containing many of these units will not be completed for years, if at all, as some have been indefinitely stalled due to this economy. Director Heath noted that the City and Council has little discretion regarding projects that come before the Zoning Board of Appeals, which are governed by the state requirements under Ch40B.

A couple of Councilors noted the need for rules that can incentivize variety in building design to provide character in village centers. Some councilors also agreed with the idea of creating an alternative set of requirements if a property is located in a historic district in order to foster adaptive reuse. In such cases it was recognized that the historic district commission's authority remains primary, but more than two units could be allowed by right. Setbacks to sensitive lands was discussed. The Chair has discussed with Upper Falls Area Council having a minimum setback requirements to the Greenway and other councilors noted other unique landscape features where setbacks should be considered. Councilors also noted a need for more truly affordable (30-60%AMI) housing in Newton. Regarding future discussion on version 2.0, a Councilor asked if another comment period would be held. The Chair noted that version 2.0 will be worked through in Committee based upon feedback to date, folks are welcome to submit letters which are catalogued [here](#), and that the next public forum would likely be in the form of public hearings.

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

**#24-23 Reappointment of Laurie Malcom to the Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR reappointing Laurie Malcom, 95 Algonquin Road, Chestnut Hill as a member of the Newton Upper Falls Historic District Commission for a term of office to expire on December 24, 2025. (60 Days: 03/18/2023)

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

**Note:** The Chair read the item into the record. Committee members expressed no concerns relative to the reappointment and voted 8-0 on a motion to approve from Councilor Krintzman.

The meeting adjourned at 9:50 pm.

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**